

STATE OF DELAWARE



Journal of the House of Representatives

145th General Assembly

Convened
Tuesday, January 13, 2009
Dover, Delaware

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2009-2010

MEMBERS OF THE HOUSE OF REPRESENTATIVES  
145th GENERAL ASSEMBLY

District

**NEW CASTLE COUNTY**

- |    |                                                                                                                                                                  |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1  | Dennis P. Williams, 3414 North Madison Street, Wilmington                                                                                                        |
| 2  | Hazel D. Plant, 523 Eastlawn Avenue, Wilmington                                                                                                                  |
| 3  | Helene M. Keeley, 1501 West Fifth Street, Wilmington                                                                                                             |
| 4  | Gerald L. Brady, 1804 Shallcross Avenue, Wilmington                                                                                                              |
| 5  | Melanie George Marshall, 12 Calvarese Drive, Bear<br>Melanie L. George, 12 Calvarese Drive, Bear - March 24, 2010                                                |
| 6  | Diana M. McWilliams, 810 Bezel Road, Wilmington - Resigned November 17, 2008<br>Thomas H. Kovach, 1410 William Penn Lane, Wilmington - Elected December 20, 2008 |
| 7  | Bryon H. Short, 14 Chestnut Street, Wilmington                                                                                                                   |
| 8  | S. Quinton Johnson, IV, 151 Back Creek Drive, Middletown                                                                                                         |
| 9  | Richard C. Cathcart, 226 Milford Drive, Middletown                                                                                                               |
| 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 | William A. Oberle, Jr., 2 Danver's Way, Newark                                                                                                                   |
| 25 | John A. Kowalko, Jr., 134 North Dillwyn Road, 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 | Pamela J. Thornburg, 176 Cardinal Hills Parkway, Dover    |
| 30 | William R. Outten, 206 Delaware Avenue, Harrington        |
| 31 | Darryl M. Scott, 102 Cobblestone Lane, Dover              |
| 32 | E. Bradford Bennett, 52 Stuart Drive, Dover               |
| 33 | Robert E. Walls, 2645 Milford Harrington Highway, Milford |
| 34 | Donald A. Blakey, 956 Bison Road, Dover                   |

**SUSSEX COUNTY**

- |    |                                                                                                                                                      |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------|
| 14 | Peter C. Schwartzkopf, 24 Coventry Road, Rehoboth Beach                                                                                              |
| 35 | David L. Wilson, 17968 Haflinger Road, Lincoln                                                                                                       |
| 36 | V. George Carey, 24625 Sugar Hill Road, Milford                                                                                                      |
| 37 | Joseph W. Booth, 200 Garden Street, Georgetown - Resigned August 3, 2009<br>Ruth Briggs King, 3 Par Court, Georgetown - Elected - September 12, 2009 |
| 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**

145th GENERAL ASSEMBLY

Richard Puffer - Chief Clerk  
JoAnn Hedrick - Chief Clerk Emeritus  
Debra Brander - Majority Page  
Blaine Breeding - Majority Legislative Assistant  
Karen Brown - Bill Prep Clerk

William Bullock - Majority Page  
 William Bush - Senior Majority Attorney  
 Cerron Cade - Majority Legislative Assistant  
 Melanie Callaway - Recorder  
 Josephine Conaty - Minority Head Page  
 Jean Diener - Minority Secretary  
 Elizabeth Donaway - Podium Secretary  
 Janice Durham - Majority Receptionist  
 Kristin Dwyer - Director of Technology & Data  
 Janice Fischbach - Majority Secretary  
 Hilda Flowers - Majority Receptionist  
 Joseph Fulgham - Minority Director of Communications  
 Luisa Georgov - Minority Page  
 Jerry Grant - 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  
 Alexis Jamison - Minority Legal Secretary  
 May Jarmon – Majority Page  
 Tammie Kanich - Minority Page  
 Joyce Keeler - Majority Legislative Assistant – Retired July 1, 2009  
 Janet Kilpatrick - Minority Legislative Assistant  
 Amanda Lamar - Coordinator of Communications  
 Scott Long - Majority Page  
 Edward McTaggart - Sergeant-at-Arms  
 Connie Malin - Bill Prep Clerk  
 Stephanie Mantegna - Minority Policy & Communications  
 Joyce Martin - Minority Page  
 Dolores Michels - Tributes & Memoriams  
 Sandra Mifflin - Recorder  
 Michael Migliore - Majority House Attorney  
 Margaret Moore-Dean - Minority Legislative Assistant  
 Rachel Murray - Bill Prep Clerk  
 Karen Nickerson - Recorder  
 James Nutter - Majority Attorney  
 Cynthia Oates – Majority Page  
 Judy O’Brien - Office Manager - Wilmington Office  
 Matthew Pazoles - Director of Technology & Data  
 Pam Price - Minority Chief of Staff  
 Barbara Rossiter - Bill Prep Clerk  
 Nancy Ruberto - Minority Secretary  
 Frances Schmidt - Minority Page  
 Erik Schramm - Majority Chief of Staff  
 Susanne Schwarz - Majority Legal Secretary  
 Jordan Seemans - Assistant to the Speaker  
 Lorraine Sexton - Financial Officer  
 Albert Shields - Assistant to the Speaker  
 Ron Smith - Senior Minority Attorney  
 Alice Stark - Minority House Attorney  
 Meredith Stewart - Majority House Attorney  
 Pam Townsend - Majority Legislative Assistant  
 Dana Tracy - Podium Secretary  
 Eli Turkel - Majority Legislative Assistant  
 Khon Tuy - Majority Legal Secretary  
 Douglas VanSant - Reading Clerk  
 Andrew Volturo - Majority Director of Communications  
 Gale Warren - Journal Clerk  
 Molly Warren - Sergeant-at-Arms  
 Kenneth Watkins - Sergeant-at-Arms  
 Kay Wilson - Minority Legislative Assistant

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

STANDING COMMITTEES  
OF THE  
HOUSE OF REPRESENTATIVES

January 14, 2009

**AGRICULTURE:** Representative Robert E. Walls – Chair; Representative John C. Atkins, Vice-chair; Representative William J. Carson, Jr.; Representative S. Quinton Johnson, IV; Representative Valerie J. Longhurst; Representative V. George Carey; Representative Gerald W. Hocker; Representative William R. Outten; Representative Pamela J. Thornburg.

**APPROPRIATIONS:** Representative Dennis P. Williams, Chair; Representative Melanie George Marshall; Representative James Johnson; Representative John L. Mitchell, Jr.; Representative Joseph W. Booth; Representative Joseph E. Miro.

**CAPITAL INFRASTRUCTURE:** Representative Helene M. Keeley, Chair; Representative Michael P. Mulrooney; Representative Teresa L. Schooley; Representative John J. Viola; Representative V. George Carey; Representative William A. Oberle, Jr..

**CORRECTIONS:** Representative James Johnson, Chair; Representative John C. Atkins, Vice-chair; Representative William J. Carson, Jr.; Representative Hazel D. Plant; Representative Dennis P. Williams; Representative Clifford G. Lee; Representative William R. Outten; 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 John J. Viola; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Michael Ramone.

**EDUCATION:** Representative Teresa L. Schooley, Chair; Representative Darryl M. Scott, Vice-chair; Representative Michael A. Barbieri; Representative Earl G. Jaques, Jr.; Representative S. Quinton Johnson, IV; Representative John A. Kowalko; Representative Michael P. Mulrooney; Representative Robert E. Walls; Representative Donald A. Blakey; Representative Joseph W. Booth; Representative Thomas H. Kovach; Representative Nick T. Manolakos; Representative Joseph E. Miro; Representative William A. Oberle, Jr..

**ENERGY:** Representative John A. Kowalko, Chair; Representative Michael P. Mulrooney, Vice-chair; Representative John C. Atkins; Representative Michael A. Barbieri; Representative William J. Carson, Jr.; Representative S. Quinton Johnson, IV; Representative Bryon H. Short; Representative Robert E. Walls; Representative Dennis E. Williams; Representative V. George Carey; Representative Thomas H. Kovach; Representative Nick T. Manolakos; Representative Gerald W. Hocker; Representative William R. Outten; Representative Pamela J. Thornburg.

**ETHICS:** Representative Peter C. Schwartzkopf, Chair; Representative Robert F. Gilligan; Representative Valerie J. Longhurst; Representative Richard C. Cathcart; Representative Daniel B. Short.

**GAMING AND PARI-MUTUELS:** Representative John J. Viola, Chair; Representative Helene M. Keeley, Vice-chair; Representative Michael A. Barbieri; Representative E. Bradford Bennett; Representative John L. Mitchell, Jr.; Representative Peter C. Schwartzkopf; Representative Darryl M. Scott; Representative Clifford G. Lee; Representative William R. Outten; Representative Daniel B. Short.

**HEALTH & HUMAN DEVELOPMENT:** Representative Michael A. Barbieri, Chair; Representative S. Quinton Johnson, IV, Vice-chair; Representative Gerald L. Brady; Representative Earl G. Jaques, Jr., Representative John A. Kowalko; Representative Teresa L. Schooley, Representative Darryl M. Scott; Representative Robert E. Walls; Representative Donald A. Blakey; Representative Thomas H. Kovach; Representative Nick T. Manolakos; Representative Joseph E. Miro; Representative William A. Oberle, Jr..

**HOUSE ADMINISTRATION:** Representative Peter C. Schwartzkopf, Chair; Representative Robert F. Gilligan; Representative Valerie J. Longhurst; Representative Richard C. Cathcart; Representative Daniel B. Short.

**HOUSING & COMMUNITY AFFAIRS:** Representative Gerald L. Brady, Chair; Representative E. Bradford Bennett, Vice-chair; Representative Hazel D. Plant; Representative Bryon H. Short; Representative John J. Viola; Representative Dennis E. Williams; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Michael Ramone.

**JUDICIARY:** Representative Melanie George Marshall, Chair; Representative William J. Carson, Jr., Vice-chair; Representative James Johnson; Representative John L. Mitchell, Jr.; Representative

Hazel D. Plant; Representative Dennis P. Williams; Representative Clifford G. Lee; Representative Thomas H. Kovach; Representative David L. Wilson.

**LABOR:** Representative Hazel D. Plant, Chair; Representative Michael P. Mulrooney, Vice-chair; Representative Michael A. Barbieri; Representative Earl G. Jaques, Jr.; Representative James Johnson; Representative Dennis E. Williams; Representative Donald A. Blakey; Representative Thomas H. Kovach; Representative Nick T. Manolacos; Representative William A. Oberle, Jr..

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

**NATURAL RESOURCES:** Representative Michael P. Mulrooney, Chair; Representative William J. Carson, Jr., Vice-chair; Representative John C. Atkins; Representative S. Quinton Johnson, IV; Representative John A. Kowalko; Representative Robert E. Walls; Representative Dennis E. Williams; Representative V. George Carey; Representative Thomas H. Kovach; Representative Nick T. Manolacos; Representative Gerald W. Hocker; Representative William R. Outten; Representative Pamela J. Thornburg.

**POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY/JOINT SUNSET:** Representative John A. Kowalko, Chair; Representative John C. Atkins; Representative E. Bradford Bennett; Representative Clifford G. Lee; Representative Pamela J. Thornburg.

**PUBLIC SAFETY AND HOMELAND SECURITY:** Representative John L. Mitchell, Jr., Chair; Representative John C. Atkins, Vice-chair; Representative William J. Carson, Jr.; Representative Melanie George Marshall; Representative James Johnson; Representative Dennis P. Williams; 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 Gerald L. Brady; Representative Valerie J. Longhurst; Representative Michael P. Mulrooney; Representative Bryon H. Short; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Michael Ramone.

**RULES:** Representative Peter C. Schwartzkopf, Chair; Representative Robert F. Gilligan; Representative Valerie J. Longhurst; Representative Richard C. Cathcart; Representative Daniel B. Short.

**TELECOMMUNICATIONS, INTERNET & TECHNOLOGY:** Representative Darryl M. Scott, Chair; Representative James Johnson; Representative John L. Mitchell, Jr.; Representative Richard C. Cathcart; Representative Deborah D. Hudson.

**TRANSPORTATION, LAND USE AND INFRASTRUCTURE:** Representative William J. Carson, Jr., Chair; Representative Gerald L. Brady, Vice-chair; Representative Earl G. Jaques, Jr.; Representative Robert E. Walls; Representative Joseph W. Booth; Representative Pamela J. Thornburg.

**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 George Marshall; 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 Richard C. Cathcart; Representative Thomas H. Kovach; Representative Clifford G. Lee; Representative William R. Outten; Representative Daniel B. Short; Representative David L. Wilson.

January 28, 2010

**AGRICULTURE:** Representative Robert E. Walls, Chair; Representative John C. Atkins, Vice-chair; Representative William J. Carson, Jr.; Representative S. Quinton Johnson, IV; Representative Valerie J. Longhurst; Representative V. George Carey; Representative Gerald W. Hocker; Representative William R. Outten; Representative Pamela J. Thornburg.

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**PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES  
OF THE 145th GENERAL ASSEMBLY  
2009-2010  
HOUSE RESOLUTION NUMBER 40**

**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:

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.

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.

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 memorial 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.

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 of 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 145th GENERAL ASSEMBLY  
OF THE STATE OF DELAWARE  
FOR ETHICS VIOLATIONS  
2009-2010  
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.

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.

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 – 145th GENERAL ASSEMBLY - First Session  
January 13, 2009**

Representative-Elect Gilligan called the House to order at 2:00 p.m. on January 13, 2009.

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 Mrs. JoAnn Hedrick 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, Interim Associate Pastor, Bryn Mawr Presbyterian Church, Bryn Mawr, Pennsylvania.

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

The Temporary Chief Clerk read the following communications into the record:

November 17, 2008

The Honorable Robert F. Gilligan

State Representative

Carvel State Office Building

Wilmington, DE 19801

By Hand Delivery

Dear Representative Gilligan:

Please accept my official resignation from my office as Delaware State Representative for the 6th District effective today. I am very fortunate to have had the opportunity to serve the State of Delaware as an elected official for two full terms. I am also humbled by the support my district residents have given me as their elected official, since they are a wonderful, caring and active community.

I also want to thank you for your service to Delaware. I have been treated by you, the other elected officials, and all the residents as a true “native” of the First State since I arrived in 1991. The public service I have fulfilled in Delaware as a graduate student from the University of Delaware, a government employee, a non-profit manager, and as an elected official has helped me grow professionally and personally.

I wish you much luck in your future endeavors, as well as much luck and success for the First State!

Sincerely,

Diana M. McWilliams

State Representative

6th District

**STATE OF DELAWARE  
EXECUTIVE DEPARTMENT  
DOVER**

**WRIT OF ELECTION**

**TO: THE DEPARTMENT OF ELECTIONS, NEW CASTLE COUNTY  
CARVEL STATE OFFICE BUILDING  
820 NORTH FRENCH STREET  
WILMINGTON, DELAWARE 19801**

**GREETINGS:**

**WHEREAS**, a vacancy exists in the House of Representatives of the 145th General Assembly of the State of Delaware by reason of the resignation of Diana M. McWilliams of the 6th Representative District of New Castle County, State of Delaware, on November 17, 2008; and

**WHEREAS**, such a vacancy has occurred and exists while the General Assembly is not in session;

**NOW, THEREFORE, I, RUTH ANN MINNER**, Governor of the State of Delaware, in accordance with the Constitution and the laws of the State of Delaware in such cases made and provided, do hereby issue this Writ of Election and declare that you shall cause a special election to be held in the 6th Representative District of New Castle County, State of Delaware, by the qualified electors thereof on a day to be assigned by you, such day not to be more than forty nor less than thirty days next after receipt of this Writ, exclusive of that day, for the purpose of filling the aforesaid vacancy, the person thereupon chosen to hold office for the residue of the term of the said, Diana M. McWilliams.

**IN WITNESS WHEREOF, I, RUTH ANN MINNER**, Governor of the State of Delaware, have hereunto set my hand and seal this 19th day of November in the year Two Thousand and Eight.

Lorielee J. Harrison

NOTARY

Ruth Ann Minner

GOVERNOR

STATE OF DELAWARE

The Temporary Chief Clerk read the names of the members-elect of the House of Representatives of the 145th General Assembly as follows:

- Representative District No. 1 - Representative-Elect Dennis P. Williams
- Representative District No. 2 - Representative-Elect Hazel D. Plant
- Representative District No. 3 - Representative-Elect Helene M. Keeley
- Representative District No. 4 - Representative-Elect Gerald L. Brady
- Representative District No. 5 - Representative-Elect Melanie G. Marshall
- Representative District No. 6 - Representative-Elect Thomas H. Kovach
- Representative District No. 7 - Representative-Elect Bryon Short
- Representative District No. 8 - Representative-Elect S. Quinton Johnson, IV
- Representative District No. 9 - Representative-Elect Richard C. Cathcart
- 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 J. 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 William A. Oberle, Jr.
- Representative District No. 25 - Representative-Elect John A. Kowalko, Jr.
- Representative District No. 26 - Representative-Elect John J. Viola
- Representative District No. 27 - Representative-Elect Earl G. Jaques
- Representative District No. 28 - Representative-Elect William Carson, Jr.
- Representative District No. 29 - Representative-Elect Pamela J. Thornburg
- 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 Robert E. Walls
- Representative District No. 34 - Representative-Elect Donald A. Blakey
- Representative District No. 35 - Representative-Elect David L. Wilson
- Representative District No. 36 - Representative-Elect V. George Carey
- Representative District No. 37 - Representative-Elect Joseph W. Booth
- Representative District No. 38 - Representative-Elect Gerald W. Hocker
- Representative District No. 39 - Representative-Elect Daniel B. Short
- Representative District No. 40 - Representative-Elect Clifford G. Lee
- Representative District No. 41 - Representative-Elect John C. Atkins

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 Joseph W. Booth to examine the Certificates of Election of the Members-Elect.

Representative-Elect Schwartzkopf introduced Miss Lori Christiansen, analyst in the Controller General’s office, who sang “The Battle Hymn of the Republic”.

Representative Schwartzkopf made a comment.

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 Eight 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 6th day of November, A.D. 2008.

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 Honorable Alan Davis, Chief Magistrate, administer the oath of office to Representative-Elect Robert F. Gilligan and Representative-Elect Oberle, the other senior Member-Elect. The motion was seconded by Representative-Elect Longhurst and adopted by voice vote. Representative-Elect Gilligan invited Representative-Elect William A. Oberle, Jr. to join him on the podium. Representative-Elect Schwartzkopf made a comment. Chief Magistrate Davis administered the oath of Representative to Representatives-Elect Gilligan & Oberle 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 13th day of January A.D. 2009

Alan Davis

Chief Magistrate

Representative-Elect Schwartzkopf moved that Chief Magistrate Alan Davis administer the Oath of Office to the newly elected Representatives-Elect. The motion was seconded by Representative-Elect Longhurst and adopted by voice vote.

Mr. Temporary Speaker Gilligan made an announcement. Chief Magistrate Davis administered the oath of office to the newest House Members in groups of three as follows: Representatives-Elect Michael A. Barbieri, E. Bradford Bennett and Earl G. Jaques, Jr.; Representatives-Elect S. Quinton Johnson, Thomas H. Kovach and Michael J. Ramone and Representatives-Elect Darryl M. Scott, Dennis E. Williams and David L. Wilson.

Representative-Elect Schwartzkopf moved that the Chief Magistrate Davis administer the oath of office to the remaining 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 an announcement.

Representative Schwartzkopf moved that the Temporary Chief Clerk call the roll of the Members of the House of Representatives of the 145th General Assembly. The motion was seconded by Representative Longhurst and adopted by voice vote.

The roll call was taken and revealed:

Members Present: 40.

Member Absent: Representative Thornburg – 1.

Representative Schwartzkopf moved that the roll as just called by the Temporary Chief Clerk be adopted as the permanent roll of the House of Representatives of the 145th 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, Cathcart & D. Short, 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 145th General Assembly of the State of Delaware that Robert F. Gilligan be made, and is hereby elected to the Office of the Speaker of the House of Representatives for the duration of the 145th General Assembly of the State of Delaware.

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

Representative Schwartzkopf made comments and presented a gift to Speaker-Elect Gilligan. Representative D.P. Williams requested and was granted personal privilege of the floor to make a comment. Representative Cathcart made comments.

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

Justice Holland addressed the House and 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 13th day of January. A.D. 2009

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 William A. Oberle, Jr. announced that the Minority Caucus has met and has elected Representative Richard C. Cathcart of the Ninth Representative District as Minority Leader and Representative Daniel B. Short of the Thirty-Ninth Representative District as Minority Whip.

Representative Schwartzkopf introduced and brought **HR 2**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short, before the House for consideration.

**HR 2 – RELATING TO TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES OF THE 145TH 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, Cathcart & B. Short, before the House for consideration. Mr. Speaker Gilligan & Representative Cathcart made comments.

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

BE IT RESOLVED by the House of Representatives of the 145th 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 Assistant Chief Clerk.

BE IT FURTHER RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware that JoAnn M. Hedrick is elected Chief Clerk *Emerita* of the House of Representatives to serve at the pleasure of the Speaker with all the rights, duties and privileges of the Chief Clerk.

Speaker Gilligan made comments

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

Representative Schwartzkopf introduced and brought **HR 4**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short, before the House for consideration.

**HR 4 - RELATING TO PERMANENT PROCEDURES OF THE HOUSE OF REPRESENTATIVES OF THE 145TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE FOR ETHICS VIOLATIONS.**

**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 Lee and adopted by voice vote.

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

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

BE IT RESOLVED by the House of Representatives and the Senate of the 145th General Assembly, with the approval of the Governor, that JoAnn M. Hedrick is elected to serve as Bill Clerk at the pleasure of the House of Representatives.

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

YES: 40.

ABSENT: Representative Thornburg – 1.

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

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 was 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 was 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.

Mr. Speaker Gilligan made an announcement.

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

The House observed a moment of silence in memory of The Honorable William I. Houghton and The Honorable James P. Ferguson, former Speaker of the House, at the request of Mr. Speaker Gilligan.

The House observed a moment of silence in memory of Elizabeth Walker, mother of Senator Patricia M. Blevins at the request of Representative Keeley.

Representative Mitchell announced that he and Representative Lee have notified the Governor that the House is organized and ready for business.

Representative Carson announced that he and Representative Miro have notified the Senate that the House is organized and ready for business.

Representative Atkins made a comment.

Mr. Speaker Gilligan made an announcement.

The following pre-session prefiled legislation was introduced:

January 6, 2009

**HB 1 – GILLIGAN & SENATOR PETERSON; REPRESENTATIVES BARBIERI, BENNETT, BRADY, CARSON, CATHCART, JAQUES, J. JOHNSON, KOWALCO, LAVELLE, LONGHURST, M. MARSHALL, MIRO, MITCHELL, SCOTT, SCHOOLEY, WALLS, D.E. WILLIAMS; SENATORS BUNTING, BUSHWELLER, CONNOR, SOKOLA, VENABLES, BONINI, COUTIER, MARSHALL, SORENSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act.**

**HB 23 – HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 278, Volume 72, Laws of Delaware, as Amended, the Charter of the Town of Millville, to Clarify Certain Non-recourse Provisions of Section 31 (a)(45) of the Charter Relating to Municipal Tax Increment and Municipal Special Development Districts Financings. (2/3 bill)**

**HB 24 - KOWALCO & SENATOR PETERSON - HOUSE ADMINISTRATION - An Act to Amend Title 7 of The Delaware Code Relating to Hazardous Waste Management.**

**HB 26 – BRADY & SENATOR MCDOWELL; REPRESENTATIVES LAVELLE, MANOLAKOS, MIRO - HOUSE ADMINISTRATION - An Act to Amend Titles 22 and 25 of the Delaware Code to Authorize the Collection of Liens by Writ of Monition. (2/3 bill)**

**HB 27 - KOWALCO & SENATOR PETERSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Lobbyists. (2/3 bill)**

**HCR 1 - BRADY & REPRESENTATIVE PLANT & SENATOR MARSHALL; REPRESENTATIVES J. JOHNSON, KOWALCO, MULROONEY, OBERLE; SENATORS CONNOR, MCDOWELL - HOUSE ADMINISTRATION - Urging Congress to Enact the Employee Free Choice Act.**

The Majority Leader moved to recess to the call of the Chair at 3:59 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on January 14, 2009.

The Reading Clerk read the following communication into the record:

#### **MEMORANDUM**

To: Speaker of the House Robert F. Gilligan

From: Representative Pamela Thornburg

Date: December 30, 2008

RE: Absence from Session

I will be absent from session on January 13th, 14th and 15th due to a business requirement for the Farm Bureau.

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.

#### **2nd LEGISLATIVE DAY – 145th GENERAL ASSEMBLY - First Session January 14, 2009**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Cathcart, Lavelle & Thornburg – 3.

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

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

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

The following prefiled legislation was introduced:

**HB 29** - JAQUES & SENATOR ENNIS & REPRESENTATIVE LONGHURST & SENATOR HALL-LONG; REPRESENTATIVES Q. JOHNSON, CATHCART - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Chapter 26, Title 9 of the Delaware Code Relating to Zoning.

**HB 30** - JAQUES & SENATOR ENNIS & REPRESENTATIVE LONGHURST & SENATOR HALL-LONG; REPRESENTATIVE Q. JOHNSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Powers, Duties and Functions of the Secretary of Education.

**HB 31** - HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 278, Volume 72, Laws of Delaware, as Amended, the Charter of the Town of Millville, to Remove or "deannex" from the Town of Millville Certain Property Upon Which a Portion of Lord Baltimore Elementary School is Located, Contiguous to the Town of Ocean View, Which Desires to Acquire and Maintain Police Jurisdiction Over the Entirety of the Lord Baltimore Elementary School. (2/3 bill)

**HB 34** - CATHCART & SENATOR HALL-LONG; REPRESENTATIVES J. JOHNSON, PLANT, BOOTH, MANOLAKOS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Establishment of a Mental Health Death Review Committee.

**HB 35** - CATHCART; REPRESENTATIVES BOOTH, MANOLAKOS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Psychiatric Center.

**HB 36** - CATHCART; REPRESENTATIVES BOOTH, MANOLAKOS, J. JOHNSON, PLANT, ATKINS, BENNETT, CAREY, CARSON, HOCKER, HUDSON, JAQUES, Q. JOHNSON, KOVACH, KOWALKO, LAVELLE, LEE, LONGHURST, MITCHELL, OUTTEN, RAMONE, SCHWARTZKOPF, B. SHORT, D. SHORT, WALLS, D.E. WILLIAMS, WILSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Titles 16 and 29 of the Delaware Code Relating to Nursing Facilities and Similar Facilities.

**HB 37** - CATHCART & SENATOR HALL-LONG; REPRESENTATIVES J. JOHNSON, PLANT, BOOTH, MANOLAKOS, ATKINS, BENNETT, CAREY, CARSON, HOCKER, HUDSON, JAQUES, Q. JOHNSON, KOVACH, KOWALKO, LEE, LONGHURST, MITCHELL, OUTTEN, RAMONE, SCHWARTZKOPF, D. SHORT, WALLS, D.E. WILLIAMS, WILSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Mental Health Patients' Bill of Rights.

**HB 38** - CATHCART & SENATOR HALL-LONG; REPRESENTATIVES J. JOHNSON, PLANT, BOOTH, MANOLAKOS, BLAKEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Mental Health Patients' Bill of Rights, Notifications and Forms.

**HB 39** - CATHCART & SENATOR HALL-LONG; REPRESENTATIVES J. JOHNSON, PLANT, BOOTH, MANOLAKOS, ATKINS, BENNETT, CAREY, CARSON, HOCKER, JAQUES, Q. JOHNSON, KOVACH, KOWALKO, LAVELLE, LEE, LONGHURST, MITCHELL, RAMONE, SCHWARTZKOPF, B. SHORT, D. SHORT, WALLS, D.E. WILLIAMS, WILSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Department of Health and Social Services.

**HB 40** - MIRO & SENATOR BLEVINS; REPRESENTATIVES KOWALKO, LAVELLE, HUDSON, BARBIERI, BOOTH, BRADY, CAREY, CARSON, CATHCART, GILLIGAN, HOCKER, JAQUES, J. JOHNSON, KOVACH, M. MARSHALL, MULROONEY, OUTTEN, PLANT, RAMONE, SCHWARTZKOPF, SCOTT, B. SHORT, D. SHORT, VIOLA, WALLS, D.E. WILLIAMS, WILSON; SENATORS PETERSON, SORENSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road.

**HB 41** - CATHCART & SENATOR HALL-LONG; REPRESENTATIVES J. JOHNSON, PLANT, BOOTH, MANOLAKOS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Creating a Community Mental Health Treatment Act.

**HB 42** - CATHCART; REPRESENTATIVES BOOTH, MANOLAKOS, OBERLE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Department of Health and Social Services and Creating the Delaware Psychiatric Center Authority.

**HB 43** - BENNETT & SENATOR ENNIS; REPRESENTATIVES LONGHURST, LAVELLE, JAQUES, HOCKER, Q. JOHNSON, HUDSON, MITCHELL, CARSON, ATKINS, SCOTT, SCHWARTZKOPF, D.P. WILLIAMS, WALLS, MULROONEY, OUTTEN; SENATOR BUSHWELLER - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to the Merit System of Personnel Administration.

The Reading Clerk read the following communication into the record:

**MEMORANDUM**

To: Speaker Robert Gilligan  
From: Representative Richard C. Cathcart  
Date: January 14, 2009  
Subject: Absence from Session

I will be absent from session today, January 14, 2009 due to illness.

Representative Keeley requested that she be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #1

DATE: January 14, 2009

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>                                     |
|------------------------------------------------------|----------------|-------------|-------------|--------------------------------------------------------|
| H145-1                                               | Walls          | 12/3/2008   | T           | Jane Ward - Retirement - Office of Management & Budget |
| H145-2                                               | Booth          | 11/8/2008   | T           | Ronald Tyndall, III - Eagle Scout                      |
| H145-3                                               | Carey          | 11/8/2008   | T           | George Sherman - 50 Years - Milton Fire Company        |
| H145-4                                               | Lee            | 11/19/2008  | T           | Greg Johnson - Laurel Business Person of the Year      |
| H145-5                                               | Lee            | 11/19/2008  | T           | Donna Wilkosz - Delmar Citizen of the Year             |
| H145-6                                               | Walls          | 11/10/2008  | M           | Philip W. Tuthill                                      |
| H145-7                                               | Walls          | 11/15/2008  | T           | Reverend Doctor Jeanel Starling – Community Service    |
| H145-8                                               | Carey          | 11/24/2008  | T           | Mae Joseph - 105th Birthday                            |
| H145-9                                               | Outten         | 11/10/2008  | M           | Kelly & Jacob Rinaldi, Kaylee, Kyle & Jessup Crow      |
| H145-10                                              | Hudson         | 11/22/2008  | T           | Society of Mayflower Descendants - 50th Anniversary    |
| H145-11                                              | Outten         | 11/12/2008  | M           | Paul H. Legates                                        |
| H145-12                                              | Booth          | 12/2/2008   | T           | Alan Baugh - Retirement - DelDOT                       |
| H145-13                                              | Walls          | 11/10/2008  | M           | Michael E. Miller                                      |
| cosponsor: Rep. Outten                               |                |             |             |                                                        |
| H145-14                                              | Schooley       | 11/11/2008  | M           | Dr. Philip Toman                                       |
| H145-15                                              | Hudson         | 11/14/2008  | M           | Iona Hall Turley                                       |
| H145-16                                              | Gilligan       | 11/14/2008  | M           | Joseph S. DiMaio, Jr.                                  |
| cosponsor: Rep. Hudson                               |                |             |             |                                                        |
| H145-17                                              | Lee            | 11/22/2008  | T           | Dale Dukes - 20 Years - Sussex County Council          |
| H145-18                                              | Carey          | 11/22/2008  | T           | Lynn Rogers - 12 Years - Sussex County Council         |
| H145-19                                              | Wilson         | 11/22/2008  | T           | Finley Jones - 12 Years - Sussex County Council        |
| H145-20                                              | Hudson         | 11/14/2008  | M           | Robert A. Blanchfield                                  |
| cosponsor: Rep. Lavelle                              |                |             |             |                                                        |
| H145-21                                              | Thornburg      | 11/16/2008  | M           | William David Twilley                                  |
| H145-22                                              | Atkins         | 11/25/2008  | T           | East Millsboro Elementary - Wetland Ribbon Cutting     |
| H145-23                                              | J. Johnson     | 11/20/2008  | T           | Leonard & Joanne Szafranski - 50th Wedding Anniversary |
| H145-24                                              | Gilligan       | 11/13/2008  | M           | Honorable Andrew G. Knox                               |
| cosponsors: Rep. D.E. Williams & All Representatives |                |             |             |                                                        |

HOUSE TRIBUTE ANNOUNCEMENT #2

DATE: January 14, 2009

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>                                           |
|------------------------|----------------|-------------|-------------|--------------------------------------------------------------|
| H145-25                | D. Short       | 11/21/2008  | T           | Sussex Panthers - Runners Up – Football Tournament           |
| H145-26                | Barbieri       | 11/21/2008  | T           | Alfred & Patricia Howard - 50th Wedding Anniversary          |
| H145-27                | Mulrooney      | 11/21/2008  | T           | James & Ann Tisdell - 50th Wedding Anniversary               |
| H145-28                | Carson         | 11/21/2008  | T           | Brigadier General Jon Reynolds - Exceptional Military Career |
| cosponsor: Rep. Hudson |                |             |             |                                                              |
| H145-29                | Outten         | 12/4/2008   | T           | Whitney Betts - State Youth Ambassador – Farm Bureau         |
| H145-30                | Carey          | 12/18/2008  | T           | Bob & Ethel Graham - 60th Wedding Anniversary                |
| H145-31                | Booth          | 12/7/2008   | T           | Michael Nelson Campbell - Eagle Scout                        |
| H145-32                | Booth          | 12/7/2008   | T           | Samuel Harrison Cooksey - Eagle Scout                        |
| H145-33                | Booth          | 12/7/2008   | T           | Daniel Roy Scritchfield - Eagle Scout                        |
| H145-34                | Booth          | 12/7/2008   | T           | Conor Thomas Small - Eagle Scout                             |
| H145-35                | Schwartzkopf   | 11/26/2008  | M           | Gerald L. Lamb                                               |
| H145-36                | Carson         | 11/27/2008  | T           | Jerry Shetzler - 80th Birthday                               |
| H145-37                | Carson         | 12/13/2008  | T           | Nancy Faries - 80th Birthday                                 |
| H145-38                | Carson         | 12/6/2008   | T           | Frank & Fran Marshall - 50th Wedding Anniversary             |
| H145-39                | Carson         | 12/3/2008   | T           | John Hennessey - Retirement - DNREC                          |
| H145-40                | Atkins         | 11/29/2008  | T           | Gregory Lee Emerson, Jr. - Eagle Scout                       |
| cosponsor: Rep. Hocker |                |             |             |                                                              |
| H145-41                | Cathcart       | 12/7/2008   | T           | Julia Sidwell - 100th Birthday                               |
| H145-42                | Thornburg      | 1/9/2009    | T           | Robert Taylor - Retirement - DelDOT                          |
| H145-43                | Schwartzkopf   | 12/2/2008   | T           | Siobhan Sullivan - Retirement - State Police                 |
| H145-44                | Schooley       | 12/5/2008   | T           | John & Joanne Roslan - 50th Wedding Anniversary              |
| H145-45                | Longhurst      | 11/21/2008  | T           | Earnest & Patricia Carrere - 50th Wedding Anniversary        |



|         |           |           |   |                                                       |
|---------|-----------|-----------|---|-------------------------------------------------------|
| H145-46 | Gilligan  | 12/5/2008 | T | Philip & Angeline Ceresini - 50th Wedding Anniversary |
| H145-47 | Hocker    | 1/3/2009  | T | Evan Michael Lieb - Eagle Scout                       |
| H145-48 | Manolakos | 12/4/2008 | T | Richard & Janet Gee - 50th Wedding Anniversary        |
| H145-49 | Manolakos | 12/4/2008 | T | David & Betty Riblett - 55th Wedding Anniversary      |

HOUSE TRIBUTE ANNOUNCEMENT #3

DATE: January 14, 2009

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                                             |
|---------|---------------------------------|------------|------|---------------------------------------------------------|
| H145-50 | Brady                           | 11/29/2008 | M    | Angela M. Scerba                                        |
|         | cosponsor: Rep. Hudson          |            |      |                                                         |
| H145-51 | D. Short                        | 12/14/2008 | T    | Edward Williams - Retirement - Sunday School Teacher    |
| H145-52 | J. Johnson;                     | 12/19/2008 | T    | Master Corporal Robert Haug - Retirement – New Castle   |
|         | Mulrooney                       |            |      | County Police                                           |
| H145-53 | Ramone                          | 11/30/2008 | T    | James & Patricia Hall - 45th Wedding Anniversary        |
| H145-54 | Ramone                          | 1/31/2009  | T    | Mildred Lawson - 80th Birthday                          |
| H145-55 | Outten                          | 12/2/2008  | M    | Howell H. Hitchens                                      |
| H145-56 | Brady                           | 12/4/2008  | M    | Leo E. Daney, Sr.                                       |
| H145-57 | Booth                           | 12/12/2008 | T    | Ruth MacIntire - 20 Years - Lewes Public Library        |
| H145-58 | Booth                           | 12/16/2008 | T    | Sussex County Emergency Medical Services - Dedication   |
|         | cosponsors: All Representatives |            |      | - Logistics Center                                      |
| H145-59 | Walls                           | 12/12/2008 | T    | Milford High Football Team - State Champions            |
|         | cosponsor: Rep. Carey           |            |      |                                                         |
| H145-60 | B. Short                        | 12/12/2008 | M    | David Braunstein                                        |
| H145-61 | Atkins                          | 12/5/2008  | T    | Richard & Mary Jane Cordrey - 55th Wedding Anniversary  |
| H145-62 | Lavelle                         | 11/22/2008 | T    | Alvin Neiger - Induction - U of D Sports Hall of Fame   |
| H145-63 | Outten                          | 1/2/2009   | T    | Franklin Hedricks - 40 Years - Banking Industry         |
| H145-64 | Mitchell                        | 11/10/2008 | M    | Katherine E. Trincia                                    |
|         | cosponsor: Rep. Ramone          |            |      |                                                         |
| H145-65 | Brady                           | 12/16/2008 | T    | Dr. Cornelia Winner - Retirement - DelTech              |
| H145-66 | Wilson                          | 12/27/2008 | T    | John Henry Johnson - 100th Birthday                     |
| H145-67 | Q. Johnson                      | 1/10/2009  | T    | Gilbert Poore - Fireman of the Year – Townsend Fire Co. |
| H145-68 | Q. Johnson                      | 1/10/2009  | T    | David Hall, Sr. - EMT of the Year - Townsend Fire Co.   |
| H145-69 | Q. Johnson                      | 1/10/2009  | T    | R. Charles Murray - Townsend Fire Company Hall of Fame  |
| H145-70 | Q. Johnson                      | 1/10/2009  | T    | Nathan Lucy - Junior Firefighter of Year – Townsend     |
| H145-71 | Schwartzkopf; 12/27/2008        | T          |      | Joshua Daniel Cooper - Eagle Scout                      |
|         | Booth                           |            |      |                                                         |
| H145-72 | Schwartzkopf; 12/27/2008        | T          |      | Joseph Patrick Cooper - Eagle Scout                     |
|         | Booth                           |            |      |                                                         |
| H145-73 | Brady                           | 12/17/2008 | T    | M. Lynn Sharp - Retirement - WHY Y Board of Directors   |

HOUSE TRIBUTE ANNOUNCEMENT #4

DATE: January 14, 2009

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                                             |
|---------|-------------------------|------------|------|---------------------------------------------------------|
| H145-74 | Carson                  | 12/19/2008 | T    | Jeff Draper - 50th Birthday                             |
| H145-75 | Atkins                  | 1/28/2009  | T    | East Millsboro Elementary School - Blue Ribbon School   |
| H145-76 | Lee                     | 11/6/2008  | T    | Roy & Carol Brittingham - 60th Wedding Anniversary      |
| H145-77 | Outten                  | 12/17/2008 | M    | Donald W. Derrickson                                    |
| H145-78 | Outten                  | 12/17/2008 | M    | Robert W. Thompson                                      |
| H145-79 | Thornburg               | 12/5/2008  | M    | James R. Devine                                         |
| H145-80 | Thornburg               | 12/20/2008 | T    | Ralph Rossi - 25 Years - Marydel Fire Company           |
| H145-81 | Lee                     | 12/23/2008 | T    | Mike White - Winner - AC Delco Championship Race        |
| H145-82 | Carson                  | 1/16/2009  | T    | Joyce Talley - Retirement - Department of Correction    |
| H145-83 | Mitchell                | 12/24/2008 | M    | Francis P. Trincia, Sr.                                 |
|         | cosponsor: Rep. Ramone  |            |      |                                                         |
| H145-84 | D. Short                | 12/26/2008 | M    | Dr. Susan J. Betts                                      |
| H145-85 | Carson                  | 1/10/2009  | T    | Little Creek Fire Company - 65th Anniversary            |
|         | cosponsor: Rep. Bennett |            |      |                                                         |
| H145-86 | Carson                  | 1/10/2009  | T    | Little Creek Fire Company Ladies Auxiliary – 60th       |
|         | cosponsor: Rep. Bennett |            |      | Anniversary                                             |
| H145-87 | Carson                  | 1/5/2009   | T    | Gloria Brittingham - Outstanding Achievement - Citizens |
|         |                         |            |      | Hose Company                                            |

|         |                          |           |   |                                                                               |
|---------|--------------------------|-----------|---|-------------------------------------------------------------------------------|
| H145-88 | Carson                   | 1/5/2009  | T | Ruth Ann Bowers - Outstanding Achievement - Citizens Hose Company             |
| H145-89 | Barbieri                 | 2/2/2009  | T | Rob Blansfield - President - Harmony Crest & Harmony Woods Civic Associations |
| H145-90 | Scott                    | 1/24/2009 | T | Epsilon Iota Omega Chapter - 60th Anniversary                                 |
| H145-91 | Thornburg                | 1/15/2009 | T | Edward Krupka, Sr. - 80th Birthday                                            |
| H145-92 | Walls                    | 1/6/2009  | T | Marina Ney - Retirement - Department of Education                             |
| H145-93 | Booth                    | 2/21/2009 | T | Casey Lewis - Eagle Scout                                                     |
| H145-94 | Cathcart                 | 1/23/2009 | T | Captain Debra Rees - Retirement - New Castle County Police                    |
|         | cosponsor: Rep. Mitchell |           |   |                                                                               |
| H145-95 | Mitchell                 | 1/23/2009 | T | S/Cpl. Kevin Cassidy - Retirement – NCC Police                                |
| H145-96 | Kowalko                  | 1/23/2009 | T | S/Col. Brian Daly - Retirement - New Castle County Police                     |
|         | cosponsor: Rep. Mitchell |           |   |                                                                               |

T- Tribute

M - Memoriam

Representative Oberle requested and was granted personal privilege of the floor to make an announcement. Representative Hocker requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker Gilligan made an announcement.

The Majority Leader moved to recess to the call of the Chair at 2:11 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 2:11 P.M.: Representative Manolakos.

Mr. Speaker Gilligan called the House to order at 1:47 p.m. on January 15, 2009.

The Reading Clerk read the following communications into the record:

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

Representative Schwartzkopf introduced and brought **SCR 1**, jointly sponsored by Senator Adams & Senator DeLuca & Representative Gilligan.

**SCR 1 – PROVIDING FOR A JOINT SESSION OF THE HOUSE AND SENATE FOR THE PURPOSE OF ANNOUNCING THE VOTE FOR GOVERNOR AND LT. GOVERNOR OF THE STATE OF DELAWARE.**

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

The Majority Leader moved to adjourn at 1:49 p.m., thereby ending the current legislative day. The House reconvened at 1:50 p.m.

### 3rd LEGISLATIVE DAY – 145th GENERAL ASSEMBLY - First Session January 15, 2009

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Cathcart & Thornburg - 1.

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

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

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

The Reading Clerk read the following communication into the record:

#### MEMORANDUM

To: Speaker Robert Gilligan  
From: Representative Richard C. Cathcart  
Date: January 15, 2009  
Subject: Absence from Session

I will be absent from session today January 15, 2009 due to illness.

Representative Schwartzkopf introduced **HB 25**, jointly sponsored by Representatives Gilligan & Longhurst & Senators Adams, DeLuca & Blevins.

Representatives Plant & Keeley requested that they be marked present.

**HB 25 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2010; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.**

Mr. Speaker Gilligan assigned **HB 25** to the Appropriations Committee.

Representative Schwartzkopf made an announcement. Mr. Speaker Gilligan introduced guests. Representative Lavelle requested that he be marked present. Representative Walls made an announcement. Mr. Speaker Gilligan introduced a guest. Representatives Brady, Schwartzkopf & Mr. Speaker Gilligan made announcements.

The Majority Leader moved to recess for the Joint Session, caucus and to the call of the Chair at 2:00 p.m.

## JOINT SESSION – SENATE CHAMBER

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

The members of the House of Representatives were admitted and welcomed by Lieutenant Governor John Carney. At the invitation of the Lieutenant Governor, Representative Gilligan joined him on the podium.

At 2:30 p.m. Senator DeLuca moved that the House and Senate meet in Joint Session for the purpose of announcing the election results for the Governor and Lieutenant Governor.

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

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

The Lieutenant Governor instructed the Senate Reading Clerk to read the certified returns of the election for Governor and Lieutenant Governor for each county.

The State Of Delaware

Sussex 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 Eight for Sussex County, according to the Constitution and Laws of the State of Delaware,

Forty-Three Thousand Two Hundred Seventy-Three (42,273)

votes were given for **(D) MATTHEW DENN** for Lieutenant Governor

Forty-One thousand, Two Hundred Fifty-Seven (41,257)

votes were given for **(R) CHARLES L. COPELAND** for Lieutenant Governor

Twenty-Two (22)

votes were given for **(Y) PETER CULLEN** for Lieutenant Governor

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

In Testimony Whereof, we, T. HENLEY GRAVES and E. SCOTT BRADLEY, constituting the Superior Court for Sussex County, who have met and ascertained the state of election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the Superior Court to be hereunto affixed at the Court House in said County, on this 6th day of November, A.D. 2008.

T. Henley Graves, Resident Associate Judge

E. Scott Bradley, Associate Judge

THE STATE OF DELAWARE

KENT COUNTY, ss

BE IT REMEMBERED, That at the General Election held on Tuesday next after the first Monday in November, in the year of our Lord Two Thousand and Eight for Kent County, according to the Constitution and Laws of the State of Delaware,

Thirty Six Thousand, Three Hundred and Twenty Two (36,322)

votes were given for **(D) MATTHEW DENN** for Lieutenant Governor

Twenty Six Thousand, Nine Hundred and Fifty Seven (26,957)

votes were given for **(R) CHARLES L. COPELAND** for Lieutenant Governor

Eight-teen (18)

votes were given for **(Y) PETER CULLEN** for Lieutenant Governor

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

IN TESTIMONY WHEREOF, We WILLIAM L. WITHAM, JR. and JOSEPH R. SLIGHTS, III constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the Superior Court to be hereunto affixed at the Court House in said County, on this 6th day of November, A.D. 2008.

William L. Witham, Jr. Resident Judge

Joseph R. Slights, III Judge

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 Eight for New Castle County, according to the Constitution and Laws of the State of Delaware,

One Hundred fifty seven thousand one hundred and forty-nine (157,149)

votes were given for **(D) MATTHEW DENN** for Lieutenant Governor

Eighty one thousand and nine (81,009)

votes were given for **(R) CHARLES L. COPELAND** for Lieutenant Governor

Fifty-two (52)

votes were given for **(Y) PETER CULLEN** for Lieutenant Governor

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 6th day of November, A.D. 2008.

James T. Vaughn, Jr. President Judge

Richard R. Cooch Resident Judge

The State of Delaware

New Castle County, ss

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

One hundred eighty thousand two hundred and forty (180,240)

votes were given for **(D) JACK MARKELL** for Governor

Sixty two thousand four hundred and thirty-two (62,432)

votes were given for **(R) WILLIAM SWAIN LEE** for Governor

One Thousand two hundred and twelve (1,212)

votes were given for **(Y) JEFFREY BROWN** for Governor

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 6th day of November, A.D. 2008.

James T. Vaughn, Jr. President Judge

Richard R. Cooch Resident Judge

THE STATE OF DELAWARE

KENT 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 Eight for Kent County, according to the Constitution and Laws of the State of Delaware,

Forty One Thousand and Seventy Six (41,076)

votes were given for **(D) JACK MARKELL** for Governor

Twenty Three Thousand, Six Hundred and Forty Six (23,646)

votes were given for **(R) WILLIAM SWAIN LEE** for Governor

Two Hundred and Eighteen (218)

votes were given for **(Y) JEFFREY BROWN** for Governor

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

IN TESTIMONY WHEREOF, We WILLIAM L. WITHAM, JR., and JOSEPH R. SLIGHTS, III constituting the Superior Court for Kent, who have met and ascertained the state of 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 6th day of November, A.D. 2008.

William L. Witham, Jr. Resident Judge

Joseph R. Slights, III Judge

The State Of Delaware

Sussex 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 Eight for Sussex County, according to the Constitution and Laws of the State of Delaware,

Forty-five Thousand, Five Hundred Forty-Five (45,545)

votes were given for **(D) JACK MARKELL** for Governor

Forty Thousand, Five Hundred Eighty-Four (40,584)

votes were given for **(R) WILLIAM SWAIN LEE** for Governor

Two Hundred Fifty One (251)

votes were given for **(Y) JEFFREY BROWN** for Governor

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

In Testimony Whereof, we, T. HENLEY GRAVES and E. SCOTT BRADLEY, constituting the Superior Court for Sussex County, who have met and ascertained the state of 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 6th day of November, A.D. 2008.

T. Henley Graves Resident Associate Judge  
E. Scott Bradley Associate Judge

Senator DeLuca moved that the election results for the Governor and Lieutenant Governor as just officially announced be reflected in the Senate and House records for publication and that the results of the election and the winners as announced constitute compliance with the provisions of Article III, section 3 of the Delaware Constitution. There was no objection.

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

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

At 2:34 p.m. Senator McDowell moved that the Joint Session adjourn. There was no objection.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 21, 2009.

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

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall introduced **HB 45**.

**HB 45 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIFORM COMMON INTEREST OWNERSHIP ACT.**

Mr. Speaker Gilligan assigned **HB 45** to the Housing & Community Affairs Committee.

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

Representative Schwartzkopf deferred to Representative Brady. Representative Brady made an announcement. Representative Keeley requested and was granted personal privilege of the floor to make an announcement.

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.

**4th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY - First Session**  
**January 21, 2009**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Manolakos, Miro & Oberle - 3.

A prayer was offered by Representative Teresa L. Schooley, Twenty-Third Representative District.

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

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

The following prefiled legislation was introduced:

**HA 1 to HB 27 - LAVELLE - Placed with the Bill.**

The Reading Clerk read the following communications into the record:

January 20, 2009

Legislative Advisory #1

Governor Ruth Ann Minner signed the following legislation on the date indicated:

1/15/09 – **HJR 1.**

January 15, 2009

*TO* : The Honorable Robert F. Gilligan  
Speaker of the House  
*FROM* : Representative V. George Carey  
*SUBJECT* : Absence from Session

I will not be present for session on Thursday, January 22, 2009, as I will be attending a business meeting out of state.

January 21, 2009

*TO* : The Honorable Robert F. Gilligan  
Speaker of the House  
*FROM* : Representative William A. Oberle, Jr.  
*SUBJECT* : Absence from Session

I will not be in attendance on Wednesday, January 21, 2009 due to a family commitment.

The Reading Clerk read the following communication into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #5**

DATE: January 21, 2009

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                                                   |
|----------|-----------------------|------------|------|---------------------------------------------------------------|
| H145-97  | Mitchell              | 1/23/2009  | T    | S/Cpl. Kathleen Breitigan - Retirement – NCC Police           |
| H145-98  | Mitchell              | 1/23/2009  | T    | S/Sgt. Kathleen Riddell - Retirement – NCC Police             |
| H145-99  | Miro                  | 1/28/2009  | T    | Ilko Iliev - Heroic Action - Saved Life of Teen               |
| H145-100 | Hudson                | 12/19/2008 | M    | Edmund Nelson Carpenter, II                                   |
| H145-101 | Hudson                | 12/12/2008 | T    | Tom & Beverly Baker - 50th Wedding Anniversary                |
| H145-102 | Hudson                | 1/14/2009  | T    | Rick & Ruth Jackson - 40th Wedding Anniversary                |
| H145-103 | Wilson                | 1/17/2009  | T    | Crossroad Community Church - Dedication - Church Facility     |
| H145-104 | Thornburg             | 1/10/2009  | T    | Hartly Volunteer Fire Co. Ladies Auxiliary - 50th Anniversary |
| H145-105 | Wilson                | 1/12/2009  | T    | CHEER, Inc. - Grand Opening - Greenwood CHEER                 |
| H145-106 | Gilligan              | 12/19/2008 | T    | Donald & Mary Fogg - 65th Wedding Anniversary                 |
| H145-107 | Carson; Outten        | 1/4/2009   | M    | Erika Nicole Coleman                                          |
| H145-108 | Carey; Outten         | 1/9/2009   | M    | John F. Saxon                                                 |
| H145-109 | D.E. Williams; Hudson | 1/3/2009   | M    | Rosa Hayward McDonald                                         |
| H145-110 | Atkins                | 9/9/2009   | M    | Rosalie H. Downes                                             |
| H145-111 | Lavelle               | 1/9/2009   | T    | Thomas Paul Jenkins, Sr.                                      |
| H145-112 | Outten                | 1/17/2009  | T    | E. Alan Draper - 50 Years – Harrington Fire Company           |
| H145-113 | Outten                | 1/17/2009  | T    | Kenneth Paul Outten/50 Years/Harrington                       |
| H145-114 | Brady                 | 1/15/2009  | T    | Paul F. Ignudo, Sr. - 60th Birthday                           |
| H145-115 | Atkins                | 1/11/2009  | M    | Charles Dale Lingo, Jr.                                       |
| H145-116 | D. Short              | 1/19/2009  | T    | Regina Batson - Community Recognition Award                   |
| H145-117 | Brady                 | 1/21/2009  | T    | Danielle Sullivan – Support - Woodlawn Library                |
| H145-118 | Booth                 | 1/24/2009  | T    | David Pepper - 50 Years - Georgetown Fire Department          |
| H145-119 | Booth                 | 1/24/2009  | T    | Gene Roach - 50 Years - Georgetown Fire Department            |
| H145-120 | Booth                 | 1/24/2009  | T    | Ed Pepper, Sr. - 60 Years – Georgetown Fire Department        |

T - Tribute

M - Memoriam

Representative Schwartzkopf deferred to Representative Brady. Representative Brady requested & was granted personal privilege of the floor to make comments and to introduce a guest. Representative Barbieri requested and was granted personal privilege of the floor to introduce a guest. Representative D.P. Williams made comments.

Representative Schwartzkopf deferred to Representative Blakey. Representative Blakey requested and was granted privilege of the floor for Abdul Assiz Diop, Professor of Linguistics and Chair of the English Department, Delaware State University, who introduced students from Korea. The students announced their names & majors for the record.

Mr. Speaker Gilligan made an announcement.

Mr. Speaker Gilligan reassigned **HB 24** to the Natural Resources Committee.

Mr. Speaker Gilligan announced that Judge Charles W. Welch had administered the oath of Representative to Representative-Elect Pamela J. Thornburg in the Speaker's Office prior to the call to order.

Representative Lavelle requested that he be marked present.

Representative Schwartzkopf deferred to Representative D. Short.

Mr. Speaker Gilligan & Representative Cathcart made comments.

Representative D. Short introduced **HB 44**, jointly sponsored by Senator Bunting & Representatives Gilligan, Atkins, Bennett, Mitchell, Viola, Cathcart, Booth, Carey, Hocker, Hudson, Kovach, Lavelle, Lee, Outten & Ramone & Senators Ennis, Sokola & Connor & cosponsored by Representatives Carson, Jaques, Kowalko, Walls & Wilson & Senator Bushweller.

**HB 44** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PERMITTING THE DELAWARE STATE FIRE PREVENTION COMMISSION TO ESTABLISH A DELAWARE BURN CAMP TO HELP YOUNG PEOPLE WHO HAVE SUFFERED BURNS.

Mr. Speaker Gilligan assigned **HB 44** to the Health & Human Development Committee.

Representative D. Short requested and was granted personal privilege of the floor to make comments regarding **HB 44**.

Representative Jaques 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 2:23 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 2:23 P.M.: Representative Keeley.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 22, 2009.

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

HOUSE ADMINISTRATION: **HB 1** – 3M; **HB 23** – 3F; **HB 26** – 3F; **HB 27** – 2F, 1M; **HB 31** – 3F.

HOUSING & COMMUNITY AFFAIRS: **HB 29** – 1M, 8U; **HB 45** – 9M, 1U.

Representatives Manolakos & Oberle requested that they 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.

**5th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session  
January 22, 2009**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representative Carey & Miro - 2.

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

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

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

The following prefiled legislation was introduced:

**HB 32** – BOOTH & SENATOR SIMPSON – HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Lewes, Chapter 170, Volume 57, Laws of Delaware, as Amended, Entitled “An Act to Reincorporate the City of Lewes”, to Provide for Municipal Tax Increment Financing and to Provide for Municipal Special Development Districts, to Provide for an Exception to Competitive Bidding for Certain Contracts in Connection with Municipal Tax Increment Financing and Municipal Development Districts and to Increase the Contract Amount Not Subject to Competitive Bidding. (2/3 bill)

**HB 46** – HUDSON & SENATOR BLEVINS; REPRESENTATIVES CARSON, J. JOHNSON, KEELEY, WALLS; SENATOR SORENSON – JUDICIARY – An Act to Amend Titles 10 and 11 of the Delaware Code Relating to Records of Arrest and Prosecution.

**HA 2 to HB 27** – LAVELLE – Placed with the Bill.

**HA 1 to HB 29** – JAQUES – Placed with the Bill.

**HCR 2** – J. JOHNSON & REPRESENTATIVE KOWALKO; REPRESENTATIVES KEELEY, MITCHELL, PLANT, D.P. WILLIAMS; SENATOR HENRY – ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - A Concurrent Resolution Endorsing the National Health Insurance Act.

The Reading Clerk read the following communication into the record:

**MEMORANDUM**

TO: The Honorable Robert F. Gilligan  
Speaker of the House of Representatives  
FROM: Joseph E. Miro  
Representative – Twenty-Second Representative District  
RE: Absence from Session  
DATE: January 22, 2009

Please be advised that I will be absent from session today, Thursday, January 22, 2009 due to personal business.

Thank you for your consideration in this matter.

Representatives Atkins & Cathcart requested that they be marked present.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson introduced **HB 47**, jointly sponsored by Senator DeLuca & Representatives D. Short & M. Marshall & Senator Simpson.

**HB 47** – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE PERMITTING BAIL AGENTS TO ALSO ACT AS PROPERTY BAIL AGENTS.

Mr. Speaker Gilligan assigned **HB 47** to the Economic Development/Banking/Insurance & Commerce Committee.

Representative Schwartzkopf deferred to Representative M. Marshall. Representative M. Marshall made an announcement.

Representative M. Marshall introduced **HB 49**, jointly sponsored by Representative Oberle & Representative Kovach & Senator Adams & Senator DeLuca & cosponsored by Representative Wilson.

**HB 49** – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE RESOLUTION OF DISPUTES IN THE COURT OF CHANCERY.

Mr. Speaker Gilligan assigned **HB 49** to the Judiciary Committee.

The Majority Leader moved to recess for caucus at 2:10 p.m.

The House reconvened at 3:14 p.m.

Representatives Lavelle, Mulrooney & Plant requested that they be marked present.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **HB 26**, jointly sponsored by Senator McDowell & Representatives Lavelle, Manolakos & Miro, before the House for consideration.

**HB 26** – AN ACT TO AMEND TITLES 22 AND 25 OF THE DELAWARE CODE TO AUTHORIZE THE COLLECTION OF LIENS BY WRIT OF MONITION. (2/3 bill)

Representative Brady introduced and brought **HA 1 to HB 26** before the House for consideration. Representative Brady made comments. **HA 1** was adopted by voice vote. Representative Brady made comments.

The roll call on **HB 26 w/HA1** was taken and revealed:

YES: 39.

ABSENT: Representatives Carey & Miro – 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 26 w/HA 1** was sent to the Senate for concurrence.

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

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker brought **HB 23**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 23** – AN ACT TO AMEND CHAPTER 278, VOLUME 72, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLVILLE, TO CLARIFY CERTAIN NON-RECOURSE PROVISIONS OF SECTION 31 (a)(45) OF THE CHARTER RELATING TO MUNICIPAL TAX INCREMENT AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS FINANCINGS. (2/3 bill)

Representative Hocker introduced and brought **HA 1 to HB 23** before the House for consideration. Representative Hocker made a comment. **HA 1** was adopted by voice vote. Representative Hocker made comments.

The roll call on **HB 23 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Carey & Miro – 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 23 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker requested that **HB 31** be stricken.

Representative Hocker moved to suspend the rules which interfere with introduction of and action on **HB 52**. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Hocker introduced and brought **HB 52**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 52** – AN ACT TO AMEND CHAPTER 278, VOLUME 72, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLVILLE, TO REMOVE OR “DEANNEX” FROM THE TOWN OF MILLVILLE CERTAIN PROPERTY UPON WHICH A PORTION OF LORD BALTIMORE ELEMENTARY SCHOOL IS LOCATED CONTIGUOUS TO THE TOWN OF OCEAN VIEW, WHICH DESIRES TO ACQUIRE AND MAINTAIN POLICE JURISDICTION OVER THE ENTIRETY OF THE LORD BALTIMORE ELEMENTARY SCHOOL. (2/3 bill)

Representative Hocker made comments.

The roll call on **HB 52** was taken and revealed:

YES: 39.

ABSENT: Representatives Carey & Miro – 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 52** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Oberle.

Representative Oberle introduced **HB 48**, jointly sponsored by Senator Henry & Representatives Brady, Cathcart, D. Short, Hocker, Lavelle, Outten & Ramone & Senator Connor & cosponsored by Representatives Booth, Carson, Jaques & J. Johnson.

**HB 48** – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX AND MODIFICATIONS THERETO.

Mr. Speaker Gilligan assigned **HB 48** to the Appropriations Committee.

Representative Oberle requested and was granted personal privilege of the floor to make comments regarding **HB 48**.

Mr. Speaker Gilligan reassigned **HB 48** to the Revenue & Finance Committee.

Representatives J. Johnson, Oberle & Kowalko made comments.

Representatives M. Marshall & Lavelle requested and were granted personal privilege of the floor to make comments. Representative Kowalko requested and was granted personal privilege of the floor to introduce guests. Representative Oberle made comments. Mr. Speaker Gilligan & Representative Keeley made announcements.

The Majority Leader moved to recess to the call of the Chair at 3:41 p.m.



Mr. Speaker Gilligan called the House to order at 2:01 p.m. on January 27, 2009.  
Representative Carey requested that he be marked present for the current Legislative Day.  
The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, William R. Outten, do hereby request that my name be removed as cosponsor of **HCR 2**.

Date: 1/22/09                                      Signed: William R. Outten

Representative Schwartzkopf introduced guests.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall introduced and brought **HCR 4**, jointly sponsored by Senator Cook & cosponsored by Representative Miro, before the House for consideration.

**HCR 4 – RECOGNIZING THE DIVISION OF CORPORATIONS ON RECEIVING THE W. L. GORE AWARD.**

Representative M. Marshall made comments and introduced guests. Mr. Speaker Gilligan made comments.

**HCR 4** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Lavelle made comments regarding **HCR 4**.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced and brought **HCR 3**, sponsored on behalf of All Representatives & jointly sponsored by Senator Sokola on behalf of All Senators, before the House for consideration.

**HCR 3 – CELEBRATING THE WEEK OF JANUARY 26TH THROUGH JANUARY 31ST AS CATHOLIC SCHOOLS WEEK IN DELAWARE.**

Representative Schooley made comments.

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

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett requested that **HB 43** be stricken.

Representative Bennett introduced **HB 53**, jointly sponsored by Representative Booth & Senator Ennis & Representatives Atkins, Carson, Hocker, Hudson, Jaques, Q. Johnson, Kowalko, Lavelle, Longhurst, Miro, Mitchell, Mulrooney, Outten, Schwartzkopf, Scott, D. Short, Walls, D.P. Williams & D.E. Williams & Senators Bushweller & Peterson & cosponsored by Representatives Ramone & Wilson.

**HB 53 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO UNPAID LEAVES OF ABSENCE.**

Mr. Speaker Gilligan assigned **HB 53** to the Labor Committee.

The Majority Leader moved to adjourn at 2:14 p.m., thereby ending the current legislative day. The House reconvened at 2:15 p.m.

**6th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session  
January 27, 2009**

The Chief Clerk called the roll:

Members Present: 41.

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

Mr. Speaker Gilligan invited Lauren Meoli, a student at Eagles Nest Christian Academy, to join him in leading those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HB 50 – HOCKER & SENATOR BUNTING – HOUSE ADMINISTRATION – An Act to Amend Chapter 59, Volume 63 of the Laws of Delaware, as Amended, the Charter of the Town of Dewey Beach to Limit the Height of Structures Within the Town. (2/3 bill)**

**HB 51 – HOCKER & SENATOR BUNTING – HOUSE ADMINISTRATION – An Act to Amend Chapter 59, Volume 63 of the Laws of Delaware, as Amended, the Charter of the Town of Dewey Beach to Grant the Town of Dewey Beach the Authority to Levy and Collect an Accommodations Tax. (2/3 bill)**

**HA 1 TO HB 27 – HUDSON - Placed with the Bill.**

Representative Plant requested that she be marked present.

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

The House reconvened at 4:20 p.m.

Representative Lavelle made comments.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **HB 45** before the House for consideration.

**HB 45 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIFORM COMMON INTEREST OWNERSHIP ACT.**

Representative M. Marshall made comments. Representative Ramone announced that he will not be voting on **HB 45** because of a possible conflict of interest. Representatives M. Marshall & Lavelle made comments. Representative M. Marshall rose on a point of order. Mr. Speaker did not concur. Representative

Lavelle introduced and brought **HA 1 to HB 45** before the House for consideration. Representatives Lavelle & M. Marshall made comments. **HA 1** was defeated by voice vote.

The roll call on **HB 45** was taken and revealed:

YES: 36

NOT VOTING: Representatives Booth, Cathcart, Lavelle, Ramone & Wilson – 5.

Therefore, having received a constitutional majority, **HB 45** was sent to the Senate for concurrence.

Representative M. Marshall made comments. Mr. Speaker Gilligan introduced guests.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson moved to suspend the rules which interfere with action on **HB 47**. The motion was properly seconded and adopted by voice vote.

Representative Hudson brought **HB 47**, jointly sponsored by Senator DeLuca & Representatives D. Short & M. Marshall & Senator Simpson, before the House for consideration.

**HB 47 – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE PERMITTING BAIL AGENTS TO ALSO ACT AS PROPERTY BAIL AGENTS.**

Representative Hudson introduced and brought **HA 1 to HB 47** before the House for consideration. Representative Hudson made comments. **HA 1** was adopted by voice vote. Representative Hudson made comments.

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

YES: 41.

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

Mr. Speaker Gilligan & Representative Schooley made announcements.

The Majority Leader moved to recess to the call of the chair at 4:42 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 28, 2009.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 19** and requests the concurrence of the House.

Mr. Speaker Gilligan reassigned **HB 53** to the Corrections Committee.

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 – 145th GENERAL ASSEMBLY – First Session January 28, 2009**

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Lavelle, Manolakos, Plant & D.P. Williams - 4.

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

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

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

The following prefiled legislation was introduced:

**HB 54 – HOCKER & SENATOR BUNTING – HOUSE ADMINISTRATION - An Act to Amend Chapter 59, Volume 63 of the Laws of Delaware, as Amended, the Charter of the Town of Dewey Beach, to Make the Town Charter Consistent with Changes to 15 Del. C. Section 7501 Et Seq., Enacted by the 143rd General Assembly, Concerning Municipal Elections.**

**HA 1 to HB 44 – D. SHORT – Placed with the Bill.**

**SB 7 w/SA 1 & 2 – VENABLES & SENATOR ENNIS & SENATOR CLOUTIER & REPRESENTATIVE D.P. WILLIAMS & REPRESENTATIVE OBERLE; SENATORS ADAMS, BUNTING, MCDOWELL, SIMPSON, PETERSON; REPRESENTATIVES CAREY, CARSON, CATHCART, HOCKER, J. JOHNSON, KOWALKO, LAVELLE, LEE, LONGHURST, MIRO, MULROONEY, OUTTEN, SCHOOLEY, SCHWARTZKOPF, D. SHORT, THORNBURG, WALLS, WILSON – HOUSE ADMINISTRATION – An Act to Amend Titles 10 and 29 of the Delaware Code Relating to Real Property Acquisition and Eminent Domain. (2/3 bill)**

**SB 19 – VENABLES & REPRESENTATIVE KEELEY; SENATORS BLEVINS, COOK, MCDOWELL, SIMPSON, SORENSON; REPRESENTATIVES MULROONEY, SCHOOLEY, VIOLA, CAREY, OBERLE – CAPITAL INFRASTRUCTURE – An Act Appropriating Bond Premiums and Special Funds of the State, Reverting Certain Funds of the State; Depositing Certain Funds of the State to the General Fund and Specifying Certain Conditions for the Expenditure of Certain Funds; and Amending the Laws of Delaware.**

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 7 w/SA 1 & 2, SCR 2, SCR 3 & SCR 4** and requests the concurrence of the House and the Senate has passed **HCR 3 & HCR 4** and is returning the same to the House.

Representatives Cathcart, D. Short, Atkins & Keeley requested that they be marked present. Representative Schooley requested and was granted personal privilege of the floor to introduce guests.

Representative Miro requested and was granted privilege of the floor to present a House Tribute to Ilko Iliev and to introduce guests. Mr. Speaker Gilligan made comments.

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

**SCR 2** – BONINI & REPRESENTATIVE OUTTEN; SENATORS BUNTING, CONNOR & VENABLES & REPRESENTATIVES HOCKER, HUDSON & THORNBURG - Designating February 6, 2009 as “Ronald Reagan Day” in the State of Delaware.

**SCR 3** – BLEVINS & SENATOR SORENSON & SENATOR SIMPSON ON BEHALF OF ALL SENATORS & REPRESENTATIVE HUDSON & REPRESENTATIVE M. MARSHALL ON BEHALF OF ALL REPRESENTATIVES - Designating the Month of February 2009 as “Delaware’s Teen Dating Violence Awareness and Prevention Month”.

**SCR 4** – BLEVINS & REPRESENTATIVE MITCHELL – Memorializing the One Hundredth Anniversary of the Town of Elsmere and Extending Sincere Congratulations to Its Citizens.

Representative Thornburg requested that she be marked present.

**Consent Calendar #1** was adopted by voice vote and **SCR 2, SCR 3 & SCR 4** were returned to the Senate.

Representative Keeley made an announcement.

Representative Mitchell made comments regarding **SCR 4**.

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

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Member was marked present by the Chief Clerk after the House recessed at 2:15 p.m.: Representative Oberle.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 29, 2009.

Representatives Lavelle & D.P. Williams requested that they be marked present for the current Legislative Day.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 11** and requests the concurrence of the House.

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

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko requested that action on **HB 27** be deferred to a Day Certain, Tuesday, March 24, 2009.

Mr. Speaker Gilligan requested that action on **HB 1** be deferred to a Day Certain, Thursday, March 19, 2009.

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

JUDICIARY: **HB 49** – 5F, 1M.

HEALTH & HUMAN DEVELOPMENT: **HB 44** – 9F.

CORRECTIONS: **HB 53** – 5F.

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.

### **8th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session January 29, 2009**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Pamela J. Thornburg, Twenty-Ninth Representative District.

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

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

The following prefiled legislation was introduced:

**HB 55** - LAVELLE & SENATOR PETERSON; REPRESENTATIVES D. SHORT, CAREY, MIRO, THORNBURG; SENATORS BLEVINS, BUNTING, CLOUTIER – HOUSE ADMINISTRATION – An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Compensation Commission.

**HB 56** – OBERLE & SENATOR HENRY; REPRESENTATIVES MITCHELL, JAQUES – LABOR – An Act to Amend Title 19 of the Delaware Code Relating to Collective Bargaining.

**HB 57** – BOOTH & SENATOR SIMPSON – PUBLIC SAFETY & HOMELAND SECURITY – An Act to Amend Title 21 of the Delaware Code Relating to Registration and Vehicles.

**HB 58** – OBERLE & SENATOR DELUCA; REPRESENTATIVES BENNETT, JAQUES, D. SHORT, THORNBURG – PUBLIC SAFETY & HOMELAND SECURITY – An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road and the Penalty for Speeding.

**HB 62** – OBERLE & REPRESENTATIVE MITCHELL & SENATOR DELUCA & SENATOR ENNIS; REPRESENTATIVES ATKINS, BARBIERI, BLAKEY, BOOTH, BRADY, CAREY, CARSON, CATHCART, GILLIGAN, HOCKER, HUDSON, JAQUES, J. JOHNSON, Q. JOHNSON, KOVACH, LEE, LONGHURST, MIRO, OUTTEN, RAMONE, SCHOOLEY, SCHWARTZKOPF, SCOTT, B. SHORT, D. SHORT, WALLS, D.E. WILLIAMS, D.P. WILLIAMS, WILSON – JUDICIARY – An Act to Amend Title 11 of the Delaware Code Relating to Crimes and Specific Offenses.

**HA 1 TO HB 54** – HOCKER – Placed with the Bill.

**SB 11** – VENABLES & REPRESENTATIVE LEE – HOUSE ADMINISTRATION – An Act to Amend Chapter 288, Volume 64, Laws of Delaware, the Charter of the Town of Laurel, as Amended, Relating to Borrowing Money and Issuing Bonds. (2/3 bill)

Representative Schwartzkopf deferred to Representative Thornburg.

Representative Thornburg introduced and brought **HR 6**, jointly sponsored by Representatives Atkins, Carson, Q. Johnson, Longhurst, Walls, Carey, Hocker & Outten, before the House for consideration.

**HR 6** – PROCLAIMING FEBRUARY 15-21, 2009 AS FOOD CHECK-OUT WEEK IN DELAWARE.

Representative Booth requested that he be marked present.

Representative Thornburg made comments.

**HR 6** was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Manolakos.

Representative Manolakos introduced and brought **HR 5** before the House for consideration.

**HR 5** – URGING THE GOVERNMENT OF TURKEY TO CEASE ITS DISCRIMINATION OF THE ECUMENICAL PATRIARCHATE, TO GRANT THE ECUMENICAL PATRIARCH APPROPRIATE INTERNATIONAL RECOGNITION, ECCLESIASTICAL SUCCESSION AND THE RIGHT TO TRAIN CLERGY OF ALL NATIONALITIES, AND TO RESPECT THE PROPERTY RIGHTS AND HUMAN RIGHTS OF THE ECUMENICAL PATRIARCHATE.

Representatives Manolakos & Schwartzkopf made comments. Representative Manolakos moved to place **HR 5** on the Speaker's Table. The motion was seconded by Representative Hudson and adopted by voice vote.

The Majority Leader moved to recess for caucus at 2:16 p.m.

The House reconvened at 4:37 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 6 w/SA 2** and requests the concurrence of the House and the Senate has passed **HB 47 w/HA 1, HB 23 w/ HA 1, HB 45 & HB 52** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell introduced a guest. Mr. Speaker Gilligan made an announcement. Representatives Lavelle & Atkins requested and were granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought **HB 44**, jointly sponsored by Senator Bunting & Representatives Gilligan, Atkins, Bennett, Mitchell, Viola, Cathcart, Booth, Carey, Hudson, Kovach, Lavelle, Lee, Outten & Ramone & Senators Ennis & Connor & cosponsored by Representatives Carson, Jaques, Kowalko, Walls & Wilson & Senator Bushweller, before the House for consideration.

**HB 44** – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PERMITTING THE DELAWARE STATE FIRE PREVENTION COMMISSION TO ESTABLISH A DELAWARE BURN CAMP TO HELP YOUNG PEOPLE WHO HAVE SUFFERED BURNS.

Representative D. Short brought **HA 1 to HB 44** before the House for consideration. Representative D. Short made comments. **HA 1** was adopted by voice vote. Representatives D. Short & Booth made comments.

The roll call on **HB 44 w/HA1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 44 w/HA 1** was sent to the Senate for concurrence.

Representative Plant requested that she be marked present during the roll call.

Representative D. Short requested and was granted personal privilege of the floor to make comments and to introduce guests. Representative D. Short deferred to Representative M. Marshall. Representatives M. Marshall & D. Short made comments. Mr. Speaker Gilligan introduced a guest.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **HB 49**, jointly sponsored by Representative Oberle & Representative Kovach & Senator Adams & Senator DeLuca, and cosponsored by Representative Wilson, before the House for consideration.

**HB 49** – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE RESOLUTION OF DISPUTES IN THE COURT OF CHANCERY.

Representative M. Marshall made comments.

The roll call on **HB 49** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 49** was sent to the Senate for concurrence. Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 53**, jointly sponsored by Representative Booth & Senator Ennis & Representatives Atkins, Carson, Hocker, Hudson, Jaques, Q. Johnson, Kowalko, Lavelle, Longhurst, Miro, Mitchell, Mulrooney, Outten, Schwartzkopf, Scott, D. Short, Walls, D.P. Williams & D.E. Williams & Senators Bushweller & Peterson & cosponsored by Representatives Ramone & Wilson, before the House for consideration.

**HB 53 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO UNPAID LEAVES OF ABSENCE.**

Representatives Bennett, Booth & Cathcart made comments.

The roll call on **HB 53** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 53** was sent to the Senate for concurrence.

Representative Schwartzkopf & Mr. Speaker Gilligan made comments.

Representative Schwartzkopf deferred to Representative Keeley.

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

Representative Keeley moved to suspend the rules which interfere with introduction of & action on **SB 19**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Keeley introduced & brought **SB 19**, jointly sponsored by Senator Venables & Senators Blevins, Cook, McDowell, Simpson & Sorenson & Representatives Mulrooney, Schooley, Viola, Carey & Oberle, before the House for consideration.

**SB 19 – AN ACT APPROPRIATING BOND PREMIUMS AND SPECIAL FUNDS OF THE STATE, REVERTING CERTAIN FUNDS OF THE STATE; DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND AND SPECIFYING CERTAIN CONDITIONS FOR THE EXPENDITURE OF CERTAIN FUNDS; AND AMENDING THE LAWS OF DELAWARE.**

Representative Keeley made comments.

The roll call on **SB 19** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 19** was returned to the Senate.

Representative D.P. Williams made an announcement.

Mr. Speaker Gilligan made comments.

Mr. Speaker Gilligan invited Representatives Schwartzkopf, Longhurst, Cathcart & D. Short to join him in presenting a House Tribute to Inga Emerson, Journal Clerk. Ms. Emerson addressed the House.

Representative Kowalko made an announcement.

Mr. Speaker Gilligan made comments.

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 17, 2009.

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.

### **9th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - First Session March 17, 2009**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representative Lavelle & Thornburg - 2.

A prayer was offered by Mr. Speaker Gilligan, Nineteenth 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:

February 18, 2009

**HB 59 - SCHWARTZKOPF & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Volume 57, Chapter 504, Laws of Delaware, as Amended, Entitled "An Act to Incorporate the Town of Henlopen Acres", Sections 21, 21.A, 22, and 23, to Update the Procedure for Assessment and Appeal of Taxes. (2/3 bill)**

**HB 60 - KOWALKO & SENATOR SOKOLA; REPRESENTATIVE KEELEY - 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 61 - MITCHELL & REPRESENTATIVE MARSHALL & REPRESENTATIVE WALLS & REPRESENTATIVE BENNETT; SENATORS BUSHWELLER, ENNIS; REPRESENTATIVES ATKINS, CARSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Failure to Answer a Summons.**

**HB 63** - BOOTH & SENATOR BUNTING; REPRESENTATIVE D. SHORT - HOUSE ADMINISTRATION - An Act to Amend Chapter 25, Title 29 of the Delaware Code Relating to Employment of Private Attorneys.

**HB 64** - BOOTH & SENATOR BUNTING; REPRESENTATIVES BENNETT, MARSHALL, HOCKER, MIRO, SCOTT; SENATORS ADAMS, VENABLES, SORENSON - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 29 of the Delaware Code Relating to Health Care Insurance.

**HB 65** - BOOTH & SENATOR BUNTING - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Sussex County Councilmanic Districts.

**HB 66** - BOOTH & SENATOR BUNTING; REPRESENTATIVE HOCKER - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Eligibility for State Employment.

**HB 67** - WALLS; REPRESENTATIVES ATKINS, BENNETT, CAREY, CARSON, HOCKER, J. JOHNSON, KEELEY, MITCHELL, MULROONEY, B. SHORT, VIOLA, D.E. WILLIAMS, WILSON; SENATORS CLOUTIER, ENNIS, HALL-LONG, SIMPSON - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Protected Wildlife.

**HB 68** - MITCHELL & REPRESENTATIVE MARSHALL & REPRESENTATIVE WALLS & REPRESENTATIVE BENNETT & SENATOR BUSHWELLER & SENATOR ENNIS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Habitual Offenders Status for Driving During a Period of Suspension or Revocation.

**HB 69** - BOOTH; REPRESENTATIVES D. SHORT, HOCKER, MIRO; SENATOR BUNTING - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Establishing a Direct Care Advanced Training Program.

**HB 70** - OBERLE & SENATOR MCBRIDE; REPRESENTATIVE BENNETT - ENERGY - An Act to Amend Title 29 of the Delaware Code Relating to Wind Energy Systems.

**HB 71** - CARSON & SENATOR ENNIS & SENATOR BUSHWELLER & REPRESENTATIVES BENNETT, MIRO, MITCHELL, OUTTEN, WALLS, WILSON; SENATOR CONNOR - PUBLIC SAFETY & HOMELAND SECURITY - A Bill to Amend Title 21 of the Delaware Code to Expand the Move on Over Law to Include Tow Trucks.

**HB 72** - CATHCART & SENATOR SOKOLA; REPRESENTATIVES BENNETT, B. SHORT, VIOLA, D. SHORT, HOCKER, HUDSON, LAVELLE, MIRO, OUTTEN, RAMONE, WILSON; SENATORS ENNIS, HALL-LONG, PETERSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Chapter 27 of Title 21 of the Delaware Code Relating to Driver License Requirements for Registered Sex Offenders.

**HB 73** - JAQUES & REPRESENTATIVE BRADY & SENATOR COOK; REPRESENTATIVES BENNETT, HUDSON, KOWALKO, M. MARSHALL, MITCHELL, RAMONE; SENATORS CONNOR, HALL-LONG, MCDOWELL - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Financial Assistance for Higher Education for Those Serving in the Delaware National Guard.

**HB 74** - HUDSON & SENATOR SIMPSON; REPRESENTATIVES D. SHORT, BOOTH, RAMONE, MANOLAKOS; SENATORS BUNTING, PETERSON, SORENSON - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Elections.

**HB 75** - KEELEY & REPRESENTATIVE KOWALKO & SENATOR BUNTING; REPRESENTATIVES BARBIERI, BLAKEY, BRADY, GILLIGAN, JAQUES, J. JOHNSON, Q. JOHNSON, LONGHURST, MARSHALL, MITCHELL, OBERLE, PLANT, RAMONE, SCHOOLEY, SCHWARTZKOPF, SCOTT, B. SHORT, THORNBURG, VIOLA, D.E. WILLIAMS; SENATORS CONNOR, ENNIS, HALL-LONG, PETERSON, SOKOLA, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Chapter 10, Title 16 of the Delaware Code Relating to Policies of Hospitals and Other Facilities.

**HA 5 to HB 27** - KOWALKO - Placed with the Bill.

**HA 1 to HCR 2** - J. JOHNSON - Placed with the Bill.

**SB 6 w/SA 2** - ENNIS & REPRESENTATIVE WALLS; SENATORS BLEVINS, CONNOR, COOK, HALL-LONG, HENRY, PETERSON, SORENSON; REPRESENTATIVES CAREY, CARSON, GILLIGAN, KOWALKO, LEE, MITCHELL, OBERLE, SCHWARTZKOPF, BENNETT - PUBLIC SAFETY & HOMELAND SECURITY - An Act To Amend Title 21 of the Delaware Code Relating to Fire Engineers, Chief Engineers, Deputy Fire Chiefs, Authorized Emergency Vehicles, Warning Devices for Emergency Vehicles, and Lighting Equipment.

March 10, 2009

**HB 2** - MIRO & SENATOR PETERSON; REPRESENTATIVES GILLIGAN, KEELEY, KOWALKO, M. MARSHALL, D. SHORT, OBERLE - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses, Animals, and Penalties.

**HB 3** - HUDSON & SENATOR CONNOR & SENATOR CLOUTIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Health and Safety.

**HB 4** - HUDSON & SENATOR SORENSON; REPRESENTATIVE LAVELLE - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Cash Contributions.

**HB 5** - SCHWARTZKOPF & REPRESENTATIVE KEELEY & REPRESENTATIVE OBERLE & SENATOR SOKOLA & SENATOR MCDOWELL & SENATOR SORENSON; REPRESENTATIVES BARBIERI, GILLIGAN, JAQUES, J. JOHNSON, KOWALKO, LONGHURST, M. MARSHALL, MITCHELL, MULROONEY, PLANT, SCHOOLEY, B. SHORT, VIOLA, D.E. WILLIAMS, D.P. WILLIAMS; SENATORS BLEVINS, BUNTING, BUSHWELLER, HENRY, PETERSON - HOUSE ADMINISTRATION - An Act to Amend Titles 6, 9, 18, 19, 25 and 29 of the Delaware Code Relating to Discrimination in Employment, Public Works Contracting, Housing, Equal Accommodations and the Insurance Business.

**HB 6** - J. JOHNSON & SENATOR HENRY; REPRESENTATIVES KEELEY, KOWALKO, LAVELLE, B. SHORT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Department of Health and Social Services.

**HB 7** - J. JOHNSON; REPRESENTATIVES BENNETT, BRADY, CARSON, HUDSON, JAQUES, KEELEY, MIRO, MITCHELL, OUTTEN, WALLS, D.P. WILLIAMS, D.E. WILLIAMS, WILSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Recovery of Damages from Parents or Guardians.

**HB 8** - HUDSON & SENATOR BONINI; REPRESENTATIVES D. SHORT, BLAKEY, CAREY, HOCKER, LAVELLE; SENATORS SORENSON, CLOUTIER, CONNOR - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to State Personal Income Tax.

**HB 9** - HUDSON & REPRESENTATIVE CATHCART & SENATOR SIMPSON; REPRESENTATIVES GILLIGAN, VIOLA, BLAKEY, LAVELLE, MANOLAKOS, MIRO, OUTTEN, BENNETT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 15, Delaware Code Relating to Elections and Candidate Disclosures. (2/3 bill)

**HB 10** - SCHOOLEY & SENATOR HENRY; REPRESENTATIVES BARBIERI, KEELEY, KOWALKO, M. MARSHALL, MITCHELL - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Public Officers' and Employees' Health Care Insurance, State Employees' Pension Plan, and Other State Employee Benefits.

**HB 11** - HUDSON & SENATOR BUNTING; REPRESENTATIVE LAVELLE - REVENUE & FINANCE - An Act to Amend Title 29 of the Delaware Code Relating to the Video Lottery. (3/5 bill)

**HB 12** - LAVELLE & SENATOR BUNTING; REPRESENTATIVES D. SHORT, HUDSON, MIRO; SENATOR BONINI - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Conduct of Officers and Employees.

**HB 13** - LAVELLE & SENATOR BONINI; REPRESENTATIVES D. SHORT, HOCKER, HUDSON - HOUSE ADMINISTRATION - An Act Proposing an Amendment to the Delaware Constitution Relating to Voting on the Budget and Bond Bills. (2/3 bill)

**HB 14** - J. JOHNSON & SENATOR DELUCA; REPRESENTATIVE MITCHELL; SENATOR HENRY - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County and the Granting of an Administrative Variance.

**HB 15** - LONGHURST & SENATOR MCDOWELL; REPRESENTATIVES BARBIERI, BENNETT, GILLIGAN, JAQUES, J. JOHNSON, Q. JOHNSON, M. MARSHALL, MITCHELL, MULROONEY, SCHOOLEY, SCHWARTZKOPF, WALLS, D.P. WILLIAMS - NATURAL RESOURCES - An Act to Amend Chapter 60, Title 7 of the Delaware Code Relating to Recycling and Waste Reduction in the State of Delaware.

**HB 16** - KEELEY; REPRESENTATIVES BENNETT, BRADY, RAMONE, D. SHORT; SENATOR HENRY - HOUSE ADMINISTRATION - An Act to Amend Chapter 58, Title 29 of the Delaware Code Relating to the Registration of Lobbyists.

**HB 17** - PLANT & REPRESENTATIVE KEELEY; REPRESENTATIVES J. JOHNSON, MULROONEY; SENATOR HENRY - 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.

**HB 18** - PLANT; REPRESENTATIVES J. JOHNSON, MULROONEY; SENATOR HENRY - LABOR - An Act to Amend Chapter 7, Title 19 of the Delaware Code Relating to the Doctrine of Employment at Will and Protection from Wrongful Termination.

**HB 19** - M. MARSHALL & SENATOR DELUCA; REPRESENTATIVES J. JOHNSON, KOVACH - JUDICIARY - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

**HB 20** - KEELEY & SENATOR KATZ; REPRESENTATIVES BENNETT, HUDSON, KOVACH, SCOTT - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Conduct of Officers and Employees.

**HB 21** - MITCHELL & SENATOR BUSHWELLER; REPRESENTATIVES BENNETT, CARSON, HUDSON, JAQUES, KOVACH, LAVELLE, M. MARSHALL, OBERLE, OUTTEN, RAMONE, WALLS, WILSON; SENATORS ENNIS, SORENSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to the Classification of Certain Minor Traffic Offenses.

**HB 22** - SCHOOLEY & REPRESENTATIVE KEELEY & REPRESENTATIVE KOWALKO & REPRESENTATIVE M. MARSHALL & SENATOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES BARBIERI, CARSON, GILLIGAN, JAQUES, KOVACH, SCOTT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Healthy Children Program.

**HB 33** - BOOTH & SENATOR SIMPSON - HOUSE ADMINISTRATION - An Act to Reincorporate the Charter of the Board of Public Works of the City of Lewes, Chapter 196, Volume 22, Laws of Delaware, as Amended, Entitled "An Act to Authorize the Commissioners of Lewes to Appoint a Board of Public Works for the Town of Lewes Which Shall Establish, Control and Regulate an Electric Light Plant, Water Works and a Sewer System for Said Town; Prescribing the Powers and Duties of Said Board of Public Works and Providing for the Election of their Successors". (2/3 bill)

**HB 76** - MANOLAKOS & SENATOR SOKOLA; REPRESENTATIVES GILLIGAN, Q. JOHNSON, KEELEY, MITCHELL, D. SHORT, HUDSON, MIRO; SENATORS BUNTING, PETERSON, SIMPSON, SORENSON, BONINI - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Oath of Office of School Board Members.

**HB 77** - B. SHORT & SENATOR HALL-LONG; REPRESENTATIVES CARSON, HUDSON, JAQUES, M. MARSHALL, MITCHELL, SCHWARTZKOPF, WILSON; SENATORS BLEVINS, CLOUTIER - JUDICIARY - An Act to Amend Chapter 9 of Title 10 of the Delaware Code Relating to the Family Court of the State of Delaware.

**HB 78** - B. SHORT & SENATOR ENNIS; REPRESENTATIVE MITCHELL; SENATOR HALL-LONG - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Sale or Transfer of a Puppy Under the Age of Eight Weeks of Age. (2/3 bill)

**HB 79** - CATHCART & SENATOR BLEVINS & SENATOR DELUCA & SENATOR ENNIS - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Highway or Road Capacity and Residential Development in New Castle County.

**HB 80** - CATHCART - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Information from the Department of Education and the Department of Transportation Regarding Rezoning and Subdivision Applications in New Castle County.

**HB 81** - CATHCART & SENATOR DELUCA & SENATOR ENNIS - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Changes in the New Castle County Unified Development Code and Density Increases in Residential Development Plans.

**HB 82** - CATHCART & SENATOR ENNIS; REPRESENTATIVES HOCKER, HUDSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code Relating to Disclosure for Workforce Housing in New Castle County.

**HB 83** - CATHCART & SENATOR DELUCA & SENATOR ENNIS; REPRESENTATIVE OBERLE - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County Land Use Planning and Education under the Quality of Life Act of 1988.

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

**HA 2 to HB 1** - SCHWARTZKOPF - Placed with the Bill.

**HA 1 to HB 40** - CATHCART - Placed with the Bill.

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

**HR 9** - MANOLAKOS & REPRESENTATIVE KEELEY - HOUSE ADMINISTRATION - Urging the Government of Turkey to Grant the Ecumenical Patriarch Appropriate International Recognition, Ecclesiastical Succession and the Right to Train Clergy of All Nationalities, and to Respect the Property Rights and Human Rights of the Ecumenical Patriarchate.

The following prefiled legislation was introduced:

**HB 84** - LAVELLE & SENATOR BONINI; REPRESENTATIVES D. SHORT, HOCKER, HUDSON, MIRO - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Budget Appropriation and Capital Budget Legislation.

**HA 1 to HB 20** - LAVELLE - Placed with the Bill.

Representative Scott requested that he be marked present.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Sen. Peterson, do hereby request that my name be removed as cosponsor of **HB 69**.

Date: 1-29-09

Signed: Karen Peterson

WITHDRAWAL OF SPONSORSHIP REQUEST

I, E. Bradford Bennett, do hereby request that my name be removed as cosponsor of **HB 78**.

Date: 3/12/09

Signed: E. B. Bennett

January 30, 2009

Legislative Advisory # 2

Governor Jack A. Markell signed the following legislation on the date indicated:

1/29/09 – **SB 19, HB 47 aab HA 1.**



February 4, 2009

Legislative Advisory # 3

Governor Jack A. Markell signed the following legislation on the date indicated: 2/4/09 - **HB 23 aab HA 1, HB 45 & HB 52.**

Representatives Plant, Carson, M. Marshall & Atkins requested that they be marked present.

Mr. Speaker Gilligan made announcements. The House observed a moment of silence in memory of Dr. William Markell, father of Governor Jack A. Markell; Cindy DiPinto; and the Honorable James D. McGinnis, former Lieutenant Governor, at the request of Mr. Speaker Gilligan. Mr. Speaker Gilligan made comments. Representative M. Marshall requested and was granted personal privilege of the floor to introduce a guest. Representatives Kowalko, Mitchell, J. Johnson, Bennett, Oberle, Kovach, Lee, Wilson & Cathcart requested that they be marked present. Mr. Speaker Gilligan made an announcement. Mr. Speaker Gilligan reassigned **HB 9** to the House Administration Committee.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #6

DATE: March 17, 2009

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                                                                               |
|----------|---------------|------------|------|-------------------------------------------------------------------------------------------|
| H145-121 | Wilson        | 2/13/2009  | T    | Dwight Warnick - 100 <sup>th</sup> Birthday                                               |
| H145-122 | Walls         | 11/19/2008 | T    | William & Eliza Stokes/70 <sup>th</sup> Anniversary                                       |
| H145-123 | Carson        | 1/16/2009  | T    | Carol Spillane - Dedicated Service to Delaware<br>cosponsors: Reps. Oberle & Schwartzkopf |
| H145-124 | Hocker        | 1/15/2009  | T    | James Parramore, Jr. - Saved a Life during Fire                                           |
| H145-125 | Q. Johnson    | 3/21/2009  | T    | Clayton Fire Company Ladies Auxiliary - 50 <sup>th</sup><br>Anniversary                   |
| H145-126 | Gilligan      | 1/13/2009  | M    | Elizabeth P. Walker<br>cosponsors: All Representatives                                    |
| H145-127 | Atkins        | 1/15/2009  | M    | John "Jack" Williams                                                                      |
| H145-128 | Outten        | 1/15/2009  | M    | Elwood R. Brown                                                                           |
| H145-129 | Kowalko       | 2/7/2009   | T    | Kappa Alpha Psi Nu Xi - 20 <sup>th</sup> Anniversary                                      |
| H145-130 | Hocker        | 1/30/2009  | T    | Victor Murray, Jr. - Exemplary Mentor                                                     |
| H145-131 | D.P. Williams | 1/18/2009  | M    | Oliver Wendell Casson                                                                     |
| H145-132 | D.E. Williams | 1/17/2009  | M    | Paul Ray Wilkinson<br>cosponsor: Rep. Lavelle                                             |
| H145-133 | Jacques       | 1/22/2009  | T    | Sandy Tuttle - Lifetime Achievement Award                                                 |
| H145-134 | Carson        | 1/19/2009  | T    | Tyler M. Watson – Achievement Award<br>cosponsor: Rep. Bennett                            |
| H145-135 | Blakey        | 1/17/2009  | T    | Lola Tue - Service – Teacher/Resident                                                     |
| H145-136 | Schwartzkopf  | 1/17/2009  | M    | Wayne Francis Wichlatz<br>cosponsor: Rep. Keeley                                          |
| H145-137 | Manolakos     | 1/27/2009  | T    | David Deputy -Promotion Colonel - Air Guard<br>cosponsors: Reps. Hudson & Ramone          |
| H145-138 | D. Short      | 1/25/2009  | T    | Ben Sirman - Herm Reitzes Service Award                                                   |
| H145-139 | D. Short      | 2/11/2009  | T    | Dick Collison/50 Years/Seaford Vol. Fire Dept.                                            |
| H145-140 | Oberle        | 1/27/2009  | T    | Nicolas Brozean - Council of Legislators Gaming<br>States - Dedication and Service        |
| H145-141 | Blakey        | 2/5/2009   | T    | Diane L. Potts - Retirement - Social Security                                             |

HOUSE TRIBUTE ANNOUNCEMENT #7

DATE: March 17, 2009

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                                                                   |
|----------|----------|-----------|------|-------------------------------------------------------------------------------|
| H145-142 | Hudson   | 1/31/2009 | T    | Jane Maroney - Lifetime Achievement Award                                     |
| H145-143 | Hudson   | 1/31/2009 | T    | Edward Eaton - Lifetime Achievement Award                                     |
| H145-144 | Hudson   | 1/31/2009 | T    | James Patton, Sr./Lifetime Achievement Award                                  |
| H145-145 | Kowalko  | 2/11/2009 | T    | Kathryn V. Reynolds - 100 <sup>th</sup> Birthday                              |
| H145-146 | Carson   | 1/28/2009 | T    | Alzheimer's Association – Facility Dedication                                 |
| H145-147 | Gilligan | 2/7/2009  | T    | James L. Updyke - 50 Years - Five Points Fire Co.<br>cosponsor: Rep. Mitchell |
| H145-148 | Atkins   | 2/7/2009  | T    | Richard Dewitt - 50 Years - Five Points Fire Co.<br>cosponsor: Rep. Mitchell  |
| H145-149 | Mitchell | 2/7/2009  | T    | Francis E. Williams III - Outstanding Member<br>Five Points Fire Co.          |

|          |                                 |           |   |                                                                             |
|----------|---------------------------------|-----------|---|-----------------------------------------------------------------------------|
| H145-150 | Mitchell                        | 2/7/2009  | T | A. Paul Johnson - Member of the Year - Five Points Fire Co.                 |
| H145-151 | Miro                            | 1/29/2009 | T | Martha A. Brooks/Retirement/Dept./Education                                 |
| H145-152 | Lavelle                         | 1/22/2009 | M | Robert F. Kohl, Sr.                                                         |
| H145-153 | Outten                          | 1/23/2009 | M | William R. Scott                                                            |
|          | cosponsor: Rep. Walls           |           |   |                                                                             |
| H145-154 | Outten                          | 1/23/2009 | M | Russell K. Legates                                                          |
| H145-155 | Ramone                          | 1/30/2009 | T | Thomas M. Jarrett - Outstanding State Service                               |
|          | cosponsors: All Representatives |           |   |                                                                             |
| H145-156 | Carson                          | 1/29/2009 | T | Michael T. Scuse - Outstanding State Service                                |
| H145-157 | Kovach                          | 3/19/2009 | T | John May - Eagle Scout                                                      |
| H145-158 | Booth                           | 1/24/2009 | T | Harry Fletcher - Lifetime Fireman of the Year<br>Georgetown Fire Department |
| H145-159 | Booth                           | 1/24/2009 | T | Jimmy Hitchens – Fireman of the Year<br>Georgetown Fire Department          |
| H145-160 | Miro                            | 1/26/2009 | T | Chinese American Community Center - Chinese New Year                        |
|          | cosponsors: Manolakos & Ramone  |           |   |                                                                             |
| H145-161 | Walls                           | 2/2/2009  | T | Richard Lindale - 47 <sup>th</sup> Birthday                                 |
|          | cosponsor: Rep. Outten          |           |   |                                                                             |

#### HOUSE TRIBUTE ANNOUNCEMENT #8

DATE: March 17, 2009

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>                                                           |
|---------------|----------------------------------------|-------------|-------------|------------------------------------------------------------------------------|
| H145-162      | Gilligan                               | 1/29/2009   | T           | Inga Emerson - Dedicated Service to the House                                |
| H145-163      | Lee                                    | 2/9/2009    | T           | Marlene Elliott Brown - Retirement - State                                   |
|               | cosponsors: All Representatives        |             |             | Director – U. S. Dept. of Agriculture                                        |
| H145-164      | D. Short                               | 12/31/2009  | T           | Phil & Phillys Livingston - 60 <sup>th</sup> Anniversary                     |
| H145-165      | Booth                                  | 1/17/2009   | T           | Timothy McClanahan - Fireman of the Year -                                   |
|               | cosponsor: Rep. Schwartzkopf           |             |             | Lewes Fire Department                                                        |
| H145-166      | Carey                                  | 1/17/2909   | T           | William Buckaloo - President's Award - Lewes Fire Department                 |
|               | cosponsors: Reps. Booth & Schwartzkopf |             |             |                                                                              |
| H145-167      | Hocker                                 | 3/3/2009    | T           | Alice Walsh - Woman of the Year                                              |
|               | cosponsors: Reps. Booth & Schwartzkopf |             |             |                                                                              |
| H145-168      | Blakey                                 | 2/2/2009    | T           | Dr. Kimberly Gaines - Veterinarian of Year                                   |
| H145-169      | Longhurst                              | 1/15/2009   | T           | William G. Draper - Eagle Scout                                              |
|               | cosponsor: Rep. Jacques                |             |             |                                                                              |
| H145-170      | Hocker                                 | 1/29/2009   | T           | Wayne Fuller - Firefighter of the Year - Sussex County Vol. Fireman's Assoc. |
| H145-171      | Carey                                  | 2/7/2009    | T           | Olga S. Tosh - 90th Birthday                                                 |
| H145-172      | Blakey                                 | 1/31/2009   | M           | Marion Elizabeth MacDonald                                                   |
|               | cosponsor: Rep. Outten                 |             |             |                                                                              |
| H145-173      | Outten                                 | 2/1/2009    | M           | Clara L. Wutka                                                               |
| H145-174      | Brady                                  | 2/1/2009    | M           | Frances Ellen Burns                                                          |
| H145-175      | Carson                                 | 2/7/2009    | T           | Laura Diane Severson - President - Ladies Auxiliary Leipsic Vol. Fire Co.    |
| H145-176      | M. Marshall                            | 1/29/2009   | M           | Stephana Matasich                                                            |
| H145-177      | Plant                                  | 2/8/2009    | T           | Timothy Edward Meren - Eagle Scout                                           |
|               | cosponsor: Rep. Brady                  |             |             |                                                                              |
| H145-178      | Hudson                                 | 2/5/2009    | M           | Elizabeth Sedor Metrisko                                                     |
| H145-179      | Bennett                                | 2/2/2009    | M           | Armstrong Barratt Cullen, Jr.                                                |
| H145-180      | Carey                                  | 2/23/2009   | T           | Lillian Nugent - Retirement - DTI                                            |

#### HOUSE TRIBUTE ANNOUNCEMENT #9

DATE: March 17, 2009

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>                            |
|---------------|----------------|-------------|-------------|-----------------------------------------------|
| H145-181      | Carson         | 2/15/2009   | T           | Terri Collins - 60th Birthday                 |
| H145-182      | Carey          | 2/12/2009   | T           | Bernice Edwards/30 Years/Community Action     |
| H145-183      | Mulrooney      | 3/8/2009    | T           | Daniel R. Shorter - Eagle Scout               |
| H145-184      | Carson         | 3/6/2009    | T           | William Dempsey, Jr. - 35 Years - Kent County |
| H145-185      | Bennett        | 2/7/2009    | M           | Ann Charlotte Hoover                          |
| H145-186      | Miro           | 2/3/2009    | M           | Jeanne A. Abato                               |

|          |                                                     |           |   |                                              |
|----------|-----------------------------------------------------|-----------|---|----------------------------------------------|
|          | cosponsor: Rep. Ramone                              |           |   |                                              |
| H145-187 | Carson                                              | 2/12/2009 | T | George Burris/EMT of Year/Amer. Legion       |
| H145-188 | Carson                                              | 2/12/2009 | T | Michael Chillas/Driver of Year/Amer. Legion  |
| H145-189 | Carson                                              | 2/12/2009 | T | Allan Post/Frank Powell Award/Amer. Legion   |
| H145-190 | Carson                                              | 2/7/2009  | M | Vesta Mears                                  |
| H145-191 | Thornburg                                           | 2/28/2009 | T | Irma D. Thompson - 80 <sup>th</sup> Birthday |
| H145-192 | Q. Johnson                                          | 2/28/2009 | T | Middletown Police Department - Dedication    |
|          | cosponsors: Reps. Carson & Cathcart of New Facility |           |   |                                              |
| H145-193 | D. Short                                            | 3/26/2009 | T | Jean W. Allen/Retire/President/Bd. of Ed.    |
| H145-194 | Booth                                               | 3/12/2009 | T | D.J. Hickman - Eagle Scout                   |
|          | cosponsor: Rep. Atkins                              |           |   |                                              |
| H145-195 | Blakey                                              | 2/8/2009  | M | George F. Papen                              |
| H145-196 | J. Johnson                                          | 2/27/2009 | T | Patrolman Robert Singleton - Saving a Life   |
| H145-197 | Q. Johnson                                          | 3/2/2009  | T | Catherine Kelly - Middletown Town Council    |
|          | cosponsor: Rep. Carson                              |           |   |                                              |
| H145-198 | Brady                                               | 2/13/2009 | M | Alden Warren Jenkins                         |
| H145-199 | Longhurst                                           | 5/30/2009 | T | Gene Brodie Emory, Jr. – Eagle Scout         |
| H145-200 | Plant                                               | 2/13/2009 | M | The Honorable Jesus Manuel Prado             |
|          | cosponsors: Reps. Brady, Keeley & Miro              |           |   |                                              |

T- Tribute

M - Memoriam

The Majority Leader moved to recess to the call of the Chair at 2:18 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 2:18 p.m.: Representative D.P. Williams.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 18, 2009.

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

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

**HR 7 – CARSON & REPRESENTATIVE BENNETT & REPRESENTATIVES ATKINS, BARBIERI, BLAKEY, BOOTH, BRADY, CAREY, CATHCART, GILLIGAN, HOCKER, HUDSON, J. JOHNSON, KEELEY, KOVACH, KOWALKO, LAVELLE, LEE, LONGHURST, MANOLAKOS, M. MARSHALL, MITCHELL, MULROONEY, OBERLE, OUTTEN, RAMONE, SCHOOLEY, SCHWARTZKOPF, SCOTT, B. SHORT, D. SHORT, THORNBURG, VIOLA, WALLS, D.P. WILLIAMS & WILSON – Recognizing Technical Sergeant Henry D. Fortney II for Receiving the Meritorious Service Medal from the President of the United States of America for Outstanding Achievement.**

**HR 8 – CARSON & REPRESENTATIVE Q. JOHNSON & REPRESENTATIVE THORNBURG – Recognizing the Smyrna School District for Its 125th Year of High School Graduations.**

**Consent Calendar # 2** was adopted by voice vote and **HR 7** and **HR 8** were declared passed.

Representative Thornburg requested that she be marked present for the current Legislative Day.

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

JUDICIARY: **HB 2** - 6F,1M; **HB 7** - 6F,1M; **HB 19** - 6F,1M; **HB 46** - 6F,1M; **HB 62** - 4F,3M;

**HB 77** - 6F, 1M.

EDUCATION: **HB 60** - 2F, 8M; **HB 73** - 1F, 7M.

HEALTH & HUMAN DEVELOPMENT: **HB 75** - 7F, 2M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HB 64** - 7M, 1U.

NATURAL RESOURCES: **HB 15** - 7F, 2M; **HB 67** - 8F, 1M.

HOUSE ADMINISTRATION: **HB 32** - 1F,3M; **HB 33** - 1F,3M; **HB 51** - 3F,1M; **HB 59** - 1F,3M;

**SB 11** – 1F, 3M; **HR 9** - 4F.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 61** - 8M; **HB 68** - 3F,2M; **HB 71** - 6F,1M;

**HB 72** - 6F,2M; **SB 6 w/SA 2** - 2F,6M.

Mr. Speaker Gilligan assigned **HB 62** to the Appropriations Committee.

The Majority Leader moved to adjourn at 2:15 p.m., thereby ending the current legislative day. The House reconvened at 2:16 p.m.

## 10th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session March 18, 2009

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Lieutenant Colonel Will G. Barnes, Chaplain, Delaware National Guard.

Lieutenant Colonel Barnes led those present in the pledge of allegiance to the American Flag.

The Reading Clerk read the following communication into record:

### MEMORANDUM

TO: Richard Puffer  
Chief Clerk of the Delaware State House of Representatives  
FROM: Senator Karen E. Peterson  
DATE: March 18, 2009  
REGARDING: House Bill No. 65

Effective upon receipt of this memorandum, please remove my sponsorship of House Bill No. 65, "An Act to Amend Title 9 of the Delaware Code Relating to Sussex County Councilmanic Districts."

Thank you.

Cc: Representative Joseph W. Booth

Mr. Speaker Gilligan introduced guests. Mr. Speaker Gilligan made announcements. Representative Lavelle made comments. Representative Lavelle requested and was granted personal privilege of the floor to make comments. Representative Schooley requested and was granted personal privilege of the floor to introduce a guest. Representatives Plant & Miro requested that they be marked present.

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

The House reconvened at 3:38 p.m.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **HB 19**, jointly sponsored by Senator DeLuca & cosponsored by Representatives J. Johnson & Kovach, before the House for consideration.

**HB 19 - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 bill)**

Representative M. Marshall made comments.

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

YES: 38.

ABSENT: Representatives Oberle, B. Short & D.P. Williams - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 19** was sent to the Senate for concurrence.

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

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **HB 60**, jointly sponsored by Senator Sokola & Representative Keeley, before the House for consideration.

**HB 60 - 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.**

Representatives Kowalko, Ramone, Kowalko & Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for Michael Morton representing the Controller General's Office. Representatives Cathcart, Kowalko, Cathcart, Schwartzkopf, Manolakos, Hudson, Kowalko, Booth, Lavelle, Kovach, Keeley, Lavelle, Hocker & Ramone made comments.

The roll call on **HB 60** was taken and revealed:

YES: 26.

NO: Representative Lee - 1.

NOT VOTING: Representatives Booth, Carey, Cathcart, Hocker, Hudson, Kovach, Lavelle, Manolakos, Oberle, Outten, Ramone, D. Short, Thornburg & Wilson - 14.

Therefore, having received a constitutional majority, **HB 60** was sent to the Senate for concurrence.

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

Representative Atkins made comments. Representative Keeley requested and was granted personal privilege of the floor to make comments. The House observed a moment of silence in memory of Lieutenant James A. Diana, Sr. at the request of Representative Keeley.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 61**, jointly sponsored by Representative M. Marshall & Representative Walls & Senator Bushweller & Senator Ennis & cosponsored by Representatives Atkins & Carson, before the House for consideration.

**HB 61 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO FAILURE TO ANSWER A SUMMONS.**

Representative Mitchell introduced and brought **HA 1** to **HB 61** before the House for consideration. Representative Mitchell made a comment. **HA 1** was adopted by voice vote.

Representatives Mitchell & Booth made comments. Representative Mitchell requested and was granted privilege of the floor for Justice of the Peace Edward Davis. Representatives Booth, Oberle, D. Short & Schwartzkopf 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 Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 68**, jointly sponsored by Representative M. Marshall & Representative Walls & Senator Bushweller & Senator Ennis, before the House for consideration.

**HB 68** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS STATUS FOR DRIVING DURING A PERIOD OF SUSPENSION OR REVOCATION.

Representative Mitchell made comments.

The roll call on **HB 68** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 68** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **SB 6 w/SA 2**, jointly sponsored by Senator Ennis & Representative Walls & Senators Blevins, Connor, Cook, Hall-Long, Henry, Peterson & Sorenson & Representatives Carey, Carson, Gilligan, Kowalko, Lee, Oberle, Schwartzkopf & Bennett, before the House for consideration.

**SB 6** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO FIRE ENGINEERS, CHIEF ENGINEERS, DEPUTY FIRE CHIEFS, AUTHORIZED EMERGENCY VEHICLES, WARNING DEVICES FOR EMERGENCY VEHICLES, AND LIGHTING EQUIPMENT.

Representative Mitchell made comments.

The roll call on **SB 6 w/SA 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 6 w/SA 2** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Walls.

Representative Walls brought **HB 67**, jointly sponsored by Representatives Atkins, Bennett, Carey, Carson, Hocker, J. Johnson, Keeley, Mitchell, Mulrooney, B. Short, Viola, D.E. Williams & Wilson & Senators Cloutier, Ennis, Hall-Long & Simpson, before the House for consideration.

**HB 67** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROTECTED WILDLIFE.

Representative Walls made comments.

The roll call on **HB 67** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 67** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Booth.

Representative Booth brought **HB 32**, jointly sponsored by Senator Simpson, before the House for consideration.

**HB 32** - AN ACT TO AMEND THE CHARTER OF THE CITY OF LEWES, CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES", TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND TO PROVIDE FOR MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS, TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS AND TO INCREASE THE CONTRACT AMOUNT NOT SUBJECT TO COMPETITIVE BIDDING. (2/3 bill)

Representative Booth made comments.

The roll call on **HB 32** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 32** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Booth.

Representative Booth brought **HB 33**, jointly sponsored by Senator Simpson, before the House for consideration.

**HB 33** - AN ACT TO REINCORPORATE THE CHARTER OF THE BOARD OF PUBLIC WORKS OF THE CITY OF LEWES, CHAPTER 196, VOLUME 22, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO AUTHORIZE THE COMMISSIONERS OF LEWES TO APPOINT A BOARD OF PUBLIC WORKS FOR THE TOWN OF LEWES WHICH SHALL ESTABLISH, CONTROL AND REGULATE AN ELECTRIC LIGHT PLANT, WATER WORKS AND A SEWER SYSTEM FOR SAID TOWN; PRESCRIBING THE POWERS AND DUTIES OF SAID BOARD OF PUBLIC WORKS AND PROVIDING FOR THE ELECTION OF THEIR SUCCESSORS". (2/3 bill)

Representative Booth made comments.

The roll call on **HB 33** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 33** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson introduced **HJR 2**, jointly sponsored by Senator Simpson &

Representatives Cathcart, D. Short, Carey, Kovach, Lavelle, Lee, Miro, Ramone & Wilson & Senators Bunting, Bonini & Cloutier.

**HJR 2** - INCREASING THE ACCOUNTABILITY AND TRANSPARENCY OF THE FUNDS THE STATE OF DELAWARE IS RECEIVING VIA THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 BY REQUIRING THE ADMINISTRATION OF GOVERNOR JACK A. MARKELL TO REPORT ON WHAT FUTURE OBLIGATIONS ACCEPTING SUCH FUNDS WILL PLACE ON THE STATE AND APPROPRIATING THE RECOVERY ACT FUNDS VIA AMENDMENTS ON THE STATE'S OPERATING AND CAPITAL BUDGET BILLS.

Mr. Speaker Gilligan assigned **HJR 2** to the House Administration Committee.

Mr. Speaker Gilligan presented a House Tribute to Janice Fischbach, House Staff Member, on the occasion of her 75<sup>th</sup> birthday. Mr. Speaker Gilligan & Representatives Kowalko & Lavelle made comments. Mr. Speaker Gilligan made an announcement.

The Majority Leader moved to recess to the call of the Chair at 4:51 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 19, 2009.

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.

**11th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session  
March 19, 2009**

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Miro - 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 two legislative days were approved as posted.

The following prefiled legislation was introduced:

**HB 85** - D. SHORT & REPRESENTATIVE B. SHORT & SENATOR BLEVINS; REPRESENTATIVES HOCKER, HUDSON, LAVELLE, RAMONE; SENATORS BUNTING, ENNIS, VENABLES, SIMPSON - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Small Employer Health Insurance.

**HA 2 to HB 40** - VIOLA - Placed with the Bill.

**HA 2 to HB 62** - OBERLE - Placed with the Bill.

**HCR 6** - OBERLE & REPRESENTATIVE MULROONEY & SENATOR VENABLES; REPRESENTATIVES BENNETT, MITCHELL, WALLS, CATHCART, D. SHORT, HOCKER, LAVELLE; SENATORS BUNTING, ENNIS, MCDOWELL, SIMPSON - NATURAL RESOURCES - A Resolution Urging the Department of Natural Resources and Environmental Control to Require all Facilities that Operate in the Delaware Estuary Waters and Utilize Cooling Water Intake Structures to Implement "Closed-Cycle" Cooling Systems, and Urging the Department of Natural Resources and Environmental Control to Declare that "Closed Cycle" Cooling Systems Constitute the Best Technology Available for Water Intake Structures.

Representatives Cathcart, Marshall, Keeley, Scott, Thornburg & Carey requested that they be marked present.

The Reading Clerk read the following communication into the record:

**MEMORANDUM**

TO: The Honorable Robert F. Gilligan  
Speaker of the House of Representatives  
FROM: Representative Joseph E. Miro  
DATE: March 19, 2009  
RE: Absence from Session

Please excuse my absence from session today, Thursday, March 19, 2009, due to personal business. Thank you for your understanding.

JEM/jmh

Representatives Kovach & Outten requested that they be marked present.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short requested and was granted personal privilege of the floor to introduce a guest. Representative Mulrooney introduced a guest. Mr. Speaker Gilligan made a comment. The House observed a moment of silence in memory of Leon Lofland, Legislative Hall cafeteria cashier, at the request of Representative Schwartzkopf.

The Majority Leader moved to recess for caucus at 2:10 p.m.

The House reconvened at 5:03 p.m.

Representatives Bennett, D.P. Williams, Plant, Lavelle & Oberle requested that they be marked present.

Representative Schwartzkopf deferred to Representative Manolakos.

Representative Manolakos requested that **HR 5** be stricken.

Representative Manolakos brought **HR 9**, jointly sponsored by Representative Keeley, before the House for consideration.

**HR 9 - URGING THE GOVERNMENT OF TURKEY TO GRANT THE ECUMENICAL PATRIARCH APPROPRIATE INTERNATIONAL RECOGNITION, ECCLESIASTICAL SUCCESSION AND THE RIGHT TO TRAIN CLERGY OF ALL NATIONALITIES, AND TO RESPECT THE PROPERTY RIGHTS AND HUMAN RIGHTS OF THE ECUMENICAL PATRIARCHATE.**

Representative Manolakos made comments.

**HR 9** was adopted by voice vote.

Representative Schwartzkopf deferred to Mr. Speaker Gilligan.

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

Representative Gilligan brought **HB 1**, jointly sponsored by Senator Peterson & Representatives Barbieri, Bennett, Brady, Carson, Cathcart, Jaques, J. Johnson, Kowalko, Lavelle, Longhurst, M. Marshall, Miro, Mitchell, Scott, B. Short & Senators Bunting, Bushweller, Connor, Sokola & Venables and cosponsored by Representatives Schooley, Walls & D.E. Williams & Senators Bonini, Cloutier, Marshall & Sorenson, before the House for consideration.

**HB 1 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. (F/N)**

Representative Gilligan moved to suspend the rules which interfere with action on **HB 1**. The motion was seconded by Representative J. Johnson. Representatives Cathcart & Gilligan made comments. Representative Cathcart requested and was granted personal privilege of the floor for Russell T. Larson, Controller General. Representatives Cathcart & Gilligan made comments.

The roll call on the motion was taken and revealed:

YES: 24.

NO: 16 – Representatives Blakey, Booth, Carey, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Oberle, Outten, Ramone, D. Short, Thornburg & Wilson.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, the motion was adopted.

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

Representative Keeley brought **HA 1 to HB 1**, jointly sponsored by Representative Hudson, before the House for consideration. Representative Keeley deferred to Representative Hudson.

Representative Hudson introduced and brought **HA 1 to HA 1 to HB 1** before the House for consideration. Representatives Hudson, Keeley & Kowalko made comments.

**HA 1 to HA 1** was adopted by voice vote. Representative Keeley rose on a point of order. Mr. Acting Speaker did not concur. Representative Keeley introduced and brought **HA 2 to HA 1 to HB 1** before the House for consideration. Representative Keeley made comments. **HA 2 to HA 1** was adopted by voice vote. Representatives Keeley, Lavelle, Kovach, Keeley, Schwartzkopf & Hudson made comments. Representative Keeley requested and was granted privilege of the floor for William Bush, House Attorney. Representatives Hudson, Oberle, D. Short, Hudson & Kovach made comments. Representative Hudson requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Hudson, Kowalko & Lavelle made comments. **HA 1 w/ HA 1 & 2 to HA 1** was adopted by voice vote.

Representative Schwartzkopf brought **HA 2 to HB 1**, jointly sponsored by Representative Atkins, before the House for consideration. Representative Schwartzkopf made comments. Representative Kovach introduced and brought **HA 1 to HA 2** before the House for consideration. Representatives Kovach, Schwartzkopf, Cathcart, Kovach & Thornburg made comments. **HA 1 to HA 2** was defeated by voice vote. Representatives Lavelle & Gilligan made comments. **HA 2 to HB 1** was adopted by voice vote. Representative Schwartzkopf introduced guests. Representatives Lavelle & Booth made comments.

The Majority Leader moved to recess at 6:19 p.m.

The House reconvened at 6:35 p.m.

Representative Schwartzkopf deferred to Representative Keeley. Representative Keeley introduced and brought **HA 3 to HB 1** before the House for consideration.

Representative Keeley made comments. **HA 3** was adopted by voice vote. Representatives Hudson, Gilligan, Kowalko & Lavelle made comments.

The roll call on **HB 1 w/HA 1, HA 1 to HA 1, HA 2 to HA 1, HA 2 & HA 3** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **HB 1 w/HA 1, HA 1 to HA 1, HA 2 to HA 1, HA 2 & HA 3** was sent to the Senate for concurrence.

Mr. Speaker Gilligan resumed the Chair.

Representative Cathcart, Schwartzkopf & Keeley made comments.

Mr. Speaker Gilligan made an announcement.

The Majority Leader moved to recess to the call of the Chair at 6:45 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 24, 2009.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 5 & SCR 6** and requests the concurrence of the House.

Representative Miro requested that he 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.

**12th LEGISLATIVE DAY – 145<sup>th</sup> GENERAL ASSEMBLY – FIRST SESSION**  
**March 24, 2009**

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 86** - LAVELLE & SENATOR BUNTING; REPRESENTATIVE MANOLAKOS; SENATORS SIMPSON, SORENSON, BONINI - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Disclosure of Checking Account Activity and Pay and Benefits of State Agencies.

**HB 87** - LAVELLE & SENATOR BUNTING; REPRESENTATIVES D. SHORT, MANOLAKOS; SENATORS SIMPSON, SORENSON, BONINI - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Disclosure of Checking Account Activity and Pay and Benefits of School Districts and Charter Schools.

**HB 88** - LAVELLE & SENATOR PETERSON; REPRESENTATIVES D. SHORT, HUDSON, MANOLAKOS; SENATORS SIMPSON, BONINI - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to a Searchable Archive of all Contracts entered into by School Districts and Charter Schools.

**HB 89** - LAVELLE & SENATOR BUNTING; REPRESENTATIVES D. SHORT, HUDSON, MANOLAKOS, MIRO; SENATORS SIMPSON, SORENSON, BONINI - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Strategic Fund.

**HB 90** - LAVELLE & SENATOR BUNTING; REPRESENTATIVES D. SHORT, HUDSON, MANOLAKOS; SENATORS SIMPSON, SORENSON, BONINI - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Creating a Searchable Budget Database for State Spending.

**HB 91** - OBERLE & REPRESENTATIVE CATHCART & REPRESENTATIVE D. SHORT & REPRESENTATIVE CARSON; REPRESENTATIVES GILLIGAN, SCHWARTZKOPF, LONGHURST, ATKINS, BARBIERI, BENNETT, BRADY, JAQUES, J. JOHNSON, Q. JOHNSON, KEELEY, KOWALKO, M. MARSHALL, MITCHELL, MULROONEY, PLANT, SCHOOLEY, SCOTT, B. SHORT, VIOLA, WALLS, D.E. WILLIAMS, D.P. WILLIAMS, BLAKEY, BOOTH, CAREY, HOCKER, HUDSON, KOVACH, LAVELLE, LEE, MANOLAKOS, MIRO, OUTTEN, RAMONE, THORNBURG, WILSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the State Employees' Pension Plan.

**HA 1 to HB 13** - LAVELLE - Placed with the Bill.

**HA 2 to HB 13** - LAVELLE - Placed with the Bill.

**HA 1 to HB 30** - JAQUES - Placed with the Bill.

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

Representative Schooley introduced and brought **HCR 5**, sponsored on behalf of All Representatives & jointly sponsored by Senator Sokola on behalf of All Senators, before the House for consideration.

**HCR 5** - COMMENDING MARK TEESDALE FOR BEING SELECTED DELAWARE'S STATE TEACHER OF THE YEAR FOR 2009 AND COMMENDING EACH SCHOOL DISTRICT'S TEACHER OF THE YEAR.

Representative Schooley made comments.

**HCR 5** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schooley requested and was granted privilege of the floor for the 2009 Teachers of the Year who announced their names, school districts, grades and subjects taught for the record. Mark Teesdale, State Teacher of the Year, representing Lake Forest Central Elementary School addressed the House.

Mr. Speaker Gilligan made comments. Representative Schooley introduced a guest. Representatives Manolakos, Miro, Schooley, Brady & Keeley made comments.

Representative Walls requested and was granted privilege of the floor for the Division II State Champion High School Football Team, coaches and staff from Milford High School. Head coach Michael Tkach addressed the House. Representative Lee made comments. The players and coaches announced their names & positions for the record. Representatives Carey & Walls made comments. Representative Walls was granted privilege of the floor for the Milford High School State Champion Wrestling Team. Coach Donald Parsley addressed the House. Team members announced their names and weight classes for the



record. Representative Schooley made an announcement. Representative Hocker requested that he be marked present.

Representative Mulrooney introduced **HCR 7**, jointly sponsored by Representative Oberle & Senator Venables & Senator Cloutier & Representatives Bennett, Mitchell, Walls, Cathcart, D. Short, Hocker & Lavelle & Senators Bunting, Ennis, McDowell & Simpson & cosponsored by Representatives Carson & Wilson & Senator Peterson.

**HCR 7 - A RESOLUTION URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO REQUIRE ALL FACILITIES THAT OPERATE IN DELAWARE WATERS AND UTILIZE COOLING WATER INTAKE STRUCTURES TO IMPLEMENT "CLOSED-CYCLE" COOLING SYSTEMS, AND URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DECLARE THAT "CLOSED CYCLE" COOLING SYSTEMS CONSTITUTE THE BEST TECHNOLOGY AVAILABLE FOR WATER INTAKE STRUCTURES.**

Mr. Speaker Gilligan assigned **HCR 7** to the Natural Resources committee.

Representative Thornburg made comments.

Representative Lavelle requested that he be marked present.

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

The House reconvened at 4:26 p.m.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **HB 71**, jointly sponsored by Senator Ennis & Senator Bushweller & cosponsored by Representatives Bennett, Miro, Mitchell, Outten, Walls & Wilson & Senator Connor, before the House for consideration.

**HB 71 - A BILL TO AMEND TITLE 21 OF THE DELAWARE CODE TO EXPAND THE MOVE ON OVER LAW TO INCLUDE TOW TRUCKS.**

Representative Carson introduced and brought **HA 1 to HB 71** before the House for consideration. Representative Carson made comments. **HA 1** was adopted by voice vote. Representative Carson made comments.

The roll call on **HB 71 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Carey - 1.

Therefore, having received a constitutional majority, **HB 71 w/HA 1** was sent to the Senate for concurrence.

Representatives Hudson & Plant requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Lee.

Representative Lee brought **SB 11**, jointly sponsored by Senator Venables, before the House for consideration.

**SB 11 - AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, THE CHARTER OF THE TOWN OF LAUREL, AS AMENDED, RELATING TO BORROWING MONEY AND ISSUING BONDS. (2/3 bill)**

Representative Lee made comments.

The roll call on **SB 11** was taken and revealed:

YES: 40.

ABSENT: Representative Carey - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 11** was returned to the Senate.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **HB 7**, jointly sponsored by Representatives Brady, Keeley, Mitchell & D.P. Williams & cosponsored by Representatives Bennett, Carson, Hudson, Jaques, Miro, Outten, Walls, D.E. Williams & Wilson, before the House for consideration.

**HB 7 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO RECOVERY OF DAMAGES FROM PARENTS OR GUARDIANS.**

Representatives J. Johnson, Hudson & Brady made comments.

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

YES: 40.

ABSENT: Representative Carey - 1.

Therefore, having received a constitutional majority, **HB 7** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 77**, jointly sponsored by Senator Hall-Long & Representatives Carson, Hudson, Jaques, M. Marshall, Mitchell, Schwartzkopf & Wilson & Senator Blevins & cosponsored by Senator Cloutier, before the House for consideration.

**HB 77 - AN ACT TO AMEND CHAPTER 9 OF TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE.**

Representative B. Short made comments.

The roll call on **HB 77** was taken and revealed:

YES: 40.

ABSENT: Representative Carey - 1.

Therefore, having received a constitutional majority, **HB 77** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker brought **HB 51**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 51** - AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH TO GRANT THE TOWN OF DEWEY BEACH THE AUTHORITY TO LEVY AND COLLECT AN ACCOMMODATIONS TAX. (2/3 bill)

Representative Hocker brought **HA 1 to HB 51** before the House for consideration.

**HA 1** was adopted by voice vote. Representative Hocker introduced and brought **HA 2 to HB 51** before the House for consideration. Representative Hocker made a comment. **HA 2** was adopted by voice vote.

Representative Hocker made comments.

The roll call on **HB 51 w/HA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative Carey - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House,

**HB 51 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson brought **HB 46**, jointly sponsored by Senator Blevins & Representatives Carson, J. Johnson, Keeley & Walls & Senator Sorenson, before the House for consideration.

**HB 46** - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO RECORDS OF ARREST AND PROSECUTION.

Representatives Hudson & Keeley made comments.

The roll call on **HB 46** was taken and revealed:

YES: 40.

ABSENT: Representative Carey - 1.

Therefore, having received a constitutional majority, **HB 46** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Oberle. Representative Oberle requested that **HCR 6** be stricken. Representative Oberle requested that **HB 91** be stricken.

Representative Schwartzkopf brought **HB 59**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 59** - AN ACT TO AMEND VOLUME 57, CHAPTER 504, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HENLOPEN ACRES", SECTIONS 21, 21.A, 22, AND 23, TO UPDATE THE PROCEDURE FOR ASSESSMENT AND APPEAL OF TAXES. (2/3 bill)

Representative Schwartzkopf made comments.

The roll call on **HB 59** was taken and revealed:

YES: 40.

ABSENT: Representative Carey - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House,

**HB 59** was sent to the Senate for concurrence.

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

The Majority Leader moved to recess to the call of the Chair at 4:58 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on March 25, 2009.

Representative Schwartzkopf deferred to Representative Schooley.

Representatives Schooley, Mitchell, D.P. Williams, Brady & M. Marshall 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.

### **13th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session March 25, 2009**

The Chief Clerk called the roll.

Members Present: 40.

Members Absent: Representative Viola - 1.

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:

**HS 1 for HB 63** – BOOTH & SENATOR BUNTING; REPRESENTATIVE D. SHORT - HOUSE ADMINISTRATION - An Act to Amend Chapter 25, Title 29 of the Delaware Code Relating to Employment of Private Attorneys.

**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** – HOCKER & SENATOR BUNTING; REPRESENTATIVE RAMONE - REVENUE & FINANCE - An Act to Amend Title 4 of the Delaware Code Relating to Farm Wineries.

**HB 94** – HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 59, Volume 63 of the Laws of Delaware, as Amended, the Charter of the Town of Dewey Beach, to make the Town Charter Consistent with Changes to 15 Del. C. Section 7501 Et Seq., Enacted by the 143rd General Assembly Concerning Municipal Elections and Relating to Annexation, Elections, Terms of Office, and Organizational Meetings and Duties. (2/3 bill)

**HR 12** - OBERLE; REPRESENTATIVES CATHCART, D. SHORT, BLAKEY, BOOTH, CAREY, HOCKER, HUDSON, KOVACH, LAVELLE, LEE, MANOLAKOS, MIRO, OUTTEN, RAMONE, THORNBURG, WILSON - REVENUE & FINANCE - A Resolution Requesting the Department of Finance and the Office of Management and Budget to Report to the Delaware Economic and Financial Advisory Council on any Potential Long Term Negative Fiscal Consequences Resulting from the Acceptance of Funds from the Federal American Recovery and Reinvestment Act of 2009.

**HA 1 to HB 84** - LAVELLE - HOUSE ADMINISTRATION - Placed with the Bill

**HA 1 to HA 2 to HB 27** - LAVELLE - Placed with the Bill.

**HA 4 to HB 27** - LAVELLE - Placed with the Bill.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 7** and requests the concurrence of the House and the Senate has passed **HCR 5** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Wilson.

Representative Wilson made comments.

Representative Schwartzkopf brought the following prefiled **Consent Calendar #3** before the House for consideration.

**HR 11** - MANOLAKOS - A Resolution Recognizing March 25, 2009 As Greek Independence Day in the State of Delaware.

**SCR 5** – ENNIS & REPRESENTATIVES GILLIGAN & D. SHORT & SENATORS COOK & PETERSON & REPRESENTATIVES CARSON, KEELEY & OUTTEN - Reorganizing the Motorcycle Rider Education Advisory Committee.

**SCR 6** – ENNIS & REPRESENTATIVE D. SHORT & SENATORS COOK & PETERSON & REPRESENTATIVES CAREY, CARSON, KEELEY, LEE, MITCHELL, OUTTEN, B. SHORT, WALLS & D.P. WILLIAMS - Proclaiming the Month of May 2009 as "Motorcycle Awareness Month" and Requesting the Governor to Issue a Proclamation for "Motorcycle Awareness Month".

**SCR 7** – MCDOWELL & REPRESENTATIVE KOWALKO - Designating One Hour on March 28, 2009 As "Earth Hour" in Legislative Hall and Urging the Participation of the Governor and the Citizens of Delaware in this Observance.

**Consent Calendar #3** was adopted by voice vote and **HR 11** was declared passed and **SCR 5** & **SCR 6** & **SCR 7** were returned to the Senate.

Representative Manolakos made comments regarding **HR 11**. Representative Outten requested that he be marked present. Representative D.P. Williams made comments. The House observed a moment of silence in memory of fallen police officers in Oakland, CA, at the request of Representative Oberle.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:13 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 2:13 p.m.: Representatives Bennett & Outten. Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 26, 2009.

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

APPROPRIATIONS: **HB 62** – 1F, 3M.

EDUCATION: **HB 76** – 12M.

HEALTH & HUMAN DEVELOPMENT: **HB 34** – 12M; **HB 36** – 10M, 1U; **HB 37** - 11M; **HB 39** – 2F, 8M.

HOUSING & COMMUNITY AFFAIRS: **HB 14** – 1F, 5M; **HB 65** – 2F, 5M, 1U.

HOUSE ADMINISTRATION: **HB 4** – 5M; **HB 5** -2F, 2M; **HB 17** -2F, 2M.

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

The Reading Clerk read the following communications into record:

**HOUSE TRIBUTE ANNOUNCEMENT #10**

DATE: March 26, 2009

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                                                                      |
|----------|---------------------|-----------|------|----------------------------------------------------------------------------------|
| H145-201 | Bennett & Thornburg | 2/21/2009 | T    | Richard L. Bergold - Retirement - State Executive - Delaware Farm Service Agency |

|          |                                          |           |   |                                                          |
|----------|------------------------------------------|-----------|---|----------------------------------------------------------|
| H145-202 | Mitchell                                 | 2/15/2009 | M | Rose Marie Splan                                         |
| H145-203 | Walls                                    | 2/15/2009 | M | Andrew Joseph Geyer                                      |
|          | cosponsors: Reps. Carey & Wilson         |           |   |                                                          |
| H145-204 | Wilson                                   | 2/16/2009 | M | The Honorable David C. Speicher, Sr.                     |
|          | cosponsors: All Representatives          |           |   |                                                          |
| H145-205 | Carson                                   | 2/17/2009 | M | Sandra L. Neal                                           |
| H145-206 | Walls                                    | 2/10/2009 | T | Madison Dodge - Spirit of Community Award                |
| H145-207 | Scott                                    | 3/28/2009 | T | Daniel Andersson Valenti - Eagle Scout                   |
| H145-208 | Outten                                   | 2/28/2009 | T | Joe Zeroles - Fireman of Year - Kent County.             |
| H145-209 | Wilson                                   | 2/20/2009 | T | Norman Reynolds - Contributions - Bridgeville Library    |
| H145-210 | Wilson                                   | 2/20/2009 | T | Major General John M. Custer - Honoring His Service      |
| H145-211 | Hudson                                   | 2/13/2009 | M | Dr. Raj Iyngar                                           |
| H145-212 | Outten                                   | 2/25/2009 | T | Corporal Keith Shyers/Officer of Year/Harrington         |
| H145-213 | Carson                                   | 2/28/2009 | T | P. Brooks Banta - "I Love Smyrna School District Day"    |
|          | cosponsors: Reps. Thornburg & Q. Johnson |           |   |                                                          |
| H145-214 | Carson                                   | 2/28/2009 | T | Ruth Williams - "I Love Smyrna School District Day"      |
|          | cosponsors: Reps. Thornburg & Q. Johnson |           |   |                                                          |
| H145-215 | Carson                                   | 2/28/2009 | T | Charlie Williams - "I Love Smyrna School District Day"   |
|          | cosponsors: Reps. Thornburg & Q. Johnson |           |   |                                                          |
| H145-216 | D. Short                                 | 3/2/2009  | T | Integra Administrative Group - Hometown Heroes"          |
| H145-217 | Scott                                    | 3/3/2009  | T | Campus Community School - Best Improved School           |
| H145-218 | Gilligan & Hudson                        | 3/4/2009  | T | Fred C. Sears II - Business Award Recipient              |
| H145-219 | Jaques                                   | 3/7/2009  | T | Senior Airman Mark Rutt - Outstanding Airman of the Year |

#### HOUSE TRIBUTE ANNOUNCEMENT #11

DATE: March 26, 2009

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                                                                       |
|----------|-----------------------------------------------------------|-----------|------|-----------------------------------------------------------------------------------|
| H145-220 | Jaques                                                    | 3/7/2009  | T    | Tech. Sgt. Elizabeth Fleischer - NCO of the Year                                  |
| H145-221 | Jaques                                                    | 3/7/2009  | T    | Master Sgt. Robbin Moore - Senior NCO of the Year                                 |
| H145-222 | Jaques                                                    | 3/7/2009  | T    | Master Sgt. Todd Hughes - First Sergeant of the Year                              |
| H145-223 | Jaques                                                    | 3/7/2009  | T    | Master Sgt. Carrie Wade - Honor Guard Member/Year                                 |
| H145-224 | Jaques                                                    | 3/7/2009  | T    | Technical Sgt. Shemekia McEachron - Duncan Leadership Award                       |
| H145-225 | Viola                                                     | 2/28/2009 | T    | Joseph & Regina Betley - 25th Wedding Anniversary                                 |
| H145-226 | Outten                                                    | 2/23/2009 | M    | Henry Hooper Rust                                                                 |
| H145-227 | Q. Johnson                                                | 4/6/2009  | T    | Kenneth Branner, Jr. - Middletown Mayor – 20 Years                                |
|          | cosponsors: Reps. Carson & Cathcart                       |           |      |                                                                                   |
| H145-228 | Jaques & J. Johnson                                       | 2/28/2009 | T    | African American Recipients – Medal of Honor                                      |
| H145-229 | Scott                                                     | 2/24/2009 | M    | The Honorable James D. McGinnis                                                   |
| H145-230 | Schwartzkopf                                              | 2/23/2009 | M    | Eileen B. Esgro                                                                   |
| H145-231 | Barbieri                                                  | 2/28/2009 | T    | Borders - Vicki Sachu & Jason Roselewicz - Christina School District Book Drive   |
|          | cosponsors: Reps. Schooley, Jaques, Kowalko & M. Marshall |           |      |                                                                                   |
| H145-232 | Walls                                                     | 3/4/2009  | T    | Milford High School Wrestling Team – Division II State Champions                  |
|          | cosponsor: Rep. Carey                                     |           |      |                                                                                   |
| H145-233 | Booth                                                     | 3/14/2009 | T    | Bailey Jordan Elmore - Eagle Scout                                                |
| H145-234 | Wilson                                                    | 3/9/2009  | T    | Joseph Conaway – Outstanding Leadership – President - Bridgeville Town Commission |
|          | cosponsor: Rep. D. Short                                  |           |      |                                                                                   |
| H145-235 | Hudson                                                    | 1/29/2009 | M    | Robert D. Hanson                                                                  |
| H145-236 | M. Marshall                                               | 3/10/2009 | T    | Connie Bond Stuart – Gilman Award Recipient                                       |
| H145-237 | D.P. Williams                                             | 3/17/2009 | T    | Helen M. Kerrigan - 100th Birthday                                                |
|          | cosponsor: Rep. Keeley                                    |           |      |                                                                                   |
| H145-238 | Hudson                                                    | 2/24/2009 | M    | Gerald J. Gallucio, Jr.                                                           |

#### HOUSE TRIBUTE ANNOUNCEMENT #12

DATE: March 26, 2009

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 |
|--------|---------|------|------|-------------|
|--------|---------|------|------|-------------|

|          |                                             |           |   |                                                         |
|----------|---------------------------------------------|-----------|---|---------------------------------------------------------|
| H145-239 | Lavelle                                     | 3/6/2009  | T | Dorothy C. Williams - 100th Birthday                    |
| H145-240 | Schwartzkopf                                | 2/25/2009 | T | Bayard Holleger, Jr. - Retirement - DNREC               |
| H145-241 | Carey                                       | 3/13/2009 | T | Donald Addor - 60 Years - American Legion Post 2        |
|          | cosponsor: Rep. Atkins                      |           |   |                                                         |
| H145-242 | Schwartzkopf                                | 3/13/2009 | T | Ronald Holtzinger - 50 Years - American Legion Post 28  |
|          | cosponsor: Rep. Atkins                      |           |   |                                                         |
| H145-243 | Atkins                                      | 3/13/2009 | T | Gerald Quinn - 50 Years - American Legion Post 28       |
| H145-244 | Atkins                                      | 3/13/2009 | T | Ray Shalters - 50 Years - American Legion Post 28       |
| H145-245 | Schwartzkopf                                | 3/13/2009 | T | Don Walck - 50 Years - American Legion Post 28          |
|          | cosponsor: Rep. Atkins                      |           |   |                                                         |
| H145-246 | Atkins                                      | 3/13/2009 | T | Adrian Mead - 50 Years - American Legion Post 28        |
| H145-247 | Atkins                                      | 3/13/2009 | T | Ronald Dotterer - 50 Years - American Legion Post 28    |
| H145-248 | Q. Johnson                                  | 3/27/2009 | T | Carlene Foraker - Retirement - DELDOT                   |
| H145-249 | Schwartzkopf                                | 3/14/2009 | T | Minnie Smith-Burton - Honoree – New Beginnings          |
| H145-250 | J. Johnson                                  | 3/3/2009  | M | Barbara W. Phillips                                     |
|          | & Keeley                                    |           |   |                                                         |
| H145-251 | Walls                                       | 3/13/2009 | T | Harry Consalo, Sr. - 60 Years – Magnolia Fire Co.       |
| H145-252 | Barbieri                                    | 3/14/2009 | T | Delaware Wing Civil Air Patrol – Outstanding Service    |
|          | cosponsors: All Representatives             |           |   |                                                         |
| H145-253 | Brady                                       | 3/4/2009  | M | Paul P. Potocki                                         |
| H145-254 | Brady & Kowalko                             | 3/4/2009  | M | Lt. Col. James S. Gooding, USAF                         |
| H145-255 | Carson                                      | 3/13/2009 | T | Sunnyside Elementary School -125 <sup>th</sup> Birthday |
|          | cosponsors: Reps. Q. Johnson & Thornburg    |           |   |                                                         |
| H145-256 | Atkins                                      | 3/20/2009 | T | Master Corporal Laurence Corrigan - Retirement -        |
|          | cosponsors: Reps. Booth, Lee & Schwartzkopf |           |   | State Police                                            |

#### HOUSE TRIBUTE ANNOUNCEMENT #13

DATE: March 26, 2009

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                                                       |
|----------|------------------------------------------|-----------|------|-------------------------------------------------------------------|
| H145-257 | Booth                                    | 5/03/2009 | T    | Jason Zachary Jenney - Eagle Scout                                |
| H145-258 | Bennett                                  | 3/13/2009 | T    | Vladislav J. Jandasek - Retirement - DELDOT                       |
| H145-259 | Longhurst                                | 4/4/2009  | T    | William G. Draper III - Eagle Scout                               |
|          | cosponsor: Rep. Jaques                   |           |      |                                                                   |
| H145-260 | Walls                                    | 3/26/2009 | T    | Brandon S. Nelson - Eagle Scout                                   |
| H145-261 | Carey                                    | 3/13/2009 | T    | Henry Evans, Sr. - Distinguished Military Service                 |
|          | cosponsor: Rep. Atkins                   |           |      |                                                                   |
| H145-262 | Atkins                                   | 3/13/2009 | T    | Otis Handy, Sr. - Distinguished Military Service                  |
| H145-263 | Lee                                      | 3/13/2009 | T    | Midge McMasters - Laurel Citizen of the Year                      |
| H145-264 | Scott                                    | 3/31/2009 | T    | Marguerite R. Casey - Retirement – DELDOT                         |
| H145-265 | Carson                                   | 3/13/2009 | T    | David K. Rehbein - National Commander - American Legion           |
|          | cosponsors: All Representatives          |           |      |                                                                   |
| H145-266 | Keeley                                   | 3/9/2009  | M    | Cynthia L. DiPinto                                                |
|          | & Plant; cosponsors: All Representatives |           |      |                                                                   |
| H145-267 | Schooley                                 | 3/11/2009 | M    | Dr. William Markell                                               |
|          | cosponsors: All Representatives          |           |      |                                                                   |
| H145-268 | Mitchell                                 | 3/21/2009 | T    | Carol L. Mills/Auxiliary Member of Year/Elsmere                   |
| H145-269 | Gilligan                                 | 3/21/2009 | T    | Alice M. Brock - 50 Years - Ladies Auxiliary Elsmere Fire Company |
|          | & Mitchell                               |           |      |                                                                   |
| H145-270 | Atkins                                   | 3/21/2009 | T    | Dagsboro Fire Dept. Auxiliary - 50th Anniversary                  |
| H145-271 | Blakey                                   | 3/12/2009 | M    | Deborah Ryan-Boor                                                 |
|          | & Outten                                 |           |      |                                                                   |
| H145-272 | Wilson                                   | 3/16/2009 | T    | Kiwanis Club of Bridgeville - 70th Anniversary                    |
| H145-273 | Mitchell                                 | 3/21/2009 | T    | William Wismer/Member of Year/Elsmere Fire Co.                    |
| H145-274 | Mitchell                                 | 3/21/2009 | T    | George R. Mills - 50 Year Member - Elsmere Fire Co.               |
| H145-275 | Mitchell                                 | 3/21/2009 | T    | John P. Rossiter - 50 Year Member - Elsmere Fire Co.              |
| H145-276 | Mitchell                                 | 3/21/2009 | T    | Robert Dayett/55 Year Member/Fire Police/Emeritus                 |
| H145-277 | Mitchell                                 | 3/21/2009 | T    | William Clark, Jr./55 Years/Elsmere Fire Company                  |

T- Tribute

M - Memoriam

The House observed a moment of silence in memory of Gerald Gallucio, Jr. at the request of Mr. Speaker Gilligan. Mr. Speaker Gilligan made comments.

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.

**14th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session  
March 26, 2009**

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Schooley - 1.

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 95** - M. MARSHALL & SENATOR BLEVINS; REPSRESENTATIVES LONGHURST & MIRO - AGRICULTURE - An Act to Amend Title 7 of the Delaware Code Relating to Dogs.

**HB 96** – BENNETT & SENATOR ENNIS; REPRESENTATIVE WILSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to the Examination of Mortgage Satisfactions by a Commissioner.

**HB 98** - J. JOHNSON & REPRESENTATIVE BRADY & SENATOR MCDOWELL; SENATORS ENNIS, HALL-LONG & HENRY - HOUSE ADMINISTRATION - An Act to Amend the City of Wilmington's Home Rule Charter to [sic] Relating to the Department of Personnel, Personnel Director and Personnel Code. (2/3 bill)

**HA 1 to HB 17** - KEELEY - Placed with the Bill.

**HA 1 to HB 18** - PLANT - Placed with the Bill.

**HA 1 to HB 56** - OBERLE - 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 Puffer  
FROM: Rep. Teresa L. Schooley  
DATE: March 26, 2009  
RE: Absence from session

I will be unable to attend today's session because of family business.

Representative Schwartzkopf deferred to Representative Scott. Representative Scott requested and was granted privilege of the floor to introduce guests. Representative Scott requested and was granted personal privilege of the floor for Dr. Susanna Lee, President, Jobs for Delaware Graduates and the State Officers who announced their names, offices and schools for the record and made comments. Representative M. Marshall made comments & introduced guests. Mr. Speaker Gilligan made comments. Representative Schwartzkopf deferred to Representative Cathcart. Representative Cathcart requested and was granted privilege of the floor to present a House Tribute to staff member Frances Schmidt on the occasion of her 50<sup>th</sup> wedding anniversary. Mrs. Schmidt addressed the House. Representative Schwartzkopf deferred to Representative D. Short. Representative D. Short requested and was granted personal privilege of the floor to introduce a guest. Representative Oberle requested that he be marked present.

The Majority Leader moved to recess for caucus at 2:21 p.m.

The House reconvened at 4:25 p.m.

Representative Schwartzkopf deferred to Representative Miro.

Representative Miro brought **HB 2**, jointly sponsored by Senator Peterson & Representatives Gilligan, Keeley, Kowalko, M. Marshall, D. Short & Oberle, before the House for consideration.

**HB 2** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES, ANIMALS, AND PENALTIES.

Representative Miro made comments.

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

YES: 38.

ABSENT: Representatives Oberle, Schooley & D.P. Williams - 3.

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

Representatives Atkins, Bennett, Lavelle, B. Short & Thornburg requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Lavelle. The House observed a moment of silence in memory of John Wheeler at the request of Representative Lavelle. Representative Miro made comments.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 15**, jointly sponsored by Senator McDowell & Representatives Barbieri, Bennett, Gilligan, Jaques, J. Johnson, Q. Johnson, M. Marshall, Mitchell, Mulrooney, Schooley, Schwartzkopf, Walls & D.P. Williams, before the House for consideration.

**HB 15 - AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO RECYCLING AND WASTE REDUCTION IN THE STATE OF DELAWARE.**

Representatives Longhurst, Lavelle & Hocker made comments. Representative Hocker requested and was granted privilege of the floor for David Small, Acting Secretary, Department of Natural Resources and Environmental Control. Representatives Hocker, Kovach, Booth, B. Short, Hocker & Longhurst made comments. Representative Longhurst requested and was granted privilege of the floor for Mike Migliore, House Attorney. Representatives Hocker, Kovach, Longhurst, Booth, Kovach & Longhurst made comments. Representative Kovach requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Kovach & Longhurst made comments.

Representative Longhurst moved to place **HB 15** on the Speaker's Table. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representative Schwartzkopf introduced **HB 100** jointly sponsored by Representative Longhurst & Senator DeLuca & Representatives Barbieri, Gilligan, Keeley, Lavelle, M. Marshall, Plant, B. Short & Viola & Senators Bunting, Henry, Katz & Sokola.

**HB 100 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE LOTTERY.**

Mr. Speaker Gilligan assigned **HB 100** to the Gaming & Parimutuels Committee.

Representative Viola made an announcement.

Representatives Lavelle & Cathcart made comments regarding **HB 100**.

Representative Schwartzkopf brought **HB 5**, jointly sponsored by Representative Keeley & Representative Oberle & Senator Sokola & Senator McDowell & Senator Sorenson & Representatives Barbieri, Gilligan, Jaques, J. Johnson, Kowalko, Longhurst, M. Marshall, Mitchell, Mulrooney, Plant, Schooley, B. Short, Viola, D.E. Williams & D.P. Williams & Senators Blevins, Bunting, Bushweller, Henry & Peterson, before the House for consideration.

**HB 5 - AN ACT TO AMEND TITLES 6, 9, 18, 19, 25 AND 29 OF THE DELAWARE CODE RELATING TO DISCRIMINATION IN EMPLOYMENT, PUBLIC WORKS CONTRACTING, HOUSING, EQUAL ACCOMMODATIONS AND THE INSURANCE BUSINESS.**

Representatives Schwartzkopf, Kowalko & D. Short made comments. Representative Schwartzkopf requested and was granted privilege of the floor for Mike Migliore, House Attorney. Representatives D. Short, Lavelle & Schwartzkopf made comments. Representative Schwartzkopf introduced and brought **HA 1 to HB 5** before the House for consideration. Representative Schwartzkopf made a comment. **HA 1** was adopted by voice vote. Representatives Hudson, Schwartzkopf & D. Short made comments. Representative D. Short requested and was granted privilege of the floor for Nicole Theis, Executive Director, Family Policy Council.

Representative D. Short requested and was granted privilege of the floor for Gregory Quinlan, founding Director, Living Free Ministries. Representative D. Short requested and was granted privilege of the floor for Reverend Anthony Wallace, Pastor, Crossroad Christian Church of Dover. Representatives Schwartzkopf, D. Short, B. Short, Hocker, Barbieri, Bennett, Scott & Oberle made comments.

The roll call on **HB 5 w/HA 1** was taken and revealed:

YES: 26.

NO: Representatives Atkins, Bennett, Blakey, Booth, Carey, Carson, Hocker, Lavelle, Lee, Outten, D. Short, Thornburg, Walls & Wilson - 14.

ABSENT: Representative Schooley - 1.

Therefore, having received a constitutional majority, **HB 5 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 Longhurst.

Representative Longhurst moved to lift **HB 15** from the Speaker's Table. The motion was seconded by Representative Brady and adopted by voice vote.

Representative Longhurst brought **HB 15**, jointly sponsored by Senator McDowell & Representatives Barbieri, Bennett, Gilligan, Jaques, J. Johnson, Q. Johnson, M. Marshall, Mitchell, Mulrooney, Schooley, Schwartzkopf, Walls & D.P. Williams, before the House for consideration.

**HB 15 – AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO RECYCLING AND WASTER REDUCTION IN THE STATE OF DELAWARE.**

Representative Longhurst introduced and brought **HA 1 to HB 15** before the House for consideration. Representatives Longhurst, Kovach, Ramone, B. Short, Booth & Longhurst made comments. Representative Kovach requested and was granted privilege of the floor for David Small, Acting Secretary, Department of Natural Resources and Environmental Control. **HA 1** was adopted by voice vote. Representatives Lavelle, Hocker & Cathcart made comments.

The roll call on **HB 15 w/HA 1** was taken and revealed:

YES: 39.

NOT VOTING: Representative Blakey - 1.

ABSENT: Representative Schooley - 1.

Therefore, having received a constitutional majority, **HB 15 w/HA 1** was sent to the Senate for concurrence.

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

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart brought **HB 72**, jointly sponsored by Senator Sokola & Representatives Bennett, B. Short, Viola, D. Short, Hocker, Hudson, Lavelle, Miro, Ramone & Wilson & Senators Ennis, Hall-Long & Peterson & cosponsored by Representative Outten, before the House for consideration.

**HB 72 - AN ACT TO AMEND CHAPTER 27 OF TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER LICENSE REQUIREMENTS FOR REGISTERED SEX OFFENDERS.**

Representative Cathcart made comments.

The roll call on **HB 72** was taken and revealed:

YES: 38.

ABSENT: Representatives Lee, Schooley & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HB 72** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson made comments regarding **HR 14**.

Representative Hudson introduced **HR 14** jointly sponsored by Representative Brady & Representatives Cathcart, D. Short, Blakey, Booth, Carey, Hocker, Kovach, Lavelle, Lee, Manolakos, Miro, Oberle, Outten, Ramone, Thornburg & Wilson, before the House for consideration.

**HR 14 - A RESOLUTION URGING THE DELAWARE DEPARTMENT OF TRANSPORTATION (DELDOT), AND OTHER STATE AGENCIES RECEIVING MONEY FOR CAPITAL PROJECTS VIA THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, ("RECOVERY ACT") TO USE DELAWARE COMPANIES AND DELAWARE LABOR.**

Mr. Speaker Gilligan assigned **HR 14** to the Labor Committee.

Mr. Speaker Gilligan made an announcement.

The Majority Leader moved to recess to the call of the Chair at 6:13 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 31, 2009.

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 2** and the Senate has passed **SCR 8** and requests the concurrence of the House.

Legislative Advisory #4

Governor Jack A. Markell signed the following legislation on the date indicated: 03/26/09 – **SB 6 aab SA 2** – 03/26/09 - **SB 11**.

Representative Schooley requested that she be marked present for the current Legislative Day.

Representative Schooley introduced **HB 102**, jointly sponsored by Senator Sokola & Representatives Barbieri, Kovach & M. Marshall & Senator Henry & cosponsored by Representative Kowalko.

**HB 102 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR LICENSURE AND CERTIFICATION.**

Mr. Speaker Gilligan assigned **HB 102** to the Education Committee.

Representative Schooley 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.

### **15th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session March 31, 2009**

The Chief Clerk called the roll.

Members Present: 41

The House observed a moment of silence in memory of Margaret Jane Seitz 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 28 – MIRO & SENATOR HALL-LONG; REPRESENTATIVES D. SHORT & KOVACH - PUBLIC SAFETY & HOMELAND SECURITY – An Act to Amend Title 21 of the Delaware Code Relating to a Special Examination for a Driver License Due to a Possible Physical or Mental Impairment.**

**HB 101 – OBERLE & REPRESENTATIVE GILLIGAN & REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE LONGHURST & REPRESENTATIVE CATHCART & REPRESENTATIVE D. SHORT & REPRESENTATIVE CARSON & REPRESENTATIVE BENNETT & SENATOR DELUCA; REPRESENTATIVES ATKINS, BARBIERI, BRADY, JAKES, J. JOHNSON, Q. JOHNSON, KEELEY, KOWALKO, M. MARSHALL, MITCHELL, MULROONEY, PLANT, SCHOOLEY, SCOTT, B. SHORT, VIOLA, WALLS, D.E. WILLIAMS, D.P. WILLIAMS, BLAKEY,**



BOOTH, CAREY, HOCKER, HUDSON, KOVACH, LAVELLE, LEE, MANOLAKOS, MIRO, OUTTEN, RAMONE, THORNBURG & WILSON; SENATORS SORENSON, BLEVINS, BONINI, CLOUTIER, CONNOR - HOUSE ADMINISTRATION – An Act to Amend Title 29 of the Delaware Code Relating to the State Employees’ Pension Plan.

**HA 2 to HB 56** - OBERLE - Placed with the Bill.

**SB 9 w/SA 2** – SOKOLA & REPRESENTATIVE LAVELLE; SENATORS SIMPSON, BONINI & REPRESENTATIVE MANOLAKOS - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Voter Registration and the Change of Party Designation.

Representative Schwartzkopf deferred to Representative Kovach. Representative Kovach requested and was granted personal privilege of the floor to introduce guests. Representative Kovach presented a House Tribute to Mr. Wong Yang. Through an interpreter, Mr. Wong addressed the House. Representative Kovach introduced Mr. John Yaschur III who addressed the House. Representative Brady requested and was granted personal privilege of the floor to introduce guests and to make comments. Representative Plant requested that she be marked present. Mr. Speaker Gilligan introduced a guest. Representatives Miro & Ramone requested that they be marked present. Representative Schwartzkopf deferred to Representative Bennett. Representative Bennett requested and was granted personal privilege of the floor to introduce guests. Representative Miro made comments.

The Majority Leader moved to recess for caucus at 2:16 p.m.

The House reconvened at 3:57 p.m.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 73**, jointly sponsored by Representative Brady & Senator Cook & Representatives Bennett, Hudson, Kowalko, M. Marshall, Mitchell & Ramone & Senators Connor, Hall-Long & McDowell, before the House for consideration.

**HB 73** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION FOR THOSE SERVING IN THE DELAWARE NATIONAL GUARD. (F/N)

Representatives Jaques & Lavelle made comments. Representative D.P. Williams requested that he be marked present. Representatives D.P. Williams & Lavelle made comments.

Representative Lavelle requested and was granted privilege of the floor for Russell T. Larson, Controller General. Representatives Lavelle, Miro, Jaques, Oberle, D.P. Williams, Booth, Jaques, D.P. Williams & Miro made comments. Representative Miro requested and was granted personal privilege of the floor for General Francis Vavala, Adjutant General, National Guard. Representatives Miro, Jaques & D.E. Williams made comments.

The roll call on **HB 73** was taken and revealed:

YES: 40.

NOT VOTING: Representative Brady - 1.

Therefore, having received a constitutional majority, **HB 73** was sent to the Senate for concurrence.

Representatives Manolakos & Outten requested that they be marked present during the roll call.

Representative Jaques made comments.

Mr. Speaker Gilligan introduced a guest and made comments. Mr. Speaker Gilligan, Representatives Schwartzkopf, Longhurst, Q. Johnson, Cathcart & D. Short presented a House Tribute to House Staff Member Carol Breslin on the occasion of her retirement. The Chief Clerk Emeritus made comments & presented gifts to Carol. Carol Breslin addressed the House.

Representatives Cathcart, Oberle, D. P. Williams, Keeley, Q. Johnson & Mr. Speaker Gilligan made comments.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **HB 14**, jointly sponsored by Senator Deluca & Representative Mitchell & Senator Henry, before the House for consideration.

**HB 14** – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY AND THE GRANTING OF AN ADMINISTRATIVE VARIANCE.

Representatives J. Johnson & Lavelle made comments.

The roll call on **HB 14** was taken and revealed:

YES: 37.

NO: Representatives Cathcart, Outten & Thornburg - 3.

ABSENT: Representative Kovach - 1.

Therefore, having received a constitutional majority, **HB 14** was sent to the Senate for concurrence.

Representative Mitchell requested privilege of the floor to introduce a guest.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins introduced **HB 105**, jointly sponsored by Representative Longhurst.

**HB 105** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE.

Mr. Speaker Gilligan assigned **HB 105** to the Manufactured Housing Committee.

Representative Atkins introduced **HB 103**, jointly sponsored by Representatives Longhurst & Schwartzkopf & Senator Bunting & cosponsored by Representative Kowalko.

**HB 103** - AN ACT TO AMEND CHAPTER 7 OF TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE.

Mr. Speaker Gilligan assigned **HB 103** to the Manufactured Housing Committee.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst made an announcement.

Representative Schwartzkopf deferred to Representative Plant.

Representative Plant brought **HB 17**, jointly sponsored by Representative Keeley & Representatives Barbieri, J. Johnson & Mulrooney & Senator Henry, before the House for consideration.

**HB 17** – 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 brought **HA 1 to HB 17** before the House for consideration. Representative Keeley made a comment. **HA 1** was adopted by voice vote. Representatives Plant, Keeley & Oberle made comments.

The roll call on **HB 17 w/HA 1** was taken and revealed:

YES: 32.

NO: Representatives Booth, Hocker, Lee, Manolakos, Outten, D. Short, Walls & Wilson - 8.

NOT VOTING: Representative Lavelle - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 17 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Manolakos.

Representative Manolakos brought **HB 76**, jointly sponsored by Senator Sokola & Representatives Gilligan, Q. Johnson, Keeley, Mitchell, D. Short, Hudson & Miro & Senators Bunting, Peterson, Simpson, Sorenson & Bonini, before the House for consideration.

**HB 76** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE OATH OF OFFICE OF SCHOOL BOARD MEMBERS.

Representative Manolakos made comments.

The roll call on **HB 76** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 76** was sent to the Senate for concurrence.

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 1, 2009.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HB 49** and is returning the same to the House.

Representative Atkins requested that **HB 103** be stricken.

Representative Atkins introduced **HB 107**, jointly sponsored by Representatives Kowalko, Longhurst & Schwartzkopf & Senator Bunting.

**HB 107** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE.

Mr. Speaker Gilligan assigned **HB 107** to the Manufactured Housing Committee.

Representative Longhurst made an announcement.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short introduced and brought **HR 16**, jointly sponsored by Representative Gilligan & Representative Schwartzkopf & Representative Longhurst & Representative Cathcart & Representative D. Short & Representatives Atkins, Barbieri, Bennett, Blakey, Brady, Carey, Carson, Hocker, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kovach, Kowalko, Lee, Manolakos, M. Marshall, Miro, Mitchell, Mulrooney, Oberle, Outten, Plant, Ramone, Schooley, Scott, Thornburg, Viola, Walls, D.E. Williams, D.P. Williams & Wilson, before the House for consideration.

**HR 16** - RESOLUTION URGING ALL MEMBERS OF THE DELAWARE HOUSE OF REPRESENTATIVES TO MATCH COMPENSATION AND BENEFIT REDUCTIONS THAT ARE BEING ASKED OF OUR FELLOW STATE EMPLOYEES.

Representatives B. Short, Cathcart, Lavelle, B. Short & Booth made comments. Representative Booth requested and was granted privilege of the floor for House Attorney Mike Migliore. Representatives Booth, Schwartzkopf, Cathcart, Hudson, Mr. Speaker Gilligan, Representatives Keeley, Cathcart, Booth, Lavelle & B. Short made comments.

**HR 16** was adopted by voice vote.

The Majority Leader moved to adjourn at 2:26 p.m., thereby ending the current legislative day. The House reconvened at 2:27 p.m.

**16th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session  
April 1, 2009**

The Chief Clerk called the roll.

Members Present: 38.

Members Absent: Representative Carey, Manolakos & M. Marshall - 3.

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:

**HB 104** - M. MARSHALL & SENATOR BLEVINS; REPRESENTATIVES BARBIERI, SCHOOLEY, J. JOHNSON, KEELEY, OBERLE, B. SHORT ; SENATOR SORENSON - JUDICIARY - An Act to Amend Titles 10, 13 and 31 of the Delaware Code Relating to DSCYF Custody and Third Party Visitation.

**HA 3 to HB 40** - MIRO - Placed with the Bill.

**HA 1 to HB 101** – CATHCART - Placed with the Bill.

The Reading Clerk read the following communication into the record:

**MEMORANDUM**

To: The Honorable Robert Gilligan  
Speaker of the House

From: Representative Nicholas Manolakos

Date: April 1, 2009

RE: Absence from Session

Please be advised that it is necessary for me to be absent today, Wednesday, April 1, 2009, due to personal family business.

Thank you for your understanding.

Representative Schwartzkopf deferred to Representative Keeley. Representative Keeley introduced guests and made comments. Representative Schwartzkopf deferred to Representative Thornburg. Representative Thornburg made comments. Representative Thornburg requested and was granted privilege of the floor for Emily Harvey, State 4-H Teen Council President. Representative Schwartzkopf deferred to Representative Blakey. Representative Blakey requested and was granted privilege of the floor for Ahmed Aly Mohamed Monsour, Fulbright Scholar & Professor of Arabic at Delaware State University. Representative Schwartzkopf deferred to Representative Miro. Representative Miro requested and was granted privilege of the floor to present a House Tribute to Dr. Michael W. Johnson and Lisa J. Burnham, representing Diamond State Reading Association, who addressed the House.

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart introduced and brought **HR 10**, jointly sponsored by Representative Oberle on behalf of All Representatives, before the House for consideration.

**HR 10** - DECLARING APRIL, 2009 AS AUTISM AWARENESS MONTH IN DELAWARE.

WHEREAS, autism is a lifelong developmental disability which impairs an individual's ability to learn, develop healthy social behaviors, and understand verbal, nonverbal, and reciprocal communication; and

WHEREAS, autism is a spectrum disorder, affecting every person in unique and individual ways that call for individualized treatment, educational programming, and services; and

WHEREAS, autism is the result of a neurological disorder affecting the functioning of the brain, and there is a greater need for public awareness of this complex disorder; and

WHEREAS, autism has no known cure, and research is critical to discovering the causes, treatments and cures for the disorder; and

WHEREAS, autism is the third most common developmental disability, affecting more than 1,000,000 people across the country and as many as 1,200 individuals and their families in Delaware; and

WHEREAS, the population of students with autism statewide in Delaware has more than doubled over the last 10 years; and

WHEREAS, students with autism are graduating in increasing numbers into adult services, going from an average of five graduates in 2000 to a projected 30 in 2010; and

WHEREAS, the needs of adults with mild autism and Asperger's Syndrome for ongoing support to function successfully at work and in the community often go unrecognized or met; and

WHEREAS, adult service system needs to be well prepared to support the increasing numbers of young adults who will need residential, vocational, behavioral, health, and/or recreational services to live lives of dignity and productivity in the community; and

WHEREAS, the families of people with autism face financial, emotional, and social challenges as they strive to ensure the best care and life possible for their relative with autism.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware that April 1, 2009 be declared Autism Awareness Month in Delaware.

Representative Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for Rob Gilsdorf, President, Autism Delaware. Representative Cathcart requested and was granted privilege of the floor for Melissa Tice Martin, Executive Director, Lower Delaware Autism Foundation. Representative Cathcart made comments.

**HR 10** was adopted by voice vote.

The parents and children present announced their names for the record.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady introduced **HB 106**, jointly sponsored by Senator DeLuca & cosponsored by Senator McDowell.

**HB 106** - AN ACT TO AMEND TITLES 7 AND 29 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE DELAWARE OPEN SPACE COUNCIL, THE PARKS AND RECREATION COUNCIL AND THE DELAWARE COUNCIL ON GREENWAYS AND TRAILS.

Mr. Speaker Gilligan assigned **HB 106** to the Natural Resources Committee.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson 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 #14

DATE: April 1, 2009

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                                                                                           |
|----------|-----------------------------------------|-----------|------|-------------------------------------------------------------------------------------------------------|
| H145-278 | Scott                                   | 3/17/2009 | M    | Hattie Dabney Mishoe                                                                                  |
|          | cosponsor: Rep. Blakey                  |           |      |                                                                                                       |
| H145-279 | Manolakos                               | 3/11/2009 | T    | Tanner Kurz - Male High School Swimmer of the Year                                                    |
|          | cosponsor: Rep. Ramone                  |           |      |                                                                                                       |
| H145-280 | Miro                                    | 3/11/2009 | T    | Nicole Vernon - Female High School Swimmer of the Year                                                |
|          | cosponsor: Rep. Ramone                  |           |      |                                                                                                       |
| H145-281 | Carson                                  | 3/31/2009 | T    | Howard R. Killen, Jr. - Retirement – DELDOT                                                           |
| H145-282 | Keeley                                  | 3/21/2009 | T    | David N. Gwyn - 70th Birthday                                                                         |
|          | cosponsor: Rep. J. Johnson              |           |      |                                                                                                       |
| H145-283 | Gilligan                                | 3/18/2009 | T    | Janice Fischbach - 75th Birthday                                                                      |
| H145-284 | Lavelle                                 | 3/13/2009 | M    | James A. Diana, Sr.                                                                                   |
|          | cosponsor: Rep. Keeley                  |           |      |                                                                                                       |
| H145-285 | Walls                                   | 3/24/2009 | T    | Doris Semans/50 Years/Magnolia Fire Co. Auxiliary                                                     |
| H145-286 | Carey                                   | 3/25/2009 | T    | Slaughter Neck CHEER Center – 35th Anniversary                                                        |
| H145-287 | Hudson                                  | 3/22/2009 | T    | Robert M. Shearer - Eagle Scout                                                                       |
| H145-288 | Lee                                     | 3/18/2009 | M    | Helen C. Bennett                                                                                      |
|          | cosponsor: Rep. Outten                  |           |      |                                                                                                       |
| H145-289 | Carson                                  | 3/24/2009 | T    | Warden Vincent Bianco - Retirement – Corrections                                                      |
| H145-290 | Gilligan                                | 3/27/2009 | T    | Mid-County Center - 30th Anniversary                                                                  |
| H145-291 | Outten                                  | 3/19/2009 | M    | Leon L. Lofland                                                                                       |
|          | cosponsors: All Representatives         |           |      |                                                                                                       |
| H145-292 | Hocker                                  | 3/17/2009 | T    | Dawn McGee - 50th Birthday                                                                            |
|          | cosponsors: Reps. Atkins & Schwartzkopf |           |      |                                                                                                       |
| H145-293 | Booth                                   | 3/26/2009 | T    | Vivian Barry - Outstanding Community Service                                                          |
| H145-294 | Scott                                   | 3/24/2009 | T    | Bishop Richard Franklin Norris - Bishop - First Episcopal District African Methodist Episcopal Church |
| H145-295 | D. Short                                | 2/7/2009  | T    | Gary Moore - Volunteer of Year - Seaford Fire Dept.                                                   |
| H145-296 | B. Short                                | 3/28/2009 | T    | Christopher Council/Knights of Columbus/60th Anniversary                                              |
| H145-297 | Schwartzkopf                            | 4/3/2009  | T    | Barbara Maria "Bobbie" Yeatman – 80th Birthday                                                        |

T- Tribute

M – Memoriam

Representative Schwartzkopf brought the following prefiled **Consent Calendar #4** before the House for consideration

**SCR 8** – PETERSON – Recognizing and Observing the Month of April as Work Zone Safety Month in Delaware.

**Consent Calendar #4** was adopted by voice vote and **SCR 8** was returned to the Senate.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 3:02 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 3:02 p.m.: Representative Mulrooney.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 2, 2009.

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

JUDICIARY: **HB 96** -1F, 4M.

LABOR: **HB 56** – 3F, 3M.

HEALTH & HUMAN DEVELOPMENT: **HB 22** – 1F, 7M; **HB 3** – 1F, 7M.

EDUCATION: **HB 102** – 4F, 7M.

REVENUE & FINANCE: **HR 12** – 2F, 6M.

MANUFACTURED HOUSING: **HB 107** – 2F, 2M.

HOUSE ADMINISTRATION: **HB 10** – 5M; **HB 16** – 5M; **HB 94** – 2F, 3M;

**SB 7 w/SA 1 & 2** – 5M.

Mr. Speaker Gilligan assigned **HB 22** and **HB 10** to the Appropriations Committee.

Representatives Carey & Manolakos requested that they 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.

**17th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session  
April 2, 2009**

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 108** – MITCHELL & SENATOR BUSHWELLER; REPRESENTATIVES BRADY, HOCKER, MIRO - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Failure to Appear at Trial.

**HB 109** – MITCHELL & SENATOR BUSHWELLER; REPRESENTATIVE BRADY; SENATORS ENNIS, HALL-LONG - JUDICIARY - An Act to Amend Titles 11 and 16 of the Delaware Code Relating to Substantial Assistance.

**HB 110** - D. SHORT & SENATOR SORENSON; REPRESENTATIVES BOOTH, CAREY, HOCKER, HUDSON, KOVACH, LEE, THORNBURG; SENATORS BUNTING, VENABLES, SIMPSON - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to a Pilot Program Exempting Delaware Public Schools from Prevailing Wage Requirements.

**HB 111** – MITCHELL & SENATOR BUSHWELLER; REPRESENTATIVES KEELEY, PLANT, B. SHORT; SENATORS BLEVINS, ENNIS, CLOUTIER - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to the Ignition Interlock Device (IDD) Program.

**HA 1 to HB 16** - KEELEY - Placed with the Bill.

**HA 3 to HB 62** - OBERLE - Placed with the Bill.

**HA 2 to HB 101** - OBERLE - Placed with the Bill.

Representatives Kovach, Outten, D. Short, Plant, Oberle & Cathcart requested that they be marked present. Mr. Speaker Gilligan granted privilege of the floor to Mr. Richard A. DiLiberto, Jr., former House Member and Chairman of the Commission on Italian Heritage and Culture. Representative Booth made comments. Representatives D.P. Williams & M. Marshall requested that they be marked present.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett introduced and brought **HR 15** before the House for consideration.

**HR 15** - HONORING JUDGE MERRILL C. TRADER FOR HIS DEDICATED SERVICE TO THE STATE OF DELAWARE.

WHEREAS, a graduate of Western Maryland College, Merrill C. Trader received his LLB from Washington and Lee University School of Law in 1958; and

WHEREAS, he was successfully admitted to the Delaware, Virginia and Federal Bar in 1958; and

WHEREAS, Merrill C. Trader began his prestigious legal career in private law practice from 1958-1972; and

WHEREAS, his long and extraordinary career in public service, spanning more than 46 years began in 1963 when he served as Assistant Deputy Attorney General for Kent County, and then Chief Deputy Attorney General for Kent County from 1965-1969; and

WHEREAS, Merrill C. Trader also served as a Master in the Family Court of the State of Delaware from 1970-1972; and

WHEREAS, Merrill C. Trader was appointed a Judge of the Delaware Court of Common Pleas by Governor Russell W. Peterson in September 1972; and

WHEREAS, Judge Trader was subsequently reappointed for a second term by Governor Pierre S. du Pont, IV in 1984 and for his final term by Governor Thomas R. Carper in 1997; and

WHEREAS, during his distinguished tenure as a Judge of the Delaware Court of Common Pleas, Judge Trader served by special appointment as a Judge for the Justice of the Peace Court, Family Court of the State of Delaware and Delaware Supreme Court; and

WHEREAS, Judge Trader was recipient of a number of awards and honors for his years of exceptional judicial service, including the 2003 Chief Justice's Award for Outstanding Judicial Service; and

WHEREAS, throughout his career, Judge Trader was regarded as a mentor to those who came before him, exhibiting a strong work ethic, consummate skills in judicial case management and a sensitivity to the rights of litigants.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware that many thanks and a great appreciation are extended to Judge Merrill C. Trader for his dedicated and exceptional service to the Delaware Judiciary, having continued the tradition of excellence in jurisprudence throughout the Delaware court system.

BE IT FURTHER RESOLVED that best wishes are extended to Judge Trader and his wife, Mary, for all of their future endeavors.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be presented to Judge Merrill C. Trader.

Representative Bennett made comments.

**HR 15** was adopted by voice vote.

Representative Walls introduced and brought **HCR 8**, sponsored on behalf of All Representatives and jointly sponsored by Senator Adams on behalf of All Senators, before the House for consideration.

**HCR 8 - PROCLAIMING THE WEEK OF APRIL 6, 2009, THROUGH APRIL 12, 2009, TO BE FARM VEHICLE AWARENESS WEEK IN DELAWARE AND ENCOURAGING ALL MOTORISTS TO SHARE THE ROAD WITH FARM VEHICLES.**

Representative Walls made comments.

**HCR 8** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.

Representatives Schooley & Outten requested and were granted personal privilege of the floor to introduce guests.

The Majority Leader moved to recess for caucus at 2:24 p.m.

The House reconvened at 3:48 p.m.

Representative Viola requested that he be marked present.

The Reading Clerk read the following communication into the record:

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Joseph W. Booth, do hereby request that my name be removed as co-sponsor of

**HR 16.**

DATE: 4/1/09

SIGNED: JOSEPH W. BOOTH

Mr. Speaker Gilligan introduced Lorraine Sexton, House Support Services Officer.

Representative Schwartzkopf deferred to Representative Dennis P. Williams.

Representative D.P. Williams brought **SB 7 w/SA 1 & 2**, jointly sponsored by Senator Venables & Senator Ennis & Senator Cloutier & Representative Oberle & Senators Adams, Bunting & McDowell & Representatives Carey, Carson, Cathcart, Hocker, J. Johnson, Kowalko, Lavelle, Lee, Longhurst, Miro, Mulrooney, Outten, Schooley, Schwartzkopf, D. Short, Thornburg & Walls, and cosponsored by Senators Peterson & Simpson & Representative Wilson, before the House for consideration.

**SB 7 – AN ACT TO AMEND TITLES 10 AND 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND EMINENT DOMAIN. (2/3 bill)**

Representatives D.P. Williams, B. Short & Hudson made comments.

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

YES: 38

ABSENT: Representatives Booth, Miro & Oberle - 3

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 7 w/SA 1 & 2** was returned to the Senate.

Representative D.P. Williams made comments.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson brought **HB 4**, jointly sponsored by Senator Sorenson & Representative Lavelle, before the House for consideration.

**HB 4 – AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO CASH CONTRIBUTIONS.**

Representatives Hudson & Kowalko made comments.

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

YES: 41.

Therefore, having received a constitutional majority, **HB 4** was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement regarding **SB 7**.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 102**, jointly sponsored by Senator Sokola & Representatives Barbieri, Kovach & M. Marshall & Senator Henry & cosponsored by Representative Kowalko, before the House for consideration.

**HB 102 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR LICENSURE AND CERTIFICATION.**

Representatives Schooley, Kovach, Lavelle & Hudson made comments.

The roll call on **HB 102** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 102** was sent to the Senate for concurrence.

Mr. Speaker Gilligan declared a recess at 4:20 p.m.

The House reconvened at 4:27 p.m.

Representative Cathcart moved to restore **SB 7 w/SA 1 & 2** and to rescind the roll call. The motion was seconded by Representative D. Short and adopted by voice vote.

Representative Cathcart brought **SB 7 w/SA 1 & 2**, sponsored by Senator Venables & Senator Ennis & Senator Cloutier & Representative D.P. Williams & Representative Oberle & Senators Adams, Bunting & McDowell & Representatives Carey, Carson, Cathcart, Hocker, J. Johnson, Kowalko, Lavelle, Lee, Longhurst, Miro, Mulrooney, Outten, Schooley, Schwartzkopf, D. Short, Thornburg & Walls & cosponsored by Senators Peterson & Simpson & Representative Wilson, before the House for consideration.

**SB 7 – AN ACT TO AMEND TITLES 10 AND 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND EMINENT DOMAIN.**

Representatives Oberle & Miro made comments.

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

YES: 41.

Therefore, having received a constitutional majority, **SB 7 w/SA 1 & 2** was returned to the Senate.

Mr. Speaker Gilligan made an announcement.

Representatives Booth & D.P. Williams made comments.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced **HB 117**, jointly sponsored by Senator Katz & Representatives Atkins, Barbieri, Bennett, Blakey, Hudson, Q. Johnson, Kovach, Manolakos, M. Marshall, Miro, Mitchell, Mulrooney, Oberle, Plant, Ramone, Schooley, Schwartzkopf, Scott, B. Short, Thornburg, Walls & D.P. Williams & Senators Blevins, Bonini, Connor, Hall-Long & Sokola & cosponsored by Senator Cloutier.

**HB 117 – AN ACT TO AMEND TITLES 14 AND 15 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS AND SCHOOL BOARD ELECTIONS.**

Mr. Speaker Gilligan assigned **HB 117** to the Education Committee.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins brought **HB 107**, jointly sponsored by Representatives Kowalko, Longhurst & Schwartzkopf & Senator Bunting, before the House for consideration.

**HB 107 – AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE.**

Representatives Cathcart, Atkins & Schwartzkopf made comments. Representative Schwartzkopf introduced and brought **HA 1 to HB 107**, jointly sponsored by Representative Longhurst & Representative Atkins, before the House for consideration. Representative Schwartzkopf made comments. Representative Cathcart requested and was granted privilege of the floor for House Attorneys Mike Migliore & Ron Smith. Representatives Cathcart & Schwartzkopf made comments. Mr. Speaker Gilligan ruled that **HA 1** is not a substantive amendment.

The roll call on **HA 1** was taken and revealed.

YES: 22.

NO: Representatives Blakey, Booth, Carey, Cathcart, Lavelle, Lee, Manolakos, Outten, Ramone, Scott, D. Short & Wilson - 12

NOT VOTING: Representatives Brady, Hocker, Hudson, Kovach, Miro, Oberle & Thornburg – 7.

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

Representative Schwartzkopf introduced and brought **HA 2 to HB 107**, jointly sponsored by Representative Longhurst & Representative Atkins, before the House for consideration. Representatives Schwartzkopf, Mitchell, Lavelle, Schwartzkopf, Ramone, Booth, Hocker, Schwartzkopf & Atkins made comments. **HA 2** was adopted by voice vote. Representative Schwartzkopf introduced and brought **HA 3 to HB 107**, jointly sponsored by Representative Longhurst & Representative Atkins, before the House for consideration. Representatives Schwartzkopf & Lavelle made comments. **HA 3** was adopted by voice vote.

Representative Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for House Attorney Ron Smith. Representatives Cathcart & Schwartzkopf made comments. Representative Schwartzkopf requested and was granted privilege of the floor for House Attorney Mike Migliore. Representatives Schwartzkopf & Atkins made comments. Representative Lavelle requested and was granted privilege of the floor for Kenneth Clark, Sr., owner, Riverdale Park.

Representatives Lavelle, Atkins, Cathcart, Ramone, Schwartzkopf, Mitchell, Hocker & Lavelle made comments.

Representative Lavelle requested and was granted privilege of the floor to for Robert Tunnell III representing Pot-Nets Community.

Representatives Lavelle, Kowalko, Cathcart, Atkins, Schwartzkopf, Mitchell, Oberle, D. E. Williams, D. Short, Ramone, Atkins, Thornburg, Bennett, Lavelle, Ramone, Atkins & Hocker made

comments. Representative Hocker announced that he will not be voting on **HB 107** because of a possible conflict of interest. Representatives Atkins, Kowalko, Oberle & Atkins made comments.

The roll call on **HB 107 w/HA 1, 2 & 3** was taken and revealed:

YES: 22

NO: Representatives Blakey, Booth, Carey, Cathcart, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, Scott, D. Short, Thornburg & Wilson - 16

NOT VOTING: Representatives Brady, Hocker & Oberle -3

Therefore, having received a constitutional majority, **HB 107 w/HA 1, 2 & 3** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley requested that **HB 75** be stricken. Representative Keeley made comments.

Representative Keeley introduced **HB 112**, jointly sponsored by Representative Kowalko & Senator Bunting and cosponsored by Senators Connor, Cloutier & Sorenson.

**HB 112 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HOSPITALS AND OTHER FACILITIES**

Mr. Speaker Gilligan assigned **HB 112** to the Health & Human Development Committee.

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

Mr. Speaker Gilligan called the House to order at 2:15 p.m. on April 7, 2009.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 32, HB 33 & HB 53** and is returning the same to the House.

April 3, 2009

Legislative Advisory #5

Governor Jack A. Markell signed the following legislation on the date indicated: 4/2/09 – **HB 49**.

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

### **18th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session**

**April 7, 2009**

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Atkins & D. Short - 2.

The House observed a moment of silence in memory of Wesley C. Short, father of Representative D. Short, at the request of Representative Cathcart.

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 out-of-session prefiled legislation was introduced:

April 6, 2009

**HS 1 for HB 100 - SCHWARTZKOPF & REPRESENTATIVE LONGHURST & SENATOR DELUCA; REPRESENTATIVES BARBIERI, GILLIGAN, HUDSON, KEELEY, LAVELLE, M. MARSHALL, PLANT, SCHOOLEY, B. SHORT, VIOLA; SENATORS HENRY, KATZ, SOKOLA - GAMING & PARIMUTUELS - An Act to Amend Title 29 of the Delaware Code Relating to the Lottery. (3/5 bill)**

The following prefiled legislation was introduced:

April 7, 2009

**HB 97 – HOCKER & SENATOR BUNTING; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, BRADY, CARSON, Q. JOHNSON, KEELEY, MITCHELL, SCHOOLEY, SCOTT, WALLS, D. SHORT, BLAKEY, BOOTH, CAREY, HUDSON, KOVACH, LAVELLE, LEE, MANOLAKOS, MIRO, OUTTEN, RAMONE, THORNBURG, WILSON; SENATORS BUSHWELLER, ENNIS, HALL-LONG, MCBRIDE, PETERSON, VENABLES, CONNOR, SIMPSON, SORENSON, BONINI - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to the Personal Income Tax.**

**HB 113 – MITCHELL & SENATOR BUSHWELLER; REPRESENTATIVE CARSON; SENATORS BLEVINS, ENNIS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.**

**HB 114 – JAKES & SENATOR BUNTING; REPRESENTATIVES KOWALKO, OBERLE; SENATORS ENNIS, HALL-LONG - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Fee for Issuance of Marriage Certificates.**

**HB 115 – MITCHELL & SENATOR BUSHWELLER; REPRESENTATIVE BARBIERI; SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Penalties for and Classification of Carrying a Concealed Deadly Weapon.**



**HB 116** – CARSON & SENATOR ENNIS - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Smyrna, 74 Delaware Laws Chapter 176, Relating to the Repayment Term of Loans the Town is Authorized To Borrow. (2/3 bill)

**HB 118** – CARSON & REPRESENTATIVE KEELEY; SENATORS ENNIS, HALL-LONG; REPRESENTATIVES BENNETT, B. SHORT, D.E. WILLIAMS - ECONOMIC DEVELOPMENT/ BANKING/INSURANCE/COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced **HB 120** jointly sponsored by Representative Barbieri & Senator Hall-Long & Senator Sokola & Representatives Atkins, Gilligan, Hudson, Keeley, Kowalko, Longhurst, Mitchell, Ramone, Viola, Wilson & Senators Bunting, Simpson & Venables and cosponsored by Representatives Blakey, Kovach, Scott, B. Short & Walls & cosponsored by Senators Cloutier & Ennis.

**HB 120** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN OFFENSES

Mr. Speaker Gilligan assigned **HB 120** to the Judiciary Committee.

The Majority Leader moved to recess for caucus at 2:23 p.m.

The House reconvened at 5:02 p.m.

Representative Mitchell requested and was granted personal privilege of the floor to introduce guests. Representative Gilligan made an announcement. Representatives Miro & Lavelle requested that they be marked present.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **HB 16**, jointly sponsored by Representatives Bennett, Brady, Ramone & Senator Henry and cosponsored by Representative D. Short, before the House for consideration.

**HB 16** - AN ACT TO AMEND CHAPTER 58, TITLE 29 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF LOBBYISTS.

Representative Keeley brought **HA 1 to HB 16** before the House for consideration. Representative Keeley made comments. **HA 1** was adopted by voice vote.

Representatives Ramone & Keeley made comments.

The roll call on **HB 16 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Atkins, Carey & D. Short - 3.

Therefore, having received a constitutional majority, **HB 16 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 Oberle.

Representative Oberle brought **HB 56**, jointly sponsored by Senator Henry & Representative Mitchell and cosponsored by Representative Jaques, before the House for consideration.

**HB 56** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO COLLECTIVE BARGAINING.

Representative Oberle requested that **HA 1 to HB 56** be stricken. Representative Oberle brought **HA 2 to HB 56** before the House for consideration. Representative Oberle made a comment. **HA 2** was adopted by voice vote. Representative Oberle made comments.

The roll call on **HB 56 w/HA 2** was taken and revealed:

YES: 35.

NOT VOTING: Representatives Booth, Hocker & Wilson - 3.

ABSENT: Representatives Atkins, Carey & D. Short - 3.

Therefore, having received a constitutional majority, **HB 56 w/HA 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker brought **HB 94**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 94** - AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH, TO MAKE THE TOWN CHARTER CONSISTENT WITH CHANGES TO 15 DEL. C. SECTION 7501 ET SEQ., ENACTED BY THE 143RD GENERAL ASSEMBLY CONCERNING MUNICIPAL ELECTIONS AND RELATING TO ANNEXATION, ELECTIONS, TERMS OF OFFICE, AND ORGANIZATIONAL MEETINGS AND DUTIES. (2/3 bill)

Representative Hocker made a comment.

The roll call on **HB 94** was taken and revealed:

YES: 38.

ABSENT: Representatives Atkins, Carey & D. Short - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 94** was sent to the Senate for concurrence.

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

GAMING & PARIMUTUELS: **HS 1 for HB 100** - 2F, 3M, 1U.

Representatives Keeley, Brady, Mitchell & Walls & Mr. Speaker Gilligan made announcements.

The Majority Leader moved to recess to the call of the Chair at 5:20 p.m.

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on April 8, 2009.

Mr. Speaker Gilligan reassigned **HB 114** to the Veterans Affairs Committee.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 9** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 32, SB 33 & SB 53** and requests the concurrence of the House.

MEMORANDUM

TO: Rep. Robert F. Gilligan  
Speaker of the House

CC: Rich Puffer

FROM: Rep. John C. Atkins

DATE: April 6, 2009

RE: Absence from session

I will be unable to attend session, Tuesday April 7<sup>th</sup> and Wednesday, April 8, 2009 due to personal family business.

MEMORANDUM

TO: Speaker Robert Gilligan

FROM: Rep. Daniel B. Short

DATE: April 7, 2009

SUBJECT: Absence from Session

I will be absent from session on Tuesday, April 07, 2009 due to a death in the family.  
April 7, 2009

The Honorable Richard Puffer

Chief Clerk

House of Representatives

State of Delaware

Legislative Hall

Dover, DE 19901

Dear Rich,

Please accept this request to have my name removed as a co-sponsor from **HS 1 for HB 100**.  
Thank you, I appreciate your assistance with the request.

Yours very truly,

George H. Bunting, Jr.

Representative Carson introduced **HS 1 for HB 21**, jointly sponsored by Representative Mitchell & Senator Bushweller & Representatives Walls & D.P. Williams and cosponsored by Representative Scott & Senator Ennis.

**HB 21** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF CERTAIN MINOR TRAFFIC OFFENSES.

Mr. Speaker Gilligan assigned **HS 1 for HB 21** to the Public Safety & Homeland Security Committee.

The Majority Whip moved to adjourn at 2:05 p.m., thereby ending the current legislative day. The House reconvened at 2:06 p.m.

**19th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session  
April 8, 2009**

The Chief Clerk called the roll.

Members Present: 36.

Members Absent: Representatives Atkins, Carey, Schwartzkopf, D. Short & D.E. Williams - 5.

A prayer was offered by Representative Thornburg, 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 119** – SCHOOLEY & SENATOR SOKOLA; REPRESENTATIVES BENNETT, BRADY, Q. JOHNSON, KEELEY, LONGHURST, MANOLAKOS, M. MARSHALL, MITCHELL, MULROONEY, PLANT, SCOTT, VIOLA, WALLS; SENATORS BLEVINS, BUSHWELLER, HALL-LONG, HENRY, KATZ, PETERSON, SIMPSON, SORENSON, VENABLES - EDUCATION - An Act to Amend Title 14 of the Delaware Code with Respect to Public Education.

**SB 32** – BLEVINS & REPRESENTATIVE M. MARSHALL; SENATORS ENNIS, HENRY, PETERSON, SORENSON; REPRESENTATIVES BARBIERI, BENNETT, CARSON, GILLIGAN, HUDSON, JAQUES, Q. JOHNSON, KEELEY, LAVELLE, MITCHELL, OBERLE, SCHOOLEY,

D. SHORT - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Crimes Against Children.

**SB 33** – BLEVINS & SENATOR SORENSON & REPRESENTATIVE HUDSON, & REPRESENTATIVE M. MARSHALL; SENATORS BUSHWELLER, BUNTING, ENNIS, HENRY, KATZ, MCDOWELL, PETERSON, SOKOLA; REPRESENTATIVES BARBIERI, CATHCART, GILLIGAN, JAQUES, Q. JOHNSON, KEELEY, KOVACH, MITCHELL, OBERLE, RAMONE, SCHOOLEY, WALLS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**SB 53** – BUSHWELLER & REPRESENTATIVE BLAKEY - HOUSE ADMINISTRATION - An Act to Amend the Municipal Charter of the Town of Wyoming (43 Del. Laws 189) to Designate the Fiscal Year for the Town as July 1 through June 30 (2/3 bill).

**HA 1 to HA 2 to HB 101** - CATHCART - Placed with the Bill.

**HA 1 to HS 1 for HB 100** - VIOLA - Placed with the Bill.

**HA 2 to HS 1 for HB 100** - VIOLA - Placed with the Bill.

The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: Speaker Robert Gilligan  
FROM: Rep. Daniel B. Short  
DATE: April 8, 2009  
SUBJECT: Absence from Session

I will be absent from session on Wednesday and Thursday, April 8<sup>th</sup> & 9<sup>th</sup>, 2009 due to a death in the family.

MEMORANDUM

TO: The Honorable Robert F. Gilligan  
Speaker of the House  
FROM: The Honorable William A. Oberle, Jr.  
DATE: April 8, 2009  
RE: Absence from Session

I will be unable to attend session on Wednesday, April 8, 2009 and Thursday, April 9, 2009 due to personal business.

Thank you for your consideration of this matter.

Representative Longhurst brought the following prefiled **Consent Calendar #5** before the House for consideration.

**SCR 9** – BLEVINS & SENATOR SORENSON & REPRESENTATIVE KEELEY & REPRESENTATIVE HUDSON – Designating the Month of April 2009 as Delaware’s Sexual Assault Awareness Month.

**Consent Calendar #5** was adopted by voice vote and **SCR 9** was returned to the Senate.

Representative Longhurst requested and was granted privilege of the floor for herself & Representatives Barbieri, Mulrooney, J. Johnson & Jaques & the William Penn High School Basketball State Championship Team. Representatives J. Johnson & D.P. Williams requested that they be marked present. Representative Mulrooney presented a House Tribute to the team. The team members, Coach, and Athletic Director announced their names and positions for the record. Representative Ramone made comments. Representatives Lee, Kovach, Wilson, Cathcart & M. Marshall requested that they be marked present.

Representative Cathcart requested and was granted personal privilege of the floor to introduce guests. Members of a delegation from China were introduced by interpreter Jeffrey Qi. Representative Cathcart presented House Certificates to the members of the delegation. Mr. Speaker Gilligan made comments and presented gifts.

The Majority Whip moved to recess to the call of the Chair at 2:28 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 2:28 p.m.: Representatives Lavelle & Oberle. Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 9, 2009.

Representatives Carey, Schwartzkopf & D. E. Williams requested that they be marked present for the current Legislative Day.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 25 & SB 26** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 31 w/SA 1 & 2, SB 30 w/SA 1, SCR 10 & SCR 11** and requests the concurrence of the House and the Senate has passed **HCR 8** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 69** and requests the concurrence of the House and the Senate has passed **HB 44 w/HA 1** and **HB 19** and is returning the same to the House.

MEMORANDUM

TO: The Honorable Robert F. Gilligan  
Speaker of the House

FROM: The Honorable William A. Oberle, Jr.

DATE: April 8, 2009

RE: Change of Plans – Session – April 8 and April 9, 2009

As stated in my memo to you dated April 8, 2009, I originally intended to be absent from session on Wednesday, April 8, 2009 and Thursday, April 9, 2009 due to personal business.

However, I was able to be marked present on Wednesday, April 8 and will attend session on Thursday, April 9, 2009.

Thank you for your consideration of this matter.

MEMORANDUM

TO: Rep. Robert F. Gilligan  
Speaker of the House

CC: Rich Puffer  
Chief Clerk

FROM: Rep. John Viola

DATE: April 9, 2009

RE: Absence from session

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

MEMORANDUM

TO: Rep. Robert F. Gilligan  
Speaker of the House

CC: Rich Puffer  
Chief Clerk

FROM: Rep. Melanie George Marshall

DATE: April 8, 2009

RE: Absence from session

I will be unable to attend tomorrow's session because I am having back surgery.

MEMORANDUM

TO: Rep. Robert F. Gilligan  
Speaker of the House

CC: Rich Puffer

FROM: Rep. William Carson

DATE: April 7, 2009

RE: Absence from session

I will be unable to attend session Thursday, April 9, 2009 due to personal business.

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

JUDICIARY: **HB 104** – 7M; **HB 109** – 7M, 1U.

REVENUE & FINANCE: **HB 93** – 2F, 6M.

PUBLIC SAFETY & HOMELAND SECURITY: **HS for HB 21** – 1F, 5M; **HB 40** – 7M.

HEALTH & HUMAN DEVELOPMENT: **HB 112** – 5F, 5M.

NATURAL RESOURCES: **HB 106** – 7M.

HOUSING & COMMUNITY AFFAIRS: **HB 81** – 7M; **HB 83** – 8M.

LABOR: **HB 18** – 2F, 4M; **HR 14** – 1F, 7M.

Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst requested and was granted privilege of the floor to present a House Tribute to Carl Kanefsky. Mr. Kanefsky addressed the House. Representative Lavelle made comments. Representatives Bennett & Kovach requested and were granted personal privilege of the floor to introduce guests.

The Majority Leader moved to adjourn at 2:08 p.m., thereby ending the current legislative day. The House reconvened at 2:09 p.m.

**20th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session  
April 9, 2009**

The Chief Clerk called the roll.

Members Present: 36.

Members Absent: Representatives Atkins, Carson, M. Marshall, D. Short & Viola - 5.

A prayer was offered by Representative 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 121** – KOWALKO & SENATOR SOKOLA; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ - SUNSET COMMITTEE (POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY) - An Act to Amend Title 24 of the Delaware Code Relating to Cosmetology and Barbering and Licensure of Aestheticians. (2/3 bill)

**HB 122** – JAQUES & REP. SCHWARTZKOPF; REPRESENTATIVE KOWALKO; SENATORS HALL-LONG, HENRY - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Vehicle Plates. (2/3 bill)

**HB 123** - M. MARSHALL & REPRESENTATIVE SCHOOLEY & SENATOR BLEVINS & SENATOR SIMPSON & SENATOR SORENSON; REPRESENTATIVES BARBIERI, JAQUES, Q. JOHNSON, RAMONE, SCHWARTZKOPF - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to State Government.

**HB 124** - MITCHELL & SENATOR BUSHWELLER; REPRESENTATIVES BRADY, MIRO; SENATORS BLEVINS, HENRY - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to General Powers and Duties of New Castle County.

**HB 125** – BARBIERI; REPRESENTATIVES PLANT, SCHOOLEY, B. SHORT; SENATORS BLEVINS, HALL-LONG - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 Relating to Professions and Occupations.

**HB 126** – GILLIGAN & REPRESENTATIVE M. MARSHALL & SENATOR BLEVINS; REPRESENTATIVES BENNETT, CARSON, HOCKER, HUDSON, JAQUES, KEELEY, KOVACH, LAVELLE, SCHOOLEY, SCOTT; SENATORS BUNTING, BUSHWELLER, KATZ, SOKOLA - JUDICIARY - An Act to Amend Title 29 of the Delaware Code Relating to Pensions for Members of the State Judiciary.

**SB 25** – DELUCA & REPRESENTATIVE M. MARSHALL; SENATORS BLEVINS, CLOUTIER, COOK, KATZ, MCDOWELL, SORENSON; REPRESENTATIVES BENNETT, BOOTH, CAREY, CARSON, HUDSON, Q. JOHNSON, KOVACH, LAVELLE, D. SHORT, - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Judicial Branch Emergencies.

**SB 26** – DELUCA & REPRESENTATIVES B. SHORT & M. MARSHALL, & BENNETT; SENATORS BONINI, BUNTING, COOK, KATZ, SOKOLA; REPRESENTATIVES BRADY, HOCKER, HUDSON, KEELEY, LAVELLE, RAMONE, VIOLA, - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to Commerce and Trade.

**SB 30 w/SA 1** – ENNIS & SENATOR ADAMS & REPRESENTATIVE VIOLA; SENATORS HALL-LONG, BUSHWELLER, VENABLES; REPRESENTATIVES BENNETT, CARSON, HUDSON, OUTTEN, MITCHELL, J. JOHNSON, Q. JOHNSON, ATKINS, KEELEY - GAMING & PARIMUTUELS - An Act to Amend Title 28 of the Delaware Code Relating to No Limit Texas Hold'em Poker.

**SB 31 w/SA 1, SA 2** – ENNIS & SENATOR ADAMS & REPRESENTATIVE VIOLA; SENATORS HALL-LONG, BUSHWELLER, VENABLES; REPRESENTATIVES BARBIERI, BENNETT, CARSON, HUDSON, LAVELLE, MITCHELL, OBERLE, WALLS, J. JOHNSON, Q. JOHNSON, ATKINS, KEELEY - GAMING & PARIMUTUELS - An Act to Amend Title 28 of the Delaware Code Relating to Nonprofit Charitable Gaming.

Representative Schwartzkopf deferred to Representative Bennett. Representative Bennett introduced guests. Representative Bennett requested and was granted privilege of the floor for himself & Representative Blakey to present a House Tribute to Elvina Knight, Principal, Caesar Rodney High School, and the State Champion Riders Football Team, and their Coach/Athletic Director. Ms. Knight addressed the House. The players & coaches announced their names for the record. Representatives Blakey & Booth made comments. Representative Outten requested that he be marked present. Representative Brady made comments. Representative Brady requested and was granted privilege of the floor for Pam Sapko, Executive Director, Delaware Center for Horticulture. Representative Mitchell made comments. Representative D.P. Williams requested that he be marked present. Mr. Speaker Gilligan made an announcement regarding **SB 69**.

Representative Schwartzkopf deferred to Representative Plant.

Representative Plant introduced and brought **HR 17**, jointly sponsored by Representatives Bennett, Brady, Jaques, J. Johnson, Kowalko, Mulrooney, Oberle, B. Short, Viola, Walls & D.E. Williams, before the House for consideration.

**HR 17** - RECOGNIZING APRIL 28, 2009 AS WORKERS MEMORIAL DAY

Representative Plant made comments.

**HR 17** was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Booth.

Representative Booth introduced & brought **SCR 11**, jointly sponsored by Senator Cloutier & Senator Connor & Representative Schwartzkopf, before the House for consideration.

**SCR 11** - DESIGNATING April 23, 2009 AS "TECHNOLOGY EDUCATION DAY" IN THE STATE OF DELAWARE

Representative Booth made comments.

**SCR 11** was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson introduced **HA 1 to HJR 2**. **HA 1 to HJR 2** was placed with the Joint Resolution. Representative Hudson made comments.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: Speaker Robert Gilligan  
FROM: Representative Richard C. Cathcart  
SUBJECT: Acting Minority Leader  
DATE: April 9, 2009

Please be advised that Representative William Oberle will be the acting Minority Leader today Thursday, April 9, 2009 due to personal business.

The Majority Leader moved to recess for caucus at 2:32 p.m.

The House reconvened at 4:06 p.m.

Representative Schwartzkopf deferred to Representative Walls.

Representative Cathcart requested that he be marked present.

Representative Walls introduced **HB 127**, jointly sponsored by Representative Booth & Representative Carson & Representative Longhurst & Senator Adams & Representatives Carey, Thornburg & Wilson & Senator Simpson and cosponsored by Representative Lee.

**HB 127 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SIZE AND WEIGHT OF VEHICLES.**

Mr. Speaker Gilligan assigned **HB 127** to the Public Safety & Homeland Security Committee.

Representative Walls made comments.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with introduction of and action on **SB 69**. The motion was seconded by Representative Schwartzkopf and adopted by voice vote.

Representative Keeley introduced and brought **SB 69**, jointly sponsored by Senators Venables, Blevins, Cook, McDowell, Simpson & Sorenson & Representatives Mulrooney, Schooley, Viola, Carey & Oberle, before the House for consideration.

**SB 69 - AN ACT REVERTING CERTAIN FUNDS OF THE STATE AND DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND.**

Representative Keeley made comments.

The roll call on **SB 69** was taken and revealed:

YES: 36.

ABSENT: Representatives Atkins, Carson, M. Marshall, D. Short, Viola - 5.

Therefore, having received a constitutional majority, **SB 69** was returned to the Senate.

Representative Schwartzkopf introduced and brought **SCR 12**, jointly sponsored by Senator Adams & Senator DeLuca & Representative Gilligan, before the House for consideration.

**SCR 12 - 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.**

Representative Schwartzkopf made comments.

**SCR 12** was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **HB 106**, jointly sponsored by Senator DeLuca & cosponsored by Senator McDowell, before the House for consideration.

**HB 106 - AN ACT TO AMEND TITLES 7 AND 29 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE DELAWARE OPEN SPACE COUNCIL, THE PARKS AND RECREATION COUNCIL AND THE DELAWARE COUNCIL ON GREENWAYS AND TRAILS.**

Representative Brady made comments.

The roll call on **HB 106** was taken and revealed:

YES: 36.

ABSENT: Representatives Atkins, Carson, M. Marshall, D. Short & Viola - 5.

Therefore, having received a constitutional majority, **HB 106** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **HB 112**, jointly sponsored by Representative Kowalko & Senator Bunting & cosponsored by Senators Connor, Cloutier & Sorenson, before the House for consideration.

**HB 112 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HOSPITALS AND OTHER FACILITIES**

Representative Keeley made comments. Representative Keeley introduced and brought **HA 1 to HB 112** before the House for consideration. Representative Keeley made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 112 w/HA 1** was taken and revealed:

YES: 36.

ABSENT: Representatives Atkins, Carson, M. Marshall, D. Short & Viola - 5.

Therefore, having received a constitutional majority, **HB 112 w/HA 1** was sent to the Senate for concurrence.

Representatives Kowalko, Keeley made comments regarding **HB 112**.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson introduced and brought **SCR 13**, jointly sponsored by Senator Henry before the House for consideration.

**SCR 13** - CALLING ON DELAWARE'S CHIEF SCHOOL OFFICERS, POLICE CHIEFS AND STATE LEGISLATORS TO CONVENE MEETINGS FOR THE PURPOSE OF FINDING AND IMPLEMENTING STRATEGIES TO REDUCE VIOLENCE AND THE PRESENCE OF WEAPONS IN OUR SCHOOLS.

Representative J. Johnson made comments.

**SCR 13** was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 109**, jointly sponsored by Senator Bushweller & Representative Brady & Senators Ennis & Hall-Long and cosponsored by Representative Scott, before the House for consideration.

**HB 109** - AN ACT TO AMEND TITLES 11 AND 16 OF THE DELAWARE CODE RELATING TO SUBSTANTIAL ASSISTANCE.

Representative Mitchell introduced and brought **HA 1 to HB 109** before the House for consideration. Representatives Mitchell and D.P. Williams made comments. Representative Mitchell requested and was granted privilege of the floor for Tina Showalter, Deputy Attorney General. Representatives D.P. Williams, Kovach, Keeley, Oberle, Booth, D.P. Williams, Blakey & Booth made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 109 w/HA 1** was taken and revealed:

YES: 35.

ABSENT: Representatives Atkins, Carson, M. Marshall, Plant, D. Short & Viola - 6.

Therefore, having received a constitutional majority, **HB 109 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HS 1 for HB 21**, jointly sponsored by Senator Bushweller & Representatives Carson, Walls & D.P. Williams & cosponsored by Senator Ennis & Representative Scott, before the House for consideration.

**HB 21** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF CERTAIN MINOR TRAFFIC OFFENSES.

Representatives Mitchell, Blakey & Kovach made comments.

Representative Mitchell requested and was granted privilege of the floor for Tina Showalter, Deputy Attorney General.

The roll call on **HS 1 for HB 21** was taken and revealed:

YES: 34.

ABSENT: Representatives Atkins, Carson, M. Marshall, Miro, Plant, D. Short & Viola - 7.

Therefore, having received a constitutional majority, **HS 1 for HB 21** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott introduced **HB 99**, jointly sponsored by Senator Bushweller & cosponsored by Representatives Barbieri, Bennett, Carson, Q. Johnson, Keeley, Kowalko, Mitchell, Thornburg, Viola, Walls & Wilson & Senators Ennis, Simpson & Sokola.

**HB 99** - AN ACT TO AMEND CHAPTER 3, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DESIGNATION OF A STATE DESSERT.

Mr. Speaker Gilligan assigned **HB 99** to the Agriculture Committee.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques made an announcement.

Representative Lavelle moved to suspend rules which interfere with action on **HB 55**.

The motion was properly seconded.

Representatives Lavelle & Mr. Speaker Gilligan made comments.

Representative Lavelle brought **HB 55**, jointly sponsored by Senator Peterson & Representatives D. Short, Carey, Miro & Thornburg & Senators Blevins & Bunting and cosponsored by Senator Cloutier, before the House for consideration.

**HB 55** – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMPENSATION COMMISSION.

The motion was defeated by voice vote.

Mr. Speaker Gilligan & Representative D.P. Williams made announcements.

The Majority Leader moved to recess to the call of the Chair at 5:10 p.m.

Mr. Speaker Gilligan called the House to order at 1:16 p.m. on April 28, 2009.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 4, SB 34, SB 55, SB 43 & SB 63** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SCR 12 &**

**SCR 13** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 102** and is returning the same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Clifford Lee, do hereby request that my name be removed as co-sponsor of **HB 129**.

Date: 4-9-09                      Signed: Clifford Lee

WITHDRAWAL OF SPONSORSHIP REQUEST

I, David L. Wilson, do hereby request that my name be removed as co-sponsor of **HB 129**.

Date: 4-9-09                      Signed: David L. Wilson

WITHDRAWAL OF SPONSORSHIP REQUEST

I, David L. Wilson, do hereby request that my name be removed as co-sponsor of **HB 95**.

Date: 4-9-09                      Signed: David L. Wilson

April 9, 2009

Legislative Advisory #6

Governor Jack A. Markell signed the following legislation on the date indicated: 4/9/09 – **HB 32, HB 33, HB 53, & SB 7 aab SA 1 & 2**.

Legislative Advisory #7                      April 16, 2009

Governor Jack A. Markell signed the following legislation on the date indicated:  
4/10/09 – **SB 69 & HB 19**.

Legislative Advisory #8                      April 24, 2009

Governor Jack A. Markell signed the following legislation on the date indicated:  
4/20/09 – **HB 102**.

Representative Atkins requested that he be marked present for the current Legislative Day. Mr. Speaker Gilligan introduced guests. Representative Kovach requested and was granted personal privilege of the floor to make comments. Representative Ramone made comments.

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

**21st LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session**  
**April 28, 2009**

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Teresa L. Schooley, Twenty-third Representative District. Mr. Speaker Gilligan and his guests 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:

April 22, 2009

**HB 128** - J. JOHNSON & REPRESENTATIVE D.P. WILLIAMS & SENATOR ENNIS; REPRESENTATIVES BOOTH, KOWALKO, LEE, MITCHELL, OBERLE, PLANT, SCHOOLEY; SENATOR HALL-LONG - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 29 of the Delaware Code Relating to the State Employees Pension Plan.

**HB 129** – PLANT & REPRESENTATIVE OBERLE & REPRESENTATIVE MULROONEY & SENATOR MARSHALL; REPRESENTATIVES BLAKEY, CARSON, J. JOHNSON, KEELEY, KOWALKO, MANOLAKOS, MITCHELL, OUTTEN, RAMONE, VIOLA; SENATORS ENNIS, MCBRIDE, PETERSON - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to the Construction Industry Independent Contractor Act.

**HB 130** – CATHCART & REPRESENTATIVE THORNBURG & REPRESENTATIVE CARSON & SENATOR ENNIS - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Unemployment Compensation Fund Assessments.

**HB 131** – BRADY & REPRESENTATIVE B SHORT & SENATOR HALL-LONG; REPRESENTATIVES KOWALKO, RAMONE, VIOLA, D.E. WILLIAMS; SENATOR PETERSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County.

**HB 132** – BRADY & REPRESENTATIVE JAQUES & SENATOR BLEVINS & SENATOR HALL-LONG; REPRESENTATIVES BARBIERI, BENNETT, HOCKER, KEELEY, LAVELLE, LEE, PLANT, RAMONE, SCOTT; SENATOR ENNIS - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Absentee Voting.

**HB 133** - D.P. WILLIAMS & REPRESENTATIVE KEELEY & SENATOR HENRY; REPRESENTATIVES BARBIERI, BENNETT, KOWALKO, LEE, MANOLAKOS, PLANT, CARSON, Q. JOHNSON, LONGHURST, RAMONE, SCHOOLEY, SCHWARTZKOPF, THORNBURG, WILSON; SENATORS ENNIS, HALL-LONG - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Pertaining to Compensation for Innocent Victims of Crime.

**HB 134** – OBERLE & SENATOR PETERSON; REPRESENTATIVES CARSON, JAQUES, KOWALKO, D. SHORT, LAVELLE, MANOLAKOS, MIRO, OUTTEN, RAMONE; SENATOR BONINI



- HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Establishing the Office of the State Inspector General.

**HB 135** - Q. JOHNSON & SENATOR HALL-LONG; REPRESENTATIVES BARBIERI, BENNETT, JAQUES, SCOTT, D.E. WILLIAMS, KOVACH, RAMONE, WILSON, BRADY, J. JOHNSON, KEELEY, KOWALKO, LONGHURST, M. MARSHALL, MULROONEY, OBERLE, SCHOOLEY, B. SHORT, WALLS, GILLIGAN, SCHWARTZKOPF; SENATOR HENRY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Related to the Issuance of a Limited License for a Director or Chairperson of a Dental or Oral and Maxillofacial Surgery Residency Program.

**HB 136** – BENNETT & SENATOR BUSHWELLER; REPRESENTATIVES ATKINS, CARSON, HOCKER, HUDSON, JAQUES, Q. JOHNSON, KOVACH, LAVELLE, LEE, LONGHURST, MITCHELL, MULROONEY, RAMONE, SCHWARTZKOPF, SCOTT, D. SHORT, WALLS, D.E. WILLIAMS, D.P. WILLIAMS, WILSON; SENATORS BONINI, BUNTING, CLOUTIER, ENNIS, HALL-LONG, HENRY, SIMPSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Sex Offenders and Sexual Offenses.

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

**HA 1 to HB 93** - HOCKER - Placed with the Bill.

**SB 4** – PETERSON & SENATOR BLEVINS & REPRESENTATIVE KEELEY & REPRESENTATIVE KOWALKO; SENATORS ENNIS, HENRY, SORENSON, CONNOR ; REPRESENTATIVES HUDSON, JAQUES, OBERLE, RAMONE, J. JOHNSON, OUTTEN - CORRECTIONS - An Act to Name the Worship Center/Multi-Purpose Building at Baylor Women’s Correctional Institution in Honor of Fay and Norman Whittle.

**SB 34** – BLEVINS & SENATOR CLOUTIER & REPRESENTATIVE M. MARSHALL; SENATORS BUSHWELLER, ENNIS, HALL-LONG, SOKOLA, SORENSON; REPRESENTATIVES BARBIERI, BENNETT, GILLIGAN, HOCKER, HUDSON, KEELEY, LAVELLE, MITCHELL, OBERLE, SCHOOLEY - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Termination and Transfer of Parental Rights in Adoption Proceedings.

**SB 43** – DELUCA & REPRESENTATIVE M. MARSHALL - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Courts and Judicial Procedure.

**SB 55** – COOK & REPRESENTATIVE THORNBURG; SENATORS BLEVINS & MARSHALL - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Termination and Transfer of Parental Rights in Adoption Proceedings.

**SB 63** – BUNTING & REPRESENTATIVE HOCKER - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Fenwick Island, Delaware, Chapter 302, Volume 49, Laws of Delaware, as Amended, Entitled “An Act to Incorporate the Town of Fenwick Island, Delaware”, to Amend Section 33, Authorizing the Borrowing of Money and Issuing of Bonds. (2/3 bill)

The following prefiled legislation was introduced:

**HB 137** - D. SHORT & REPRESENTATIVE B. SHORT & SENATOR BLEVINS; REPRESENTATIVES BARBIERI, Q. JOHNSON, HOCKER, KOVACH, MANOLAKOS, WILSON; SENATORS ENNIS, SORENSON - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Audits of Small Employer Health Insurance Carriers.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced guests.

Representative M. Marshall made an announcement.

Representative M. Marshall made comments.

Representatives Plant & Keeley requested that they be marked present.

The Majority Leader moved to recess for the Joint Session at 1:28 p.m.

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

The Sergeant-at-Arms announced the arrival of Members of the House 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 Adams joined him on the rostrum.

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 who were admitted and seated.

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

At 2:08 p.m., Senator DeLuca moved that the Senate and the House meet in Joint Session for the purpose of hearing an address from the Honorable Jack A. Markell, Governor of the State of Delaware. There was no objection.

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

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

Senator DeLuca moved that the Lieutenant Governor appoint a committee of four to escort the Governor of the State of Delaware to the Joint Session. There was no objection and the President appointed Senator Michael S. Katz (Spokesperson), Senator Dorinda A. Connor, Representative Teresa L. Schooley and Representative William A. Oberle, Jr. to form a committee to escort the Governor to the Joint Session.

The Lieutenant Governor declared a temporary recess to await the arrival of the Governor.

The Joint Session reconvened at 2:10 p.m.

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

Senator Katz introduced Governor Jack A. Markell to the Joint Session.

The Lieutenant Governor welcomed the Governor.

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

Lt. Governor Denn, President Pro Tem Adams, Speaker Gilligan, members of the 145<sup>th</sup> General Assembly, Chief Justice Steele and members of the Judiciary, other statewide elected officials, members of the Cabinet, our state employees, my wife Carla, my mother Leni and to the people of Delaware.

We gather today in a hall whose walls have echoed from great debates over the most pressing issues of our time. Seventy-six years ago, this building was dedicated by the people for the people as a place where their elected leaders could forge consensus and move with purpose, bold purpose, to set a new course for our state and, through its example, offer guidance to the nation.

Well, then Delaware's dreams were held down by the cold hand of economic uncertainty. That year, 1933, marked the darkest moment in our nation's financial history. But it was also that year – in the depths of the Great Depression – that our nation began down the road to economic recovery. It was that year, in this building, that Delaware looked forward and saw that its greatest days were ahead.

Each new administration and General Assembly brings new ideas and energy for a better future for our state. So again this year, in this building, we must start down our own path to prosperity together. And we will find that our greatest days do still lie ahead.

We begin this journey in the grip of the most serious economic downturn since that Great Depression. We begin at a time when more Delawareans – more than 30,000 – are unemployed than at any time in recent history. The Delaware Buildings and Construction Trades Council, for example, finds 2,000 of its 5,000 members out of work. Families who worked hard and played by the rules their entire lives find themselves facing a future that seems less certain than ever. Many businesses find themselves unsure how they will pay their bills, keep employees on the job, and survive the year.

Our state government's also facing a challenge: the largest budget shortfall in our state's history, almost \$780 million. And growing. Like you in this hall, I believe there are many worthy ideas to tackle, from universal healthcare to providing additional funds to leverage university research. And in the past, joint addresses like this one provided the opportunity to announce grand plans. I still want to tackle them, and I know that many of you do too, but if we don't work on our fiscal crisis first, we will not be able to do them, let alone do them well. So as we gather here today, our first order of business must be to repair our state's economic and financial foundation. It is time we get to work.

Just last week, the Delaware Economic and Financial Advisory Council projected that our already historic shortfall would grow by another \$28 million, eroding that foundation further and making it more difficult to make ends meet. DEFAC also projected that this fiscal crisis is not only deep but wide - likely extending beyond FY 2010, to FY11 and 12. Together, we must balance our budget; we must live within our means. We cannot walk away from the tough decisions or pretend that there are easy answers. We must face this responsibility firmly.

I will be the first to acknowledge that my budget proposal is not easy or popular. There is much in it to dislike and much in it that I dislike. And one of the things that I dislike the most is proposing that our state employees take such a significant cut in pay, especially those who can least afford it. Our fiscal crisis is dire and I want to avoid layoffs, like many in the private sector have been forced to endure. And to state employees I say this: I very much value your service. You do incredible work. You do incredible work. And I will work with you to minimize these painful cuts but we all need to be realistic about our fiscal situation.

My proposal is a realistic and responsible solution to a serious problem and it meets the challenge of balancing the budget while maintaining three core principles: fiscal responsibility, keeping our core commitments and shared sacrifice. By insisting on fiscal responsibility, we will avoid irresponsible cuts that generate short-term savings at the expense of long-term prosperity. We must not make long-term commitments with short-term revenues.

We must keep our government's core commitments, such as protecting the health and safety of our families, fostering the growth of our economy and protecting the quality of our air and water. We must give every child an opportunity to succeed and assist our senior citizens and those with disabilities.

Finally, when the sacrifice required is as great as it is here, we must ensure that it is fairly shared.

Guided by these principles, our solution to the initial \$750M shortfall was to: cut spending by \$331M; to cut funding to special funds by \$40M; utilize \$155M in one-time federal stimulus funding; to raise at least \$55M by re-authorizing a sports lottery and getting a fairer deal for Delaware taxpayers; to

increase our revenues by \$166M; and to raise fees and fines by \$12M. With this proposal, we cut much more than we raise because we cannot tax our way out of this problem. We looked line-by-line for savings. And, to be fair, we made sure the burden of these solutions is shared across our state.

When I proposed this budget I made it very clear, it solved the crisis as we knew it at the time - no more and no less. And, we now know that the crisis has gotten \$28 million worse and we still have two additional DEFAC meetings before we are required to enact a balanced budget. Now, I fully recognize there are many things in this proposal you may not want to do – and frankly that I don’t want to do, but understand this: any cut that we restore, any revenue proposal we reject, we must find cuts or revenue proposals to make up the difference. At the end of the day, the numbers must add up; our budget must be balanced. And so the response of “don’t look here, look elsewhere” (sic) to balance the budget is no longer an answer we can afford to hear.

And we heard this very response from our state’s casino owners just last week when they rejected our recent sports lottery proposal. Now, that was very disappointing, especially given the very significant and painful sacrifice we are asking of our own hardworking and dedicated state employees.

Let me be clear: the exclusive franchise for video lottery and sports lottery belongs to the taxpayers of this state, not to the casino owners. The owners are the taxpayers’ partners in this venture, and they need to act like partners. House Substitute 1 for House Bill 100 is a fair way to do it. And, looking at the report that the casino owners themselves commissioned, the question is not whether they’ll lose money under this proposal, but rather how much more money – how much more revenue will they reap. So to the members of the General Assembly, I urge you to reject their arguments. Ensure that they act as partners. Offer up the competitive advantage of sports betting that casino owners have long sought and in return, hold the casino owners accountable to the principle of shared sacrifice by striking a better deal for Delaware taxpayers. This is a critical step toward balancing our budget.

Now, starting today, we have just ten weeks left to solve this budget shortfall. Where other budgets have been built by Governors and legislators who had months and months to decide how to solve much smaller problems, we must enact this budget in record time to solve record deficits. Time is of the essence – we need to move forward with those things we agree on, and begin to resolve our differences. To that end, my team and I will meet this week with the leadership of each of the four caucuses to begin to forge consensus on the broad parameters of revenue increases and spending cuts. Working within those parameters, we’ll meet with the members of the Joint Finance Committee and the Bond Bill Committee, as well as individual members of each caucus to talk about solutions to these challenges. This is a daunting task but it is time to get to work.

Now, while we keep our focus on resolving the FY 2010 shortfall, we must also set our sights on significant structural changes to our state and local governments. To repair our foundation - our financial foundation - long-term, we must abandon business as usual.

Now, one of my first actions as Governor was to get to work on a statewide performance review that looked at each government agency for improvement. And this effort began what must be a statewide shift toward consolidating our operations, toward eliminating redundancies, to removing inefficiencies. And while some of the results of these efforts are included in my FY 2010 proposal, many of the structural changes will need to be encompassed in future budgets.

We need to think differently about how we deliver government services, delving deep into the base budgets of each agency to evaluate every dollar spent and every program offered. We need greater accountability – creating performance metrics and tracking tools to ensure we are meeting our commitments to taxpayers. We must take a hard look at consolidating many of the back office services that are provided in each agency, such as human resources, accounting and information technology. In the end, government must be smaller than it is today.

We must also take a fresh look at the actual services we provide. We must ask hard questions such as, should we provide this service at all? And how can we make this more cost-effective? For example, we must consider how we provide long-term care for the elderly. Delaware is in the midst of an historic demographic shift as the baby-boomer generation is in need of more medical care, and many retirees move to Delaware to enjoy our low taxes and our high quality of life. This shift will have significant consequences for our state’s budget and economy. Seniors require more services, sometimes including expensive institutional nursing home and assisted living care.

And we have got to shift our reliance on expensive institutional care for our senior population by fostering community and home based care. Most of our seniors prefer to stay in their homes, provided they can get the medical care and help that they need. And with the state’s Medicaid program leading the way, we must weave together a social, medical and community fabric that makes expensive institutional care a last resort, not a first stop for those that need help as they age. If we do this, we’ll prevent this coming financial crisis while at the same time ensuring that our seniors are able to have as many healthy and happy years as possible living in their community. We must get to work on this, and I have directed Rita Landgraf, my Secretary of Health and Social Services, to produce a plan to do just that.

Now, making state government smarter and more cost-effective is not enough. The state funds local governments in a variety of ways. And we need to review whether Delaware taxpayers are getting the most for that money. To that end, we are launching a work group that will take a top-down look at savings across

governments - the state, counties, cities and towns. Keeping those we serve foremost in mind, we will look at ways to share services like libraries, paramedics and procurement, as well as those provided by the county row offices, for potential consolidation and efficiency.

Now, one of our most significant budget demands is education. Delaware ranks in the top ten in per pupil spending, but we're not getting top ten results in our classrooms. And that's in part because too much of that spending does not make it from the back rooms of administration to the classrooms where teachers teach and students learn. In fact, Delaware ranks just 26<sup>th</sup> in the nation in that regard. Many have pointed the finger of blame at the number of school districts we have. This may be a significant part of the problem; others believe that these school districts provide a level of local control that parents very much value. Parents want a significant say in where their children will go to school and which programs their schools will support. But I don't think that many parents care whether their school district has its own back rooms staffed with its own team of procurement officers, human resources advisers, lawyers and accountants. And these duplicative functions drive too many of our investments from the classroom to the back room.

So for those that call for consolidating school districts and for those opposed, let's agree on this. We will take a serious look at consolidating school districts, and we report back next year. For now, we can maintain the current school districts for the purpose of making the decisions that parents care most about at the local level. But we must move those dollars out of those back rooms and into the classrooms by consolidating those back office functions. This will require the surrendering of fiefdoms and turf, but it must be done. And I ask for your support as we get to work on this important task now.

Our core commitment to education needs to be more than creating efficiencies among the various school districts; it must ensure our children learn to the best of their ability. Just as the Nemours Foundation does each day with student health, we must challenge old assumptions, if we are to deliver better results for our children and better performance from our schools.

I've talked with thousands of parents and teachers about how to improve education for our children, and the same answers emerge: We need to let Delaware's dedicated teachers teach. We need to get parents more involved. We need to push individual decisions down to the school level. And we need to measure student progress throughout the year, not just at the end of the year. And this year, under the leadership of Senate Education Committee Chair Dave Sokola and House Education Chair Terry Schooley, working with Lt. Governor Denn and Secretary Lillian Lowery, we propose legislation that makes three critical changes.

First, it's time to eliminate the Delaware Student Testing Program. We'll replace it with a testing program that measures student progress over the course of a school year. Currently, Carla's and my daughter gets her DSTP results when the school year is over. That doesn't help her learn - doesn't help her teachers adjust to her needs. It doesn't measure the progress of individual students or the excellence of any particular teacher. And our new system will offer far greater insight into what a student brings to class on the first day and what they need to learn so they can end the school year with the skills required to succeed.

Second, with money saved from moving investments from the back room to the classroom, we will reward excellence in education by paying the state's highest-performing teachers more and better reward truly great teachers in high-risk schools.

And third, we will offer greater flexibility to our local schools, so they can better solve problems and encourage them to be more innovative. In exchange for this freedom, districts will be held more accountable for results and will need to be more transparent in how they spend money. And I am appreciative to bipartisan members in both houses for their support and sponsorship of this legislation.

But education must not end with a diploma. To ensure our financial and economic foundation, while we better educate our children for a brighter future tomorrow, we must continue to educate our current workforce today and create an economic climate where businesses and employees can thrive across a range of industries.

The only long-term answer to our problem is getting Delaware back to work. In that spirit, I am introducing today a series of initiatives that, taken together, will result in the Creation of Real Economic Prosperity, which is why I call it our CORE Prosperity Agenda for Delaware.

The CORE Prosperity Agenda recognizes that creating more and better jobs is, in fact, the best solution for most of the problems we face as a state. It reflects my view that education is the foundation of both a strong economy and strong citizenship. It calls for a new vision that a strong economy and a clean environment are very much linked as one.

And one of the best ways that we help businesses grow is to provide a workforce trained to succeed in the jobs they need. We have all heard so many heartbreaking stories of people in their 40's or 50's who gave twenty years or more of their lives to a company, only to be laid off. They have quality skills, but their backgrounds are deemed too single-industry specific for potential employers to hire them. CORE Prosperity means that we offer help to adults who need to learn new skills to succeed in a changing economy.

And to help them get back to work, we will use federal stimulus money to reform our worker training. We'll give citizens the chance to assess their skills through a Career Readiness Certificate program that gives employers proof of their potential.

We will focus on re-training adults who lost their jobs so they can get back to work and assist approximately 1,200 young adults with on-the-job training so that they can get to work as well. We'll use our small size to our advantage by working with the business community to launch a "Quick Start / Rapid

Response Training Program” to develop curriculum based on the up-to-date needs in the employer community. Instead of training potential workers with whatever curriculum is available, we will build on the great work, the great work being done by Delaware Tech and our four-year institutions to train them for available jobs.

And CORE Prosperity also means we must focus on the small businesses within our state. Last week, we launched our Small Business LIFT program which supports small businesses with sound plans for success. Across the country, small businesses are having trouble gaining access to affordable capital so they can invest in new technology or, more importantly, new jobs to grow their business. Well, Delaware will be different. By making up to \$5 million available in low-interest loans from our state’s Strategic Fund, several hundred small businesses together can leverage about \$50 million in private bank financing. This will give them a chance to invest in success. The loans will be repaid, but it’s the best deal that a sound small business will be able to find to finance their growth and get Delawareans back to work. And this program will help between 200 and 500 small businesses keep thousands of jobs and keep their employees working.

Now, this CORE Prosperity Agenda will also turn our small size into our biggest strength. Delaware must be known as more responsive, more flexible, more dedicated to employers than large states could ever be. We can lead the nation’s economic recovery if we streamline and if we’re faster than others. There is no excuse for a state our size to make employers jump through so many hoops before they can get to work and create jobs. We will cut red tape. We’ll eliminate redundancy and archaic regulatory hurdles. We should establish a single statewide business license, so that businesses are not forced to run down multiple business licenses to do business in our state. And to achieve CORE Prosperity, we must use our size and our speed to make Delaware the best place in the nation to start and grow a business, including minority and women-owned businesses. The bottom line is - we need to get to work so people can get back to work.

Now, while helping small businesses, training our workforce and empowering growth are critical to getting our economy moving again, CORE Prosperity also means that we seize the opportunity that’s presented by our nation’s commitment to energy independence and the growing concern over climate change to make Delaware a leader in green jobs. These two forces are leading our nation toward a greener economy. And these same forces create real opportunities for Delaware workers if we get to work and grab them.

Now to seize these opportunities, we must lead by example by launching a renewed statewide campaign for energy conservation and efficiency. Long before it was popular, Senator Harris McDowell was preaching the need for conservation. And you know what? He was right, because he understood that the cleanest energy of all is the energy that we don’t use. Today in Delaware, our low-income families and seniors living on social security on a fixed income spend more than 20% of their income on energy costs. It’s one of the highest percentages in the nation. Conservation and efficiency put money back in the people’s pockets and give Delaware citizens more money to save and more to spend close to home.

And to that end, I will propose the Energy Efficiency and Conservation Act of 2009 - to establish mandatory energy efficiency reduction targets for our state. Specifically, I will seek legislation that requires utilities to achieve, by 2015, a per capita electricity consumption reduction and peak demand reduction of 15%. And to meet these targets, we will partner with the Sustainable Energy Utility to use stimulus funds to launch the Delaware Modernization Service. This will provide energy efficiency services including audits, retrofit loans, grants, and rebates to cut monthly energy costs and put people to work.

We will work to update building codes. We’ll encourage energy efficient appliances. We’ll reward investments in renewables. We’ll modernize our net-metering laws, and remove restrictions that hinder the use of renewable energy. The effect will be new jobs, money saved and a cleaner environment.

Now, CORE Prosperity requires our state government to lead by example. To that end, I will also propose that we establish a statewide priority order for new electricity generation - requiring that we first look to cost-effective efficiency measures to meet new demand, followed then by cost-effective renewables. And, only after those resources have been exhausted should we look to conventional fossil fuel sources.

I am also directing the Office of Management and Budget to work with the Department of Natural Resources and Environmental Control to develop a statewide energy efficiency policy, including a retrofit plan for existing state buildings, standards for construction of new state buildings, additional energy efficiency measures and a roadmap to make state government powered by renewable sources. This reduces our cost while supporting the growth of our green economy.

CORE Prosperity means that as a state, as a nation, we must avoid trading our dependence on Saudi oil for dependence on solar panels, electric vehicles and wind turbines produced in China, Japan and Scandinavia. We must put Americans, and I hope more than our fair share of Delawareans, to work producing these products. And I’m absolutely confident that when we work together, Delaware will emerge as a national leader in this effort. We already have a strong foundation. Across the nation our state is recognized as a leader in high-efficiency solar, and hydrogen fuel cells, and vehicle-to-grid power, and tidal energy technology and off-shore wind.

And just last year, through the leadership of Senator DeLuca and Speaker Gilligan, Delaware became the first state to secure a Power Purchase Agreement for off-shore wind. Now, while the economic future of the sponsoring company is less than certain, the future of off-shore wind as a renewable energy resource for the East Coast is not. In fact, it’s promising, as it continues to be at the forefront for those,

including President Obama and Interior Secretary Salazar, who will craft this country's energy policy. Delaware is the only state with a valid Power Purchase Agreement and easy access to all shore points off the East Coast, and we must seize our advantage. Let's work to ensure that the Claymont Steel Mill produces the steel for the windmill towers and foundations, not just for Delaware, but for other projects as well. And this is a project that former Lt. Governor John Carney and his team have worked hard on and I commend them for it. We have an incredibly skilled manufacturing workforce. So let's work to encourage the turbine manufacturers to make the turbines and to assemble the towers here in Delaware, with easy access to the Atlantic Ocean. These wind turbines require thousands of parts and we should work to make sure that they're made in Delaware. These projects and others - they may not come to fruition, but the point is that we have got to constantly work to create these types of synergies where we can.

Now let's be clear. Let's be clear. Talking about the green economy is easy. Capitalizing on the opportunities that it represents is not, because few if any states have really figured it out. The state which most effectively marshals its resources in support of an intelligent strategy is likely to reap real dividends. And that's why we've got to assemble our natural resources - including the wind off shore; our intellectual resources - including the great work being done at DuPont, W. L. Gore and Ashland Hercules and at other local companies as well as at our four-year institutions of higher education and our human resources - including the training expertise of Delaware Tech to help Delaware lead the way.

And by taking decisive action in the coming years, we will look back at this as the time when we laid the foundation for decades of economic growth and a clean environment. We will be able to look ahead with pride and know that our collective efforts have paid dividends for our children and grandchildren and will continue to do so for generations to come.

I understand how significant the tasks before us may seem. It is as if our ship of state is stuck in the middle of a financial storm, and it seems that the only option available is to keep busy bailing us out. But bailing out without sailing ahead is not a long-term solution. And it is not our solution.

Today is our day, and now is our time. The challenges that confront us are opportunities, not just obstacles.

We can, and we must, move together with a purpose that makes clear we have the power to define our future; we have the energy to turn our obstacles into opportunity and to lead our state boldly into the future.

Let's get to work.

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

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

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

Senator DeLuca moved that the Joint Session be adjourned at 2:48 p.m. and that the two Houses separate to reconvene in their respective Chambers. There was no objection.

The House reconvened at 4:34 p.m.

Representatives D.P. Williams & B. Short requested that they be marked present.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley introduced and brought **HR 18**, jointly sponsored by Representatives Longhurst, M. Marshall, Plant, Schooley, Bennett, Brady, Kovach, Schwartzkopf, D. Short, Mitchell & Viola before the House for consideration.

**HR 18 - ESTABLISHING APRIL 28, 2009 AS "EQUAL PAY DAY" IN THE STATE OF DELAWARE**

Representatives Manolakos & Viola requested that they be marked present.

Representative Keeley made comments.

Representative Lavelle requested that he be marked present.

**HR 18** was adopted by voice vote.

Representative Keeley introduced guests.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **HB 104**, jointly sponsored by Senator Blevins & Representatives Barbieri, Schooley, J. Johnson, Keeley, Oberle & B. Short & Senator Sorenson, before the House for consideration.

**HB 104 - AN ACT TO AMEND TITLES 10, 13 AND 31 OF THE DELAWARE CODE RELATING TO DSCYF CUSTODY AND THIRD PARTY VISITATION.**

Representative M. Marshall made comments.

The roll call on **HB 104** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 104** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 96**, jointly sponsored by Senator Ennis & cosponsored by Representative Wilson, before the House for consideration.

**HB 96** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE EXAMINATION OF MORTGAGE SATISFACTIONS BY A COMMISSIONER.

Representatives Bennett, Schwartzkopf, Keeley, Jaques, Booth & Lavelle made comments.

The roll call on **HB 96** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 96** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker brought **HB 93**, jointly sponsored by Senator Bunting & cosponsored by Representative Ramone, before the House for consideration.

**HB 93** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO FARM WINERIES.

Representative Hocker brought **HA 1 to HB 93** before the House for consideration. **HA 1** was adopted by voice vote. Representative Hocker introduced and brought **HA 2 to HB 93** before the House for consideration. Representative Hocker made a comment. **HA 2** was adopted by voice vote. Representative Hocker made comments.

The roll call on **HB 93 w/HA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 93 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques made an announcement.

Representatives Keeley, M. Marshall & Blakey 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 April 29, 2009.

The Reading Clerk read the following communication into the record:

MEMORANDUM

To: Robert Gilligan, Speaker of the House

From: Representative Greg Lavelle

RE: Absence from Session

Date: April 28, 2009

Please be advised that I will be absent from session tomorrow, Wednesday April 29<sup>th</sup> due to a family commitment.

Thank you for your understanding

GFL/jd

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 - 145th GENERAL ASSEMBLY – First Session**  
**April 29, 2009**

The Chief Clerk called the roll.

Members Present: 38.

Members Absent: Representatives Lavelle, Oberle & D.P. Williams - 3.

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 Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #15

DATE: April 29, 2009

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                                        |
|----------|-----------------------------------|-----------|------|----------------------------------------------------|
| H145-298 | Atkins                            | 3/23/2009 | M    | Gerald Lee Hitchens                                |
| H145-299 | Booth, Carey                      | 3/26/2009 | T    | Wendy Harrington - Geography Teacher of the Year   |
| H145-300 | Carson                            | 3/25/2009 | T    | The Honorable Bruce C. Ennis - 70th Birthday       |
| H145-301 | Lavelle                           | 3/7/2009  | T    | Stan & Margot Lamar - 50th Wedding Anniversary     |
| H145-302 | Hudson                            | 3/1/2009  | T    | Philip & Mary Sue DiFebo - 40th Anniversary        |
| H145-303 | Cathcart                          | 2/7/2009  | T    | Karl & Frances Schmidt - 50th Wedding Anniversary  |
| H145-304 | Mulrooney                         | 2/6/2009  | T    | William & Mary Elisee - 65th Wedding Anniversary   |
| H145-305 | Ramone                            | 3/29/2009 | T    | Major General Francis D. Vavala - Dover Elks Lodge |
|          | cosponsors: Reps. Scott & Bennett |           |      | - Citizen of the Year                              |
| H145-306 | Atkins                            | 3/29/2009 | T    | Samuel E. Timmons - 90th Birthday                  |
| H145-307 | Barbieri                          | 3/12/2009 | T    | Pauline Oros - 100th Birthday                      |
| H145-308 | Lavelle                           | 3/26/2009 | T    | Robert & Bessie Pyle - 70th Wedding Anniversary    |

|          |                          |           |   |                                                                     |
|----------|--------------------------|-----------|---|---------------------------------------------------------------------|
| H145-309 | Kovach                   | 1/29/2009 | T | Henry & Louise Samsel - 60th Wedding Anniversary                    |
| H145-310 | Longhurst<br>Oberle      | 3/26/2009 | M | Nelson "Wayne" Cannon                                               |
| H145-311 | Schooley                 | 2/7/2009  | T | Joseph & Carol Taurig - 50th Wedding Anniversary                    |
| H145-312 | Miro                     | 4/1/2009  | T | Diamond State Reading Asso./Delaware Reads Day                      |
| H145-313 | Hudson                   | 4/16/2009 | T | Dr. Janet Kramer - Carrie Chapman Catt Award                        |
| H145-314 | Scott                    | 4/10/2009 | T | Capitol Cleaners - E. Stuart Outten - Legislative<br>Clothing Drive |
| H145-315 | Bennett                  | 4/10/2009 | T | Dover Newsstand - Diana Welch – Legislative Clothing<br>Drive       |
| H145-316 | Gilligan &<br>Q. Johnson | 3/31/2009 | T | Carol Breslin - Retirement – House Financial Officer -<br>24 Years  |
| H145-317 | Kovach                   | 3/31/2009 | T | Mr. Wong Yang - Welcome to Delaware                                 |

#### HOUSE TRIBUTE ANNOUNCEMENT #16

DATE: April 29, 2009

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>                                                      |
|---------------|--------------------|-------------|-------------|-------------------------------------------------------------------------|
| H145-318      | Kovach             | 3/31/2009   | T           | Mr. John Yaschur III – Promoting Delaware -                             |
| H145-319      | Hudson             | 4/5/2009    | T           | Justin Perillo - Basketball Player of the Year                          |
| H145-320      | Bennett,<br>Blakey | 4/9/2009    | T           | Caesar Rodney High School Football Team -<br>Division I State Champions |
| H145-321      | Carson             | 4/20/2009   | M           | Elizabeth S. Gebhart                                                    |
| H145-322      | Thornburg          | 3/29/2009   | M           | Myrtle Dixon                                                            |
| H145-323      | Outten             | 3/29/2009   | M           | Irene Townsend Raughley                                                 |
| H145-324      | Scott &<br>Wilson  | 4/5/2009    | T           | Leroy B. Legar - 90th Birthday                                          |
| H145-325      | Outten             | 4/6/2009    | T           | Theodore Yerkes/50 Years/Houston Fire Company                           |
| H145-326      | Wilson             | 3/27/2009   | T           | Orville & Mary Lou Hammond - 50th Anniversary                           |
| H145-327      | Kovach             | 3/30/2009   | M           | Dr. Margaret J. Seitz                                                   |
| H145-328      | Carson             | 4/25/2009   | T           | David Donze/Gold Achievement Award/Royal Rangers                        |
| H145-329      | Booth              | 4/4/2009    | T           | Mr. & Mrs. Ira W. Hitchens - 50th Wedding<br>Anniversary                |
| H145-330      | Manolakos          | 4/3/2009    | M           | Scott B. Hicks                                                          |
| H145-331      | Carson             | 3/1/2009    | T           | Dr. Cara Lee Blume - Retirement – Division of Parks                     |
| H145-332      | Longhurst          | 3/9/2009    | T           | Lieutenant Mark Daniels – Retirement - Delaware<br>State Police         |
| H145-333      | Longhurst          | 4/8/2009    | T           | William Penn High School Boys Basketball Team -<br>State Champions      |
| H145-334      | Brady              | 4/9/2009    | T           | Caitlin E. Mullarkey – Rhodes Scholar                                   |
| H145-335      | Carey              | 4/10/2009   | T           | Gladys M. Wilkins - 80th Birthday                                       |
| H145-336      | Blakey             | 4/2/2009    | M           | Elizabeth Brandes duPont                                                |
| H145-337      | Outten             | 4/6/2009    | M           | Gladys M. Longfellow                                                    |
| H145-338      | Walls              | 4/24/2009   | T           | Grace Winston - Arbor Day Poster Contest Winner                         |
| H145-339      | Lee                | 5/20/2009   | T           | Edward "Punk" Callaway - Sports Hall of Fame                            |
| H145-340      | Carson             | 4/10/2009   | T           | Tender Loving Kare – Legislative Clothing Drive                         |

#### HOUSE TRIBUTE ANNOUNCEMENT #17

DATE: April 29, 2009

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>                                   |
|---------------|----------------|-------------|-------------|------------------------------------------------------|
| H145-341      | Mulrooney      | 4/16/2009   | T           | Bill Perkins - Carrie Chapman Catt Award             |
| H145-342      | Mulrooney      | 4/16/2009   | T           | Marcy Perkins - Carrie Chapman Catt Award            |
| H145-343      | Cathcart       | 4/7/2009    | M           | Wesley Covey Short                                   |
| H145-344      | Gilligan       | 4/9/2009    | T           | Carl Kanefsky - Dedicated Political Reporting - WDEL |

cosponsors: Reps. Cathcart, Schwartzkopf & Longhurst



|              |                        |           |   |                                                             |
|--------------|------------------------|-----------|---|-------------------------------------------------------------|
| H145-345     | Kovach                 | 4/10/2009 | T | Walter Sigler – Participation "Front Stage Friday"          |
| H145-346     | Brady                  | 4/8/2009  | M | George H. Merrill, Jr.                                      |
| H145-347     | Brady                  | 4/20/2009 | T | Honorable Michael Castle/Spirit of Enterprise Award         |
|              | cosponsor: Rep. Kovach |           |   |                                                             |
| H145-348     | Cathcart               | 4/14/2009 | T | Cordelia Bennett/Retirement/Mayor Delaware City             |
| H145-349     | Kovach                 | 4/8/2009  | M | William E. Short, Sr.                                       |
|              | cosponsor: Rep. Ramone |           |   |                                                             |
| H145-350     | Outten                 | 4/18/2009 | T | Joseph R. Sherwood - 50 Years - Felton Fire Company         |
| H145-351     | Outten                 | 4/18/2009 | T | Fred W. Casper, Jr. - 50 Years - Felton Fire Company        |
| H145-352     | Outten                 | 4/18/2009 | T | Robert Biddle - 50 Years - Felton Fire Company              |
| H145-353     | Outten                 | 5/9/2009  | T | Melvin & Charlotte Ann Wyatt - 60 <sup>th</sup> Anniversary |
| H145-354     | J. Johnson             | 4/25/2009 | T | Edward Williams - Minquadale Fire Company                   |
| H145-355     | J. Johnson             | 4/25/2009 | T | Galen Griffiths/55 Years/Minquadale Fire Company            |
| H145-356     | J. Johnson             | 4/25/2009 | T | Cullen Edwards - 55 Years - Minquadale Fire Company         |
| H145-357     | J. Johnson             | 4/25/2009 | T | Olga Zelenko - 50 Years - Minquadale Auxiliary              |
| H145-358     | Kowalko                | 4/18/2009 | T | Kenneth & Phyllis Beam - 50th Wedding Anniversary           |
| H145-359     | Outten & Schwartzkopf  | 3/24/2009 | T | Mark D. Teesdale - Teacher of the Year                      |
| H145-360     | Bennett                | 4/12/2009 | M | Gertrude M. Moore                                           |
| T- Tribute   |                        |           |   |                                                             |
| M - Memoriam |                        |           |   |                                                             |

Representative Schwartzkopf brought the following prefiled **Consent Calendar #6** before the House for consideration.

**HCR 9** – BARBIERI & SENATOR HENRY; REPRESENTATIVES CARSON, JAQUES, J. JOHNSON, KEELEY, KOWALKO, OBERLE, RAMONE, SCHOOLEY, D.E. WILLIAMS; SENATORS ENNIS, HALL-LONG – Designating Saturday, May 2, 2009 as “Brain Tumor Awareness Day” in the State of Delaware.

**SCR 10** – ADAMS & REPRESENTATIVE SCWARTZKOPF;  
SENATOR BUSHWELLER – Observing the Month of May, 2009 as Both Driver Safety Month and Healthy Vision Month in the State of Delaware, and Urging Delawareans to Maintain their Eye Health and Their Driving Skills to Ensure Safe Driving.

**Consent Calendar #6** was adopted by voice vote and **HCR 9** was sent to the Senate for concurrence and **SCR 10** was returned to the Senate.

Representatives Lee, Wilson, Schooley & Cathcart requested that they be marked present.

Representative Hudson & Mr. Speaker Gilligan made comments.

Representatives Plant, Viola & Barbieri requested that they be marked present.

The Majority Leader moved to recess 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.: Representatives Booth & Mulrooney.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 30, 2009.

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 **HCR 9** and is returning the same to the House.

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

VETERANS AFFAIRS: **HB 114** – 6F, 5M.

REVENUE & FINANCE: **HB 92** – 6M.

JUDICIARY: **HB 113** – 6M; **HB 115** – 7M; **HB 126** – 7M; **HB 136** – 6M;

**SB 25** – 1F,6M; **SB 33** – 1F,6M; **SB 34** – 7M; **SB 32** – 7M; **SB 43** – 5M.

GAMING & PARIMUTUELS: **SB 30 w/SA 1** – 3F, 5M; **SB 31 w/SA 1 & 2** – 3F, 4M.

HEALTH & HUMAN DEVELOPMENT: **HB 135** – 9M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE:

**HB 118** – 5F, 2M; **SB 26** – 7F.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 111** – 7M; **HB 122** – 7M; **HB 128** – 7M.

EDUCATION: **HB 117** – 9M.

HOUSE ADMINISTRATION: **HB 9** – 1F,3M; **HB 20** – 3M,1U; **HB 50** – 4M; **HB 98** – 1F,3M; **HB 116** – 1F,3M; **HB 123** – 1F,2M; **HB 132** – 1F,3M; **SB 53** – 1F,3M; **SB 63** – 1F,3M.

Mr. Speaker Gilligan assigned **HB 128** to the Appropriations 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.

**23rd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session**  
**April 30, 2009**

The Chief Clerk called the roll.

Members Present: 41.

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 two legislative days were approved as posted.

The following prefiled legislation was introduced:

**HB 138** – HUDSON & SENATOR MCBRIDE; REPRESENTATIVE KEELEY - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to the Delaware Land and Historic Resources Protection Incentives Act.

**HB 139** – SCHOOLEY & SENATOR BLEVINS; REPRESENTATIVES BARBIERI, BENNETT, BLAKEY, CATHCART, GILLIGAN, JAQUES, KEELEY, KOVACH, KOWALKO, LAVELLE, LONGHURST, MANOLAKOS, M. MARSHALL, MIRO, MITCHELL, OBERLE, RAMONE, SCHWARTZKOPF, SCOTT, B. SHORT, D. SHORT; SENATORS BUSHWELLER, CLOUTIER, CONNOR, HALL-LONG, PETERSON, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Healthy Children Program.

**HA 1 to HB 28** - MIRO - Placed with the Bill.

**HA 1 to HB 117** - BOOTH - Placed with the Bill.

**HA 1 to HB 122** - JAQUES - Placed with the Bill.

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY:

**HB 121** – 4F, 1M.

Representatives Carey, Lavelle, Kovach, Q. Johnson & Viola requested that they be marked present.

Representative Hocker requested that **HB 54** be stricken. Representative Schwartzkopf deferred to Representative D. Short. Representative D. Short requested and was granted privilege of the floor to make an announcement and to introduce guests. Representative Mulrooney requested that he be marked present.

The Majority Leader moved to recess for caucus at 2:12 p.m.

The House reconvened at 5:04 p.m.

Representative Schwartzkopf introduced and brought **HCR 11**, sponsored by Representative Gilligan on behalf of All Representatives & jointly sponsored by Senator Adams on behalf of All Senators, before the House for consideration.

Representatives B. Short, Keeley, Hudson, Cathcart & Oberle requested that they be marked present.

**HCR 11** - COMMENDING THE NOMINEES FOR THE 2009 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 2009 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 2009 include:

Jesse G. Shrader, Georgiana Staley, John Moore, Kimberly Girantino, Diana Laird, Anne I. Lewis, Lynn Perry, Albert Brough, Glyne Williams, Meta McGee, Arnetta Brown, Sharleen Bunting, Karen J. Taylor, Karen Pasquale, Clifford H. Strickland, Lyle Jones, Harry M. Street, Chris F. DeNamur, Kellie Hubis, Bahu Gilliam, April Wright, June Bilbrough, Lori Gorman, Joyce Wilson, Grover Ingle, William H. Skinner, Jr., and Pamela Stant.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145<sup>th</sup> General Assembly of the State of Delaware, the Senate concurring therein, that we hereby honor the nominees for the 2009 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 11** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker brought **SB 63**, jointly sponsored by Senator Bunting, before the House for consideration.

**SB 63** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF FENWICK ISLAND, DELAWARE, CHAPTER 302, VOLUME 49, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF FENWICK ISLAND, DELAWARE", TO AMEND SECTION 33, AUTHORIZING THE BORROWING OF MONEY AND ISSUING OF BONDS. (2/3 bill)

Representative Hocker made comments.

The roll call on **SB 63** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 63** was returned to the Senate.

Representatives Plant & Schooley requested that they be marked present during the roll call.

Representative Oberle made an announcement.

Representative Schwartzkopf deferred to Representative Blakey.

Representative Blakey brought **SB 53**, jointly sponsored by Senator Bushweller, before the House for consideration.

**SB 53 - AN ACT TO AMEND THE MUNICIPAL CHARTER OF THE TOWN OF WYOMING (43 DEL. LAWS 189) TO DESIGNATE THE FISCAL YEAR FOR THE TOWN AS JULY 1 THROUGH JUNE 30. (2/3 bill)**

Representative Blakey made comments.

The roll call on **SB 53** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 53** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Viola.

Representative Viola brought **SB 30 w/SA 1**, jointly sponsored by Senator Ennis & Senator Adams & Senators Hall-Long, Bushweller & Venables & Representatives Bennett, Carson, Hudson, Outten, Mitchell, J. Johnson, Q. Johnson, Atkins, Keeley & cosponsored by Representative Scott, before the House for consideration.

**SB 30 - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO NO LIMIT TEXAS HOLD'EM POKER.**

Representative Viola made comments.

The roll call on **SB 30 w/SA 1** was taken and revealed:

YES: 38.

NOT VOTING: Representatives Jaques, Oberle, Ramone - 3.

Therefore, having received a constitutional majority, **SB 30 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Viola.

Representative Viola brought **SB 31 w/SA 1 & 2**, jointly sponsored by Senator Ennis & Senator Adams & Senators Hall-Long, Bushweller & Venables & Representatives Barbieri, Bennett, Carson, Hudson, Lavelle, Mitchell, Oberle, Walls, J. Johnson, Q. Johnson, Atkins & Keeley, before the House for consideration.

**SB 31 - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO NONPROFIT CHARITABLE GAMING.**

Representative Viola made comments.

The roll call on **SB 31 w/SA 1 & 2** was taken and revealed:

YES: 39.

NOT VOTING: Representatives Jaques, Ramone - 2.

Therefore, having received a constitutional majority, **SB 31 w/SA 1 & 2** 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 4**. The motion was seconded by Representative Brady and adopted by voice vote.

Representative J. Johnson brought **SB 4**, jointly sponsored by Senator Peterson & Senator Blevins & Representative Keeley & Representative Kowalko & Senators Ennis, Henry & Sorenson & Representatives Hudson, Jaques, Oberle & Ramone & cosponsored by Representative Outten, before the House for consideration.

**SB 4 – AN ACT TO NAME THE WORSHIP CENTER/MULTI-PURPOSE BUILDING AT BAYLOR WOMEN’S CORRECTIONAL INSTITUTION IN HONOR OF FAY AND NORMAN WHITTLE.**

Representative J. Johnson made comments.

The roll call on **SB 4** was taken and revealed:

YES: 41.

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

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

Representative Schwartzkopf deferred to Representative Gilligan.

Representative Gilligan brought **HB 126**, jointly sponsored by Representative M. Marshall & Senator Blevins & Representatives Bennett, Carson, Hocker, Hudson, Jaques, Keeley, Kovach, Lavelle, Schooley & Scott & Senators Bunting, Bushweller, Katz & Sokola & cosponsored by Representative Scott, before the House for consideration.

**HB 126 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PENSIONS FOR MEMBERS OF THE STATE JUDICIARY.**

Representatives Gilligan & Kovach made comments.

The roll call on **HB 126** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 126** was sent to the Senate for concurrence. Representative Schwartzkopf deferred to Representative Gilligan.

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

Representative Gilligan introduced and brought **HJR 3**, jointly sponsored by Senator Adams & All Representatives & All Senators, before the House for consideration.

**HJR 3** - DEDICATING AND ALLOWING AN AREA ON THE SOUTH SIDE OF THE LEGISLATIVE MALL TO BE USED FOR THE PLACEMENT OF A DELAWARE LAW ENFORCEMENT MEMORIAL.

Representatives Gilligan, Keeley, Mitchell & Mr. Acting Speaker made comments.

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

YES: 41.

Therefore, having received a constitutional majority, **HJR 3** was sent to the Senate for concurrence. Speaker Gilligan resumed the Chair.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley made an announcement.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 135**, jointly sponsored by Senator Hall-Long & Representatives Barbieri, Bennett, Jaques, Scott, D.E. Williams, Kovach, Ramone, Wilson, Brady, J. Johnson, Keeley, Kowalko, Longhurst, M. Marshall, Mulrooney, Oberle, Schooley, B. Short & Walls & Senator Henry & cosponsored by Representatives Gilligan & Schwartzkopf, before the House for consideration.

**HB 135** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATED TO THE ISSUANCE OF A LIMITED LICENSE FOR A DIRECTOR OR CHAIRPERSON OF A DENTAL OR ORAL AND MAXILLOFACIAL SURGERY RESIDENCY PROGRAM.

Mr. Speaker Gilligan introduced a guest. Representative Booth rose on a point of order.

Representative Q. Johnson made a comment. Mr. Speaker concurred. Representatives Lavelle & Oberle made comments. Representative Q. Johnson introduced and brought **HA 1 to HB 135** before the House for consideration. Representative Q. Johnson made a comment. **HA 1** was adopted by voice vote.

Representatives Q. Johnson, Lavelle, Booth, Kovach & Q. Johnson made comments.

The roll call on **HB 135 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 135 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **SB 34**, jointly sponsored by Senator Blevins & Senator Cloutier & Senators Bushweller, Ennis, Hall-Long, Sokola & Sorenson & Representatives Barbieri, Bennett, Gilligan, Hocker, Hudson, Keeley, Lavelle, Mitchell, Oberle & Schooley, before the House for consideration.

**SB 34** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO TERMINATION AND TRANSFER OF PARENTAL RIGHTS IN ADOPTION PROCEEDINGS.

Representative M. Marshall made comments.

The roll call on **SB 34** was taken and revealed:

YES: 40.

ABSENT: Representative D. Short - 1.

Therefore, having received a constitutional majority, **SB 34** was returned to the Senate.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **SB 43**, jointly sponsored by Senator DeLuca, before the House for consideration.

**SB 43** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE.

Representative M. Marshall made comments.

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

YES: 40.

ABSENT: Representative D. Short - 1.

Therefore, having received a constitutional majority, **SB 43** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 136**, jointly sponsored by Senator Bushweller & Representatives Atkins, Carson, Hocker, Hudson, Jaques, Q. Johnson, Kovach, Lavelle, Lee, Longhurst, Mitchell, Mulrooney, Ramone, Schwartzkopf, Scott, D. Short, Walls, D.E. Williams, D.P. Williams & Wilson & Senators Bonini, Bunting, Cloutier, Ennis, Hall-Long, Henry & Simpson, before the House for consideration.

**HB 136 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEX OFFENDERS AND SEXUAL OFFENSES. (F/N)**

Representatives Bennett & Lavelle made comments.

The roll call on **HB 136** was taken and revealed:

YES: 40.

ABSENT: Representative D. Short - 1.

Therefore, having received a constitutional majority, **HB 136** 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 **HB 61 w/HA 1 & HB 68** and is returning the same to the House.

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

AGRICULTURE: **HB 99** – 6M.

Representatives Booth & M. Marshall made announcements.

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 May 5, 2009.

The Reading Clerk read the following communication into the record:

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Rep. Atkins, do hereby request that my name be removed as co-sponsor of **HB 129**.

Date: 4-28-09

Signed: John C. Atkins

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 - 145th GENERAL ASSEMBLY – First Session  
May 5, 2009**

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 140 - B. SHORT & REPRESENTATIVE D. SHORT & SENATOR SOKOLA; REPRESENTATIVES HUDSON, KOWALKO, M. MARSHALL, MITCHELL, OBERLE; SENATORS BLEVINS, ENNIS, VENABLES - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to the Cancellation or Nonrenewal of an Automobile Insurance Policy.**

**HB 141 – LAVELLE & REPRESENTATIVE HUDSON & SENATOR VENABLES - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Prevailing Wage Requirements.**

**HB 142 - M. MARSHALL & SENATOR DELUCA; REPRESENTATIVES CARSON, J. JOHNSON, KOVACH, LEE, MITCHELL, PLANT, D.P. WILLIAMS, WILSON - 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.**

**HA 1 to HB 9 - HUDSON - Placed with the Bill.**

**HA 1 to HB 92 - HUDSON - Placed with the Bill.**

**HA 3 to HS 1 for HB 100 - VIOLA - Placed with the Bill.**

**HR 19 – HUDSON & REPRESENTATIVE CATHCART & REPRESENTATIVE D. SHORT & REPRESENTATIVE HOCKER & REPRESENTATIVE LAVELLE & REPRESENTATIVE RAMONE - HOUSE ADMINISTRATION - Urging Congress to Defeat the Employee Free Choice Act.**

Representative Schooley requested and was granted personal privilege of the floor to introduce guests.

Representative Viola requested that he be marked present.

Representative Brady requested and was granted personal privilege of the floor to introduce guests.

Representative D. Short requested that he be marked present.

The Reading Clerk read the following communication into the record:

**MEMORANDUM**

To: The Honorable Robert Gilligan, Speaker of the House

From: Nick Manolakos, Representative 20<sup>th</sup> District

RE: Absence Request

Date: May 5, 2009

I want to submit an absence request for the legislative sessions on May 6<sup>th</sup> and May 7<sup>th</sup>. I am attending a meeting in Washington D.C. over the next few days representing Delaware as a National Board member of the National Association of Secondary School Principals. My attendance is required to hold this position for our state, and I am sorry that this event conflicts with our sessions.

I appreciate your support and understanding with the absence request. It is my goal to attain the highest rate of attendance for my District in the Legislature as possible. I do not anticipate conflicts of this nature occurring on any regular basis in the future. In the case that they do, I will try to give you more advance notice.

I shall be returning on Sunday, May 9<sup>th</sup>. Please feel free to contact me at any time should the need arise. My cell phone number is as stated here in this letter.

Representatives Mitchell, M. Marshall & Mr. Speaker Gilligan made announcements.

Representative Schwartzkopf introduced and brought **HCR 12**, sponsored on behalf of All Representatives and jointly sponsored by Senator DeLuca on behalf of All Senators, before the House for consideration.

**HCR 12 - COMMENDING THE WORK OF THE DEL-MAR-VA COUNCIL, BOY SCOUTS OF AMERICA IN SERVING THE YOUTH OF DELAWARE.**

Representative Schwartzkopf made comments. Representative Schwartzkopf requested and was granted privilege of the floor for Patrick Sterrett, Scout Executive, Boy Scouts of America. Mr. Sterrett introduced Eagle Scout Andrew Bell who addressed the House. Representative Schwartzkopf made comments. Representative Kovach requested and was granted personal privilege of the floor to make comments.

**HCR 12** was adopted by voice vote and was sent to the Senate for concurrence.

The Boy Scouts who were present announced their names & hometowns for the record.

The Majority Leader moved to recess for caucus at 2:25 p.m.

The House reconvened at 5:26 p.m.

Representative Schwartzkopf brought **HS 1 for HB 100**, jointly sponsored by Representative Longhurst & Senator DeLuca & Representatives Barbieri, Gilligan, Hudson, Keeley, Lavelle, M. Marshall, Plant, Schooley, B. Short & Viola & Senators Henry, Katz & Sokola, before the House for consideration.

**HB 100 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE LOTTERY. (3/5 bill)**

Representative Plant requested that she be marked present.

Representative Schwartzkopf deferred to Representative Viola. Representative Viola brought **HA 1 to HS 1 for HB 100** before the House for consideration. Representative Viola requested that **HA 1** be stricken. Representative Viola brought **HA 2 to HS 1 for HB 100** before the House for consideration. Representative Oberle announced that he would not be participating in the debate nor voting on **HS 1 for HB 100** because of a possible conflict of interest. Representative D.P. Williams requested that he be marked present. Representatives Viola & Schwartzkopf made comments. **HA 2** was adopted by voice vote. Representative Viola brought **HA 3 to HS 1 for HB 100** before the House for consideration. Representatives Viola, Cathcart & Lavelle made comments. Representative Viola requested and was granted personal privilege of the floor for James Nutter, House Attorney. Representatives Lavelle, Cathcart, Viola, Booth, Ramone, Lavelle & Hudson made comments.

Mr. Speaker Gilligan granted privilege of the floor to Tom Cook, Deputy Secretary of Finance. Representatives Hudson & Cathcart made comments. **HA 3** was adopted by voice vote. Representative Oberle requested that he be marked present. Representative Oberle announced that he would not be participating in the debate nor voting on **HS 1 for HB 100** because of a possible conflict of interest. Representative Schwartzkopf introduced and brought **HA 4 to HS 1 for HB 100** before the House for consideration. Representatives Schwartzkopf & Kovach made comments. **HA 4** was adopted by voice vote. Representative Cathcart introduced and brought **HA 5 to HS 1 for HB 100** before the House for consideration. Representative Cathcart made comments. **HA 5** was adopted by voice vote. Representative Kovach introduced and brought **HA 6 to HS 1 for HB 100** before the House for consideration. Representative Kovach introduced and brought **HA 1 to HA 6 to HS 1 for HB 100** before the House for consideration. **HA 1 to HA 6** was adopted by voice vote. Representatives Kovach & Schwartzkopf made comments.

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

YES: Representatives Blakey, Booth, Carey, Cathcart, Hocker, Hudson, Keeley, Kovach, Kowalko, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, D. Short, Thornburg, Wilson - 18.

NO: 21.

NOT VOTING: Representatives Bennett, Oberle - 2.

Therefore, not having received a constitutional majority, **HA 6 w/HA 1** was declared defeated.

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

Mr. Speaker Gilligan ruled that twenty-one votes are required to adopt an amendment.

Representative Kovach introduced and brought **HA 7 to HS 1 for HB 100**, jointly sponsored by Representative Lavelle, before the House for consideration. Representatives Kovach & Schwartzkopf made comments. **HA 7** was defeated by voice vote. Representatives Schwartzkopf, Cathcart, Schwartzkopf, Cathcart, Hudson, Kowalko, Kovach & Cathcart made comments. Representative Kovach requested and was granted privilege of the floor for Michael Barlow, Counsel to the Governor. Representatives Kovach, M. Marshall, D. Short, Miro, Kovach, Ramone, J. Johnson, Booth & Thornburg made comments.

Representative D. Short requested and was granted privilege of the floor for Patti Key, Chief Executive Officer of Harrington Raceway. Representatives D. Short, Cathcart, Schwartzkopf, Ramone & D. Short made comments. Representative Schwartzkopf requested and was granted privilege of the floor for Thomas Cook, Deputy Secretary of Finance. Representatives Schwartzkopf, Cathcart, Ramone, Kovach, Booth, Cathcart, Viola, Schwartzkopf, Kovach, Cathcart, Schwartzkopf, Kowalko & Cathcart made comments.

The roll call on **HS 1 for HB 100 w/HA 2, 3, 4 & 5** was taken and revealed:

YES: 23.

NO: Representatives Blakey, Booth, Carey, Carson, Cathcart, Hocker, Kovach, Lee, Manolakos, Outten, Ramone, D. Short, Thornburg, Walls & Wilson - 15.

NOT VOTING: Representatives Bennett, Jaques & Oberle - 3.

Therefore, not having received a constitutional majority of at least three-fifths Members of the House, **HS 1 for HB 100 w/HA 2, 3, 4 & 5** was declared defeated.

The Majority Leader moved to recess to the call of the Chair at 8:09 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 6, 2009.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 54 w/HA 1** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 51 w/HA 1 & 2, HB 71 w/HA 1, HCR 12 and HJR 3** 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 – 145th GENERAL ASSEMBLY – First Session May 6, 2009**

The Chief Clerk called the roll.

Members Present: 38.

Members Absent: Representatives Kovach, Manolakos & D.P. Williams - 3.

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

Mr. Speaker Gilligan and preschool students from the Early Childhood Laboratory School at Delaware State University led those present in the pledge of allegiance to the American Flag. The students performed a song for the House.

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

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

The following prefiled legislation was introduced:

**HS 1 for HB 70** – OBERLE & SENATOR MCBRIDE; REPRESENTATIVES KOVACH, REPRESENTATIVE KOWALKO; SENATOR MCDOWELL - ENERGY - An Act to Amend Title 29 of the Delaware Code Relating to Wind Energy Systems.

**HS 1 for HB 127** – WALLS & REPRESENTATIVE BOOTH & REPRESENTATIVE CARSON & REPRESENTATIVE LONGHURST & SENATOR ADAMS; REPRESENTATIVES CAREY, LEE, THORNBURG, WILSON; SENATOR. SIMPSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Size and Weight of Vehicles.

**HB 143** - BRADY; REPRESENTATIVES ATKINS, BENNETT, KEELEY, B. SHORT; SENATOR HALL-LONG - JUDICIARY - An Act to Amend Title 29 of the Delaware Code Relating to the Assessment of an Administrative Fee.

**HB 144** - BRADY; REPRESENTATIVES ATKINS, BENNETT; SENATORS ENNIS, HALL-LONG - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to State Procurement and the Assessment of an Administrative Fee. (3/5 bill)

**HB 145** – BOOTH & SENATOR VENABLES; REPRESENTATIVES D. SHORT, HOCKER, HUDSON, LAVELLE; SENATOR BUNTING - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Prevailing Wage Requirements.

**HA 1 to HB 120** - SCHOOLEY - Placed with the Bill.

**SB 54 w/SA 1** - BUNTING; REPRESENTATIVE ATKINS - HOUSE ADMINISTRATION - An Act to Amend Chapter 138, Volume 68, Laws of Delaware, as Amended, Entitled "An Act to Incorporate the Town of Dagsboro", Related to Nominations for Town Council Elections. (2/3 bill)

Representative Brady requested and was granted personal privilege of the floor to introduce a guest. Representative Schwartzkopf made comments. Representative Cathcart requested and was granted personal privilege of the floor to make comments. Representative Schwartzkopf made comments. Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell made an announcement. Representative M. Marshall requested that she be marked present.

The Reading Clerk read the following communication into the record:

#### HOUSE TRIBUTE ANNOUNCEMENT #18

DATE: May 6, 2009

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                                                                         |
|----------|--------------------|-----------|------|-------------------------------------------------------------------------------------|
| H145-361 | Kovach             | 4/25/2009 | T    | Brandywine Hundred Fire Co. - 85th Anniversary                                      |
| H145-362 | Kovach             | 4/25/2009 | T    | Walter Hurst/55 Years/Brandywine Hundred Fire Co.                                   |
| H145-363 | Carson             | 4/29/2009 | T    | Otis Henry - Retire - Child Mental Health Services                                  |
| H145-364 | Carson             | 4/29/2009 | T    | Vincetta Jones - Retire - Child Mental Health Services                              |
| H145-365 | Blakey             | 4/13/2009 | M    | Sandra E. Peterman<br>cosponsors: Reps. Carey, Walls, Outten, Thornburg & Wilson    |
| H145-366 | Blakey             | 4/13/2009 | M    | Madison Scot Peterman<br>cosponsors: Reps. Carey, Walls, Outten, Thornburg & Wilson |
| H145-367 | Outten             | 4/18/2009 | T    | Harrington Century Club - 100th Anniversary                                         |
| H145-368 | Walls              | 4/13/2009 | M    | Hannah Morgan Davies<br>cosponsors: Reps. Carey & Wilson                            |
| H145-369 | Bennett<br>& Scott | 4/15/2009 | M    | Lt. Col. Robert L. Sisson - USAF Retired<br>cosponsors: All Representatives         |
| H145-370 | Hudson             | 4/14/2009 | M    | R. Wayne Ashbee                                                                     |
| H145-371 | Scott              | 4/18/2009 | T    | Alpha Kappa Alpha Sorority - 23rd Debutante Cotillion                               |
| H145-372 | Atkins             | 4/20/2009 | T    | Alethea Short/Board/Millsboro Housing for Progress                                  |
| H145-373 | Atkins             | 4/20/2009 | T    | Albert Clark/Board/Millsboro Housing for Progress                                   |
| H145-374 | Booth              | 4/20/2009 | T    | Ervin Williams/Board/Millsboro Housing for Progress                                 |
| H145-375 | Walls              | 4/17/2009 | M    | Richard L. McKenzie                                                                 |
| H145-376 | Blakey             | 5/28/2009 | T    | Lisa Lewis/Retire/Dept. of Technology and Information                               |
| H145-377 | Blakey             | 4/30/2009 | T    | Gerald William Mayan - Distinguished Alumni Award                                   |
| H145-378 | Brady              | 4/18/2009 | M    | Jane Rose Tussey                                                                    |
| H145-379 | Kowalko            | 4/17/2009 | T    | C. Bernard McCartan                                                                 |
| H145-380 | Lee                | 4/25/2009 | T    | Laurel Little League - 50th Anniversary                                             |
| H145-381 | Carson             | 4/25/2009 | T    | Holly's Club - 25th Anniversary<br>cosponsors: Reps. Thornburg & Q. Johnson         |

T- Tribute

M - Memoriam

Representative Schwartzkopf brought the following prefiled **Consent Calendar #7** before the House for consideration.

**HR 20 – SCHWARTZKOPF & REPRESENTATIVE GILLIGAN & REPRESENTATIVE CATHCART & REPRESENTATIVE D. SHORT** – Requesting Each Delaware High School to Provide the House of Representatives with the Names and Addresses of Its Graduating Seniors.

**HCR 13 – HUDSON; SENATOR SOKOLA** – Commending the Efforts of Delaware’s Charter Schools in Educating Delaware Students.

**HCR 15 – Q. JOHNSON ON BEHALF OF ALL REPRESENTATIVES & SENATOR HALL-LONG ON BEHALF OF ALL SENATORS** – Proclaiming May 6, 2009, “Early Child Care and Education Professionals Appreciation Day”.

**Consent Calendar # 7** was adopted by voice vote and **HR 20** was declared passed and **HCR 13 & HCR 15** were sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson made comments regarding **HCR 15** and introduced guests.

Representative Brady requested and was granted personal privilege of the floor to make comments. Mr. Speaker Gilligan made a comment. Representative Schwartzkopf deferred to Representative Scott. Representative Scott requested and was granted personal privilege of the floor to introduce foreign exchange students from American Field Service who attended high schools in Delaware during the 2008-2009 school year. The students announced their names, grades, schools attended & countries for the record. Representative M. Marshall made comments. Representatives Hudson & Blakey requested that they be marked present.

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

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following members were marked present by the Chief Clerk after the House recessed at 2:30 p.m.: Representatives Carey, Keeley, Mulrooney, Oberle & Schooley.

Mr. Speaker Gilligan called the House to order at 2:03 p.m. on May 7, 2009.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 14, SCR 15 & SCR 16** and requests the concurrence of the House and the Senate has passed **HCR 11, HCR 13 & HCR 15** and is returning the same to the House.

Representatives D.P. Williams & Kovach 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 28** – 7M; **HS 1 for HB 127** – 1F, 5M.  
ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HB 85** – 3F, 4M; **HB 137** – 2F, 5M; **HB 140** – 3F, 4M.  
HOUSE ADMINISTRATION: **HB 55** – 4M.  
HOUSING & COMMUNITY AFFAIRS: **HB 131** – 5F, 1M.  
NATURAL RESOURCES: **HCR 7** – 2F, 6M.  
Representative Schwartzkopf deferred to Representative Keeley.  
Representative Keeley made an announcement.  
Mr. Speaker Gilligan & Representatives Mulrooney & Keeley made comments.  
The Majority Leader moved to adjourn at 2:08 p.m., thereby ending the current legislative day. The House reconvened at 2:09 p.m.

**26th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session  
May 7, 2009**

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Lavelle & Manolakos - 2.

A prayer was offered by Representative Clifford G. Lee, Fortieth Representative District.

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

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

The following prefiled legislation was introduced:

**HB 146** - M. MARSHALL & SENATOR BLEVINS; REPRESENTATIVES BARBIERI, BENNETT, BOOTH, BRADY, CAREY, CARSON, HOCKER, HUDSON, JAQUES, KEELEY, KOVACH, KOWALKO, LEE, LONGHURST, MANOLAKOS, MIRO, MITCHELL, OBERLE, OUTTEN, RAMONE, SCHOOLEY, SCHWARTZKOPF, SCOTT, B. SHORT, D. SHORT, THORNBURG, WALLS, D.E. WILLIAMS, D.P. WILLIAMS, WILSON; SENATOR HALL-LONG - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Domestic Violence.

**HB 147** - M. MARSHALL & SENATOR BLEVINS; REPRESENTATIVES BENNETT, JAQUES, KEELEY, KOWALKO, LEE, OUTTEN, PLANT, SCHOOLEY, WILSON; SENATORS HALL-LONG, BONINI - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Courts and Judicial Procedure.

**HA 2 to HB 117** - LAVELLE - Placed with the Bill.

**HA 3 to HB 117** - BOOTH - Placed with the Bill.

**HA 1 to HB 128** - J. JOHNSON - Placed with the Bill.

**SB 39** – MCBRIDE & REPRESENTATIVE KOWALKO; SENATOR SOKOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Delaware Professional Engineers Act.

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

JUDICIARY: **SB 55** – 5M; **HB 120** – 5M; **HB 133** – 5M.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 39** and requests the concurrence of the House.

Mr. Speaker Gilligan made an announcement regarding **HB 1**.

Representative Schwartzkopf introduced and brought **HCR 17**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short on behalf of All Representatives and Senator Adams & Senator DeLuca & Senator Blevins & Senator Simpson & Senator Sorenson on behalf of All Senators, before the House for consideration.

**HCR 17** - 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 Schwartzkopf requested and was granted privilege of the floor for Frank Ingram, Education Specialist, Student Activities, Department of Education. Samantha Burton, President, Future Farmers of America; Brian Kelleher, President, Business Professionals of America; Jessica Rudolph, President, Distributive Education Clubs of America, an Association of Marketing Students; Kelly Haugh, Vice-President-Howard, SkillsUSA and Pratyusha Gupta, President, Technology Student Association addressed the House. Representatives Schwartzkopf & Oberle made comments.

**HCR 17** was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Speaker Gilligan made comments. Representatives Mitchell & Carson requested that they be marked present. Representative Keeley made comments. Representatives Carey requested privilege of the floor for himself & Representative Walls to make comments & introduce guests from Milford Senior Center.

Representative Schwartzkopf deferred to Representative Blakey.

Representative Blakey introduced and brought **HCR 16**, jointly sponsored by Senator Bushweller & Representatives Bennett & Scott & Senator Bonini, before the House for consideration.

**HCR 16 – DESIGNATING THE MONTH OF MAY 2009 AS “OLDER AMERICANS MONTH”.**

WHEREAS, Delaware is a state in which 210,000 citizens age 55 and over make their home; and

WHEREAS, older adults in Delaware and throughout the nation are an increasing population with evolving needs; and

WHEREAS, older Delawareans are valuable members of our society who enhance our communities and personal lives; and

WHEREAS, the increasing number of baby boomers reaching traditional retirement age highlights the need for increased support of older adults; and

WHEREAS, our older citizens of today and tomorrow promise to be among the most active and involved older adult populations in our nation’s history; and

WHEREAS, it is the responsibility of Delaware and all communities in Delaware to work collaboratively to address older adults’ unique health and long-term-care challenges; and

WHEREAS, it is crucial that Delaware modernize its systems of care to help empower older Delaware Americans and give them more control over their own lives; and

WHEREAS, Delaware’s senior centers and senior service providers make it possible for citizens to age successfully, living well today to assure a better tomorrow; and

WHEREAS, Delaware can improve older citizens’ overall quality of life by helping them:

- make behavioral changes in their lifestyles that can reduce the risk of disease, disability, and injury;
- obtain the tools they need to make informed decisions about, and gain better access to, existing health and long-term-care options in their communities; and
- have more options to avoid placement in nursing homes and remain at home as long as possible;

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145<sup>th</sup> General Assembly of the State of Delaware, the Senate concurring therein, that May 2009 is designated as “Older Americans Month”.

BE IT FURTHER RESOLVED that everyone should take time during May 2009 to honor older adults and the professionals, family members, and citizens who care for them, and to improve the lives of our older citizens and help pave the way for future generations.

Representative Blakey made comments.

Representative Blakey requested and was granted privilege of the floor for Carolyn Fredricks, Executive Director, Dover Modern Maturity Center & Sue Getman, Executive Director, Wilmington Senior Center.

**HCR 16** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Mr. Speaker Gilligan. Mr. Speaker Gilligan presented a House Tribute to Bonnie Lane, 2009 National Health Teacher of the Year, who addressed the House. Representative B. Short requested that he be marked present. Representative Atkins requested and was granted privilege of the floor present a House Certificate to staff member Barbara Holton on the occasion of her birthday.

Representative Schwartzkopf deferred to Representative Booth.

Representative Booth requested that **HB 66** be stricken.

The Majority Leader moved to recess for caucus at 2:50 p.m.

The House reconvened at 12:08 a.m. on May 8, 2009.

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative Walls.

Representative Walls moved to restore **HS 1 for HB 100 w/HA 2, 3, 4 & 5** and to rescind the roll call. The motion was seconded by Representative J. Johnson and was adopted by voice vote.

Representative Schwartzkopf brought **HS 1 for HB 100 w/HA 2, 3, 4 & 5**, jointly sponsored by Representative Longhurst & Senator DeLuca & Representatives Barbieri, Gilligan, Hudson, Keeley, Lavelle, M. Marshall, Plant, Schooley, B. Short & Viola & Senators Henry, Katz & Sokola, before the House for consideration.

**HB 100 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE LOTTERY.** (3/5 bill)

Representatives Oberle, Thornburg & Bennett announced that they will not be participating in the debate nor voting on **HS 1 for HB 100 w/HA 2, 3, 4, & 5** because of possible conflicts of interest.

Representative Schwartzkopf introduced and brought **HA 8 to HS 1 for HB 100**, jointly sponsored by Representative Longhurst, before the House for consideration. Representative Schwartzkopf moved to place **HA 8** on the Speaker's Table. The motion was seconded by Representative D.P. Williams and adopted by voice vote. Representative Cathcart introduced and brought **HA 9 to HS 1 for HB 100**, jointly sponsored by Representative D. Short & Representative Kovach & Representative Blakey, before the House for consideration. Representative Cathcart moved to place **HA 9 to HS 1 for HB 100** on the Speaker's Table. The motion was seconded by Representative D. Short and adopted by voice vote. Representative Schwartzkopf introduced and brought **HA 10 to HS 1 for HB 100**, jointly sponsored by Representative

Gilligan & Representative Cathcart & Representative D. Short, before the House for consideration. Representatives Schwartzkopf, Cathcart & Kovach made comments. **HA 10** was adopted by voice vote.

The roll call on **HS 1 for HB 100 w/HA 2, 3, 4, 5 & 10** was taken and revealed:

YES: 30.

NO: Representatives Blakey, Booth, Hocker & Wilson - 4.

NOT VOTING: Representatives Bennett, Jaques, Oberle & Thornburg - 4.

ABSENT: Representatives Carey, Lavelle & Manolakos -3

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HS 1 for HB 100 w/HA 2, 3, 4, 5 & 10** was sent to the Senate for concurrence.

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

Representative Schwartzkopf made comments.

The Majority Leader moved to recess to the call of the Chair at 12:27 a.m.

Mr. Speaker Gilligan called the House to order at 2:05 p.m. on May 12, 2009.

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

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 78, SB 79, SB 99 & SCR 17** and requests the concurrence of the House and the Senate has passed **HCR 17** and is returning the same to the House.

May 7, 2009

Legislative Advisory #9

Governor Jack A. Markell signed the following legislation on the date indicated: 4/30/2009 – **HB 44 aab HA 1**; 5/5/2009 – **HJR 3**.

The Majority Leader moved to adjourn at 2:06 p.m., thereby ending the current legislative day. The House reconvened at 2:07 p.m.

### **27th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session**

**May 12, 2009**

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, accompanied by Pearce Quesenberry, 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 148** - MULROONEY & REPRESENTATIVE KEELEY & SENATOR DELUCA - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to Disposition of Stock of Insolvent, Deceased or Former Licensee.

**HB 149** - B. SHORT & SENATOR DELUCA; REPRESENTATIVES BENNETT, BRADY, HOCKER, HUDSON, KEELEY, LAVELLE, RAMONE, VIOLA; SENATORS ADAMS, BUNTING, BONINI, COOK, KATZ, SOKOLA - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 5 of the Delaware Code Relating to Compensation Received by Mortgage Loan Brokers and Licensed Lenders for Mortgage Loan Modification Services.

**HB 150** – MITCHELL & SENATOR BUSHWELLER - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 10 of the Delaware Code Relating to the Qualifications and Training of Constables.

**HB 151** - M. MARSHALL & SENATOR DELUCA; REPRESENTATIVES CARSON, HUDSON, WALLS, WILSON, J. JOHNSON, KOVACH; SENATORS ADAMS, SIMPSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Abolishing Jury Commissioners.

**HB 152** - B. SHORT & SENATOR BUSHWELLER; REPRESENTATIVES BENNETT, BRADY, CATHCART, HUDSON, Q. JOHNSON, KOVACH, KOWALKO, M. MARSHALL, MITCHELL, OBERLE, RAMONE, SCHOOLEY, D. SHORT, THORNBURG, WALLS, D.E. WILLIAMS; SENATOR CLOUTIER - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road.

**HB 153** – HUDSON & SENATOR SIMPSON - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Prevailing Wage Requirements.

**HB 154** - Q. JOHNSON; REPRESENTATIVES BENNETT, KEELEY, CARSON; SENATOR HALL-LONG - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Marriage.

**HB 157** – LONGHURST & SENATOR CONNOR; REPRESENTATIVES BARBIERI, J. JOHNSON, MULROONEY; SENATOR HENRY - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Family and Medical Leave Act.

**HA 1 to HB 85** - D. SHORT - Placed with the Bill.

**SB 78 – KATZ & REPRESENTATIVE CARSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Marriage.**

**SB 79 – KATZ & REPRESENTATIVE BENNETT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Marriage.**

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott requested and was granted privilege of the floor to present a House Tribute to Delaware Technical & Community College's Men's Lacrosse Team on the occasion of their Regional Championship. Representative Scott introduced Coach John Coveleski who addressed the House. Representative Lee made comments. The players announced their names, high schools attended and majors for the record.

Representative Schwartzkopf deferred to Mr. Speaker Gilligan.

Mr. Speaker Gilligan presented a House Tribute to Elizabeth Pearce Quesenberry, a cancer survivor and Founder of the Pearce Q Foundation, Inc., who addressed the House. Representative M. Marshall made a comment.

Representative Schwartzkopf deferred to Representative Blakey.

Representative Hudson requested that she be marked present.

Representative Blakey introduced and brought **HR 21**, sponsored on behalf of all Representatives, before the House for consideration.

**HR 21 - A RESOLUTION CELEBRATING ARMED FORCES DAY AND HONORING THE 4TH UNITED STATES COLORED INFANTRY REGIMENT.**

WHEREAS, in the United States, Armed Forces Day is celebrated on the third Saturday in May; and

WHEREAS, the day, created in 1949, was a result of the consolidation of the military services in the Department of Defense to replace the separate Army, Navy, Air Force, Marine Corps, and Coast Guard Days; and

WHEREAS, the purpose of Armed Forces day is to recognize, venerate and honor Americans serving in those five services, and;

WHEREAS, at the beginning of the Civil War, African Americans rushed to join the Union army, but were turned away, but with the announcement of the Emancipation Proclamation on January 1, 1863, Union recruitment of African American men became legal; and

WHEREAS, the 4<sup>th</sup> U.S. Colored Infantry were a unit of the United States Colored Troops, an African American unit of the Union Army during the American Civil War; organized at Baltimore, Maryland from July 15 to September 1, 1863; and

WHEREAS, the 4<sup>th</sup> U.S. Colored Infantry fought in many campaigns and battles, out of which three men of the regiment receive the Medal of Honor for their actions at Chaffin's Farm; and

WHEREAS, after being in existence for about three years, the 4<sup>th</sup> was mustered out on May 4, 1866, having lost a total of 292 men during their service; and

WHEREAS, the graves of two soldiers who served in the 4<sup>th</sup> U.S. Colored Infantry, Company E, were recently discovered in the Zion A.M.E. Church in Camden; and

WHEREAS, this Armed Forces Day, the Zion A.M.E. Church in Camden will be hosting a combined ceremony honoring these soldiers and all of Delaware's military personnel with a service called "A Tribute to Forgotten Heroes",

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145<sup>th</sup> General Assembly of the State of Delaware that we hereby recognize, honor and salute all Delaware military personnel and the 4<sup>th</sup> U.S. Colored Infantry.

BE IT FURTHER RESOLVED, that a suitably prepared copy of this Resolution be presented to the Zion A.M.E. Church, Camden, Delaware.

Representative Blakey requested and was granted privilege of the floor for Hans Reigle who was instrumental in organizing "A Tribute to Forgotten Heroes".

Representative Blakey made comments.

**HR 21** was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Atkins. Representative Atkins made comments & introduced guests. Representative Atkins requested and was granted privilege of the floor for Nancy E. Lynch, author of "The Vietnam Mailbag". Representative Cathcart & Mr. Speaker Gilligan made comments. Representative Atkins made an announcement. Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley introduced guests.

The Majority Leader moved to recess for caucus at 2:43 p.m.

The House reconvened at 4:40 p.m.

The Reading Clerk read the following communication into the record:

May 12, 2009

Legislative Advisory #10

Governor Jack A. Markell signed the following legislation on the date indicated: 5/7/09 – **SB 53**; 5/12/09 – **HB 61 aab HA 1; HB 68**.

Representatives Mulrooney, Miro, Viola & Keeley requested that they be marked present.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with introduction of and action on **SB 99**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Keeley introduced and brought **SB 99**, jointly sponsored by Senator Venables & Representative Keeley & Senators Blevins, Cook, McDowell, Simpson & Sorenson & Representatives Mulrooney, Schooley, Viola, Carey & Oberle, before the House for consideration.

**SB 99 – AN ACT AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND; REVERTING CERTAIN FUNDS OF THE STATE AND AMENDING THE LAWS OF DELAWARE.** (3/4 bill)

Representatives Keeley & Lavelle made comments.

The roll call on **SB 99** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SB 99** was returned to the Senate.

Representative D.P. Williams requested that he be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson requested that **HB 3** be returned to the Ready List.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **SB 32**, jointly sponsored by Senator Blevins & Senators Ennis, Henry, Peterson & Sorenson & Representatives Barbieri, Bennett, Carson, Gilligan, Hudson, Jaques, Q. Johnson, Keeley, Lavelle, Mitchell, Oberle, Schooley & D. Short, before the House for consideration.

**SB 32 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AGAINST CHILDREN.**

Representative M. Marshall made comments.

The roll call on **SB 32** was taken and revealed:

YES: 40.

ABSENT: Representative Barbieri - 1.

Therefore, having received a constitutional majority, **SB 32** was returned to the Senate.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **SB 33**, jointly sponsored by Senator Blevins & Senator Sorenson & Representative Hudson & Senators Bushweller, Bunting, Ennis, Henry, Katz, McDowell, Peterson & Sokola & Representatives Barbieri, Cathcart, Gilligan, Jaques, Q. Johnson, Keeley, Kovach, Mitchell, Oberle, Ramone, Schooley & Walls, before the House for consideration.

**SB 33 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.**

Representative M. Marshall made comments.

The roll call on **SB 33** was taken and revealed:

YES: 40.

ABSENT: Representative Barbieri - 1.

Therefore, having received a constitutional majority, **SB 33** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 111**, jointly sponsored by Senator Bushweller & Representatives Keeley, Plant & B. Short & Senators Blevins & Ennis and cosponsored by Senator Cloutier, before the House for consideration.

**HB 111 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE IGNITION INTERLOCK DEVICE (IID) PROGRAM.**

Representative Mitchell introduced and brought **HA 1 to HB 111** before the House for consideration. Representative Mitchell made comments. **HA 1** was adopted by voice vote. Representative Mitchell made comments.

The roll call on **HB 111 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Barbieri - 1.

Therefore, having received a constitutional majority, **HB 111 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **HB 118**, jointly sponsored by Representative Keeley & Senators Ennis & Hall-Long and cosponsored by Representatives Bennett, B. Short & D.E. Williams, before the House for consideration.

**HB 118 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE.**

Representative Carson introduced and brought **HA 1 to HB 118** before the House for consideration. Representative Carson made comments. **HA 1** was adopted by voice vote. Representative Carson made comments.

The roll call on **HB 118 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Barbieri - 1.

Therefore, having received a constitutional majority, **HB 118 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **HB 116**, jointly sponsored by Senator Ennis, before the House for consideration.

**HB 116** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF SMYRNA, 74 DELAWARE LAWS CHAPTER 176, RELATING TO THE REPAYMENT TERM OF LOANS THE TOWN IS AUTHORIZED TO BORROW. (2/3 bill)

Representative Carson made comments.

The roll call on **HB 116** was taken and revealed:

YES: 40.

ABSENT: Representative Barbieri - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 116** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **HB 132**, jointly sponsored by Representative Jaques & Senator Blevins & Senator Hall-Long & Representatives Barbieri, Bennett, Hocker, Keeley, Lavelle, Lee, Plant, Ramone & Scott & Senator Ennis, before the House for consideration.

**HB 132** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ABSENTEE VOTING.

Representative Brady made comments.

The roll call on **HB 132** was taken and revealed:

YES: 40.

ABSENT: Representative Barbieri - 1.

Therefore, having received a constitutional majority, **HB 132** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Walls.

Representative Walls brought **HS 1 for HB 127**, jointly sponsored by Representatives Booth, Carson & Longhurst & Senator Adams & Representatives Carey, Lee, Thornburg & Wilson & Senator Simpson, before the House for consideration.

**HB 127** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SIZE AND WEIGHT OF VEHICLES.

Representatives Walls & Booth made comments.

The roll call on **HS 1 for HB 127** was taken and revealed:

YES: 40.

ABSENT: Representative Barbieri - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 127** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 140**, jointly sponsored by Representative D. Short & Senator Sokola & Representatives Hudson, Kowalko, M. Marshall, Mitchell & Oberle & Senators Blevins, Ennis & Venables, before the House for consideration.

**HB 140** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE CANCELLATION OR NONRENEWAL OF AN AUTOMOBILE INSURANCE POLICY.

Representative B. Short made comments.

The roll call on **HB 140** was taken and revealed:

YES: 40.

ABSENT: Representative Barbieri - 1.

Therefore, having received a constitutional majority, **HB 140** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Thornburg.

Representative Thornburg brought **SB 55**, jointly sponsored by Senator Cook & Senators Blevins & Marshall, before the House for consideration.

**SB 55** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO TERMINATION AND TRANSFER OF PARENTAL RIGHTS IN ADOPTION PROCEEDINGS.

Representative Thornburg made comments.

The roll call on **SB 55** was taken and revealed:

YES: 40.

ABSENT: Representative Barbieri - 1.

Therefore, having received a constitutional majority, **SB 55** was returned to the Senate.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **SB 25**, jointly sponsored by Senator DeLuca & Senators Blevins, Cloutier, Cook, Katz, McDowell & Sorenson & Representatives Bennett, Booth, Carey, Carson, Hudson, Q. Johnson, Kovach, Lavelle & D. Short, before the House for consideration.

**SB 25 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JUDICIAL BRANCH EMERGENCIES.**

Representative M. Marshall made comments.

The roll call on **SB 25** was taken and revealed:

YES: 40.

ABSENT: Representative Barbieri - 1.

Therefore, having received a constitutional majority, **SB 25** was returned to the Senate.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 26**, jointly sponsored by Senator DeLuca & Representative M. Marshall & Representative Bennett & Senators Bonini, Cook & Sokola & Representatives Brady, Hocker, Hudson, Keeley, Lavelle & Viola & cosponsored by Senator Katz & Representative Ramone, before the House for consideration.

**SB 26 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE.**

Representative B. Short made a comment.

The roll call on **SB 26** was taken and revealed:

YES: 40.

ABSENT: Representative Barbieri - 1.

Therefore, having received a constitutional majority, **SB 26** was returned to the Senate.

Mr. Speaker Gilligan made announcements.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 122**, jointly sponsored by Representatives Schwartzkopf & Kowalko & Senators Hall-Long & Henry, before the House for consideration.

**HB 122 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLE PLATES. (2/3 bill)**

Representative Jaques brought **HA 1 to HB 122** before the House for consideration. Representatives Cathcart & Jaques made comments. **HA 1** was adopted by voice vote. Representative Jaques made comments. Representative Booth introduced and brought **HA 2 to HB 122** before the House for consideration. Representatives Booth & Jaques made comments. **HA 2** was adopted by voice vote. Representatives Lavelle & Jaques made comments.

The roll call on **HB 122 w/HA 1 & 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Barbieri & Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 122 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Schwartzkopf made an announcement.

Representative Schwartzkopf deferred to Representative Miro.

Representative Miro brought **HB 40**, jointly sponsored by Senator Blevins & Representatives Kowalko, Lavelle & B. Short & Senators Peterson & Sorenson, before the House for consideration.

**HB 40 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.**

Representative Cathcart brought **HA 1 to HB 40** before the House for consideration. Representatives Cathcart & Kovach made comments. **HA 1** was adopted by voice vote. Representative Viola brought **HA 2 to HB 40** before the House for consideration. Representatives Viola, Lavelle, Kovach, J. Johnson, Manolakos & Viola made comments. **HA 2** was adopted by voice vote. Representative Miro brought **HA 3 to HB 40** before the House for consideration. Representative Miro introduced and brought **HA 1 to HA 3 to HB 40** before the House for consideration. Representatives Miro, Hudson, Jaques, Oberle & D. Short made comments. Representative Miro requested privilege of the floor for Ron Smith, House Attorney. Representatives D. Short, Schwartzkopf, M. Marshall, Lavelle & Miro made comments.

The roll call on **HA 1 to HA 3 to HB 40** was taken and revealed:

YES: Representatives Booth, Brady, Carson, Q. Johnson, Kowalko, M. Marshall, Miro, Mitchell, Scott & Viola - 10.

NO: Representatives Atkins, Jaques, J. Johnson, Lee, Mulrooney, Schwartzkopf, D.P. Williams & Mr. Speaker Gilligan – 8.

NOT VOTING: 21.

ABSENT: Representatives Barbieri & Plant - 2.

Therefore, not having received a constitutional majority, **HA 1 to HA 3 to HB 40** was declared defeated.

Representatives Jaques, Miro & Hudson made comments. Representative Hudson requested privilege of the floor for Jamie Nutter, House Attorney. Representatives Hudson, Miro, Oberle, Hudson & Miro made comments.

Mr. Speaker Gilligan declared a recess at 6:26 p.m.

The House reconvened at 6:27 p.m.

Representative Miro moved to place **HA 3** on the Speaker's Table. The motion was seconded by Representative Thornburg and adopted by voice vote.

Representative Miro introduced and brought **HA 4 to HB 40** before the House for consideration.

Representative Miro made comments.

Representative Miro moved to place **HA 4** on the Speaker's Table. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representative Miro moved to place **HB 40 w/HA 1 & 2** on the Speaker's Table. The motion was seconded by Representative D. Short and adopted by voice vote.

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 May 13, 2009.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 59 w/SA 3** and requests the concurrence of the House and the Senate has passed **HS 1 for HB 100 w/HA 1, 2, 3, 4, 5 & 10** and is returning the same to the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, George H. Bunting, Jr., do hereby request that my name be removed as co-sponsor of **HS 1 for HB 100**.

Date: 5/13/09

Signed: George H. Bunting, Jr.

Representative Barbieri requested that **HB 125** be stricken.

Representatives Brady & J. Johnson 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.

### **28th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY - First Session May 13, 2009**

The Chief Clerk called the roll.

Members Present: 35.

Members Absent: Representatives Cathcart, Hudson, Lavelle, Oberle, Viola & D.P. Williams - 6.

A prayer was offered by Representative Pamela J. Thornburg, 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 155 – LAVELLE & SENATOR SORENSON; REPRESENTATIVES D. SHORT, MANOLAKOS - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Pleadings and Practice.**

**HB 158 – BOOTH & SENATOR SIMPSON; REPRESENTATIVES HUDSON, OUTTEN, MIRO, RAMONE - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Forfeiture of State Employee Benefits upon Conviction.**

**HB 159 – BOOTH & SENATOR HALL-LONG; REPRESENTATIVES CARSON, MITCHELL, CATHCART, D. SHORT, CAREY, HOCKER, LAVELLE, OUTTEN, WILSON; SENATORS BUNTING, SIMPSON, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to Powers, Duties, and Functions of the Secretary of the Department of Health and Social Services.**

**HB 160 – MITCHELL & SENATOR BUSHWELLER; REPRESENTATIVES BENNETT, BOOTH, CARSON, J. JOHNSON, SCOTT, B. SHORT, D.P. WILLIAMS; SENATORS CONNOR, ENNIS, HENRY - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Drivers' Licenses and Identification Cards.**

**HB 161 – MITCHELL & SENATOR BUSHWELLER; REPRESENTATIVE BRADY; SENATOR HENRY - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Titles 2 and Title 21 of the Delaware Code Relating to Public Carriers.**

**HB 162 – MULROONEY & SENATOR DELUCA - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Vessel to Vessel Petroleum Transfers.**

**HB 163 – CATHCART & SENATOR HALL-LONG; REPRESENTATIVES J. JOHNSON, PLANT, BOOTH, MANOLAKOS, BENNETT, CAREY, JAQUES, KOWALKO, LEE, MITCHELL, RAMONE, D. SHORT, WALLS, WILSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Establishment of a Department of Health and Social Services Death Review Committee.**

**HA 1 to HB 37 - CATHCART - Placed with the Bill.**

**SB 59 w/SA 3 – MCDOWELL & REPRESENTATIVE KOWALKO; SENATORS KATZ, BUNTING, DELUCA, HALL-LONG, HENRY, SOKOLA, BLEVINS, SORENSON; REPRESENTATIVES GILLIGAN, J. JOHNSON, BRADY, MITCHELL, MULROONEY, PLANT,**



D.E. WILLIAMS, D.P. WILLIAMS - ENERGY - An Act to Amend Title 16 of the Delaware Code Relating to Energy Conservation.

Representative Schwartzkopf brought the following prefiled **Consent Calendar #8** before the House for consideration.

**HCR 10** - BOOTH & SENATOR BUNTING & REPRESENTATIVES CARSON, JAQUES, Q. JOHNSON, MULROONEY, D. SHORT, HUDSON, LAVELLE & RAMONE & SENATORS ENNIS, VENABLES, SIMPSON & CONNOR – Declaring May 14, 2009 as Direct Support Professionals Day in Delaware.

**HCR 18** - BRADY & JAQUES & SENATOR BUNTING & REPRESENTATIVES HUDSON, LAVELLE & MIRO & SENATORS CONNOR, KATZ, SIMPSON, SOKOLA & VENABLES – Establishing of the Delaware National Guard and Reservist Health Insurance Support Group.

**SCR 14** - BUSHWELLER & REPRESENTATIVES SCOTT, BENNETT & M. MARSHALL & SENATORS ENNIS, KATZ, MCDOWELL, PETERSON & SORENSON & REPRESENTATIVES CARSON, GILLIGAN, KEELEY, MITCHELL, D. SHORT & WILSON – Recognizing June 15 Through June 19, 2009 as Paralegal Week.

**SCR 15** - SENATOR HALL-LONG - Recognizing June 11, 2009 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** – SENATOR HENRY & REPRESENTATIVE KEELEY – Expressing the Sense of the Delaware General Assembly that Ensuring the Availability of Adequate Housing is an Essential Component of an Effective Strategy for the Prevention and Treatment of HIV and the Care of Individuals with HIV.

**Consent Calendar # 8** was adopted by voice vote and **HCR 10 & HCR 18** were sent to the Senate for concurrence and **SCR 14, SCR 15 & SCR 16** were returned to the Senate.

Representatives Scott, Miro & Schooley requested that they be marked present.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT # 19

DATE: May 13, 2009

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                                                                                                                 |
|----------|---------------|-----------|------|-----------------------------------------------------------------------------------------------------------------------------|
| H145-382 | D.P. Williams | 2/26/2009 | M    | Henry F. Smith                                                                                                              |
| H145-383 | Booth         | 4/25/2009 | T    | Georgetown Little League - 50th Anniversary<br>cosponsors: Reps. Atkins, Carey, Hocker, Lee, Schwartzkopf, D. Short, Wilson |
| H145-384 | Carson        | 4/20/2009 | T    | Amy C. Parsell - 40th Birthday                                                                                              |
| H145-385 | Booth         | 5/7/2009  | T    | Leonard Marsch - Water Operator of the Year<br>Schwartzkopf                                                                 |
| H145-386 | Booth         | 5/7/2009  | T    | Walter Baumer – Wastewater Operator of the Year<br>Schwartzkopf                                                             |
| H145-387 | Booth         | 5/7/2009  | T    | Hilary Moore - On-Site Professional of the Year<br>Walls                                                                    |
| H145-388 | Booth         | 5/7/2009  | T    | Gerald L. Esposito – Environmental Lifetime<br>Achievement Award<br>Walls                                                   |
| H145-389 | Booth         | 5/7/2009  | T    | The Wilkerson Family – Environmental Lifetime<br>Achievement Award<br>Carey, Walls                                          |
| H145-390 | Atkins        | 5/4/2009  | T    | NRG Energy– East Millsboro Mentoring Program                                                                                |
| H145-391 | Miro          | 6/10/2009 | T    | Jean An DiStefano - Retirement – Christina Schools                                                                          |
| H145-392 | Gilligan      | 5/7/2009  | T    | Bonnie Lane/National Health Care Pro of the Year                                                                            |
| H145-393 | Schwartzkopf  | 4/29/2009 | T    | Rehoboth Beach Main Street – Great American Award                                                                           |
| H145-394 | Walls         | 5/1/2009  | T    | Quality Deer Management Asso./ Delaware                                                                                     |
| H145-395 | Cathcart      | 5/4/2009  | T    | Diane Laird - Excellence & Commitment/State Service                                                                         |
| H145-396 | Scott         | 5/4/2009  | T    | Anne Lewis/Excellence & Commitment/State Service                                                                            |
| H145-397 | Gilligan      | 5/4/2009  | T    | Chris Denamur/Excellence & Commitment/State<br>Service                                                                      |
| H145-398 | Jaques        | 5/4/2009  | T    | Harry Street/Excellence & Commitment/State Service                                                                          |
| H145-399 | Jaques        | 5/4/2009  | T    | William Skinner, Jr. - Excellence & Commitment in<br>State Service                                                          |
| H145-400 | Mulrooney     | 5/4/2009  | T    | Pamela Stant/Excellence & Commitment/State Service                                                                          |
| H145-401 | Carey         | 5/8/2009  | T    | Delmarva Ladies' Auxiliary - 75th Anniversary                                                                               |
| H145-402 | Miro          | 4/30/2009 | T    | Juliet Bottorff - Top Performer - Track and Field<br>Ramone                                                                 |

T- Tribute  
M - Memoriam

Representative D.E. Williams requested and was granted privilege of the floor to make comments and to introduce officers in the Civil Air Patrol. Civil Air Patrol Cadets announced their names, ranks and squadrons for the record. Representatives Kovach & Longhurst requested that they be marked present. Representative Schwartzkopf deferred to Representative M. Marshall. Representative M. Marshall requested and was granted personal privilege of the floor to introduce guests & to make comments. Representatives Atkins & Hocker made comments. The House observed a moment of silence in memory of The Honorable Maurice A. Hartnett, III, at the request of Representative M. Marshall. Representative J. Johnson made an announcement. Representative Walls made comments.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:23 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 2:23 p.m.: Representative Mulrooney.

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on May 14, 2009.

Representatives Hudson, Lavelle & D.P. Williams requested that they be marked present for the current Legislative Day.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 103** & **SB 38** and requests the concurrence of the House. The Senate has passed **HCR 10**, **HCR 16** & **HCR 18** and is returning the same to the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Catherine L. Cloutier, do hereby request that my name be removed as co-sponsor of **HB 119**.

Date: 5/13/09

Signed: Catherine L. Cloutier

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

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

JUDICIARY: **HB 142** – 1F, 5M; **HB 143** – 6M; **HB 146** – 5M; **HB 147** – 6M.

HOUSE ADMINISTRATION: **SB 54 w/SA 1** – 3M.

ENERGY: **HS 1 for HB 70** – 2F, 9M.

Representative M. Marshall introduced **HB 171**, jointly sponsored by Representative Keeley & Senator Henry & Senator McDowell & Senator Simpson & Senator Sorenson & Representatives Barbieri, Blakey, Brady, J. Johnson, Kowalko, Mulrooney, Plant, Ramone, Schooley, Scott, B. Short, Viola, D.E. Williams & D.P. Williams & Senator Cloutier.

**HB 171** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE.

Mr. Speaker Gilligan assigned **HB 171** to the Judiciary Committee.

Representative M. Marshall made an announcement.

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

Representative M. Marshall introduced **HB 169**, jointly sponsored by Senator McDowell & Senator Venables & Representatives Bennett, J. Johnson, Keeley, Kovach, Kowalko, Mulrooney, Plant, Schooley & B. Short.

**HB 169** - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO RECORDS OF ARREST AND PROSECUTION.

Mr. Speaker Gilligan assigned **HB 169** to the Judiciary Committee.

Representative M. Marshall made an announcement.

Representative Atkins introduced a guest.

The Majority Leader moved to adjourn at 2:08 p.m., thereby ending the current legislative day. The House reconvened at 2:09 p.m.

#### **29th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY - First Session**

**May 14, 2009**

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Joseph W. Booth, 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 164** – MITCHELL & SENATOR ADAMS; REPRESENTATIVES BOOTH, GILLIGAN, HOCKER, JAQUES, J. JOHNSON, LEE, MULROONEY, OUTTEN, RAMONE, SCHWARTZKOPF, D. SHORT - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 24 of the Delaware Code Relating to Pawnbrokers, Secondhand Dealers, Scrap Metal Processors and Junk Dealers.

**HB 165** – LONGHURST & SENATOR BLEVINS; REPRESENTATIVES BARBIERI, BENNETT, CARSON, HUDSON, M. MARSHALL, MITCHELL, SCHOOLEY, SCHWARTZKOPF, SCOTT, D. SHORT; SENATOR HALL-LONG - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Titles 11 and 29 of the Delaware Code Relating to the Adult Abuse Registry.

**HB 166** – HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 65, Volume 295, Laws of Delaware, An Act to Reincorporate the Town of Bethany Beach Regarding the Referendum Power, and to Allow Natural Persons Holding Title to Real Estate as Trustee, and the Spouses of Persons Who Hold Title to Real Estate (either in Their Own Name or as Trustee), to Vote in Municipal Elections; and Placing a Limit on the Total Number of Persons Who May Qualify to Vote as a "Nonresident Property Owner" to a Maximum of Eight Persons per Property. (2/3 bill)

**HB 167** – HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 65, Volume 295, Laws of Delaware, An Act to Reincorporate the Town of Bethany Beach Regarding the Holding of the Town Council's Organizational Meeting to be Consistent with the Provisions of 15 Del.C. Chapter 75 ("municipal Elections"). (2/3 bill)

**HB 168** - M. MARSHALL & REPRESENTATIVE HUDSON & SENATOR MCDOWELL & SENATOR SORENSON; REPRESENTATIVES BLAKEY, BRADY, J. JOHNSON, KOVACH, KOWALKO, LAVELLE, LONGHURST, MANOLAKOS, MIRO, MULROONEY, PLANT, RAMONE, SCHOOLEY, B. SHORT, THORNBURG, VIOLA, WILSON; SENATORS BUNTING, CLOUTIER, ENNIS, HALL-LONG, HENRY, KATZ, PETERSON, SIMPSON, SOKOLA - JUDICIARY - An Act to Amend Title 16 of the Delaware Code Relating to Drug Offenses.

**HB 170** - B. SHORT & REPRESENTATIVE OBERLE & SENATOR MARSHALL - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Unemployment Compensation.

**SB 38** – DELUCA & REPRESENTATIVE OBERLE - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Workers' Compensation.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins introduced & brought **HCR 14**, sponsored on behalf of All Representatives & jointly sponsored by Senator Bunting, on behalf of All Senators, before the House for consideration.

**HCR 14** - TO RECOGNIZE MAY AS "POPPY MONTH" IN THE STATE OF DELAWARE.

WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers; and

WHEREAS, millions who have answered the call to arms have died on the field of battle; and

WHEREAS, a nation of peace must be reminded of the price of war and the debt owed to those who have died in war; and

WHEREAS, the red poppy has been designated as a symbol of sacrifice of lives in all wars; and

WHEREAS, the American Legion Auxiliary has pledged to remind America annually of the debt through the distribution of the memorial flower.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145<sup>th</sup> General Assembly of the State of Delaware, the Senate concurring therein, that the month of May 2009 be recognized as "Poppy Month" in the State of Delaware and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial poppy.

BE IT FURTHER RESOLVED, that a suitably prepared copy of this resolution be delivered to The American Legion Auxiliary Unit #28 in Millsboro, Delaware.

Representative Atkins made comments.

**HCR 14** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Atkins requested and was granted privilege of the floor for Cindy Phillips, Secretary, American Legion Auxiliary Unit #28. Representative Jaques made comments.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott introduced & brought **HR 13**, jointly sponsored by Representative Walls on behalf of All Representatives, before the House for consideration.

**HR 13** - COMMENDING THE DELAWARE DENTAL SOCIETY ON THE ACHIEVEMENTS OF ITS SIXTH ANNUAL GIVE KIDS A SMILE PROGRAM.

Representative Scott made comments.

**HR 13** was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson requested and was granted personal privilege of the floor for himself and Representatives Scott & B. Short to present a House Tribute to Dr. Cara Lee Blume upon the occasion of her retirement from the Department of Natural Resources and Environmental Control, who addressed the House.

Representative B. Short made comments.

Representative Thornburg requested that she be marked present.

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

The House reconvened at 4:16 p.m.

Mr. Speaker Gilligan made an announcement.

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

Representatives Mulrooney, Plant, D.P. Williams & Keeley requested that they be marked present.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **HB 99**, jointly sponsored by Senator Bushweller & Representatives Barbieri, Bennett, Carson, Q. Johnson, Keeley, Kowalko, Mitchell, Thornburg, Viola, Walls & Wilson & Senators Ennis, Simpson & Sokola, before the House for consideration.

**HB 99 - AN ACT TO AMEND CHAPTER 3, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DESIGNATION OF A STATE DESSERT.**

Representatives Cathcart, Scott, Thornburg, Lavelle & D.E. Williams made comments. Representative Thornburg introduced and brought **HA 1 to HB 99** before the House for consideration. Representatives Thornburg, Scott & Hocker made comments. Representative Hocker moved to place **HB 99** on the Speaker's Table. Representative Scott made comments. Representative Cathcart rose on a point of order. Mr. Speaker Gilligan did not concur. Representative Hocker made comments. Representative Hocker moved to place **HA 1** on the Speaker's Table. Representative Hocker withdrew motion to place **HB 99** on the Speaker's Table. The motion to table **HA 1** was defeated by voice vote. Representative D.E. Williams made comments. Representative Cathcart rose on a point of order. Mr. Speaker Gilligan did not concur. Representatives D.E. Williams & Thornburg made comments. Representative Thornburg requested that **HA 1** be stricken. Representative Hocker moved to place **HB 99** on the Speaker's Table. The motion was properly seconded. Representatives Lavelle & Schwartzkopf made comments. The motion was defeated by voice vote. Representatives Booth, Hocker, Thornburg, Lavelle, Atkins, Hocker, Scott, Lee, Atkins, Kovach, Cathcart, D.E. Williams & Scott made comments.

The roll call on **HB 99** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 99** was sent to the Senate for concurrence.

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

Representative Hocker made an announcement. Representative Blakey requested and was granted privilege of the floor for Mary Fifer Fennemore representing Fifer Orchards. Representative Walls made comments. Representative Scott requested and was granted personal privilege of the floor to introduce Mollie Moore, 2009 Delaware Peach Queen & Ms. Dina Vindetti, Principal/Teacher, St. John's Lutheran School. Representative Schwartzkopf made comments. The students announced their names & grades for the record. Ms. Vindetti addressed the House. Representative Scott introduced guests.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker brought **HB 50**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 50 – AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH TO LIMIT THE HEIGHT OF STRUCTURES WITHIN THE TOWN. (2/3 bill)**

Representative Schwartzkopf introduced & brought **HA 1 to HB 50**, jointly sponsored by Representative Hocker, before the House for consideration. Representatives Schwartzkopf & Hocker made comments. **HA 1** was adopted by voice vote. Representative Hocker made comments.

The roll call on **HB 50 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 50 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **HB 121**, jointly sponsored by Senator Sokola & Representatives Atkins, Bennett, Lee & Thornburg & Senators Bonini, Bushweller, Connor & Katz, before the House for consideration.

**HB 121 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO COSMETOLOGY AND BARBERING AND LICENSURE OF AESTHETICIANS. (2/3 bill)**

Representative Kowalko made comments.

The roll call on **HB 121** was taken and revealed:

YES: 40.

ABSENT: Representative Booth - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 121** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Oberle.

Representative Oberle brought **HB 62**, jointly sponsored by Representative Mitchell & Senator DeLuca & Senator Ennis & cosponsored by Representatives Atkins, Barbieri, Blakey, Booth, Brady, Carey, Carson, Cathcart, Gilligan, Hocker, Hudson, Jaques, J. Johnson, Q. Johnson, Kovach, Lee, Longhurst, Miro, Outten, Ramone, Schooley, Schwartzkopf, Scott, B. Short, D. Short, Walls, D.E. Williams, D.P. Williams & Wilson, before the House for consideration.

**HB 62 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND SPECIFIC OFFENSES. (F/N)**

Representative Oberle requested that **HA 1 & HA 2 to HB 62** be stricken. Representative Oberle brought **HA 3 to HB 62** before the House for consideration. Representative Oberle made a comment. **HA 3**

was adopted by voice vote. Representatives Oberle, D.P. Williams, Schwartzkopf, Mitchell & Oberle made comments.

The roll call on **HB 62 w/HA 3** was taken and revealed:

YES: 40.

ABSENT: Representative Thornburg - 1.

Therefore, having received a constitutional majority, **HB 62 w/HA 3** was sent to the Senate for concurrence.

Representative Schwartzkopf made an announcement.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 114**, jointly sponsored by Senator Bunting & Representatives Kowalko & Oberle & Senators Ennis & Hall-Long, before the House for consideration.

**HB 114 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE FEE FOR ISSUANCE OF MARRIAGE CERTIFICATES. (F/N)**

Representative Jaques made comments.

The roll call on **HB 114** was taken and revealed:

YES: 40.

ABSENT: Representative Thornburg - 1.

Therefore, having received a constitutional majority, **HB 114** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **HB 123**, jointly sponsored by Representative Schooley & Senator Blevins & Senator Simpson & Senator Sorenson & Representatives Barbieri, Jaques, Q. Johnson, Ramone & Schwartzkopf, before the House for consideration.

**HB 123 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT.**

Representative M. Marshall introduced and brought **HA 1 to HB 123** before the House for consideration. Representatives M. Marshall & Hudson made comments. **HA 1** was adopted by voice vote. Representatives M. Marshall & Lavelle made comments. Representative Lavelle requested and was granted privilege of the floor for Bill Bush, House Attorney. Representative Lavelle made comments. Representative M. Marshall rose on a point of order. Mr. Speaker did not concur. Representatives Lavelle, M. Marshall, Oberle, Hudson, Kowalko & Schooley, Mr. Speaker Gilligan & Representatives Schooley, Lavelle, Booth, Schooley & Jaques made comments.

The roll call on **HB 123 w/HA 1** was taken and revealed:

YES: 39.

NOT VOTING: Representative Cathcart - 1.

ABSENT: Representative Thornburg - 1.

Therefore, having received a constitutional majority, **HB 123 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Miro.

Representative Miro requested that **HB 40** be stricken.

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

Representative Oberle moved to restore **HB 40**. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Miro moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 40**. The motion was seconded by Representative Cathcart and adopted by voice vote. Representative Oberle made a comment.

Representative Miro introduced and brought **HS 1 for HB 40**, jointly sponsored by Representative Hudson & Senator Blevins & Representatives Barbieri, Bennett, Booth, Brady, Carey, Carson, Cathcart, Gilligan, Hocker, Jaques, J. Johnson, Kovach, Lavelle, Mulrooney, Outten, Plant, Ramone, Schwartzkopf, Scott, B. Short, D. Short, Viola, Walls, D.E. Williams & Wilson & cosponsored by Representative M. Marshall, before the House for consideration.

**HB 40 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.**

Representatives Miro, Mitchell, D.P. Williams, Miro, Hudson, Kowalko, Lee, Schwartzkopf, B. Short, Miro, D.P. Williams, Kovach, Blakey, Oberle & Miro made comments. Representative Miro requested and was granted personal privilege of the floor for Jamie Nutter, House Attorney. Representatives Miro, Oberle, Hudson, Miro & Schwartzkopf made comments.

Representative Miro moved to place **HS 1 for HB 40** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady moved to suspend the rules which interfere with action on **HB 131**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Brady brought **HB 131**, jointly sponsored by Representative B. Short & Senator Hall-Long & Representatives Kowalko, Ramone, Viola & D.E. Williams & Senator Peterson, before the House for consideration.

**HB 131** – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY.

Representatives Brady & Cathcart made comments.

The roll call on **HB 131** was taken and revealed:

YES: 40.

ABSENT: Representative Thornburg - 1.

Therefore, having received a constitutional majority, **HB 131** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri moved to suspend the rules which interfere with introduction of and action on **SB 103**. The motion was properly seconded and adopted by voice vote.

Representative Barbieri introduced and brought **SB 103**, jointly sponsored by Senator Cloutier & All Senators & Representatives Blakey, Booth, Carey, Gilligan, Hocker, Hudson, Jaques, Keeley, Kovach, Kowalko, Lavelle, Lee, Longhurst, M. Marshall, Miro, Oberle, Ramone, Schooley, B. Short, D. Short, D.E. Williams, D.P. Williams & Wilson, before the House for consideration.

**SB 103** – AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE BY ESTABLISHING MAY AS MELANOMA AND SKIN CARE DETECTION AND PREVENTION MONTH IN DELAWARE.

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

YES: 40.

ABSENT: Representative Thornburg - 1.

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

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri introduced and brought **HR 22**, jointly sponsored by Representative J. Johnson & Representative Schooley, before the House for consideration.

Mr. Speaker Gilligan made an announcement.

**HR 22** - CREATING A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS FOR IMPROVING DELAWARE'S LAWS, REGULATIONS AND SCHOOL DISTRICT POLICIES RELATING TO SCHOOL DISCIPLINE AND VIOLATIONS OF SCHOOL CODES OF CONDUCT.

Representatives Barbieri, J. Johnson & Schooley made comments.

**HR 22** was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Miro.

Representative Miro moved to lift **HS 1 for HB 40** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Miro brought **HB 40**, jointly sponsored by Representative Hudson & Senator Blevins & Representatives Barbieri, Bennett, Booth, Brady, Carey, Carson, Cathcart, Gilligan, Hocker, Jaques, J. Johnson, Kovach, Lavelle, Mulrooney, Outten, Plant, Ramone, Schwartzkopf, Scott, B. Short, D. Short, Viola, Walls, D.E. Williams & Wilson & cosponsored by Representative M. Marshall, before the House for consideration.

**HB 40** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.

Representative Hudson made a comment. Representative Hudson introduced and brought **HA 1 to HS 1 for HB 40** before the House for consideration.

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

The roll call on **HS 1 for HB 40 w/HA 1** was taken and revealed:

YES: 39.

NO: Representative Blakey - 1.

ABSENT: Representative Thornburg - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 40 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf introduced and brought **HR 23**, jointly sponsored by Representative Cathcart & Representative Longhurst & Representative Gilligan & Representative D. Short, before the House for consideration.

Representative Q. Johnson made an announcement.

**HR 23** - RELATING TO TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES OF THE 145TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE.

Representative Schwartzkopf moved to place **HR 23** on the Speaker's Table. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative Manolakos requested and was granted personal privilege of the floor to make an announcement.

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

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on June 2, 2009.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 84, SB 47 w/SA1, SB 48 & SB 85 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 96** and is returning the

same to the House. The Senate wishes to inform the House that it has passed **HCR 14** and is returning the same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, E. Bradford Bennett, do hereby request that my name be removed as co-sponsor of **HS 1 for HB 70**.

Date: 5/14/09

Signed: E.B. Bennett  
May 14, 2009

Legislative Advisory #11

Governor Jack A. Markell signed the following legislation on the date indicated: 5/14/09 – **SB 4, SB 30 aab SA 1, SB 31 aab SA 1 & 2, SB 34, SB 43, SB 63, SB 99, HB 71 aab HA 1 & HS 1 for HB 100 aab HA 2, 3, 4, 5 & 10**.

The Majority Leader moved to adjourn at 2:03 p.m., thereby ending the current Legislative Day. The House reconvened at 2:05 p.m.

**30th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session  
June 2, 2009**

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Q. Johnson & Plant - 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 out-of-session prefiled legislation was introduced:

May 28, 2009

**HB 156** - M. MARSHALL & REPRESENTATIVE KOVACH & REPRESENTATIVE D. SHORT & SENATOR HALL-LONG; REPRESENTATIVE RAMONE - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code Relating to the Delaware Uniform Common Interest Ownership Act.

**HB 172** – RAMONE & REPRESENTATIVE KEELEY & SENATOR PETERSON & SENATOR SOKOLA; REPRESENTATIVES D. SHORT, BOOTH, HUDSON, KOVACH, LAVELLE; SENATORS SORENSON, BONINI, CLOUTIER - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Disclosure of Council or Board Membership.

**HB 173** – CATHCART & SENATOR ENNIS; REPRESENTATIVES HOCKER, HUDSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 6 of the Delaware Code Relating to Disclosure for Workforce Housing in New Castle County.

**HB 174** – SCOTT & REPRESENTATIVE KOWALKO & REPRESENTATIVE B. SHORT & SENATOR VENABLES; REPRESENTATIVES BENNETT, J. JOHNSON, Q. JOHNSON, LONGHURST, M. MARSHALL, MITCHELL, SCHWARTZKOPF; SENATORS ENNIS, HALL-LONG - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the Recordation of Instruments.

**HB 175** – BRADY & SENATOR HALL-LONG; REPRESENTATIVES KEELEY, LAVELLE, OBERLE, PLANT - JUDICIARY - An Act to Amend Title 29 of the Delaware Code Relating to the Assessment of a Prosecution Fee.

**HB 176** – BRADY & SENATOR BLEVINS; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, J. JOHNSON, Q. JOHNSON, SCOTT, VIOLA, CAREY, CARSON, CATHCART, HOCKER, JAQUES, KOWALKO, LAVELLE, LONGHURST, MANOLAKOS, MIRO, MITCHELL, OBERLE, OUTTEN, SCHOOLEY, SCHWARTZKOPF, B. SHORT, THORNBURG, WALLS, D.E. WILLIAMS, WILSON; SENATORS HALL-LONG, ENNIS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HB 177** - Q. JOHNSON & REPRESENTATIVE CARSON & SENATOR ENNIS - HOUSE ADMINISTRATION - An Act to Amend Chapter 291, Volume 66 of Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Clayton", Relating to Elections for Town Council. (2/3 bill)

**HB 178** – HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 65, Volume 295, Laws of Delaware, Entitled Charter of the Town of Bethany Beach, Regarding Penalties for Violations of Town Ordinances, to Increase the Maximum Financial Penalty that may be Imposed to Eliminate Imprisonment as a Potential Sanction, and to Authorize the Town to Impose Civil Penalties as Well as Criminal Penalties. (2/3 bill)

**HB 179** – WILSON & SENATOR ADAMS - HOUSE ADMINISTRATION - An Act to Amend Chapter 237, Volume 51, Entitled an Act to Reincorporate the Town of Bridgeville Relating to Sewer and Water Main Improvements. (2/3 bill)

**HB 180** – HUDSON & SENATOR SORENSON & SENATOR SOKOLA; REPRESENTATIVES LONGHURST, HOCKER, LAVELLE, MANOLAKOS, OUTTEN, WILSON; SENATOR BUSHWELLER - 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 181** - BARBIERI & SENATOR BLEVINS; REPRESENTATIVE HUDSON; SENATOR SORENSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Crimes & Criminal Procedure.

**HB 182** - M. MARSHALL; REPRESENTATIVES GILLIGAN, HUDSON, KOWALKO, MITCHELL, SCHOOLEY; SENATORS DELUCA, PETERSON, SIMPSON - JUDICIARY - An Act to Amend Titles 10 and 11 of the Delaware Code Relating to Certain Offenses.

**HB 183** - M. MARSHALL & REPRESENTATIVE KOVACH & REPRESENTATIVE D. SHORT & SENATOR HALL-LONG; REPRESENTATIVE RAMONE - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code Relating to the Unit Property Act.

**HB 185** - B. SHORT & REPRESENTATIVE BENNETT & SENATOR PETERSON & SENATOR SOKOLA; REPRESENTATIVES JAQUES, KOWALKO, LONGHURST, MITCHELL, SCHWARTZKOPF - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Automated Calls in the State of Delaware.

**HA 1 to HB 55** - M. MARSHALL - Placed with the Bill.

**HA 1 to HB 160** - MITCHELL - Placed with the Bill.

**HA 1 to HB 171** - M. MARSHALL - Placed with the Bill.

**SB 47 w/SA 1** – SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Health Statistics Center.

**SB 48** – SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 7 of the Delaware Code Relating to the Conservation Districts.

**SB 84** – BLEVINS & REPRESENTATIVE M. MARSHALL - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Parents.

**SB 85 w/SA 1** – MCDOWELL & SENATOR SIMPSON & REPRESENTATIVE KOWALKO & REPRESENTATIVE THORNBURG; SENATORS BUSHWELLER, HALL-LONG, KATZ; REPRESENTATIVES MULROONEY, BARBIERI, BRADY, HOCKER, KOVACH, B. SHORT, SCOTT - ENERGY - An Act to Amend Title 26 of the Delaware Code Relating to Net Energy Metering. (2/3 bill)

The following prefiled legislation was introduced:

**HS 1 for HB 169** - M. MARSHALL & SENATOR MCDOWELL & SENATOR VENABLES; REPRESENTATIVES BENNETT, J. JOHNSON, KEELEY, KOVACH, KOWALKO, MULROONEY, PLANT, SCHOOLEY, B. SHORT - JUDICIARY - An Act to Amend Titles 10 and 11 of the Delaware Code Relating to Records of Arrest and Prosecution.

**HA 1 to HS 1 for HB 70** - OBERLE - Placed with the Bill.

**HA 1 to HB 162** – KOVACH & REPRESENTATIVE OBERLE - Placed with the Bill.

**HA 2 to HB 171** - M. MARSHALL - Placed with the Bill.

The Reading Clerk read the following communications into the record:

MEMORANDUM:

TO: Robert F. Gilligan  
Speaker of the House  
Richard Puffer  
Chief Clerk

FROM: Quinton Johnson, IV  
State Representative

DATE: May 29, 2009

Due to a family matter I will be unable to attend session on Tuesday June 2<sup>nd</sup> but I will be here on Wednesday June 3<sup>rd</sup>.

May 22, 2009

Legislative Advisory #12

Governor Jack A. Markell signed the following legislation on the date indicated: 5/18/09 – **HB 51 aab HA 1 & 2**; 5/19/09 – **SB 25, SB 26 & SB 55**; 5/22/09 – **SB 32 & SB 33**.

Legislative Advisory #13 May 29, 2009

Governor Jack A. Markell signed the following legislation on the date indicated: 5/27/09 – **SB 103 & HB 96**.

Representative Thornburg requested that she be marked present. Representative Hocker introduced a guest & made comments. Representative B. Short requested that he be marked present. Representatives Cathcart, Schwartzkopf & Hocker made comments.

The Majority Leader moved to recess for caucus at 2:14 p.m.

The House reconvened at 4:05 p.m.

Representatives Oberle, Hudson, Mulrooney & Mitchell requested that they be marked present.



Representative Schwartzkopf deferred to Representative Ramone.

Representative Ramone introduced and brought **SCR 18**, jointly sponsored by Senator Peterson, before the House for consideration.

**SCR 18** - RECOGNIZING THE WEEK OF JUNE 1-7, 2009 AS NATIONAL CARDIOPULMONARY RESUSCITATION (CPR) AND AUTOMATED EXTERNAL DEFIBRILLATOR (AED) AWARENESS WEEK IN DELAWARE.

Representative Ramone made comments and introduced guests. Representative Ramone requested and was granted privilege of the floor for Stewart Krug, representing the Matthew Krug Foundation. Representative Ramone made comments. Representatives Lavelle & Viola requested that they be marked present.

**SCR 18** was adopted by voice vote and was returned to the Senate.

Representative M. Marshall brought **HB 142**, jointly sponsored by Senator DeLuca & Representatives Carson, J. Johnson, Kovach, Lee, Mitchell, Plant, D.P. Williams & Wilson, before the House for consideration.

**HB 142** - 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. Marshall made comments.

The roll call on **HB 142** was taken and revealed:

YES: 39.

ABSENT: Representatives Q. Johnson & Plant - 2.

Therefore, having received a constitutional majority, **HB 142** was sent to the Senate for concurrence.

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

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **HB 146**, jointly sponsored by Senator Blevins & Representatives Barbieri, Bennett, Carson, Keeley, Kowalko & Schooley & Senator Hall-Long & cosponsored by Representatives Booth, Brady, Carey, Hocker, Hudson, Jaques, Kovach, Lee, Longhurst, Manolakos, Miro, Mitchell, Oberle, Outten, Ramone, Schwartzkopf, Scott, B. Short, D. Short, Thornburg, Walls, D.E. Williams, D.P. Williams & Wilson, before the House for consideration.

**HB 146** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DOMESTIC VIOLENCE

Representatives M. Marshall & Hudson made comments.

The roll call on **HB 146** was taken and revealed:

YES: 39

ABSENT: Representatives Q. Johnson & Plant - 2.

Therefore, having received a constitutional majority, **HB 146** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **HB 147**, jointly sponsored by Senator Blevins & Representatives Keeley, Kowalko, Plant & Schooley & Senator Hall-Long and cosponsored by Representatives Bennett, Jaques, Lee, Outten & Wilson & Senator Bonini, before the House for consideration.

**HB 147** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE.

Representative M. Marshall made comments.

The roll call on **HB 147** was taken and revealed:

YES: 39.

ABSENT: Representatives Q. Johnson & Plant - 2.

Therefore, having received a constitutional majority, **HB 147** was sent to the Senate for concurrence.

Representative Schwartzkopf moved to lift **HR 23** from the Speaker's Table. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Schwartzkopf brought **HR 23**, jointly sponsored by Representative Cathcart & Representative Longhurst & Representative Gilligan & Representative D. Short, before the House for consideration.

**HR 23** - RELATING TO TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES OF THE 145TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE.

Representative Schwartzkopf made comments.

**HR 23** was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Miro.

Representative Miro brought **HB 28**, jointly sponsored by Senator Hall-Long & Representatives D. Short & Kovach, before the House for consideration.

**HB 28** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO A SPECIAL EXAMINATION FOR A DRIVER LICENSE DUE TO A POSSIBLE PHYSICAL OR MENTAL IMPEDIMENT.

Representative Miro brought **HA 1 to HB 28** before the House for consideration. Representatives Miro & Cathcart made comments. **HA 1** was adopted by voice vote. Representatives Miro & Hudson made comments.

The roll call on **HB 28 w/HA 1** was taken and revealed:

YES: 32.

NO: Representatives Atkins, Bennett, Blakey, Carson, Keeley & D.P. Williams - 6.

ABSENT: Representatives Q. Johnson, Plant & Viola - 3.

Therefore, having received a constitutional majority, **HB 28 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 120**, jointly sponsored by Representative Barbieri & Senator Hall-Long & Senator Sokola & Representatives Atkins, Blakey, Gilligan, Hudson, Keeley, Kowalko, Kovach, Longhurst, Mitchell, Ramone, Scott, B. Short, Viola, Walls & Wilson & Senators Bunting, Simpson & Venables and cosponsored by Senators Cloutier & Ennis, before the House for consideration.

**HB 120 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN OFFENSES**

Representative Schooley brought **HA 1 to HB 120** before the House for consideration.

Representative Schooley made a comment. **HA 1** was adopted by voice vote. Representatives Schooley, Lavelle, Kovach, Hudson & D.P. Williams made comments.

The roll call on **HB 120 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Q. Johnson & Plant - 2.

Therefore, having received a constitutional majority, **HB 120 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement regarding **HB 1**.

Representative Schwartzkopf deferred to Representative Oberle.

Representative Oberle brought **HCR 7**, jointly sponsored by Representative Mulrooney & Senator Venables & Senator Cloutier & Representatives Bennett, Mitchell, Walls, Cathcart, D. Short, Hocker, Lavelle & Senators Bunting, Ennis, McDowell & Simpson & cosponsored by Representatives Carson & Wilson & Senator Peterson, before the House for consideration.

**HCR 7 - A RESOLUTION URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO REQUIRE ALL FACILITIES THAT OPERATE IN DELAWARE WATERS AND UTILIZE COOLING WATER INTAKE STRUCTURES TO IMPLEMENT "CLOSED-CYCLE" COOLING SYSTEMS, AND URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DECLARE THAT "CLOSED CYCLE" COOLING SYSTEMS CONSTITUTE THE BEST TECHNOLOGY AVAILABLE FOR WATER INTAKE STRUCTURES.**

Representative Oberle made comments.

**HCR 7** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Oberle introduced a guest.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins brought **SB 54 w/SA 1**, jointly sponsored by Senator Bunting, before the House for consideration.

**SB 54 - AN ACT TO AMEND CHAPTER 138, VOLUME 68, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF DAGSBORO", RELATED TO NOMINATIONS FOR TOWN COUNCIL ELECTIONS. (2/3 bill)**

Representative Atkins made a comment.

The roll call on **SB 54 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Q. Johnson & Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 54 w/SA 1** was returned to the Senate.

Mr. Speaker Gilligan, Representatives Atkins & Booth made comments. Representatives Longhurst & Brady made announcements.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced **HB 186** jointly sponsored by Senator Henry & Representatives Schwartzkopf, D.P. Williams, Atkins, Booth, Hocker, Lavelle & Wilson & Senators Cloutier, Connor & Simpson.

**HB 186 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT AND ADMINISTRATION OF A TAX DEFERRED SAVINGS PLAN FOR EMPLOYEES OF THE DEPARTMENT OF EDUCATION AND THE PUBLIC SCHOOLS OF THE STATE OF DELAWARE.**

Mr. Speaker Gilligan assigned **HB 186** to the Education Committee.

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 June 3, 2009.

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

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 36 & SB 37, SB 60, SB 82, SB 83 & SCR 18** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 1 w/HA 1 & HA 1 to HA 1, HA 2 to HA 1, HA 2 & 3** and is returning the same to the House.

Representatives Barbieri & Mulrooney 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.

**31st LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session  
June 3, 2009**

The Chief Clerk called the roll.

Members Present: 37.

Members Absent: Representatives Carey, Oberle, Plant & D.P. Williams - 4.

A prayer was offered by Representative Robert E. Walls, 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:

**HA 1 to HB 90** - LAVELLE - Placed with the Bill.

**HA 1 to HB 139** – SCHOOLEY - Placed with the Bill.

**HA 1 to HB 154** - Q. JOHNSON - Placed with the Bill.

**SB 36** – ADAMS; REPRESENTATIVE M. MARSHALL; SENATORS DELUCA, MARSHALL, SIMPSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Procedures Applicable to Trespass, Replevin, and Detinue Claims in the Justice of the Peace Court.

**SB 37** – ADAMS; REPRESENTATIVE M. MARSHALL; SENATORS DELUCA, MARSHALL, SIMPSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Costs in the Justice of the Peace Court.

**SB 60** – DELUCA & REPRESENTATIVE MITCHELL; SENATORS ADAMS, COOK, ENNIS; REPRESENTATIVES ATKINS, BENNETT, CARSON, LAVELLE, D. SHORT - JUDICIARY - An Act Proposing an Amendment to Article I, Section 12 of the Delaware Constitution of 1897 Relating to Criminal Procedures. (2/3 bill)

**SB 82** – DELUCA & REPRESENTATIVE M. MARSHALL - 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.

**SB 83** – DELUCA & REPRESENTATIVE M. MARSHALL - 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.

The Reading Clerk read the following communication into the record:

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Robert E. Walls, do hereby request that my name be removed as co-sponsor of **HB 171**.

Date: 6/3/09

Signed: Robert E. Walls

Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell requested and was granted privilege of the floor for himself and Representative Q. Johnson to present a House Tribute to David W. Thomas, U.S. Marshal, District of Delaware, who addressed the House. Representative J. Johnson made comments. Representatives Kovach, Wilson & Carson requested that they be marked present. Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst made an announcement. Representative Longhurst requested and was granted privilege of the floor for herself and Representative Mulrooney to present a House Tribute to Tyler Snook, State Wrestling Champion. Representative Longhurst introduced guests. Representative Booth made comments. Representative Manolakos introduced a guest and made comments. Representatives Ramone & Atkins made comments. Representative Lavelle requested that he be marked present. Representative Lavelle requested and was granted personal privilege of floor to make a comment. Representatives Lee & M. Marshall requested that they be marked present. Representative M. Marshall made an announcement. Representative Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson introduced **HB 184**, jointly sponsored by Senator Hall-Long & Representatives Plant, Schooley & B. Short & Senator Blevins.

**HB 184** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS

Mr. Speaker Gilligan assigned **HB 184** to the Health & Human Development Committee.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady requested and was granted privilege of the floor for himself and Representative Cathcart to present a House Tribute to Pam Price, Minority Chief of Staff, who addressed the House.

Representative Schwartzkopf brought the following prefiled **Consent Calendar #9** before the House for consideration.

**HR 24** – SCHOOLEY; REPRESENTATIVES BRADY, CARSON, HUDSON, J. JOHNSON, KEELEY, KOWALKO, M. MARSHALL, MITCHELL, MULROONEY, OBERLE, PLANT, SCOTT - A Resolution Creating a Committee to Study Implementation of a Statewide Universal Breakfast Program.

**HR 25** - BRADY - Urging Delaware's Congressional Delegation to Support **HR 22** Allowing the United States Postal Service to Pay Its Share of Contributions for Annuitants' Health Benefits Out of the Postal Service Retiree Health Benefits Fund.

**HR 26** - MIRO - Recognizing Dr. Robert J. Andrzejewski on the Honor of Receiving the Jane Maroney Award.

**SCR 17** – MCBRIDE ON BEHALF OF ALL SENATORS & REPRESENTATIVE GILLIGAN ON BEHALF OF ALL REPRESENTATIVES - Honoring Delaware Public Defender Lawrence M. Sullivan as He Prepares to Retire from the Position He has Held Ably and Well for Nearly Four Decades.

Consent Calendar # 9 was adopted by voice vote and **HR 24, HR 25 & HR 26** were declared passed and **SCR 17** was returned to the Senate.

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

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following member was marked present by the Chief Clerk after the House recessed at 2:32 p.m.: Representative Keeley.

Mr. Speaker Gilligan called the House to order at 2:05 p.m. on June 4, 2009.

Representatives D.P. Williams & Carey requested that he be marked present for the current Legislative Day.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 65 w/SA 2, SB 72, SB 77 & SB 45 w/SA 3** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 7, HB 104, HB 107 w/HA 1, 2 & 3 & SA 1, HB 59 & HB 94** and is returning the same to the House.

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

JUDICIARY: **HB 151** – 8M; **HB 175** – 7M;1U; **HB 176** – 2F,6M; **HB 181** – 7M,1U.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HCR 2** -2F, 4M; **HB 149** – 3F, 4M.

EDUCATION: **HB 186** - 10M.

HEALTH & HUMAN DEVELOPMENT: **HB 154** – 4F,7M; **HB 159** – 10M; **HB 163** – 5F,4M; **HB 165** – 11F; **SB 78** – 8F,1M; **SB 79** – 6F,5M.

PUBLIC SAFETY & HOMELAND SECURITY – **HB 150** – 8M; **HB 152** – 7M; **HB 160** – 8M; **HB 161** – 8M; **HB 164** – 6M.

HOUSE ADMINISTRATION: **HB 101** – 4F,1M; **HB 166** – 4F; **HB 167** – 4F,1M; **HB 172** – 4F,1M; **HB 177** – 5F; **HB 178** – 3F,2M; **HB 179** – 3F,2M; **HB 185** – 2F, 3M.

HOUSING & COMMUNITY AFFAIRS: **HB 156** – 1F, 6M; **HB 174** – 2F, 4M; **HB 183** – 1F, 6M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 39** – 1F, 3M.

ENERGY: **SB 59 w/SA 3** – 1F, 9M; **SB 85 w/SA 1** – 8F, 2M.

The Majority Leader moved to adjourn at 2:08 p.m., thereby ending the current Legislative Day. The House reconvened at 2:09 p.m.

### **32nd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session**

**June 4, 2009**

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Plant - 1.

A prayer was offered by Representative Earl G. Jaques, 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 187** – SCOTT & REPRESENTATIVE BENNETT & SENATOR BUSHWELLER; REPRESENTATIVES ATKINS, BARBIERI, BOOTH, BRADY, CARSON, CATHCART, HOCKER, HUDSON, JAQUES, KEELEY, KOWALKO, LAVELLE, LEE, MIRO, MITCHELL, MULROONEY, SCHOOLEY, B. SHORT, D. SHORT, WILSON; SENATORS ENNIS, MARSHALL - VETERANS AFFAIRS - An Act to Amend Title 1 of the Delaware Code to Recognize Military Spouse Appreciation Day.

**HB 188** – BRADY & REPRESENTATIVE MIRO & REPRESENTATIVE HUDSON & SENATOR ENNIS; REPRESENTATIVES MITCHELL, B. SHORT, VIOLA - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Lodging Tax. (3/5 bill)

**HB 189** – MITCHELL & REPRESENTATIVE J. JOHNSON & SENATOR HENRY; REPRESENTATIVES BRADY, M. MARSHALL, PLANT, SCHWARTZKOPF, SCOTT - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to the Rules of the Road.

**HB 190** – BARBIERI & SENATOR HALL-LONG; REPRESENTATIVES M. MARSHALL, SCHWARTZKOPF, SCOTT; SENATOR HENRY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to Drug Testing of Employees of the Department of Services for Children, Youth and Their Families.

**HB 191** – HUDSON & SENATOR BLEVINS & SENATOR PETERSON & SENATOR HALL-LONG; REPRESENTATIVES KEELEY, M. MARSHALL, SCHOOLEY, MANOLAKOS, RAMONE, BARBIERI, BENNETT, CARSON, JAQUES, J. JOHNSON, Q. JOHNSON, KOVACH, KOWALKO, PLANT, SCOTT, WALLS, D.E. WILLIAMS, WILSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

**HB 192** – WALLS & SENATOR ENNIS; REPRESENTATIVES ATKINS, CARSON, JAQUES - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Animal Population Control Program and Spay/Neuter Fund.

**HA 1 to HB 159** - BOOTH - Placed with the Bill.

**HA 1 to HB 164** - MITCHELL - Placed with the Bill.

**HA 1 to HB 172** - RAMONE - Placed with the Bill.

**HA 2 to HCR 2** - KOWALKO - Placed with the Bill.

**SB 45 w/SA 3** – SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 26 of the Delaware Code Relating to the Public Service Commission.

**SB 65 w/SA 2** - HALL-LONG & SENATOR BLEVINS & REPRESENTATIVE KOWALKO & SENATOR ENNIS; REPRESENTATIVES CARSON, B. SHORT, MULROONEY, JAQUES, VIOLA, M. MARSHALL, Q. JOHNSON, OBERLE, LAVELLE, KEELEY, SCOTT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 18 of the Delaware Code Relating to Dental Insurance and Children with Severe Disabilities.

**SB 72** – MCBRIDE & REPRESENTATIVE MULROONEY; SENATORS BUNTING, VENABLES, CONNOR; REPRESENTATIVES Q. JOHNSON, OUTTEN, THORNBURG, WALLS, CAREY, HOCKER - NATURAL RESOURCES - An Act to Amend Title 26, Chapter 13 of the Delaware Code Relating to Public Utilities, Gas, Water and Oil Corporations.

**SB 77** – ENNIS & REPRESENTATIVE CARSON; SENATOR SIMPSON; REPRESENTATIVES BLAKEY, HOCKER, Q. JOHNSON, MIRO, OUTTEN, THORNBURG, WALLS, D.E. WILLIAMS, WILSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Recordation of Instruments in Kent County.

Representative Schwartzkopf requested and was granted privilege of the floor for Sudi Green, Youth Governor, Youth In Government, YMCA of Delaware, who addressed the House.

Representative Schwartzkopf made a comment. Representative Schooley requested that she be marked present and made a comment.

Representatives Thornburg & Outten requested that they be marked present.

The Reading Clerk read the following communication into the record:

**MEMORANDUM**

TO: Rep. Robert F. Gilligan  
Speaker of the House  
CC: Rich Puffer  
Chief Clerk  
FROM: Rep. Hazel D. Plant  
DATE: June 4, 2009  
RE: Absence from session

I was unable to attend session on Tuesday, June 2<sup>nd</sup> and Wednesday June 3<sup>rd</sup> and will not be attending session today due to medical reasons.

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

JUDICIARY: **HS 1 for HB 169** – 8M.

Representative Kovach requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker Gilligan made an announcement.

Representative Viola introduced **HB 193**, jointly sponsored by Senator DeLuca.

**HB 193** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO PURCHASING, RECEIVING, STORING, AND SELLING WINE AND BEER IN GROCERY STORES. (3/5 bill)

Mr. Speaker Gilligan assigned **HB 193** to the Revenue & Finance Committee.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced **HS 1 for HB 119**, jointly sponsored by Senator Sokola & Representatives Blakey, Booth, Carey, Hocker, Jaques, J. Johnson, Q. Johnson, Kovach, Kowalko, Lavelle, Manolakos, Miro, Mitchell, Schwartzkopf, Scott & Wilson & cosponsored by Representatives Carey, Hocker, J. Johnson, Q. Johnson, Lavelle, Mitchell, Schwartzkopf & Wilson.

**HB 119 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE WITH RESPECT TO PUBLIC EDUCATION.**

Mr. Speaker Gilligan assigned **HS 1 for HB 119** to the Education Committee.

Representative Schooley made comments.

The Majority Leader moved to recess for caucus at 2:30 p.m.

The House reconvened at 4:44 p.m.

Representative Schwartzkopf introduced **HB 194**, jointly sponsored by Senator Venables & Representatives Atkins, Booth, Hudson, Lavelle, Longhurst & B. Short & Senator Sokola.

**HB 194 - AN ACT TO AMEND TITLES 3 AND 29 OF THE DELAWARE CODE RELATING TO THE LICENSING OF VENUES WHICH DID NOT CONDUCT HARNESS RACING DURING 1992 AS VIDEO LOTTERY AGENTS.**

Mr. Speaker Gilligan assigned **HB 194** to the Gaming & Parimutuels Committee.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson made a comment.

Representative Carson brought **SB 78**, jointly sponsored by Senator Katz, before the House for consideration.

**SB 78 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE.**

Representative Carson made comments. Representatives Oberle, Keeley, Lavelle & Atkins requested that they be marked present. Mr. Speaker Gilligan made an announcement.

The roll call on **SB 78** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Plant - 2.

Therefore, having received a constitutional majority, **SB 78** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **SB 79**, sponsored by Senator Katz & Representative Bennett, before the House for consideration.

**SB 79 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE.**

Representative Barbieri made comments.

The roll call on **SB 79** was taken and revealed:

YES: 38.

ABSENT: Representatives Cathcart, Plant & Viola - 3.

Therefore, having received a constitutional majority, **SB 79** was returned to the Senate.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson requested that action on **HB 163, HB 36, HB 37 & HB 39** be deferred to a Day Certain, Tuesday, June 9, 2009.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 165**, jointly sponsored by Senator Blevins & Representatives Barbieri, Bennett, Carson, Hudson, M. Marshall, Mitchell, Schooley, Schwartzkopf, Scott & D. Short & Senator Hall-Long, before the House for consideration.

**HB 165 - AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE RELATING TO THE ADULT ABUSE REGISTRY.**

Representative Longhurst introduced and brought **HA 1 to HB 165** before the House for consideration. Representative Longhurst made comments. **HA 1** was adopted by voice vote. Representative Longhurst made comments.

The roll call on **HB 165 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Plant - 2.

Therefore, having received a constitutional majority, **HB 165 w/ HA 1** was sent to the Senate for concurrence.

Representatives Longhurst made comments.

Representative Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams brought **HB 133**, jointly sponsored by Representative Keeley & Senator Henry & Representatives Barbieri, Bennett, Kowalko, Lee, Manolakos & Plant & Senators Ennis & Hall-Long & cosponsored by Representatives Carson, Q. Johnson, Longhurst, Ramone, Schooley, Schwartzkopf, Thornburg & Wilson, before the House for consideration.

**HB 133** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE PERTAINING TO COMPENSATION FOR INNOCENT VICTIMS OF CRIME. (F/N)

Representatives D.P. Williams & Thornburg made comments.

The roll call on **HB 133** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Plant - 2.

Therefore, having received a constitutional majority, **HB 133** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **SB 39**, jointly sponsored by Senator McBride & Senator Sokola, before the House for consideration.

**SB 39** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE DELAWARE PROFESSIONAL ENGINEERS ACT.

Representative Kowalko made comments.

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

YES: 39.

ABSENT: Representatives Cathcart & Plant - 2.

Therefore, having received a constitutional majority, **SB 39** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **HB 174**, jointly sponsored by Representative Kowalko & Representative B. Short & Senator Venables & Representatives Bennett, J. Johnson, Q. Johnson, Longhurst, M. Marshall, Mitchell & Schwartzkopf & Senators Ennis & Hall-Long, before the House for consideration.

**HB 174** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE RECORDATION OF INSTRUMENTS.

Representative Scott made comments. Representative Scott introduced and brought **HA 1 to HB 174** 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 174 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Plant - 2.

Therefore, having received a constitutional majority, **HB 174 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 181**, jointly sponsored by Senator Blevins & Representative Hudson & Senator Sorenson, before the House for consideration.

**HB 181** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES & CRIMINAL PROCEDURE

Representative Barbieri made comments.

The roll call on **HB 181** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Plant - 2.

Therefore, having received a constitutional majority, **HB 181** was sent to the Senate for concurrence.

Representatives D. Short & Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **HB 151**, jointly sponsored by Senator DeLuca & Representatives Carson, Hudson, Walls & Wilson & Senators Adams & Simpson & cosponsored by Representatives J. Johnson & Kovach, before the House for consideration.

**HB 151** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO ABOLISHING JURY COMMISSIONERS.

Representative M. Marshall introduced and brought **HA 1 to HB 151** before the House for consideration. Representative M. Marshall made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 151 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart, Plant - 2.

Therefore, having received a constitutional majority, **HB 151 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf brought **Consent Agenda A**, which requires a two-thirds vote, before the House for consideration.

**HB 166** – HOCKER & SENATOR BUNTING – An Act to Amend Chapter 65, Volume 295, Laws of Delaware, an Act to Reincorporate the Town of Bethany Beach Regarding the Referendum Power, and to Allow Natural Persons Holding Title to Real Estate as Trustee, and the Spouses of Persons who Hold Title to Real Estate (Either in Their Own Name or as Trustee), to Vote in Municipal Elections; and Placing a Limit on the Total Number of Persons who may Qualify to Vote as a “Nonresident Property Owner” to a Maximum of Eight Persons per Property. (2/3 bill)

**HB 167** – HOCKER & SENATOR BUNTING – An Act to Amend Chapter 65, Volume 295, Laws of Delaware, An Act to Reincorporate the Town of Bethany Beach Regarding the Holding of the Town Council’s Organizational Meeting to be Consistent with the Provisions of 15 DEL.C. Chapter 75 (“Municipal Elections”). (2/3 bill)

**HB 177** – Q. JOHNSON & REPRESENTATIVE CARSON & SENATOR ENNIS – An Act to Amend Chapter 291, Volume 66 of Laws of Delaware, as Amended, Entitled “An Act to Reincorporate the Town of Clayton”, Relating to Elections for Town Council. (2/3 bill)

**HB 178** – HOCKER & SENATOR BUNTING – An Act to Amend Chapter 65, Volume 295, Laws of Delaware, Entitled Charter of the Town of Bethany Beach, Regarding Penalties for Violations of Town Ordinances, to Increase the Maximum Financial Penalty that may be Imposed to Eliminate Imprisonment as a Potential Sanction, and to Authorize the Town to Impose Civil Penalties as Well as Criminal Penalties. (2/3 bill)

**HB 179** – WILSON & SENATOR ADAMS – An Act to Amend Chapter 237, Volume 51, Entitled An Act to Reincorporate the Town of Bridgeville Relating to Sewer and Water Main Improvements. (2/3 bill)

The roll call on **Consent Agenda A** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House,

**HB 166, HB 167, HB 177, HB 178 & HB 179** were sent to the Senate for concurrence.

Representatives Hocker & Wilson made comments.

Representative Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams introduced **HB 195**, jointly sponsored by Senator Henry & Representatives Gilligan & Schwartzkopf & Senator Katz.

**HB 195** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PERSONAL ACTIONS.

Mr. Speaker Gilligan assigned **HB 195** to the Health & Human Development Committee.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall introduced **HB 196**, jointly sponsored by Senator McBride & Representatives Barbieri, Booth, Carson, Hocker, Lavelle, Manolakos, Miro, Ramone & Wilson & Senators Bushweller & Cloutier.

**HB 196** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Mr. Speaker Gilligan assigned **HB 196** to the Judiciary Committee.

Representative M. Marshall made an announcement.

Representative Schwartzkopf deferred to Representative D.E. Williams.

Representative D.E. Williams introduced **HB 198**, jointly sponsored by & Senator Katz & Representatives Bennett & cosponsored by Representatives Brady, Q. Johnson, Kowalko & Mitchell.

**HB 198** - 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.

Mr. Speaker Gilligan assigned **HB 198** to the Housing & Community Affairs Committee.

Representatives Schwartzkopf & Brady & Mr. Speaker Gilligan made announcements.

Representative D. Short made comments.

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

LABOR: **HB 170** - 8M.

The Majority Leader moved to recess to the call of the Chair at 5:38 p.m.

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on June 9, 2009.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 86, SCR 20 & SCR 19** and requests concurrence of the House and the Senate has passed **HB 67** and is returning the same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Dennis P. Williams, do hereby request that my name be removed as co-sponsor of **HB 193**.

Date: 6/4/09

Signed: Dennis P. Williams

WITHDRAWAL OF SPONSORSHIP REQUEST

I, David Wilson, do hereby request that my name be removed as co-sponsor of **HB 193**.

Date: 6/4/09

Signed: David L. Wilson

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Terry Schooley, do hereby request that my name be removed as co-sponsor of **HB 193**.

Date: 6/4/09

Signed: Terry Schooley

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Gerald Hocker, do hereby request that my name be removed as co-sponsor of **HB 193**.

Date: 6/4/09

Signed: Gerald Hocker

WITHDRAWAL OF SPONSORSHIP REQUEST



I, John L. Mitchell, Jr., do hereby request that my name be removed as co-sponsor of **HB 193**.

Date: 6/4/09

Signed: John Mitchell

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott introduced **HB 205**, jointly sponsored by Senator Bonini & Representatives Outten & Thornburg.

**HB 205 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO REGIONAL PLANNING.**

Mr. Speaker Gilligan assigned **HB 205** to the Housing & Community Affairs Committee.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced **HB 199**, jointly sponsored by Representative M. Marshall & Senator Blevins & Senator Sorenson & Representatives Barbieri, Bennett, Brady, Hudson, Jaques, J. Johnson, Keeley, Kowalko, Longhurst, Manolakos, Mitchell. Mulrooney, Oberle, B. Short, Viola & D.P. Williams & Senators Ennis, Hall-Long, Henry & Peterson & cosponsored by Representatives Carson & Kovach.

**HB 199 – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO DEVELOPMENTAL SCREENING OF INFANTS AND TODDLERS.**

Mr. Speaker Gilligan assigned **HB 199** to the Health & Human Development Committee.

Representative Barbieri made an announcement.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques introduced **HB 204**, jointly sponsored by Representative Longhurst & Senator Ennis & Senator Hall-Long & cosponsored by Representatives Bennett, Booth, Carson, Cathcart, Hocker, J. Johnson, Q. Johnson, Kovach, Lee, Manolakos, M. Marshall, Mitchell, Outten, Ramone, B. Short, D. Short, Thornburg, Viola, D.E. Williams & Wilson.

**HB 204 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF MURDER IN THE FIRST DEGREE AND THE CLASSIFICATION OF OFFENSES.**

Mr. Speaker Gilligan assigned **HB 204** to the Judiciary Committee.

Representative Jaques made comments regarding **HB 204**.

Representative M. Marshall made an announcement.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett introduced **HB 206**, jointly sponsored by Representative Lavelle & Senator Blevins & Representatives Atkins, Barbieri, Brady, Carson, Gilligan, Hocker, Hudson, Jaques, Q. Johnson, Kovach, Kowalko, Longhurst, Mitchell, Mulrooney, Oberle, Outten, Ramone, Scott, B. Short, D. Short, Thornburg, Viola, Walls, D.E. Williams & Wilson & Senators Bushweller, Peterson & Sokola & cosponsored by Representatives Booth & Schwartzkopf.

**HB 206 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.**

Mr. Speaker Gilligan assigned **HB 206** to the Judiciary Committee.

Representative Booth requested that **HB 69** be stricken.

Representative M. Marshall made an announcement.

Representative Schwartzkopf deferred to Representative Ramone.

Representative Ramone introduced **HA 2 to HB 172**. **HA 2** was placed with the Bill.

Representative Ramone made comments.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker made comments.

Representative Hocker introduced **HB 203**, jointly sponsored by Senator Bunting & Representatives Bennett, Brady, Carson, Q. Johnson, Mitchell, Scott, B. Short, Walls, D. Short, Carey, Hudson, Lee, Manolakos, Outten, Ramone, Thornburg & Wilson.

**HB 203 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DESIGNATING THE STRAWBERRY AS THE STATE FRUIT.**

Mr. Speaker Gilligan assigned **HB 203** to the Agriculture Committee.

Representative Brady made an announcement.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady introduced **HB 197**, jointly sponsored by Senator Ennis & Representative Mitchell.

**HB 197 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLE SPEED MONITORING SYSTEMS.**

Mr. Speaker Gilligan assigned **HB 197** to the Public Safety & Homeland Security Committee.

Representative Walls made an announcement.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced **HB 208**, jointly sponsored by Senator Ennis & Representatives Atkins & Schwartzkopf.

**HB 208 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOMES.**

Mr. Speaker Gilligan assigned **HB 208** to the Manufactured Housing Committee.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced **HB 200**, jointly sponsored by Senator Bunting & Representatives Atkins, Carson, Kowalko & Schwartzkopf.

**HB 200** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES.

Mr. Speaker Gilligan assigned **HB 200** to the Manufactured Housing Committee.

Representative Longhurst made an announcement.

Mr. Speaker Gilligan introduced a guest.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell introduced **HB 207**, jointly sponsored by Representative D.P. Williams & Representatives Schwartzkopf & Senator Ennis & cosponsored by Representatives Atkins, Barbieri, Booth, Carey, Cathcart, Hudson. Jaques, J. Johnson, Q. Johnson, Kovach, Lee, Manolakos, Miro, Outten, Plant, Ramone, B. Short, D. Short, D.E. Williams & Wilson.

**HB 207** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SPECIAL LAW ENFORCEMENT ASSISTANCE FUND.

Mr. Speaker Gilligan assigned **HB 207** to the Public Safety & Homeland Security Committee.

Representative Mitchell made an announcement.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson introduced **HB 209**, jointly sponsored by Representative Bennett & Representative Lee & Senator Ennis & Senator Hall-Long.

**HB 209** – AN ACT TO AMEND TITLES 9 AND 22 OF THE DELAWARE CODE RELATING TO COUNTIES AND MUNICIPALITIES.

Mr. Speaker Gilligan assigned **HB 209** to the Housing & Community Affairs Committee.

The Majority Leader moved to adjourn at 2:23 p.m., thereby ending the current Legislative Day. The House reconvened at 2:24 p.m.

### **33rd LEGISLATIVE DAY – 145th GENERAL ASSEMBLY - First Session June 9, 2009**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Plant – 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 201** – VIOLA & REPRESENTATIVE MIRO & SENATOR HENRY; REPRESENTATIVES MITCHELL, SCHOOLEY, D.P. WILLIAMS, WILSON; SENATORS BONINI, SIMPSON - NATURAL RESOURCES - An Act to Amend Chapter 60, Title 7 of the Delaware Code Relating to Beverage Containers.

**HB 202** - B. SHORT & SENATOR MCDOWELL; REPRESENTATIVES BENNETT, CARSON, RAMONE, D. SHORT; SENATOR CLOUTIER - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to the Delaware Life and Health Insurance Guaranty Association.

**HA 2 to HB 160** - MITCHELL - Placed with the Bill.

**HA 1 to HB 175** – BRADY - Placed with the Bill.

**SB 86** – HENRY & REPRESENTATIVE M. MARSHALL; SENATORS BLEVINS, CLOUTIER, CONNOR, HALL-LONG, KATZ, MCDOWELL, PETERSON, SOKOLA, SORENSON; REPRESENTATIVE KEELEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Health and Safety, Informed Consent and HIV Testing.

The House observed a moment of silence in memory of Kelly Fritchman at the request of Representative Hocker. The House observed a moment of silence in memory of William J. McGowan, Jr. at the request of Representative Brady. Representative Lavelle requested that he be marked present.

The Reading Clerk read the following communications into the record:

#### MEMORANDUM

TO: Rep. Robert F. Gilligan  
Speaker of the House  
CC: Rich Puffer  
Chief Clerk  
FROM: Rep. Hazel D. Plant  
DATE: June 9, 2009  
RE: Absence from session

I will be unable to attend session on Tuesday, June 9, 2009 due to personal reasons.  
Dear Friends in the Delaware House of Representatives,

Thank you very much for your memoriam to my husband, Nelson “Wayne” Cannon. He would be very honored to receive this tribute. I am sure he is looking down on us today and smiling.

Sincerely,  
Barbara Cannon

Representative Schwartzkopf deferred to Representative Longhurst. Representatives Longhurst & Carey made comments. Representative Longhurst requested and was granted privilege of the floor for herself and Representative Carey to present a House tribute to Kayla Martell, who addressed the House. Representative Schwartzkopf requested and was granted privilege of the floor for Galen Giaccone, Miss Delaware 2008, who presented her official portrait. The 2009 Miss Delaware contestants announced their names, titles & platforms for the record. Representatives Hocker & Atkins made comments. Representative Atkins introduced guests. Representative Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 117**, jointly sponsored by Senator Katz & Representatives Atkins, Barbieri, Bennett, Blakey, Hudson, Q. Johnson, Kovach, Manolakos, M. Marshall, Miro, Mitchell, Mulrooney, Oberle, Plant, Ramone, Schooley, Schwartzkopf, Scott, B. Short, Thornburg, Walls & D.P. Williams & Senators Blevins, Bonini, Cloutier, Connor, Hall-Long & Sokola & cosponsored by Senator Cloutier, before the House for consideration.

**HB 117 - AN ACT TO AMEND TITLES 14 AND 15 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS AND SCHOOL BOARD ELECTIONS.**

Representative Booth brought **HA 1 to HB 117** before the House for consideration. Representatives Booth & Longhurst made comments. **HA 1** was defeated by voice vote. Representative Lavelle brought **HA 2 to HB 117** before the House for consideration. Representatives Lavelle & Kowalko made comments. Representative Hudson introduced and brought **HA 1 to HA 2 to HB 117** before the House for consideration. Representative Hudson made comments. Representative Hudson moved to place **HA 1 to HA 2** on the Speaker's Table. The motion was seconded by Representative Miro and adopted by voice vote. Representatives Lavelle, B. Short, Kowalko, Longhurst, Lavelle, B. Short, Kowalko & Manolakos made comments.

The roll call on **HA 2 to HB 117** was taken and revealed:

YES: Representatives Blakey, Booth, Carey, Cathcart, Hocker, Hudson, Kowalko, Lavelle, Lee, Oberle, Outten, D. Short & Wilson - 13.

NO: 26.

NOT VOTING: Representative Atkins - 1.

ABSENT: Representative Plant - 1.

Therefore, not having received a constitutional majority, **HA 2 to HB 117** was declared defeated.

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

Representative Schwartzkopf deferred to Representative Booth. Representative Booth brought **HA 3 to HB 117** before the House for consideration. Representatives Booth, Miro & Longhurst made comments.

Representative Booth requested and was granted privilege of the floor for Elaine Manlove, State Elections Commissioner. Representatives Booth, Longhurst, Kowalko, Manolakos, D. Short, Longhurst, Ramone, Booth, Kowalko, Q. Johnson, D.E. Williams, Booth, Manolakos, Miro, Hudson, Kowalko, Brady, Lavelle, Ramone, Booth & Scott made comments.

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

YES: Representatives Atkins, Blakey, Booth, Carey, Carson, Cathcart, Hocker, Kowalko, Lavelle, Lee, Oberle, Outten, D. Short & Wilson - 14.

NO: 24.

ABSENT: Representatives Keeley, Plant & D.P. Williams - 3.

Therefore, not having received a constitutional majority, **HA 3 to HB 117** was declared defeated.

Representative Hudson requested and was granted privilege of the floor for Ron Smith, House Attorney. Representative Hudson made comments. Representative Hudson introduced and brought **HA 4 to HB 117** before the House for consideration. Representative Hudson & Longhurst made comments.

**HA 4** was adopted by voice vote. Representatives Lavelle & Booth made comments. Representative Booth requested and was granted privilege of the floor for Susan Francis, Executive Director, Delaware School Boards Association. Representative Booth made comments. Representative Longhurst rose on a point of order. Mr. Speaker Gilligan concurred. Representatives Booth, Kowalko, Hudson & Longhurst made comments. Representative Booth rose on a point of order. Mr. Speaker Gilligan did not concur. Representatives Mitchell, Manolakos, Schooley, Kowalko & Longhurst made comments. Representative Kowalko requested and was granted personal privilege of the floor for Dan Curry, Superintendent, Lake Forest School District and President, Chief School Officers Association. Representative Kowalko made comments.

The roll call on **HB 117 w/HA 4** was taken and revealed:

YES: 23.

NO: Representatives Atkins, Blakey, Booth, Carey, Carson, Cathcart, Hocker, Keeley, Kowalko, Lavelle, Lee, Oberle, Outten, D. Short, Viola, Walls & Wilson - 17.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 117 w/HA 4** was sent to the Senate for concurrence.

Representative Schwartzkopf made an announcement.

Representative Schwartzkopf introduced **HB 210**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson.

**HB 210** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSING FEES. (3/5 bill)

Mr. Speaker Gilligan assigned **HB 210** to the Revenue & Finance Committee.

Representative Schwartzkopf introduced **HB 211**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson.

**HB 211** - AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE RELATING TO THE LEVY, COLLECTION AND USE OF TOBACCO PRODUCT TAX REVENUE. (3/5 bill)

Mr. Speaker Gilligan assigned **HB 211** to the Revenue & Finance Committee.

Representative Schwartzkopf introduced **HB 212**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson.

**HB 212** - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO TAXES ON ALCOHOLIC BEVERAGES. (3/5 bill)

Mr. Speaker Gilligan assigned **HB 212** to the Revenue & Finance Committee.

Representative Viola made an announcement.

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart brought **HB 36**, jointly sponsored by Representatives Booth, Manolakos, J. Johnson & Plant & cosponsored by Representatives Atkins, Bennett, Carey, Carson, Hocker, Hudson, Jaques, Q. Johnson, Kovach, Kowalko, Lavelle, Lee, Longhurst, Mitchell, Outten, Ramone, Schwartzkopf, B. Short, D. Short, Walls, D.E. Williams & Wilson, before the House for consideration.

**HB 36** - AN ACT TO AMEND TITLES 16 AND 29 OF THE DELAWARE CODE RELATING TO NURSING FACILITIES AND SIMILAR FACILITIES.

Representatives Cathcart & J. Johnson made comments.

The roll call on **HB 36** was taken and revealed:

YES: 38.

ABSENT: Representatives Kovach, M. Marshall & Plant - 3.

Therefore, having received a constitutional majority, **HB 36** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart brought **HB 37**, jointly sponsored by Senator Hall-Long & Representatives J. Johnson, Plant, Booth & Manolakos & cosponsored by Representatives Atkins, Bennett, Carey, Carson, Hocker, Hudson, Jaques, Q. Johnson, Kovach, Kowalko, Lee, Longhurst, Mitchell, Outten, Ramone, Schwartzkopf, D. Short, Walls, D.E. Williams & Wilson, before the House for consideration.

**HB 37** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE MENTAL HEALTH PATIENTS' BILL OF RIGHTS.

Representative Cathcart brought **HA 1 to HB 37** before the House for consideration. Representative Cathcart requested that **HA 1** be stricken. Representative Cathcart introduced and brought **HA 2 to HB 37** before the House for consideration. Representative Cathcart made comments.

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

Representative Cathcart made comments.

The roll call on **HB 37 w/HA 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Lavelle & Plant - 3.

Therefore, having received a constitutional majority, **HB 37 w/HA 2** was sent to the Senate for concurrence.

Representative Cathcart made an announcement.

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart brought **HB 39**, jointly sponsored by Senator Hall-Long & Representatives J. Johnson, Plant, Booth & Manolakos & cosponsored by Representatives Atkins, Bennett, Carey, Carson, Hocker, Jaques, Q. Johnson, Kovach, Kowalko, Lavelle, Lee, Longhurst, Mitchell, Ramone, Schwartzkopf, B. Short, D. Short, Walls, D.E. Williams & Wilson, before the House for consideration.

**HB 39** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES.

Representative Cathcart made comments.

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

YES: 40.

ABSENT: Representative Plant - 1.

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

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart brought **HB 163**, jointly sponsored by Senator Hall-Long & Representatives J. Johnson, Plant, Booth & Manolakos & cosponsored by Representatives Bennett, Carey, Jaques, Kowalko, Lee, Mitchell, Ramone, D. Short, Walls & Wilson, before the House for consideration.

**HB 163** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ESTABLISHMENT OF A DEPARTMENT OF HEALTH AND SOCIAL SERVICES DEATH REVIEW COMMITTEE.

Representative Barbieri introduced and brought **HA 1 to HB 163** before the House for consideration. Representatives Cathcart & Barbieri made comments. **HA 1** was adopted by voice vote. Representative Cathcart made comments.

The roll call on **HB 163 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 163 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Cathcart. Representative Cathcart requested that **HB 34** be stricken. Representative Cathcart requested and was granted personal privilege of the floor to make comments. Mr. Speaker Gilligan made comments.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 149**, jointly sponsored by Senator DeLuca & Representatives Bennett, Brady, Hocker, Hudson, Keeley, Lavelle, Ramone, Viola & Senators Adams, Bunting, Bonini, Cook, Katz & Sokola, before the House for consideration.

**HB 149** - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO COMPENSATION RECEIVED BY MORTGAGE LOAN BROKERS AND LICENSED LENDERS FOR MORTGAGE LOAN MODIFICATION SERVICES.

Representative B. Short made comments.

The roll call on **HB 149** was taken and revealed:

YES: 39.

ABSENT: Representatives Keeley & Plant - 2.

Therefore, having received a constitutional majority, **HB 149** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **HB 175**, jointly sponsored by Senator Hall-Long & Representatives Keeley, Lavelle, Oberle & Plant, before the House for consideration.

**HB 175** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ASSESSMENT OF A PROSECUTION FEE.

Representative Brady brought **HA 1 to HB 175** before the House for consideration. Representative Brady made a comment. **HA 1** was adopted by voice vote. Representative Brady made comments.

The roll call on **HB 175 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 175 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **HB 176**, jointly sponsored by Senator Blevins & Representatives Atkins, Barbieri, Bennett, J. Johnson, Q. Johnson, Scott, Viola & Senators Hall-Long & Ennis & cosponsored by Representatives Carey, Carson, Cathcart, Hocker, Jaques, Kowalko, Lavelle, Longhurst, Manolakos, Miro, Mitchell, Oberle, Outten, Schooley, Schwartzkopf, B. Short, Thornburg, Walls, D.E. Williams & Wilson, before the House for consideration.

**HB 176** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Representatives Brady, Mitchell, Lavelle, Kovach & Walls made comments.

The roll call on **HB 176** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 176** was sent to the Senate for concurrence.

Representative Schwartzkopf made an announcement.

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 brought **HA 1 to HB 92** before the House for consideration. Representative Hudson made a comment. **HA 1** was adopted by voice vote. Representatives Hudson & J. Johnson made comments.

The roll call on **HB 92 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 92 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Manolakos.

Representative Manolakos introduced **HB 213**, jointly sponsored by Senator Sokola & Senator Peterson & Representatives Keeley, Hudson, Kovach, Miro & Outten.

**HB 213** -AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO BUSINESS LICENSES. (2/3 bill)

Mr. Speaker Gilligan assigned **HB 213** to the Economic Development/Banking/Insurance/Commerce Committee.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short requested that action on **HB 85** be Deferred to a Day Certain, Thursday, June 11, 2009.

Representative Schwartzkopf deferred to Representative Ramone.

Representative Ramone introduced **HB 214**, jointly sponsored by Senator Peterson

**HB 214** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY.

Mr. Speaker Gilligan assigned **HB 214** to the House Administration Committee.

The Majority Leader moved to recess to the call of the Chair at 5:34 p.m.

Mr. Speaker Gilligan called the House to order at 2:03 p.m. on June 10, 2009.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 61 w/SA 2, SB 148, SB 90 w/SA 2, SB 88, SB 89 & SB 101** and requests the concurrence of the House.

REMINDER

TO: Bernard Brady  
Secretary of the Senate  
Richard Puffer  
Chief Clerk of the House

FROM: Deborah A. Porter  
Acting Director

DATE: June 9, 2009

RE: Event Reminder

The annual Special Olympics Torch Run and ceremony is scheduled for Thursday, June 11, 2009 at 11:30 until approximately 2:15 PM. The event is held on the west side of Legislative Hall and Legislative Avenue will be closed during this event.

Representative B. Short made an announcement.

The Majority Leader moved to adjourn at 2:04 p.m., thereby ending the current Legislative Day. The House reconvened at 2:05 p.m.

**34th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session  
June 10, 2009**

The Chief Clerk called the roll:

Members Present: 41.

The House observed a moment of silence in memory of Reverend Chad Miller at the request of Representative Schooley.

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 215 – ATKINS & SENATOR BUNTING; REPRESENTATIVE B. SHORT - HOUSE ADMINISTRATION** - An Act to Amend Title 29 of the Delaware Code Relating to State Government Procurement and the Publication of Legal Notices.

**HA 1 to HB 156** - M. MARSHALL - Placed with the Bill.

**HA 1 to HA 1 to HB 159** - BOOTH - Placed with the Bill.

**HA 1 to HS 1 for HB 169** - M. MARSHALL - Placed with the Bill.

**HA 1 to HB 183** - M. MARSHALL - Placed with the Bill.

**HA 1 to HB 193** - VIOLA - Placed with the Bill.

**SB 61 w/SA 2** – MCDOWELL & SENATOR HENRY & REPRESENTATIVE KOVACH & REPRESENTATIVE D.E. WILLIAMS; SENATOR KATZ; REPRESENTATIVES B. SHORT, LAVELLE - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Assaults.

**SB 88** – DELUCA & REPRESENTATIVE B. SHORT; REPRESENTATIVES M. MARSHALL, KOVACH - ECONOMIC DEVELOPMENT/BANKING/ INSURANCE/COMMERCE - An Act to Amend Titles 6 and 12 of the Delaware Code Relating to Transfers of Property and Fiduciary Relations.

**SB 89** – DELUCA & REPRESENTATIVE B. SHORT; REPRESENTATIVES M. MARSHALL, KOVACH - ECONOMIC DEVELOPMENT/BANKING/ INSURANCE/COMMERCE - An Act to Amend Title 12 with Respect to the Allocation of Principal and Income of Trusts, Decedents' Estates and Other Fiduciary Accounts.

**SB 90 w/SA 2** - HALL-LONG; SENATORS BLEVINS, HENRY, CLOUTIER, PETERSON, SORENSON, CONNOR; REPRESENTATIVES D.E. WILLIAMS, LONGHURST, JAQUES, Q. JOHNSON, THORNBURG, BOOTH, HUDSON, J. JOHNSON, BARBIERI - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Tanning Facilities. (2/3 bill)

**SB 101** – PETERSON & REPRESENTATIVE HUDSON; SENATORS BUNTING, BUSHWELLER, SORENSON; REPRESENTATIVES SCOTT, RAMONE, KOWALKO, MIRO, CARSON, MANOLAKOS - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Personal Actions.

Representatives Cathcart, D. Short, J. Johnson, Carson, Thornburg, Miro & Oberle requested that they be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #20

DATE: June 10, 2009

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                                                               |
|----------|-----------------------|------------|------|---------------------------------------------------------------------------|
| H145-403 | Kovach                | 5/21/2009  | T    | Edward Mason - Eagle Scout                                                |
| H145-404 | Bennett               | 4/30/2009  | T    | Constance L. Stultz - Retirement - Department of State                    |
| H145-405 | Schooley              | 5/6/2009   | T    | Nancy Neal - Woman of Year - UofD Women’s Club                            |
| H145-406 | Kovach;               | 5/7/2009   | T    | Walt Borders - Cubmaster, Dedication and Leadership                       |
|          | B. Short              |            |      |                                                                           |
| H145-407 | Kovach;               | 5/7/2009   | T    | Vicki Hughes - Committee Chair, Pack 99 - Dedicated Service               |
|          | Lavelle               |            |      |                                                                           |
| H145-408 | Kovach                | 5/5/2009   | T    | Green Stone Engineering - 5th Anniversary                                 |
|          | cosponsor: Rep. Booth |            |      |                                                                           |
| H145-409 | D. Short              | 5/16/2009  | T    | Blades Fire Company - 75 <sup>th</sup> Anniversary                        |
| H145-410 | Oberle                | 6/4/2009   | T    | James A. Gromis, Jr. – Sterck School - Graduation                         |
| H145-411 | Oberle                | 6/4/2009   | T    | Samantha Jones - Sterck School - Graduation                               |
| H145-412 | Oberle                | 6/4/2009   | T    | Ivan M. Robinson - Sterck School - Graduation                             |
| H145-413 | Oberle                | 6/4/2009   | T    | Donald A. Steele, Jr. - Sterck School - Graduation                        |
| H145-414 | Oberle                | 6/4/2009   | T    | Nadia N. Thacker - Sterck School - Graduation                             |
| H145-415 | Oberle                | 6/4/2009   | T    | Lashaunda L. Tingle - Sterck School - Graduation                          |
| H145-416 | Oberle                | 6/4/2009   | T    | Victoria J. Trice - Sterck School - Graduation                            |
| H145-417 | Oberle                | 6/4/2009   | T    | Bryan Preston Ward - Sterck School - Graduation                           |
| H145-418 | Kovach                | 05/13/2009 | T    | Mariah Parker - Lion's Club Scholarship Winner                            |
| H145-419 | Kovach;               | 5/13/2009  | T    | Mairead Browne - Lion’s Club Scholarship Winner                           |
|          | B. Short              |            |      |                                                                           |
| H145-420 | Kovach                | 5/13/2009  | T    | Caitlin Graf - Lion’s Club Scholarship Winner                             |
|          | Lavelle               |            |      |                                                                           |
| H145-421 | Kovach                | 5/13/2009  | T    | Hannah Andersen - Lion's Club Scholarship Winner                          |
| H145-422 | Kovach                | 5/13/2009  | T    | LaVon Johnson - Lion’s Club Scholarship Winner                            |
|          | Lavelle               |            |      |                                                                           |
| H145-423 | Brady                 | 5/6/2009   | T    | Allen M. Terrell, Jr. - President, Bar Association - Leadership & Service |
|          | M. Marshall           |            |      |                                                                           |

HOUSE TRIBUTE ANNOUNCEMENT #21

DATE: June 10, 2009

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                                             |
|----------|--------------|-----------|------|---------------------------------------------------------|
| H145-424 | Schwartzkopf | 5/11/2009 | T    | Dr. Harriet Smith Windsor - Retire - Secretary of State |
| H145-425 | Outten       | 5/2/2009  | M    | Annie Elisabeth Brown                                   |
| H145-426 | Hocker       | 5/12/2009 | T    | Chief Michael Redmon - 20 Years – Bethany Police        |

|          |                     |           |   |                                                                              |
|----------|---------------------|-----------|---|------------------------------------------------------------------------------|
| H145-427 | Gilligan            | 5/5/2009  | T | Michael & Sue Mulrooney - 25 <sup>th</sup> Wedding Anniversary               |
| H145-428 | Longhurst           | 4/4/2009  | M | Paul Joseph Fisher, Sr.                                                      |
| H145-429 | Atkins              | 5/16/2009 | T | Dale & Evelyn Short - 50 <sup>th</sup> Wedding Anniversary                   |
| H145-430 | Kovach              | 5/30/2009 | T | Martin Jose Martinez - Eagle Scout                                           |
| H145-431 | Scott               | 5/31/2009 | T | Jack Eanes - Retire - Deputy Director - Motor Vehicles                       |
| H145-432 | Atkins              | 5/3/2009  | M | Jack L. Strayer                                                              |
| H145-433 | Brady;<br>Cathcart  | 5/8/2009  | T | Sergeant First Class Harry Grantland, Jr. - Retirement - Army National Guard |
| H145-434 | Brady;<br>Gilligan  | 5/8/2009  | T | Sergeant First Class Deane Cressman - Retirement - Army National Guard       |
| H145-435 | Gilligan            | 5/12/2009 | T | Elizabeth Pearce Quesenberry - Pearce Q. Foundation                          |
| H145-436 | Scott               | 5/12/2009 | T | Del Tech Men's Lacrosse Team - Region Champions                              |
| H145-437 | Carey               | 5/24/2009 | T | Jesse Millman - 85th Birthday                                                |
| H145-438 | Bennett             | 5/29/2009 | T | Barbara Hurley - Retirement - DELDOT                                         |
| H145-439 | Outten;<br>Walls    | 5/19/2009 | T | Dr. Judy Craig - Retirement - Lake Forest Schools                            |
| H145-440 | Outten;<br>Scott    | 5/19/2009 | T | Kathleen LaTourette - Retirement - Lake Forest Schools                       |
| H145-441 | Carey;<br>Outten    | 6/19/2009 | T | Robert Egbert - Retirement - Lake Forest Schools                             |
| H145-442 | Atkins;<br>Outten   | 5/19/2009 | T | Ruthann MacFarland - Retirement - Lake Forest Schools                        |
| H145-443 | Outten;<br>D. Short | 5/19/2009 | T | Janet Blevins - Retirement - Lake Forest Schools                             |
| H145-444 | Outten;<br>Scott    | 5/19/2009 | T | Stephanie Collins - Retirement - Lake Forest Schools                         |

T- Tribute

M – Memoriam

Representatives Booth, Hudson & Mitchell requested that they be marked present.

Representative Schwartzkopf brought the following prefiled **Consent Calendar #10** before the House for consideration.

**HCR 19** - Q. JOHNSON & SENATOR HALL-LONG & REPRESENTATIVES BARBIERI, BENNETT, CARSON, J. JOHNSON, SCOTT, B. SHORT, WALLS - Proclaiming the Month of October to be "Disability History and Awareness Month" and Encouraging All Delaware Schools to Provide Instruction and Events Related Thereto.

**SCR 19** – ADAMS & SENATORS BUNTING & SIMPSON & REPRESENTATIVES SCHOOLEY & D. SHORT - Encouraging All Delaware Public and Private Schools to Increase the Amount of Physical Activity for Students in Order to Decrease Obesity and Improve the Health of Delaware's Young People.

**SCR 20** – HENRY & REPRESENTATIVE MITCHELL - Recognizing the Month of June, 2009, as Amateur Radio Month in the State of Delaware.

**Consent Calendar # 10** was adopted by voice vote and **HCR 19** was sent to the Senate for concurrence and **SCR 19** & **SCR 20** were returned to the Senate.

Representative Q. Johnson requested and was granted personal privilege of the floor to make comments regarding **HCR 19**.

Representative Schwartzkopf deferred to Representative Mitchell. Representative Kovach requested that he be marked present. Representative Mitchell requested and was granted privilege of the floor for himself and Representative Keeley to present a House Tribute to Mr. James F. Keeley on the occasion of his 80<sup>th</sup> birthday. Mr. Keeley addressed the House. Representatives Brady, Longhurst, Keeley & Mulrooney made comments. Representatives Manolakos & Wilson requested that they be marked present. Representative Schwartzkopf made comments.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:23 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 2:23 p.m.: Representatives Lee, M. Marshall & D.P. Williams.

Mr. Speaker Gilligan called the House to order at 2:04 p.m. on June 11, 2009.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 102** & **SB 156** and requests the concurrence of the House and the Senate has passed **HB 76**, **HS 1** for **HB 21** & **HB 109 w/HA 1** and is returning same to the House.

Representative Schwartzkopf made comments. Representative Schwartzkopf requested and was granted privilege of the floor for himself and Representative Kovach to welcome Eagle Scouts who announced their names, troops and home towns for the record.



Representatives Kovach & Brady made comments.

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

MANUFACTURED HOUSING: **HB 105** - 4F; **HB 200** - 4F; **HB 208** - 2F, 1M.

LABOR: **SB 38** - 1F, 5M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 47 w/SA 1** - 3F, 1M; **SB 48** - 2F, 2M.

JUDICIARY: **HB 171** - 5M; **HB 196** - 6M,1U; **HB 204** - 8M; **HB 206** - 8M; **SB 36** - 8M; **SB 37** - 7M; **SB 82** - 8M; **SB 83** - 8M; **SB 84** - 2M,5U.

AGRICULTURE: **HB 192** - 1F, 5M; **HB 203** - 4F, 2M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 197** - 2F, 3M, 3U; **HB 207** - 9M.

EDUCATION: **HS 1 for HB 119** - 1F, 11M; **HB 157** - 3F, 7M

HEALTH & HUMAN DEVELOPMENT: **HB 139** - 11M; **HB 184** - 2F, 8M; **HB 190** - 8M; **HB 199** - 3F, 8M; **SB 65 w/SA 2** - 9M; **HB 38** - 11M.

NATURAL RESOURCES: **SB 72** - 7M.

HOUSING & COMMUNITY AFFAIRS: **HB 198** - 5F,3M; **HB 205** - 1F,6M; **HB 209** - 3F,4M; **SB 77** - 4F,3M.

REVENUE & FINANCE: **HB 97** - 3F,6M; **HB 138** - 2F,6M; **HB 210** - 5M,3U; **HB 211** - 6M,2U; **HB 212** - 4M,3U.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HB 148** - 7F; **HB 202** - 7F.

Mr. Speaker Gilligan made an announcement and introduced a guest. Representatives Carey, B. Short & J. Johnson requested and were granted personal privilege of the floor to introduce guests. Representative Lavelle made a comment.

Representative Schwartzkopf deferred to Representative Walls.

Representative Walls introduced **HB 216** jointly sponsored by Senator Bunting & Representatives Atkins, Bennett, Booth, Carson, Mulrooney & Oberle & Senator Ennis.

**HB 216** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING & FISHING LICENSES

Mr. Speaker Gilligan assigned **HB 216** to the Natural Resources Committee.

The Majority Leader moved to adjourn at 2:17 p.m., thereby ending the current Legislative Day. The House reconvened at 2:18 p.m.

### **35th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session June 11, 2009**

The Chief Clerk called the roll.

Members Present: 40.

Members Absent: Representatives Schooley - 1.

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.

Representatives Cathcart & Keeley requested that they be marked present.

The following prefiled legislation was introduced:

**SB 102** – KATZ & REPRESENTATIVE BENNETT - HOUSE ADMINISTRATION - An Act to Amend Title 13 of the Delaware Code Relating to Marriage.

**SB 156** – M. MARSHALL; SENATOR VENABLES; REPRESENTATIVES B. SHORT, JAQUES, OBERLE; SENATOR CLOUTIER - LABOR - An Act to Amend Chapter 33, Title 19 of the Delaware Code Relating to Unemployment Compensation.

Representative Schwartzkopf requested and was granted personal privilege of the floor for himself, Chiefs of Police and law enforcement officers involved in the Special Olympics Torch Run. Retired Captain John M. Miller, Special Olympics State Director, addressed the House. Representative Jaques requested and was granted personal privilege of the floor to make comments. Representatives Lavelle & Schwartzkopf made comments. Representative Q. Johnson requested and was granted personal privilege of the floor to introduce guests. The Providence Creek Academy Percussion Ensemble performed and the students announced their names and grades for the record.

Representative Schwartzkopf introduced **HR 27** jointly sponsored by Representative Gilligan & Representative Cathcart & Representative Longhurst & Representative D. Short on behalf of All Representatives

**HR 27** – RECOGNIZING THURSDAY, JUNE 11, 2009 AS STAFF APPRECIATION DAY IN THE HOUSE OF REPRESENTATIVES, THE MOST IMPORTANT DAY OF THE YEAR.

WHEREAS, it is a well known fact that without the dedicated, hard working staff of the Delaware House of Representatives, legislators would be like sports bookies without the goons that help them collect; and

WHEREAS, whether it is helping legislators find their lost items (couch, bible, coat rack) or trying not to laugh when some of those same legislators accidentally stumbled into the wrong office during the great office transition, the devoted legislative staff always knows how to make their bosses look good; and

WHEREAS, the legislative staff could even start up a successful office moving, décor, and cleaning company after all their work earlier this year, and then they wouldn't have to mutter under their breath that none of that is in their job description; and

WHEREAS, each and every staff member truly has the state's interests at heart, even if it means pretending when talking to other state employees that an 8 percent pay cut really wouldn't be that bad; and

WHEREAS, as if the budget deficit wasn't depressing enough, legislative staffers have to constantly hear from legislators and lobbyists alike about how fun Legislative Hall was back when the state had money; and

WHEREAS, legislative staff are perhaps the only people in Delaware who curse the plethora of free food in the building because of what it does to their waistlines, and then turn right around and complain that no one is providing lunch that day; and

WHEREAS, the legislative staff would collectively like to thank the representatives for having the uncanny insight to know that they would much rather have this appreciation day instead of a pay raise; and

WHEREAS, the 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 145<sup>th</sup> General Assembly of the State of Delaware that we hereby extend our deepest, most sincere, most heartfelt, almost to the point of tears, gratitude for all of the hard work and dedication by our loyal legislative staff.

BE IT FURTHER RESOLVED that a suitably prepared copy of this resolution NOT be prepared for our dedicated staff because that would be too much work.

Representatives Schwartzkopf, Cathcart & Mr. Speaker Gilligan made comments.

**HR 27** was adopted by voice vote.

Representative Schwartzkopf made an announcement. Representative Lavelle requested that he be marked present. Mr. Speaker Gilligan made an announcement. Representative M. Marshall requested that she be marked present. Representative M. Marshall requested that **HB 171** be stricken. Representative J. Johnson requested and was granted personal privilege of the floor to introduce a guest.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: Rep. Robert F. Gilligan  
Speaker of the House

CC: Richard Puffer

FROM: Rep. Teresa L. Schooley

DATE: June 11, 2009

RE: Absence from session

I will be unable to attend today's session because of a family obligation.

The Majority Leader moved to recess for caucus at 2:50 p.m.

The House reconvened at 5:24 p.m.

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

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 23** and requests the concurrence of the House. The Senate has passed **SB 138 w/SA 2, & SS 1 for SB 35 w/SA 1** and the Senate has passed **HB 112 w/HA 1** and is returning the same to the House.

The Senate wishes to inform the House that it has passed **HB 135 w/HA 1 & SA 1** and is returning same to the House and the Senate wishes to inform the House that it has passed **SB 140** and requests the concurrence of the House and the Senate has passed **SB 139, SB 73, SB 111, SB 116 & SB 117** and requests the concurrence of the House.

Representatives D.P. Williams & Oberle requested that they be marked present.

Mr. Speaker Gilligan declared a recess at 5:30 p.m. The House reconvened at 5:37 p.m.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett introduced **HB 218**, jointly sponsored by Representative Scott & Senator Ennis & Senator Bushweller & Representatives Carson, Jaques, Mitchell, D. Short, Walls, D.E. Williams, D.P. Williams & Wilson.

**HB 218 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO DELAWARE COUNTY AND MUNICIPAL POLICE/FIREFIGHTER PENSION PLAN.**

Mr. Speaker Gilligan assigned **HB 218** to the Public Safety & Homeland Security Committee.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with introduction of and action on **SB 148**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Keeley introduced and brought **SB 148**, jointly sponsored by Senators Venables, Blevins, Cook, McDowell, Simpson & Sorenson & Representatives Mulrooney, Schooley, Viola, Carey & Oberle, before the House for consideration.

**SB 148 – AN ACT REVERTING CERTAIN FUNDS OF THE STATE AND DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND.**

Representatives Keeley & Oberle made comments.

The roll call on **SB 148** was taken and revealed:

YES: 38.

ABSENT: Representatives Kovach, Schooley & Walls - 3.

Therefore, having received a constitutional majority, **SB 148** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell moved to suspend the rules which interfere with action on **HB 207**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Mitchell brought **HB 207**, jointly sponsored by Representative D. P. Williams & Representative Schwartzkopf & Senator Ennis & cosponsored by Representatives Atkins, Barbieri, Booth, Carey, Cathcart, Hudson, Jaques, J. Johnson, Q. Johnson, Kovach, Lee, Manolakos, Miro, Outten, Plant, Ramone, B. Short, D. Short, D.E. Williams & Wilson, before the House for consideration.

**HB 207 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SPECIAL LAW ENFORCEMENT ASSISTANCE FUND.**

Representatives Mitchell & D.P. Williams made comments.

The roll call on **HB 207** was taken and revealed:

YES: 39.

ABSENT: Representatives Schooley & Walls - 2.

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

Representative Mitchell made an announcement.

Representative Schwartzkopf brought **Consent Agenda B** before the House for consideration.

**HB 150 – MITCHELL & SENATOR BUSHWELLER - An Act to Amend Title 10 of the Delaware Code Relating to the Qualifications and Training of Constables.**

**HB 186 – SCHOOLEY & SENATOR HENRY & REPRESENTATIVES SCHWARTZKOPF, D.P. WILLIAMS, ATKINS, BOOTH, HOCKER, LAVELLE & WILSON & SENATORS CLOUTIER, CONNOR & SIMPSON - An Act to Amend Title 29 of the Delaware Code Relating to the Establishment and Administration of a Tax Deferred Savings Plan for Employees of the Department of Education and the Public Schools of the State of Delaware.**

**SB 36 – ADAMS & REPRESENTATIVE M. MARSHALL & SENATORS DELUCA, MARSHALL & SIMPSON - An Act to Amend Title 10 of the Delaware Code Relating to Procedures Applicable to Trespass, Replevin, and Detinue Claims in the Justice of the Peace Court.**

**SB 82 – DELUCA & REPRESENTATIVE M. MARSHALL - 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.**

**SB 83 – DELUCA & REPRESENTATIVE M. MARSHALL - 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.**

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

YES: 38.

ABSENT: Representatives Plant, Schooley & Walls – 3.

Therefore, having received a constitutional majority, **HB 150 & HB 186** were sent to the Senate for concurrence and **SB 36, SB 82 & SB 83** were returned to the Senate.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 204**, jointly sponsored by Representative Longhurst & Senator Ennis & Senator Hall-Long & cosponsored by Representatives Bennett, Booth, Carson, Cathcart, Hocker, J. Johnson, Q. Johnson, Kovach, Lee, Manolakos, M. Marshall, Mitchell, Outten, Ramone, B. Short, D. Short, Thornburg, Viola, D.E. Williams & Wilson, before the House for consideration.

**HB 204 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF MURDER IN THE FIRST DEGREE AND THE CLASSIFICATION OF OFFENSES.**

Representative Jaques introduced and brought **HA 1 to HB 204** before the House for consideration. Representative Jaques made a comment. **HA 1** was adopted by voice vote. Representatives Jaques & Cathcart made comments.

The roll call on **HB 204 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Schooley & Walls - 2.

Therefore, having received a constitutional majority, **HB 204 w/HA 1** was sent to the Senate for concurrence.

Representative Jaques requested and was granted personal privilege of the floor for himself, Representative Cathcart and Representative Longhurst to introduce guests and to make a presentation.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 154**, jointly sponsored by Representatives Bennett & Keeley & Senator Hall-Long & cosponsored by Representative Carson, before the House for consideration.

**HB 154** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE.

Representative Q. Johnson brought **HA 1 to HB 154** 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 **HB 154 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Schooley & Walls - 2.

Therefore, having received a constitutional majority, **HB 154 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought **HB 85**, jointly sponsored by & Representative B. Short & Senator Blevins & Representatives Barbieri, Bennett, Carey, Hocker, Hudson, Q. Johnson, Lavelle, Kovach, Miro, Outten, Ramone, Walls & Wilson & Senators Bunting, Ennis, Venables & Simpson, before the House for consideration.

**HB 85** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SMALL EMPLOYER HEALTH INSURANCE.

Representative D. Short made comments. Representative D. Short brought **HA 1 to HB 85** before the House for consideration. Representative D. Short made comments. **HA 1** was adopted by voice vote. Representatives D. Short, B. Short, Kovach & Q. Johnson made comments.

The roll call on **HB 85 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Schooley & Walls - 2.

Therefore, having received a constitutional majority, **HB 85 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **HB 98**, jointly sponsored by Representative Brady & Senator McDowell & Senators Ennis, Hall-Long & Henry, before the House for consideration.

**HB 98** - AN ACT TO AMEND THE CITY OF WILMINGTON'S HOME RULE CHARTER TO RELATING TO THE DEPARTMENT OF PERSONNEL, PERSONNEL DIRECTOR AND PERSONNEL CODE. (2/3 bill)

Representative J. Johnson made a comment.

The roll call on **HB 98** was taken and revealed:

YES: 39.

ABSENT: Representatives Schooley & Walls - 2.

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 Mitchell.

Representative Mitchell brought **HB 160**, jointly sponsored by Senator Bushweller & Representatives Bennett, Booth, Carson, Scott, B. Short & D.P. Williams & Senators Connor, Ennis & Henry & cosponsored by Representative J. Johnson, before the House for consideration.

**HB 160** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS' LICENSES AND IDENTIFICATION CARDS. (2/3 bill)

Representative Mitchell brought **HA 1 to HB 160** before the House for consideration.

Representative Mitchell made a comment. **HA 1** was adopted by voice vote. Representative Mitchell brought **HA 2 to HB 160** before the House for consideration. Representative Mitchell made a comment. **HA 2** was adopted by voice vote. Representative Mitchell made comments.

The roll call on **HB 160 w/HA 1 & 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Schooley & Walls - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 160 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 161**, jointly sponsored by Senator Bushweller & Representative Brady & Senator Henry, before the House for consideration.

**HB 161** - AN ACT TO AMEND TITLES 2 AND TITLE 21 OF THE DELAWARE CODE RELATING TO PUBLIC CARRIERS. (3/5 bill) (F/I)

Representative Mitchell made comments.

The roll call on **HB 161** was taken and revealed:

YES: 39.

ABSENT: Representatives Schooley & Walls - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 161** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 164**, jointly sponsored by Senator Adams & Representatives Booth, Gilligan, Hocker, Jaques, J. Johnson, Lee, Mulrooney, Outten, Ramone, Schwartzkopf & D. Short, before the House for consideration.

**HB 164** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS, SECONDHAND DEALERS, SCRAP METAL PROCESSORS AND JUNK DEALERS.

Representative Mitchell brought **HA 1 to HB 164** before the House for consideration.

Representative Mitchell & Cathcart made comments. **HA 1** was adopted by voice vote.

Representatives Mitchell & Cathcart made comments. Representative Mitchell requested and was granted privilege of the floor for Peggy Anderson representing the Detective Licensing Division, Delaware State Police. Representatives Cathcart, Kovach & Mitchell made comments.

The roll call on **HB 164 w/HA 1** was taken and revealed:

YES: 29.

NO: Representatives Atkins, Carey, Cathcart, J. Johnson, Lavelle, Manolakos, Mulrooney, Oberle & B. Short - 9.

NOT VOTING: Representative Blakey - 1.

ABSENT: Representatives Schooley & Walls - 2.

Therefore, having received a constitutional majority, **HB 164 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **HS 1 for HB 169**, jointly sponsored by Senator McDowell & Senator Venables & Representatives Bennett, J. Johnson, Keeley, Kovach, Kowalko, Mulrooney, Plant, Schooley & B. Short, before the House for consideration.

**HB 169** - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO RECORDS OF ARREST AND PROSECUTION.

Representative M. Marshall made comments. Representative M. Marshall brought **HA 1 to HS 1 for HB 169** before the House for consideration. Representative M. Marshall made comments. **HA 1** was adopted by voice vote. Representative Kovach made comments. Representative M. Marshall requested and was granted privilege of the floor for Meredith Stewart, House Attorney.

The roll call on **HS 1 for HB 169 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Schooley & Walls - 2.

Therefore, having received a constitutional majority, **HS 1 for HB 169 w/HA 1** was sent to the Senate for concurrence.

Representative Lavelle requested and was granted personal privilege of the floor to make comments. Representative Schwartzkopf deferred to Representative Keeley. Representative Keeley requested and was granted personal privilege of the floor to introduce guests. Representatives Booth, Cathcart & Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **HB 143**, jointly sponsored by Representatives Atkins, Bennett, Keeley & B. Short & Senator Hall-Long, before the House for consideration.

**HB 143** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ASSESSMENT OF AN ADMINISTRATIVE FEE. (3/5 bill)

Representative Brady introduced and brought **HA 1 to HB 143** before the House for consideration. Representative Brady made a comment. **HA 1** was adopted by voice vote. Representative Brady made comments.

The roll call on **HB 143 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Schooley & Walls - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 143 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 202**, jointly sponsored by Senator McDowell & Representatives Bennett, Carson, Ramone & D. Short & Senator Cloutier, before the House for consideration.

**HB 202** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION.

Representative B. Short made comments.

The roll call on **HB 202** was taken and revealed:

YES: 35.

ABSENT: Representatives Hudson, Kovach, Manolakos, Ramone, Schooley & Walls - 6.

Therefore, having received a constitutional majority, **HB 202** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 113**, jointly sponsored by Senator Bushweller & Representative Carson & Senators Blevins & Ennis, before the House for consideration.

**HB 113** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Representative Mitchell made comments.

The roll call on **HB 113** was taken and revealed:

YES: 36.

ABSENT: Representatives Atkins, Cathcart, Miro, Schooley & Walls - 5.

Therefore, having received a constitutional majority, **HB 113** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **SB 65 w/ SA 2**, jointly sponsored by Senator Hall-Long & Senator Blevins & Senator Ennis & Representatives Carson, B. Short, Mulrooney, Jaques, Viola, M. Marshall, Q. Johnson, Oberle, Lavelle & Keeley and cosponsored by Representative Scott, before the House for consideration.

**SB 65** – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO DENTAL INSURANCE AND CHILDREN WITH SEVERE DISABILITIES.

Representative Kowalko made comments.

The roll call on **SB 65 w/SA 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Blakey, Schooley & Walls - 3.

Therefore, having received a constitutional majority, **SB 65 w/SA 2** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Ramone.

Representative Ramone brought **HB 172**, jointly sponsored by Representative Keeley & Senator Peterson & Senator Sokola & Representatives D. Short, Booth, Hudson, Kovach & Lavelle & Senators Sorenson, Bonini & Cloutier, before the House for consideration.

**HB 172** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DISCLOSURE OF COUNCIL OR BOARD MEMBERSHIP.

Representative Ramone brought **HA 1 to HB 172** before the House for consideration.

Representatives Ramone, Jaques & D.E. Williams made comments. **HA 1** was adopted by voice vote.

Representative Ramone brought **HA 2 to HB 172** before the House for consideration. Representatives Schwartzkopf & Ramone made comments. **HA 2** was adopted by voice vote. Representatives Ramone, Atkins, Q. Johnson, J. Johnson, D.E. Williams, Ramone, Carson, Jaques, Schwartzkopf & Keeley made comments.

The roll call on **HB 172 w/HA 1 & 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Schooley & Walls - 2.

Therefore, having received a constitutional majority, **HB 172 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall introduced **HB 220**, jointly sponsored by Senator Cook & Representative Kovach & Senator Ennis

**HB 220** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEE BENEFITS COMMITTEE.

Mr. Speaker Gilligan assigned **HB 220** to the House Administration Committee.

Representative Schwartzkopf made an announcement.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson introduced **HB 219**, jointly sponsored by Senator Ennis & Representatives Cathcart, Manolakas, Miro, Ramone & D. Short

**HB 219** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE STATE PUBLIC ASSISTANCE CODE.

Mr. Speaker Gilligan assigned **HB 219** to the Health & Human Development Committee.

Representative Barbieri made an announcement.

The Majority Leader moved to recess to the call of the Chair at 7:27 p.m.

Mr. Speaker Gilligan called the House to order at 2:04 p.m. on June 16, 2009.

The Reading Clerk read the following communication into the record:

#### MEMORANDUM

TO: Richard L. Puffer  
Chief Clerk of the House

FROM: Joseph E. Miro  
State Representative  
22<sup>nd</sup> District

DATE: June 11, 2009

RE: Withdrawal of Sponsorship – House Bill 193

I request my name be withdrawn as a Sponsor of House Bill 193.

Thank you for your attention to this request.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson introduced **HB 225**, jointly sponsored by Senator Ennis.

**HB 225** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS.

Mr. Speaker Gilligan assigned **HB 225** to the Corrections Committee.

Representative J. Johnson made an announcement.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko introduced **HB 227**, jointly sponsored by Senator McDowell & Senator Sokola & Representatives Brady, Carson, J. Johnson, Barbieri, Bennett, Gilligan, Jaques, Mitchell, Mulrooney, Plant, B. Short, Viola, D.E. Williams & D.P. Williams.

**HB 227** – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ARCHITECTURE.

Mr. Speaker Gilligan assigned **HB 227** to the Policy Analysis & Government Accountability Committee.

Representative Kowalko made an announcement.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott introduced **HB 229**, jointly sponsored by Representative D.P. Williams & Senator Peterson & Representatives Kowalko & Mitchell & Senator Sokola.

**HB 229** – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (2/3 bill)

Mr. Speaker Gilligan assigned **HB 229** to the Public Safety & Homeland Security Committee.

Representative Schwartzkopf introduced **HB 230**, jointly sponsored by Representative Gilligan & Representative Plant & Senator DeLuca & Representatives Barbieri, Bennett, Brady, Carson, Jaques, J. Johnson, Q. Johnson, Keeley, Kowalko, Longhurst, M. Marshall, Mitchell, Mulrooney, Oberle, Plant, Viola, D.E. Williams & D.P. Williams & Senators Blevins, Marshall & McBride.

**HB 230** – AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO LABOR.

Mr. Speaker Gilligan assigned **HB 230** to the Labor Committee.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell introduced **HB 226**, jointly sponsored by Senator Bushweller & Representative Barbieri & Senator Blevins.

**HB 226** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE.

Mr. Speaker Gilligan assigned **HB 226** to the Public Safety & Homeland Security Committee.

Representative Mitchell made announcements.

Mr. Speaker Gilligan reassigned **HB 230** to the House Administration Committee.

The Majority Leader moved to adjourn at 2:13 p.m., thereby ending the current Legislative Day. The House reconvened at 2:14 p.m.

### **36th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session June 16, 2009**

The Chief Clerk called the roll:

Members present: 41.

A prayer was offered by Representative B. Short, Seventh Representative District.

Jake Buchler, Boys State Speaker, 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 217** – OBERLE & SENATOR DELUCA - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Littering on or Alongside a Highway.

**HB 221** – KEELEY & SENATOR MCDOWELL; REPRESENTATIVES CARSON, MANOLAKOS, RAMONE, VIOLA; SENATOR HALL-LONG - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to Credit Services Organizations.

**HB 222** - B. SHORT & REPRESENTATIVE D.E. WILLIAMS & SENATOR MCDOWELL; REPRESENTATIVES CARSON, JAQUES, Q. JOHNSON, KOVACH, LAVELLE, MANOLAKOS, SCOTT; SENATORS BUSHWELLER, HENRY, SOKOLA - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Reports in Electronic Format to the Delaware General Assembly.

**HB 223** - D.P. WILLIAMS & REPRESENTATIVE KEELEY & SENATOR MCDOWELL; REPRESENTATIVES BARBIERI, LONGHURST, MANOLAKOS, MITCHELL - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to School Meals.

**HB 224** – MIRO & SENATOR SOKOLA; REPRESENTATIVES ATKINS, D. SHORT, BLAKEY, BOOTH, CAREY, HOCKER, HUDSON, LEE, MANOLAKOS, OUTTEN, RAMONE - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Professional Development of School Employees.

**HB 229** – SCOTT & REPRESENTATIVE D.P. WILLIAMS & SENATOR PETERSON; REPRESENTATIVES KOWALKO, MITCHELL; SENATOR SOKOLA - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road. (2/3 bill)

**HA 1 to HS 1 for HB 119** – SCHOOLEY – Placed with the Bill.

**HA 2 to HB 159** - BOOTH - Placed with the Bill.

**HA 1 to HB 211** - HUDSON - Placed with the Bill.

**HA 2 to HB 211** – HUDSON & REPRESENTATIVE D. SHORT & REPRESENTATIVE MIRO - Placed with the Bill.

**HA 1 to HB 212** – HUDSON & REPRESENTATIVE D. SHORT & REPRESENTATIVE MIRO - Placed with the Bill.

**SS 1 for SB 35 w/SA 1** – BLEVINS & REPRESENTATIVE B. SHORT & REPRESENTATIVE OBERLE & REPRESENTATIVE KOWALKO; SENATORS BUSHWELLER, ENNIS, HALL-LONG, HENRY, PETERSON; REPRESENTATIVES Q. JOHNSON, KEELEY, MITCHELL, SCHOOLEY, D. SHORT - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Rates and Rating Organizations.

**SB 73** – DELUCA & REPRESENTATIVE KEELEY & REPRESENTATIVE B. SHORT; SENATORS ADAMS, BUNTING, COOK, KATZ, SOKOLA, BONINI; REPRESENTATIVES D.E. WILLIAMS, BENNETT, BRADY, VIOLA, HOCKER, HUDSON, LAVELLE, RAMONE - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 5 of the Delaware Code to Implement the United States Secure and Fair Enforcement for Mortgage Licensing Act of 2008 (U.S. Public Law 110-289). (2/3 bill)

**SB 111** – DELUCA & REPRESENTATIVE B. SHORT; SENATOR KATZ; REPRESENTATIVES BRADY, HUDSON, LAVELLE, VIOLA - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Notaries Public. (3/5 bill)

**SB 116** – BLEVINS & SENATOR SORENSON & REPRESENTATIVE BARBIERI & REPRESENTATIVE HUDSON - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to the Composition of the Domestic Violence Coordinating Council.

**SB 117** – BLEVINS & SENATOR SORENSON & REPRESENTATIVE BARBIERI & REPRESENTATIVE HUDSON - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to the Domestic Violence Coordinating Council and Proxy Voting.

**SB 138 w/SA 2** - HALL-LONG & REPRESENTATIVE BARBIERI & REPRESENTATIVE MIRO; REPRESENTATIVES SCHOOLEY, KEELEY, MULROONEY, GILLIGAN, WILSON, THORNBURG, JAQUES, HOCKER; SENATORS SORENSON, BLEVINS, SOKOLA, BUSHWELLER, - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Medical Certification for License Plates and Parking Permits for Persons with Disabilities. (2/3 bill)

**SB 139** – ENNIS & SENATOR ADAMS & REPRESENTATIVE ATKINS & REPRESENTATIVE CATHCART; SENATORS BONINI, BUNTING, DELUCA, HALL-LONG, MCBRIDE, SIMPSON, VENABLES; REPRESENTATIVES BENNETT, BOOTH, CAREY, CARSON, GILLIGAN, HOCKER, Q. JOHNSON, MITCHELL, KOVACH, LEE, OUTTEN, RAMONE, D. SHORT, THORNBURG, WALLS, WILSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to Criminal History Record Checks for the Sales of Firearms.

**SB 140** - BUNTING; REPRESENTATIVES SCHWARTZKOPF, BOOTH, CAREY; SENATORS BUSHWELLER, SIMPSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the State Board of Education.

Representatives D.P. Williams & Thornburg requested that they be marked present.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott introduced **HB 231**, jointly sponsored by Senator Sokola & Representatives M. Marshall & Wilson & Senator Henry.

**HB 231** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES.

Mr. Speaker Gilligan assigned **HB 231** to the Labor Committee.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley introduced **HB 232**, jointly sponsored by Senator Henry & Representatives Carson, Gilligan, Manolakos & Viola & cosponsored by Representative Lavelle.

**HB 232** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO DEBT MANAGEMENT SERVICES.



Mr. Speaker Gilligan assigned **HB 232** to the Economic Development/Banking/Insurance/Commerce Committee.

Mr. Speaker Gilligan reassigned **HB 231** to the Education Committee.

Representative Keeley made a comment. Mr. Speaker Gilligan introduced a guest. Representative Hocker made comments. Mr. Speaker Gilligan granted privilege of the floor to Representative Carey, Chief Justice Myron Steele, Justice Carolyn Berger, Justice Henry DuPont Ridgely & Justice Randy Holland. Mr. Speaker Gilligan made comments and presented a House Tribute to Justice Randy Holland. Representative Carey made comments. Justice Holland & Chief Justice Steele addressed the House. Representative M. Marshall made comments.

The Majority Leader moved to recess for caucus at 2:34 p.m.

The House reconvened at 4:53 p.m.

Representative Outten requested that he be marked present.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins brought **HB 107 w/HA 1, 2 & 3 & SA 1**, jointly sponsored by Representatives Kowalko, Longhurst & Schwartzkopf & Senator Bunting, before the House for concurrence on **SA 1**.

**HB 107 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE.**

Representative Atkins made a comment.

The roll call on **HB 107 w/HA 1, 2 & 3 & SA 1** was taken and revealed:

YES: 21.

NO: Representatives Booth, Carey, Cathcart, Hudson, Lavelle, Lee, Manolakos, Miro, Oberle, Outten, Ramone, Scott, D. Short, Thornburg & Wilson - 15.

NOT VOTING: Representatives Blakey, Hocker & Kovach - 3.

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

Therefore, having received a constitutional majority, **HB 107 w/HA 1, 2 & 3 & SA 1** was sent to the Governor.

Representatives Booth, Lavelle, Viola, Cathcart & Oberle requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Booth.

Representative Booth brought **HB 159**, jointly sponsored by Senator Hall-Long & Representatives Carson, Mitchell, Cathcart, D. Short, Carey, Hocker, Lavelle, Outten & Wilson & Senators Bunting, Simpson & Sorenson, before the House for consideration.

**HB 159 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO POWERS, DUTIES, AND FUNCTIONS OF THE SECRETARY OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES.**

Representative Booth brought **HA 1 to HB 159** before the House for consideration. Representative Booth brought **HA 1 to HA 1 to HB 159** before the House for consideration. Representative Booth made a comment. **HA 1 to HA 1** was adopted by voice vote. **HA 1 w/HA 1 to HA 1** was adopted by voice vote. Representative Booth brought **HA 2 to HB 159** before the House for consideration. Representative Booth made comments. **HA 2** was adopted by voice vote. Representatives Booth & Jaques made comments.

The roll call on **HB 159 w/HA 1 & HA 1 to HA 1 & HA 2** was taken and revealed:

YES: 38.

NO: Representative Jaques - 1.

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

Therefore, having received a constitutional majority, **HB 159 w/HA 1 & HA 1 to HA 1 & HA 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced and brought **HR 28**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 28 - CREATING A DART PARATRANSIT CELL PHONE PILOT PROGRAM.**

Representatives Longhurst & Oberle made comments.

**HR 28** was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart brought **HB 38**, jointly sponsored by Senator Hall-Long & Representatives J. Johnson, Plant, Booth, & Manolakos & cosponsored by Representative Blakey, before the House for consideration.

**HB 38 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE MENTAL HEALTH PATIENTS' BILL OF RIGHTS, NOTIFICATIONS AND FORMS.**

Representative Cathcart made comments.

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

YES: 37.

ABSENT: Representatives Keeley, B. Short, D. Short & D.P. Williams - 4.

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

Representative Schwartzkopf deferred to Representative Walls.

Representative Walls brought **HB 192**, jointly sponsored by Senator Ennis & Representatives Atkins, Carson & Jaques & cosponsored by Representatives Booth & Schwartzkopf, before the House for consideration.

**HB 192** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE ANIMAL POPULATION CONTROL PROGRAM AND SPAY/NEUTER FUND.

Representative Walls made comments.

The roll call on **HB 192** was taken and revealed:

YES: 37.

ABSENT: Representatives Keeley, B. Short, D. Short & D.P. Williams - 4.

Therefore, having received a constitutional majority, **HB 192** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 206**, jointly sponsored by Representative Lavelle & Senator Blevins & Representatives Atkins, Barbieri, Brady, Carson, Gilligan, Hocker, Hudson, Jaques, Q. Johnson, Kovach, Kowalko, Longhurst, Mitchell, Mulrooney, Oberle, Outten, Ramone, Scott, B. Short, D. Short, Thornburg, Viola, Walls, D.E. Williams & Wilson & Senators Bushweller, Peterson & Sokola & cosponsored by Representatives Booth & Schwartzkopf, before the House for consideration.

**HB 206** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Representative Bennett made comments.

The roll call on **HB 206** was taken and revealed:

YES: 37.

ABSENT: Representatives Keeley, B. Short, D. Short & D.P. Williams - 4.

Therefore, having received a constitutional majority, **HB 206** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **SB 47 w/SA 1**, jointly sponsored by Senator Sokola & Senators Bonini, Bushweller, Connor & Katz & Representatives Atkins, Bennett, Lee & Thornburg, before the House for consideration.

**SB 47** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH STATISTICS CENTER.

Representative Kowalko made comments.

The roll call on **SB 47 w/SA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Keeley, B. Short, D. Short & D.P. Williams - 4.

Therefore, having received a constitutional majority, **SB 47 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 190**, jointly sponsored by Senator Hall-Long & Representatives M. Marshall, Schwartzkopf & Scott & Senator Henry, before the House for consideration.

**HB 190** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DRUG TESTING OF EMPLOYEES OF THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES.

Representatives Barbieri, Lavelle, Hudson, Booth, Bennett & Jaques made comments.

Representative Cathcart rose on a point of order. Mr. Speaker concurred. Representatives Oberle, J. Johnson, Barbieri, Oberle, Manolakos & Thornburg made comments. Representative Thornburg requested and was granted privilege of the floor for Mitchell Rock representing the Department of Services for Children, Youth and Their Families. Representatives Thornburg, Mitchell & Barbieri made comments. Representative Barbieri requested and was granted privilege of the floor for Mitchell Rock representing the Department of Services for Children, Youth and Their Families.

Representative Mitchell made comments.

The roll call on **HB 190** was taken and revealed:

YES: 37.

ABSENT: Representatives Keeley, B. Short, D. Short & D.P. Williams - 4.

Therefore, having received a constitutional majority, **HB 190** was sent to the Senate for concurrence.

The House observed a moment of silence in memory of the brother-in-law of Representative D.P. Williams at the request of Representative Gilligan.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HS 1 for HB 119**, jointly sponsored by Senator Sokola & Representatives Blakey, Booth, Jaques, Kovach, Kowalko, Manolakos, Miro & Scott & cosponsored by Representatives Carey, Hocker, J. Johnson, Q. Johnson, Lavelle, Mitchell, Schwartzkopf & Wilson, before the House for consideration.

**HB 119** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE WITH RESPECT TO PUBLIC EDUCATION.

Representative Schooley brought **HA 1 to HS 1 for HB 119** before the House for consideration. Representative Schooley made comments. **HA 1** was adopted by voice vote. Representatives Schooley,

Kovach, Booth & Lavelle made comments. Representative Schooley requested and was granted privilege of the floor for Dr. Lillian Lowery, Secretary, Department of Education. Representatives Lavelle, Schwartzkopf & Jaques made comments.

The roll call on **HS 1 for HB 119 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Keeley, B. Short, D. Short & D.P. Williams - 4.

Therefore, having received a constitutional majority, **HS 1 for HB 119 w/HA 1** was sent to the Senate for concurrence.

Representative Schooley made comments.

Representative Schwartzkopf deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on **HB 228**. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative Oberle introduced and brought **HB 228**, jointly sponsored by Representative Keeley & Senator Venables & Senator Blevins & Representatives Jaques, D. Short, Hocker, Hudson & Kovach & Senators Bunting, Ennis & Sokola & cosponsored by Representatives Barbieri, Bennett, Carey, Carson, Cathcart, J. Johnson, Q. Johnson, Kowalko, Lee, Longhurst, Manolakos, Miro, Mitchell, Outten, Plant, Ramone, Schooley, Scott, Schwartzkopf, Thornburg, D. P. Williams & Wilson, before the House for consideration.

**HB 228 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX.**

Representative Oberle moved to place **HB 228** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Schwartzkopf deferred to Representative Walls.

Representative Walls introduced **HB 243**, jointly sponsored by Senator Bonini.

**HB 243 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF BOWERS, CHAPTER 279, VOLUME 53, LAWS OF DELAWARE AS AMENDED TO (1) CONFER UPON THE TAX COLLECTOR THE POWERS OF THE KENT COUNTY RECEIVER OF TAXES FOR PURPOSES OF COLLECTING DELINQUENT TAXES, AND (2) GRANT THE TOWN THE SPECIFIC AUTHORITY TO REGULATE THE USE OF GOLF CARTS. (2/3 bill)**

Mr. Speaker Gilligan assigned **HB 243** to the House Administration Committee.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall introduced **HB 233**.

**HB 233 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTIES AND TITLE 7 OF THE DELAWARE CODE RELATING TO DOGS.**

Representative Carson made an announcement.

Mr. Speaker Gilligan assigned **HB 233** to the Natural Resources Committee.

The Majority Leader moved to recess to the call of the Chair at 6:09 p.m.

Mr. Speaker Gilligan called the House to order at 2:04 p.m. on June 17, 2009.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 110, SB 50, SB 107, SB 133, SB 129 w/SA 1, SB 161, SB 149, SB 118, SB 151, SB 165, SB 145 w/SA 1 & SS 1 for SB 49** and requests the concurrence of the House and the Senate wishes to inform the House that it has passed **HB 99, HS 1 for HB 127 & HB 120 w/HA 1** and is returning the same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Colin Bonini, do hereby request that my name be removed as a co-sponsor of **SB 118**.

Date: 6/16/09

Signed: Colin Bonini

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Sen. Katz, do hereby request that my name be removed as a co-sponsor of **HB 236**.

Date: 6/16/09

Signed: Michael S. Katz

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Sen. Katz, do hereby request that my name be removed as a co-sponsor of **HB 245**.

Date: 6/16/09

Signed: Michael S. Katz

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Thomas H. Kovach, do hereby request that my name be removed as a co-sponsor of **HB 188**.

Date: 6/16/09

Signed: Thomas H. Kovach

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Rep. Wilson, do hereby request that my name be removed as a co-sponsor of **HB 224**.

Date: 6/16/09

Signed: Dave Wilson

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst made an announcement.

The Majority Leader moved to adjourn at 2:06 p.m., thereby ending the current Legislative Day. The House reconvened at 2:07 p.m.

**37th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session  
June 17, 2009**

The Chief Clerk called the roll.

Members Present: 29.

Members Absent: Representatives Blakey, Cathcart, Carey, Hudson, Keeley, Kovach, Lee, Miro, Oberle, D. Short, Thornburg & Viola - 12.

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

The House observed a moment of silence in memory of Julie Grace Gricol at the request of Representative Ramone. Representative D.P. Williams made comments.

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 234** – BARBIERI & SENATOR PETERSON; REPRESENTATIVES JAQUES, KOWALKO, OBERLE; SENATORS MCDOWELL, SOKOLA - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to State Taxes and Vessel-to-Vessel Transfers of Petroleum Products. (3/5 bill)

**HB 235** – CARSON & SENATOR ENNIS; REPRESENTATIVES BARBIERI, BRADY, HUDSON, KEELEY, B. SHORT, VIOLA, D.E.WILLIAMS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Pharmacy.

**HB 236** – JAQUES & SENATOR BUNTING; SENATOR ENNIS - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Special Elections.

**HB 238** – KOWALKO & REPRESENTATIVE KEELEY & SENATOR HENRY - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax. (3/5 bill)

**HB 239** – KOWALKO & SENATOR HENRY - REVENUE & FINANCE - An Act to Amend Title 6 of the Delaware Code Relating to Tax on Limited Liability Company. (3/5 bill)

**HB 240** – KOWALKO & SENATOR HENRY - REVENUE & FINANCE - An Act to Amend Title 8 of the Delaware Code Relating to Corporate Franchise Tax. (3/5 bill)

**HB 241** – KOWALKO & SENATOR HENRY - REVENUE & FINANCE - An Act to Amend Title 6 of the Delaware Code Relating to Tax on Limited Liability Company. (3/5 bill)

**HB 242** – KOWALKO & REPRESENTATIVE KEELEY & SENATOR HENRY - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax. (3/5 bill)

**HB 244** – JAQUES & SENATOR BLEVINS - HOUSE ADMINISTRATION - An Act to Amend Title 14 of the Delaware Code Relating to Notice of School Elections.

**HB 245** – JAQUES & SENATOR BUNTING; REPRESENTATIVE PLANT - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Elections.

**HB 246** – LONGHURST & SENATOR BUNTING – MANUFACTURED HOUSING - An Act to Amend Title 25 of the Delaware Code Relating to Manufactured Housing in the State of Delaware.

**HB 247** – KEELEY & SENATOR MCBRIDE; REPRESENTATIVES BRADY, HUDSON, MITCHELL – JUDICIARY – An Act to Amend Title 6, Title 25 and Title 29 of the Delaware Code Relating to Consumer Protection.

**HB 248** - KEELEY & SENATOR MCBRIDE; REPRESENTATIVES BRADY, HUDSON, JAQUES, MITCHELL, B. SHORT; SENATOR SORENSON – ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE – An Act to Amend Title 6 of the Delaware Code Relating to the Delaware Charitable/Fraternal Solicitation Act of 1996.

**HA 2 to HS 1 for HB 70** - OBERLE - Placed with the Bill.

**HA 1 to HB 205** – SCOTT – Placed with the Bill.

**SS 1 for SB 49** – MCBRIDE; REPRESENTATIVES MULROONEY & OBERLE & SENATORS SIMPSON, MCDOWELL, PETERSON & KATZ; REPRESENTATIVES KOVACH, LAVELLE, HOCKER, CAREY, WILSON, OUTTEN, CARSON - ENERGY - An Act to Amend Title 25 of the Delaware Code Relating to Solar Photovoltaic Systems and Amendments to Deed Restrictions.

**SB 50** – SORENSON & SENATOR PETERSON; SENATORS BONINI, CONNOR, ENNIS, SIMPSON - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Delaware Society for the Prevention of Cruelty to Animals. (2/3 bill)

**SB 107** – SORENSON & SENATOR PETERSON; SENATORS BONINI, CLOUTIER, CONNOR, ENNIS, HENRY, SIMPSON; REPRESENTATIVES LAVELLE, M. MARSHALL, OUTTEN, RAMONE, D. SHORT - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Cruelty to Animals.

**SB 110** – BLEVINS & REPRESENTATIVE M. MARSHALL; SENATORS; PETERSON, HALL-LONG; REPRESENTATIVE HUDSON - JUDICIARY - An Act to Amend Title 16 of the Delaware Code Relating to the Penalties for Failing to Report Suspected Child Abuse or Neglect.

**SB 118** – SOKOLA & REPRESENTATIVE KOWALKO; SENATORS CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 27, Title 24 of the Delaware Code Relating to Professional Land Surveyors.

**SB 129 w/SA 1** – BUNTING & REPRESENTATIVE CARSON; SENATORS ADAMS, HALL-LONG, ENNIS; REPRESENTATIVES THORNBURG, LONGHURST, ATKINS - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Delaware Agricultural Lands Protection.

**SB 133** – VENABLES & REPRESENTATIVE LEE; SENATORS ADAMS, BONINI, BUNTING, ENNIS; REPRESENTATIVES BOOTH, HOCKER, D. SHORT, WILSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles and Weights Limits.

**SB 145 w/SA 1** – DELUCA & REPRESENTATIVE B. SHORT - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 5 of the Delaware Code Relating to Banks and Other Financial Institutions.

**SB 149** – SOKOLA & REPRESENTATIVE SCHOOLEY - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Licensure and Certification of Nonpublic School Teachers, Specialists and Administrators, and Public Education Employees.

**SB 151** – SOKOLA & REPRESENTATIVE SCHOOLEY - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to an Academic Achievement Award Program.

**SB 161** – MCBRIDE; REPRESENTATIVES BARBIERI, RAMONE - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Taxes.

**SB 165** – BUSHWELLER & REPRESENTATIVE BENNETT; SENATOR ENNIS; REPRESENTATIVES SCOTT, CARSON - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Dover Being Chapter 175, Volume 75, of the Laws of Delaware, as Amended, Relating to Governance, Elections, Administration and Finance. (2/3 bill)

Representative Outten introduced **HB 251**, jointly sponsored by Senator Cook.

**HB 251** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF FELTON, CHAPTER 91, VOLUME 70, LAWS OF DELAWARE, AS AMENDED, TO PRECLUDE CONTEMPORANEOUS SERVICE ON THE TOWN COUNCIL BY RELATED INDIVIDUALS, TO CHANGE THE DURATION OF THE TERM OF A MEMBER OF THE TOWN COUNCIL, AND TO IMPLEMENT USE OF THE KENT COUNTY VOTER REGISTRATION SYSTEM. (2/3 bill)

Mr. Speaker Gilligan assigned **HB 251** to the House Administration Committee.

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.: Representatives Hocker, Wilson & Manolakos.

Mr. Speaker Gilligan called the House to order at 2:06 p.m. on June 18, 2009.

Representatives Carey, Miro, Blakey, Hudson, Kovach, Lee, Viola & Oberle requested that they be marked present for the current Legislative Day.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 104, SB 105, SB 142, SB 115, SB 109, SB 150 w/SA 1, SB 76 & SB 114** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 121, HB 116, HB 131, HB 93 w/HA 1 & 2 & HB 114** and is returning the same to the House.

June 16, 2009

Legislative Advisory #14

Governor Jack A. Markell signed the following legislation on the date indicated: 6/11/09 – **SB 148**; 6/12/09 – **HB 1 aab HA 1 aab HA 1 & 2 to HA 1 & HA 2 & 3**; 6/15/09 – **SB 54 aab SA 1**; 6/16/09 – **HB 7, HB 59, HB 94, HB 104, HB 67, HB 76 & HB 109 aab HA 1**.

Representative Thornburg requested that she be marked present for the current Legislative Day.

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 227** - 4F; **SB 45 w/SA 3** - 4F.  
REVENUE & FINANCE: **HB 191** - 4F, 4M.

LABOR: **SB 156** - 6M.

JUDICIARY: **HB 155** - 7M; **SB 61 w/SA 2** - 1F, 4M; **SB 101** - 6M.

EDUCATION: **HB 30** - 1F, 9M; **HB 224** - 10M; **SB 140** - 1F, 7M.

CORRECTIONS: **HB 225** - 6F.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 189** - 1F,7M,1U; **HB 218** - 5F,2M; **HB 226** - 8M; **HB 229** - 1F,4M,4U; **SB 139** - 2F,5M.

VETERANS AFFAIRS: **HB 187** - 12F.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE:

**HB 232** - 2F,5M; **SS 1 for SB 35 w/SA 1** - 3F,5M; **SB 73** - 1F,9M; **SB 88** - 2F,7M; **SB 89** - 2F,7M.

HEALTH & HUMAN DEVELOPMENT: **SB 86** - 9M.

HOUSE ADMINISTRATION: **HB 220** - 4M; **HB 230** - 3M; **HB 243** - 3M; **HB 251** - 3M; **SB 102** - 4M; **SB 111** - 3M.

NATURAL RESOURCES: **HB 216** - 4F, 5M.

Representative Keeley requested that she be marked present for the current Legislative Day.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley made comments.

Representative Keeley introduced **HB 249**, jointly sponsored by Senator Katz & Representatives Barbieri, Bennett, Brady, Gilligan, J. Johnson, Q. Johnson, Kowalko, Lavelle, M. Marshall, Mitchell, Mulrooney, Plant, Ramone, Schwartzkopf, B. Short, Viola, D.E. Williams & D.P. Williams & Senators McDowell & Sorenson.

**HB 249** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS.

Mr. Speaker Gilligan assigned **HB 249** to the Health & Human Development Committee.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko made comments.

Representative Kowalko introduced **HB 253**, jointly sponsored by Senator Sokola & Representatives Atkins, Bennett, Lee & Thornburg & Senators Bushweller, Connor & Katz.

**HB 253** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMPENSATION FOR INNOCENT VICTIMS OF VIOLENT CRIME

Mr. Speaker Gilligan assigned **HB 253** to the Policy Analysis & Government Accountability Committee. Representative Cathcart requested that he be marked present for the current Legislative Day. Representative Kowalko made an announcement. Representative D. Short requested that he be marked present for the current Legislative Day.

The Majority Leader moved to adjourn at 2:15 p.m., thereby ending the current Legislative Day. The House reconvened at 2:16 p.m.

### **38th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session June 18, 2009**

The Chief Clerk called the roll:

Members present: 41.

The House observed a moment of silence in memory of Ed Givens at the request of Representative Lee. The House observed a moment of silence in memory of Michelle Rigney at the request of Representative D.E. Williams.

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

Mr. Speaker Gilligan invited former Speaker Spence 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 237** - VIOLA & SENATOR CLOUTIER; REPRESENTATIVES HUDSON, Q. JOHNSON, M. MARSHALL, MITCHELL – ECONOMIC DEVELOPMENT/  
BANKING/INSURANCE/COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to Equal Accommodations.

**HB 252** – LEE & SENATOR BUNTING; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, CARSON, Q. JOHNSON, MITCHELL, SCHOOLEY, WALLS, D. SHORT, CATHCART, BOOTH, CAREY, HOCKER, HUDSON, KOVACH, MANOLAKOS, MIRO, OBERLE, OUTTEN, RAMONE, THORNBURG, WILSON; SENATORS SIMPSON, BONINI - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Sexual Offenders.

**HB 254** – SCHOOLEY & SENATOR HALL-LONG; REPRESENTATIVES BENNETT, CARSON, Q. JOHNSON, KOVACH, KOWALKO; SENATORS BLEVINS, CONNOR, HENRY, SIMPSON, SORENSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Education and Exceptional Persons.

**HA 1 to HB 157** - LONGHURST - Placed with the Bill.

**HA 1 to HB 220** - OBERLE - Placed with the Bill.

**HA 1 to HB 228** – OBERLE - Placed with the Bill.

**SB 76** – BUSHWELLER & REPRESENTATIVE MITCHELL; SENATOR SORENSON; REPRESENTATIVE BENNETT - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to the Sale of Motor Vehicles.

**SB 104** - SOKOLA & REPRESENTATIVE SCOTT; SENATOR SORENSON; REPRESENTATIVE LAVELLE - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act to Permit Video-Conferencing in Certain Circumstances.

**SB 105** – SOKOLA & REPRESENTATIVE KOWALKO - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend 76 Delaware Laws, Chapter 261 Relating to the Medical Practice Act.

**SB 109** - PETERSON; SENATORS ENNIS, BUSHWELLER, BUNTING; REPRESENTATIVES CARSON, RAMONE, D. SHORT, KEELEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Salvinorin A. (2/3 bill)

**SB 114** – COOK & REPRESENTATIVE BENNETT; SENATORS BLEVINS, DELUCA, SORENSON; REPRESENTATIVES HUDSON, M. MARSHALL, VIOLA, KOVACH - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Jurisdiction of the Family Court.

**SB 115** – MARSHALL & REPRESENTATIVE GILLIGAN; SENATORS CONNOR, HALL-LONG, PETERSON, CLOUTIER; REPRESENTATIVES M. MARSHALL, MULROONEY, CARSON, PLANT, KOWALKO, OBERLE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 6 of the Delaware Code Relating to the Delaware False Claims and Reporting Act.

**SB 142** – SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 29 of the Delaware Code Relating to the Department of Information and Technology.

**SB 150 w/SA 1** – SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 14, Title 18, and Title 29 of the Delaware Code.

**HA 1 to SB 45** – KOWALKO - Placed with the Bill.

Representative Schwartzkopf deferred to Mr. Speaker Gilligan.

Mr. Speaker Gilligan made comments and presented a gift to former Speaker Terry R. Spence, who addressed the House. Representative Oberle made comments and presented a gift to former Representative Vincent A. Lofink, who addressed the House. Representative Lee made comments and presented a gift to former Representative Nancy H. Wagner, who addressed the House. Representative Lavelle made comments and presented a gift to former Representative Donna D. Stone, who addressed the House. Representative Longhurst made comments and presented a gift to Senator Bethany A. Hall-Long, who addressed the House. Representative Manolakos made comments and presented a gift to former Representative Gregory A. Hastings, who addressed the House. Former Speaker Spence made comments. Representatives Keeley, Booth & Oberle made comments.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short requested and was granted privilege of the floor for Karen L. Miller, Carla Withers & Devona Williams, representing the Delaware Chapter of the National Association of Women Business Owners, who addressed the House.

The Majority Leader moved to recess for caucus at 3:14 p.m.

The House reconvened at 5:34 p.m.

Representative Schwartzkopf deferred to Representative Oberle.

Representative Oberle moved to lift **HB 228** from the Speaker's Table. The motion was seconded by Representative Lavelle and adopted by voice vote. Representative Oberle moved to suspend the rules which interfere with action on **HB 228**. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Oberle brought **HB 228**, jointly sponsored by Representative Keeley & Senator Venables & Senator Blevins & Representatives Jaques, D. Short, Hocker, Hudson & Kovach & Senators Bunting, Ennis & Sokola & cosponsored by Representatives Barbieri, Bennett, Carey, Carson, Cathcart, J. Johnson, Q. Johnson, Kowalko, Lee, Longhurst, Manolakos, Miro, Mitchell, Outten, Plant, Ramone, Schooley, Scott, Schwartzkopf, Thornburg, D.P. Williams & Wilson, before the House for consideration.

**HB 228** – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX.

Representative Oberle brought **HA 1 to HB 228** before the House for consideration. Representative Oberle made comments. **HA 1** was adopted by voice vote. Representative Oberle introduced and brought **HA 2 to HB 228** before the House for consideration. Representative Oberle made comments. **HA 2** was adopted by voice vote. Representative Oberle made comments. Representative Oberle introduced guests. Representative Oberle requested and was granted privilege of the floor for Tammy Brittingham, an Ovarian Cancer Survivor. Representative Oberle made comments.

The roll call on **HB 228 w/HA 1 & 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 228 w/HA 1 & 2** was sent to the Senate for concurrence.

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

Representative Oberle made comments.

Representative Schwartzkopf deferred to Representative D.E. Williams.

Representative D.E. Williams moved to suspend the rules which interfere with action on **SB 90 w/SA 2**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.E. Williams brought **SB 90 w/SA 2**, jointly sponsored by Senator Hall-Long & Senator Blevins & Senator Henry & Representative Longhurst & Senators Cloutier, Peterson, Sorenson & Connor & Representatives Jaques, Q. Johnson, Thornburg, Booth, Hudson, J. Johnson & Barbieri, before the House for consideration.

**SB 90** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO TANNING FACILITIES. (2/3 bill)

Representatives D.E. Williams & Blakey made comments.

The roll call on **SB 90 w/SA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Lavelle - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 90 w/SA 2** was returned to the Senate.

Mr. Speaker Gilligan & Representatives Barbieri, D.E. Williams & Schwartzkopf made comments regarding **SB 90**.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 135 w/HA 1 & SA 1**, jointly sponsored by Senator Hall-Long & Representatives Barbieri, Bennett, Jaques, Scott, D.E. Williams, Kovach, Ramone, Wilson, Brady, J. Johnson, Keeley, Kowalko, Longhurst, M. Marshall, Mulrooney, Oberle, Schooley, B. Short & Walls & Senator Henry & cosponsored by Representatives Gilligan & Schwartzkopf, before the House for concurrence on **SA 1**.

**HB 135** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATED TO THE ISSUANCE OF A LIMITED LICENSE FOR A DIRECTOR OR CHAIRPERSON OF A DENTAL OR ORAL AND MAXILLOFACIAL SURGERY RESIDENCY PROGRAM.

Representative Q. Johnson made comments.

The roll call on **HB 135 w/HA 1 & SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 135 w/HA 1 & SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell requested that **HB 115** be stricken.

Representative Schwartzkopf brought **Consent Agenda C** before the House for consideration.

Representative Schwartzkopf requested that **HB 220** be removed from **Consent Agenda C**.

Representative Hudson made comments regarding **HB 191**.

**HB 187** – SCOTT & BENNET & SENATOR BUSHWELLER & REPRESENTATIVES ATKINS, BARBIERI, BOOTH, BRADY, CARSON, CATHCART, HOCKER, HUDSON, JAQUES, KEELEY, KOWALKO, LAVELLE, LEE, MIRO, MITCHELL, MULROONEY, SCHOOLEY, B. SHORT, D. SHORT & WILSON & SENATORS ENNIS & MARSHALL – An Act to Amend Title 1 of the Delaware Code to Recognize Military Spouse Appreciation Day.

**HB 191** – HUDSON & SENATOR BLEVINS & SENATOR PETERSON & SENATOR HALL-LONG & REPRESENTATIVES KEELEY, M. MARSHALL, SCHOOLEY, MANOLAKOS, RAMONE, BARBIERI, BENNETT, CARSON, JAQUES, J. JOHNSON, Q. JOHNSON, KOVACH, KOWALKO, PLANT, SCOTT, WALLS, D.E. WILLIAMS & WILSON – An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

**HB 216** – WALLS & SENATOR BUNTING & REPRESENTATIVES ATKINS, BENNETT, BOOTH, CARSON, MULROONEY & OBERLE & SENATOR ENNIS – An Act to Amend Title 7 of the Delaware Code Relating to Hunting, Trapping & Fishing Licenses.

**HB 225** – J. JOHNSON & SENATOR ENNIS – An Act to Amend Title 11 of the Delaware Code Relating to the Interstate Compact for the Supervision of Adult Offenders.

**HB 232** – KEELEY & SENATOR HENRY & REPRESENTATIVES CARSON, GILLIGAN, LAVELLE, MANOLAKOS & VIOLA – An Act to Amend Title 6 of the Delaware Code Relating to Debt Management Services.

**SS 1 for SB 35 w/SA 1** – BLEVINS & REPRESENTATIVE B. SHORT & REPRESENTATIVE OBERLE & REPRESENTATIVE KOWALKO & SENATORS BUSHWELLER, ENNIS, HALL-LONG, HENRY & PETERSON; REPRESENTATIVES HUDSON, Q. JOHNSON, KEELEY, MITCHELL, RAMONE, SCHOOLEY, B. SHORT & D. SHORT – An Act to Amend Title 18 of the Delaware Code Relating to Rates and Rating Organizations.

**SB 88** – DELUCA & REPRESENTATIVE B. SHORT & REPRESENTATIVES M. MARSHALL & KOVACH – An Act to Amend Titles 6 and 12 of the Delaware Code Relating to Transfers of Property and Fiduciary Relations.

**SB 89** – DELUCA & REPRESENTATIVE B. SHORT & REPRESENTATIVES M. MARSHALL & KOVACH – An Act to Amend Title 12 with Respect to the Allocation of Principal and Income of Trusts, Decedents' Estates and Other Fiduciary Accounts.

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

YES: 41.

Therefore, having received a constitutional majority, **HB 187, HB 191, HB 216, HB 225 & HB 232** were sent to the Senate for concurrence and **SS 1 for SB 35 w/SA 1, SB 88 & SB 89** were returned to the Senate.



Representative Schwartzkopf brought **Consent Agenda D**, which requires a two-thirds vote, before the House for consideration.

**HB 243** – WALLS & SENATOR BONINI – An Act to Amend the Charter of the Town of Bowers, Chapter 279, Volume 53, Laws of Delaware as Amended to (1) Confer Upon the Tax Collector the Powers of the Kent County Receiver of Taxes for Purposes of Collecting Delinquent Taxes, and (2) Grant the Town the Specific Authority to Regulate the Use of Golf Carts. (2/3 bill)

**HB 251** – OUTTEN & SENATOR COOK – An Act to Amend the Charter of the Town of Felton, Chapter 91, Volume 70, Laws of Delaware, as Amended, to Preclude Contemporaneous Service on the Town Council by Related Individuals, to Change the Duration of the Term of a Member of the Town Council, and to Implement Use of the Kent County Voter Registration System. (2/3 bill)

**SB 73** – DELUCA & REPRESENTATIVE KEELEY & REPRESENTATIVE B. SHORT & SENATORS ADAMS, BUNTING, COOK, KATZ, SOKOLA & BONINI & REPRESENTATIVES D.E. WILLIAMS, BENNETT, BRADY, VIOLA, HOCKER, HUDSON, LAVELLE & RAMONE – An Act to Amend Title 5 of the Delaware Code to Implement the United States Secure and Fair Enforcement for Mortgage Licensing Act of 2008 (U.S. Public Law 110-289). (2/3 bill)

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

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 243 & HB 251** were sent to the Senate for concurrence and **SB 73** was returned to the Senate.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **HB 220**, jointly sponsored by Senator Cook & Representative Kovach & Senator Ennis, before the House for consideration.

**HB 220** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEE BENEFITS COMMITTEE.

Representative M. Marshall made comments. Representative Oberle requested that **HA 1 to HB 220** be stricken. Representative Oberle made comments.

The roll call on **HB 220** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 220** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 139**, jointly sponsored by Senator Blevins & Representatives Barbieri, Bennett, Cathcart, Gilligan, Jaques, Keeley, Kowalko, Lavelle, Longhurst, M. Marshall, Miro, Mitchell, Oberle, Ramone, Schwartzkopf, Scott, B. Short & D. Short & Senators Bushweller, Connor, Hall-Long, Peterson & Sorenson & cosponsored by Representatives Blakey, Kovach & Manolakos & Senator Cloutier, before the House for consideration.

**HB 139** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTHY CHILDREN PROGRAM.

Representative Schooley brought **HA 1 to HB 139** before the House for consideration. Representative Schooley made comments. **HA 1** was adopted by voice vote. Representatives Schooley & Kovach made comments.

The roll call on **HB 139 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 139 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **HB 205**, jointly sponsored by Senator Bonini & Representatives Outten & Thornburg, before the House for consideration.

**HB 205** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO REGIONAL PLANNING.

Representative Scott brought **HA 1 to HB 205** 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 205 w/HA 1** was taken and revealed:

YES: 41.

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

Representative Schwartzkopf deferred to Representative Oberle

Representative Oberle brought **SB 38**, jointly sponsored by Senator DeLuca, before the House for consideration.

**SB 38** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION.

Representative Oberle made comments.

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

YES: 41.

Therefore, having received a constitutional majority, **SB 38** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **SB 85 w/SA 1**, jointly sponsored by Senator McDowell & Senator Simpson & Representative Thornburg & Senators Bushweller, Hall-Long & Katz & Representatives Mulrooney, Barbieri, Brady, Hocker, Kovach, B. Short & Scott, before the House for consideration.

**SB 85 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO NET ENERGY METERING. (2/3 bill)**

Representative Kowalko made comments.

The roll call on **SB 85 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 85 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **SB 37**, jointly sponsored by Senator Adams & Senators DeLuca, Marshall & Simpson, before the House for consideration.

**SB 37 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COSTS IN THE JUSTICE OF THE PEACE COURT.**

Representative M. Marshall made comments.

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

YES: 41.

Therefore, having received a constitutional majority, **SB 37** was returned to the Senate.

Representative Schwartzkopf brought **SB 140**, jointly sponsored by Senator Bunting & Representative Booth & Senators Bushweller & Simpson & Representative Carey, before the House for consideration.

**SB 140 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE BOARD OF EDUCATION.**

Representative Schwartzkopf made comments.

The roll call on **SB 140** was taken and revealed:

YES: 36.

NO: Representatives Oberle, Ramone, Thornburg & Viola - 4.

NOT VOTING: Representative Keeley - 1.

Therefore, having received a constitutional majority, **SB 140** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **SB 48**, jointly sponsored by Senator Sokola & Senators Bonini, Bushweller, Connor & Katz & Representatives Atkins, Bennett, Lee & Thornburg, before the House for consideration.

**SB 48 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE CONSERVATION DISTRICTS.**

Representative Kowalko made comments.

The roll call on **SB 48** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 48** was returned to the Senate.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 170**, jointly sponsored by Representative Oberle & Senator Marshall, before the House for consideration.

**HB 170 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.**

Representatives B. Short, Oberle, Lavelle & Kovach made comments. Representative B. Short requested and was granted privilege of the floor for Tom McPherson, Director, Division of Unemployment Insurance. Representatives Kovach, Ramone, Kovach, B. Short & Oberle made comments.

The roll call on **HB 170** was taken and revealed:

YES: 38.

NO: Representatives Hocker, Lavelle & Wilson - 3.

Therefore, having received a constitutional majority, **HB 170** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **SB 59 w/SA 3**, jointly sponsored by Senator McDowell & Senators Katz, Bunting, DeLuca, Hall-Long, Henry, Sokola, Blevins & Sorenson & Representatives Gilligan, J. Johnson, Brady, Mitchell, Mulrooney, Plant, D.E. Williams & D.P. Williams, before the House for consideration.

**SB 59 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ENERGY CONSERVATION.**

Representatives Kowalko & Kovach made comments.

Representative Kowalko requested and was granted privilege of the floor for Collin O'Mara, Secretary, Department of Natural Resources and Environmental Control.

Representatives Kovach, Lavelle, B. Short, Ramone, Hocker & Keeley made comments.

The roll call on **SB 59 w/SA 3** was taken and revealed:

YES: 29.

NO: Representatives Booth, Carey, Cathcart, Hocker, Hudson, Lee, Outten, Ramone, D. Short & Wilson - 10.

NOT VOTING: Representatives Lavelle, Miro - 2.

Therefore, having received a constitutional majority, **SB 59 w/SA 3** was returned to the Senate.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **HB 156**, jointly sponsored by Representative Kovach & Representative D. Short & Senator Hall-Long & cosponsored by Representative Ramone, before the House for consideration.

**HB 156** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIFORM COMMON INTEREST OWNERSHIP ACT.

Representative M. Marshall brought **HA 1 to HB 156** before the House for consideration.

Representative M. Marshall made a comment. **HA 1** was adopted by voice vote. Representative M. Marshall introduced and brought **HA 2 to HB 156** before the House for consideration. Representative M. Marshall made comments. **HA 2** was adopted by voice vote. Representative M. Marshall made comments.

The roll call on **HB 156 w/HA 1 & 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 156 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **HB 183**, jointly sponsored by Representative Kovach & Representative D. Short & Senator Hall-Long & cosponsored by Representative Ramone, before the House for consideration.

**HB 183** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE UNIT PROPERTY ACT.

Representative M. Marshall brought **HA 1 to HB 183** before the House for consideration.

Representative M. Marshall made a comment. **HA 1** was adopted by voice vote. Representative M. Marshall introduced and brought **HA 2 to HB 183** before the House for consideration. Representative M. Marshall made a comment. **HA 2** was adopted by voice vote. Representative M. Marshall made comments.

The roll call on **HB 183 w/HA 1 & HA 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 183 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mulrooney.

Representative Mulrooney brought **HB 148**, jointly sponsored by Representative Keeley & Senator DeLuca, before the House for consideration.

**HB 148** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO DISPOSITION OF STOCK OF INSOLVENT, DECEASED OR FORMER LICENSEE.

Representative Mulrooney made comments.

The roll call on **HB 148** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 148** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **HB 227**, jointly sponsored by Senator McDowell & Senator Sokola & Representatives Brady, Carson, J. Johnson, Barbieri, Bennett, Gilligan, Jaques, Mitchell, Mulrooney, Plant, B. Short, Viola, D.E. Williams & D.P. Williams, before the House for consideration.

**HB 227** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ARCHITECTURE.

Representative Kowalko made comments.

The roll call on **HB 227** was taken and revealed:

YES: 41.

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

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **SB 45 w/SA 3**, jointly sponsored by Senator Sokola & Senators Bonini, Bushweller, Connor & Katz & Representatives Atkins, Bennett, Lee & Thornburg, before the House for consideration.

**SB 45** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE PUBLIC SERVICE COMMISSION.

Representative Kowalko brought **HA 1 to SB 45** before the House for consideration.

Representatives Kowalko & Lavelle made comments. Representative Kowalko requested and was granted privilege of the floor for Deborah Puzzo, Executive Director, Joint Sunset Committee. Representatives Lavelle & Kowalko made comments. **HA 1** was adopted by voice vote.

The roll call on **SB 45 w/SA 3 & HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 45 w/SA 3 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson brought **SB 101**, jointly sponsored by Senator Peterson & Senators Bunting, Bushweller & Sorenson & Representatives Scott, Ramone, Kowalko, Miro, Carson & Manolakos, before the House for consideration.

**SB 101** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PERSONAL ACTIONS.

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

Representatives Hudson & Lavelle made comments.

The roll call on **SB 101** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 101** was returned to the Senate.

Mr. Speaker Gilligan resumed the Chair.

Representative Schwartzkopf deferred to Representative Oberle.

Representative Oberle brought **HS 1 for HB 70**, jointly sponsored by Senator McBride & cosponsored by Representatives Kovach & Kowalko & Senator McDowell, before the House for consideration.

**HB 70** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO WIND ENERGY SYSTEMS.

Representative Oberle brought **HA 1 to HS 1 for HB 70** before the House for consideration.

Representative Oberle moved to place **HA 1** on the Speaker's Table. The motion was seconded by Representative Mulrooney and adopted by voice vote. Representative Oberle brought **HA 2 to HS 1 for HB 70** before the House for consideration. Representative Oberle made comments. **HA 2** was adopted by voice vote.

Representatives Oberle, Booth & B. Short made comments.

The roll call on **HS 1 for HB 70 w/HA 2** was taken and revealed:

YES: 25.

NO: Representatives Atkins, Bennett, Booth, Hocker, Hudson, Lee, Outten, Plant, Scott, B. Short, D. Short, Walls, D.P. Williams & Wilson - 14.

NOT VOTING: Representatives Blakey & Ramone - 2.

Therefore, having received a constitutional majority, **HS 1 for HB 70 w/HA 2** was sent to the Senate for concurrence.

Representative Schwartzkopf made an announcement. Representatives Cathcart & Schwartzkopf made comments.

Representative Schwartzkopf brought **HB 212**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson, before the House for consideration.

**HB 212** - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO TAXES ON ALCOHOLIC BEVERAGES. (3/5 bill)

Representative Hudson brought **HA 1 to HB 212**, jointly sponsored by Rep. D. Short & Representative Miro, before the House for consideration. Representatives Hudson & Schwartzkopf made comments. **HA 1** was defeated by voice vote. Representative Keeley introduced and brought **HA 2 to HB 212**, jointly sponsored by Representative Schwartzkopf, before the House for consideration. Representative Keeley made comments. **HA 2** was adopted by voice vote. Representative Schwartzkopf made comments.

The roll call on **HB 212 w/HA 2** was taken and revealed:

YES: 23.

NO: Representatives Blakey, Booth, Carey, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Longhurst, Manolakos, Miro, Outten, Ramone, D. Short, Thornburg & Wilson - 17.

NOT VOTING: Representative Oberle - 1.

Therefore, not having received a constitutional majority of at least three-fifths Members of the House, **HB 212 w/HA 2** was declared defeated.

Representative Schwartzkopf brought **HB 211**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson, before the House for consideration.

**HB 211** - AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE RELATING TO THE LEVY, COLLECTION AND USE OF TOBACCO PRODUCT TAX REVENUE. (3/5 bill)

Representative Scott announced that he will not be participating in the debate nor voting on **HB 211** because of a possible conflict of interest. Representative Hudson moved to place **HA 1** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote. Representative Hudson brought **HA 2 to HB 211**, jointly sponsored by Rep. D. Short & Rep. Miro, before the House for

consideration. Representatives Hudson & Schwartzkopf made comments. **HA 2** was defeated by voice vote. Representative Schwartzkopf made comments.

The roll call on **HB 211** was taken and revealed:  
YES: 22.

NO: Representatives Blakey, Booth, Carey, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Longhurst, Manolakos, Miro, Outten, Ramone, D. Short, Thornburg, Wilson - 17.

NOT VOTING: Representative Oberle – 1.

ABSENT: Representative Scott - 1

Therefore, not having received a constitutional majority of at least three-fifths Members of the House, **HB 211** was declared defeated.

Representative Schwartzkopf brought **HB 210**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson, before the House for consideration.

**HB 210** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSING FEES. (3/5 bill)

Representative Schwartzkopf made comments.

The roll call on **HB 210** was taken and revealed:

YES: 23.

NO: Representatives Blakey, Booth, Carey, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Longhurst, Manolakos, Miro, Outten, Ramone, D. Short, Thornburg, Wilson - 17.

NOT VOTING: Representative Oberle - 1.

Therefore, not having received a constitutional majority of at least three-fifths Members of the House, **HB 210** was declared defeated.

Representative Schwartzkopf made comments.

The Chief Clerk read the following Committee Reports into the record:

MANUFACTURED HOUSING: **HB 246** - 1F, 3M.

HEALTH & HUMAN DEVELOPMENT: **SB 90 w/SA 2** – 9M.

NATURAL RESOURCES: **HB 201** - 1F, 5M, 1U.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 68 w/SA 1, SB 143 w/ SA 1, SCR 21 & SCR 22** and requests the concurrence of the House and the Senate wishes to inform the House that it has passed **HCR 7 w/SA 1 & HCR 19** and the Senate wishes to inform the House that it has passed **HB 142, HB 146 w/SA 2, HB 126 & HB 147** and is returning the same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Deborah Hudson, do hereby request that my name be removed as co-sponsor of **HB 197**.

DATE: June 18, '09 Signed: Deborah D. Hudson  
MEMORANDUM

TO: Bernard J. Brady, Secretary of the Senate  
FROM: Sen. Brian J. Bushweller  
DATE: June 17, 2009  
SUBJECT: **SB 165**

Please arrange for the return of **SB 165** (re: Changes to the City of Dover Charter) from the House of Representatives.

Thank you,  
Brian J. Bushweller

MEMORANDUM

TO: Rich Puffer  
Chief Clerk of the House  
FROM: Bernard J. Brady  
Secretary of the Senate  
DATE: June 17, 2009  
RE: **SB 165**

Senator Brian J. Bushweller has requested, through this office, the return of **SB 165** (RE: City of Dover Charter) from the House to the Senate.

Thank you for your time and assistance.

MEMORANDUM

TO: Bernard J. Brady  
Secretary of the Senate  
FROM: Richard L. Puffer  
Chief Clerk of the House  
DATE: June 18, 2009  
RE: **SB 165** – Return of Legislation to the Senate

Pursuant to your written request dated June 17, 2009, I hereby am returning **SB 165** to the Senate.

Mr. Speaker Gilligan made an announcement.

The Majority Leader moved to recess to the call of the Chair at 8:28 p.m.

Mr. Speaker Gilligan called the House to order at 2:20 p.m. on June 23, 2009.

The Reading Clerk read the following communication into the record:

June 19, 2009

Legislative Advisory #15

Governor Jack A. Markell signed the following legislation on the date indicated: 6/17/09 – **SB 78 & SB 79**; 6/18/09 – **HB 112 aab HA 1, SB 39 & SB 140**.

Mr. Speaker Gilligan reassigned **HB 247** to the Judiciary Committee.

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

### **39th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY - First Session**

**June 23, 2009**

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Plant - 1.

The House observed a moment of silence in memory of Senator Thurman G. Adams, Jr., President pro Tempore, at the request of Mr. Speaker Gilligan.

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

Mr. Speaker Gilligan invited Jamie Gottshalk 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 out of session prefiled legislation was introduced:

June 22, 2009

**HB 250** - REPRESENTATIVE KEELEY & REPRESENTATIVE D.E. WILLIAMS & SENATOR MCDOWELL & SENATOR HALL-LONG; REPRESENTATIVES BENNETT, BLAKEY, CAREY, HOCKER, MIRO, RAMONE, WILSON, HUDSON, KOVACH, LAVELLE, LEE, MANOLAKOS, B. SHORT, D.P. WILLIAMS; SENATORS BONINI, CONNOR, SORENSON - ECONOMIC DEVELOPMENT/ BANKING/ INSURANCE/COMMERCE - An Act to Amend Title 29 of the Delaware Code Relating to the Composition of the General Fund and State Economic Development. (3/5 bill)

**HB 255** - REPRESENTATIVE KEELEY & SENATOR BLEVINS - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Insurance.

**HB 256** - REPRESENTATIVE B. SHORT - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 25 of the Delaware Code Relating to Giving Certainty to the Mortgaging of Leasehold Interests.

**HB 257** - REPRESENTATIVE GILLIGAN & SENATOR DELUCA; REPRESENTATIVES SCHWARTZKOPF, LONGHURST, KEELEY, BRADY, CARSON, ATKINS, SCOTT, CATHCART, D. SHORT, LEE, RAMONE; SENATORS COOK, HALL-LONG, SIMPSON - GAMING & PARIMUTUELS - An Act to Amend Title 29 of the Delaware Code Relating to Lotteries.

**HB 258** - REPRESENTATIVE ATKINS & SENATOR ENNIS; REPRESENTATIVES CARSON, GILLIGAN, MULROONEY, SCHWARTZKOPF, WALLS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to Licenses to Carry Concealed Deadly Weapons. (3/5 bill)

**HB 259** - REPRESENTATIVE MULROONEY & REPRESENTATIVE LONGHURST & SENATOR MCBRIDE & SENATOR MARSHALL; REPRESENTATIVE KOWALKO - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Oil Refineries and Employment Practices.

**HB 260** - REPRESENTATIVE GILLIGAN & REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE LONGHURST & SENATOR DELUCA & SENATOR ADAMS & SENATOR COOK & SENATOR BLEVINS - REVENUE & FINANCE - An Act to Amend Title 29 of the Delaware Code Relating to the Taxation of Lottery Winnings. (3/5 bill)

**HB 261** - REPRESENTATIVE GILLIGAN & REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE LONGHURST & SENATOR DELUCA & SENATOR ADAMS & SENATOR COOK & SENATOR BLEVINS - REVENUE & FINANCE - An Act to Amend Chapter 55, Title 30 of the Delaware Code Relating to Public Utility Taxes. (3/5 bill)

**HB 262** - REPRESENTATIVE GILLIGAN & REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE LONGHURST & SENATOR DELUCA & SENATOR ADAMS & SENATOR COOK & SENATOR BLEVINS- REVENUE & FINANCE - An Act to Amend Title 9 and Title 29 of the Delaware Code Relating to Government Records Management. (3/5 bill)

**HB 263** - REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE GILLIGAN & REPRESENTATIVE LONGHURST & SENATOR DELUCA & SENATOR ADAMS & SENATOR

COOK & SENATOR BLEVINS - REVENUE & FINANCE - An Act to Amend Title 16 of the Delaware Code Relating to Fire Marshal Fees. (3/5 bill)

**HB 264** - REPRESENTATIVE LONGHURST & REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE GILLIGAN & SENATOR DELUCA & SENATOR ADAMS & SENATOR COOK & SENATOR BLEVINS - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Taxes on Personal Income. (3/5 bill)

**HB 265** - REPRESENTATIVE LONGHURST & REPRESENTATIVE GILLIGAN & REPRESENTATIVE SCHWARTZKOPF & SENATOR DELUCA & SENATOR ADAMS & SENATOR COOK & SENATOR BLEVINS - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to the Estate Tax. (3/5 bill)

**HB 266** - REPRESENTATIVE LONGHURST & REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE GILLIGAN & SENATOR DELUCA & SENATOR ADAMS & SENATOR COOK & SENATOR BLEVINS - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Gross Receipts Taxes. (3/5 bill)

**HB 267** - REPRESENTATIVE GILLIGAN & REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE LONGHURST & SENATOR DELUCA & SENATOR ADAMS & SENATOR COOK & SENATOR BLEVINS - 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 268** - REPRESENTATIVE GILLIGAN & REPRESENTATIVE LONGHURST & REPRESENTATIVE SCHWARTZKOPF & SENATOR DELUCA & SENATOR ADAMS & SENATOR COOK & SENATOR BLEVINS - REVENUE & FINANCE - An Act to Amend Chapter 5, Title 30 of the Delaware Code Relating to Procedure, Administration and Enforcement.

**HA 1 to HA 1 to HB 30** - JAQUES - Placed with the Bill.

**HA 1 to HB 233** – WALLS - Placed with the Bill.

**SB 68 w/SA 1** - SENATOR SOKOLA & REPRESENTATIVE SCHOOLEY; SENATORS BLEVINS, BONINI, BUSHWELLER, CLOUTIER, HALL-LONG, HENRY, KATZ, PETERSON, SORENSON, SIMPSON, VENABLES; REPRESENTATIVES LONGHURST, Q. JOHNSON, SCOTT, BRADY, MITCHELL, MULROONEY, BENNETT, PLANT, VIOLA, MANOLAKOS, WALLS, KEELEY, MIRO; SENATORS CONNOR, BUNTING, ENNIS; REPRESENTATIVES BARBIERI, JAQUES - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Student Assessment and Academic Promotion.

**SB 143 w/SA 1** - SENATOR MCDOWELL & SENATOR HENRY & REPRESENTATIVE BRADY & REPRESENTATIVE KEELEY - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Exemptions from Local Taxes.

The following prefiled legislation was introduced:

**HB 269** –MITCHELL & SENATOR HENRY; REPRESENTATIVES BENNETT, BOOTH, BRADY, CAREY, CATHCART, HOCKER, HUDSON, LAVELLE, LEE, MANOLAKOS, M. MARSHALL, OUTTEN, RAMONE, SCHOOLEY, D. SHORT, THORNBURG, WALLS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses and Sale and Distribution of Tobacco Products. (2/3 bill)

**HA 1 to HB 260** - OBERLE - Placed with the Bill.

**HA 1 to HB 261** - OBERLE - Placed with the Bill.

**HA 1 to HB 262** - OBERLE - Placed with the Bill.

**HA 1 to HB 263** - OBERLE - Placed with the Bill.

**HA 1 to HB 264** - OBERLE - Placed with the Bill.

**HA 1 to HB 265** - OBERLE - Placed with the Bill.

**HA 1 to HB 266** - OBERLE - Placed with the Bill.

**HA 1 to HB 267** - OBERLE - Placed with the Bill.

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY:

**HB 253** - 1F,3M; **SB 105** - 3M; **SB 118** - 1F,3M; **SB 142** - 1F,3M; **SB 150 w/SA 1** - 1F,3M.

JUDICIARY: **HB 168** - 5M,1U; **HB 221** - 7M; **HB 252** - 7M; **SB 116** - 8M; **SB 117** - 8M; **SB 60** - 6M.

Representatives B. Short & Viola made announcements. Representative Schooley introduced guests and made an announcement. Representative Bennett requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf requested and was granted personal privilege of the floor for Amanda Lamar, Communications Coordinator, and the 2009 Legislative Fellows. Representative Schooley made comments and presented a House Tribute to Amy Clark. Representatives Carson & Jaques made comments. Representative Kowalko made comments and presented a House Tribute to Nicole Gentile. Representative Mitchell made comments. Ms. Gentile addressed the House. Representative Mulrooney made comments and presented a House Tribute to Brittany Schwartz. Representatives J. Johnson & D.P. Williams made comments. Ms. Schwartz addressed the House. Representative Longhurst made comments and presented a

House Tribute to Matthew Stieglitz. Representatives B. Short & Scott made comments. Mr. Stieglitz addressed the House. Representative Viola made comments and presented a House Tribute to Pam Townsend. Representative Schwartzkopf made comments. Ms. Townsend addressed the House. Mr. Speaker Gilligan made an announcement. Representative Oberle made comments. Amanda Lamar made an announcement.

Representative Schwartzkopf requested and was granted personal privilege of the floor to welcome Senator Nancy Cook who introduced the daughters of Senator Thurman G. Adams, Jr. Polly Mervine & Lynn Kokjohn addressed the House. Mr. Speaker Gilligan made comments.

Representative Oberle requested and was granted privilege of the floor for Pam Price, Minority Chief of Staff, who made comments and presented House Tributes to Lorraine Makone and Dan Wavra. Representatives Oberle & Blakey made comments. Ms. Makone and Mr. Wavra addressed the House.

Representative Schooley requested and was granted privilege of the floor to present a House Tribute to Dr. Jerome Lewis, on the occasion of 40 years of service at the University of Delaware, who addressed the House & introduced guests.

Representative Kowalko requested and was granted personal privilege of the floor to make comments. Representative Schwartzkopf introduced a guest.

Representative Schwartzkopf deferred to Representative Schooley.

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

Representative Schooley introduced **HA 1 to HB 199**. **HA 1** was placed with the Bill.

Representative Hocker made comments & requested privilege of the floor for Ellen Magee representing Magee Farms.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell introduced **HA 1 to HB 226**. **HA 1** was placed with the Bill.

Representative D.P. Williams requested that he be marked present.

Representative Schwartzkopf brought the following prefiled **Consent Calendar # 11** before the House for consideration.

**SCR 21 – SORENSON & SENATORS BLEVINS, BONINI, CLOUTIER, CONNOR, HALL-LONG, PETERSON & SOKOLA & REPRESENTATIVES BARBIERI, BOOTH, CAREY, CATHCART, HUDSON, KOVACH, LAVELLE, LEE, MANOLAKOS, M. MARSHALL, RAMONE, D. SHORT & THORNBURG - Establishing a Task Force to Evaluate and Make Recommendations of Policies Relating to Teen Dating Violence Education in Schools.**

**SCR 22 - HALL-LONG & REPRESENTATIVE BARBIERI - Encouraging Delaware Hospitals and Other Healthcare Facilities to Adopt the National Color Standards for Patient Alert Wristbands.**

**SCR 23 – SORENSON & DELUCA ON BEHALF OF ALL SENATORS & REPRESENTATIVES SCHWARTZKOPF & THORNBURG ON BEHALF OF ALL REPRESENTATIVES - Commending the Class of 2008-2009 Eagle Scouts for Having Attained the Highest Rank One Can Earn in the Boy Scouts of America**

**Consent Calendar # 11** was adopted by voice vote and **SCR 21, SCR 22 & SCR 23** were returned to the Senate.

Representative Schwartzkopf made an announcement. Representative Lavelle requested that he be marked present. Mr. Speaker Gilligan made an announcement.

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

JUDICIARY: **SB 110** - 7M; **SB 114** - 7M.

HEALTH & HUMAN DEVELOPMENT: **HB 249** - 11M; **SB 109** - 11M; **SB 115** - 12M.

The Majority Leader moved to recess for caucus and to the call of the chair at 3:11 p.m.

Mr. Speaker Gilligan called the House to order at 2:10 p.m. on June 24, 2009.

Mr. Speaker Gilligan reassigned **HB 248** to the Economic Development/Banking/Insurance/Commerce Committee.

Representative Schwartzkopf introduced **HB 273**, jointly sponsored by Representative Longhurst & Representative Gilligan & Senator DeLuca & Senator Cook & Senator Blevins.

**HB 273 – AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO STANDARD WEIGHTS AND MEASURES. (3/5 bill)**

Mr. Speaker Gilligan assigned **HB 273** to the Revenue & Finance Committee.

Representative Plant requested that she be marked present for the current Legislative Day.

Representative Schwartzkopf introduced **HB 274**, jointly sponsored by Representative Longhurst & Representative Gilligan & Senator DeLuca & Senator Cook & Senator Blevins.

**HB 274 – AN ACT TO AMEND TITLES 16, 24 AND 31 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (3/5 bill)**

Mr. Speaker Gilligan assigned **HB 274** to the Revenue & Finance Committee.

Mr. Speaker Gilligan introduced guests.

Representative Viola made an announcement.

Representative Schwartzkopf deferred to Representative Walls.



Representative Walls introduced **HB 270**, jointly sponsored by Senator Venables & Senator McBride.

**HB 270 – AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE REGULATION OF FINFISHING IN TIDAL WATERS.**

Mr. Speaker Gilligan assigned **HB 270** to the Natural Resources Committee.

The Majority Leader moved to adjourn at 2:17 p.m., thereby ending the current Legislative Day. The House reconvened at 2:18 p.m.

**40th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session  
June 24, 2009**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative D.P. Williams - 1.

The House observed a moment of silence in memory of Senator Thurman G. Adams, Jr., President pro Tempore at the request of Representative Lavelle. A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.

Mr. Speaker Gilligan invited Jared Atkins & Ethan Hines 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 271 - SCHOOLEY & REPRESENTATIVE LONGHURST & SENATOR BUNTING & SENATOR ENNIS & SENATOR SIMPSON - ENERGY - An Act to Amend Title 26 of the Delaware Code Relating to the Authority of the Public Service Commission to Compel Return of Utility Property Transferred Without Authorization.**

**HB 272 - SCHOOLEY & REPRESENTATIVE LONGHURST & SENATOR BUNTING & SENATOR ENNIS & SENATOR SIMPSON - ENERGY - An Act to Amend Title 26 of the Delaware Code Relating to Public Utilities.**

**HB 275 - LONGHURST & SENATOR CONNOR; REPRESENTATIVES BARBIERI, J. JOHNSON, MULROONEY; SENATOR HENRY - EDUCATION - An Act Requiring Colonial School District to Return a Teacher Within the District to the Same Teaching Position Held Prior to Such Teacher's Leave Under the Family and Medical Leave Act.**

**HA 1 to HB 155 - LAVELLE - Placed with the Bill.**

**HA 1 to HB 184 - Q. JOHNSON - Placed with the Bill.**

**HA 2 to HB 199 - SCHOOLEY - Placed with the Bill.**

**HA 1 to HB 238 - KOWALKO - Placed with the Bill.**

**HA 1 to HB 239 - KOWALKO - Placed with the Bill.**

**HA 1 to HB 240 - KOWALKO - Placed with the Bill.**

**HA 1 to HB 241 - KOWALKO - Placed with the Bill.**

**HA 1 to HB 242 - KOWALKO - Placed with the Bill.**

**HA 1 to HB 246 - LONGHURST - Placed with the Bill.**

**HA 1 to HB 256 - B. SHORT - Placed with the Bill.**

**HA 2 to HB 264 - KOWALKO - Placed with the Bill.**

**HA 2 to HB 267 - KOWALKO - Placed with the Bill.**

**HA 3 to HB 267 - KOWALKO - Placed with the Bill.**

**HA 4 to HB 267 - KOWALKO - Placed with the Bill.**

**HA 5 to HB 267 - KOWALKO - Placed with the Bill.**

**HA 6 to HB 267 - KOWALKO - Placed with the Bill.**

Representative Kowalko requested that he be marked present.

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

ENERGY: **SS 1 FOR SB 49** – 2F, 6M.

HOUSE ADMINISTRATION: **HB 222** - 3M; **HB 236** - 3M; **HB 244** - 3M; **HB 245** - 3M.

PUBLIC SAFETY & HOMELAND SECURITY: **SB 76** -1F, 5M; **SB 133** - 6M; **SB 138 w/SA 2** – 5M.

AGRICULTURE: **SB 50** - 2F, 5M; **SB 129 w/SA 1** - 1F, 6M.

EDUCATION: **SB 68 w/SA 1** - 8F, 1M; **SB 149** - 9M; **SB 151** - 1F, 8M.

Representative Outten introduced guests. Representative Bennett made comments.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 152**, jointly sponsored by Senator Bushweller & Representatives Bennett, Brady, Cathcart, Hudson, Q. Johnson, Kovach, Kowalko, M. Marshall, Mitchell, Oberle, Ramone, Schooley, D. Short, Thornburg, Walls & D.E. Williams & Senator Cloutier, before the House for consideration.

**HB 152 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.**

Representatives B. Short, Oberle, Mulrooney & Hudson made comments.

The roll call on **HB 152** was taken and revealed:

YES: 37.

ABSENT: Representatives Atkins, Cathcart, D. Short & D.P. Williams - 4.

Therefore, having received a constitutional majority, **HB 152** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **SB 77**, jointly sponsored by Senator Ennis & Senator Simpson & cosponsored by Representatives Blakey, Hocker, Q. Johnson, Miro, Outten, Thornburg, Walls, D.E. Williams & Wilson, before the House for consideration.

**SB 77 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO RECORDATION OF INSTRUMENTS IN KENT COUNTY.**

Representative Carson made comments.

The roll call on **SB 77** was taken and revealed:

YES: 37.

ABSENT: Representatives Cathcart, B. Short, D. Short & D.P. Williams - 4.

Therefore, having received a constitutional majority, **SB 77** was returned to the Senate.

Representative Carson requested and was granted personal privilege of the floor to make an announcement. Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **SB 84**, jointly sponsored by Senator Blevins, before the House for consideration.

**SB 84 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTS.**

Representative M. Marshall made comments. Representative Hocker requested and was granted privilege of the floor for Linda Schrack. Representatives J. Johnson, Hudson, Kovach & M. Marshall made comments. Representative M. Marshall requested and was granted privilege of the floor for Tania Culley, Child Advocate. Representative Kovach made comments.

The roll call on **SB 84** was taken and revealed:

YES: 34.

NO: Representatives Lee & Wilson - 2.

NOT VOTING: Representatives Booth & Hocker - 2.

ABSENT: Representatives Cathcart, D. Short & D. P. Williams - 3.

Therefore, having received a constitutional majority, **SB 84** was returned to the Senate.

Representative M. Marshall made comments. Representative Keeley requested and was granted personal privilege of the floor to make an announcement.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **HB 194**. The motion was seconded by Representative J. Johnson.

The roll call on the motion was taken and revealed:

YES: 22.

NO: Representatives Blakey, Carson, Gilligan, Keeley, Lee, Scott, Viola, Walls & Wilson - 9.

NOT VOTING: Representatives Bennett, Brady, Carey, Hocker, Oberle, Outten & Thornburg - 7.

ABSENT: Representatives Cathcart, D. Short & D.P. Williams - 3.

Therefore, having received a constitutional majority, the motion was adopted.

Representative Schwartzkopf brought **HB 194**, jointly sponsored by Senator Venables & Representatives Atkins, Booth, Hudson, Lavelle, Longhurst & B. Short & Senator Sokola, before the House for consideration.

**HB 194 - SCHWARTZKOPF & SENATOR VENABLES; REPRESENTATIVES ATKINS, BOOTH, HUDSON, LAVELLE, LONGHURST, B. SHORT; SENATOR SOKOLA – An Act to Amend Titles 3 and 29 of the Delaware Code Relating to the Licensing of Venues Which did not Conduct Harness Racing During 1992 as Video Lottery Agents.**

Representative Schwartzkopf made comments.

Representative Schwartzkopf moved to place **HB 194** on the Speaker's Table. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 156**, jointly sponsored by Senator Marshall & Senator Venables & Representative Oberle & cosponsored by Senator Cloutier & Representative Jaques, before the House for consideration.

**SB 156 - 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 156** was taken and revealed:

YES: 38.

ABSENT: Representatives Cathcart, D. Short & D.P. Williams - 3.

Therefore, having received a constitutional majority, **SB 156** was returned to the Senate.

Representative Schwartzkopf deferred to Representative D.E. Williams.

Representative D.E. Williams brought **HB 198**, jointly sponsored by Senator Katz & Representative Bennett & cosponsored by Representatives Brady, Q. Johnson, Kowalko & Mitchell, before the House for consideration.

**HB 198** - 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, Kovach, M. Marshall, D.E. Williams, Kovach & D.E. Williams made comments. Representative D.E. Williams requested and was granted personal privilege of the floor for Christopher Pearson, representing National Popular Vote. Representative D.E. Williams made comments. Representative Gilligan introduced guests. Representative Lavelle rose on a point of order. Mr. Speaker Gilligan concurred. Representatives Lavelle, Kovach, M. Marshall & D. E. Williams made comments.

The roll call on **HB 198** was taken and revealed:

YES: 23.

NO: Representatives Atkins, Blakey, Booth, Carey, Hocker, Kovach, Lavelle, Lee, Miro, Outten, Walls & Wilson - 12.

NOT VOTING: Representatives Hudson, Jaques & Thornburg - 3.

ABSENT: Representatives Cathcart, D. Short & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HB 198** 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 275**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Longhurst brought **HB 275**, jointly sponsored by Senator Connor & Representatives Barbieri, J. Johnson & Mulrooney & Senator Henry, before the House for consideration.

**HB 275** - AN ACT REQUIRING COLONIAL SCHOOL DISTRICT TO RETURN A TEACHER WITHIN THE DISTRICT TO THE SAME TEACHING POSITION HELD PRIOR TO SUCH TEACHER'S LEAVE UNDER THE FAMILY AND MEDICAL LEAVE ACT.

Representatives Longhurst, Hudson, Miro, Ramone, Longhurst, Oberle, Q. Johnson, Blakey, Longhurst, Oberle, Ramone & Mulrooney made comments.

The roll call on **HB 275** was taken and revealed:

YES: 34.

NOT VOTING: Representatives Hocker, Lee, Manolakos & Wilson - 4.

ABSENT: Representatives Cathcart, D. Short & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HB 275** was sent to the Senate for concurrence.

Representative Longhurst made comments regarding **HB 275**.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst requested that **HB 157** be stricken.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins brought **HB 105**, jointly sponsored by Representative Longhurst, before the House for consideration.

**HB 105** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE.

Representative Atkins introduced **HA 1 to HB 105**. Representative Atkins requested that **HA 1** be stricken. Representative Atkins introduced and brought **HA 2 to HB 105**, jointly sponsored by Representative Longhurst, before the House for consideration. Representative Atkins made a comment. **HA 2** was adopted by voice vote. Representative Atkins & Longhurst made comments.

The roll call on **HB 105 w/HA 2** was taken and revealed:

YES: 37.

NOT VOTING: Representative Hocker - 1.

ABSENT: Representatives Cathcart, D. Short & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HB 105 w/HA 2** was sent to the Senate for concurrence.

Representative Atkins made comments.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson brought **HB 138**, jointly sponsored by Senator McBride & cosponsored by Representative Keeley, before the House for consideration.

**HB 138** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE DELAWARE LAND AND HISTORIC RESOURCES PROTECTION INCENTIVES ACT. (F/N)

Representative Hudson made comments.

The roll call on **HB 138** was taken and revealed:

YES: 38.

ABSENT: Representatives Cathcart, D. Short & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HB 138** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 111**, jointly sponsored by Senator DeLuca & Senator Katz & Representatives Brady, Hudson, Lavelle & Viola, before the House for consideration.

**SB 111** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO NOTARIES PUBLIC. (3/5 bill)

Representative B. Short made comments.

The roll call on **SB 111** was taken and revealed:

YES: 38.

ABSENT: Representatives Cathcart, Manolakos, D.P. Williams - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 111** was returned to the Senate.

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

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 230**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf introduced and brought **HS 1 for HB 230**, jointly sponsored by Representative Gilligan & Representative Plant & Senator DeLuca & Representatives Barbieri, Bennett, Brady, Carson, Jaques, J. Johnson, Q. Johnson, Keeley, Kowalko, Longhurst, M. Marshall, Mitchell, Mulrooney, Oberle, Viola, D.E. Williams & D.P. Williams & Senators Blevins, Marshall & McBride & cosponsored by Representative Schooley, before the House for consideration.

**HB 230** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO LABOR

Representative Schwartzkopf moved to place **HS 1 for HB 230** on the Speaker's Table. The motion was seconded by Representative Longhurst and adopted by voice vote.

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **SB 139**, sponsored by Senator Ennis & Senator Adams & Representative Atkins & Representative Cathcart & Senators Bonini, Bunting, DeLuca, Hall-Long, McBride, Simpson & Venables & Representatives Bennett, Booth, Carey, Carson, Gilligan, Hocker, Q. Johnson, Kovach, Lee, Outten, Ramone, D. Short, Thornburg, Walls & Wilson & cosponsored by Representative Mitchell, before the House for consideration.

**SB 139** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR THE SALES OF FIREARMS.

Representatives Mitchell & Oberle made comments.

The roll call on **SB 139** was taken and revealed:

YES: 39.

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

Therefore, having received a constitutional majority, **SB 139** was returned to the Senate.

Representative Kowalko requested that **HB 241** & **HB 242** be stricken.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 226**, jointly sponsored by Senator Bushweller & Representative Barbieri & Senator Blevins, before the House for consideration.

**HB 226** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. (F/N)

Representative Mitchell brought **HA 1 to HB 226** before the House for consideration.

Representative Mitchell made comments. **HA 1** was adopted by voice vote. Representative Mitchell introduced and brought **HA 2 to HB 226** before the House for consideration. Representative Mitchell made comments. **HA 2** was adopted by voice vote. Representatives Mitchell & Jaques made comments.

The roll call on **HB 226 w/HA 1 & 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Cathcart, Lavelle & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HB 226 w/HA 1 & 2** was sent to the Senate for concurrence.

Mr. 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 257**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Gilligan brought **HB 257**, jointly sponsored by Senator DeLuca & Representatives Schwartzkopf, Longhurst, Keeley, Brady, Carson, Atkins, Scott, Cathcart, D. Short, Lee & Ramone & Senators Cook, Hall-Long & Simpson, before the House for consideration.

**HB 257** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOTTERIES.

Representative Gilligan made comments.

The roll call on **HB 257** was taken and revealed:

YES: 35.

NOT VOTING: Representatives Bennett, Oberle & Thornburg - 3.

ABSENT: Representatives Cathcart, Lavelle & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HB 257** was sent to the Senate for concurrence.

Mr. Speaker Gilligan resumed the Chair.

Representative Schwartzkopf brought **Consent Agenda E** before the House for consideration.

**HB 196** – M.MARSHALL & SENATOR MCBRIDE; REPRESENTATIVES BARBIERI, BOOTH, CARSON, HOCKER, LAVELLE, MANOLAKOS, MIRO, RAMONE, WILSON; SENATORS BUSHWELLER, CLOUTIER – An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HB 203** – HOCKER & SENATOR BUNTING; REPRESENTATIVES BENNETT, BRADY, CARSON, Q. JOHNSON, MITCHELL, SCOTT, B. SHORT, WALLS, D. SHORT, CAREY, HUDSON, LEE MANOLAKOS, OUTTEN, RAMONE, THORNBURG, WILSON – An Act to Amend Title 29 of the Delaware Code Relating to Designating the Strawberry as the State Fruit.

**SB 61 w/SA 2** – MCDOWELL & SENATOR HENRY & REPRESENTATIVE KOVACH & REPRESENTATIVE D.E. WILLIAMS; SENATOR KATZ; REPRESENTATIVES B. SHORT & LAVELLE - An Act to Amend Title 11 of the Delaware Code Relating to Assaults.

**SB 72** – MCBRIDE & REPRESENTATIVE MULROONEY; SENATORS BUNTING, VENABLES, CONNOR; REPRESENTATIVES Q. JOHNSON, OUTTEN, THORNBURG, WALLS, CAREY, HOCKER – An Act to Amend Title 26, Chapter 13 of the Delaware Code Relating to Public Utilities, Gas, Water and Oil Corporations.

**SB 102** – KATZ & REPRESENTATIVE BENNETT – An Act to Amend Title 13 of the Delaware Code Relating to Marriage.

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

YES: 39.

ABSENT: Representatives Cathcart & D.P. Williams – 2.

Therefore, having received a constitutional majority, **HB 196** & **HB 203** were sent to the Senate for concurrence and **SB 61 w/SA 2**; **SB 72** & **SB 102** were returned to the Senate.

Representatives Kovach & D. Short made comments.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 185**, jointly sponsored by Representative Bennett & Senator Peterson & Senator Sokola & cosponsored by Representatives Jaques, Kowalko, Longhurst, Mitchell & Schwartzkopf, before the House for consideration.

**HB 185** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO AUTOMATED CALLS IN THE STATE OF DELAWARE.

Representative B. Short introduced and brought **HA 1 to HB 185** before the House for consideration. Representatives B. Short, Scott & Hudson made comments. **HA 1** was adopted by voice vote. Representatives Hudson, B. Short, Lavelle & D. Short made comments. Representative B. Short requested and was granted privilege of the floor for Tim Mullaney, Director, Fraud Division, Attorney General's Office. Representatives D. Short, B. Short & Lavelle made comments.

The roll call on **HB 185 w/HA 1** was taken and revealed:

YES: 37.

NOT VOTING: Representative Cathcart - 1.

ABSENT: Representatives Mulrooney, Plant & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HB 185 w/HA 1** was sent to the Senate for concurrence.

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

Representative Gilligan made an announcement.

Representative Schwartzkopf brought **Consent Agenda F**, which requires a two-thirds vote, before the House for consideration.

**HB 249** – KEELEY & SENATOR KATZ; REPRESENTATIVES BARBIERI, BENNETT, BRADY, GILLIGAN, J. JOHNSON, Q. JOHNSON, KOWALKO, LAVELLE, M. MARSHALL, MITCHELL, MULROONEY, PLANT, RAMONE, SCHWARTZKOPF, B. SHORT, VIOLA, D.E. WILLIAMS, D.P. WILLIAMS; SENATORS MCDOWELL & SORENSON – An Act to Amend Title 24 of the Delaware Code Relating to Professions and Occupations.

**SB 105** – SOKOLA & REPRESENTATIVE KOWALKO - An Act to Amend 76 Delaware Laws, Chapter 261 Relating to the Medical Practice Act.

**SB 109** – PETERSON; SENATORS ENNIS, BUSHWELLER, BUNTING; REPRESENTATIVES CARSON, RAMONE, D. SHORT & KEELEY – An Act to Amend Title 16 of the Delaware Code Relating to Salvinorin A. (2/3 bill)

**SB 116** – BLEVINS & SENATOR SORENSON & REPRESENTATIVE BARVIERI & REPRESENTATIVE HUDSON – An Act to Amend Title 13 of the Delaware Code Relating to the Composition of the Domestic Violence Coordinating Council.

**SB 117** – BLEVINS & SENATOR SORENSON & REPRESENTATIVE BARBIERI & REPRESENTATIVE HUDSON – An Act to Amend Title 13 of the Delaware Code Relating to the Domestic Violence Coordinating Council and Proxy Voting.

**SB 142** – SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - An Act to Amend Title 29 of the Delaware Code Relating to the Department of Information and Technology.

**SB 150 w/SA 1** – SOKOLA & REPRESENTATIVE KOWALKO; SENATOR BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - An Act to Amend Title 14, Title 18, and Title 29 of the Delaware Code.

The roll call on **Consent Agenda F** was taken and revealed:

YES: 39.

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

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 249** was sent to the Senate for concurrence and **SB 105, SB 109, SB 116, SB 117, SB 142 & SB 150 w/SA 1** were returned to the Senate.

Representative Cathcart made an announcement.

The Majority Leader moved to recess for caucus at 5:06 p.m.

The House reconvened at 7:59 p.m.

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

REVENUE & FINANCE: **HB 260** – 6M,1U; **HB 261** – 4M,2U; **HB 262** – 6M,2U; **HB 263** – 7M,1U; **HB 264** – 6M; **HB 265** – 2F,5M; **HB 266** – 4M,2U; **HB 267** – 6M; **HB 268** – 6F,1M.

HOUSING & COMMUNITY AFFAIRS: **SB 161** – 2F, 5M.

ECONOMIC/DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HB 250** – 8F; **SB 145 w/SA 1** – 7M.

EDUCATION: **HB 254** - 9F.

NATURAL RESOURCES: **HB 233** – 8M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 121** and requests the concurrence of the House.

#### Memorandum

To: The Honorable Robert F. Gilligan  
Speaker of the House

From: Representative Dennis P. Williams

Date: June 24, 2009

RE: Absence from Legislative Session

I will be unable to attend legislative session today since I am attending the funeral of my brother-in-law.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Liane Sorenson, do hereby request that my name be removed as co-sponsor of **HB 162**.

Date: 6/24/09

Signed: Liane Sorenson

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on **SB 121**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf introduced and brought **SB 121**, jointly sponsored by Senator Sokola & Senator McDowell & Senator Sorenson & Representative Keeley & Representative Oberle & Senators Bunting, Bushweller, Henry & Peterson & Representatives Barbieri, Gilligan, Jaques, J. Johnson, Kowalko, Longhurst, M. Marshall, Mitchell, Mulrooney, Plant, Schooley, B. Short, Viola, D.E. Williams & D.P. Williams, before the House for consideration.

**SB 121** - AN ACT TO AMEND TITLES 6, 9, 18, 19, 25, AND 29 OF THE DELAWARE CODE RELATING TO DISCRIMINATION IN EMPLOYMENT, PUBLIC WORKS CONTRACTING, HOUSING, EQUAL ACCOMMODATIONS AND THE INSURANCE BUSINESS.

Representatives Schwartzkopf, D. Short, Oberle & Schwartzkopf made comments. Representative D. Short introduced and brought **HA 1 to SB 121**, jointly sponsored by Representative Hocker & Representative Wilson & Representatives Atkins & Carey, before the House for consideration. Representative D. Short made comments.

The roll call on **HA 1 to SB 121** was taken and revealed:

YES: Representatives Atkins, Bennett, Blakey, Booth, Carey, Carson, Hocker, Lee, Outten, D. Short, Thornburg, Walls & Wilson - 13.

NO: 26.

NOT VOTING: Representative Cathcart - 1.

ABSENT: Representative D.P. Williams - 1.

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

Representative D. Short introduced and brought **HA 2**, jointly sponsored by Representative Hocker & Representative Wilson & Representatives Atkins & Carey, before the House for consideration.

Representative D. Short made comments.

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

YES: Representatives Atkins, Bennett, Blakey, Booth, Carey, Carson, Hocker, Hudson, Jaques, Lee, Outten, Ramone, D. Short, Thornburg, Walls & Wilson - 16.

NO: 21.

NOT VOTING: Representatives Cathcart, Lavelle & Manolakos - 3.

ABSENT: Representative D.P. Williams - 1.

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

Representative Hocker introduced and brought **HA 3 to SB 121**, jointly sponsored by Representative D. Short & Representative Wilson & Representatives Atkins & Carey, before the House for consideration.

Representative Hocker made comments.

The roll call on **HA 3 to SB 121** was taken and revealed:

YES: Representatives Atkins, Bennett, Blakey, Booth, Carey, Carson, Hocker, Lavelle, Lee, Outten, Ramone, D. Short, Thornburg, Walls & Wilson - 15.

NO: 23.

NOT VOTING: Representatives Cathcart & Manolakos - 2.

ABSENT: Representative D.P. Williams - 1.

Therefore, not having received a constitutional majority, **HA 3** was declared defeated.

Representatives Schwartzkopf, Oberle, Keeley & D. Short made comments. Representative Schwartzkopf introduced guests. Representative Cathcart made an announcement.

Representative D. Short introduced and brought **HA 4 to SB 121**, sponsored by Representative Hocker, before the House for consideration. Representative D. Short deferred to Representative Hocker. Representatives Hocker & Schwartzkopf made comments. Representative Schwartzkopf requested and was granted privilege of the floor for Mike Migliore, House Attorney. Mr. Speaker Gilligan ruled that **HA 4** is out of order. Representatives D. Short & Oberle made comments.

The roll call on **SB 121** was taken and revealed:

YES: 26.

NO: Representatives Atkins, Bennett, Blakey, Booth, Carey, Carson, Hocker, Lavelle, Lee, Outten, D. Short, Thornburg, Walls & Wilson - 14.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority, **SB 121** was returned to the Senate.

Representative Schwartzkopf, Mr. Speaker Gilligan, Representatives Longhurst & Oberle made comments regarding **SB 121**.

Representative Cathcart made an announcement.

The Majority Leader moved to recess to the call of the Chair at 8:40 p.m.

Mr. Speaker Gilligan called the House to order at 2:11 p.m. on June 25, 2009.

The Majority Leader moved to adjourn at 2:12 p.m., thereby ending the current Legislative Day. The House reconvened at 2:13 p.m.

#### **41st LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session June 25, 2009**

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Dennis 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 276 – HUDSON & SENATOR MCBRIDE; REPRESENTATIVES BARBIERI, BRADY, CARSON, JAQUES, BOOTH, CAREY, HOCKER, LAVELLE, MANOLAKOS, MIRO, RAMONE, THORNBURG; SENATORS SOKOLA, SORENSON - JUDICIARY - An Act to Amend Titles 11, 16, 17 and 21 of the Delaware Code Relating to Criminal Mischief, Graffiti, and Other Injury to a Scenic and Historical Highway or a Scenic Byway. (2/3 bill)**

**HB 277 – SCHOOLEY & SENATOR BUNTING & SENATOR ENNIS & SENATOR SIMPSON - ENERGY - 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.**

**HB 278 – B. SHORT & SENATOR BLEVINS – JUDICIARY – An Act to Amend Title 11 of the Delaware Code Relating to Animal Cruelty.**

**HA 1 to HS 1 for HB 230 – SCOTT – Placed with the Bill.**

**HA 1 to HA 1 to HB 233 - WALLS - Placed with the Bill.**

**HA 1 to HB 253 - KOWALKO - Placed with the Bill.**

**HA 1 to HA 1 to HB 253 – KOWALKO – Placed with the Bill.**

**HA 2 to HB 260 – HUDSON - Placed with the Bill.**

**HA 2 to HB 261** – HUDSON - Placed with the Bill.

**HA 3 to HB 264** – HUDSON - Placed with the Bill.

**HA 4 to HB 264** - KOWALKO - Placed with the Bill

**HA 2 to HB 265** – HUDSON - Placed with the Bill.

**HA 2 to HB 266** – HUDSON - Placed with the Bill.

**HA 7 to HB 267** – HUDSON - Placed with the Bill.

**HA 1 to SB 115** - Q. JOHNSON - Placed with the Bill.

Representatives Booth, Miro, Cathcart, Atkins & Hocker requested that they be marked present.

Representative D.E. Williams requested and was granted privilege of the floor for himself and Representative B. Short to present House Tributes to Tom Sabatino, Director of Vocal Music, Concord High School and President of the Delaware Music Educators Association, who addressed the House and to Don Rice, President, Board of Directors, New Candlelight Theater and Bob Miller, Executive Director, New Candlelight Theater.

Representatives Cathcart, Ramone & Blakey made comments.

Senator Connor made comments. Representative B. Short made comments. Representative Brady introduced a guest. Representatives Hudson & Plant requested that they be marked present. Mr. Speaker Gilligan, Representatives Cathcart & Schwartzkopf made announcements. Representative Kowalko requested that **HB 238, HB 239 & HB 240** be stricken. Representative Schwartzkopf deferred to Mr. Speaker Gilligan. Mr. Speaker Gilligan appointed Representative Keeley as Acting Speaker.

Representative Gilligan moved to lift **HS 1 for HB 230** from the Speaker's Table.

The motion was seconded by Representative Jaques and adopted by voice vote.

Representative Gilligan brought **HS 1 for HB 230**, jointly sponsored by Representative Plant & Senator DeLuca & Representatives Barbieri, Bennett, Brady, Carson, Jaques, J. Johnson, Q. Johnson, Keeley, Kowalko, Longhurst, M. Marshall, Mitchell, Mulrooney, Oberle, Schwartzkopf, Viola, D.E. Williams & D.P. Williams & Senators Blevins, Marshall & McBride & cosponsored by Representative Schooley, before the House for consideration.

**HB 230** – AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO LABOR.

Representative Scott brought **HA 1 to HS 1 for HB 230**, jointly sponsored by Representative B. Short, before the House for consideration. Representative Scott made comments. **HA 1** was adopted by voice vote. Representatives Gilligan, Oberle, B. Short, Cathcart, B. Short, Miro, Kowalko, J. Johnson, Scott, Ramone, D. Short & Kovach made comments. Representative Mulrooney requested that he be marked present. Representative Mulrooney & Bennett made comments. Representative Lavelle requested that he be marked present. Representatives Lavelle, Gilligan & Plant made comments.

The roll call on **HS 1 for HB 230 w/HA 1** was taken and revealed:

YES: 37.

NO: Representatives Carey, Hocker & Wilson - 3.

NOT VOTING: Representative Booth - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 230 w/HA 1** was sent to the Senate for concurrence.

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

Mr. Speaker Gilligan resumed the Chair.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 199**, jointly sponsored by Representative M. Marshall & Senator Blevins & Senator Sorenson & Representatives Barbieri, Bennett, Brady, Hudson, Jaques, J. Johnson, Keeley, Kowalko, Longhurst, Manolakos, Mitchell, Mulrooney, Oberle, B. Short, Viola & D.P. Williams & Senators Ennis, Hall-Long, Henry & Peterson & cosponsored by Representatives Carson & Kovach, before the House for consideration.

**HB 199** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO DEVELOPMENTAL SCREENING OF INFANTS AND TODDLERS. (F/N)

Representative Schooley brought **HA 1 to HB 199** before the House for consideration.

Representative Schooley requested that **HA 1** be stricken. Representative Schooley brought **HA 2 to HB 199** before the House for consideration. Representatives Schooley & Lavelle made comments. **HA 2** was adopted by voice vote.

The roll call on **HB 199 w/HA 2** was taken and revealed:

YES: 40.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority, **HB 199 w/HA 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 184**, jointly sponsored by Senator Hall-Long & Representatives Plant, Schooley & B. Short & Senator Blevins, before the House for consideration.

**HB 184** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (2/3 bill)



Representative Q. Johnson brought **HA 1 to HB 184** before the House for consideration. Representative Q. Johnson made comments. **HA 1** was adopted by voice vote. Representative Q. Johnson introduced and brought **HA 2 to HB 184** before the House for consideration. Representative Q. Johnson made comments. **HA 2** was adopted by voice vote. Representatives Q. Johnson, Lavelle & Barbieri made comments. Representative Q. Johnson requested and was granted privilege of the floor for Julie Jenks Zorach, Board Member, Clinical Social Work Society. Representatives Lavelle, Booth, Cathcart & Q. Johnson made comments. Representative Q. Johnson moved to place **HB 184 w/HA 1 & HA 2** on the Speaker's Table. The motion was seconded by Representative Wilson and adopted by voice vote.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **SB 86**, jointly sponsored by Senator Henry & Senators Blevins, Cloutier, Connor, Hall-Long, Katz, McDowell, Peterson, Sokola & Sorenson & Representative Keeley, before the House for consideration.

**SB 86 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY, INFORMED CONSENT AND HIV TESTING.**

Representative M. Marshall announced that the Committee Report for **SB 86** is incorrect.

Representative M. Marshall made a comment.

The roll call on **SB 86** was taken and revealed:

YES: 40.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority, **SB 86** was returned to the Senate.

Representative Kowalko rose on a point of order. Mr. Speaker Gilligan did not concur.

The Majority Leader moved to recess for caucus at 3:29 p.m. The House reconvened at 5:43 p.m.

Representative Schwartzkopf made an announcement.

Representative Longhurst brought **HB 165 w/HA 1 & SA 1**, jointly sponsored by Senator Blevins & Representatives Barbieri, Bennett, Carson, Hudson, M. Marshall, Mitchell, Schooley, Schwartzkopf, Scott & D. Short & Senator Hall-Long, before the House for concurrence on **SA 1**.

**HB 165 - AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE RELATING TO THE ADULT ABUSE REGISTRY.**

Representative Longhurst made comments.

The roll call on **HB 165 w/HA & SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Cathcart, D. Short & Viola - 3.

Therefore, having received a constitutional majority, **HB 165 w/HA 1 & SA 1** was sent to the Governor.

Representative Kowalko brought **HB 253**, jointly sponsored by & Senator Sokola & Representatives Atkins, Bennett, Lee & Thornburg & Senators Bushweller, Connor & Katz, before the House for consideration.

**HB 253 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMPENSATION FOR INNOCENT VICTIMS OF VIOLENT CRIME.**

Representative Kowalko requested that **HA 1 to HB 253 & HA 1 to HA 1 to HB 253** be stricken. Representative D.P. Williams introduced and brought **HA 2 to HB 253**, jointly sponsored by Representative Kowalko, before the House for consideration. Representatives D.P. Williams & Kowalko made comments. **HA 2** was adopted by voice vote. Representative Kowalko introduced and brought **HA 3 to HB 253** before the House for consideration. Representatives Kowalko & D.P. Williams made comments. **HA 3** was adopted by voice vote. Representatives Hudson & J. Johnson made comments. Representative J. Johnson requested and was granted privilege of the floor for Vera Lynn Gregory, Member of the Violent Crimes Compensation Board. Representatives J. Johnson, Kowalko, Bennett & Thornburg made comments. Representative Manolakos introduced and brought **HA 4 to HB 253**, jointly sponsored by Representative Lavelle, before the House for consideration. Representatives Manolakos, Keeley, Kowalko, Manolakos, D. P. Williams, Oberle, B. Short, J. Johnson, Lavelle, Hudson & Manolakos made comments. **HA 4** was defeated by voice vote.

The roll call on **HB 253 w/HA 2 & 3** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & D. Short - 2.

Therefore, having received a constitutional majority, **HB 253 w/HA 2 & 3** 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 246**. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representative Longhurst brought **HB 246**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 246 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE.**

Representative Longhurst brought **HA 1 to HB 246** before the House for consideration. Representative Longhurst introduced and brought **HA 1 to HA 1 to HB 246** before the House for consideration. Representative Longhurst made comments. **HA 1 to HA 1** was adopted by voice vote. Representative Longhurst made comments. **HA 1 w/HA 1** was adopted by voice vote. Representative Longhurst made comments.

The roll call on **HB 246 w/HA 1 & HA 1 to HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Cathcart, Miro & D. Short - 3.

Therefore, having received a constitutional majority, **HB 246 w/HA 1 & HA 1 to HA 1** 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 **HB 258**. The motion was seconded by Representative Carson and adopted by voice vote.

Representative Atkins brought **HB 258**, jointly sponsored by Senator Ennis & Representatives Carson, Gilligan, Mulrooney, Schwartzkopf & Walls, before the House for consideration.

**HB 258 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LICENSES TO CARRY CONCEALED DEADLY WEAPONS. (3/5 bill)(F/I)**

Representative Atkins introduced and brought **HA 1 to HB 258** before the House for consideration. Representative Atkins made comments. **HA 1** was adopted by voice vote. Representative Atkins introduced and brought **HA 2 to HB 258** before the House for consideration. Representative Atkins made a comment. **HA 2** was adopted by voice vote. Representative Atkins made comments.

The roll call on **HB 258 w/HA 1 & 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 258 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **SB 149**, jointly sponsored by Senator Sokola, before the House for consideration.

**SB 149 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSURE AND CERTIFICATION OF NONPUBLIC SCHOOL TEACHERS, SPECIALISTS AND ADMINISTRATORS, AND PUBLIC EDUCATION EMPLOYEES.**

Representatives Schooley & Lavelle made comments.

The roll call on **SB 149** was taken and revealed:

YES: 40.

ABSENT: Representative M. Marshall - 1.

Therefore, having received a constitutional majority, **SB 149** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **SB 151**, jointly sponsored by Senator Sokola, before the House for consideration.

**SB 151 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO AN ACADEMIC ACHIEVEMENT AWARD PROGRAM.**

Representative Schooley made comments.

The roll call on **SB 151** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 151** was returned to the Senate.

Representative Schooley brought **SB 68 w/SA 1**, jointly sponsored by Senator Sokola & Senators Blevins, Bonini, Bushweller, Cloutier, Hall-Long, Henry, Katz, Peterson, Sorenson, Simpson & Venables & Representatives Longhurst, Q. Johnson, Scott, Brady, Mitchell, Mulrooney, Bennett, Plant, Viola, Manolakos, Walls, Keeley & Miro & cosponsored by Senators Connor, Bunting & Ennis & Representatives Barbieri & Jaques, before the House for consideration.

**SB 68 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT ASSESSMENT AND ACADEMIC PROMOTION. (F/N)**

Representatives Schooley, Kovach & Thornburg made comments.

The roll call on **SB 68 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 68 w/SA 1** was returned to the Senate.

Representative Schooley made comments.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **SB 76**, jointly sponsored by Senator Bushweller & Senator Sorenson & Representative Bennett, before the House for consideration.

**SB 76 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE SALE OF MOTOR VEHICLES.**

Representative Mitchell made comments.

The roll call on **SB 76** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 76** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson moved to lift **HB 184 w/ HA 1 & 2** from the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Q. Johnson brought **HB 184**, jointly sponsored by Senator Hall-Long & Representatives Plant, Schooley & B. Short & Senator Blevins, before the House for consideration.

**HB 184 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (2/3 bill)**

Representative Q. Johnson deferred to Representative Cathcart. Representative Cathcart introduced and brought **HA 3 to HB 184** before the House for consideration. Representatives Cathcart & Q. Johnson made comments. **HA 3** was adopted by voice vote.

The roll call on **HB 184 w/HA 1, 2 & 3** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 184 w/HA 1, 2 & 3** was sent to the Senate for concurrence.

Representative Schwartzkopf brought **Consent Agenda G**, which requires a two-thirds vote, before the House for consideration.

**HB 221 – KEELEY & SENATOR MCDOWELL; REPRESENTATIVES CARSON, MANOLAKOS, RAMONE, VIOLA; SENATOR HALL-LONG - An Act to Amend Title 6 of the Delaware Code Relating to Credit Services Organizations.**

**HB 222 - B. SHORT & REPRESENTATIVE D.E. WILLIAMS & SENATOR MCDOWELL; REPRESENTATIVES CARSON, JAQUES, Q. JOHNSON, KOVACH, LAVELLE, MANOLAKOS, SCOTT; SENATORS BUSHWELLER, HENRY, SOKOLA - An Act to Amend Title 29 of the Delaware Code Relating to Reports in Electronic Format to the Delaware General Assembly.**

**SB 110 – BLEVINS & REPRESENTATIVE M. MARSHALL; SENATORS PETERSON, HALL-LONG; REPRESENTATIVE HUDSON - An Act to Amend Title 16 of the Delaware Code Relating to the Penalties for Failing to Report Suspected Child Abuse or Neglect.**

**SB 118 – SOKOLA & REPRESENTATIVE KOWALKO; SENATORS CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE - An Act to Amend Chapter 27, Title 24 of the Delaware Code Relating to Professional Land Surveyors.**

**SB 133 – VENABLES; REPRESENTATIVE LEE; SENATORS ADAMS, BONINI, BUNTING, ENNIS; REPRESENTATIVES BOOTH, HOCKER, D. SHORT, WILSON - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles and Weights Limits.**

**SB 138 w/SA 2 - HALL-LONG & REPRESENTATIVE BARBIERI & REPRESENTATIVE MIRO; REPRESENTATIVES SCHOOLEY, KEELEY, MULROONEY, GILLIGAN, WILSON, THORNBURG, JAQUES, HOCKER; SENATORS SORENSON, BLEVINS, SOKOLA, BUSHWELLER - An Act to Amend Title 21 of the Delaware Code Relating to Medical Certification for License Plates and Parking Permits for Persons With Disabilities. (2/3 bill)**

**SB 145 w/SA 1 – DELUCA & REPRESENTATIVE B. SHORT - An Act to Amend Title 5 of the Delaware Code Relating to Banks and Other Financial Institutions.**

The roll call on **Consent Agenda G** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 221 & HB 222** were sent to the Senate for concurrence and **SB 110, SB 118, SB 133, SB 138 w/SA 2 & SB 145 w/SA 1** were returned to the Senate.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **SB 115**, sponsored by Senator Marshall & Representative Gilligan & Senators Connor, Hall-Long, Peterson & Cloutier & Representatives M. Marshall, Mulrooney, Carson, Plant, Kowalko & Oberle, before the House for consideration.

**SB 115 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE DELAWARE FALSE CLAIMS AND REPORTING ACT.**

Representative Q. Johnson brought **HA 1 to SB 115**, jointly sponsored by Representative Oberle, before the House for consideration. Representative Barbieri deferred to Representative Q. Johnson. Representative Q. Johnson made comments. **HA 1** was adopted by voice vote. Representative Barbieri made comments.

The roll call on **SB 115 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 115 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Keeley 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 62** and requests the concurrence of the House and the Senate has passed **HB 165 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 106 w/SA 2, SB 173 w/SA 1, SB 165 w/SA 1 & SB 52 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 118 w/HA 1 & SA 1 & HB 154 w/HA 1** and the Senate wishes to inform the House that it has passed **HB 167, HB 174 w/HA 1 & HB 98** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst moved to restore **HB 210** and that the roll call be rescinded. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representative Longhurst brought **HB 210**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson, before the House for consideration.

**HB 210 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSING FEES. (3/5 bill)**

Representative Longhurst moved to place **HB 210** on the Speaker's Table. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representative Longhurst moved to restore **HB 211** and that the roll call be rescinded. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representative Longhurst brought **HB 211**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson, before the House for consideration.

**HB 211 - AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE RELATING TO THE LEVY, COLLECTION AND USE OF TOBACCO PRODUCT TAX REVENUE. (3/5 bill)**

Representative Longhurst moved to place **HB 211** on the Speaker's Table. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representative Longhurst moved to restore **HB 212 w/HA 2** and that the roll call be rescinded. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representative Longhurst brought **HB 212 w/HA 2**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson, before the House for consideration.

**HB 212 - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO TAXES ON ALCOHOLIC BEVERAGES. (3/5 bill)**

Representative Longhurst moved to place **HB 212 w/HA 2** on the Speaker's Table. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representatives Schwartzkopf, Walls & Cathcart & Mr. Speaker Gilligan made announcements.

The Majority Leader moved to recess to the call of the Chair at 7:18 p.m.

Mr. Speaker Gilligan called the House to order at 2:06 p.m. on June 29, 2009.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 134 w/SA 1** and requests the concurrence of the House.

Representative Schwartzkopf requested that **HB 273** be stricken.

Mr. Speaker Gilligan requested that **HB 274** be stricken

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.

#### **42nd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - First Session June 29, 2009**

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 279 – LAVELLE & SENATOR BONINI & REPRESENTATIVES KOVACH, HUDSON, WILSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Revenue Estimates.**

**HB 281 – KEELEY & SENATOR ENNIS; REPRESENTATIVE JAQUES – An Act to Amend 21 of the Delaware Code Relating to Rules of the Road.**

**HA 1 to HB 194 - VIOLA - Placed with the Bill.**

**HA 1 to HB 197 - BRADY - Placed with the Bill.**

**HA 1 to HB 252 - LEE - Placed with the Bill.**

**SB 52 w/SA 1 – BLEVINS & REPRESENTATIVE BARBIERI - JUDICIARY - An Act to Amend Title 31 of the Delaware Code Relating to the Interstate Compact for the Placement of Children.**

**SB 62 - HENRY; SENATORS PETERSON, HALL-LONG, ENNIS, BUSHWELLER, BUNTING, SORENSON; REPRESENTATIVES BARBIERI, SCHOOLEY, JAQUES - REVENUE & FINANCE - An**

Act to Amend Title 30 of the Delaware Code Relating to Delaware Personal Income Tax Checkoff Programs.

**SB 106 w/SA 2** – MCDOWELL & REPRESENTATIVE LONGHURST & REPRESENTATIVE KOWALKO; SENATORS BLEVINS, BUNTING, BUSHWELLER, KATZ, MARSHALL, SOKOLA, PETERSON, CLOUTIER, CONNOR, SIMPSON; REPRESENTATIVES MULROONEY, KOVACH, BRADY, BARBIERI, ATKINS, D.E. WILLIAMS, HOCKER - ENERGY - An Act to Amend Title 26 of the Delaware Code Relating to Energy Efficiency Resource Standards and Energy Efficiency Planning. (3/5 bill)

**SB 134 w/SA 1** – ENNIS & SENATOR ADAMS & REPRESENTATIVE VIOLA; SENATORS HALL-LONG, BUSHWELLER, VENABLES; REPRESENTATIVES BARBIERI, BENNETT, CARSON, HUDSON, LAVELLE, MITCHELL, OBERLE, WALLS, J. JOHNSON, Q. JOHNSON, ATKINS, KEELEY - GAMING & PARIMUTUELS - An Act to Amend Title 28 of the Delaware Code Relating to Nonprofit Charitable Gaming.

**SB 165 w/SA 1** – BUSHWELLER & REPRESENTATIVE BENNETT; SENATOR ENNIS; REPRESENTATIVES SCOTT, CARSON - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Dover Being Chapter 175, Volume 75, of the Laws of Delaware, as Amended, Relating to Governance, Elections, Administration and Finance. (2/3 bill)

**SB 173 w/SA 1** – MCDOWELL & REPRESENTATIVE BRADY & REPRESENTATIVE THORNBURG; SENATORS HENRY, BUNTING, KATZ, BUSHWELLER, ENNIS, SIMPSON; REPRESENTATIVE KOWALKO - ENERGY - An Act to Amend Titles 26 and 29 of the Delaware Code Relating to the Sustainable Energy Utility and Renewable Energy.

Representative Lee requested that he be marked present.

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

ENERGY: **SB 106 w/SA 2** - 1F, 10M.

Representatives Hocker & D.P. Williams requested that they be marked present.

Representative D.P. Williams introduced **HB 290**, jointly sponsored by Senator Cook & Representatives J. Johnson, M. Marshall, Mitchell, Booth & Miro & Senators Ennis, Henry, McBride, Cloutier & Connor.

Representative B. Short requested that he be marked present.

**HB 290** - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2010; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

Mr. Speaker Gilligan assigned **HB 290** to the Appropriations Committee.

Representative D.P. Williams made comments.

The Majority Leader moved to recess for caucus at 2:16 p.m. The House reconvened at 6:45 p.m.

Representative Keeley requested that she be marked present.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett moved to suspend the rules which interfere with action on **SB 165 w/SA 1**. The motion was seconded by Representative Q. Johnson and adopted by voice vote.

Representative Bennett brought **SB 165 w/SA 1**, jointly sponsored by Senator Bushweller & Senator Ennis & Representatives Scott & Carson, before the House for consideration.

**SB 165** – AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER BEING CHAPTER 175, VOLUME 75, OF THE LAWS OF DELAWARE, AS, AMENDED, RELATING TO GOVERNANCE, ELECTIONS, ADMINISTRATION AND FINANCE. (2/3 bill)

Representative Bennett made comments.

The roll call on **SB 165 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Oberle - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 165 w/SA 1** was returned to the Senate.

Representative Plant requested that she be marked present during the roll call.

Representative Schwartzkopf brought **Consent Agenda H** before the House for concurrence on Senate Amendments.

**HB 118 w/HA 1 & SA 1** – CARSON; REPRESENTATIVES KEELEY, BENNETT, B. SHORT, D.E. WILLIAMS; SENATORS ENNIS & HALL-LONG - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance.

**HB 146 w/SA 2** - M. MARSHALL & SENATOR BLEVINS; REPRESENTATIVES BARBIERI, BENNETT, BOOTH, BRADY, CAREY, CARSON, HOCKER, HUDSON, JAQUES, KEELEY, KOVACH, KOWALKO, LEE, LONGHURST, MANOLAKOS, MIRO, MITCHELL, OBERLE, OUTTEN, RAMONE, SCHOOLEY, SCHWARTZKOPF, SCOTT, B. SHORT, D. SHORT, THORNBURG, WALLS, D.E. WILLIAMS, D.P. WILLIAMS, WILSON; SENATOR HALL-LONG - An Act to Amend Title 13 of the Delaware Code Relating to Domestic Violence

**HCR 7 w/SA 1** – OBERLE & REPRESENTATIVE MULROONEY & SENATOR VENABLES & SENATOR CLOUTIER; REPRESENTATIVES CARSON, BENNETT, MITCHELL, WALLS, CATHCART, D. SHORT, HOCKER, LAVELLE, WILSON; SENATORS BUNTING, ENNIS, MCDOWELL, PETERSON & SIMPSON - A Resolution Urging the Department of Natural Resources and Environmental Control to Require All Facilities that Operate in Delaware Waters and Utilize Cooling Water Intake Structures to Implement "Closed-Cycle" Cooling Systems, and Urging the Department of Natural Resources and Environmental Control to Declare that "Closed Cycle" Cooling Systems Constitute the Best Technology Available for Water Intake Structures.

The roll call on **Consent Agenda H** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 118 w/HA 1 & SA 1 & HB 146 w/SA 2** were sent to the Governor and **HCR 7 w/SA 1** was declared passed.

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

Representative Schwartzkopf deferred to Representative Mulrooney.

Representative Mulrooney introduced **HJR 5**, jointly sponsored by Representative Kovach & Senator McBride & Representatives Barbieri, Brady, Carson, Gilligan, Hocker, Jaques, J. Johnson, Q. Johnson, Keeley, Kowalko, Longhurst, Manolakos, M. Marshall, Mitchell, Oberle, Ramone, Schooley, D. Short, D.E. Williams & D.P. Williams & Senators Cloutier, Connor, Cook, Ennis, Hall-Long, Henry, Katz, Marshall, McDowell, Peterson, Sokola & Sorenson.

**HJR 5** - REQUESTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, THE DELAWARE SOLID WASTE AUTHORITY, AND OTHER INTERESTED PARTIES, TO WORK TOGETHER TO ACHIEVE THE GOAL OF "ZERO WASTE" IN THE STATE OF DELAWARE

Mr. Speaker Gilligan assigned **HJR 5** to the Natural Resources Committee.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott moved to suspend the rules which interfere with action on **SB 104**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Scott brought **SB 104**, jointly sponsored by Senator Sokola & Senator Sorenson & Representative Lavelle, before the House for consideration.

**SB 104** – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT TO PERMIT VIDEO-CONFERENCING IN CERTAIN CIRCUMSTANCES.

Representative Scott made comments.

The roll call on **SB 104** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 104** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 244**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 244** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO NOTICE OF SCHOOL ELECTIONS.

Representative Jaques introduced and brought **HA 1 to HB 244** before the House for consideration. Representative Jaques made comments. **HA 1** was adopted by voice vote. Representative Jaques made comments. Representative Hudson requested and was granted privilege of the floor for Elaine Manlove, State Election Commissioner. Representatives Hudson & Kovach made comments.

The roll call on **HB 244 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 244 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 245**, jointly sponsored by Senator Bunting & cosponsored by Representative Plant, before the House for consideration.

**HB 245** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

Representative Jaques made comments. Representative Jaques introduced and brought **HA 1 to HB 245** before the House for consideration. **HA 1** was adopted by voice vote. Representative Jaques made comments. Representative Lavelle requested and was granted privilege of the floor for Elaine Manlove, State Election Commissioner. Representatives Lavelle & J. Johnson made comments.

The roll call on **HB 245 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 245 w/HA 1** was sent to the Senate for concurrence.

Representative Jaques made comments.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri moved to suspend the rules which interfere with action on **SB 62**. The motion was properly seconded and adopted by voice vote.

Representative Barbieri brought **SB 62**, jointly sponsored by Senator Henry & Senators Peterson, Hall-Long, Ennis, Bushweller, Bunting & Sorenson & Representatives Schooley & Jaques, before the House for consideration.

**SB 62 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE PERSONAL INCOME TAX CHECKOFF PROGRAMS.**

Representatives Barbieri & Hudson made comments. Representative Hudson requested and was granted privilege of the floor for Thomas Cook, Deputy Secretary, Department of Finance. Representatives Hudson, Lavelle, Keeley, Barbieri & Hudson made comments. Representative Barbieri requested and was granted privilege of the floor for Mary Ball Morton, Board President, 21<sup>st</sup> Century Fund for Delaware Children. Representative Hudson made a comment.

The roll call on **SB 62** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 62** was returned to the Senate.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on **HB 289**. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative Schwartzkopf introduced and brought **HB 289**, jointly sponsored by Representative Longhurst & Representative Gilligan & Senator DeLuca & Senator Cook & Senator Blevins & Senator Sorenson, before the House for consideration.

**HB 289 - AN ACT TO AMEND TITLE 7 AND TITLE 30 OF THE DELAWARE CODE AND CHAPTER 282, VOLUME 76 OF THE LAWS OF DELAWARE RELATING TO GROSS RECEIPTS TAXES. (3/5 bill)**

Representative Schwartzkopf moved to place **HB 289** on the Speaker's Table. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 264**. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative Schwartzkopf introduced and brought **HS 1 for HB 264**, jointly sponsored by Representative Longhurst & Representative Gilligan & Senator DeLuca & Senator Cook & Senator Blevins, before the House for consideration.

**HB 264 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES ON PERSONAL INCOME. (3/5 bill)**

Representative Schwartzkopf moved to place **HS 1 for HB 264** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 267**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf introduced & brought **HS 1 for HB 267**, jointly sponsored by Representative Gilligan & Representative Longhurst & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson & Senator Sorenson, before the House for consideration.

**HB 267 - 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)**

Representative Schwartzkopf moved to place **HS 1 for HB 267** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on **HB 291**. The motion was seconded by Representative Carson and adopted by voice vote.

Representative Schwartzkopf introduced and brought **HB 291**, jointly sponsored by Representative Longhurst & Representative Gilligan & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson, before the House for consideration.

**HB 291 - AN ACT TO AMEND TITLES 3, 12 AND 30 OF THE DELAWARE CODE RELATING TO THE ESTATE TAX. (3/5 bill)**

Representative Schwartzkopf moved to place **HB 291** on the Speaker's Table. The motion was seconded by Representative D. Short and adopted by voice vote.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko moved to suspend the rules which interfere with action on **SB 106 w/SA 2**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Kowalko brought **SB 106 w/SA 2**, jointly sponsored by Senator McDowell & Representative Longhurst & Senators Blevins, Bunting, Bushweller, Katz, Marshall, Sokola, Peterson, Cloutier, Connor & Simpson & Representatives Mulrooney, Kovach, Brady, Barbieri, Atkins, D.E. Williams & Hocker, before the House for consideration.

**SB 106 – AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO ENERGY EFFICIENCY RESOURCE STANDARDS AND ENERGY EFFICIENCY PLANNING. (3/5 bill)**

Representative Kowalko made comments.

The roll call on **SB 106 w/SA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Lavelle & M. Marshall - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 106 w/SA 2** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Viola.

Representative Viola moved to suspend the rules which interfere with action on **SB 134 w/SA 1**.

The motion was seconded by Representative Atkins and adopted by voice vote.

Representative Viola brought **SB 134 w/SA 1**, jointly sponsored by Senator Ennis & Senator Adams & Senators Hall-Long, Bushweller & Venables & Representatives Barbieri, Bennett, Carson, Hudson, Lavelle, Mitchell, Oberle, Walls, J. Johnson, Q. Johnson & Keeley, before the House for consideration.

**SB 134 - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO NONPROFIT CHARITABLE GAMING.**

Representative Viola made comments.

The roll call on **SB 134 w/SA 1** was taken and revealed:

YES: 40.

NOT VOTING: Representative Jaques - 1.

Therefore, having received a constitutional majority, **SB 134 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **SS 1 for SB 49**, sponsored by Senator McBride & Representatives Mulrooney & Oberle & Senators Simpson, McDowell, Peterson & Katz & Representatives Kovach, Lavelle, Hocker, Carey, Wilson, Outten & Carson, before the House for consideration.

**SB 49 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO SOLAR PHOTOVOLTAIC SYSTEMS AND AMENDMENTS TO DEED RESTRICTIONS.**

Representatives Kowalko, Kovach & D. Short made comments. Representative Kowalko requested and was granted privilege of the floor for Collin O'Mara, Secretary, Department of Natural Resources and Environmental Control. Representative D. Short made comments.

The roll call on **SS 1 for SB 49** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **SS 1 for SB 49** was returned to the Senate.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **HB 233** before the House for consideration.

**HB 233 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTIES AND TITLE 7 OF THE DELAWARE CODE RELATING TO DOGS. (3/5 bill)**

Representative Walls brought **HA 1 to HB 233** before the House for consideration. Representative Walls requested that **HA 1 to HA 1 to HB 233** be stricken. Representative Walls requested that **HA 1 to HB 233** be stricken. Representative M. Marshall made a comment. Representative M. Marshall introduced and brought **HA 2 to HB 233** before the House for consideration. **HA 2** was adopted by voice vote. Representative Walls introduced and brought **HA 3 to HB 233** before the House for consideration. **HA 3** was adopted by voice vote. Representative M. Marshall made comments.

The roll call on **HB 233 w/HA 2 & 3** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 233 w/HA 2 & 3** was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **SB 114**, jointly sponsored by Senator Cook & Senators Blevins, DeLuca & Sorenson & Representatives Hudson, M. Marshall, Viola & Kovach, before the House for consideration.

**SB 114 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JURISDICTION OF THE FAMILY COURT.**

Representative Bennett made comments.

The roll call on **SB 114** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Keeley - 2.

Therefore, having received a constitutional majority, **SB 114** was returned to the Senate.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 268**. The motion was seconded by Representative D. P. Williams and adopted by voice vote.

Representative Schwartzkopf introduced and brought **HS 1 for HB 268**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short



& Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson & Senator Sorenson, before the House for consideration.

**HB 268** - AN ACT TO AMEND CHAPTER 5, TITLE 30 OF THE DELAWARE CODE RELATING TO PROCEDURE, ADMINISTRATION AND ENFORCEMENT.

Representatives Schwartzkopf & D. Short made comments.

The roll call on **HS 1 for HB 268** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HS 1 for HB 268** was sent to the Senate for concurrence.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **HB 210**. The motion was seconded by Representative Brady and adopted by voice vote.

Representative Schwartzkopf moved to lift **HB 210** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Schwartzkopf brought **HB 210**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson, before the House for consideration.

**HB 210** – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSING FEES. (3/5 bill)

Representative Schwartzkopf made comments.

The roll call on **HB 210** was taken and revealed:

YES: 25.

NO: Representatives Blakey, Booth, Carey, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Oberle, Outten, Ramone, D. Short, Thornburg & Wilson - 16.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 210** was sent to the Senate for concurrence.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **HB 212 w/HA 2**. The motion was seconded by Representative Hudson and adopted by voice vote.

Representative Schwartzkopf moved to lift **HB 212** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Schwartzkopf brought **HB 212 w/HA 2**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson, before the House for consideration.

**HB 212** - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO TAXES ON ALCOHOLIC BEVERAGES. (3/5 bill)

Representatives Schwartzkopf, Hudson & Hocker made comments.

The roll call on **HB 212 w/HA 2** was taken and revealed:

YES: 22.

NO: Representatives Blakey, Booth, Carey, Cathcart, Hocker, Hudson, Kovach, Kowalko, Lavelle, Lee, Longhurst, Manolakos, Miro, Oberle, Outten, Ramone, D. Short, Thornburg & Wilson – 19.

Therefore, not having received a constitutional majority of at least three-fifths Members of the House, **HB 212 w/HA 2** was declared defeated.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **HB 211**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought **HB 211**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson, before the House for consideration.

**HB 211** - AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE RELATING TO THE LEVY, COLLECTION AND USE OF TOBACCO PRODUCT TAX REVENUE. (3/5 bill)

Representative Scott announced that he will not be participating in the debate nor voting on **HB 211** because of a possible conflict of interest. Representative Schwartzkopf moved to lift **HB 211** from the Speaker's Table. The motion was properly seconded and adopted by voice vote. Representative Schwartzkopf made comments. Representative Cathcart introduced and brought **HA 3 to HB 211**, jointly sponsored by Representative Hudson & Representative Miro, before the House for consideration. Representatives Cathcart & Schwartzkopf made comments.

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

YES: Representatives Blakey, Booth, Carey, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, D. Short, Thornburg & Wilson - 16.

NO: 23.

NOT VOTING: Representative Mitchell - 1.

ABSENT: Representative Scott - 1.

Therefore, not having received a constitutional majority, **HA 3** was declared defeated.

Representative Schwartzkopf made comments.

The roll call on **HB 211** was taken and revealed:

YES: 25.

NO: Representatives Blakey, Booth, Carey, Cathcart, Hocker, Hudson, Kovach, Lee, Manolakos, Miro, Outten, Ramone, D. Short, Thornburg & Wilson - 15.

NOT VOTING: Representative Scott - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 211** was sent to the Senate for concurrence.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of action on **HS 1 for HB 260**. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Schwartzkopf introduced and brought **HS 1 for HB 260**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short & Senator DeLuca & Senator Cook & Senator Blevins & Senator Sorenson, before the House for consideration.

**HB 260** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE TAXATION OF LOTTERY WINNINGS. (3/5 bill)

Representatives Schwartzkopf & Lavelle made comments.

The roll call on **HS 1 for HB 260** was taken and revealed:

YES: 35.

NO: Representatives Manolakos, Outten, Ramone, Thornburg & Wilson - 5.

NOT VOTING: Representative Oberle - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HS 1 for HB 260** was sent to the Senate for concurrence.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on **HB 288**. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Schwartzkopf introduced and brought **HB 288**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative D. Short & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson & Senator Sorenson, before the House for consideration.

**HB 288** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITY TAXES. (3/5 bill)

Representative Schwartzkopf made comments.

The roll call on **HB 288** was taken and revealed:

YES: 26.

NO: Representatives Blakey, Booth, Carey, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, Thornburg & Wilson - 15.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 288** was sent to the Senate for concurrence.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 262**. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative Schwartzkopf introduced and brought **HS 1 for HB 262**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson & Senator Sorenson, before the House for consideration.

**HB 262** - AN ACT TO AMEND TITLE 9 AND TITLE 29 OF THE DELAWARE CODE RELATING TO GOVERNMENT RECORDS MANAGEMENT. (3/5 bill)

Representative Schwartzkopf made comments.

The roll call on **HS 1 for HB 262** was taken and revealed:

YES: 27.

NO: Representatives Blakey, Booth, Carey, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, Thornburg & Wilson - 14.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HS 1 for HB 262** was sent to the Senate for concurrence.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 263**.

Representative Schwartzkopf introduced & brought **HS 1 for HB 263**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson & Senator Sorenson, before the House for consideration.

**HB 263** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE MARSHAL FEES. (3/5 bill)

Representative Schwartzkopf made comments.

The roll call on **HS 1 for HB 263** was taken and revealed:

YES: 30.

NO: Representatives Blakey, Booth, Carey, Hocker, Kovach, Lavelle, Manolakos, Outten, Ramone, Thornburg & Wilson - 11.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HS 1 for HB 263** was sent to the Senate for concurrence.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on **HB 286**. The motion was seconded by Representative D. P. Williams and adopted by voice vote.

Representative Schwartzkopf introduced and brought **HB 286**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson & Senator Sorenson, before the House for consideration.

**HB 286** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FEES FOR VITAL CERTIFICATES. (3/5 bill)

Representative Schwartzkopf made comments.

The roll call on **HB 286** was taken and revealed:

YES: 25.

NO: Representatives Blakey, Booth, Carey, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, Thornburg & Wilson - 14.

NOT VOTING: Representative D. Short - 1.

ABSENT: Representative Cathcart - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 286** was sent to the Senate for concurrence.

Representative Schwartzkopf moved to lift **HS 1 for HB 264** from the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought **HS 1 for HB 264**, jointly sponsored by Representative Longhurst & Representative Gilligan & Senator DeLuca & Senator Cook & Senator Blevins, before the House for consideration.

**HB 264** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES ON PERSONAL INCOME. (3/5 bill)

Representative Cathcart introduced and brought **HA 1 to HS 1 for HB 264**, jointly sponsored by Representative D. Short & Representative Hudson & Representatives Blakey, Booth, Carey, Hocker, Kovach, Lavelle, Lee, Manolakos, Mir, Outten, Ramone, Thornburg & Wilson, before the House for consideration. Representative Cathcart moved to place **HA 1** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representative Schwartzkopf introduced and brought **HA 2 to HS 1 for HB 264**, jointly sponsored by Representative Longhurst & Representative Gilligan & Representative Cathcart & Representative D. Short & Representatives Atkins, Barbieri, Bennett, Blakey, Booth, Brady, Carey, Carson, Hocker, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kovach, Kowalko, Lavelle, Lee, Manolakos, M. Marshall, Miro, Mitchell, Mulrooney, Outten, Plant, Ramone, Schooley, Scott, B. Short, Thornburg, Viola, Walls, D.E. Williams, D.P. Williams & Wilson, before the House for consideration. Representatives Schwartzkopf, Oberle, Cathcart, Schwartzkopf & Oberle made comments. **HA 2** was adopted by voice vote. Representative Hudson introduced and brought **HA 3 to HS 1 for HB 264** before the House for consideration. Representatives Hudson, Schwartzkopf & Carson made comments. Representative Hudson moved to place **HA 3** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representative Kowalko introduced and brought **HA 4 to HS 1 for HB 264** before the House for consideration. Representative Kowalko made comments. Representative Kowalko moved to place **HA 4** on the Speaker's Table. The motion was seconded by Representative Barbieri and adopted by voice vote. Representative Oberle introduced and brought **HA 5 to HS 1 for HB 264** before the House for consideration. Representative Oberle made comments. Representative Oberle moved to place **HA 5** on the Speaker's Table. The motion was seconded by Representative M. Marshall and adopted by voice vote. Representatives Schwartzkopf, Cathcart, Brady & Lavelle made comments.

The roll call on **HS 1 for HB 264 w/HA 2** was taken and revealed:

YES: 25.

NO: Representatives Booth, Carey, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, D. Short, Thornburg & Wilson - 15.

NOT VOTING: Representative Blakey - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HS 1 for HB 264 w/HA 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri moved to suspend the rules which interfere with introduction of and action on **HB 287**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Barbieri introduced and brought **HB 287**, jointly sponsored by Representative Gilligan & Representative Schwartzkopf & Representative Longhurst & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson, before the House for consideration.

**HB 287** - AN ACT TO AMEND TITLES 7 AND 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL LICENSES AND FEES. (3/5 bill)

Representative Barbieri made comments.

The roll call on **HB 287** was taken and revealed:

YES: 25.

NO: Representatives Blakey, Booth, Carey, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, D. Short, Thornburg & Wilson - 16.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 287** was sent to the Senate for concurrence.

Representative Schwartzkopf moved to lift **HB 291** from the Speaker's Table. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representative Schwartzkopf brought **HB 291**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson, before the House for consideration.

**HB 291** - AN ACT TO AMEND TITLES 3, 12 AND 30 OF THE DELAWARE CODE RELATING TO THE ESTATE TAX. (3/5 bill)

Representative Schwartzkopf introduced and brought **HA 1 to HB 291**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short & Representatives Atkins, Barbieri, Bennett, Blakey, Booth, Brady, Carey, Carson, Hocker, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kovach, Kowalko, Lavelle, Lee, Manolakos, M. Marshall, Miro, Mitchell, Mulrooney, Outten, Plant, Ramone, Schooley, Scott, B. Short, Thornburg, Viola, Walls, D.E. Williams, D.P. Williams & Wilson, before the House for consideration. Representative Schwartzkopf made comments. **HA 1** was adopted by voice vote. Representative Hudson introduced and brought **HA 2 to HB 291** before the House for consideration. Representative Hudson made comments. **HA 2** was defeated by voice vote. Representative Oberle introduced **HA 3 to HB 291**. Representative Oberle requested that **HA 3 to HB 291** be stricken. Representative Thornburg made comments. Representative Thornburg introduced and brought **HA 4 to HB 291** before the House for consideration.

Representative Thornburg, Schwartzkopf & Hudson made comments.

The roll call on **HA 4 to HB 291** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **HA 4 to HB 291** was declared passed.

Representatives Schwartzkopf & Lavelle made comments.

The roll call on **HB 291 w/HA 1 & 4** was taken and revealed:

YES: 25.

NO: Representatives Blakey, Booth, Carey, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, D. Short, Thornburg & Wilson - 16.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 291 w/HA 1 & 4** was sent to the Senate for concurrence.

Representative Schwartzkopf moved to lift **HB 289** from the Speaker's Table. The motion was seconded by Representative Atkins and adopted by voice vote.

Representative Schwartzkopf brought **HB 289**, jointly sponsored by Representative Longhurst & Representative Gilligan & Senator DeLuca & Senator Cook & Senator Blevins & Senator Sorenson, before the House for consideration.

**HB 289** - AN ACT TO AMEND TITLE 7 AND TITLE 30 OF THE DELAWARE CODE AND CHAPTER 282, VOLUME 76 OF THE LAWS OF DELAWARE RELATING TO GROSS RECEIPTS TAXES. (3/5 bill)

Representative Cathcart introduced and brought **HA 1 to HB 289**, jointly sponsored by Representative D. Short & Representative Hudson & Representatives. Blakey, Booth, Carey, Hocker, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, Thornburg & Wilson before the House for consideration. Representative Cathcart moved to place **HA 1** on the Speaker's Table. The motion was seconded by Representative D. P. Williams and adopted by voice vote. Representative Schwartzkopf introduced and brought **HA 2 to HB 289**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short & Representatives Atkins, Barbieri, Bennett, Blakey, Booth, Brady, Carey, Carson, Hocker, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kovach, Kowalko, Lavelle, Lee, Manolakos, M. Marshall, Miro, Mitchell, Mulrooney, Outten, Plant, Ramone, Schooley, Scott, B. Short, Thornburg, Viola, Walls, D.E. Williams, D.P. Williams & Wilson before the House for consideration. Representative Schwartzkopf made a comment. **HA 2** was adopted by voice vote. Representative Oberle introduced **HA 3 to HB 289**. Representative Oberle requested that **HA 3** be stricken. Representative Hudson introduced and brought **HA 4 to HB 289** before the House for consideration. Representatives Hudson, Schwartzkopf & Ramone made comments.

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

YES: Representatives Atkins, Blakey, Booth, Carey, Carson, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, D. Short, Thornburg & Wilson - 18.

NO: 18.

NOT VOTING: Representatives Bennett, Q. Johnson, Oberle & B. Short - 4.

ABSENT: Representative Viola - 1.

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

Representatives Schwartzkopf, Cathcart & Hocker made comments.

The roll call on **HB 289 w/HA 2** was taken and revealed:

YES: 25.

NO: Representatives Blakey, Booth, Carey, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, D. Short, Thornburg & Wilson - 16.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 289 w/HA 2** was sent to the Senate for concurrence.

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

LABOR: **HB 259** – 8M.

APPROPRIATIONS: **HB 290** - 4F, 2M.

NATURAL RESOURCES: **HB 270** – 8M.

The Majority Leader moved to recess to the call of the Chair at 10:12 p.m.

Mr. Speaker Gilligan called the House to order at 4:17 p.m. on June 30, 2009.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 164, SB 160, SB 159, SB 172, SB 178, SB 175, SB 176, SB 152, SB 154, SB 179, SB 14 w/SA 2, SB 168, SB 177, SB 170, SB 174, SB 56 w/SA 1, SB 108 w/SA 4, SB 71, SB 181, SB 167, SB 180, SB 155, SB 169, SB 163 & SB 185** and requests the concurrence of the House. The Senate has passed **HS 1 for HB 230 w/HA 1, HB 228 w/HA 1 & 2 & HB 181** and is returning the same to the House.

June 26, 2009

Legislative Advisory #16

Governor Jack A. Markell signed the following legislation on the date indicated: 6/24/09 – **SB 156 & HB 107 aab HA 1, 2 & 3 & SA 1**; 6/25/09 – **SB 65 aab SA 2**; 6/26/09 – **SB 36, SB 37, SB 47 aab SA 1, SB 82, SB 83, HS 1 for HB 21, HB 93 aab HA 1 & 2, HB 114, HB 116, HB 120 aab HA 1, HB 121, HB 126, HS 1 for HB 127, HB 131, HB 142 & HB 147.**

The Majority Leader moved to adjourn at 4:20 p.m., thereby ending the current Legislative Day. The House reconvened at 4:21 p.m.

### **43rd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session**

**June 30, 2009**

The Chief Clerk called the roll.

Members Present: 41.

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

Representative Blakey made comments.

Mr. Speaker Gilligan and Representative Blakey 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 280** - Q. JOHNSON; REPRESENTATIVE B. SHORT; SENATOR SIMPSON - JUDICIARY - An Act to Amend Title 25 of the Delaware Code Relating to the Residential Landlord-Tenant Code.

**HB 284** - J. JOHNSON & SENATOR ENNIS - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to Sexual Relations in a Detention Facility.

**HB 285** - VIOLA & SENATOR MARSHALL; SENATOR BONINI - REVENUE & FINANCE - An Act to Amend Title 12 of the Delaware Code Relating to Escheat.

**HB 292** – M. MARSHALL – JUDICIARY – An Act to Amend Title 25 of the Delaware Code Relating to the Residential Landlord-Tenant Code.

**HB 293** – M. MARSHALL & SENATOR BLEVINS – HOUSING & COMMUNITY AFFAIRS – An Act to Amend Title 9 of the Delaware Code Relating to Dogs.

**HB 294** – BENNETT & REPRESENTATIVE SCOTT & SENATOR BUSHWELLER; REPRESENTATIVES BLAKEY, Q. JOHNSON, OUTTEN, THORNBURG WALLS; SENATOR SIMPSON – HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the Kent County Comptroller, Kent County Receiver of Taxes and County Treasurer, and Government of Kent County.

**HA 2 to HB 194** – BRADY- Placed with the Bill.

**HA 2 to HB 197** – BRADY - Placed with the Bill.

**HA 1 to HB 250** - KEELEY - Placed with the Bill.

**HA 2 to HS 1 for HB 267** – GILLIGAN - Placed with the Bill.

**HA 3 to HS 1 for HB 267** - KOWALKO - Placed with the Bill.

**HA 1 to HJR 5** - MULROONEY - Placed with the Bill.

**SB 14 w/SA 2** – MCBRIDE & SENATOR BONINI & REPRESENTATIVE THORNBURG & REPRESENTATIVE D.P. WILLIAMS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Compensation per Innocent Victims of Crime.

**SB 56 w/SA 1** – ADAMS & REPRESENTATIVE CARSON; SENATOR PETERSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Heavy Vehicle Registration, and to Create a Task Force to Review the Existing Delaware Heavy Vehicle Weight Law to Determine the Feasibility of Its Implementation.

**SB 71** – COOK & REPRESENTATIVE M. MARSHALL; SENATORS DELUCA, SIMPSON; REPRESENTATIVES CARSON, WALLS, D.P. WILLIAMS, LEE, WILSON BENNETT - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Judges of the Superior Court.

**SB 108 w/SA 4** – MARSHALL & REPRESENTATIVE B. SHORT - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 5 of the Delaware Code Relating to Title Loans and Short-term Consumer Loans. (3/5 bill)

**SB 152** – KATZ & REPRESENTATIVE BENNETT; REPRESENTATIVE JAQUES - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Municipal Elections.

**SB 154** – KATZ & REPRESENTATIVE BENNETT; 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 155** – DELUCA & REPRESENTATIVE B. SHORT - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 5 of the Delaware Code Relating to Trusts.

**SB 159** – PETERSON & REPRESENTATIVE BENNETT; SENATOR SOKOLA; REPRESENTATIVES KOWALKO & HUDSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Civil Administrative Procedures.

**SB 160** – MARSHALL & SENATOR MCBRIDE; REPRESENTATIVE MITCHELL - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Adoption and Enforcement of a Unified Plumbing Code.

**SB 163** - ENNIS; SENATORS BUNTING, SIMPSON, VENABLES; REPRESENTATIVES BENNETT, BOOTH, CARSON, MULROONEY, OBERLE, OUTTEN, WALLS - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Hunting, Trapping, and Fishing Licenses.

**SB 164** – PETERSON & REPRESENTATIVE KOWALKO; SENATOR SOKOLA; REPRESENTATIVES BENNETT, HUDSON, CARSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Professions and Occupations.

**SB 167** – HENRY & REPRESENTATIVE KEELEY; REPRESENTATIVES BARBIERI, JAQUES, HOCKER, MANOLAKOS - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Exemptions from Taxation for Certain Organizations.

**SB 168** – SOKOLA & KEELEY; REPRESENTATIVES SCHOOLEY, HUDSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Bicycle and Motor Vehicle Safety. (2/3 bill)

**SB 169** – ENNIS & REPRESENTATIVE KEELEY; SENATORS BLEVINS, BUSHWELLER, HALL-LONG, HENRY, KATZ, MCDOWELL, PETERSON, SOKOLA, CONNOR, SORENSON; REPRESENTATIVES D.P. WILLIAMS, BARBIERI, HUDSON, KOWALKO, M. MARSHALL, MITCHELL, SCHOOLEY, SCHWARTZKOPF, VIOLA, CATHCART - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Obstruction of Ingress and Egress to Health Care Facilities. (2/3 bill)

**SB 170** – SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Speech/Language Pathology, Audiology and Hearing Aid Dispensers.

**SB 172** – MCDOWELL & SENATOR HENRY & REPRESENTATIVE BRADY & REPRESENTATIVE KEELEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Exemptions from the Practice of Nursing.

**SB 174** – BUSHWELLER & REPRESENTATIVE SCHWARTZKOPF - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Uniformed Controlled Substances Act.

**SB 175** - HALL-LONG & SENATOR ENNIS & REPRESENTATIVE LEE; REPRESENTATIVE SCHWARTZKOPF - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to the Law Enforcement Officer's Bill of Rights.

**SB 176** – KATZ & SENATOR HALL-LONG & REPRESENTATIVE LEE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Uniformed Controlled Substances.

**SB 177** – DELUCA & REPRESENTATIVE SCHWARTZKOPF; REPRESENTATIVE JAQUES - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road.

**SB 178** - HALL-LONG & REPRESENTATIVE JAQUES; REPRESENTATIVES MITCHELL, SCHWARTZKOPF - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Crimes and Criminal Procedure.

**SB 179** – SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG, HUDSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 16 of Title 24 of the Delaware Code Relating to Adult Entertainment. (3/5 bill)

**SB 180** – BUNTING & REPRESENTATIVE HOCKER - MANUFACTURED HOUSING - An Act to Amend Title 24 of the Delaware Code Relating to Manufactured Home Installation.

**SB 181** – HENRY & REPRESENTATIVE BARBIERI; SENATORS BLEVINS, HALL-LONG, ENNIS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Health Planning and Resources Management.

**SB 185** – BLEVINS & REPRESENTATIVE BENNETT - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Criminal Procedures. (3/5 bill)

Mr. Speaker Gilligan announced the retirement of Joyce Keeler, Legislative Assistant. Mr. Speaker Gilligan granted privilege of the floor to Representative Q. Johnson & Senators Ennis & Hall-Long. Representative Q. Johnson presented a House Tribute & gifts to Joyce Keeler. Mr. Speaker Gilligan made a presentation to Joyce. Senator Ennis made comments. Representative Carson made comments. Senator Hall-Long made comments & presented a gift. Representatives J. Johnson, M. Marshall & Cathcart & Mr. Speaker Gilligan made comments.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri requested and was granted privilege of the floor to present a House Tribute to Michael S. Ciabattoni, who addressed the House.

Representative Schwartzkopf brought the following prefiled **Consent Calendar #12** before the House for consideration.

**HR 29** - M. MARSHALL - Directing the Office of Management and Budget to Study Deferred Retirement Option Plans.

**HCR 21** - M. MARSHALL & SENATOR DELUCA - Proclaiming the Week of October 25 - 31, 2009 as “Delaware’s Pro Bono Celebration Week”.

**Consent Calendar #12** was adopted by voice vote and **HR 29** was declared passed & **HCR 21** was sent to the Senate for concurrence.

Representative D.P. Williams requested that he be marked present.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **HS 1 for HB 267**. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representative Schwartzkopf moved to lift **HS 1 for HB 267** from the Speaker's Table. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representative Schwartzkopf brought **HS 1 for HB 267**, jointly sponsored by Representative Gilligan & Representative Longhurst & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson & Senator Sorenson, before the House for consideration.

**HB 267** - 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)

Representative Schwartzkopf deferred to Representative Cathcart. Representative Cathcart introduced & brought **HA 1 to HS 1 for HB 267**, jointly sponsored by Representative D. Short & Representative Hudson & Representatives Blakey, Booth, Carey, Hocker, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, Thornburg & Wilson, before the House for consideration. Representative Cathcart moved to place **HA 1** on the Speaker's Table. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representative Schwartzkopf brought **HA 2 to HS 1 for HB 267**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short & Representatives Atkins, Barbieri, Bennett, Blakey, Booth, Brady, Carey, Carson, Hocker, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kovach, Kowalko, Lavelle, Lee, Manolakos, M. Marshall, Miro, Mitchell, Mulrooney, Outten, Plant, Ramone, Schooley, Scott, B. Short, Thornburg, Viola, Walls, D.E. Williams, D.P. Williams & Wilson, before the House for consideration. Representative Schwartzkopf made comments. **HA 2** was adopted by voice vote.

Representative Kowalko brought **HA 3 to HS 1 for HB 267** before the House for consideration. Representative Kowalko made comments. Representative Kowalko moved to place **HA 3** on the Speaker's Table. The motion was seconded by Representative D.P. Williams and adopted by voice vote. Representative Oberle introduced **HA 4 to HS 1 for HB 267**. Representative Oberle requested that **HA 4** be stricken. Representative Hudson requested that she be marked present. Representatives Miro & Mitchell requested that they be marked present. Representative Hudson introduced and brought **HA 5 to HS 1 for**

**HB 267** before the House for consideration. Representatives Hudson, Schwartzkopf & Carson made comments. **HA 5** was defeated by voice vote. Representative Kowalko introduced and brought **HA 6 to HS 1 for HB 267** before the House for consideration. Representatives Kowalko, Hudson & Schwartzkopf made comments. Representative Cathcart rose on a point of order. Representative Miro requested and was granted personal privilege of the floor to introduce a guest. Representative Cathcart requested privilege of the floor for Mike Migliore, House Attorney. Representatives Cathcart & Kowalko made comments. Mr. Speaker Gilligan concurred in the point of order. Mr. Speaker Gilligan ruled that **HA 6** is out of order.

Representative Schwartzkopf moved to place **HS 1 for HB 267 w/HA 2** on the Speaker's Table. The motion was seconded by Representative Cathcart and adopted by voice vote.

The Majority Leader moved to recess for caucus at 5:06 p.m.

The House reconvened at 8:41 p.m.

Representative Schwartzkopf moved to lift **HS 1 for HB 267 w/HA 2** from the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought **HS 1 for HB 267**, jointly sponsored by Representative Gilligan & Representative Longhurst & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson & Senator Sorenson, before the House for consideration.

**HB 267 - 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)**

Representative Schwartzkopf made comments.

The roll call on **HS 1 for HB 267 w/HA 2** was taken and revealed:

YES: 28.

NO: Representatives Booth, Carey, Hocker, Hudson, Kovach, Lavelle, Lee, Manolacos, Miro, Outten, Ramone, Thornburg & Wilson - 13.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HS 1 for HB 267 w/HA 2** was sent to the Senate for concurrence.

Representative Plant requested that she be marked present during the roll call.

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 6**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams introduced and brought **HJR 6**, jointly sponsored by Senator Cook & Representatives Booth, J. Johnson, M. Marshall, Miro & Mitchell & Senators Cloutier, Connor, Ennis, Henry & McBride, before the House for consideration.

**HJR 6 - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2009.**

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

YES: 41.

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 introduction of and action on **HJR 7**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams introduced and brought **HJR 7**, jointly sponsored by Senator Cook & Representatives Booth, J. Johnson, M. Marshall, Miro & Mitchell & Senators Cloutier Connor, Ennis, Henry & McBride, before the House for consideration.

**HJR 7 - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2010.**

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 290**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams brought **HB 290**, jointly sponsored by Senator Cook & Representatives J. Johnson, M. Marshall, Mitchell, Booth & Miro & Senators Ennis, Henry, McBride, Cloutier & Connor, before the House for consideration.

**HB 290 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2010; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.**

Representatives Booth & Lavelle made comments. Representative Lavelle requested and was granted privilege of the floor for Russ Larson, Controller General. Representatives Lavelle, J. Johnson, Miro & Lavelle made comments. Representative M. Marshall requested and was granted privilege of the floor for Ann Visalli, Director, Office of Management & Budget. Representatives M. Marshall, Lavelle & Atkins made comments. Representative Kovach requested and was granted privilege of the floor for Bill Bush, House Attorney. Mr. Speaker Gilligan made comments. Representatives Kovach & Oberle made



comments. Representative J. Johnson requested and was granted privilege of the floor for Russ Larson, Controller General. Representatives J. Johnson, Miro, Kovach & D.P. Williams made comments.

The roll call on **HB 290** was taken and revealed:

YES: 27.

NO: Representatives Atkins, Carey, Carson, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, Walls & Wilson - 14.

Therefore, having received a constitutional majority, **HB 290** was sent to the Senate for concurrence.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **Consent Agenda I**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought **Consent Agenda I** before the House for consideration.

**HB 270** – WALLS & SENATOR VENABLES & SENATOR MCBRIDE - An Act to Amend Title 7 of the Delaware Code Relating to the Regulation of Finfishing in Tidal Waters.

**SB 161** – MCBRIDE; REPRESENTATIVES BARBIERI, RAMONE - An Act to Amend Title 9 of the Delaware Code Relating to Taxes. (F/N)

**SB 163** – ENNIS; SENATORS BUNTING, SIMPSON, VENABLES; REPRESENTATIVES BENNETT, BOOTH, CARSON, MULROONEY, OBERLE, OUTTEN, WALLS - An Act to Amend Title 7 of the Delaware Code Relating to Hunting, Trapping, and Fishing Licenses.

**SB 170** – SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - An Act to Amend Title 24 of the Delaware Code Relating to Speech/Language Pathology, Audiology and Hearing Aid Dispensers.

**SB 178** - HALL-LONG & REPRESENTATIVE JAQUES; REPRESENTATIVES MITCHELL, SCHWARTZKOPF - An Act to Amend Title 11 of the Delaware Code Relating to Crimes and Criminal Procedure.

The roll call on **Consent Agenda I** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 270** was sent to the Senate for concurrence and **SB 163, SB 170, SB 161 & SB 178** were returned to the Senate.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady moved to suspend the rules which interfere with action on **SB 173 w/SA 1**. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Brady brought **SB 173 w/SA 1**, jointly sponsored by Senator McDowell & Representative Thornburg & Senators Henry, Bunting, Katz, Bushweller, Ennis & Simpson & Representative Kowalko, before the House for consideration.

**SB 173** - AN ACT TO AMEND TITLES 26 AND 29 OF THE DELAWARE CODE RELATING TO THE SUSTAINABLE ENERGY UTILITY AND RENEWABLE ENERGY.

Representative Brady made comments.

The roll call on **SB 173 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Keeley - 1.

Therefore, having received a constitutional majority, **SB 173 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart moved to suspend the rules which interfere with introduction of and action on **HB 282**. The motion was seconded by Representative D. Short and adopted by voice vote.

Representative Cathcart introduced and brought **HB 282**, jointly sponsored by Representative Mulrooney & Senator Ennis & cosponsored by Representative Longhurst, before the House for consideration.

**HB 282** - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER BY THE COLONIAL SCHOOL DISTRICT TO THE DELAWARE CITY FIRE COMPANY OF CERTAIN REAL PROPERTY INCLUDING THE BUILDING LOCATED ON SOUTH DUPONT PARKWAY KNOWN AS THE COMMODORE MACDONOUGH PROPERTY. (3/4 bill)

Representative Cathcart made comments.

The roll call on **HB 282** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 282** was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement. Representative Oberle requested and was granted personal privilege of the floor to introduce guests. Mr. Speaker Gilligan & Representative Booth introduced guests. Representative D. Short made a comment. Representatives Keeley & Kowalko requested and were granted personal privilege of the floor to introduce guests. Representative Kowalko requested and was granted personal privilege of the floor to introduce a guest. Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell requested and was granted personal privilege of the floor for himself and Representative Keeley to present a House Tribute to staff member John Hammerer, who

addressed the House. Representative Walls made comments. Representative Cathcart requested and was granted personal privilege of the floor to introduce a guest.

The Majority Leader moved to recess for caucus at 9:47 p.m.

The House reconvened at 11:01 p.m.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short moved to suspend the rules which interfere with action on **SB 108 w/SA 4**. The motion was seconded by Representative Schwartzkopf and adopted by voice vote.

Representative B. Short brought **SB 108 w/SA 4**, jointly sponsored by Senator Marshall, before the House for consideration.

**SB 108** - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO TITLE LOANS AND SHORT-TERM CONSUMER LOANS. (3/5 bill) (F/I)

Representative B. Short made comments.

The roll call on **SB 108 w/SA 4** was taken and revealed:

YES: 40.

ABSENT: Representative Oberle - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 108 w/SA 4** 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 155**. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative B. Short brought **SB 155**, jointly sponsored by Senator DeLuca, before the House for consideration.

**SB 155** - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO TRUSTS.

Representative B. Short 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 Schwartzkopf deferred to Representative Carson.

Representative Carson moved to suspend the rules which interfere with action on **SB 129 w/SA 1**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Carson brought **SB 129 w/SA 1**, jointly sponsored by Senator Bunting & Senators Adams, Hall-Long & Ennis & Representatives Thornburg, Longhurst & Atkins, before the House for consideration.

**SB 129** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO DELAWARE AGRICULTURAL LANDS PROTECTION.

Representatives Carson, Thornburg & Atkins made comments.

Representative Walls announced that he will not be voting on **SB 129 w/SA 1** because of a possible conflict of interest.

Representative Thornburg made comments.

The roll call on **SB 129 w/SA 1** was taken and revealed:

YES: 40.

NOT VOTING: Representative Walls - 1.

Therefore, having received a constitutional majority, **SB 129 w/SA 1** was returned to the Senate.

Representative Schwartzkopf made an announcement.

Representative Schwartzkopf deferred to Representative Viola.

Representative Viola brought **HB 201**, jointly sponsored by Representative Miro & Senator Henry & Representatives Mitchell, Schooley, D.P. Williams & Wilson & Senators Bonini & Simpson, before the House for consideration.

**HB 201** - AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO BEVERAGE CONTAINERS.

Representatives Viola, D. Short, Manolakos, Viola, Hocker, B. Short, D. E. Williams & Oberle made comments.

The roll call on **HB 201** was taken and revealed:

YES: 35.

NO: Representatives Manolakos, Oberle & Gilligan - 3.

NOT VOTING: Representative Schooley - 1.

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

Therefore, having received a constitutional majority, **HB 201** was sent to the Senate for concurrence.

Representative Schwartzkopf made an announcement.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell moved to suspend the rules which interfere with action on **SB 160**. The motion was seconded by Representative Schwartzkopf and adopted by voice vote.

Representative Mitchell brought **SB 160**, jointly sponsored by Senator Marshall & Senator McBride, before the House for consideration.

**SB 160** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE ADOPTION AND ENFORCEMENT OF A UNIFIED PLUMBING CODE.

Representative Mitchell made comments.

The roll call on **SB 160** was taken and revealed:

YES: 34.

ABSENT: Representatives Carey, Keeley, Mulrooney, Oberle, Schooley, Viola & D.P. Williams - 7.

Therefore, having received a constitutional majority, **SB 160** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri moved to suspend the rules which interfere with action on **SB 52 w/SA 1**.

The motion was seconded by Representative Mitchell and adopted by voice vote.

Representative Barbieri brought **SB 52**, jointly sponsored by Senator Blevins, before the House for consideration.

**SB 52** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE INTERSTATE COMPACT FOR THE PLACEMENT OF CHILDREN.

Representative Barbieri made comments.

The roll call on **SB 52 w/SA 1** was taken and revealed:

YES: 35.

ABSENT: Representatives Carey, Keeley, Mulrooney, Oberle, Schooley & Viola - 6.

Therefore, having received a constitutional majority, **SB 52 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady moved to suspend the rules which interfere with action on **SB 143 w/SA 1**.

The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Brady brought **SB 143 w/SA 1**, jointly sponsored by Senator McDowell & Senator Henry & Representative Keeley, before the House for consideration.

**SB 143** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM LOCAL TAXES.

Representatives Brady & Lavelle made comments.

The roll call on **SB 143 w/SA 1** was taken and revealed:

YES: 35.

ABSENT: Representatives Carey, Keeley, Mulrooney, Oberle, Schooley & Viola - 6.

Therefore, having received a constitutional majority, **SB 143 w/SA 1** was returned to the Senate.

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

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson moved to suspend the rules which interfere with action on **HJR 5**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Carson brought **HJR 5**, jointly sponsored by Representative Mulrooney & Representative Kovach & Senator McBride & Representatives Barbieri, Brady, Gilligan, Hocker, Jaques, J. Johnson, Q. Johnson, Keeley, Kowalko, Longhurst, Manolakos, M. Marshall, Mitchell, Oberle, Ramone, Schooley, D. Short, D.E. Williams & D.P. Williams & Senators Cloutier, Connor, Cook, Ennis, Hall-Long, Henry, Katz, Marshall, McDowell, Peterson, Sokola & Sorenson, before the House for consideration.

**HJR 5** - REQUESTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, THE DELAWARE SOLID WASTE AUTHORITY, AND OTHER INTERESTED PARTIES, TO WORK TOGETHER TO ACHIEVE THE GOAL OF “ZERO WASTE” IN THE STATE OF DELAWARE.

Representative Kovach made comments. Representative Kovach brought **HA 1 to HJR 5**, jointly sponsored by Representative Mulrooney, before the House for consideration. **HA 1** was adopted by voice vote. Representatives Carson & Lavelle made comments. Representative Carson requested and was granted privilege of the floor for Collin O’Mara, Secretary, Department of Natural Resources and Environmental Control. Representative Lavelle made comments.

The roll call on **HJR 5 w/HA 1** was taken and revealed:

YES: 33.

ABSENT: Representatives Carey, Cathcart, Keeley, Lee, Mulrooney, Oberle, Schooley & Viola - 8.

Therefore, having received a constitutional majority, **HJR 5 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko moved to suspend the rules which interfere with introduction of and action on **SB 153 w/SA 1 & 2**. The motion was seconded by Representative Scott and adopted by voice vote.

Representative Kowalko introduced & brought **SB 153 w/SA 1 & 2**, jointly sponsored by Senator Simpson & Senator McDowell & Representative Hocker & cosponsored by Senators Sokola & Sorenson, before the House for consideration.

**SB 153** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO CUSTOMER SITED ENERGY RESOURCES. (2/3 bill)

Representatives Kowalko & Booth made comments.

The roll call on **SB 153 w/SA 1 & 2** was taken and revealed:

YES: 33.

NOT VOTING: Representative Cathcart - 1.

ABSENT: Representatives Carey, Keeley, Mulrooney, Oberle, Schooley, Viola & D.P. Williams - 7.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 153 w/SA 1 & 2** was returned to the Senate.

The Majority Leader moved to adjourn the First Session of the 145th General Assembly at 12:00 a.m.

Mr. Speaker Gilligan called the House to order at 12:01 a.m. on July 1, 2009.

The Reading Clerk read the following communication into the record:

TO: The Members of the 145<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, 2009

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 145<sup>th</sup> 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 - 145th GENERAL ASSEMBLY – First Special Session July 1, 2009**

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.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 254**, jointly sponsored by Representative Schooley & Senator Hall-Long & Representatives Bennett, Carson, Kovach & Kowalko & Senators Blevins, Connor, Henry, Simpson & Sorenson, before the House for consideration.

#### **HB 254 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION AND EXCEPTIONAL PERSONS**

Representative J. Johnson made comments.

The roll call on **HB 254** was taken and revealed:

YES: 39.

ABSENT: Representatives Keeley & Mulrooney - 2.

Therefore, having received a constitutional majority, **HB 254** was sent to the Senate for concurrence.

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

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced and brought **SCR 24**, jointly sponsored by Senator Sokola & Senators Blevins, Hall-Long, McDowell & Sorenson & Representatives Booth, Jaques, Keeley, Kowalko, Mulrooney & Scott, before the House for consideration.

#### **SCR 24 - SUPPORTING DELAWARE'S APPLICATION FOR A FEDERAL RACE TO THE TOP GRANT.**

Representative Schooley made comments.

**SCR 24** was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **Consent Agenda J**. The motion was seconded by Representative Jaques and adopted by voice vote.

Representative Schwartzkopf brought **Consent Agenda J**, which requires a two-thirds vote, before the House for consideration.

**HB 269 – MITCHELL & SENATOR HENRY; REPRESENTATIVES BENNETT, BOOTH, BRADY, CAREY, CATHCART, HOCKER, HUDSON, LAVELLE, LEE, MANOLAKOS, M. MARSHALL, OUTTEN, RAMONE, SCHOOLEY, D. SHORT, THORNBURG, WALLS** - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses and Sale and Distribution of Tobacco Products. (2/3 bill)

**SB 50 – SORENSON & SENATOR PETERSON; SENATORS BONINI, CONNOR, ENNIS, SIMPSON** - An Act to Amend Title 3 of the Delaware Code Relating to the Delaware Society for the Prevention of Cruelty to Animals. (2/3 bill)

**SB 152 – KATZ & REPRESENTATIVE BENNETT; REPRESENTATIVE JAQUES** - An Act to Amend Title 15 of the Delaware Code Relating to Municipal Elections.

**SB 174** – BUSHWELLER & REPRESENTATIVE SCHWARTZKOPF - An Act to Amend Title 16 of the Delaware Code Relating to Uniformed Controlled Substances Act.

**SB 176** – KATZ & SENATOR HALL-LONG & REPRESENTATIVE LEE - An Act to Amend Title 16 of the Delaware Code Relating to Uniformed Controlled Substances.

**SB 177** – DELUCA & REPRESENTATIVE SCHWARTZKOPF; REPRESENTATIVE JAQUES - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road.

**SB 181** – HENRY & REPRESENTATIVE BARBIERI; SENATORS BLEVINS, HALL-LONG, ENNIS - An Act to Amend Title 16 of the Delaware Code Relating to Health Planning and Resources Management.

**SB 185** – BLEVINS & REPRESENTATIVE BENNETT - An Act to Amend Title 11 of the Delaware Code Relating to Criminal Procedures.

**SB 179** – SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG, HUDSON - An Act to Amend Chapter 16 of Title 24 of the Delaware Code Relating to Adult Entertainment. (3/5 bill)

**SB 180** – BUNTING & REPRESENTATIVE HOCKER - An Act to Amend Title 24 of the Delaware Code Relating to Manufactured Home Installation.

The roll call on **Consent Agenda J** was taken and revealed:

YES: 40.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 269** was sent to the Senate for concurrence and **SB 50, SB 152, SB 174, SB 176, SB 177, SB 181, SB 185, SB 179 & SB 180** were returned to the Senate.

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

Representative Schwartzkopf moved to suspend the rules which interfere with action on **Consent Agenda K**. The motion was seconded by Representative Brady and adopted by voice vote.

Representative Schwartzkopf brought **Consent Agenda K** before the House for consideration.

**HB 218** – BENNETT & REPRESENTATIVE SCOTT & SENATOR ENNIS & SENATOR BUSHWELLER & REPRESENTATIVES CARSON, JAQUES, MITCHELL, D. SHORT, WALLS, D.E. WILLIAMS, D.P. WILLIAMS & WILSON - An Act to Amend Title 11 of the Delaware Code Relating to Delaware County and Municipal Police/Firefighter Pension Plan.

**SB 56 w/SA 1** – ADAMS & REPRESENTATIVE CARSON & SENATOR PETERSON - An Act to Amend Title 21 of the Delaware Code Relating to Heavy Vehicle Registration, and to Create a Task Force to Review the Existing Delaware Heavy Vehicle Weight Law to Determine the Feasibility of Its Implementation.

**SB 175** - HALL-LONG & SENATOR ENNIS & REPRESENTATIVE LEE & REPRESENTATIVE SCHWARTZKOPF - An Act to Amend Title 11 of the Delaware Code Relating to the Law Enforcement Officer's Bill of Rights.

The roll call on **Consent Agenda K** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 218** was sent to the Senate for concurrence and **SB 56 w/SA 1 & SB 175** were returned to the Senate.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **HB 197**, jointly sponsored by Senator Ennis & Representative Mitchell, before the House for consideration.

**HB 197** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLE SPEED MONITORING SYSTEMS.

Representative Brady brought **HA 1 to HB 197** before the House for consideration. Representative Brady made a comment. **HA 1** was adopted by voice vote. Representative Brady brought **HA 2 to HB 197** before the House for consideration. Representatives Brady & Booth made comments. **HA 2** was adopted by voice vote. Representatives Brady, Keeley, Oberle, Brady, D.P. Williams, B. Short, Mitchell & Brady made comments.

The roll call on **HB 197 w/HA 1 & 2** was taken and revealed:

YES: 22.

NO: Representatives Atkins, Hocker, Hudson, Keeley, Lee, Manolakos, Miro, Oberle, Outten, D. Short, Thornburg & Walls - 12.

NOT VOTING: Representatives Blakey, Cathcart, Jaques, Kovach & Ramone - 5.

ABSENT: Representatives Lavelle & Plant - 2.

Therefore, having received a constitutional majority, **HB 197 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett moved to suspend the rules which interfere with action on **SB 159**. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Bennett brought **SB 159**, jointly sponsored by Senator Peterson & Senator Sokola & Representatives Kowalko & Hudson, before the House for consideration.

**SB 159 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CIVIL ADMINISTRATIVE PROCEDURES.**

Representative Bennett made comments.

The roll call on **SB 159** was taken and revealed:

YES: 39.

ABSENT: Representatives Lavelle & Plant - 2.

Therefore, having received a constitutional majority, **SB 159** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett moved to suspend the rules which interfere with action on **SB 164**. The motion was seconded by Representative Scott and adopted by voice vote.

Representative Bennett brought **SB 164**, jointly sponsored by Senator Peterson & Representative Kowalko & Senator Sokola & Representatives Hudson & Carson, before the House for consideration.

**SB 164 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS.**

Representative Bennett made comments.

The roll call on **SB 164** was taken and revealed:

YES: 32.

NOT VOTING: Representatives Cathcart, D. Short & Wilson - 3.

ABSENT: Representatives Brady, Lavelle, Manolakos, Miro, Oberle & Plant - 6.

Therefore, having received a constitutional majority, **SB 164** was returned to the Senate.

The Majority Leader moved to recess for caucus at 12:45 a.m. The House reconvened at 3:09 a.m.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 73 w/SA 1**, jointly sponsored by Representative Brady & Senator Cook & Representatives Bennett, Hudson, Kowalko, M. Marshall, Mitchell & Ramone & Senators Connor, Hall-Long & McDowell, before the House for concurrence on **SA 1**.

**HB 73 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION FOR THOSE SERVING IN THE DELAWARE NATIONAL GUARD. (F/N)**

Representative Jaques made comments.

The roll call on **HB 73 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 73 w/SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Ramone.

Representative Ramone moved to suspend the rules which interfere with introduction of and action on **SB 135**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Ramone introduced and brought **SB 135**, jointly sponsored by Senator Henry & Senators Bunting, Bushweller & Venables & Representatives Bennett, Carson, Hocker & Jaques, before the House for consideration.

**SB 135 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PENSIONS FOR STATE POLICE OFFICERS.**

Representative Ramone made a comment.

The roll call on **SB 135** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 135** was returned to the Senate.

Representative Ramone an announcement.

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 **HB 295**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams introduced & brought **HB 295**, jointly sponsored by Senator Cook & Representatives J. Johnson, M. Marshall, Mitchell, Booth & Miro & Senators Ennis, Henry, McBride, Cloutier & Connor, before the House for consideration.

**HB 295 - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2010; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2010 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (3/4 bill)**

Representative D.P. Williams made comments.

The roll call on **HB 295** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 295** was sent to the Senate for concurrence.

The Majority Leader moved to recess at 3:24 a.m. The House reconvened at 3:44 a.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 190 & SB 135** and requests the concurrence of the House and the Senate has passed **HB 201, HB 269, HB 38, HB 36, HB 39 & HB 225** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HS 1 for HB 268, HB 286, HS 1 for HB 267 w/HA 2, HB 179, HB 205 w/HA 1, HB 187, HB 288, HS 1 for HB 262, HB 139 w/HA 1, HS 1 for HB 119 w/HA 1** and is returning the same to the House and the Senate has passed **HB 73 w/SA 1, HB 275, HB 233 w/HA 2 & 3, HB 220, HB 138, HS 1 for HB 70 w/HA 2, HB 199 w/HA 2, HB 183 w/HA 1 & 2, HB 257, HB 160 w/HA 1 & 2, HB 164 w/HA 1, HS 1 for HB 260, HB 150, HB 161, HB 207, HB 113, HB 191, HB 149, HB 148, HB 133, HB 170, HB 152, HB 46, HB 192, HB 156 w/HA 1 & 2, HB 290, HB 72, HJR 6 & HJR 7** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with introduction of and action on **SB 190**. The motion was seconded by Representative Jaques and adopted by voice vote.

Representative Keeley introduced & brought **SB 190**, jointly sponsored by Senator Venables & Senators Blevins, Cook, McDowell, Cloutier, Connor, Simpson & Sorenson & Representatives Mulrooney, Schooley, Viola, Carey & Oberle, before the House for consideration.

**SB 190 - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2010; 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 2010**

This Debt Limit Statement is to be attached to the Fiscal Year 2010 Bond and Capital Improvement Act as required by §7422, Title 29, Delaware Code.

- (1) **Estimated Net General Fund revenue** for the Fiscal year ending June 30, 2010 as per the joint resolution of the House and Senate which will be signed by the Governor in connection with the adoption of the annual Budget Appropriation Bill for that fiscal year. \$ 3,190.7 million
  - (2) Multiply by 5%. X \_\_\_\_\_ .05
  - (3) Maximum aggregate principal amount of tax-Supported obligations which may be authorized by the State in the fiscal year ending June 30, 2010. \$ 159.5 million
  - (4) Less: Aggregate principal amount of previously authorized tax-supported obligations subject to debt limit. \$ \_\_\_\_\_ 0 million
  - (5) **AVAILABLE DEBT LIMIT** prior to appended legislation (Line 3 minus Line 4). \$ 159.5 million
  - (6) Less: Aggregate principal amount of new tax-Supported obligations subject to debt limit to be authorized pursuant to appended legislation. \$ \_\_\_\_\_ 0 million
  - (7) **REMAINING DEBT LIMIT** (Line 5 minus Line 6). \$ 159.5 million
- Gary M Pfeiffer  
June 30, 2009

Representatives Keeley & Oberle made comments.

The roll call on **SB 190** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SB 190** was returned to the Senate.

Representatives Keeley, Cathcart & Oberle made comments.

Mr. Speaker Gilligan made comments.

Representatives Cathcart, D.P. Williams & Schwartzkopf made comments.

The Majority Leader moved to recess to the call of the Chair at 3:57 a.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on January 12, 2010.

The Majority Leader moved to adjourn at 2:02 p.m., thereby ending the current legislative day. The House reconvened at 2:03 p.m.

**1st LEGISLATIVE DAY – 145th GENERAL ASSEMBLY - Second Session  
January 12, 2010**

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Atkins, Plant & Thornburg - 3.

Vacancy: 1.

A prayer was offered by Pastor Danny Tice, Senior Pastor, Bay Shore Community Church.

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

The following out-of-session prefiled legislation was introduced:

December 10, 2009

**HB 300** – BENNETT & REPRESENTATIVE SCOTT & SENATOR SOKOLA & SENATOR BONINI & SENATOR BUSHWELLER & SENATOR PETERSON; REPRESENTATIVES BRADY, CARSON, CATHCART, HOCKER, HUDSON, JAQUES, Q. JOHNSON, KOVACH, KOWALKO, LAVELLE, LONGHURST, MANOLAKOS, MIRO, MITCHELL, OBERLE, RAMONE, SCHOOLEY, SCHWARTZKOPF, B. SHORT, D. SHORT, WALLS, D.E. WILLIAMS; SENATORS BOOTH, CLOUTIER, CONNOR, MCBRIDE, SORENSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act.

**HB 301** – BENNETT & SENATOR BUSHWELLER; REPRESENTATIVES CARSON, JAQUES, Q. JOHNSON, MITCHELL, WALLS; SENATORS BONINI, BUNTING, ENNIS, VENABLES - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 12 of the Delaware Code Relating to Debts of and Claims Against Estate.

January 7, 2010

**HB 297** - M. MARSHALL & SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 8 of the Delaware Code Relating to the Delaware General Corporation Law.

**HB 298** - MIRO & SENATOR SOKOLA; REPRESENTATIVES HUDSON, LAVELLE - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road and Cell Telephone Usage.

**HB 299** - BENNETT & SENATOR BUSHWELLER; REPRESENTATIVES BLAKEY, CARSON, CATHCART, HUDSON, JAQUES, Q. JOHNSON, KOVACH, KOWALKO, LEE, MANOLAKOS, MITCHELL, OBERLE, OUTTEN, RAMONE, SCHWARTZKOPF, SCOTT, B. SHORT, D. SHORT, THORNBURG, WALLS, D.E. WILLIAMS; SENATORS BOOTH, BUNTING, ENNIS, KATZ - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HB 302** - B. SHORT & SENATOR DELUCA & SENATOR BLEVINS; REPRESENTATIVES CARSON, HUDSON, KEELEY, KOWALKO, LONGHURST, MITCHELL, OBERLE, RAMONE, SCHOOLEY, D. SHORT, D.E. WILLIAMS, WILSON, BARBIERI, BENNETT, KOVACH; SENATORS ENNIS, HALL-LONG, HENRY, SOKOLA, VENABLES - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Reporting Financial Exploitation of the Elderly and Infirm.

**HB 303** – KEELEY & REPRESENTATIVE SCHOOLEY & SENATOR HENRY; REPRESENTATIVES B. SHORT, LAVELLE, OBERLE, KOWALKO; SENATORS PETERSON, MCDOWELL - ECONOMIC DEVELOPMENT/BANKING/ INSURANCE/COMMERCE - An Act to Amend Title 5 of the Delaware Code Relating to Predatory Refund Anticipation Lending.

**HA 1 to HB 229** - MIRO - Placed with the Bill.

The following prefiled legislation was introduced:

**HB 304** - BENNETT & SENATOR BLEVINS & REPRESENTATIVE HUDSON; REPRESENTATIVES SCHWARTZKOPF, CARSON, HOCKER, JAQUES, Q. JOHNSON, KOWALKO, LAVELLE, LONGHURST, MIRO, MITCHELL, RAMONE, BARBIERI, WALLS, BRADY, D. SHORT, SCOTT, D.E. WILLIAMS, KOVACH, WILSON, BLAKEY, OBERLE; SENATORS BUSHWELLER, HALL-LONG, KATZ, SOKOLA, CLOUTIER, ENNIS, BOOTH, MCDOWELL - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

The Reading Clerk read the following communications into the record:

**MEMORANDUM**

TO: Speaker Robert F. Gilligan  
FROM: Representative Pamela J. Thornburg  
DATE: December 29, 2009  
SUBJECT: Absence from session

Please be advised I will be absent from Session January 12<sup>th</sup>, 13<sup>th</sup>, and 14<sup>th</sup> due to personal business.

Thank you.

Memorandum

To: The Honorable Robert F. Gilligan  
Speaker of the House  
From: Representative Hazel D. Plant  
Date: January 12, 2010



RE: Absence from Legislative Session

I will not attend Legislative Session during our three weeks in January 2010, as I am recovering from surgery. I look forward to returning when we reconvene in March from our six week recess.  
Thank you.

MEMORANDUM

TO: Rep. Robert F. Gilligan  
Speaker of the House  
CC: Rich Puffer  
FROM: Rep. John C. Atkins  
DATE: January 12, 2010  
RE: Absence from session

I will be unable to attend session today, Tuesday, January 12, 2010, due to illness.  
Representatives Cathcart & Lavelle requested that they be marked present.  
The Chief Clerk read the following communication at the request of Mr. Speaker Gilligan.  
The Chief Clerk announced a corrected attendance roll call:  
Members Present: 37.  
Members Absent: Representatives Atkins, Plant & Thornburg - 3.  
Vacancy: 1.  
The Chief Clerk read the following into the record:  
August 31, 2009

The Honorable Robert F. Gilligan  
Speaker of the House  
2628 Sherwood Drive  
Wilmington, DE 19808  
Dear Speaker Gilligan,

I am writing to officially submit my resignation as State Representative for the 37<sup>th</sup> District in the Delaware General Assembly.  
Upon being elected to the office of State Senator on August 3, 2009, I hereby officially resign my duties as State Representative.  
It has been an honor to serve in the House of Representatives and I look forward to working with you as a new member of the Delaware State Senate.

Sincerely,  
Joseph W. Booth  
State Senator  
19<sup>th</sup> District

Representative Schwartzkopf moved that the Chief Clerk read the Writ of Election and the Certificate of Election. The motion was seconded by Representative Longhurst and adopted by voice vote.  
The Chief Clerk read the Writ & Certificate of Election as follows:

**WRIT OF ELECTION**

**TO: THE DEPARTMENT OF ELECTIONS, SUSSEX COUNTY  
199 NORTH RACE STREET  
GEORGETOWN, DELAWARE 19947**

**GREETINGS:**

**WHEREAS**, a vacancy exists in the House of Representatives of the 145th General Assembly of the State of Delaware by reason of the election of **JOSEPH W. BOOTH** in the **19th Senatorial District** and the resignation of **JOSEPH W. BOOTH**, of the **37th Representative District** of Sussex County, Delaware on **August 3, 2009**.

**WHEREAS**, such a vacancy has occurred and exists while said General Assembly is in session;  
**NOW, THEREFORE, I, ROBERT F. GILLIGAN**, Speaker of the House of Representatives of the State of Delaware, Presiding Officer of the Delaware House of Representatives, in accordance with the Constitution and the laws of the State of Delaware in such cases made and provided, do hereby issue this **Writ of Election** and declare that you shall cause a special election to be held in the **37<sup>th</sup> Representative District** of Sussex County, State of Delaware, by the qualified electors thereof on a day to be assigned by you, such day not to be more than eleven nor less than ten days next after receipt of this Writ, exclusive of the day, for the purpose of filling the aforesaid vacancy, the person thereupon chosen to hold office for the residue of the term of the said **JOSEPH W. BOOTH**.

**IN WITNESS, THEREOF, I, ROBERT F. GILLIGAN**, Speaker of the House of Representatives of the 145th General Assembly have hereunto set my hand and seal this *1st* day of *September* in the year *Two Thousand and Nine*.

Deborah A. Porter  
Notary

ROBERT F. GILLIGAN, SPEAKER  
HOUSE OF REPRESENTATIVES  
STATE OF DELAWARE  
The State of Delaware  
Sussex County, ss.

Be It Remembered, That at the Special Election held on Saturday, the 12<sup>th</sup> day of September, in the year of our Lord Two Thousand and Nine for Sussex County, according to the Constitution and Laws of the State of Delaware,

**Ruth Briggs King**  
was duly elected  
**Representative - 37<sup>TH</sup> District**

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

In Testimony Whereof, we, T. HENLEY GRAVES and RICHARD F. STOKES, constituting the Superior Court for Sussex County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court be hereunto affixed at the Court House in said County, on this 14th day of September, A.D. 2009.

T. Henley Graves, Judge  
Richard F. Stokes, Judge

Representative Schwartzkopf moved that the Oath of Office be administered to Representative-Elect Ruth Briggs King by The Honorable Peter B. Jones, Associate Judge, Family Court of Delaware. The motion was seconded by Representative Longhurst and adopted by voice vote.

Judge Peter B. Jones administered the oath of Representative to Representative-Elect Briggs King as follows:

I, Ruth Briggs King, 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 interest 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.

Ruth Briggs King  
State Representative

Sworn and subscribed before me this 12th day of January A.D. 2010

Peter B. Jones  
Associate Judge, Family Court of Delaware

Mr. Speaker Gilligan made comments. Representative Briggs King made comments and introduced guests. Representatives Cathcart & Schwartzkopf & Mr. Speaker Gilligan made comments. Senator Joseph W. Booth made comments.

Representative Schwartzkopf moved that the Chief Clerk call the roll of the Members of the House of Representatives of the 145th General Assembly. The motion was seconded by Representative Longhurst and adopted by voice vote.

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 145th General Assembly. The motion was seconded by Representative Longhurst and adopted by voice vote.

The Majority Leader moved to recess for caucus at 2:21 p.m.

The House reconvened at 3:49 p.m.

The minutes of the previous two legislative days were approved as posted.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 24** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 153 w/SA 1 & 2** and requests the concurrence of the House and has passed **HB 15 w/HA 1** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 136, HB 206, HB 176 & HB 204 w/HA 1** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 132, HB 122 w/HA 1 & 2, HB 177, HB 232 & HB 151 w/HA 1** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 111 w/HA 1, HB 211, HB 289 w/HA 2, HB 291 w/HA 1 & 4, HB 210, HS 1 for HB 263, HS 1 w/HA 2 for HB 264 & HB 287** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 295** and is returning the same to the House and has passed **HB 253 w/HA 2 & 3** and is returning the same to the House.

July 2, 2009

**Legislative Advisory #17**

Governor Jack A. Markell signed the following legislation on the date indicated: 7/1/09 - **HB 170, HB 210, HB 211, HS 1 for HB 260, HS 1 for HB 262, HS for HB 263, HS 1 for HB 264, HS 1 for HB 267 aab HA 2, HS 1 for HB 268, HB 286, HB 287, HB 288, HB 289 aab HA 2, HB 290, HB 291 aab HA 1 & 4, HB 295, HJR 6, HJR 7 & SB 190.**

**Legislative Advisory #18**

Governor Jack A. Markell signed the following legislation on the date indicated: 6/30/09 - **SB 101, HB 165 aab HA 1 & SA 1; 7/2/09 - SB 121, HB 156 aab HA 1 & HA 2, HB 183 aab HA 1 & HA 2;**

7/6/09 - **SS 1 for SB 35 aab SA 1, SB 38, SB 48, SB 73, SB 84, SB 88, SB 89, SB 102, SB 105, SB 116, SB 117, SB 139, SB 142 & SB 150 aab SA 1.**

July 7, 2009

Legislative Advisory # 19

Governor Jack A. Markell signed the following legislation on the date indicated: 7/6/09 - **SB 72, SB 76, SB 86, SB 109, SB 118, SB 134 aab SA 1, SB 138 aab SA 2, SB 149, HB 98, HB 118 aab HA 1 & SA1 & HB 167.**

July 9, 2009

Legislative Advisory #20

Governor Jack A. Markell signed the following legislation on the date indicated: 7/8/09 - **SB 50, SB 61 aab SA 2, SB 77, SB 110, SB 114, SB 129 aab SA 1, SB 133, SB 143 aab SA 1, SB 145 aab SA 1, SB 159, SB 161, SB 163, SB 165 aab SA 1, SB 173 aab SA 1, SB 181, HB 113, HB 132, HB 138, HB 146 aab SA 2, HB 148, HB 149, HB 150, HB 154 aab HA 1, HB 161, HB 174 aab HA 1 & HB 181.**

July 10, 2009

Legislative Advisory #21

Governor Jack A. Markell signed the following legislation on the date indicated: 7/9/09 - **SS 1 for SB 49, SB 62, SB 85 aab SA 1, HS 1 for HB 70 aab HA 2; 7/10/09 - SB 185, HB 136 & HB 206.**

July 20, 2009

Legislative Advisory #22

Governor Jack A. Markell signed the following legislation on the date indicated: 7/10/09 - **SB 45 aab SA 3 & HA 1, SB 152, SB 155, SB 170, SB 174, HB 46, HB 177; 7/13/09 - SB 175, SB 176, SB 177, SB 178 & HB 152.**

July 22, 2009

Legislative Advisory #23

Governor Jack A. Markell signed the following legislation on the date indicated: 7/16/09 - **SB 52 aab SA 1, SB 108 aab SA 4, SB 111, SB 115 aab HA 1, SB 135, SB 179, SB 180; 7/21/09 - HB 275; 7/22/09 - HB 151 aab HA 1, HB 160 aab HA 1 & HA 2, HB 179, HB 192, HB 205 aab HA 1, HB 207, HB 220, HB 225, HB 233 aab HA 2 & HA 3, HB 269 & HB 176.**

Governor Jack A. Markell vetoed the following legislation on the date indicated: 7/21/09 - **HB 201.**

Office of the Governor

July 21, 2009

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES  
OF THE 145TH GENERAL ASSEMBLY

House Bill 201 repeals Delaware's "Bottle Bill," which can be found in Subchapter III, Chapter 60, Title 7 of the Delaware Code. I have considered this legislation in detail and I have met and discussed the issues related to this legislation with retailers, distributors, environmentalists, legislators, members of my cabinet and my staff. Pursuant to Article III, Section 18 of the Delaware Constitution and only after careful consideration, I am returning House Bill 201 to the Delaware House of Representatives without my signature.

By way of background, Delaware's Bottle Bill was enacted in 1978 and places a five cent refund value on beverage bottles returned. The purpose was to reduce littering by encouraging the return, reuse and recycling of beverage bottles, and to reduce utilization of our landfills. It can be fairly said that Delaware's Bottle Bill has contributed to a reduction in litter alongside our roadways and parks, as well as reduced landfill usage. Indeed, some estimate that one-third of glass bottles are returned to retailers for recycling. House Bill 201 eliminates this initiative in its entirety, without any proposed alternative.

While the Bottle Bill does help reduce litter and promote recycling, the problems with this thirty-one year old initiative are notable. The use of plastic bottles in lieu of glass has grown significantly, but very few plastic bottles are returned. Cans are no longer included within the law's scope and the program is otherwise cumbersome and costly to administer for retailers. There is also very little accountability in this program, so its effectiveness is difficult to measure. If one assumes a 30% return rate for glass bottles, this equates to 70% of the deposits being collected not being returned to consumers. In the end, consumers are paying for a recycling initiative that is not very effective.

Importantly, there is nothing in House Bill 201 that prohibits distributors from continuing to charge five additional cents, or increasing their prices to offset any loss of bottle deposits they have become accustomed to keeping. Indeed, the legislation does not even provide a mechanism for consumers to recover their deposits on bottle purchases prior to the effective date of the repeal. While paying for an ineffective recycling initiative is bad, continuing to pay, after the program is abolished, is even worse.

There is widespread recognition that Delaware's recycling rate is too low and there have been various recycling initiatives proposed over the years. While proponents of House Bill 201, under the leadership of Representative John J. Viola, deserve significant credit for calling attention to the inadequacies of our current Bottle Bill, I believe we need to review this issue in a larger context that takes into consideration the environment, the industry and Delaware taxpayers. Although I am sympathetic to those who argue that the

current Bottle Bill system is broken, I am committed to doing what I can to ensure that we replace it with something better.

To that end, I have directed Secretary Collin O'Mara of the Department of Natural Resources and Environmental Control and Alan Levin, the Director of the Delaware Economic Development Office, to work with Representative Viola, other members of the General Assembly, beverage distributors and retailers, and the environmental community to comprehensively examine how beverage bottles are distributed, sold, returned and recycled. My hope is that we can propose a workable solution when the General Assembly returns in January, 2010.

This hope is bolstered by my recent meetings with beverage distributors, retailers and environmentalists, as I have heard good faith commitments to improve our current recycling efforts, based on best practices around the country and around the world. We should capitalize on this shared commitment to develop alternatives to the current Bottle Bill that will further promote waste diversion and recycling efforts in Delaware, while being fair to Delaware taxpayers.

In closing, Delaware is quickly earning a reputation as a leader in environmental issues like alternative energy and climate prosperity, in part, because we recognize the connection between the health of our economy and the health of our environment. This bill as written, without additional consumer protections or a plan to improve our recycling rate, does not move us forward. I am hopeful that by working cooperatively with many interested participants, we can, in fact, move forward.

For these reasons, I must veto House Bill 201 and return it to the House of Representatives without my signature.

Sincerely,

Jack A. Markell

Governor

The House observed a moment of silence in memory of "Jean" Finnegan Biden, mother of our Vice-President; Donna Maglio, mother of Representative Longhurst; Anita VanSant, wife of former Representative John VanSant; and Shawn Breslin at the request of Mr. Speaker Gilligan & Chad Spicer at the request of Representative Schwartzkopf.

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf introduced Amanda Lamar, House Communications Coordinator & Pam Price, Minority Chief of Staff, who introduced the 2010 Legislative Fellows from the University of Delaware. The Fellows announced their majors and committee assignments for the record.

Representatives Schwartzkopf & Cathcart made comments.

Mr. Speaker Gilligan made comments.

Representative D.P. Williams made comments.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett introduced and brought **HR 30**, jointly sponsored by Representative Scott & Representative Carson, before the House for consideration.

**HR 30 - COMMENDING THE KIWANIS CLUB OF DOVER FOR SEVENTY-FIVE YEARS OF SERVICE TO THE COMMUNITY.**

WHEREAS, Kiwanis was founded in Detroit, Michigan on January 21, 1915, primarily as a networking and business club; and

WHEREAS, by 1919 the organization changed its focus from business to service to the community; and

WHEREAS, the Kiwanis Club of Dover, sponsored by the Wilmington Kiwanis Club, was organized on January 16, 1935, and received its charter from Capital District Governor Walter Cole of Towson, Maryland on March 6, 1935, completing the goal of establishing a Kiwanis Club in every Capital of the 48 states; and

WHEREAS, throughout the years the Kiwanis Club of Dover has displayed their commitment to service by organizing community activities, providing educational opportunities, and caring for the needy, whereby adhering to the current Kiwanis International Defining Statement that "Kiwanis is a global organization dedicated to changing the world one child and one community at a time"; and

WHEREAS, in demonstrating this core value, the club supports numerous youth organizations by holding fundraising events in the Dover area; and

WHEREAS, the Kiwanis Club of Dover, sponsors a variety of service leadership programs including Delaware State University's Circle K International, as well as numerous high school Key Clubs and Aktion Clubs in both Kent and New Castle Counties; and

WHEREAS, the Kiwanis Club of Dover has been an integral part of the Dover community for seventy-five years.

NOW THEREFORE:

BE IT RESOLVED that the House of Representatives of the 145<sup>th</sup> General Assembly of the State of Delaware commends the Kiwanis Club of Dover for the tremendous service they provide to our state and their positive impact on the youth in our communities; and

BE IT FURTHER RESOLVED that the House of Representatives of the 145<sup>th</sup> General Assembly of the State of Delaware does hereby congratulate the Kiwanis Club of Dover on its Seventy-Fifth Anniversary.

BE IT FURTHER RESOLVED that, upon passage, a suitably prepared and duly authenticated copy of this resolution be presented to the Kiwanis Club of Dover.

Representative Bennett made comments.

**HR 30** was adopted by voice vote.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall made an announcement.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell made an announcement.

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 January 13, 2010.

The Reading Clerk read the following communication into the record:

July 29, 2009

Legislative Advisory # 24

Governor Jack A. Markell signed the following legislation on the date indicated: 7/24/2009 - **HB 72, HB 111 aab HA 1, HB 122 aab HA 1 & HA 2, HB 164 aab HA 1 & HB 257.**

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.

## **2nd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session January 13, 2010**

The Chief Clerk called the roll.

Members Present: 34.

Members Absent: Representatives Atkins, Cathcart, Lavelle, Oberle, Plant, Thornburg & D.E. Williams - 7.

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

The Reading Clerk read the following communications into the record:

### MEMORANDUM

TO: Rep. Robert F. Gilligan  
Speaker of the House

CC: Rich Puffer

FROM: Rep. John C. Atkins

DATE: January 13, 2010

RE: Absence from session

I will be unable to attend session today, Wednesday, January 13, 2010, due to illness.

Representatives Mitchell & Miro requested that they be marked present.

Representative J. Johnson made an announcement.

Representative Keeley requested that she be marked present & made a comment.

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 members were marked present by the Chief Clerk after the House recessed at 2:07 p.m.: Representatives D.P. Williams & Lee.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 14, 2010.

Representatives Oberle, Lavelle & D.E. Williams requested that they be marked present for the current Legislative Day.

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

CORRECTIONS: **HB 284** - 3F, 2M.

JUDICIARY: **HB 276** - 3F, 5M; **HB 297** - 3F, 5M; **SB 14 w/SA 2** - 6M; **SB 71** - 1F, 6M.

HOUSING & COMMUNITY AFFAIRS: **HB 294** - 7F, 1M; **HB 301** - 8F; **SB 167** - 7F, 1M.

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

Representative Lavelle made a comment.

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 - 145th GENERAL ASSEMBLY - Second Session January 14, 2010**

The Chief Clerk called the roll.

Members Present: 37.

Members Absent: Representatives Carey, Plant, Thornburg & Walls - 4.

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 305** - BARBIERI & REPRESENTATIVE VIOLA & SENATOR HENRY;  
REPRESENTATIVES BRADY, JAQUES, Q. JOHNSON, KOVACH, KOWALKO, LONGHURST,  
MANOLAKOS, SCHOOLEY, WALLS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend  
Title 29 of the Delaware Code Relating to Transportation of State Employees.

**HB 306** - LAVELLE & REPRESENTATIVE SCHWARTZKOPF & SENATOR HENRY &  
SENATOR SORENSON; REPRESENTATIVES BENNETT, BRADY, CARSON, KEELEY,  
KOWALKO, CATHCART, D. SHORT, BRIGGS KING, HOCKER, HUDSON, KOVACH, MIRO,  
RAMONE, THORNBURG, WILSON; SENATORS BUNTING, MARSHALL - JUDICIARY - An Act to  
Amend Title 10 of the Delaware Code Relating to Reporting Possible Sexual Abuse of a Child.

**HB 307** - OBERLE & SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act  
to Amend Titles 12 and 16 of the Delaware Code Relating to Escheats.

Representatives D. Short & Oberle made comments.

The House observed a moment of silence in memory of William G. McCafferty at the request of  
Representative D. Short.

Representatives Hudson, Kovach, Outten & Lee requested that they be marked present.

The Reading Clerk read the following communications into the record:

January 12, 2010

*TO* : The Honorable Robert F. Gilligan  
Speaker of the House  
*FROM* : Representative V. George Carey  
*SUBJECT*: Absence from Session

I will be [sic] absent from session on Thursday, January 14, 2010, as I will be attending an out of  
state meeting of the State Agricultural Rural Leaders Association.

V. George Carey

MEMORANDUM

TO: Rep. Robert F. Gilligan  
Speaker of the House  
CC: Rich Puffer  
FROM: Rep. Robert E. Walls  
DATE: January 12, 2010  
RE: Absence from session

I will be unable to attend session Thursday, January 14, 2010, as I am attending an Agriculture summit.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Valerie J. Longhurst, do hereby request that my name be removed as co-sponsor of **HB 277**.

Date: 1/14/10

Signed: Valerie J. Longhurst

WITHDRAWAL OF SPONSORSHIP REQUEST

I, George H. Bunting, Jr., do hereby request that my name be removed as co-sponsor of **HB 194**.

Date: 1/14/10

Signed: George H. Bunting, Jr.

Representative Longhurst requested and was granted personal privilege of the floor to make an  
announcement. Representative Briggs King made a comment. Representative Longhurst led the House in  
singing "Happy Birthday" to Representative Schwartzkopf. Representative Lavelle made a comment.

Representative Mulrooney requested that he be marked present & made a comment.

Representatives Schwartzkopf & D. Short made announcements.

The Majority Leader moved to recess for caucus at 2:14 p.m.

The House reconvened at 4:02 p.m.

Representative Cathcart requested that he be marked present.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representative M. Marshall brought **HB 297**, jointly sponsored by Senator. Blevins, before the  
House for consideration.

**HB 297** - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE  
DELAWARE GENERAL CORPORATION LAW. (2/3 bill)

Representatives M. Marshall & Kovach made comments. Representative M. Marshall requested and  
was granted privilege of the floor for Rick Geisenberger, Director, Division of Corporations, Department of  
State. Representatives Kovach & Ramone made comments.

Representative M. Marshall introduced and brought **HA 1 to HB 297** before the House for  
consideration. Representative M. Marshall made a comment. **HA 1** was adopted by voice vote.

The roll call on **HB 297 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Carey, Plant, Thornburg & Walls - 4.

Therefore, having received a constitutional majority, **HB 297 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 Bennett.

Representative Bennett brought **HB 294**, jointly sponsored by Representative Scott & Senator Bushweller & Representatives Blakey, Q. Johnson, Outten, Thornburg & Walls & Senator Simpson, before the House for consideration.

**HB 294 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE KENT COUNTY COMPTROLLER, KENT COUNTY RECEIVER OF TAXES AND COUNTY TREASURER, AND GOVERNMENT OF KENT COUNTY.**

Representatives Bennett & Blakey made comments.

The roll call on **HB 294** was taken and revealed:

YES: 37.

ABSENT: Representatives Carey, Plant, Thornburg & Walls - 4.

Therefore, having received a constitutional majority, **HB 294** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 301**, jointly sponsored by Senator Bushweller & Representatives Carson, Jaques, Q. Johnson, Mitchell & Walls & Senators Bonini, Bunting, Ennis & Venables, before the House for consideration.

**HB 301 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO DEBTS OF AND CLAIMS AGAINST ESTATE.**

Representative Bennett made comments.

The roll call on **HB 301** was taken and revealed:

YES: 37.

ABSENT: Representatives Carey, Plant, Thornburg & Walls - 4.

Therefore, having received a constitutional majority, **HB 301** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson brought **HB 276**, jointly sponsored by Senator McBride & Representatives Barbieri, Brady, Carson, Jaques, Booth, Carey, Hocker, Lavelle, Manolakos, Miro, Ramone & Thornburg & Senators Sokola & Sorenson & cosponsored by Representative Kovach & Senator Katz, before the House for consideration.

**HB 276 - AN ACT TO AMEND TITLES 11, 16, 17 AND 21 OF THE DELAWARE CODE RELATING TO CRIMINAL MISCHIEF, GRAFFITI, AND OTHER INJURY TO A SCENIC AND HISTORICAL HIGHWAY OR A SCENIC BYWAY.**

Representative Hudson introduced and brought **HA 1 to HB 276** before the House for consideration. Representative Hudson made a comment. **HA 1** was adopted by voice vote. Representative Hudson made comments.

The roll call on **HB 276 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Carey, Plant, Thornburg & Walls - 4.

Therefore, having received a constitutional majority, **HB 276 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 30**, jointly sponsored by Senator Ennis & Representative Longhurst & Senator Hall-Long & Representatives Cathcart & Q. Johnson & cosponsored by Senator Connor, before the House for consideration.

**HB 30 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE POWERS, DUTIES AND FUNCTIONS OF THE SECRETARY OF EDUCATION. (F/I)**

Representative Jaques brought **HA 1 to HB 30** before the House for consideration. Representative Jaques brought **HA 1 to HA 1 to HB 30** before the House for consideration. Representative Jaques made a comment. **HA 1 to HA 1** was adopted by voice vote. Representative Jaques made a comment. **HA 1 w/HA 1** was adopted by voice vote. Representatives Jaques & Manolakos made comments. Representative Jaques requested and was granted privilege of the floor for Dr. Tony Marchio, Superintendent, Appoquinimink School District. Representatives Manolakos, Miro, Cathcart, Ramone, Jaques, Cathcart, Q. Johnson, B. Short, Ramone, Kovach, Cathcart, Kovach, Jaques, D. Short, Manolakos, B. Short, Jaques & Cathcart made comments. Representative Ramone requested and was granted privilege of the floor for Jennifer Casey, Executive Director, Homebuilders Association of Delaware. Representatives B. Short, Jaques, Lavelle, Hocker & Briggs King made comments.

The roll call on **HB 30 w/HA 1 w/HA 1** was taken and revealed:

YES: 24.

NO: Representatives Blakey, Briggs King, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, D. Short & Wilson - 13.

ABSENT: Representatives Carey, Plant, Thornburg & Walls - 4.

Therefore, having received a constitutional majority, **HB 30 w/HA 1 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **HB 284**, jointly sponsored by Senator Ennis, before the House for consideration.

**HB 284 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEXUAL RELATIONS IN A DETENTION FACILITY.**

Representatives J. Johnson & Kovach made comments.

The roll call on **HB 284** was taken and revealed:

YES: 36.

ABSENT: Representatives Carey, Oberle, Plant, Thornburg & Walls - 5.

Therefore, having received a constitutional majority, **HB 284** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady requested that **HCR 1** be stricken.

Representative Cathcart made an announcement.

Mr. Speaker Gilligan reassigned **HB 277** to the Transportation, Land Use and Infrastructure Committee.

Representative Schwartzkopf made an announcement.

Representative Schwartzkopf deferred to Representative Lavelle.

Representatives Lavelle & Longhurst made comments.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri introduced and brought **HR 31** before the House for consideration.

**HR 31 - EXTENDING THE REPORTING DATE OF THE SCHOOL DISCIPLINE TASK FORCE**

Representative Barbieri made comments.

**HR 31** was adopted by voice vote.

Representative Keeley, Mr. Speaker Gilligan & Representative Kowalko made announcements.

The Majority Leader moved to recess to the call of the Chair at 5:41 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on January 19, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 202** and is returning the same to the House.

August 6, 2009

#### LEGISLATIVE ADVISORY # 25

Governor Jack A. Markell signed the following legislation on the date indicated:

7/29/09 - **SB 59 aab SA 3 & SB 106 aab SA 2**; 7/30/09 - **SB 56 aab SA 1 & HB 99**; 7/31/09 - **HB 204 aab HA 1, HS 1 for HB 230 aab HA 1 & HB 253 aab HA 2 & HA 3.**

#### MEMORANDUM

To: The Honorable Robert F. Gilligan, Speaker of the House

From: Representative Joseph E. Miro

RE: Absence from Session

Date: January 14, 2010

Please be advised that I will be absent from Session next Tuesday, January 19, 2010 due to a family medical situation.

Thank you for understanding.

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

Representative Keeley introduced **HS 1 for HB 255** jointly sponsored by Senator Blevins.

**HB 255 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE.**

Mr. Speaker Gilligan assigned **HS 1 for HB 255** to the Economic Development/Banking/Insurance/Commerce Committee.

Representative Keeley made comments.

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

#### 4th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session January 19, 2010

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Miro & Plant - 2.

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 out-of-session prefiled legislation was introduced:

1/15/2010



**HB 310** - SCHWARTZKOPF & REPRESENTATIVE VIOLA & SENATOR DELUCA; REPRESENTATIVES GILLIGAN, Q. JOHNSON, MULROONEY, CARSON, J. JOHNSON, BARBIERI, KOWALKO, SCOTT, LONGHURST, BRADY, MITCHELL, CATHCART, D. SHORT, KOVACH, HUDSON, RAMONE, D.P. WILLIAMS; SENATORS BLEVINS, HENRY, COOK, BUSHWELLER, HALL-LONG, ENNIS - GAMING & PARIMUTUELS - An Act to Amend Titles 3, 11 and 29 of the Delaware Code Relating to the Operation of Table Games by the Delaware Lottery, the Creation of a Division of Gaming Enforcement within the Department of Safety and Homeland Security, Licensing of Video Lottery Agent Personnel and Lottery and Agent Vendors, Prohibition on Gaming by Certain Persons, the Creation of a Lottery Commission, and the Number of Harness Racing Days. (3/5 bill)

The following prefiled legislation was introduced:

**HB 308** - BRADY & SENATOR HALL-LONG; REPRESENTATIVES RAMONE, B. SHORT - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 10 of the Delaware Code Relating to Code Enforcement Constables.

The Reading Clerk read the following communication into the record:

August 18, 2009

#### LEGISLATIVE ADVISORY # 26

Governor Jack A. Markell signed the following legislation on the date indicated:

8/13/09 - **SB 68 aab SA 1, SB 90 aab SA 2, SB 151 & HS 1 for HB 119 aab HA 1**; 8/17/09 - **HB 15 aab HA 1**.

Representatives D. Short, Blakey, Wilson, Kovach & Oberle requested that they be marked present.

Representative B. Short requested that **HB 78** be stricken.

Mr. Speaker Gilligan & Representative Brady made announcements.

The Majority Whip moved to recess for caucus at 2:14 p.m.

The House reconvened at 4:02 p.m.

Representatives Manolakos, Mulrooney, Lee & Thornburg 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 25** and requests the concurrence of the House.

Representative Longhurst deferred to Representative Carson.

Representative Carson introduced and brought **SCR 25**, jointly sponsored by Senator Bushweller & Representatives Scott & Bennett & Senators Henry, Marshall, Sorenson, Blevins, Sokola, Peterson, Hall-Long, McBride, Ennis, Cook & Booth & Representatives Keeley, Kovach, B. Short, Mitchell, Schwartzkopf, Gilligan, Ramone, Schooley, Kowalko, Jaques, Walls, Wilson, Hocker, D. Short & cosponsored by Representatives Carey, Blakey, Cathcart & D.P. Williams, before the House for consideration.

**SCR 25** - WELCOMING DR. HARRY LEE WILLIAMS, 10TH PRESIDENT OF DELAWARE STATE UNIVERSITY, TO LEGISLATIVE HALL AND EXTENDING TO HIM BEST WISHES FOR SUCCESS IN HIS NEW OFFICE.

WHEREAS, Dr. Harry Lee Williams, assumed the duties of President of Delaware State University at Dover on the 10<sup>th</sup> Day of January, 2010; and

WHEREAS, Dr. Williams is the tenth person to hold the office of President of Delaware State University; and

WHEREAS, prior to his appointment as university president, Dr. Williams formerly served as DSU's Provost and Vice-President of Academic Affairs for 18 months; and

WHEREAS, during his tenure in those offices, DSU established a new General Education Program, a Distance Education Strategic Plan and a Middle States Monitoring Report Plan, and carried out under his leadership searches that led [sic] to the hiring of a number of high-ranking officials at the University; and

WHEREAS, before coming to DSU, Dr. Williams served as Interim Associate Vice-President for Academic Affairs at the University of North Carolina General Administration, later being elevated to the office of Interim Senior Associate Vice President for Academic and Student Affairs, in which he focused on access and outreach for the 17 campuses of the UNC system; and

WHEREAS, before joining UNC General Administration, Dr. Williams had served in administrative positions at Appalachian State University from 1988 to 2000 and from 2004 to 2007, serving as Interim Director of Admissions for North Carolina A & T University from 2000 to 2004; and

WHEREAS, Dr. Williams has worked over the years as a national marketing and recruitment associate consultant with a leading national consulting firm, during which he has provided consultation services to 14 different colleges and universities, including DSU; and

WHEREAS, Dr. Williams earned a Bachelor of Science degree in Communication Broadcasting and Master of Arts in Educational Media, both from Appalachian State University, and an Ed.D. in Educational Leadership and Policy Analysis from East Tennessee State University; and

WHEREAS, Dr. Williams was also a successful athlete during his undergraduate years, competing in track and cross country at Appalachian State University; and continues to stay in shape by running four miles each morning; and

WHEREAS, Dr. Williams is married to Dr. Robin S. Williams and is the father of two children, Austin, age 13, and Gavin, age eight;

NOW, THEREFORE:

BE IT RESOLVED by the Senate of the 145<sup>th</sup> General Assembly of the State of Delaware, the House of Representatives concurring therein, that the members of the Senate and House do hereby congratulate Dr. Harry Lee Williams upon his appointment as the 10<sup>th</sup> President of Delaware State University.

BE IT FURTHER RESOLVED that the members extend to Dr. Williams a warm welcome to Legislative Hall on this 19<sup>th</sup> Day of January, 2010, together with heartfelt best wishes for a long and successful tenure as DSU president.

BE IT FURTHER RESOLVED that a suitable copy of this resolution be presented to Dr. Williams upon its passage.

Representative Carson made comments.

**SCR 25** was adopted by voice vote and was returned to the Senate.

Representatives D.P. Williams & Cathcart made comments.

Representative Carson introduced guests.

Representative Carson requested and was granted privilege of the floor for Dr. Harry L. Williams, President, Delaware State University.

Mr. Speaker Gilligan & Representatives Carson, J. Johnson, Cathcart, Schooley, Blakey & Bennett & Mr. Speaker Gilligan & Representative Thornburg made comments.

Representative D.P. Williams requested that he be marked present.

Representative Longhurst deferred to Representative Hudson.

Representative Hudson brought **HB 3**, jointly sponsored by Senator Connor & Senator Cloutier, before the House for consideration.

**HB 3** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY.

Representative Hudson brought **HA 1 to HB 3** before the House for consideration. Representative Hudson made comments. **HA 1** was adopted by voice vote. Representatives Hudson, Jaques & Longhurst made comments.

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

YES: 36

NO: Representative Jaques - 1.

ABSENT: Representatives Carson, Miro, Oberle & Plant - 4.

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

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

Representative Longhurst deferred to Representative J. Johnson.

Representative J. Johnson introduced **HR 32**, jointly sponsored by Representative Brady & Representative Keeley & Representative D. Short & Representative D.P. Williams & Representatives Briggs King, Carey, Hocker, Lee & Longhurst.

**HR 32** - SUPPORTING THE DELAWARE RIVER MAIN CHANNEL DEEPENING PROJECT.

Mr. Speaker Gilligan assigned **HR 32** to the Natural Resources Committee.

Representative Longhurst deferred to Representative Kovach.

Representative Kovach introduced **HA 1 to HB 310**, jointly sponsored by Representative Lavelle. **HA 1** was placed with the bill.

Representative Kovach introduced **HA 2 to HB 310**. **HA 2** was placed with the bill.

Representative Longhurst deferred to Representative M. Marshall.

Representatives M. Marshall, B. Short, Mitchell, Keeley, Brady & Carson made announcements.

The Majority Whip 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 January 20, 2010.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Helene M. Keeley, do hereby request that my name be removed as co-sponsor of **HB 310**.

Date: 1/19/10

Signed: Helene M. Keeley  
August 28, 2009

LEGISLATIVE ADVISORY #27

Governor Jack A. Markell signed the following legislation on the date indicated: 8/18/09 - **SB 164**; 8/21/09 - **SB 160**; 8/24/09 - **HB 36, HB 38, HB 39 & HB 133**; 8/26/09 - **HB 135 aab HA 1 & SA 1**; 8/27/09 - **HB 139 aab HA 1 & HB 199 aab HA 2**.

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

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

**5th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session  
January 20, 2010**

The Chief Clerk called the roll.

Members Present: 35.

Members Absent: Representatives Atkins, Keeley, Lavelle, Plant, Viola &

D.E. Williams - 6.

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:

**HA 2 to HB 128** - J. JOHNSON - Placed with the Bill.

**HA 3 to HB 310** - HUDSON - Placed with the Bill.

**HA 4 to HB 310** - HUDSON - Placed with the Bill.

**HA 5 to HB 310** - HUDSON - Placed with the Bill.

The Reading Clerk read the following communication into the record:

**MEMORANDUM**

To: The Honorable Robert F. Gilligan  
Speaker of the House

From: Representative Gregory F. Lavelle

RE: Absent from Session

Date: January 20, 2010

Please be advised that I will not be in attendance for Session today, January 20, 2010, due to a personal and professional conflict.

Thank you for understanding.

Representative Schwartzkopf introduced & brought **HCR 22**, jointly sponsored by Senator DeLuca & Representatives Gilligan, Longhurst, Cathcart & D. Short & Senators Blevins, Henry, Simpson & Sorenson, before the House for consideration.

**HCR 22** - 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 a comment.

**HCR 22** was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short requested and was granted privilege of the floor to present a House Tribute to participants of the Jiangsu Province Advanced Public and Business Leadership Development Program. Representative Cathcart made comments. Through an interpreter, Lian Yuegin addressed the House. Mr. Speaker Gilligan made comments. Representatives Lee, Wilson, Kovach, Mitchell, M. Marshall, D.P. Williams, Carson, J. Johnson, Q. Johnson & Bennett requested that they be marked present. Representative Hudson requested & was granted personal privilege of the floor to make an announcement.

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

Mr. Speaker Gilligan called the House to order at 1:34 p.m. on January 21, 2010.

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

JUDICIARY: **HB 280** - 7M.

HOUSING & COMMUNITY AFFAIRS: **HB 308** - 7F.

HOUSE ADMINISTRATION: **SB 154** - 1F, 4M; **HB 300** - 1F, 4M.

HEALTH & HUMAN DEVELOPMENT: **HB 305** - 9F.

GAMING & PARIMUTUELS: **HB 310** - 1F, 7M, 2U.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HS 1 for HB 255** - 5M, 1U.

The Reading Clerk read the following communications into the record:

September 2, 2009

LEGISLATIVE ADVISORY # 28

Governor Jack A. Markell signed the following legislation on the date indicated: 9/1/09 - **HB 73 aab SA 1 & HB 228 aab HA 1 & HA 2**.

September 22, 2009

LEGISLATIVE ADVISORY # 29

Governor Jack A. Markell signed the following legislation on the date indicated: 9/4/09 - **HB 191**; 9/17/09 - **SB 104**; 9/21/09 - **SB 153 aab SA 1 & SA 2**.

October 6, 2009

LEGISLATIVE ADVISORY # 30

Governor Jack A. Markell signed the following legislation on the date indicated:

10/5/09 - **HB 232**; 10/6/09 - **HB 187**.

Representatives Viola, D.E. Williams & Atkins requested that they be marked present for the current Legislative Day.

The Majority Leader moved to adjourn at 1:37 p.m., thereby ending the current legislative day. The House reconvened at 1:38 p.m.

**6th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session  
January 21, 2010**

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Manolakos & Plant - 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.

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

The following prefiled legislation was introduced:

**HA 6 to HB 310** - MITCHELL & REPRESENTATIVE M. MARSHALL - Placed with the Bill.

**HA 7 to HB 310** - VIOLA - Placed with the Bill.

**SB 188** - DELUCA & REPRESENTATIVE SCHWARTZKOPF; SENATORS BLEVINS, HENRY, COOK, SORENSON, BUSHWELLER, ENNIS, KATZ; REPRESENTATIVES GILLIGAN, LONGHURST, CATHCART, D. SHORT - GAMING AND PARI-MUTUELS -An Act to Amend Titles 11 and 29 of the Delaware Code Relating to Crimes and Criminal Procedure and Underage Lottery Gaming.

Representative Lavelle requested to be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 188 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 140 w/SA 1 & HCR 22** and is returning the same to the House.

**MEMORANDUM**

To: The Honorable Robert F. Gilligan  
Speaker of the House

From: Representative Nick Manolakos

Re: Absence from Session

Date: January 21, 2010

Please be advised that I will be absent from Session today, January 21, 2010 due to personal reasons.

Thank you for understanding.

The Majority Leader moved to recess for the Joint Session at 1:42 p.m.

Mr. Speaker Gilligan called the House to order at 1:56 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 Matthew P. 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 House and the Senate meet in Joint Session at 2:03 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 the Chief Clerk of the House and the Secretary of the Senate act as Secretaries to 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. There was no objection. Mr. Speaker Gilligan appointed Representative Michael P. Mulrooney (Spokesperson), Representative George V. Carey, Senator Margaret Rose Henry and Senator Catherine L. Cloutier to form the escort committee.

Mr. Speaker Gilligan introduced guests.

Mr. Speaker Gilligan declared a temporary recess at 2:05 p.m. to await the arrival of the Governor. The Joint Session reconvened at 2:06 p.m.

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

Representative Mulrooney introduced Governor Jack A. Markell to the Joint Session.

Mr. Speaker Gilligan welcomed the Governor to the Joint Session.

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

Lt. Governor Denn, President Pro Tem DeLuca, Speaker Gilligan, members of the 145<sup>th</sup> General Assembly, other statewide elected officials, members of the Judiciary, members of the Cabinet, our State employees, my wife Carla and the people of Delaware:

When I last reported to you on the state of our State, we found ourselves in the depths of Delaware's most serious economic downturn since the Great Depression: An unemployment rate that had climbed dramatically. An \$800 million budget shortfall -- the worst in our State's history. Key industries closing their doors and families struggling to make ends meet.

We live in a time of anxiety, of tempest. "These are the times" -- Thomas Paine wrote during America's struggle for independence -- "that try men's souls." While Delaware has weathered more difficult challenges, this was and still is a time to try our souls. It is at these times when we must be at our best. America's independence was forged by our own Caesar Rodney's famous ride on a stormy night. And perhaps it is the storm that brings out the best in us as we work to restore Delaware's promise.

Navigating through any storm requires unwavering focus, clear purpose and bold action. During this storm, our focus is on creating more and better jobs and building a stronger economy for us all. To do that, Delaware must be the best state to start or grow a business. We will create an environment for new prosperity. We will encourage economic growth, demand a leaner, more efficient government and provide our children a world-class education so that they can work in first class jobs.

Businesses want to operate in states that prudently manage their fiscal affairs, in good times and bad. And last year, while several states faced similar challenges and missed their deadlines for balancing their budgets, Delaware delivered. And we did so by doing what we do best: working together with common purpose. And in balancing the budget, we preserved core government services, such as classroom teaching and health care for our most vulnerable citizens. We acted with responsibility and prudence, fully funding our pension obligations to state employees and appropriating only 98% of our revenues, while resisting the temptation to tap our rainy day fund to balance our budget.

While we maintained core services, we made cuts that came with pain and sacrifice. Non-profit organizations and local governments received less support. We called upon the corporate community and some of our fellow citizens to pay more. We demanded a fairer share of our revenues from racinos, and we required vendors, like Walgreens, to accept less for doing business with the State. And finally, all of our hard-working state employees endured a pay cut -- but they never stopped delivering critical services.

And over the last year, I visited thousands of our state employees at dozens of facilities. I spent time with dedicated operators who plow the snow in the middle of cold, dark nights. I met with unemployment specialists who stand for hours at a time, patiently serving neighbors in need. I talked with nurses who care with such dignity for our most vulnerable. I stood with teachers who reach into their own pockets to buy everything from socks to crackers for students who are without. These are just a few. The list goes on. And there is no greater testament to the call of duty and the ideal of public service than these workers. And I ask you to join me in extending our appreciation and thanks to the cafeteria workers, the social workers, the public safety officers, the teachers, the program analysts and call center operators, the office staff and field employees who make State government work in these trying times. To each of you - thank you.

In the end, we were rewarded for our handling of this financial crisis when three independent agencies awarded a AAA rating to our bonds. At a time when other states are being downgraded, this was no small achievement. Our prudent fiscal management saves taxpayers money through lower interest rates and makes us more competitive when we compete for jobs against states that do not manage their finances well.

For this, and so much more, I want to thank every member of the General Assembly, in particular the leadership of both chambers.

Last year we lost a true Delaware icon, Senator Thurman Adams, who for many years was a strong voice for fiscal responsibility. While we still miss him today, I want to make special mention of Senator Tony DeLuca who, with a heavy heart, ably stepped into the large shoes of Senator Adams and has shown great leadership in tough times.

Our work to make State government leaner and more accountable is not done. We must realize further efficiencies while preserving core functions.

We slashed our vehicle fleet since I took office, saving us over \$400,000 a year.

We are eliminating, without layoffs, more than 1,000 of the 15,000 positions in State government. To ensure effective operations with fewer State workers, I will propose the consolidation of a number of divisions, boards and commissions.

We are modernizing vendor payments to reduce by 100,000 the number of checks we print, and we are eliminating printing of other documents, including the budget books.

We are reducing the total amount of square footage used by government, and we are renegotiating real estate leases.

We successfully implemented a tax amnesty program that more than doubled our expectations.

And my budget will lay out dozens of other efficiency proposals, such as better leveraging our information technology operations, which will save millions over the next few years. These proposals will cut costs but still protect the most essential government functions.

And while next year's budget requires our immediate attention, we must not govern only for the short term. We are here to make our State better for generations to come. And many of the most important budget savings – the type that last – require action this year but will not produce significant savings for the next budget. To reduce the size of government in a thoughtful way, we will look past the next fiscal year.

For example, health care is one of our biggest financial commitments. Its rising cost creates a ticking time bomb in some unexpected ways. It is driving up our State prison health care costs, which were over \$42 million last year. Many inmates sentenced under the minimum mandatory provisions adopted in the 1980s are approaching their older years. The cost of their care is soaring. And if we do not act, we soon will need to operate nursing homes within our prisons. We must examine who we're holding in our prisons and whether we can provide a less expensive but safe alternative.

Our growing elderly population is also driving up our long-term care costs under Medicaid. We will promote the community-based care that most seniors prefer to nursing homes. And not only will this increase the satisfaction of the older Delawareans it affects, it will decrease taxpayer costs over the long term. Secretary Landgraf is moving forward to do just that.

The health care and pension benefits we provide our State employees and retirees also represent increasingly daunting financial commitments. Given last year's pay cut, I don't want current employees to have to pay more out of pocket for health care this year. But we must act now to reduce health care and pension costs by instituting a different set of benefits for future employees. Again, this will only apply to future hires, but it will save \$75 million over the next 5 years and it needs to be done.

We must also look at ways to reduce local government costs. And one way we can is by consolidating the county row offices of Register of Wills and Recorder of Deeds into State government. We have good people serving in these offices, but these separate offices are a reflection of a different era that we can no longer afford. These changes will require a constitutional amendment, so we may not be able to realize these savings this year. But we need to move forward now so that these savings can eventually be captured.

Finally, the rapid free-fall of revenues that we experienced last year suggests a level of volatility that we need to address. Accordingly, I am proposing a bi-partisan panel to make recommendations that I expect to be revenue neutral but which will provide a more stable foundation for our fiscal future and which will position our State for job growth.

In the end, we want our State government to provide core services and enhance our quality of life in a way that's affordable. That's what we are doing. By making government leaner and more efficient, we make our State a better place to create new and better jobs.

To restore Delaware's promise and prosperity, we will reshape the way we, as a State, do business, in order to make Delaware a state where it is fundamentally better for business. We want every business to feel the way the founder of a new company that recently located in Seaford felt when he said: "After doing business with Delaware, I don't see why anybody would do business anyplace else." That's why Director Alan Levin, other members of my cabinet, and I have visited scores of local businesses and each time we ask the simple question: "What can we do better?"

The lessons learned and the results of those visits are embedded in the actions we have taken and will take. In the end, Delaware will be known as more responsive, more nimble, and more focused on jobs than any other state.

That starts with fighting for every job that's already here. For example, AIG Insurance was recently sold to a company with no Delaware connection – Farmers Insurance. Farmers had plenty of places it could have moved the 800 jobs involved in processing auto claims, and we were worried. But we went to work, and when the company had to decide where to cut jobs and where to invest, it not only kept those Delawareans working: Farmers held a job fair here to hire more. The Chairman of Farmers told me that our responsiveness played an important role in that decision.

We in Delaware have a number of built-in advantages. We offer a fantastic location, an excellent workforce, great schools, a low cost of doing business, and a high quality of life. To keep it so, we must grow responsibly while preserving our great quality of life for future generations. That means thinking differently. And to that end, with the leadership of Representative Michael Mulrooney and Senator David McBride, we should adopt and implement a universal recycling program that will improve our environment and create jobs, while lessening the burden on retail businesses, as suggested last year by Representatives John Viola and Joe Miro, as well as Senator Margaret Rose Henry.

To restore our promise and prosperity, the State will lead by example when it comes to creating efficiencies, supporting jobs and being good stewards of our environment. Earlier this month, Senator Harris McDowell and I announced an initiative that will utilize the financing mechanisms created by the Sustainable Energy Utility. We will make State buildings more energy efficient for decades to come and create hundreds of good jobs in the process. The SEU will be our partner, covering the upfront costs. Delaware Tech has already begun training workers for these kinds of jobs. And we'll pay for this out of the savings we achieve from reducing our energy consumption.

The State must also lead by investing in our communities so that potential employers know their employees and their families will have safe and affordable places to live. To that end, I am recommending we provide bond bill funding for the Housing Development Fund, which will maximize federal dollars from Washington and create construction jobs here at home.

We certainly cannot rest on these Delaware advantages. To maximize job development, we'll take a fresh look at how we support and incentivize economic development. The LIFT Program that we created and funded last year has helped 37 small businesses that employ more than 400 people borrow more affordably and invest in jobs. Together, we also re-capitalized the Strategic Fund, so that we could quickly respond to opportunities to help businesses grow and attract new ones to our State.

This year, I am asking you to do so again and join me in creating the Jobs Incentive Fund, which will allow us to better direct our limited economic development resources to activities that will yield the best return for Delaware. And I want to recognize Senator Bob Marshall, who first created the Blue Collar Jobs tax credit program, and thank him for working with us to modernize these incentives.

We also recognize that existing Delaware businesses can be some of our best partners in luring new businesses and jobs to our State. That's why we plan to create a business "finder's fee" to incentivize existing local businesses to attract their suppliers, partners and customers to set up shop and create jobs in Delaware.

To restore Delaware's promise and prosperity, it isn't enough to provide greater incentives to create jobs. We will also remove impediments to job growth. We're cutting red tape and eliminating redundant and archaic regulatory hurdles because people cannot grow their businesses and create jobs when they are waiting in line. Last week, we announced a permitting reform initiative requiring DelDOT and DNREC to respond to permit applications within 60 days. Put simply, our responsibility is to facilitate the success of our businesses. These reforms will do just that, while still protecting our great quality of life. And I want to thank Representatives Bryon Short and Dan Short for their leadership in this area.

All of these efforts are critically important. But to get people back to work, I firmly believe that Delaware needs to start making things again. It was this belief that inspired our response to the closing of the Chrysler and General Motors plants.

Thanks to all of you and our hard-working congressional delegation, Delaware is one of the few states whose former auto sites have found new futures. In fact, Boxwood Road will likely become the first shuttered GM plant ever to reopen and create jobs to make new cars. Fisker Automotive chose to move here despite intense efforts by much larger states. And when asked why, Fisker's CEO explained that we were able to bring together critical decision-makers across the State faster than he could get his family of four together for dinner. He also pointed to our first-class workforce. And I want to recognize Joe Riccio and Dave Myers for their incredible leadership on the part of the United Auto Workers. And let me say this, Dave and Joe -- we did not give up on you and your colleagues, and we will not give up on the workers at Valero either.

Fisker's decision to locate in Delaware will only be a success when the cars produced here get sold in showrooms across the world. Fisker has announced an extensive dealer network and their business plan calls for them to export half the cars produced here. One of the most attractive aspects of Delaware was our easy access to, and high-quality workforce at, the Port of Wilmington. Businesses like Fisker need to efficiently get products to the market. That's why I am recommending \$10 million in bond bill funding for the Port of Wilmington and that we move forward with the Northeast Corridor Rail project and the Route 301 bypass project -- all important infrastructure projects that will make Delaware more competitive.

Now, to restore Delaware's promise and prosperity, we should not only build, assemble and distribute the next generation of cars in Delaware. We should invent and manufacture the technology for the cars -- as well as the technology for other industries of tomorrow. We have a proud legacy of technology innovation that we will build on. Together, we will create a Delaware where entrepreneurs and inventors imagine the new products and services that make life better, more productive and more enjoyable for millions, and workers make good livings delivering these wonders to the world.

That's why I am supporting in this year's bond bill plans to provide a center for high-tech laboratories, health sciences, alternative energy research and development, and other emerging industries at the old Chrysler site. Businesses want to locate where the best and brightest of our youth come to learn. Whether it be the alternative energy inventions of tomorrow that will spring from the University of Delaware, the optics research being advanced at Delaware State University, or the thousands of future workers who will garner their skills at Delaware Tech, we must entice businesses and jobs today with the promise of a better tomorrow.

That promise will be hollow, however, if our children cannot access a world-class education to compete for these higher education opportunities and jobs of the future. Let's be clear: Providing a world-class education is not only our moral obligation -- our State's economic future depends on it. Every state is competing for the businesses that seek the best and the brightest of our youth. So we must build on the foundations of success our hard-working teachers and administrators have already established.

To guarantee every child in Delaware access to a world-class education, my Secretary of Education, Lillian Lowery, and I launched an exhaustive quest for the best ideas and recommendations. We have visited dozens of schools and talked with thousands of students. We met with hundreds of teachers, union

representatives, administrators, school board members, parents and business leaders. We asked everyone to abide by one guiding principle: Let's make this about the children, not the adults. For my part, I speak on this issue not only as a governor, but as a father. When it comes to decisions about education, our kids deserve our total focus and commitment. That is exactly what they are getting.

The result: A new framework for education reform that is both bold in its quest for improvement and deep in its support throughout our State. Our engaged business community seeks improved student readiness. And with these reforms, their objectives will be achieved. The teachers of our State seek the tools and support necessary to get the job done. We have submitted a federal Race to the Top application this week that could help to do just that. The application has the support of all of our stakeholders, including 100% of our local education associations. I would like to ask Diane Donohue, President of the Delaware State Education Association, to stand and accept our appreciation, on behalf of all of your colleagues, for your commitment to our children and for your courageous leadership. Diane.

The foundation for the future of education goes well beyond the hope of federal assistance embodied in our Race to the Top application. It is built upon four cornerstones that stand on their own:

- Improving student readiness by holding them to high standards.
- Effectively using student data to drive classroom results.
- Ensuring teacher quality.
- And turning around persistently low-performing schools.

When I graduated from Newark High School, my classmates and I competed for college entrance or jobs with our peers in Delaware and surrounding states. Today, our graduates are competing with students from Pennsylvania to Pretoria and from Maryland to Mumbai. To better compete in today's global economy, we must adopt high standards that stack up against the rest of the world. Restoring Delaware's promise depends on it.

But it's not enough to set high standards. Our students have to meet them. And to do so, Delaware will use its rich data system and new assessment to support decision-making in the classroom. Good use of the data will make teachers and schools more effective. Parents and students will be able to use this information to demand that schools deliver.

However, great data and great standards mean little without great teachers. They are the foundation of student success. We have so many terrific teachers and other school personnel here in Delaware, but we must improve the way we support and prepare them. And to that end, we will work with our institutions of higher education to establish teacher residency programs. We will develop a pipeline for strong principals by establishing leadership preparation programs. And we must better compensate teachers who produce results in our most challenging schools.

With these new investments, and an evaluation system that uses hard data to link teacher evaluations to student growth, come new expectations and new accountability. We're requiring that new teachers show appropriate levels of student growth before receiving tenure. And in addition, we have adopted a robust evaluation system under which teachers whose students do not show satisfactory levels of growth cannot be rated "effective." And teachers whose students do show satisfactory levels of growth cannot be rated "ineffective." We will also improve teacher preparation programs by linking teacher performance to the schools from which they graduated.

And finally, we need these great teachers, robust data and high standards to help schools that have not measured up to their potential. Too many students are in schools that are not making acceptable educational progress over a period of years. We do these kids a disservice and we've got to fix it. And when we allow schools to drop the ball -- it means we are letting kids drop out of the American dream. We will support schools that are struggling. And we will intervene when they continue to fail.

We have tremendous strengths to build on. Governors and legislators of both parties have demonstrated their commitment to our students' success and Secretary Lowery has the determination and aptitude to build on that legacy. She's got a teacher's heart, so she will not let her focus stray from the interests of our children.

But having world class schools does not alone ensure that our children will get a world-class education. For that, we need an increase in parent's engagement with their children's education. And we need children to take full advantage of the opportunities presented.

Just as we need parents to help educate their children, businesses can partner with us to train workers and create new jobs. And as State government streamlines its operations, others will need to carry some of the load. Government cannot be all things to all people. Our commitment to protect those who cannot protect themselves is unwavering. Our commitment to educating our children is unshakable. And our commitment to creating jobs is unmistakable. But, to be clear, government alone cannot change the world -- only people can.

That's why we envision a Delaware where every one of us, to the best of our abilities, contributes to bettering the lives of those around us. Two of the people who live that spirit of service are with us today. Senior Airman Benjamin Fileti, who recently returned from Afghanistan, and Sergeant First Class Christopher Lazar, who served in Iraq, are here to represent the more than 2,500 men and women of the Delaware National Guard. Airman, Sergeant - you and your colleagues embody the best of Delaware and we salute you.



This spirit of service, particularly volunteering on a local level, is a passion for our State's First Lady, my wife Carla. Therefore – as any of you who are married will understand – it is a particular interest of mine.

Last spring, our Department of Services for Children, Youth and their Families decided to create a small school for the youth in their care, on their campus. While we had a building that could be used for that purpose, the building did not have a library. And Carla, with members of my cabinet, worked with a construction company that agreed to donate all of the materials and the labor to build the library. And she worked with parents and students at Tower Hill School to organize a book drive to begin a collection. Those kids in the care of the State will be exposed to a wider world of literacy thanks to the selfless dedication of this combination of Delaware business and citizens. And that kind of selflessness gets repeated across this State every day. Carla this morning announced the launch of a new, interactive website called "We Connect Delaware," which will link those in need to some of the opportunities and supports that our State and our generous citizens have to offer. And for that generosity, Carla and I could not be more grateful.

And that brings me back to what is really important, the common obligation and commitment that bring all of us in this chamber together. It is this common obligation that brought Representative Bill Oberle here 34 years ago, and brought George Carey and Pam Thornburg here years later. We thank each of them for their commitment to our State, and we wish them well in all they do next.

This common obligation is what inspires Speaker Bob Gilligan to be a leader in his 38<sup>th</sup> year of service. It is what keeps us all forging forward. But making real our vision to restore Delaware's promise and prosperity depends upon the willingness and ability of all Delawareans to work together for a brighter future.

We got through a difficult year together. Because we will keep our commitments to our State and to each other, then someday, when we are long past these turbulent times, future generations will look back at the first years of this decade with wonder. They will say that despite enormous struggles against a record-setting recession and unprecedented budget deficits, we joined together to set the State on a better course. They will know that we restored our State's prosperity and renewed our promise of more accountable government, of world-class industries, of responsible economic growth, of a sustainable quality of life, of a well-educated citizenry, and of a society of opportunity for all. We will meet these challenges together, because we will seize this chance today and do what is best for our children's tomorrows. And those future generations will look back and say, this was the beginning of Delaware's finest hour.

Mr. Speaker Gilligan thanked the Governor and requested that the duly appointed committee reassemble to escort him back to his Executive Office.

Representative Schwartzkopf 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 had compared their respective Journals and found them to agree.

Representative Schwartzkopf moved that the Joint Session be adjourned at 2:46 p.m. and that the two Houses separate to reconvene in their respective Chambers. There was no objection.

The Majority Leader moved to recess for caucus at 2:46 p.m.

The House reconvened at 4:45 p.m.

Representative Scott requested that he be marked present.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 305**, jointly sponsored Representative Viola & Senator Henry & Representatives Brady, Jaques, Q. Johnson, Kovach, Kowalko, Longhurst, Manolakos, Schooley & Walls, before the House for consideration.

**HB 305 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO TRANSPORTATION OF STATE EMPLOYEES.**

Representative Barbieri made comments.

The roll call on **HB 305** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & Plant - 2.

Therefore, having received a constitutional majority, **HB 305** was sent to the Senate for concurrence.

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

Representative Schwartzkopf brought **HB 310**, jointly sponsored by Representative Viola & Senator DeLuca & Representatives Gilligan, Q. Johnson, Mulrooney, Carson, J. Johnson, Barbieri, Kowalko, Scott, Longhurst, Brady, Mitchell, Cathcart, D. Short, Kovach, Hudson, Ramone & D.P. Williams & Senators Blevins, Henry, Cook, Bushweller, Hall-Long & Ennis, before the House for consideration.

**HB 310 - AN ACT TO AMEND TITLES 3, 11 AND 29 OF THE DELAWARE CODE RELATING TO THE OPERATION OF TABLE GAMES BY THE DELAWARE LOTTERY, THE CREATION OF A DIVISION OF GAMING ENFORCEMENT WITHIN THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY, LICENSING OF VIDEO LOTTERY AGENT PERSONNEL AND LOTTERY AND AGENT VENDORS, PROHIBITION ON GAMING BY CERTAIN PERSONS, THE CREATION OF A LOTTERY COMMISSION, AND THE NUMBER OF HARNESS RACING DAYS. (3/5 bill)**

Representatives Oberle, Bennett, Outten, Wilson & Thornburg announced that they will not be participating in the debate nor voting on **HB 310** because of a possible conflict of interest.

Representative Kovach brought **HA 1 to HB 310**, jointly sponsored by Representative Lavelle, before the House for consideration. Representative Kovach introduced and brought **HA 1 to HA 1 to HB 310** before the House for consideration. Representative Kovach made comments. **HA 1 to HA 1** was adopted by voice vote. Representatives Kovach & Keeley made comments. Representative Keeley requested and was granted privilege of the floor for Michael Barlow, Governor's Counsel. Representatives Keeley, Schwartzkopf, Carson, J. Johnson, Kovach, Keeley, Kovach, J. Johnson, B. Short, Schwartzkopf, Kowalko, Kovach & Blakey made comments.

The roll call on **HA 1 w/HA 1 to HA 1 to HB 310** was taken and revealed:

YES: Representatives Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Ramone & D. Short - 8.

NO: 23.

NOT VOTING: Representatives Bennett, Blakey, Carey, Miro, Oberle, Outten, Thornburg & Wilson - 8.

ABSENT: Representatives Manolakos & Plant - 2.

Therefore, not having received a constitutional majority, **HA 1 w/HA1 to HA 1 to HB 310** was declared defeated. Representative Schwartzkopf made comments.

Representative Kovach brought **HA 2 to HB 310** before the House for consideration. Representatives Kovach & Schwartzkopf made comments. **HA 2** was adopted by voice vote. Representative Hudson brought **HA 3 to HB 310** before the House for consideration. Representative Hudson requested that **HA 3 to HB 310** be stricken.

Representative Hudson brought **HA 4 to HB 310** before the House for consideration. Representatives Hudson, Cathcart, Schwartzkopf, Hudson, Miro, D.P. Williams & B. Short made comments.

The roll call on **HA 4 to HB 310** was taken and revealed:

YES: Representatives Briggs King, Hocker, Hudson, Kovach & Lavelle - 5.

NO: 29.

NOT VOTING: Representatives Bennett, Oberle, Outten, Thornburg & Wilson - 5.

ABSENT: Representatives Manolakos & Plant - 2.

Therefore, not having received a constitutional majority, **HA 4 to HB 310** was declared defeated. Representative Hudson brought **HA 5 to HB 310** before the House for consideration. Representatives Hudson & Schwartzkopf made comments. **HA 5** was adopted by voice vote. Representative Mitchell brought **HA 6 to HB 310**, jointly sponsored by Representative M. Marshall, before the House for consideration. Representative Mitchell made comments. **HA 6** was adopted by voice vote. Representative Viola brought **HA 7 to HB 310** before the House for consideration. Representative Viola made comments. **HA 7** was adopted by voice vote. Representative Kovach introduced and brought **HA 8 to HB 310** before the House for consideration. Representatives Kovach, Keeley, Schwartzkopf, J. Johnson, Carson & B. Short made comments.

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

Representative Lavelle introduced and brought **HA 9 to HB 310** before the House for consideration. Representatives Lavelle & Schwartzkopf made comments.

The roll call on **HA 9 to HB 310** was taken and revealed:

YES: Representatives Hudson, Kovach, Lavelle & D. Short - 4.

NO: 29.

NOT VOTING: Representatives Bennett, Cathcart, Oberle, Outten, Thornburg & Wilson - 6.

ABSENT: Representatives Manolakos & Plant - 2.

Therefore, not having received a constitutional majority, **HA 9 to HB 310** was declared defeated. Representative Lavelle introduced and brought **HA 10 to HB 310** before the House for consideration. Representatives Lavelle & Schwartzkopf made comments. **HA 10** was adopted by voice vote.

Representative Schwartzkopf introduced and brought **HA 11 to HB 310** before the House for consideration. Representatives Schwartzkopf & Lavelle made comments. **HA 11** was adopted by voice vote. Representative Schwartzkopf made comments. Representative Briggs King requested and was granted privilege of the floor for Michael Barlow, Governor's Counsel. Representatives Briggs King & Hudson made comments. Representative Hudson requested and was granted privilege of the floor for Thomas J. Cook, Acting Secretary of Finance. Representatives Hudson & Kovach made comments.

The roll call on **HB 310 w/HA 2, 5, 6, 7, 8, 10 & 11** was taken and revealed:

YES: 27.

NO: Representatives Atkins, Briggs King, Hocker, Lavelle & Lee - 5.

NOT VOTING: Representatives Bennett, Jaques, Oberle, Outten, Thornburg & Wilson - 6.

ABSENT: Representatives Carey, Manolakos & Plant - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 310 w/HA 2, 5, 6, 7, 8, 10 & 11** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced **HB 311**, jointly sponsored by Senator Ennis & Representatives Atkins, Carson, Q. Johnson, Kowalko, Schwartzkopf & Walls & Senator Bunting.

**HB 311** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES.

Mr. Speaker Gilligan assigned **HB 311** to the Manufactured Housing Committee.

Representative Longhurst introduced **HB 312**, jointly sponsored by Senator Ennis & Representatives Atkins, Carson, Q. Johnson, Kowalko, Schwartzkopf & Walls & Senator Bunting.

**HB 312** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES.

Mr. Speaker Gilligan assigned **HB 312** to the Manufactured Housing Committee.

Representative Longhurst introduced **HB 313** jointly sponsored by Senator Ennis & Representatives Atkins, Carson, Q. Johnson, Kowalko, Schwartzkopf & Walls & Senator Bunting.

**HB 313** - AN ACT TO AMEND TITLES 25 AND 29 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES AND CONSUMER PROTECTION ADVISORY COUNCILS.

Mr. Speaker Gilligan assigned **HB 313** to the Manufactured Housing Committee.

Representative Carson introduced **HJR 8** jointly sponsored by Representative Bennett & Senator Ennis & Representatives Cathcart, Hudson, Q. Johnson, Mitchell, Scott, Viola & Walls & Senator Simpson.

**HJR 8** - CREATING A TASK FORCE TO IMPLEMENT AND REVIEW A PILOT PROGRAM ALLOWING VEHICLE INSPECTIONS TO BE PERFORMED BY DELAWARE NEW FRANCHISE AUTOMOBILE AND TRUCK DEALERSHIPS.

Mr. Speaker Gilligan assigned **HJR 8** to the Transportation/Land Use and Infrastructure Committee.

Representative M. Marshall requested that **HB 292** be stricken

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

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 26, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 189** and requests the concurrence of the House and the Senate has passed **HB 218**, **HB 297 w/HA 1** & **HB 258 w/ HA 1 & 2** 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.

#### **7th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session January 26, 2010**

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Cathcart & Plant - 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 309** - D. SHORT & SENATOR VENABLES - HOUSE ADMINISTRATION - An Act to Amend Volume 43, Chapter 184 of the Laws of Delaware, as Amended, Entitled "An Act Changing the Name of the Town of Seaford to the City of Seaford and Establishing a Charter Therefore" Relating to the Assessment of Taxes. (2/3 bill)

**SB 189** - MCDOWELL & REPRESENTATIVE LONGHURST & REPRESENTATIVE THORNBURG; SENATOR KATZ; REPRESENTATIVES BRADY, KOWALKO, KOVACH, B. SHORT, D.E. WILLIAMS, Q. JOHNSON, BARBIERI, CARSON - ENERGY - An Act to Amend Chapters 69 and 80 Title 29 of the Delaware Code Relating to the Energy Performance Contracting Act and the Delaware Energy Act, Respectively.

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

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

Representatives Manolakos, Carson, Kovach & Hudson requested that they be marked present.

The Reading Clerk read the following communications into the record:

#### **MEMORANDUM**

TO: Speaker Robert Gilligan  
FROM: Representative Richard C. Cathcart  
DATE: January 26, 2010  
SUBJECT: Absence from Session

Please be advised I will be absent from session on Tuesday, January 26, 2010 due to illness.

Representative Longhurst requested that **HB 261**, **HB 265** & **HB 266** be stricken.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst requested and was granted privilege of the floor for herself and Representative Jaques. Representative Longhurst introduced the Caravel Academy Boys State Soccer Championship team. Representative Longhurst presented House Certificates to five All-State Soccer Team members. Representative Jaques presented a House Tribute to Coach Thomas Wiley and the team. Coach Wiley addressed the House. Representative Longhurst made comments.

Representative Ramone & Mr. Speaker Gilligan made comments. The team members announced their names for the record. Representative Longhurst made a comment. Coach Wiley introduced their bus driver. Mr. Speaker Gilligan made a comment.

Representative Barbieri requested that **HB 234** be stricken.

Representative Schwartzkopf deferred to Representative Ramone.

Representative Ramone requested and was granted privilege of the floor for himself and Representative Kowalko to introduce members of the Rumi Forum chapter at the University of Delaware. Emre Celik, President, addressed the House. Representative Ramone made comments. Members of the University of Delaware Chapter announced their names for the record.

Representatives Kowalko & Manolakos made comments.

Representatives Miro, Atkins & Q. Johnson requested that they be marked present.

Representative B Short introduced **HB 314**, jointly sponsored by Senator Blevins & Representative Bennett & Senators Henry & Sokola & cosponsored by Senators Cloutier & Ennis.

**HB 314 - AN ACT TO AMEND TITLE 18 RELATING TO CAPTIVE INSURANCE COMPANIES.**

Mr. Speaker Gilligan assigned **HB 314** to the Economic Development, Banking, Insurance & Commerce Committee.

Representative B. Short & Mr. Speaker Gilligan made announcements.

The Majority Leader moved to recess for caucus at 2:31 p.m.

The House reconvened at 4:21 p.m.

Representatives Viola & Carey requested that they be marked present.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 300**, jointly sponsored by Representative Scott & Senator Sokola & Senator Bonini & Senator Bushweller & Senator Peterson & Representatives Brady, Carson, Cathcart, Hocker, Hudson, Jaques, Q. Johnson, Kovach, Kowalko, Lavelle, Longhurst, Manolakos, Miro, Mitchell, Oberle, Ramone, Schwartzkopf, D. Short, Walls & D.E. Williams & Senators Booth, Cloutier, Connor, McBride & Sorenson & cosponsored by Representatives B. Short & Schooley, before the House for consideration.

**HB 300 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT.**

Representative Bennett made comments.

Representative Lavelle requested that he be marked present. Representatives Lavelle & Bennett made comments.

The roll call on **HB 300** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Plant - 2.

Therefore, having received a constitutional majority, **HB 300** was sent to the Senate for concurrence.

Representatives Keeley, Mulrooney, Oberle, Schooley & D.P. Williams requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **HB 308**, jointly sponsored by Senator Hall-Long & cosponsored by Representatives Ramone & B. Short, before the House for consideration.

**HB 308 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CODE ENFORCEMENT CONSTABLES.**

Representative Brady made comments.

The roll call on **HB 308** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Plant - 2.

Therefore, having received a constitutional majority, **HB 308** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short made comments.

Representative B. Short brought **HB 140 w/SA 1**, jointly sponsored by Representative D. Short & Senator Sokola & Representatives Hudson, Kowalko, M. Marshall, Mitchell & Oberle & Senators Blevins, Ennis & Venables, before the House for concurrence on **SA 1**.

**HB 140 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE CANCELLATION OR NONRENEWAL OF AN AUTOMOBILE INSURANCE POLICY.**

Representative B. Short made comments.

The roll call on **HB 140 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Plant - 2.

Therefore, having received a constitutional majority, **HB 140 w/SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri introduced and brought **HR 33** before the House for consideration.

**HR 33** - REQUESTING THE DEPARTMENT OF EDUCATION BEGIN DEVELOPMENT OF STANDARDIZED STUDENT CODE OF CONDUCT POLICIES FOR ALL OF DELAWARE'S PUBLIC SCHOOL DISTRICTS.

Representatives Barbieri, Manolakos, Miro, Barbieri, D.P. Williams, Scott, Manolakos & Kovach made comments.

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

Representative Schwartzkopf deferred to Representative Keeley.

The House observed a moment of silence in memory of John Hyde at the request of Representative Keeley.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri introduced and brought **HCR 23**, jointly sponsored by Representative Hudson on behalf of all Representatives & Senator Blevins & Senator Sorenson on behalf of all Senators, before the House for consideration.

**HCR 23** - DESIGNATING THE MONTH OF FEBRUARY, 2010, AS "DELAWARE'S TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH".

Representatives Barbieri, Hudson & Oberle made comments.

**HCR 23** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady introduced **HA 3 to HB 194**, jointly sponsored by Representative D.P. Williams & Representatives Hudson, J. Johnson, Kovach, Miro, Plant & B. Short.

**HA 3** was placed with the Bill.

Representative Lee made comments.

Representative Lee introduced **HA 1 to HA 2 to HB 194**.

**HA 1 to HA 2** was placed with the amendment.

Representative Schwartzkopf deferred to Representative M. Marshall.

Representatives M. Marshall, Kowalko & Walls & Mr. Speaker Gilligan made announcements.

Representative Carson made an announcement.

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 27, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 81 w/SA 5** and requests the concurrence of the House and the Senate has passed **HB 249, HB 227, HB 282 & HB 244 w/HA 1** and is returning the same to the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Gregory F. Lavelle, do hereby request that my name be removed as co-sponsor of **HA 3 to HB 194**.

Date: 1/26/2010

Signed: Gregory F. Lavelle

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.

### **8th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session January 27, 2010**

The Chief Clerk called the roll.

Members Present: 37.

Members Absent: Representatives Atkins, Cathcart, Oberle & Plant - 4.

A prayer was offered by Representative Dennis 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 296** - B. SHORT & SENATOR HENRY; REPRESENTATIVE WILSON; SENATORS CLOUTIER, ENNIS, BUSHWELLER - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 12 of the Delaware Code Relating to Decedents' Estates.

**HB 315** - KEELEY & REPRESENTATIVE JAQUES & SENATOR ENNIS; REPRESENTATIVES SCHOOLEY, MITCHELL; SENATORS PETERSON, SOKOLA - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Driving a Vehicle While Under the Influence.

**SB 81 w/SA 5** - SOKOLA & REPRESENTATIVE KOWALKO; SENATORS HALL-LONG, HENRY; REPRESENTATIVES HUDSON, LONGHURST, SCHOOLEY - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/

COMMERCE - An Act to Amend Title 16 of the Delaware Code Requiring Restaurants to Display Nutrition Information for Food and Beverage Items Offered for Sale.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: Speaker Robert Gilligan  
FROM: Representative Richard C. Cathcart  
DATE: January 27, 2010  
SUBJECT: Absence from Session

Please be advised I will be absent from session on Wednesday, January 27, 2010 due to illness.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative B. Short requested that he be marked present.

Representative Barbieri requested and was granted privilege of the floor to present a House Tribute to Janet Leban, Executive Director, Delaware Center for Justice, who addressed the House.

Representative Schwartzkopf deferred to Representative Lee.

Representative Lee introduced and brought **HR 36**, jointly sponsored by Representative Gilligan & Representative Cathcart & Representative Longhurst & Representative Schwartzkopf & Representative D. Short on behalf of all Representatives, before the House for consideration.

**HR 36 - HONORING JUDGE EDWARD G. DAVIS OF THE JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE AS HE RETIRES AFTER THIRTY-SIX YEARS OF DISTINGUISHED SERVICE.**

WHEREAS, Edward G. Davis was named Justice of the Peace for Sussex County by Governor Sherman W. Tribbitt in 1974 at the age of 35; and

WHEREAS, he was reappointed for seven additional terms by five governors, both Democratic and Republican, and served 36 years accomplishing decades of distinguished service; and

WHEREAS, he pursued court efficiency, incremental improvement of the judicial system, enhanced delivery of justice to the citizens of the State of Delaware and fairness to all; and

WHEREAS, he foresaw the need to work cooperatively with the General Assembly to create opportunities for improvement in the understanding between the Judicial and Legislative branches of government; and

WHEREAS, he was appointed by the Chief Justice of the Supreme Court to serve as legislative liaison between the Judiciary and the Legislature; and

WHEREAS, that cooperation has grown and produced great rewards for the citizenry of the state; and

WHEREAS, those rewards include changes in the Justice of the Peace Civil Rules and Criminal Rules; and

WHEREAS, his ideas for improvement of Chapters 93 and 95 of Title 10 and Chapter 59 of Title 11 have greatly improved the operation of the Justice of the Peace Court; and

WHEREAS, his thoughtful discourse helped shape the Landlord Tenant Code to set forth the rights, responsibilities and remedies of all parties; and

WHEREAS, he was instrumental in the creation of such court efficiencies as Probation Before Judgment and uniformity in the motor vehicle and criminal codes; and

WHEREAS, he has always served the best interests of the people of the State of Delaware through the improvement of our laws;

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware that the members do hereby honor Edward G. Davis for his extraordinary contributions toward fairness of the judicial system and the streamlining of procedures to make the courts more accessible to the citizens of the State of Delaware.

BE IT FURTHER RESOLVED that the members do hereby extend to Judge Davis the thanks of all Delawareans for his contributions, his dedication and his distinguished service to the State of Delaware.

BE IT FURTHER RESOLVED that the members do extend to Judge Davis heartfelt wishes for a happy and fulfilling retirement and direct that an appropriate copy of this resolution be presented to him.

**HR 36** was adopted by voice vote.

Representatives Lee, Schwartzkopf & M. Marshall made comments. Judge Edward G. Davis addressed the House. Representative Kowalko made comments. Mr. Speaker Gilligan introduced a guest. Representative Hocker made comments. Representative Schwartzkopf deferred to Representative M. Marshall. Representative M. Marshall made an announcement. Representatives Miro & D.P. Williams requested that they 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 2:02 p.m. on January 28, 2010.

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

JUDICIARY: **HB 304** - 4F, 4M.

TRANSPORTATION/LAND USE & INFRASTRUCTURE: **HJR 8** - 3F, 1M.

HEALTH & HUMAN DEVELOPMENT: **SB 172** - 7F, 1M.

GAMING & PARIMUTUELS: **SB 188 W/SA 1** - 4F, 4M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 281** - 1F, 6M; **HB 299** - 2F, 5M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE: **HB 314** - 6F, 1M.

ENERGY: **SB 189** - 9F.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 182** and requests the concurrence of the House and the Senate has passed **HB 305** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SS 1 for SB 202** and requests the concurrence of the House. The Senate has passed **SCR 26** and requests the concurrence of the House and the Senate has passed **HCR 23** and is returning the same to the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Melanie Marshall, do hereby request that my name be removed as co-sponsor of **HB 285**.

Date: 1/27/2010

Signed: Melanie Marshall

Representatives Oberle & Atkins 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.

### **9th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session January 28, 2010**

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Plant - 1.

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

Brigadier General Scott Chambers and officers and senior enlisted men of the 261st Signal Brigade of the Delaware National Guard led those present in the pledge of allegiance to the American Flag.

The House observed a moment of silence in memory of Donald E. White, Jr. at the request of Representative D. Short.

The following prefiled legislation was introduced:

**HB 316** - KOWALKO & SENATOR ENNIS; REPRESENTATIVES JAQUES, SCOTT, D.P. WILLIAMS; SENATORS CLOUTIER, CONNOR, HENRY, SORENSON - NATURAL RESOURCES - An Act to Amend Title 29 of the Delaware Code Relating to the Designation of a State Wildlife Animal.

**HB 317** - B. SHORT & SENATOR KATZ; REPRESENTATIVES BRADY, CAREY, CARSON, Q. JOHNSON, KOWALKO, LAVELLE, MIRO, MITCHELL, OBERLE, SCHOOLEY, VIOLA - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to Home Solicitation and Door to Door Sales.

**HB 318** - HUDSON & SENATOR SORENSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 2 of the Delaware Code Relating to Public Carriers.

**HB 320** - CATHCART & SENATOR ENNIS; REPRESENTATIVES CARSON, JAQUES, Q. JOHNSON, MITCHELL, D. SHORT, CAREY, KOVACH, OBERLE; SENATOR HALL-LONG - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code Relating to Titles and Conveyances.

**HB 321** - CATHCART & SENATOR ENNIS; REPRESENTATIVES CARSON, JAQUES, Q. JOHNSON, MITCHELL, D. SHORT, CAREY, OBERLE; SENATOR HALL-LONG - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code Relating to Titles and Conveyances.

**SB 182** - HALL-LONG & REPRESENTATIVE JAQUES; SENATORS BUSHWELLER, CLOUTIER; REPRESENTATIVE WALLS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Nursing.

Representatives Mulrooney, D.E. Williams & D.P. Williams requested that they be marked present. Representative D. Short requested and was granted personal privilege of the floor to introduce guests. Representative Lee requested and was granted personal privilege of the floor to introduce guests. Representatives Walls, Hudson, Miro, Keeley & Outten requested that they be marked present.

Representative Keeley introduced **HB 325**, jointly sponsored by Representative Gilligan & Senator DeLuca & Representative Schwartzkopf & Representative Longhurst & Senator Blevins & Senator Henry & Senator Venables.

**HB 325** - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2011; 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. (3/4 bill)

Mr. Speaker Gilligan assigned **HB 325** to the Capital Infrastructure Committee.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson requested privilege of the floor for himself and Representative Cathcart to present a House Tribute to Brigadier General Scott Chambers of the 261st Signal Brigade who addressed the House. Representative Brady, Mr. Speaker Gilligan & Representative Jaques made comments.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott requested privilege of the floor to present a House Tribute to Kelly Duffy, Coach of the Delaware Technical & Community College Terry Campus Lady Hawks Volleyball Team, Regional Champions. Representatives Schwartzkopf & Cathcart made comments. Coach Duffy addressed the House and announced the names of her players, home states and positions for the record.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko introduced and brought **SCR 26**, jointly sponsored by Senator McBride & Representative Gilligan, before the House for consideration.

**SCR 26** - COMMENDING THE DELAWARE STATE DENTAL SOCIETY ON THE ACHIEVEMENTS OF ITS SIXTH ANNUAL GIVE KIDS A SMILE PROGRAM, AND RECOGNIZE ITS CONTINUING EFFORTS.

WHEREAS, on February 5, 2010 the Delaware State Dental Society (DSDS) will hold its seventy [sic] annual Give Kids a Smile Program; and

WHEREAS, this Give Kids a Smile Program was considered a rousing success by its organizers, having served over 103 children in Delaware and involving over 144 volunteers and 9 organizations in 2009; and

WHEREAS, 40 Dentists, 37 hygienists, 19 technicians, and 48 auxiliary staff volunteered in 2009; and

WHEREAS, through the Give Kids a Smile Program, the DSDS was able to provide \$35,090.00 in free dentistry services to Delaware's kids in 2009; and

WHEREAS, Patterson Dental has donated \$9,800 in equipment and supplies; and

WHEREAS, the DSDS has plans to build on last year's success by adding more sites in the future, modifying its volunteer schedule, and hosting an after event for the Program's participants; and

WHEREAS, it is the purpose and intent of the Senate in adopting this resolution to support the DSDS in its effort to help Delaware's children;

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 145<sup>th</sup> General Assembly of the State of Delaware, the House of Representatives concurring therein, that the Delaware State Dental Society is commended for the achievements of its Sixth Annual Give Kids a Smile Program and the Senate and House of Representatives wish them continuing success in their Seventh Annual Program scheduled for February 5, 2010.

BE IT FURTHER RESOLVED that a suitable copy of this Resolution be prepared and presented to the Delaware State Dental Society upon its passage.

Representative Kowalko made comments.

**SCR 26** was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson introduced and brought **HR 34**, sponsored on behalf of all Representatives, before the House for consideration.

**HR 34** - CONGRATULATING THE GIRL SCOUTS OF THE CHESAPEAKE BAY COUNCIL'S SCIENCE AND TECHNOLOGY LODGE ON RECEIVING THE FIRST LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN PLATINUM CERTIFICATION IN DELAWARE.

Representative Hudson made comments.

**HR 34** was adopted by voice vote.

Representative Schwartzkopf introduced **HB 319**, jointly sponsored by Senator Cook.

**HB 319** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOTTERIES.

Mr. Speaker Gilligan assigned **HB 319** to the Gaming & Parimutuels Committee. Representative Schwartzkopf made comments.

The Majority Leader moved to recess for caucus at 2:38 p.m.

The House reconvened at 5:25 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 245 w/HA 1 & SA 1** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 310 w/HA 2, 5, 6, 7, 8, 10 & 11** and is returning the same to the House.



The Senate wishes to inform the House that it has passed **SB 192 & SB 195** and requests the concurrence of the House and the Senate has passed **HB 184 w/HA 1, 2 & 3; HB 301 & HB 251** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **HJR 8**, jointly sponsored by Representative Bennett & Senator Ennis & Representatives Cathcart, Hudson, Q. Johnson, Mitchell, Scott, Viola & Walls & Senator Simpson, before the House for consideration.

**HJR 8 - CREATING A TASK FORCE TO IMPLEMENT AND REVIEW A PILOT PROGRAM ALLOWING VEHICLE INSPECTIONS TO BE PERFORMED BY DELAWARE NEW FRANCHISE AUTOMOBILE AND TRUCK DEALERSHIPS.**

Representative Carson made comments. Representative Hocker requested that he be marked present. Representative D.P. Williams made an announcement. Representative Lavelle requested that he be marked present.

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

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HJR 8** was sent to the Senate for concurrence.

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

Representative Carson introduced guests.

Mr. Speaker Gilligan made an announcement.

Representative Jaques introduced a guest

Representative Schwartzkopf deferred to Representative Brady.

Representative Briggs King introduced guests.

Representative Brady brought **SB 172**, jointly sponsored by Senator McDowell & Senator Henry & Representative Keeley, before the House for consideration.

**SB 172 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM THE PRACTICE OF NURSING.**

Representative Brady made comments.

The roll call on **SB 172** was taken and revealed:

YES: 39.

ABSENT: Representatives Carson, Plant - 2.

Therefore, having received a constitutional majority, **SB 172** was returned to the Senate.

Representative Schooley introduced a guest.

Representative Walls made comments.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **SB 189**, jointly sponsored by Senator McDowell & Representative Longhurst & Representative Thornburg & Senator Katz & Representative Brady & cosponsored by Representatives Kovach, B. Short, D.E. Williams, Q. Johnson, Barbieri & Carson, before the House for consideration.

**SB 189 - AN ACT TO AMEND CHAPTERS 69 AND 80 TITLE 29 OF THE DELAWARE CODE RELATING TO THE ENERGY PERFORMANCE CONTRACTING ACT AND THE DELAWARE ENERGY ACT, RESPECTIVELY.**

Representatives Kowalko & Kovach made comments.

The roll call on **SB 189** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & Plant - 2.

Therefore, having received a constitutional majority, **SB 189** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins introduced **HB 322**, jointly sponsored by Representative Mitchell & Representative Schwartzkopf & Representatives Bennett, Briggs King, Carson, Hudson, Jaques, Lee, Miro, Ramone, Scott, B. Short & Walls & Senators Ennis & Katz & cosponsored by Representatives J. Johnson & Wilson.

**HB 322 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.**

Mr. Speaker Gilligan assigned **HB 322** to the Judiciary Committee.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 245 w/HA 1 & SA 1**, jointly sponsored by Senator Bunting & cosponsored by Representatives J. Johnson & Plant, before the House for concurrence on **SA 1**.

**HB 245 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.**

Representative Jaques made comments.

The roll call on **HB 245 w/HA 1 & SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 245 w/HA 1 & SA 1** was sent to the Governor.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **HB 319**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought **HB 319**, jointly sponsored by Senator Cook, before the House for consideration.

**HB 319 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOTTERIES.**

Representative Schwartzkopf made comments.

Representatives Oberle & Bennett announced that they will not be voting on **HB 319** because of a possible conflict of interest. Representative Cathcart made comments. Representatives Wilson & Outten announced that they will not be voting on **HB 319** because of a possible conflict of interest.

The roll call on **HB 319** was taken and revealed:

YES: 34.

NOT VOTING: Representatives Bennett, Jaques, Oberle, Outten & Wilson - 5.

ABSENT: Representatives Lavelle & Plant - 2.

Therefore, having received a constitutional majority, **HB 319** was sent to the Senate for concurrence.

Representative Schwartzkopf brought **SB 188 w/SA 1**, jointly sponsored by Senator DeLuca & Senators Blevins, Henry, Cook, Sorenson, Bushweller, Ennis & Katz & Representatives Gilligan, Longhurst, Cathcart & D. Short, before the House for consideration.

**SB 188 - AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE AND UNDERAGE LOTTERY GAMING. (2/3 bill)**

Representative Schwartzkopf made comments.

Representatives Oberle, Outten, Bennett & Wilson announced that they will not be voting on **SB 188 w/SA 1** because of a possible conflict of interest.

The roll call on **SB 188 w/SA 1** was taken and revealed:

YES: 35.

NOT VOTING: Representatives Bennett, Jaques, Oberle, Outten & Wilson - 5.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 188 w/SA 1** was returned to the Senate.

Mr. Speaker Gilligan declared a recess at 6:00 p.m.

The House reconvened at 6:34 p.m.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley introduced and brought **HR 35**, jointly sponsored by Representative Cathcart, before the House for consideration.

**HR 35 - A RESOLUTION RELATING TO THE ROUTE 301 PROJECT.**

Representatives Cathcart, Jaques & Keeley made comments.

**HR 35** was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with introduction of and action on **SS 1 for SB 202**. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representative Keeley introduced and brought **SS 1 for SB 202**, jointly sponsored by Senator Venables & Senator Cook & Senator McDowell & Senator Sokola & Senator Simpson & Senator Sorenson & Representative Mulrooney & Representative Schooley & Representative Viola & Representative Carey, before the House for consideration.

**SB 202 - AN ACT TO AMEND THE FISCAL YEAR 2010 BOND AND CAPITAL IMPROVEMENTS ACT; AMENDING TITLE 29 OF THE DELAWARE CODE RELATING TO DRAINAGE; AND AMENDING THE LAWS OF DELAWARE. (3/4 bill)**

Representatives Keeley, Oberle, Cathcart, Hudson, Keeley, Lavelle & Cathcart made comments. Representative Keeley requested and was granted privilege of the floor for Mike Barlow, Governor's Counsel. Representatives Cathcart, Keeley, Oberle, Kovach & Keeley made comments.

The roll call on **SS 1 for SB 202** was taken and revealed:

YES: 36.

NO: Representatives Hocker, Lee & Oberle - 3.

NOT VOTING: Representative Cathcart - 1.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SS 1 for SB 202** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Kowalko. Representative Kowalko made an announcement. Representative Lavelle made comments regarding **SS 1 for SB 202**. Representative D.P Williams made an announcement.

The Majority Leader moved to recess to the call of the Chair at 7:04 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 16, 2010.

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

LABOR: **HB 259** - 8M.

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

JUDICIARY: **HB 304** - 4F, 4M.

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 - 145th GENERAL ASSEMBLY - Second Session  
March 16, 2010**

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Manolakos - 1.

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 two legislative days were approved as posted.

The following out-of-session prefiled legislation was introduced:

February 18, 2010

**HS 1 for HB 229** - SCOTT & REPRESENTATIVE D.P. WILLIAMS & REPRESENTATIVE MIRO & SENATOR PETERSON; REPRESENTATIVES BARBIERI, BENNETT, BLAKEY, BRADY, CAREY, CARSON, JAQUES, J. JOHNSON, Q. JOHNSON, KEELEY, KOVACH, KOWALKO, LAVELLE, MANOLAKOS, MITCHELL, MULROONEY, OBERLE, RAMONE, SCHOOLEY, SCHWARTZKOPF, B. SHORT, WALLS; SENATORS BLEVINS, BUNTING, BUSHWELLER, CLOUTIER, ENNIS, HENRY, SOKOLA - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road.

**HB 323** - BRADY & REPRESENTATIVE BENNETT & REPRESENTATIVE JAQUES & SENATOR ENNIS; REPRESENTATIVES BARBIERI, CARSON, HUDSON, KOWALKO, MIRO, MULROONEY, RAMONE, SCOTT, B. SHORT, WALLS, J. JOHNSON, KOVACH, LEE, OUTTEN, WILSON; SENATORS KATZ, MARSHALL, MCDOWELL, VENABLES - VETERANS AFFAIRS - An Act to Amend Title 12 of the Delaware Code Relating to the Disposition of a Person's Last Remains.

**HB 324** - J. JOHNSON & SENATOR MCDOWELL; REPRESENTATIVE BRADY; SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Constable Sales.

**HB 326** - SCHWARTZKOPF & REPRESENTATIVE ATKINS & REPRESENTATIVE KEELEY & SENATOR BUNTING & SENATOR BLEVINS & SENATOR PETERSON & SENATOR CONNOR; REPRESENTATIVE RAMONE; SENATOR MCDOWELL - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Healthcare Medical Negligence Insurance and Litigation.

**HB 327** - VIOLA & SENATOR HALL-LONG; REPRESENTATIVES MITCHELL, MULROONEY - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Realty Transfer Tax.

**HB 328** - Q. JOHNSON & SENATOR SOKOLA; REPRESENTATIVES BARBIERI, BENNETT, JAQUES, J. JOHNSON, KOVACH, WILSON, LAVELLE, LONGHURST, M. MARSHALL, MITCHELL, MULROONEY, SCHOOLEY, SCOTT, WALLS; SENATORS BUNTING, CLOUTIER, HALL-LONG, HENRY - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Exceptional Persons.

**HB 329** - KEELEY & SENATOR MARSHALL; REPRESENTATIVES MITCHELL, JAQUES, VIOLA, SCHOOLEY, BENNETT, CATHCART, HUDSON, BARBIERI, BRADY, Q. JOHNSON, KOWALKO; SENATORS MCDOWELL, HALL-LONG, SOKOLA, ENNIS - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the State Employee Benefits Committee.

**HB 330** - SCHWARTZKOPF & SENATOR ENNIS; REPRESENTATIVES BENNETT, CARSON, CATHCART, GILLIGAN, HOCKER, HUDSON, JAQUES, Q. JOHNSON, LONGHURST, MITCHELL, OUTTEN, VIOLA, WALLS, WILSON; SENATORS MCBRIDE, BUSHWELLER - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 16 of the Delaware Code Relating to Immunity for Donations to Volunteer Fire Departments.

**HB 357** - ATKINS & SENATOR BOOTH; REPRESENTATIVES BENNETT, BRIGGS KING, CAREY, CARSON, CATHCART, HOCKER, KOVACH, LAVELLE, LEE, MANOLAKOS, OUTTEN, RAMONE, D. SHORT, THORNBURG, WALLS, WILSON; SENATORS ENNIS, SIMPSON, BONINI, COOK, BUNTING, MCBRIDE, VENABLES - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Limiting the Authority of Public Bodies to Regulate Arms.

**HA 4 to HB 194** - HUDSON - Placed with the Bill.

**HA 1 to HB 316** - KOWALKO - Placed with the Bill.

**SB 192** - BUNTING & REPRESENTATIVE HOCKER - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Fenwick Relating to Town Council Vacancies and Forfeitures. (2/3 bill)

**SB 195** - VENABLES & REPRESENTATIVE D. SHORT - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Blades Relating to Elections. (2/3 bill)

**HA 1 to SB 14** - D.P. WILLIAMS - Placed with the Bill.

March 11, 2010

**HS 1 for HB 247** - KEELEY & SENATOR MCBRIDE; REPRESENTATIVES BRADY, HUDSON, MITCHELL, CARSON, SCHOOLEY, MULROONEY, J. JOHNSON; SENATORS HENRY, SOKOLA - JUDICIARY - An Act to Amend Title 6, Title 25 and Title 29 of the Delaware Code Relating to Consumer Protection.

**HB 331** - M. MARSHALL & SENATOR BLEVINS; REPRESENTATIVES SCHOOLEY, HUDSON, JAQUES, J. JOHNSON, KOVACH; SENATORS HALL-LONG, HENRY, MCDOWELL - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to Child Care Quality and the Establishment of Tiered Reimbursements Based on Quality of Care.

**HB 332** - Q. JOHNSON & SENATOR ENNIS; REPRESENTATIVES BENNETT, CARSON, KEELEY, KOVACH, MITCHELL, SCOTT, WALLS; SENATORS BUNTING, HALL-LONG - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 28 of the Delaware Code Relating to Boxing, Mixed Martial Arts, and Combative Sports Entertainment.

**HB 335** - SCHOOLEY & SENATOR SOKOLA; REPRESENTATIVES ATKINS, BENNETT, CATHCART, GILLIGAN, HUDSON, KOWALKO, LONGHURST, MANOLAKOS, MITCHELL, OBERLE, RAMONE, SCOTT, D. SHORT, VIOLA; SENATORS COOK, BOOTH, BUSHWELLER, SIMPSON, SORENSON - REVENUE & FINANCE - An Act to Amend Chapter 11 of Title 30 of the Delaware Code Relating to Personal Income Tax Returns.

**HA 1 to HB 323** - BRADY - Placed with the bill.

**HCR 24** - BRADY & REPRESENTATIVE BENNETT & SENATOR MCDOWELL; REPRESENTATIVES BARBIERI, KOWALKO, MITCHELL, SCHOOLEY; SENATORS ENNIS, KATZ, MARSHALL, VENABLES - HOUSING & COMMUNITY AFFAIRS - Requesting the United States Congress Include Funding for the National Housing Trust Fund in the Jobs for Main Street Act (HR 2847) Pending Before the United States Senate.

**HCR 25** - JAQUES & SENATOR BUNTING; REPRESENTATIVES KEELEY, M. MARSHALL, MULROONEY, D. SHORT, ATKINS, CARSON - VETERANS AFFAIRS - Urging Congress to Require the United States Department of Defense to Designate "Prisoner of War" and "Missing in Action" into the Casualty Status and Category Classification for Military Personnel.

The following prefiled legislation was introduced:

**HB 333** - D. SHORT & REPRESENTATIVE SCHWARTZKOPF & SENATOR BUNTING; REPRESENTATIVES CAREY, HOCKER, LEE, OUTTEN, WILSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the Enforcement of an Order to Connect to a Sanitary Sewer.

The Reading Clerk read the following communications into the record:

January 29, 2010

#### LEGISLATIVE ADVISORY # 31

Governor Jack A. Markell signed the following legislation on the date indicated: 1/26/10 - **HB 202**, **HB 297 aab HA 1**; 1/27/10 - **HB 140 aab SA 1**; 1/28/10 - **HB 305 & HB 310 aab HA 2, 5, 6, 7, 8, 10 & 11**.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, E. Bradford Bennett, do hereby request that my name be removed as co-sponsor of **HB 316**.

DATE: 2/4/10

SIGNED: E. Bradford Bennett

February 9, 2010

#### LEGISLATIVE ADVISORY # 32

Governor Jack A. Markell signed the following legislation on the date indicated: 2/1/10 - **SB 172**, **SB 188 aab SA 1**, **SB 189**, **SS 1/SB 202**, **HB 184 aab HA 1, 2 & 3**, **HB 227**, **HB 244 aab HA 1**, **HB 245 aab HA 1 & SA 1**, **HB 249 & HB 301**.

Office of the Governor

February 9, 2010

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES  
OF THE 145<sup>TH</sup> GENERAL ASSEMBLY:

Pursuant to Article III, Section 18 of the Delaware Constitution, and after careful consideration, I am vetoing House Bill No. 251 by returning it with my objections to the House of Representatives without my signature.

Section 1 of House Bill No. 251 provides as follows:

Any person otherwise eligible to be a member of Council shall not have a family member holding an elected office for the Town of Felton nor have a family member nominated for and/or appointed to an elected office in the Town of Felton. For purposes of this section 'family member' shall mean spouse, parent, child, sibling, half-sibling, grandparent or grandchild.

As described in the synopsis of the bill, Section 1 “amends the Town Charter of the Town of Felton to prohibit family members from serving on or running for the Town Council concurrently.”

When a legislative body establishes restrictions on elected office, it ultimately limits the choices available to voters and restricts the ability of otherwise qualified persons to serve their community. Therefore, such restrictions should be targeted and reasonably related to the specialized demands of the particular office. Whether family members can suitably serve concurrently as members of the Town Council of Felton should not be predetermined by the General Assembly through additional restrictions on membership; it should be left to the eligible voters in Felton.

Furthermore, the language in Section 1 of House Bill No. 251 is overly broad in significant respects. For example, Section 1 also prohibits family members from serving successively on Town Council, as the language is not limited to prohibiting family members from serving concurrently. Thus, as written, the law would prohibit an otherwise qualified candidate from serving on Council if his or her family member currently serves on the Council, even if the currently serving Council member is not seeking re-election. In addition, House Bill No. 251 would have the effect of disqualifying a person for service on Town Council merely through the nomination of a family member to that body. A person seeking office would therefore need to receive more than just the most votes, he or she would also need to secure the commitment of their family members not to disqualify them by simultaneously seeking Town office. Allowing family members to use the nomination process to limit the electoral options of their fellow citizens would not be consistent with our State’s democratic ideals. These examples reinforce the principle that the eligible voters of Felton are the best persons to determine who represents them on Town Council.

Accordingly, I have concluded that vetoing the legislation is the only appropriate action.

Sincerely,

Jack A. Markell

Governor

February 16, 2010

LEGISLATIVE ADVISORY # 33

Governor Jack A. Markell signed the following legislation on the date indicated: 2/3/10 - **HB 258 aab HA 1 & 2**; 2/4/10 - **HB 282**.

Governor Jack A. Markell vetoed the following legislation on the date indicated: 2/9/10 - **HB 251**.

February 24, 2010

LEGISLATIVE ADVISORY # 34

Governor Jack A. Markell signed the following legislation on the date indicated: 2/23/10 - **HB 218**.

MEMORANDUM

TO: Richard L. Puffer  
Chief Clerk of the House  
FROM: Rep. William J. Carson  
28<sup>th</sup> District  
DATE: March 9, 2010  
RE: Request to return HJR 8 to the House of Representatives

Thank you for your consideration of this request.

MEMORANDUM

TO: Bernard J. Brady  
Secretary of the Senate  
FROM: Richard L. Puffer  
Chief Clerk  
DATE: March 9, 2010  
RE: Return of HJR 8 to the House of Representatives

I respectfully request the return of House Joint Resolution 8 to the House of Representatives.

Thank you for your attention to this request.

MEMORANDUM

TO: Richard L. Puffer  
Chief Clerk of the House  
FROM: Bernard J. Brady  
Secretary of the Senate  
DATE: March 11, 2010  
RE: HJR 8

Attached please find House Joint Resolution No. 8, being returned to the House pursuant to your request by memorandum dated March 9, 2010.

If this office can be of further assistance, please advise.

Thank you.

March 16, 2010

The Honorable Robert F. Gilligan  
Speaker of the House  
Legislative Hall

Dover, DE 19901

Dear Speaker Gilligan:

Please excuse my absence from Legislative Session today, Tuesday March 16<sup>th</sup>. I was out of state on business and have been unavoidably delayed due to a flight cancelation yesterday. My flight today will not get back in time for me to attend.

Thank you for your understanding.

Sincerely,  
Nicholas T. Manolakos  
State Representative  
20<sup>th</sup> District

Representatives Cathcart, Kovach, Kowalko, Longhurst, Oberle, Plant, D. Short, Barbieri, D.E. Williams & Mitchell requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:13 p.m.

The House reconvened at 3:31 p.m.

Representative Viola requested that he be marked present.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson moved to restore **HJR 8** and rescind the roll call. The motion was seconded by Representative J. Johnson. The motion was adopted by voice vote.

Representative Carson brought **HJR 8**, jointly sponsored by Representative Bennett & Senator Ennis & Representatives Cathcart, Hudson, Q. Johnson, Mitchell, Scott, Viola, Walls & Senator Simpson, before the House for consideration.

**HJR 8 - CREATING A TASK FORCE TO IMPLEMENT AND REVIEW A PILOT PROGRAM ALLOWING VEHICLE INSPECTIONS TO BE PERFORMED BY DELAWARE NEW FRANCHISE AUTOMOBILE AND TRUCK DEALERSHIPS.**

Representatives Lavelle, Mulrooney, Keeley & Lee requested that they be marked present.

Representative Carson requested that **HJR 8** be stricken.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 314**, jointly sponsored by Senator Blevins & Representative Bennett & Senators Henry & Sokola & cosponsored by Senators Cloutier & Ennis, before the House for consideration.

**HB 314 - AN ACT TO AMEND TITLE 18 RELATING TO CAPTIVE INSURANCE COMPANIES.**

Representative B. Short made comments.

The roll call on **HB 314** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **HB 314** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Walls.

Representative Walls introduced a guest.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 299**, jointly sponsored by Senator Bushweller & Representatives Blakey, Carson, Cathcart, Hudson, Jaques, Q. Johnson, Kovach, Kowalko, Lee, Manolakos, Mitchell, Oberle, Outten, Ramone, Schwartzkopf, Scott, B. Short, D. Short, Thornburg, Walls & D.E. Williams & Senators Booth, Bunting, Ennis & Katz, before the House for consideration.

**HB 299 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.**

Representative Bennett made comments.

The roll call on **HB 299** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **HB 299** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 304**, jointly sponsored by Senator Blevins & Representative Hudson & Representatives Schwartzkopf, Carson, Hocker, Jaques, Q. Johnson, Kowalko, Lavelle, Longhurst, Miro, Mitchell, Ramone, Walls, Brady, D. Short, Scott, D.E. Williams, Kovach, Wilson, Blakey & Oberle & Senators Bushweller, Hall-Long, Katz, Sokola, Cloutier, Ennis & Booth & cosponsored by Representative Barbieri & Senator McDowell, before the House for consideration.

**HB 304 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (F/N)**

Representative Bennett brought **HA 1 to HB 304** before the House for consideration.

Representatives Bennett & Kovach made comments. **HA 1** was adopted by voice vote. Representative Bennett made comments.

The roll call on **HB 304 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **HB 304 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representatives Kowalko, Keeley & Schwartzkopf made comments.

The Majority Leader moved to recess to the call of the Chair at 3:49 p.m.

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on March 17, 2010.

The Reading Clerk read the following communications into the record:

**145<sup>th</sup> DELAWARE GENERAL ASSEMBLY  
WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Senator Peterson, do hereby request that my name be removed as co-sponsor of House Bill # 327.

Date: 3-16-2010

Signed: Karen E. Peterson

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Senator Bonini, do hereby request that my name be removed as co-sponsor of House Bill # 329.

Date: 3-16-2010

Signed: Colin Bonini

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.

**11th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session  
March 17, 2010**

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Carey - 1.

A prayer was offered by Mr. Speaker Gilligan, Nineteenth Representative District.

Mr. Speaker Gilligan invited students from the Milford Early Learning Center to join him in leading those present in the pledge of allegiance to the American Flag. The students sang "America."

The following prefiled legislation was introduced:

**HB 334** - HUDSON & SENATOR BOOTH; REPRESENTATIVES D. SHORT, BRIGGS KING, KOVACH, LAVELLE, RAMONE; SENATOR SORENSON - REVENUE & FINANCE - An Act to Amend Title 30 and Title 31 of the Delaware Code Relating to the Delaware Children's Trust Fund Act.

**HA 1 to HB 137** - D. SHORT - Placed with the Bill.

**HA 1 to HS 1 for HB 229** - HUDSON - Placed with the Bill.

**HA 1 to HB 315** - KEELEY & REPRESENTATIVE JAQUES - Placed with the Bill.

Representatives Lavelle & Walls made comments.

Representatives B. Short, Plant, Outten & Barbieri requested that they be marked present.

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

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson introduced and brought **HCR 26**, sponsored on behalf of all Representatives & jointly sponsored by Senator Hall-Long on behalf of all Senators, before the House for consideration.

**HCR 26** - PROCLAIMING MARCH 17, 2010, "EARLY CHILD CARE AND EDUCATION PROFESSIONALS APPRECIATION DAY".

WHEREAS, one of Delaware's most precious resources is its young children, ages five and under; and

WHEREAS, various national studies have shown that quality early child care and education leads to higher school achievement levels, lower drop-out rates, decreased referrals for special education, fewer behavioral problems and cost savings to states and school districts; and

WHEREAS, welfare reform has necessitated the need for quality early child care and education; and

WHEREAS, the National Business Roundtable has published a report urging the federal government and states to make early childhood education a high priority as it tends to increase skilled employment and earnings; and

WHEREAS, early childhood educators and child care professionals often work long hours at pay rates lower than many service industries; and

WHEREAS, early childhood educators and child care professionals are dedicated, tireless workers whose careers enable parents to work and attend school; and

WHEREAS, early childhood educators and child care professionals strengthen communities and support families throughout the State of Delaware.

NOW THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concurring therein, that March 17, 2010 be designated "Early Child Care and Education Professionals Appreciation Day" and it is requested that citizens throughout the State join in recognizing the work, effort and contribution that these individuals make to improving the quality of life for families in Delaware.

Representative Q. Johnson made comments.

**HCR 26** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Cathcart requested that he be marked present.

Representative Kovach made comments regarding **HCR 26**.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson requested and was granted personal privilege of the floor to introduce a teacher and students from Smyrna High School as well as a cancer survivor who are volunteers for the American Cancer Society.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:18 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 18, 2010.

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

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

JUDICIARY: **HS 1 for HB 247** - 1F, 7M; **HB 322** - 3F, 5M; **HB 324** - 2F, 6M.

PUBLIC SAFETY & HOMELAND SECURITY: **HS 1 for HB 229** - 1F, 7M, 1U; **HB 330** - 1F, 8M.

HOUSE ADMINISTRATION: **HB 309** - 5F; **SB 192** - 4F; **SB 195** - 5F.

HEALTH & HUMAN DEVELOPMENT: **SB 182** - 5F.

REVENUE & FINANCE: **HB 335** - 7F.

HOUSING & COMMUNITY AFFAIRS: **HCR 24** - 3F, 5M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE:

**HB 237** - 7F, 2M; **HB 317** - 1F, 6M, 1U; **HB 326** - 2F, 6M.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HCR 26** and is returning the same to the House.

The Majority Whip 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 - 145th GENERAL ASSEMBLY - Second Session March 18, 2010**

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative D.P. Williams - 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 336** - BARBIERI & REPRESENTATIVE HUDSON & SENATOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES JAQUES, BENNETT, CARSON, J. JOHNSON, KOVACH, MITCHELL, WILSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Protection from Abuse Proceedings.

**HA 1 to HS 1 for HB 247** - KEELEY - Placed with the Bill.

Mr. Speaker Gilligan introduced Lieutenant General William H. Duncan (Ret) M.D., Chairman Emeritus of the Delaware Military Heritage and Education Foundation, who addressed the House and introduced guests. Lieutenant General Duncan introduced Stephanie Przybylek, Executive Director, Delaware Military Heritage & Education Foundation, who addressed the House.

Representatives Cathcart & Jaques & Mr. Speaker Gilligan made comments.

Representative Longhurst deferred to Representative Jaques.

Representative Jaques requested and was granted privilege of the floor for himself and Representatives Blakey, Bennett & M. Marshall to present a House Tribute to Joan Cote, Executive Director, USO Delaware, who addressed the House. Representative Blakey sang a rendition of "Thanks for the Memories."

Representative Carson introduced a guest.

Representatives Keeley, Barbieri, Atkins, Manolakos & Schooley requested that they be marked present.

Representative Longhurst deferred to Representative Jaques.

Representative Jaques requested privilege of the floor for himself and Representative Barbieri to present a House Tribute, read by Representative D.E. Williams, to Diana Caine, Board Member, Delaware Chapter of the National Multiple Sclerosis Society, who addressed the House.

The Majority Whip moved to recess for caucus at 2:27 p.m.

The House reconvened at 3:49 p.m. Representative Schwartzkopf requested that he be marked present.

The Reading Clerk read the following communications into the record:

#### Memorandum

To: The Honorable Robert F. Gilligan



Speaker of the House  
From: Representative Dennis P. Williams  
Date: March 18, 2010  
RE: Absence from Legislative Session

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

Thank you.

The Senate wishes to inform the House that it has passed **HB 3 w/HA 1** and is returning the same to the House and the Senate wishes to inform the House that it has passed **SCR 28** and requests the concurrence of the House.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **SB 182**, jointly sponsored by Senator Hall-Long & Senators Bushweller & Cloutier & Representative Walls, before the House for consideration.

**SB 182** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO NURSING.

Representative Jaques made comments.

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

The roll call on **SB 182** was taken and revealed:

YES: 38.

ABSENT: Representatives Lavelle, Manolakos & D.P. Williams - 3.

Therefore, having received a constitutional majority, **SB 182** was returned to the Senate.

Representatives Viola & Plant requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Oberle.

Representative Oberle introduced and brought **HCR 27**, jointly sponsored by Representative Cathcart & Senator Bunting & Representatives D. Short, Briggs King, Carey, Hocker, Hudson, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, Wilson, Gilligan, Atkins, Bennett, Carson, Jaques, J. Johnson, Keeley, Mitchell, Viola & Walls & Senators Bushweller, Hall-Long, Henry, Katz, McBride, Bonini, Booth & Cloutier and cosponsored by Representatives Barbieri, Blakey, Q. Johnson, Kovach, Kowalko, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short & Thornburg & Senators Cook & Connor, before the House for consideration.

**HCR 27** - SUPPORTING THE DESIGNATION OF THE "HONOR AND REMEMBER FLAG" AS A NATIONAL SYMBOL FOR REMEMBERING OUR FALLEN SERVICEMEN AND WOMEN.

Representative Oberle made comments.

**HCR 27** was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Speaker Gilligan & Representative Plant made comments.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought **SB 195**, jointly sponsored by Senator Venables, before the House for consideration.

**SB 195** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF BLADES RELATING TO ELECTIONS. (2/3 bill)

Representative D. Short introduced and brought **HA 1 to SB 195** 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 **SB 195 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, **SB 195 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins brought **HB 322**, jointly sponsored by Representative Mitchell & Representative Schwartzkopf & Representatives Bennett, Briggs King, Carson, Hudson, Jaques, Lee, Miro, Ramone, Scott, B. Short & Walls & Senators Ennis & Katz & cosponsored by Representatives J. Johnson & Wilson, before the House for consideration.

**HB 322** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Representative Atkins made comments.

The roll call on **HB 322** was taken and revealed:

YES: 40.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority, **HB 322** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **HB 324**, jointly sponsored by Senator McDowell & Representative Brady & Senator Blevins, before the House for consideration.

**HB 324** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CONSTABLE SALES.

Representative J. Johnson made comments.

The roll call on **HB 324** was taken and revealed:

YES: 40.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority, **HB 324** was sent to the Senate for concurrence.

Representative Schwartzkopf brought **HB 330**, jointly sponsored by Senator Ennis &

Representatives Bennett, Carson, Cathcart, Gilligan, Hocker, Hudson, Jaques,

Q. Johnson, Longhurst, Mitchell, Outten, Viola, Walls & Wilson & Senators McBride & Bushweller, before the House for consideration.

**HB 330** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO IMMUNITY FOR DONATIONS TO VOLUNTEER FIRE DEPARTMENTS.

Representative Schwartzkopf made comments.

The roll call on **HB 330** was taken and revealed:

YES: 39.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority, **HB 330** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 335**, jointly sponsored by Senator Sokola & Representatives Atkins, Bennett, Cathcart, Gilligan, Hudson, Kowalko, Longhurst, Manolakos, Mitchell, Oberle, Ramone, Scott, D. Short & Viola & Senators Cook, Booth, Bushweller, Simpson & Sorenson, before the House for consideration.

**HB 335** - AN ACT TO AMEND CHAPTER 11 OF TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX RETURNS.

Representatives Schooley, Oberle, Miro, Hudson & Schooley made comments.

The roll call on **HB 335** was taken and revealed:

YES: 40.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority, **HB 335** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced and brought **SCR 28**, jointly sponsored by Senator Sorenson & Senator Cloutier & Senators Blevins, Booth, Bunting, Bushweller, Connor, Ennis, Hall-Long, Henry, Katz, Peterson & Venables on behalf of all Senators & Representatives Bennett, Hocker, Hudson, Jaques, Kovach, Kowalko, Mitchell, Oberle & Scott on behalf of all Representatives, before the House for consideration.

**SCR 28** - CELEBRATING THE 90TH ANNIVERSARY OF THE LEAGUE OF WOMEN VOTERS.

Representative Schooley 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.

Representative Lavelle made an announcement.

Mr. Speaker Gilligan & Representative Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson introduced **HCR 28**, jointly sponsored by Representative D. Short & Representative Briggs King & Representative Ramone & Senator Booth & Senator Bonini & Representatives Cathcart, Carey, Hocker, Lavelle, Lee, Manolakos, Outten & Wilson & Senator Simpson.

**HCR 28** - URGING THE 111TH CONGRESS TO ABANDON THE IRRATIONAL PURSUIT OF A FISCALLY IRRESPONSIBLE FEDERAL HEALTHCARE ENTITLEMENT PLAN AND ENACT LESS COSTLY ALTERNATIVES TO REDUCE THE COST OF HEALTHCARE AND INCREASE ITS AVAILABILITY FOR ALL AMERICANS.

Mr. Speaker Gilligan assigned **HCR 28** to the House Administration Committee.

Representative Hudson made comments.

The Majority Leader moved to recess to the call of the Chair at 4:26 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on March 23, 2010.

Representative Mitchell introduced **HA 1 to SB 60**.

**HA 1 to SB 60** was placed with the Bill.

Representative M. Marshall 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.

**13th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session**  
**March 23, 2010**

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 Chief Clerk & Mr. Speaker Gilligan introduced guests.

The following prefiled legislation was introduced:

**HB 337** - D. SHORT & SENATOR VENABLES - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Seaford Relating to the Assessment of Taxes. (2/3 bill)

**HB 338** - J. JOHNSON & SENATOR ENNIS & SENATOR HENRY & SENATOR SORENSON & SENATOR VENABLES; REPRESENTATIVES BARBIERI, KOWALKO, PLANT, SCHOOLEY, SCOTT - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Classification of Offenses and Sentences.

**HB 339** - OUTTEN & SENATOR COOK - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Felton to Change the Duration of the Term of a Member of the Town Council and to Implement Use of the Kent County Voter Registration System. (2/3 bill)

**HB 341** - M. MARSAHLL & SENATOR BLEVINS; REPRESENTATIVES KOVACH, BENNETT, CARSON, WILSON - JUDICIARY - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law.

**HA 1 to HA 1 to HB 137** - D. SHORT - Placed with the Bill.

**HA 2 to HS 1 for HB 247** - KEELEY - Placed with the Bill.

**HA 1 to HB 326** - LAVELLE - Placed with the Bill.

**HA 1 to HB 337** - D. SHORT - Placed with the Bill.

Representative Schwartzkopf deferred to Representative Blakey.

Representative Blakey requested and was granted privilege of the floor for himself and Representatives Outten & Thornburg to present a House Tribute to Sheryl Ford, Advisor, Family Careers and Community Leaders of America and Future Educators of America at Caesar Rodney High School and students who raised funds to purchase sleeping bags for homeless children in Kent County. Ms. Ford addressed the House and the students announced their names for the record. Representative Outten introduced guests. Representatives D.E. Williams, Manolacos & Hudson requested that they be marked present. Mr. Speaker Gilligan introduced former Representative and Senator Steven H. Amick and invited Senator Amick to join him on the podium. Representative Kowalko made comments.

Representative Schwartzkopf deferred to Representative Blakey.

Representative Blakey introduced the Delaware State University Chorus and Dr. Curtis Powell, Director. The Chorus performed three selections. Representatives Schwartzkopf, Thornburg & Blakey made comments. Dr. Harry Williams, President, Delaware State University, made an announcement. Chorus members announced their names and hometowns for the record.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques requested and was granted privilege of the floor for himself and Representatives Kowalko & Schooley to present a House Tribute to the Delaware State Championship Lego Team from Newark Charter School. Mr. Gregory Meece, Principal, announced the names of the students and a parent coach for the record.

Representative Schwartzkopf made an announcement.

Representatives Longhurst, Lavelle & Schwartzkopf made comments.

The Majority Leader moved to recess for caucus at 2:48 p.m.

The House reconvened at 4:20 p.m.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker requested privilege of the floor to present a House Tribute to TeenPact of Delaware. Peter Martin, Guest Director, addressed the House. The students announced their names and hometowns for the record.

Representative Mulrooney requested that he be marked present.

Representative Mulrooney requested that **HB 259** be stricken.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short requested that **HB 309** be stricken.

Representative D. Short moved to suspend the rules which interfere with action on **HB 337**. The motion was properly seconded and adopted by voice vote.

Representative D. Short brought **HB 337**, jointly sponsored by Senator Venables, before the House for consideration.

**HB 337** -AN ACT TO AMEND THE CHARTER OF THE CITY OF SEAFORD RELATING TO THE ASSESSMENT OF TAXES. (2/3 bill)

Representative D. Short brought **HA 1 to HB 337** before the House for consideration.

Representative D. Short made a comment. **HA 1** was adopted by voice vote. Representative D. Short made comments.

The roll call on **HB 337 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 337 w/HA 1** was sent to the Senate for concurrence.

Representatives Lee & B. Short requested that they be marked present during the roll call.

Representative Cathcart 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 284 w/SA 1** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Kovach.

Representative Kovach introduced and brought **HCR 29**, jointly sponsored by Representative Carson & Representative Atkins on behalf of all Representatives & Senator Bunting & Senator Ennis & Senator Cloutier on behalf of all Senators, before the House for consideration.

**HCR 29 - RECOGNIZING THE VALUABLE CONTRIBUTION THAT THE LIONS CLUBS INTERNATIONAL MAKE TO OUR LOCAL COMMUNITIES, AS WELL AS TO THE WORLD AT-LARGE, BY DESIGNATING THAT MARCH 27, 2010 BE DECLARED AS DELAWARE STATE LIONS DAY.**

Representatives Kovach, D.P. Williams & Jaques made comments.

**HCR 29** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short. Representative B. Short made an announcement regarding **HB 317**. Representatives Schwartzkopf, Hudson & Cathcart made comments. Representative Schwartzkopf deferred to Representative J. Johnson. Representative J. Johnson made an announcement. Representative Schwartzkopf deferred to Representative Brady. Representative Brady made an announcement. Representative Schwartzkopf deferred to Representative Jaques. Representative Jaques made an announcement.

The Majority Leader moved to recess to the call of the Chair at 4:42 p.m.

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on March 24, 2010.

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.

#### **14th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session March 24, 2010**

Mr. Speaker Gilligan made an announcement.

Mr. Speaker Gilligan requested that the Chief Clerk call the roll of the Members of the House of Representatives of the 145th 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 145th General Assembly. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

The Chief Clerk called the roll.

Members Present: 33.

Members Absent: Representatives Blakey, Q. Johnson, Kovach, Lavelle, Miro, Plant, Viola & D.E. Williams - 8.

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:

**HA 1 to HB 280 - Q. JOHNSON - Placed with the Bill.**

**HA 1 to HB 317 - B. SHORT - Placed with the Bill.**

Representative Keeley requested that she be marked present.

The Reading Clerk read the following communications into the record:

#### **MEMORANDUM**

TO: Speaker Robert Gilligan

FROM: Rep. Donald A. Blakey

DATE: March 23, 2010

SUBJECT: Absence from Session

Please be advised I will be absent from session on Wednesday, March 24, 2010 due to personal business.

March 24, 2010

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, Wednesday March 24, 2010 due to personal reasons.

Thank you for your understanding.

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

Representative Cathcart requested that he be marked present.

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

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on March 25, 2010.

Representatives Blakey, Kovach, D.E. Williams & Q. Johnson requested that they be marked present for the current Legislative Day.

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

JUDICIARY: **HB 336** - 5F, 2M; **HB 341** - 6F, 2M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE:

**HB 296** -7F, 1M.

VETERANS AFFAIRS: **HB 323** - 13F; **HCR 25** - 13F.

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 1** and requests the concurrence of the House and the Senate has passed **HB 319, HCR 27 & HCR 29** and is returning the same to the House.

#### MEMORANDUM

TO: Speaker Robert Gilligan  
FROM: Representative Pamela J. Thornburg  
DATE: March 24, 2010  
SUBJECT: Absence from Session

Please be advised that I will be absent from session on Tuesday, Wednesday and Thursday, March 30<sup>th</sup>, 31<sup>st</sup> and April 1<sup>st</sup>, 2010 due to personal business.

March 24, 2010

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 the Legislative Session on Thursday, March 25, 2010 due to personal reasons.

Thank you for your understanding.

Sincerely,  
Joseph E. Miro  
State Representative  
22nd District

Representative Schwartzkopf introduced guests.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short introduced **HA 1 to HA 1 to HB 317. HA 1 to HA 1 to HB 317** was placed with the Bill.

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

The Majority Leader moved to adjourn at 2:08 p.m., thereby ending the current legislative day. The House reconvened at 2:09 p.m.

#### **15th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session March 25, 2010**

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Miro & Plant - 2.

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 342** - HUDSON & SENATOR BONINI; REPRESENTATIVES D. SHORT, BRIGGS KING, HOCKER, KOVACH, MIRO, RAMONE; SENATORS SIMPSON, SORENSON, BOOTH, CLOUTIER, CONNOR - APPROPRIATIONS - An Act Proposing an Amendment to the Delaware Constitution Relating to Spending Increases.

**HB 345** - Q. JOHNSON & SENATOR HALL-LONG; REPRESENTATIVES BENNETT, CARSON, KEELEY, MITCHELL, SCHOOLEY, SCOTT, KOWALKO, D.E. WILLIAMS, JAQUES, KOVACH, MIRO; SENATORS BLEVINS, BUSHWELLER, SOKOLA, MCDOWELL - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to School Curriculum and World Languages.

**HB 350** - SCHOOLEY & SENATOR SOKOLA; REPRESENTATIVES BENNETT, BRADY, HOCKER, HUDSON, JAQUES, J. JOHNSON, KEELEY, KOWALKO, LONGHURST, MITCHELL, SCOTT, B. SHORT, D.E. WILLIAMS; SENATORS KATZ & SORENSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Parental Involvement in Schools.

**HJR 9** - GEORGE & SENATOR BLEVINS; REPRESENTATIVES BENNETT, BRIGGS KING, HOCKER, HUDSON, J. JOHNSON, Q. JOHNSON, KEELEY, KOVACH, KOWALKO, MITCHELL, B. SHORT, D. SHORT; SENATORS BUSHWELLER, KATZ, SIMPSON, SOKOLA, SORENSON - JUDICIARY - Requesting Congress to Enact Federal Legislation that adds Unpaid Court-Ordered Restitution, Fines, Fees and Costs to Delinquent Obligations that can be Intercepted Through the United States Department of the Treasury Offset Program.

**SB 157 w/SA 1** - PETERSON & REPRESENTATIVE RAMONE & REPRESENTATIVES KEELEY, OBERLE, LAVELLE, MANOLAKOS; SENATORS BONINI, MCDOWELL - ECONOMIC DEVELOPMENT/BUSINESS/ INSURANCE & COMMERCE - An Act to Amend Title 10 of the Delaware Code Relating to Residential Homes and Exemptions.

Representative Schwartzkopf deferred to Representative Thornburg.

Representative Hocker requested that he be marked present.

Representative Thornburg introduced guests.

Representative Thornburg introduced and brought **HR 38**, before the House for consideration.

**HR 38** - PROCLAIMING FEBRUARY 21-27, 2010 AS FOOD CHECK-OUT WEEK IN DELAWARE.

**HR 38** was adopted by voice vote.

Representative Thornburg made a comment.

Representative Thornburg requested and was granted privilege of the floor to present a House Tribute to Barbara Sapp, Women's Chair, Delaware Farm Bureau.

Representatives Carey & Walls made comments.

Representative Schwartzkopf deferred to Representative Thornburg.

Representative Thornburg requested and was granted privilege of the floor to present a House Tribute to Representative Helene M. Keeley, who addressed the House.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced a guest.

Representatives George & Mitchell requested that they be marked present.

Representative Schooley introduced and brought **HCR 30**, sponsored on behalf of all Representatives & jointly sponsored by Senator Sokola on behalf of all Senators, before the House for consideration.

**HCR 30** - COMMENDING MARY E. PINKSTON FOR BEING SELECTED DELAWARE'S STATE TEACHER OF THE YEAR FOR 2010 AND COMMENDING EACH SCHOOL DISTRICT'S TEACHER OF THE YEAR.

WHEREAS, nearly 8,874 teachers work each day with approximately 126,800 children who attend 204 Delaware public schools in 19 school districts and Charter Schools; and

WHEREAS, teachers strive for excellence in their professions 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 annually 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, Mary E. Pinkston of Brandywine High School in the Brandywine School District has been named the Delaware State Teacher of the Year for 2010 as part of the National Teacher of the Year program, the oldest and most prestigious award program that focuses public attention on excellence in teaching; and

WHEREAS, each of the other eighteen school districts and Charter Schools have chosen a 2010 District Teacher of the Year, namely:

Appoquinimink School District: Tracy Taylor Calhoun

Caesar Rodney School District: Kathy A. DeLong

Cape Henlopen School District: Kellyann Palladino-Ranieri

Capital School District: Amy Bowen

Christina School District: Andrew Beadenkopf

Colonial School District: Dawn E. Alexander

Delmar School District: Christy Parsons

Indian River School District: Heather S. Moore  
Lake Forest School District: Karen D. Williams  
Laurel School District: Andrea M. Sullenberger  
Milford School District: Tommi Barrett-Greenly  
New Castle County Vo Tech School District: Patricia T. Creveling  
Pencader Business & Finance Charter High School: Jenny L. Aunet  
POLYTECH School District: Brenda Porter  
Red Clay Consolidated School District: Natalie M. Brancati  
Seaford School District: Mary Katharine Baldwin  
Smyrna School District: Liliame S. Hemphill  
Sussex Technical High School: Valarie Day  
Woodbridge School District: Ginger Brown  
NOW, THEREFORE,

BE IT RESOLVED, by the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concurring therein, that the members hereby commend Mary E. Pinkston for her well-deserved designation as the 2010 Delaware State Teacher of the Year.

BE IT FURTHER RESOLVED, that the entire membership of the Delaware General Assembly hereby extend heartfelt thanks to Mary E. Pinkston, Delaware State Teacher of the Year, and to each of her fellow District Teachers of the Year for 2010 for their many contributions to the betterment of education in Delaware.

BE IT FURTHER RESOLVED that upon passage, a suitably prepared and duly authenticated copy of this House Concurrent Resolution be presented to Mary E. Pinkston and each School District's Teacher of the Year.

Representative Schooley made comments.

**HCR 30** was adopted by voice vote and was sent the Senate for concurrence.

The Teachers of the Year announced their names and school districts for the record.

Representative Schooley introduced Mary Pinkston, Delaware Teacher of the Year, who addressed the House. Mr. Speaker Gilligan & Representatives Walls, Schwartzkopf, Blakey, Carey, Briggs King, Kowalko, Wilson, Jaques & Brady made comments.

Representative Atkins requested that he be marked present and requested and was granted personal privilege of the floor to introduce a guest. Representative Schwartzkopf deferred to Representative Wilson. Representative Wilson made an announcement. Representative J. Johnson made comments. Representative Schwartzkopf deferred to Representative Ramone. Representative Ramone introduced a guest. Representative Schwartzkopf deferred to Representative Q. Johnson. Representative Q. Johnson requested and was granted personal privilege of the floor to introduce a guest.

The Majority Leader moved to recess for caucus at 2:47 p.m.

The House reconvened at 4:40 p.m.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 336**, jointly sponsored by Representative Hudson & Senator Blevins & Senator Sorenson and cosponsored by Representatives Jaques, Bennett, Carson, J. Johnson, Kovach, Mitchell & Wilson, before the House for consideration.

**HB 336** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PROTECTION FROM ABUSE PROCEEDINGS.

Representatives Barbieri, Hudson & Kovach made comments.

The roll call on **HB 336** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Plant - 2.

Therefore, having received a constitutional majority, **HB 336** was sent to the Senate for concurrence.

Representatives Lavelle & Scott requested that they be marked present during the roll call.

Representative Barbieri requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 341**, jointly sponsored by Senator Blevins & Representative Kovach & cosponsored by Representatives Bennett, Carson & Wilson, before the House for consideration.

**HB 341** - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 bill)

Representative George made comments.

The roll call on **HB 341** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 341** was sent to the Senate for concurrence.

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

the House that it has passed **SJR 2** and requests the concurrence of the House. Representative D.P. Williams introduced a guest.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker moved to suspend the rules which interfere with introduction of and action on **SJR 2**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Hocker introduced and brought **SJR 2**, jointly sponsored by Senator Bunting, before the House for consideration.

**SJR 2 - HONORING THE HEROIC MEMORY OF THE DREXLER BROTHERS OF BETHANY BEACH AND RESPECTFULLY REQUESTING THE ASSISTANCE OF DELAWARE'S CONGRESSIONAL DELEGATION IN HAVING CONGRESSIONAL MEDAL OF HONOR RECIPIENT ENSIGN HENRY CLAY DREXLER JOINTLY ATTRIBUTED TO DELAWARE AND PENNSYLVANIA.**

Representative Hocker made comments.

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

YES: 39.

ABSENT: Representatives Miro & Plant - 2.

Therefore, having received a constitutional majority, **SJR 2** was returned to the Senate.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 317**, jointly sponsored by Senator Katz & Representatives Brady, Carey, Carson, Q. Johnson, Kowalko, Lavelle, Miro, Mitchell, Oberle, Schooley & Viola, before the House for consideration.

**HB 317 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO HOME SOLICITATION AND DOOR TO DOOR SALES. (2/3 bill)**

Representative B. Short brought **HA 1 to HB 317** before the House for consideration.

Representative B. Short brought **HA 1 to HA 1 to HB 317** 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 317** before the House for consideration. Representatives B. Short & Ramone made comments. **HA 2 to HA 1** was adopted by voice vote. Representative B. Short made comments. **HA 1 w/HA 1 & 2** was adopted by voice vote.

Representative Lavelle introduced and brought **HA 2 to HB 317** before the House for consideration.

Representatives Lavelle, B. Short, Lavelle, Viola & Kovach made comments. **HA 2 to HB 317** was defeated by voice vote. Representatives B. Short, Ramone, Hudson, Kovach, Viola, Hudson, Viola, D. Short & B. Short made comments.

The roll call on **HB 317 w/HA 1 & HA 1 & 2 to HA 1** was taken and revealed:

YES: 28.

NO: Representatives Blakey, Briggs King, Carey, Cathcart, Hocker, Lee, Manolakos, Outten, Ramone, Thornburg & Wilson - 11.

ABSENT: Representatives Miro, Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 317 w/HA 1 & HA 1 & HA 2 to HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **HS 1 for HB 247** jointly sponsored by Senator McBride & Representatives Brady, Hudson, Mitchell, Carson, Schooley, Mulrooney & J. Johnson & Senators Henry & Sokola, before the House for consideration.

**HB 247 - AN ACT TO AMEND TITLE 6, TITLE 25 AND TITLE 29 OF THE DELAWARE CODE RELATING TO CONSUMER PROTECTION.**

Representative Keeley brought **HA 1 to HS 1 for HB 247** before the House for consideration.

Representative Keeley made comments. **HA 1** was adopted by voice vote. Representative Keeley brought **HA 2 to HS 1 for HB 247** before the House for consideration. Representative Keeley made comments. **HA 2** was adopted by voice vote. Representative Kovach introduced and brought **HA 3 to HS 1 for HB 247** before the House for consideration. Representative Kovach moved to place **HA 3** on the Speaker's Table. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Keeley introduced and brought **HA 4 to HS 1 for HB 247**, jointly sponsored by Representative Kovach, before the House for consideration. Representatives Keeley, Oberle, Kovach, Oberle, Keeley, Kowalko, Oberle, Kovach, Kowalko, Oberle, Keeley & Briggs King made comments. **HA 4** was adopted by voice vote. Representative Kovach requested that **HA 3 to HS 1 for HB 247** be stricken. Representatives Keeley & Lavelle made comments. Representative Keeley requested and was granted privilege of the floor for Ian McConnel, Director, Consumer Protection Unit, Department of Justice. Representatives Lavelle & Wilson made comments.

The roll call on **HS 1 for HB 247 w/HA 1, 2 & 4** was taken and revealed:

YES: 36.

NOT VOTING: Representative Wilson - 1.

ABSENT: Representatives Manolakos, Miro, Plant & D.P. Williams - 4.



Therefore, having received a constitutional majority, **HS 1 for HB 247 w/HA 1, 2 & 4** was sent to the Senate for concurrence.

Representative Wilson announced that he did not vote on **HS 1 for HB 247 w/HA 1, 2, & 4** because of a possible conflict of interest.

Representative Keeley made comments.

Mr. Speaker Gilligan announced that **HB 280** is being removed from the Agenda.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **HB 284 w/SA 1**, jointly sponsored by Senator Ennis, before the House for concurrence on **SA 1**.

**HB 284 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEXUAL RELATIONS IN A DETENTION FACILITY.**

Representative J. Johnson made comments.

The roll call on **HB 284 w/SA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Manolakos, Miro, Plant & D.P. Williams - 4.

Therefore, having received a constitutional majority, **HB 284 w/SA 1** was sent to the Governor.

Representative Schwartzkopf made an announcement.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HB 203** and is returning the same to the House.

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 March 30, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 197** and requests the concurrence of the House and the Senate has passed **HCR 30** 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.

### **16th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session March 30, 2010**

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Plant & Thornburg - 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 340 - ATKINS & SENATOR VENABLES; REPRESENTATIVES BENNETT, CARSON, Q. JOHNSON, SCHOOLEY, WALLS, WILSON, JAQUES, KOWALKO, MITCHELL, SCHWARTZKOPF, SCOTT - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Libraries.**

**HB 343 - BRADY & REPRESENTATIVE KEELEY & SENATOR MCDOWELL; REPRESENTATIVES 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.**

**HB 344 - BRADY & SENATOR KATZ; REPRESENTATIVES J. JOHNSON, D.P. WILLIAMS; SENATOR HENRY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Marriage.**

**HB 346 - GEORGE & SENATOR PETERSON; REPRESENTATIVES GILLIGAN, KEELEY, MIRO, MITCHELL, SCHOOLEY; SENATORS BLEVINS, BUSHWELLER, KATZ - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Crimes and Criminal Procedure.**

**HB 347 - BARBIERI & SENATOR SOKOLA; REPRESENTATIVES BRADY, J. JOHNSON, KEELEY, KOWALKO, SCHOOLEY, VIOLA; SENATORS BUNTING, ENNIS, MARSHALL, VENABLES - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Mandatory Reporting of School Crimes.**

**HB 348 - LONGHURST & SENATOR HALL-LONG; REPRESENTATIVES BARBIERI, BENNETT, CARSON, HUDSON, J. JOHNSON, Q. JOHNSON, KEELEY, MITCHELL, MULROONEY, PLANT, SCHOOLEY, SCHWARTZKOPF; SENATORS HENRY, PETERSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.**

**HB 349 - GILLIGAN & SENATOR DELUCA - REVENUE & FINANCE - An Act to Amend Titles 9 and 30 of the Delaware Code Relating to Withholding of Tax on Gains from Real Estate.**

**HB 351 - BARBIERI & SENATOR HENRY; REPRESENTATIVES CARSON, GILLIGAN, JAQUES, MITCHELL, D.E. WILLIAMS, ATKINS, BRIGGS KING, CAREY, CATHCART, HOCKER,**

HUDSON, J. JOHNSON, Q. JOHNSON, KOVACH, KOWALKO, LEE, MANOLAKOS, MIRO, OBERLE, OUTTEN, RAMONE, SCHWARTZKOPF, D. SHORT, WALLS, WILSON; SENATORS HALL-LONG, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to the Elder Care Information and Support System for Delaware Families.

**HA 5 to HB 194** - SCHWARTZKOPF - Placed with the Bill.

**HA 1 to HA 5 to HB 194** - KOVACH - Placed with the Bill.

**SB 197** - BLEVINS & REPRESENTATIVE BENNETT & SENATOR SORENSON & REPRESENTATIVE HUDSON; SENATORS BOOTH, BUSHWELLER, ENNIS, HALL-LONG, HENRY, KATZ, MARSHALL, PETERSON, SOKOLA, BONINI; REPRESENTATIVES CARSON, CATHCART, JAQUES, Q. JOHNSON, KEELEY, KOVACH, LAVELLE, MITCHELL, MULROONEY, OBERLE, RAMONE, SCHOOLEY, SCHWARTZKOPF, SCOTT, D. SHORT, VIOLA, WALLS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Offenses Against the Person.

Representative Schwartzkopf deferred to Representative Kovach. Representative Kovach requested and was granted privilege of the floor for Anne Hogan, Chief Executive Officer, Girl Scouts of the Chesapeake Bay Council. Representative George made comments. Representative Kovach introduced a guest. Representative Brady introduced guests. Representatives Kowalko & Schooley requested and were granted personal privilege of the floor to introduce guests. Representatives Schooley & Kovach made comments. Mr. Speaker Gilligan introduced guests. Representative Mulrooney made comments and introduced a guest. Representatives D.E Williams & B. Short & requested that they be marked present.

The Reading Clerk read the following communication into the record:

Memorandum

To: The Honorable Robert F. Gilligan  
Speaker of the House

From: Representative Hazel D. Plant

Date: March 30, 2010

RE: Absence from Legislative Session

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

Thank you.

Mr. Speaker Gilligan made an announcement regarding **HB 194**.

The Majority Leader moved to recess for caucus at 2:22 p.m.

The House reconvened at 4:32 p.m.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **HB 323**, jointly sponsored by Representative Bennett & Representative Jaques & Senator Ennis & Representatives Barbieri, Carson, Hudson, Kowalko, Miro, Mulrooney, Ramone, Scott, B. Short & Walls & Senators Katz, Marshall, McDowell & Venables & cosponsored by Representatives J. Johnson, Kovach, Lee, Outten & Wilson, before the House for consideration.

**HB 323** - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF A PERSON'S LAST REMAINS.

Representative Brady brought **HA 1 to HB 323** before the House for consideration. Representative Brady made comments. **HA 1** was adopted by voice vote. Representative Brady made comments. Representatives Atkins, Lavelle & Viola requested that they be marked present.

The roll call on **HB 323 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Plant & Thornburg - 2.

Therefore, having received a constitutional majority, **HB 323 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 George. Representative George requested and was granted personal privilege of the floor to introduce a guest.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques requested that **HCR 25** be stricken.

Representative Jaques introduced and brought **HCR 31**, jointly sponsored by Senator Bunting & Representatives Atkins, Carson, George, Keeley, Mulrooney & D. Short, before the House for consideration.

**HCR 31** - URGING CONGRESS TO REQUIRE THE UNITED STATES DEPARTMENT OF DEFENSE TO DESIGNATE "PRISONER OF WAR" AND "MISSING IN ACTION" INTO THE CASUALTY STATUS AND CATEGORY CLASSIFICATION FOR MILITARY PERSONNEL.

Representative Jaques made comments.

**HCR 31** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson introduced **HB 353**, jointly sponsored by Representative Cathcart & Representative Briggs King & Representative Hocker & Representative Lavelle & Senator Simpson & Representatives D. Short, Carey, Kovach, Lee, Oberle, Outten, Ramone & Wilson & Senator Bonini.

**HB 353** - AN ACT TO AMEND TITLE 16 AND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND DUTIES OF THE ATTORNEY GENERAL.

Mr. Speaker Gilligan assigned **HB 353** to the House Administration Committee.

Representative Hudson made comments regarding **HB 353**. Representative Schwartzkopf requested that **HB 326** & **SB 60** be returned to the Ready List. Representative D. Short made comments. Representative D. Short requested that **HB 137** be stricken.

Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley made an announcement. Representative Schwartzkopf deferred to Representative Barbieri. Representatives Barbieri & Viola made announcements.

Representative Kowalko introduced **HB 354**, jointly sponsored by Senator Ennis & Representatives Bennett, Brady, Mulrooney, Jaques, Scott, Viola & D.E. Williams.

**HB 354** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DESIGNATION OF A STATE WILDLIFE ANIMAL.

Representative Kowalko made comments.

Mr. Speaker Gilligan assigned **HB 354** to the Natural Resources Committee.

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 2:02 p.m. on March 31, 2010.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 200** and requests the concurrence of the House and the Senate has passed **HB 246 w/HA 1 & HA 1 to HA 1** and has passed **HB 243 w/SA 1 & 2** and is returning the same to the House.

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.

### **17th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session March 31, 2010**

The Chief Clerk called the roll.

Members Present: 33.

Members Absent: Representatives Mitchell, Oberle, Plant, B. Short, D. Short, Thornburg, Viola & D.E. Williams - 8.

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 352** - WALLS & REPRESENTATIVE BRADY & SENATOR KATZ; REPRESENTATIVES D.P. WILLIAMS, WILSON; SENATORS HALL-LONG, HENRY, BONINI, BOOTH, ENNIS, SIMPSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 27 of the Delaware Code Relating to Religious Camp Meetings.

**HB 355** - HOCKER & SENATOR BUNTING; REPRESENTATIVES D. SHORT, BRIGGS KING, CAREY, HUDSON, LAVELLE, LEE, OUTTEN, RAMONE, WILSON, ATKINS, CARSON, MITCHELL, B. SHORT, WALLS; SENATORS ENNIS, KATZ, VENABLES, SIMPSON, SORENSON, BONINI, BOOTH - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Environmental Control.

**HA 2 to HA 5 to HB 194** - KOVACH - Placed with the Bill.

**HA 3 to HA 5 to HB 194** - D. SHORT - Placed with the Bill.

**HA 1 to HB 312** - LONGHURST - Placed with the Bill.

**HA 1 to HB 313** - LONGHURST - Placed with the Bill.

**HA 1 to HB 338** - J. JOHNSON - Placed with the Bill.

**HA 1 TO HB 348** - LONGHURST - Placed with the Bill.

**HCR 32** - WILSON & REPRESENTATIVE HUDSON & SENATOR BUNTING; REPRESENTATIVES BLAKEY, BRIGGS KING, CAREY, HOCKER, LEE, OUTTEN; SENATORS VENABLES, SIMPSON, BONINI - HOUSE ADMINISTRATION - Urging the Members of the United States Congress to Propose the Parental Rights Amendment to the States for Ratification.

Representatives Ramone & Manolakos requested that they be marked present. Representative Schooley requested and was granted personal privilege of the floor to introduce guests. Representative Keeley requested that she be marked present. Representative Longhurst deferred to Representative Cathcart. Representative Cathcart requested that he be marked present.

Representative Cathcart introduced and brought **HR 37**, jointly sponsored by Representative Oberle & Representative Barbieri & Representative Q. Johnson on behalf of all Representatives, before the House for consideration.

**HR 37** - DECLARING APRIL, 2010 AS AUTISM AWARENESS MONTH IN DELAWARE.

WHEREAS, autism is a lifelong developmental disability which impairs an individual's ability to learn, develop healthy social behaviors, and understand verbal, nonverbal, and reciprocal communication; and

WHEREAS, autism is a spectrum disorder, affecting every person in unique and individual ways that call for individualized treatment, educational programming, and services; and

WHEREAS, autism is the result of a neurological disorder affecting the functioning of the brain, and there is a greater need for public awareness of this complex disorder; and

WHEREAS, autism has no known cure, and research is critical to discovering the causes, treatments and cures for the disorder; and

WHEREAS, autism is the third most common developmental disability, affecting more than 1,000,000 people across the country, and as many as 1,200 individuals and their families in Delaware; and

WHEREAS, the population of students with autism statewide in Delaware has more than doubled over the last 10 years; and

WHEREAS, students with autism are graduating in increasing numbers into adult services, going from an average of five graduates in 2000 to a projected 25 in 2010; and

WHEREAS, the needs of adults with mild autism and Asperger's Syndrome for ongoing support to function successfully at work and in the community often go unrecognized or met; and

WHEREAS, the adult service system needs to be well prepared to support the increasing numbers of young adults who will need residential, vocational, behavioral, health, and/or recreational services to live lives of dignity and productivity in the community; and

WHEREAS, the families of people with autism face financial, emotional, and social challenges as they strive to ensure the best care and life possible for their relative with autism.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware that April, 2010 be declared Autism Awareness Month in Delaware.

Representatives Cathcart, Kowalko, Q. Johnson, Kovach, Barbieri, Ramone & Cathcart made comments.

**HR 37** was adopted by voice vote.

Representative Cathcart requested and was granted privilege of the floor for Theda Ellis, Executive Director, Autism Delaware. Denise Bradley, Legislative Affairs Committee; Mark Rossi, Board Member, Autism Delaware; Peter Bradley, Volunteer, Autism Delaware; Melissa Tice-Martin, Executive Director, Lower Delaware Autism Foundation; Dan Prettyman, Autism Delaware & Rohan Patel, Lower Delaware Autism Foundation. Representative Cathcart made comments. Representative Kowalko requested and was granted personal privilege of the floor to introduce a guest. Representative George requested that she be marked present.

Representative Longhurst introduced and brought **HCR 33**, jointly sponsored by Representative Gilligan & Senator DeLuca & Representatives Schwartzkopf, Cathcart & D. Short on behalf of all Representatives & Senators Blevins, Henry, Simpson & Sorenson on behalf of all Senators, before the House for consideration.

**HCR 33** - PROCLAIMING APRIL 18, 2010 THROUGH APRIL 24, 2010 AS "DELAWARE'S WEEK OF SERVICE."

Representative Longhurst made a comment.

**HCR 33** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Brady made comments regarding **HCR 33**.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:31 p.m.

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on April 1, 2010.

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

MANUFACTURED HOUSING: **HB 312** - 1F, 2M; **HB 313** - 4M.

EDUCATION: **HB 328** - 9F.

HOUSING & COMMUNITY AFFAIRS: **HB 320** - 8F; **HB 321** - 6F;

**HB 333** - 8F.

REVENUE & FINANCE: **HB 349** - 5F.3M.

HEALTH & HUMAN DEVELOPMENT: **HB 344** - 1F, 7M; **HB 351** - 5F, 3M.

Representatives Mitchell, Viola, D.E. Williams, B. Short & D. Short requested that they be marked present for the current Legislative Day. Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell introduced a guest. Representative Schwartzkopf deferred to Representative J. Johnson. Representative J. Johnson requested and was granted personal privilege of the floor to introduce guests. Representatives Scott & Q. Johnson made comments. The House observed a moment of silence in memory of Barbara Caulk, wife of former Representative G. Wallace Caulk, Jr., at the request of Representative Walls. Representative Briggs King requested and was granted personal privilege of the floor to introduce guests.

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

The Chief Clerk called the roll.

Members Present: 38.

Members Absent: Representatives Plant, Schooley & Thornburg - 3.

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 358** - D. SHORT & REPRESENTATIVE BENNETT & REPRESENTATIVE HUDSON & REPRESENTATIVE KOVACH & SENATOR BUNTING; REPRESENTATIVES CATHCART, BRIGGS KING, CAREY, HOCKER, LAVELLE, LEE, MIRO, RAMONE, WILSON, CARSON, KEELEY, B. SHORT, WALLS; SENATORS SIMPSON, SORENSON, BONINI, BOOTH, CLOUTIER - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Fiscal Projections.

**HB 359** - D. SHORT & SENATOR VENABLES - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Blades Relating to Elections.

**HB 360** - D. SHORT & REPRESENTATIVE HUDSON & REPRESENTATIVE VIOLA & SENATOR SIMPSON; REPRESENTATIVES HOCKER, LAVELLE, MANOLAKOS, MIRO, CARSON; SENATORS BUNTING, VENABLES, BONINI - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Financial Disclosure.

**HB 361** - D. SHORT & REPRESENTATIVE HUDSON & SENATOR SIMPSON; REPRESENTATIVES HOCKER, LAVELLE, MANOLAKOS, MIRO, CARSON; SENATOR BONINI - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Duties of a Candidate.

**HA 4 to HA 5 to HB 194** - LEE - Placed with the Bill.

**HA 1 to HB 333** - D. SHORT - Placed with the Bill.

**HA 1 to HB 344** - BRADY - Placed with the Bill.

**HR 40** - GILLIGAN & REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE LONGHURST & REPRESENTATIVE CATHCART & REPRESENTATIVE D. SHORT - HOUSE RULES - Relating to Permanent Rules of the House of Representatives of the 145<sup>th</sup> General Assembly of the State of Delaware.

**SB 183** - MCBRIDE; SENATORS BUNTING, ENNIS, VENABLES; REPRESENTATIVES ATKINS, BOOTH, CARSON, MULROONEY, OBERLE & WALLS - NATURAL RESOURCES - An Act to Amend Title 7, Chapter 5 of the Delaware Code Relating to Game Preserves.

**SB 200** - ENNIS & SENATOR BUSHWELLER & REPRESENTATIVE MITCHELL; REPRESENTATIVES JAQUES, THORNBURG, WALLS, CAREY, CARSON, WILSON; SENATOR BOOTH - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Heavy Vehicle Registration.

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart requested privilege of the floor to present a House Tribute to Michael Jackson, Associate Secretary of Education for Financial and Administrative Services, who addressed the House.

Representative Schwartzkopf made comments.

Senator Nancy W. Cook made comments.

Representatives Lavelle & Keeley made comments.

Representative Kovach requested that he be marked present.

Mr. Speaker Gilligan made an announcement.

Representative Lavelle requested and was granted personal privilege of the floor to introduce guests.

Representative Kowalko requested to be marked present.

The Majority Leader moved to recess for caucus at 2:27 p.m.

The House reconvened at 3:34 p.m.

Representative Schwartzkopf deferred to Representative Outten.

Representative Outten requested that **HB 339** be stricken.

Representative Outten moved to suspend the rules which interfere with introduction of and action on **HB 356**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Outten introduced and brought **HB 356**, jointly sponsored by Senator Cook, before the House for consideration.

**HB 356** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF FELTON TO CHANGE THE DURATION OF THE TERM OF A MEMBER OF THE TOWN COUNCIL AND TO IMPLEMENT USE OF THE STATE'S VOTER REGISTRATION SYSTEM. (2/3 bill)

Representatives Outten & J. Johnson made comments.

The roll call on **HB 356** was taken and revealed:

YES: 37.

ABSENT: Representatives Plant, Schooley, Thornburg & D.P. Williams - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 356** was sent to the Senate for concurrence.

Representatives George, Lee, Miro & Oberle requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 312**, jointly sponsored by Senator Ennis & Representatives Atkins, Carson, Q. Johnson, Kowalko, Schwartzkopf & Walls & Senator Bunting, before the House for consideration.

**HB 312 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES.**

Representative Longhurst brought **HA 1 to HB 312** before the House for consideration.

Representatives Longhurst & Lavelle made comments. Representative Hocker announced that he will not be voting on **HB 312** or **HA 1** because of a possible conflict of interest. Representatives Kowalko, Briggs King, Lavelle, Ramone, Lavelle, Ramone, D. Short, Miro, Kovach, Brady, Kowalko & B. Short made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 312 w/HA 1** was taken and revealed:

YES: 21.

NO: Representatives Blakey, Briggs King, Carey, Cathcart, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, D. Short & Wilson - 14.

NOT VOTING: Representatives Brady & Hocker - 2.

ABSENT: Representatives George, Plant, Schooley & Thornburg - 4.

Therefore, having received a constitutional majority, **HB 312 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Gilligan introduced guests.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 351**, jointly sponsored by Senator Henry & Representatives Carson, Gilligan, Jaques, Mitchell & D.E. Williams & Senators Hall-Long, Sorenson & Bushweller & cosponsored by Representatives Atkins, Briggs King, Carey, Cathcart, Hocker, Hudson, J. Johnson, Q. Johnson, Kovach, Kowalko, Lee, Manolakos, Miro, Oberle, Outten, Ramone, Schwartzkopf, D. Short, Walls & Wilson, before the House for consideration.

**HB 351 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE ELDER CARE INFORMATION AND SUPPORT SYSTEM FOR DELAWARE FAMILIES.**

Representatives Barbieri & Lavelle made comments.

The roll call on **HB 351** was taken and revealed:

YES: 35.

ABSENT: Representatives George, Plant, Schooley, Scott, Thornburg & D.P. Williams - 6.

Therefore, having received a constitutional majority, **HB 351** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **HB 344**, jointly sponsored by Senator Katz & Representatives J. Johnson & D.P. Williams & Senator Henry, before the House for consideration.

**HB 344 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE.**

Representative Brady brought **HA 1 to HB 344** before the House for consideration. Representative Brady made comments. **HA 1** was adopted by voice vote. Representatives Brady & Kovach made comments. Representative Brady requested and was granted privilege of the floor for Ken Boulden, Clerk of the Peace, New Castle County. Representatives Kovach, Ramone, D. Short & Brady made comments.

The roll call on **HB 344 w/HA 1** was taken and revealed:

YES: 35.

NO: Representatives Briggs King & Hudson - 2.

ABSENT: Representatives George, Plant, Schooley & Thornburg - 4.

Therefore, having received a constitutional majority, **HB 344 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell moved to suspend the rules which interfere with action on **HB 189**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Mitchell brought **HB 189**, jointly sponsored by Representative J. Johnson & Senator Henry & Representatives Brady, M. Marshall, Plant, Schwartzkopf & Scott, before the House for consideration.

**HB 189 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.**

Representative Mitchell made comments.

The roll call on **HB 189** was taken and revealed:

YES: 37.

ABSENT: Representatives George, Plant, Schooley & Thornburg - 4.

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 brought **HB 328**, jointly sponsored by Senator Sokola & Representatives Barbieri, Bennett, Jaques, Lavelle, Longhurst, M. Marshall, Mitchell, Mulrooney, Schooley, Scott & Walls & Senators Hall-Long & Henry & cosponsored by Representatives J. Johnson, Kovach & Wilson & Senators Bunting & Cloutier, before the House for consideration.

**HB 328** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EXCEPTIONAL PERSONS.

Representative Q. Johnson introduced and brought **HA 1 to HB 328** before the House for consideration. Representative Q. Johnson made comments. **HA 1** was adopted by voice vote. Representatives Q. Johnson & Kovach made comments.

The roll call on **HB 328 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives George, Plant, Schooley & Thornburg - 4.

Therefore, having received a constitutional majority, **HB 328 w/HA 1** was sent to the Senate for concurrence.

Representative Q. Johnson made comments.

Representative Schwartzkopf deferred to Representative Oberle.

Representative Oberle introduced **HB 363**, jointly sponsored by Senator Cloutier & Senator McBride & Senator Marshall & Representatives Brady, Kowalko & Ramone & Senator Ennis.

**HB 363** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO INSTRUCTION IN PUBLIC SCHOOLS ON THE HISTORY OF ORGANIZED LABOR IN AMERICA AND THE COLLECTIVE BARGAINING PROCESS.

Mr. Speaker Gilligan assigned **HB 363** to the Education Committee.

Representative Oberle introduced **HB 364**, jointly sponsored by Senator Cloutier & Senator Marshall & Senator McBride & Representatives Brady, Kowalko & Ramone & Senator Ennis & cosponsored by Representatives Barbieri & Jaques.

**HB 364** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE POLICE OFFICERS' AND FIREFIGHTERS' EMPLOYMENT RELATIONS ACT.

Mr. Speaker Gilligan assigned **HB 364** to the Public Safety & Homeland Security Committee.

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

JUDICIARY: **HJR 9** - 6F; **HB 338** - 2F, 4M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 183 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 270, HB 216, HB 335, HB 106 & HCR 33** and is returning the same to the House. The Senate has passed **HB 294 w/SA 1** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 217 & SCR 27** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 224, SB 222, SS 1 to SB 171 w/SA 1 & 2** and requests the concurrence of the House and the Senate has passed **HB 159 w/HA 1 and HA 1 to HA 1, HA 2, SA 1 & SA 2** & has passed **HB 324** and is returning the same to the House.

Memorandum

To: The Honorable Robert F. Gilligan  
Speaker of the House

From: Representative Hazel D. Plant

Date: April 1, 2010

RE: Absence from Legislative Session

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

Thank you.

Mr. Speaker Gilligan, Representatives D.P. Williams & Kowalko made announcements.

The Majority Leader moved to recess to the call of the Chair at 4:50 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on April 20, 2010.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: Rep. Robert L. Gilligan  
Speaker of the House

CC: Richard Puffer

FROM: Terry Schooley

DATE: April 1, 2010

RE: Absence from session

I will be unable to attend today's session due to sudden illness.

April 6, 2010

LEGISLATIVE ADVISORY #35

Governor Jack A. Markell signed the following legislation on the date indicated: 3/25/10 - **HB 3 aab HA 1**; 3/31/10 - **SB 182 & HB 319**.

April 13, 2010

LEGISLATIVE ADVISORY # 36

Governor Jack A. Markell signed the following legislation on the date indicated: 4/6/10 - **SJR 2**; 4/8/10 - **HB 106, HB 216, HB 246 aab HA 1 aab HA 1 to HA 1, HB 270 & HB 324**; 4/9/10 - **HB 284 aab SA 1**.

Representative Mitchell 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.

**19th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session  
April 20, 2010**

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 out-of-session prefiled legislation was introduced:

April 15, 2010

**HS 1 for HB 348** - LONGHURST & SENATOR HALL-LONG; REPRESENTATIVES BARBIERI, BENNETT, CARSON, HUDSON, J. JOHNSON, Q. JOHNSON, KEELEY, MITCHELL, MULROONEY, PLANT, SCHOOLEY, SCHWARTZKOPF; SENATORS HENRY, PETERSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses. (2/3 bill)

**HB 362** - Q. JOHNSON & SENATOR ENNIS - HOUSE ADMINISTRATION - An Act to Amend the Laws of Delaware Volume 66, as Amended, Pertaining to the Charter of the Town of Clayton. (2/3 bill)

**HB 365** - BENNETT & SENATOR BLEVINS; REPRESENTATIVES CARSON, WALLS, GEORGE, SCOTT, BRADY, KOWALKO, HUDSON, MANOLAKOS, OBERLE, KOVACH, B. SHORT, J. JOHNSON, D.P. WILLIAMS, JAQUES, Q. JOHNSON, D.E. WILLIAMS, LONGHURST, MITCHELL, THORNBURG, LEE, RAMONE, WILSON; SENATORS BOOTH, BUSHWELLER, KATZ, SIMPSON, HENRY, BONINI, SOKOLA, CONNER, CLOUTIER, ENNIS, HALL-LONG, VENABLES - JUDICIARY - An Act to Amend Title 29 of the Delaware Code Relating to Certain Positions in the Court of Common Pleas.

**HB 366** - HUDSON & REPRESENTATIVE CATHCART & SENATOR PETERSON & SENATOR BOOTH; REPRESENTATIVES BRIGGS KING, CAREY, HOCKER, LAVELLE, MANOLAKOS; SENATORS SIMPSON, SORENSON, BONINI - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Disclosure of Consultants and Contractors to Agencies.

**HB 367** - D. SHORT & REPRESENTATIVE HUDSON & SENATOR BLEVINS; REPRESENTATIVES BRIGGS KING, HOCKER, OBERLE, CARSON, KOWALKO; SENATOR SOKOLA - ECONOMIC DEVELOPMENT/BANKING/ INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Unfair Acts in the Business of Insurance.

**HB 368** - MITCHELL & SENATOR BUSHWELLER; REPRESENTATIVES BARBIERI, CARSON, LAVELLE, RAMONE; SENATOR ENNIS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles and Commercial Driver Licenses.

**HA 5 to HA 5 to HB 194** - LAVELLE - Placed with the Bill.

**SS 1 for SB 171 w/SA 1 & 2** - ENNIS & REPRESENTATIVE SCHOOLEY; SENATORS HALL-LONG, BONINI, MCDOWELL; REPRESENTATIVES BENNETT, CARSON, KEELEY, RAMONE - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Parentage.

**SB 217** - BLEVINS & REPRESENTATIVE MITCHELL; SENATOR ENNIS; REPRESENTATIVE J. JOHNSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Timing of an Initial Hearing Before a Judge of a Person Who is Temporarily Incapacitated.

**SB 222** - DELUCA & REPRESENTATIVE GILLIGAN; SENATORS BLEVINS, MCBRIDE, BONINI, BOOTH, CLOUTIER, SIMPSON; REPRESENTATIVES SCHWARTZKOPF, KEELEY, LONGHURST, WALLS, HUDSON, CAREY, OBERLE, D. SHORT, THORNBURG, ATKINS, BENNETT, CARSON, JAQUES, J. JOHNSON, KOVACH, OUTTEN, D.E. WILLIAMS, WILSON; SENATOR COOK - LABOR - An Act to Amend Title 23 of the Delaware Code Relating to Pilotage Rates.

**SB 224** - DELUCA; SENATORS ENNIS, BUSHWELLER; REPRESENTATIVES SCHWARTZKOPF, LEE, MITCHELL, CARSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 20 Relating to the Delaware State Police Ready Reserve.

**SCR 27** - MCDOWELL & REPRESENTATIVE BRADY & REPRESENTATIVE KOWALKO; SENATORS COOK KATZ, MARSHALL, PETERSON, SOKOLA, ENNIS, HALL-LONG, SORENSON, CLOUTIER, CONNOR; REPRESENTATIVES MITCHELL, SCHOOLEY, KEELEY - ENERGY - Urging



the President and the United States Congress to Address the Issue of Climate Change and Energy by Passing Clean Energy Legislation that Promotes Jobs and Innovative Energy Development, Strengthens National Energy and Economic Security, and Positions the United States to be a Leader in the Field of Clean Energy.

The following prefiled legislation was introduced:

**HB 369** - LAVELLE & REPRESENTATIVE MIRO & SENATOR KATZ; REPRESENTATIVES D. SHORT, CATHCART, BRIGGS KING, HOCKER, HUDSON, MANOLAKOS, CARSON, KEELEY, SCOTT; SENATORS BUNTING, SIMPSON, SORENSON, BONINI, BOOTH - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act.

Representatives Hudson & Kowalko made comments.

Representative Viola requested that he be marked present.

Representative Viola requested that **HB 327** be stricken.

Representative Atkins made comments.

Mr. Speaker Gilligan introduced Jason C. Yuan, Representative, Taipei Economic & Cultural Representative Office in the U.S.

Representative Schwartzkopf introduced and brought **HCR 34** jointly sponsored by Senator DeLuca & Representative Gilligan & Representatives Longhurst, Cathcart & D. Short on behalf of all Representatives & Senators Blevins, Henry, Simpson & Sorenson on behalf of all Senators, before the House for consideration.

**HCR 34** - CELEBRATING THE TENTH ANNIVERSARY OF THE SISTER STATE-PROVINCE AGREEMENT BETWEEN THE STATE OF DELAWARE AND THE PROVINCE OF TAIWAN.

WHEREAS, ten years ago, the State of Delaware and the Province of Taiwan developed a Sister State-Province Agreement; and

WHEREAS, in 1999, three members of the Delaware General Assembly, Representatives Joseph G. DiPinto, Roger R. Roy, and Robert F. Gilligan, initiated the establishment of a trade office in Taipei, Taiwan, and

WHEREAS, Taiwan continues to be one of the top ten markets worldwide for Delaware exports; and

WHEREAS, a continued relationship of trade and friendship will benefit the people of Taiwan and the people of Delaware; and

WHEREAS, the Sister State-Province relationship between Delaware and Taiwan has promoted, and will continue to promote, increased trade, tourism, and communications, as well as cultural, educational, professional, commercial and scientific exchanges between the two communities.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145<sup>th</sup> General Assembly of the State of Delaware, the Senate concurring therein, that its members recognize the important relationship and friendship between the State of Delaware and the Province of Taiwan.

BE IT FURTHER RESOLVED that the members of the House of Representatives, the Senate concurring therein, support and encourage maintaining the Sister State-Province relationship between the State of Delaware and the Province of Taiwan.

BE IT FUTHTER RESOLVED that the relationship between the State of Delaware and the Province of Taiwan will continue to foster mutually beneficial exchanges and strengthen each community culturally, economically and intellectually.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution shall be presented to Mr. Jason C. Yuan, the Representative on behalf of the Taipei Economic & Cultural Representative Office in the United States, during the Taiwanese delegation's visit to the State of Delaware on April 20, 2010.

Representative Schwartzkopf & Cathcart made comments.

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

Representative Schwartzkopf requested and was granted privilege of the floor for Mr. Jason Juan.

Mr. Speaker Gilligan introduced members of the Taiwan delegation.

Representative D.E. Williams, Mr. Speaker Gilligan & Representative Miro made comments.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson requested privilege of the floor for Representative Carey and himself to introduce Dr. Jan Sosnowski, Delaware Veterinary Medicine Association, Representative to the American Veterinary Medicine Association; Dr. Heather Hirst, State Veterinarian & Lynn Appel, Executive Director, Delaware Veterinary Medical Association and to present a House Tribute to Dr. Craig A. Stonesifer, President, Delaware Veterinary Medical Association, who addressed the House.

Representative Carey made comments.

Representative Schwartzkopf deferred to Representative Lee.

Representative Lee requested & was granted privilege of the floor to present a House Tribute to John Hollis, representing Sussex Child Health Promotion Coalition, who addressed the House.

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

Mr. Speaker Gilligan reassigned **HB 340** to the Telecommunications, Internet & Technology Committee.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley introduced and brought **HCR 35**, jointly sponsored by Representative George & Representative Longhurst & Senator Blevins & Representatives Barbieri, Bennett, Brady, Briggs King, Carson, Q. Johnson, Kowalko, Manolakos, Mitchell, Oberle, Schooley, Schwartzkopf, Scott, B. Short & Viola & Senators Connor, Hall-Long, Henry, Katz, McDowell, Peterson, Sokola & Sorenson & cosponsored by Senators Cloutier & Marshall, before the House for consideration.

**HCR 35 - ESTABLISHING APRIL 20, 2010 AS "EQUAL PAY DAY" IN THE STATE OF DELAWARE.**

WHEREAS, more than forty years after the passage of the Equal Pay Act and Title VII of the Civil Rights Act, a gap in wages for women and minorities persists; and

WHEREAS, despite the fact that women make up half of the American workforce, women on average earn only 77% of men's earnings; African American women earn 70% of men's average earnings; Hispanic women earn 62%; Asian women, 87%; and

WHEREAS, even when experience, education and time in the workforce are factored in, a significant percentage of this differential can only be attributed to discrimination; and

WHEREAS, according to the U.S. Department of Labor Bureau of Labor Statistics, women earn less in every occupational classification for which data is available, including occupations traditionally dominated by women (e.g., registered nurses and teachers); and

WHEREAS, 73% of mothers are working and a majority of families in the United States rely on women's wages to make ends meet; and

WHEREAS, over a working lifetime, this wage disparity costs the average American woman and her family \$700,000 to \$2 million in lost wages, also impacting social security benefits and pensions; and

WHEREAS, fair pay policies can be implemented simply and without undue cost or hardship in both the public and private sectors; and

WHEREAS, the U.S. Congress has taken up these concerns with the passage of the Lilly Ledbetter Act of 2009, which restores protection against pay discrimination, and the pending Paycheck Fairness Act, which would ensure effective remedies for wage discrimination and strengthen enforcement of equal pay laws; and

WHEREAS, Tuesday, April 20, 2010 symbolizes the day on which the wages paid to American women catch up to the wages paid to men from the *previous* year.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concurring therein, that Tuesday, April 20, 2010 is designated as Equal Pay Day in the State of Delaware.

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

Representative Keeley made comments & introduced guests.

Representative Scott made an announcement.

The Majority Leader moved to recess for caucus at 2:41 p.m.

The House reconvened at 4:10 p.m.

Representative Schwartzkopf brought **Consent Agenda A**, which requires a two-thirds vote, before the House for concurrence on Senate Amendments.

**HB 159 w/HA 1, HA 1 to HA 1, HA 2 & SA 1 & SA 2 - REPRESENTATIVE BOOTH & SENATOR HALL-LONG; REPRESENTATIVES CARSON, MITCHELL, CATHCART, D. SHORT, CAREY, HOCKER, LAVELLE, OUTTEN, WILSON & SENATORS BUNTING, SIMPSON & SORENSON - An Act to Amend Title 29 of the Delaware Code Relating to Powers, Duties, and Functions of the Secretary of the Department of Health and Social Services. (2/3 bill)**

**HB 243 w/SA 1 & SA 2 - WALLS - An Act to Amend the Charter of the Town of Bowers, Chapter 279, Volume 53, Laws of Delaware as Amended to (1) Confer Upon the Tax Collector the Powers of the Kent County Receiver of Taxes for Purposes of Collecting Delinquent Taxes, and (2) Grant the Town the Specific Authority to Regulate the Use of Golf Carts. (2/3)**

Representatives D.P. Williams & Plant requested that they be marked present.

The roll call on **Consent Agenda A** was taken and revealed:

YES: 40.

ABSENT: Representative Cathcart - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 159 w/HA 1, HA 1 to HA 1, HA 2 & SA 1 & 2 & HB 243 w/SA 1 & 2** were sent to the Governor.

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

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 296**, jointly sponsored by Senator Henry & Representative Wilson & Senators Cloutier, Ennis & Bushweller, before the House for consideration.

**HB 296 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO DECEDENTS' ESTATES.**

Representative B. Short made comments.

The roll call on **HB 296** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 296** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought **HB 333**, jointly sponsored by Representative Schwartzkopf & Senator Bunting & Representatives Carey, Hocker, Lee, Outten & Wilson, before the House for consideration.

**HB 333** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE ENFORCEMENT OF AN ORDER TO CONNECT TO A SANITARY SEWER.

Representative D. Short brought **HA 1 to HB 333** before the House for consideration.

Representative D. Short made a comment. **HA 1** was adopted by voice vote. Representative D. Short introduced and brought **HA 2 to HB 333** before the House for consideration. Representative D. Short made comments. **HA 2** was adopted by voice vote. Representative D. Short made comments.

The roll call on **HB 333 w/HA 1 & 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 333 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **SB 167**, sponsored by Senator Henry & Representative Keeley & Representatives Barbieri, Jaques, Hocker & Manolakos, before the House for consideration.

**SB 167** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM TAXATION FOR CERTAIN ORGANIZATIONS.

Representatives Brady & Lavelle made comments.

The roll call on **SB 167** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 167** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker brought **SB 192**, jointly sponsored by Senator Bunting, before the House for consideration.

**SB 192** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF FENWICK RELATING TO TOWN COUNCIL VACANCIES AND FORFEITURES. (2/3 bill)

Representative Hocker made comments.

The roll call on **SB 192** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 192** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 294 w/SA 1**, jointly sponsored by Representative Scott & Senator Bushweller & Representatives Blakey, Q. Johnson, Outten, Thornburg & Walls & Senator Simpson, before the House for concurrence on **SA 1**.

**HB 294** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE KENT COUNTY COMPTROLLER, KENT COUNTY RECEIVER OF TAXES AND COUNTY TREASURER, AND GOVERNMENT OF KENT COUNTY.

Representative Bennett made comments.

The roll call on **HB 294 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 294 w/SA 1** was sent to the Governor.

Representative Gilligan made an announcement.

Representative Schwartzkopf brought **HB 330 w/SA 1**, jointly sponsored by Senator Ennis & Representatives Bennett, Carson, Cathcart, Gilligan, Hocker, Hudson, Jaques, Q. Johnson, Longhurst, Mitchell, Outten, Viola, Walls & Wilson & Senators McBride & Bushweller, before the House for concurrence on **SA 1**.

**HB 330** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO IMMUNITY FOR DONATIONS TO VOLUNTEER FIRE DEPARTMENTS.

Representative Schwartzkopf made comments.

The roll call on **HB 330 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 330 w/SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques introduced **HB 370**, jointly sponsored by Senator Katz.

**HB 370** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE.

Mr. Speaker Gilligan assigned **HB 370** to the Health & Human Development Committee.

Representative Jaques made comments.

Mr. Speaker Gilligan made an announcement.

The Majority Leader moved to recess to the call of the Chair at 4:40 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 21, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 330 w/SA 1** and is returning the same to the House.

The Senate wishes to inform the House that it has passed **HCR 34 & HCR 35** 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.

## **20th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session April 21, 2010**

The Chief Clerk called the roll.

Members Present: 34.

Members Absent: Representatives Cathcart, Carey, Lavelle, Manolakos, Oberle, B. Short & D.E. Williams - 7.

A prayer was offered by Representative Pamela J. Thornburg, 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 371** - B. SHORT & SENATOR DELUCA; REPRESENTATIVES CARSON, KOVACH, MITCHELL, D.E. WILLIAMS; SENATOR KATZ - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 25 of the Delaware Code Relating to Freedom of Contract.

**HB 372** - GEORGE & SENATOR BLEVINS; REPRESENTATIVES BENNETT, CARSON, HUDSON, KOVACH, LAVELLE; SENATOR SORENSON - 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.

**HB 373** - GEORGE & SENATOR BLEVINS; REPRESENTATIVES BENNETT, CARSON, HUDSON, JAQUES, KOVACH, LAVELLE - 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.

**HB 374** - GEORGE & SENATOR BLEVINS; REPRESENTATIVES BENNETT, CARSON, HUDSON, J. JOHNSON, KOVACH, LAVELLE - 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.

**HB 375** - GEORGE & SENATOR BLEVINS; REPRESENTATIVES BENNETT, CARSON, HUDSON, KOVACH, LAVELLE; SENATOR SORENSON - JUDICIARY - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law.

**HA 1 to HB 350** - HOCKER - Placed with the Bill.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley requested and was granted privilege of the floor for herself and Representatives Jaques and Kowalko to present a House Tribute to the Fifth & Eighth Grade State Champion Odyssey of the Mind Teams, Newark Charter School. Representative Schooley made an announcement. Representative Longhurst made comments. Students, Parent Coaches & the School Principal announced their names for the record.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced a guest.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf brought the following prefiled **Consent Calendar #13** before the House for consideration.

**HR 39** - D. SHORT & REPRESENTATIVE B. SHORT & REPRESENTATIVE BENNETT & REPRESENTATIVE Q. JOHNSON & REPRESENTATIVE SCOTT & REPRESENTATIVE WALLS & REPRESENTATIVE KOVACH & REPRESENTATIVES CATHCART, BRIGGS KING, HOCKER, HUDSON, LAVELLE & MIRO - Requesting the Health Care Advisory Panel to Provide an Update to the Legislature on the Impact on Premium Costs to Employers as a Result of Enactment of the 2007 Workers' Compensation Law.

**HR 41** - D. SHORT & REPRESENTATIVE B. SHORT & REPRESENTATIVE Q. JOHNSON & REPRESENTATIVE SCOTT & REPRESENTATIVE WALLS & REPRESENTATIVE BRIGGS KING &

REPRESENTATIVE HOCKER & REPRESENTATIVE KOVACH & REPRESENTATIVE LAVELLE & REPRESENTATIVE RAMONE & REPRESENTATIVE WILSON & REPRESENTATIVES CARSON, KEELEY & HUDSON - Requesting the Delaware Insurance Commissioner to Conduct Random Audits of Small Business Health Insurance Carriers in Delaware.

**Consent Calendar #13** was adopted by voice vote and **HR 39** & **HR 41** were declared passed.

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.: Representatives Keeley, Mitchell & Walls.

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on April 22, 2010.

Representatives B. Short, Lavelle, Carey, Manolakos & D.E. Williams requested that they be marked present for the current Legislative Day.

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

JUDICIARY: **SB 197** - 5F, 2M; **SB 217** - 6F, 2M.

PUBLIC SAFETY & HOMELAND SECURITY: **SB 200** - 3F, 5M; **SB 224** - 2F, 6M.

REVENUE & FINANCE: **HB 334** - 6F, 1M.

HOUSING & COMMUNITY AFFAIRS: **HB 352** - 6F.

EDUCATION: **HB 345** - 7F, 3M; **HB 347** - 6F, 4M; **HB 350** - 8M.

LABOR: **SB 222** - 1F, 5M.

NATURAL RESOURCES: **HB 354** - 2F, 8M; **HB 355** - 5M, 3U.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 212 w/SA 1, 2 & 3** and the Senate has passed **SCR 29** and requests the concurrence of the House.

#### MEMORANDUM

TO: Representative Robert F. Gilligan  
Speaker of the House

CC: Rich Puffer  
Chief Clerk

FROM: Representative Darryl M. Scott

DATE: April 21, 2010

RE: Absence from session

I am unable to attend session tomorrow, April 22, 2010, as I have been called out of town on business.

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.

### **21st LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session April 22, 2010**

The Chief Clerk called the roll.

Members Present: 40.

Members Absent: Representative Scott - 1.

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

Mr. Speaker Gilligan invited Steve Zimmerman, Patrick Cullington & Joseph Rogers 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 376** - MITCHELL & SENATOR ENNIS; REPRESENTATIVES BENNETT, CARSON, MULROONEY, PLANT, VIOLA; SENATORS HALL-LONG, MCDOWELL - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 16 of the Delaware Code Relating to Fire Prevention.

**HB 377** - B. SHORT & REPRESENTATIVE BARBIERI & REPRESENTATIVE BENNETT & REPRESENTATIVE BRIGGS KING & REPRESENTATIVE HOCKER & REPRESENTATIVE Q. JOHNSON & REPRESENTATIVE KOVACH & REPRESENTATIVE RAMONE & REPRESENTATIVE D. SHORT & REPRESENTATIVE VIOLA & REPRESENTATIVE WALLS & REPRESENTATIVE WILSON & SENATOR KATZ; REPRESENTATIVES HUDSON, JAQUES, LAVELLE, MIRO - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 24 of the Delaware Code Relating to Licensure for Plumbing Contractors and Heating, Ventilation, Air Conditioning, and Refrigeration Contractors.

**HB 380** - BENNETT & REPRESENTATIVE B. SHORT & SENATOR COOK & SENATOR CLOUTIER; REPRESENTATIVES ATKINS, BARBIERI, BRADY, BRIGGS KING, CAREY, CARSON, CATHCART, GEORGE, GILLIGAN, HUDSON, Q. JOHNSON, KEELEY, KOVACH, KOWALKO, LEE, MITCHELL, OUTTEN, RAMONE, SCOTT, D. SHORT, VIOLA, WALLS, D.E. WILLIAMS, D.P. WILLIAMS, WILSON, JAQUES, LAVELLE, SCHWARTZKOPF; SENATORS DELUCA, HALL-LONG, KATZ, MCDOWELL, SIMPSON, SOKOLA, SORENSON - ECONOMIC

DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 30 of the Delaware Code Relating to Economic Development Incentives.

**HA 1 to HB 321** - CATHCART - Placed with the Bill

**HA 1 to HA 1 to HB 350** - BRIGGS KING - Placed with the Bill.

**SB 212 w/SA 1, 2 & 3** - ENNIS & REPRESENTATIVE MITCHELL; SENATORS BUSHWELLER, HALL-LONG, CONNOR, MCBRIDE; REPRESENTATIVES JAQUES, CATHCART - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County.

Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley & Mr. Speaker Gilligan introduced guests. Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst introduced guests. Representative Schwartzkopf deferred to Representative Miro. Representative Miro introduced guests. Representative Schwartzkopf deferred to Representative Brady. Representative Brady requested and was granted privilege of the floor for Pam Sapko, Executive Director, Delaware Center for Horticulture. Representatives Mulrooney, Outten, Plant & Mitchell requested that they be marked present. Representative Schwartzkopf deferred to Representative Atkins. Representative Atkins requested and was granted personal privilege of the floor to introduce guests. Representative Kovach requested that he be marked present. Representative Schwartzkopf made comments. Representative Schwartzkopf deferred to Representative Blakey.

Representative Blakey made comments and requested and was granted privilege of the floor for Joyce Warrington, representing Organization of Adult Alumni and Students in Service.

Representative Blakey made comments.

Representative Schwartzkopf introduced and brought **SCR 29**, jointly sponsored by Senator Cloutier & Senator Connor & Representative Longhurst, before the House for consideration.

Representative Mulrooney requested that **HB 162** be stricken.

**SCR 29** - DESIGNATING APRIL 22, 2010 AS "TECHNOLOGY EDUCATION DAY" IN THE STATE OF DELAWARE.

WHEREAS, technological literacy is an important asset to all Delawareans; and

WHEREAS, success and efficiency of the state, country, and world are becoming more technologically based; and

WHEREAS, technological literacy allows for further advancement of the citizens of the State of Delaware and their active roles in the community; and

WHEREAS, technological literacy strengthens the foundation of Delaware's economy; and

WHEREAS, a larger percent of people have a basic understanding of technology today; and

WHEREAS, a higher level of technological literacy is needed to compete in the global market place;

NOW THEREFORE:

BE IT RESOLVED, by the Senate of the 145<sup>th</sup> General Assembly of the State of Delaware, the House concurring therein, that April 22, 2010 is hereby designated as "Technology Education Day" in Delaware, and we urge all citizens of Delaware to recognize this event and participate in its observance.

Representative Schwartzkopf made comments.

**SCR 29** was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko requested that **HB 24** be stricken.

Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst made comments. The House observed a moment of silence in memory of Christopher W. White, Executive Director, Community Legal Aid Society, at the request of Representative Longhurst. Representatives Kowalko & Schwartzkopf made comments.

The Majority Leader moved to recess for caucus at 2:27 p.m.

The House reconvened at 4:23 p.m.

Representative D.P. Williams requested that he be marked present.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Cathcart requested that he be marked present.

Representative Kowalko introduced and brought **HCR 37**, jointly sponsored by Representative Keeley & Representative Miro & Representative Plant on behalf of all Representatives & Senator Marshall on behalf of all Senators, before the House for consideration.

**HCR 37** - MOURNING THE DEATHS OF THE PRESIDENT, FIRST LADY AND MANY OTHER LEADERS OF THE REPUBLIC OF POLAND WHO TRAGICALLY DIED IN A PLANE CRASH ON APRIL 10, 2010; REMEMBERING THE SACRIFICE OF THE APPROXIMATELY 22,000 POLISH CITIZENS EXECUTED IN 1940 BY THE SOVIET SECRET POLICE ON THIS 70TH ANNIVERSARY OF THE KATYN MASSACRE; AND OBSERVING APRIL AS A MONTH OF REMEMBRANCE TO HONOR THE MEMORY OF THE VICTIMS OF BOTH OF THESE TRAGIC EVENTS.

WHEREAS, on April 10, 2010, the President and First Lady of Poland, Lech and Maria Kaczynski, as well as many of Poland's diplomatic, military and religious leaders tragically died when the plane on which they were passengers crashed in a forest in western Russia near the city of Smolensk; and

WHEREAS, President Kaczynski was a distinguished statesman who, along with many of the others who died on April 10th, played a key role in the Solidarity movement and Poland's inspiring democratic transformation; and

WHEREAS, the Solidarity movement ended communism in Poland without bloodshed, inspiring other nations under Soviet control to seek freedom and democracy and playing an important role in the fall of communism in Central and Eastern Europe; and

WHEREAS, the Polish leadership was traveling to Russia on April 10th to commemorate the 70th anniversary of the Katyn Massacre (also known as the Katyn Forest Massacre), the brutal mass execution of approximately 22,000 Polish military officers, doctors, professors, lawmakers and civil servants committed in April or May of 1940 by the Soviet Secret Police; and

WHEREAS, with responsibility for the Katyn Massacre finally being acknowledged by the Russian government, Poland and Russia have begun to build and re-establish relationships that have been strained since World War II; and

WHEREAS, the healing process between the two nations was to continue with the visit by President Kaczynski and other leaders of a strong, vibrant and free Poland to Katyn to commemorate the 70th anniversary of this unthinkable tragedy and ensure that such events never reoccur in civilized society; and

WHEREAS, the strength of Poland's leaders and will of its great people will ensure that Poland emerges from the depths of this most recent tragedy, and the legacy of President Kaczynski and the leaders who died in Katyn in 1940 and on April 10, 2010, will continue to guide Poland in the direction of freedom and progress; and

WHEREAS, a deep bond of friendship exists between the people of the United States and the people of Poland and Poland is among the strongest allies and partners of the United States; and

WHEREAS, the General Assembly believes it is appropriate to observe the month of April as a time of remembrance to honor the memory of the victims of these tragic events and their efforts to seek peace and reconciliation.

NOW, THEREFORE:

BE IT RESOLVED that the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concurring therein, that the members hereby mourn the deaths of Poland's President, First Lady and many diplomatic, military and religious leaders who died on April 10, 2010.

BE IT FURTHER RESOLVED the General Assembly hereby remembers the sacrifice of the approximately 22,000 Polish citizens executed by the Soviet Secret Police in the 1940 Katyn Massacre.

BE IT FURTHER RESOLVED that the General Assembly hereby designate the month of April as a month of remembrance to honor the memory of all the Polish leaders who died in the Katyn Massacre and on April 10, 2010, and their efforts to seek peace and reconciliation.

BE IT FURTHER RESOLVED that, upon passage, a suitably prepared and duly authenticated copy of this resolution be sent Ambassador Kupiecki at the Embassy of the Republic of Poland in Washington, D.C.

Representative Kowalko made comments.

**HCR 37** was adopted by voice vote and was sent to the Senate for concurrence.

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

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

Mr. Acting Speaker introduced a guest.

Representative Gilligan brought **HB 349**, jointly sponsored by Senator DeLuca, before the House for consideration.

**HB 349 - AN ACT TO AMEND TITLES 9 AND 30 OF THE DELAWARE CODE RELATING TO WITHHOLDING OF TAX ON GAINS FROM REAL ESTATE.**

Representatives Gilligan & Kovach made comments. Representative Gilligan requested and was granted privilege of the floor for Patrick Carter, Director, Division of Revenue, Department of Finance.

Representatives Kovach, Cathcart, Gilligan, Oberle, Kovach, Hudson & Gilligan made comments.

Representative Hudson requested and was granted privilege of the floor for Patrick Carter, Director, Division of Revenue, Department of Finance. Representative Hudson requested and was granted privilege of the floor for Ron Smith, Minority House Attorney. Representative B. Short made comments.

The roll call on **HB 349** was taken and revealed:

YES: 39.

ABSENT: Representatives Lavelle & Scott - 2.

Therefore, having received a constitutional majority, **HB 349** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Gilligan.

Representative Gilligan moved to suspend the rules which interfere with action on **HR 40**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Gilligan brought **HR 40**, jointly sponsored by Representative Schwartzkopf & Representative Longhurst & Representative Cathcart & Representative D. Short, before the House for consideration.

**HR 40 - RELATING TO PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES OF THE 145TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE.**

Representative Gilligan made comments.

**HR 40** was adopted by voice vote.

Mr. Speaker Gilligan resumed the Chair.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **SB 197**, jointly sponsored by Senator Blevins & Senator Sorenson & Representative Hudson & Senators Booth, Bushweller, Ennis, Hall-Long, Henry, Katz, Marshall, Peterson, Sokola & Bonini & Representatives Carson, Cathcart, Jaques, Q. Johnson, Keeley, Kovach, Lavelle, Mitchell, Mulrooney, Oberle, Ramone, Schooley, Schwartzkopf, Scott, D. Short, Viola & Walls, before the House for consideration.

**SB 197** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES AGAINST THE PERSON.

Representatives Bennett & Oberle made comments. Representative Bennett requested and was granted privilege of the floor for Patricia Dailey Lewis, Deputy Attorney General, Director of the Family Division, Department of Justice. Representatives Oberle, D.P. Williams, Schwartzkopf, Kovach & Oberle made comments.

The roll call on **SB 197** was taken and revealed:

YES: 38.

ABSENT: Representatives Lavelle, Manolakos & Scott - 3.

Therefore, having received a constitutional majority, **SB 197** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **SB 200**, jointly sponsored by Senator Ennis & Senator Bushweller & Representatives Jaques, Thornburg, Walls, Carey, Carson & Wilson & Senator Booth, before the House for consideration.

**SB 200** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HEAVY VEHICLE REGISTRATION.

Representatives Mitchell & Walls made comments.

The roll call on **SB 200** was taken and revealed:

YES: 38.

ABSENT: Representatives Lavelle, Manolakos & Scott - 3.

Therefore, having received a constitutional majority, **SB 200** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **SB 224**, jointly sponsored by Senator DeLuca & Senators Ennis & Bushweller & Representatives Schwartzkopf, Lee & Carson, before the House for consideration.

**SB 224** - AN ACT TO AMEND TITLE 20 RELATING TO THE DELAWARE STATE POLICE READY RESERVE.

Representative Mitchell made comments.

The roll call on **SB 224** was taken and revealed:

YES: 38.

ABSENT: Representatives Lavelle, Manolakos & Scott - 3.

Therefore, having received a constitutional majority, **SB 224** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 345**, jointly sponsored by Senator Hall-Long & Representatives Bennett, Carson, Keeley, Mitchell, Schooley, Scott, Kowalko & D.E. Williams & Senators Blevins, Bushweller, Sokola & McDowell & cosponsored by Representatives Jaques, Kovach & Miro, before the House for consideration.

**HB 345** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL CURRICULUM AND WORLD LANGUAGES.

Representative Q. Johnson made comments.

The roll call on **HB 345** was taken and revealed:

YES: 37.

ABSENT: Representatives Lavelle, Manolakos, Plant & Scott - 4.

Therefore, having received a constitutional majority, **HB 345** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Walls.

Representative Walls brought **HB 352**, jointly sponsored by Representative Brady & Senator Katz & Representatives D.P. Williams & Senators Hall-Long & Henry & cosponsored by Representative Wilson & Senators Ennis, Bonini, Booth & Simpson, before the House for consideration.

**HB 352** - AN ACT TO AMEND TITLE 27 OF THE DELAWARE CODE RELATING TO RELIGIOUS CAMP MEETINGS.

Representative Walls made comments.

The roll call on **HB 352** was taken and revealed:

YES: 37.

ABSENT: Representatives Lavelle, Manolakos, Plant & Scott - 4.

Therefore, having received a constitutional majority, **HB 352** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.



Representative Kowalko introduced **HB 378**, jointly sponsored by Senator Peterson & Representatives Barbieri, Bennett, Brady, Gilligan, Jaques, J. Johnson, Q. Johnson, Keeley, Lavelle, Mitchell, Mulrooney, Oberle, Plant, Ramone, Schooley, Scott, B. Short, Viola, D.E. Williams, D.P. Williams & Manolakos & Senator Sokola & cosponsored by Representative Manolakos.

**HB 378 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO ENERGY EFFICIENCY RESOURCE STANDARDS.**

Mr. Speaker Gilligan assigned **HB 378** to the Energy Committee.

Representative Kowalko 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 218 & SB 203** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 314 w/HA 1 & SA 1 & HCR 37** and is returning the same to the House.

The Majority Leader moved to recess to the call of the Chair at 5:34 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on April 27, 2010.

The Majority Leader moved to adjourn at 2:02 p.m., thereby ending the current legislative day. The House reconvened at 2:03 p.m.

## **22nd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session**

**April 27, 2010**

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative D.P. Williams - 1.

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

Mr. Speaker Gilligan invited Major General Frank Vavala & Colonel Randal L. Bright, representing Delaware National Guard, 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:

**SB 203 - HENRY & REPRESENTATIVE D.P. WILLIAMS; REPRESENTATIVES PLANT, WILSON - CORRECTIONS - An Act to Name the Dining Hall at Baylor Women's Correctional Institution in Honor of Hayward Roy Jr.**

**SB 218 - HENRY & REPRESENTATIVE CARSON; SENATORS BUSHWELLER, ENNIS; REPRESENTATIVES MITCHELL, BENNETT - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Court Costs for Civil Traffic Offenses.**

The Reading Clerk read the following communications into the record:

April 26, 2010

### **LEGISLATIVE ADVISORY # 37**

Governor Jack A. Markell signed the following legislation on the date indicated: 4/14/10 - **HB 335**.

#### Memorandum

To: The Honorable Robert F. Gilligan  
Speaker of the House

From: Representative Dennis P. Williams

Date: April 27, 2010

RE: Absence from Legislative Session

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

Thank you.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri introduced and brought **HCR 38** sponsored on behalf of all Representatives & by Senator Henry on behalf of all Senators, before the House for consideration.

**HCR 38 - DESIGNATING SATURDAY MAY 1, 2010, AS "BRAIN TUMOR AWARENESS DAY" IN THE STATE OF DELAWARE.**

WHEREAS, every day an estimated 482 people are diagnosed with a brain tumor, an average of 20 people every hour; and

WHEREAS, there are more than 120 different types of brain tumors, making accurate and efficient treatment difficult; and

WHEREAS, the cause of brain tumors are unknown; and

WHEREAS, some brain tumors cannot be detected by a blood test, making an MRI or CT Scan the only effective diagnostic tool; and

WHEREAS, brain tumors affect people of all ages, genders, ethnicities, fitness levels and socioeconomic status; and

WHEREAS, brain tumor symptoms may include seizures, chronic headaches, dizziness, nausea or impaired faculties, including problems with vision, taste, smell, hearing, touch, memory, cognitive skills and physical function and coordination; and

WHEREAS, brain tumors are the second leading cause of cancer-related deaths in children under the age of 20; and

WHEREAS, in order to promote awareness of the causes, effects and treatments of brain tumors in Delaware, the General Assembly believes it appropriate to designate a “Brain Tumor Awareness Day” in the State of Delaware.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concurring therein, that Saturday May 1, 2010, is hereby designated as Brain Tumor Awareness Day in the State of Delaware.

BE IT FURTHER RESOLVED that the members of the General Assembly call on the Kelly Heinz-Grundner Brain Tumor Foundation, along with the Helen F. Graham Cancer Center, all state and local officials and other interested groups to observe Saturday, May 1, 2010, with appropriate activities that promote awareness and early detection of brain tumors in our communities

Representative Barbieri made comments. Representative Kovach requested that he be marked present and made comments. Representative Longhurst made comments and an announcement.

**HCR 38** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Brady requested that he be marked present.

Representative Barbieri requested and was granted privilege of the floor for himself & Representative Longhurst to present a House Tribute to Chris Grundner, Executive Director, The Kelly Heinz-Grundner Brain Tumor Foundation, who addressed the House.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques introduced and brought **HCR 36** sponsored on behalf of all Representatives & by Senator Bunting on behalf of all Senators, before the House for consideration.

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

**HCR 36 - SUPPORTING THE EMPLOYER SUPPORT OF THE GUARD AND RESERVE (“ESGR”) STATEMENT OF SUPPORT PROGRAM AND ENCOURAGING ALL DELAWARE EMPLOYERS TO SIGN AN ESGR STATEMENT OF SUPPORT.**

WHEREAS, approximately 1.1 million men and women serve in United States’ National Guard and Reserve units, representing almost half of our nation’s total military strength; and

WHEREAS, under current National Defense Strategy, Guard and Reserve units are full partners in a fully integrated Total Force, answering the nation’s call in missions ranging from the provision of humanitarian relief at home and abroad to engaging in conflict in Iraq and Afghanistan; and

WHEREAS, as of September, 30, 2009, almost 50% of Guard and Reserve service members have been mobilized in support of Operation of Enduring Freedom and Operation Iraqi Freedom; and

WHEREAS, unlike their Active Duty counterparts, Guard and Reserve service members must balance their commitments to the nation and obligations to their civilian employers; and

WHEREAS, Employer Support of the Guard and Reserve (“ESGR”) was created in 1972 as an organization within the Department of Defense to promote cooperation and understanding between Reserve members and their employers, and to assist in resolving conflicts which may arise from an employee’s military commitments; and

WHEREAS, the ESGR Statement of Support program asks employers to recognize the critical role of the Reserve Components in our nation’s defense by executing a pledge to honor and enforce the Uniformed Services Employment and Re-Employment Rights Act (USERRA) by: (1) neither denying employment nor limiting or reducing job opportunities because of service in the Reserve Components; (2) granting leaves of absence for military duty and training; and (3) ensuring that all employees are aware of these policies; and

WHEREAS, continuous support of our National Guard and Reserve through the ESGR Statement of Support Program allows service members to focus on their military duties without having to worry about their civilian jobs back home; and

WHEREAS, in 2009 approximately 55,000 employers nationwide executed ESGR Statements of Support; and

WHEREAS, on December 17, 2009, Governor Markell executed an ESGR Statement of Support, pledging the State of Delaware’s support for our National Guard and Reserve members and joining the ever growing list of Delaware employers who have done the same; and

WHEREAS, the General Assembly believes it is appropriate to recognize and express its support for the ESGR Statement of Support program, and to encourage all Delaware employers to execute and ESGR Statement of Support.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of 145th General Assembly of the State of Delaware, the Senate concurring therein, that the members hereby express their support for the ESGR Statement of Support Program.

BE IT FURTHER RESOLVED that the members of 145th General Assembly of the State of Delaware hereby encourage all Delaware employers to pledge their support for Delaware’s National Guard and Reserve service members by executing an ESGR Statement of Support.

BE IT FURTHER RESOLVED that, in order to assist Delaware employers in executing ESGR Statements of Support, the Department of Labor is requested to place a link on its webpage to ESGR's online statement of support form. (<http://esgr.org/newforms.asp?p=sos>).

**HCR 36** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Jaques requested and was granted privilege of the floor for himself & Major General Frank Vavala, Adjutant General, Delaware National Guard; Colonel Randal L. Bright, Commander, 512th Airlift Wing & Eugene A. Hebert, Chair Emeritus, Delaware Committee for Employer Support of the National Guard and Reserve. Major General Vavala, Colonel Bright & Mr. Hebert addressed the House.

Representative Cathcart requested that he be marked present.

Mr. Speaker Gilligan introduced a guest.

Representative B. Short requested that he be marked present.

Mr. Speaker Gilligan reassigned **HB 364** to the Labor Committee.

Representative Schwartzkopf made an announcement.

The Majority Leader moved to recess for caucus at 2:33 p.m.

The House reconvened at 3:48 p.m.

Representative Plant requested that she be marked present.

Representative Schwartzkopf brought **SB 222**, jointly sponsored by Senator DeLuca & Representative Gilligan & Senators Blevins, McBride, Bonini, Booth, Cloutier & Simpson & Representatives Keeley, Longhurst, Walls, Hudson, Carey, Oberle, D. Short & Thornburg & cosponsored by Representatives Atkins, Bennett, Carson, Jaques, J. Johnson, Kovach, Outten, D.E. Williams & Wilson & Senator Cook, before the House for consideration.

**SB 222** - AN ACT TO AMEND TITLE 23 OF THE DELAWARE CODE RELATING TO PILOTAGE RATES.

Representative Schwartzkopf made comments.

The roll call on **SB 222** was taken and revealed:

YES: 39.

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

Therefore, having received a constitutional majority, **SB 222** was returned to the Senate.

Representatives Lavelle, Miro & Mulrooney requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short made comments.

Representative B. Short brought **HB 314 w/SA 1**, jointly sponsored by Senator Blevins & Representative Bennett & Senators Henry & Sokola & cosponsored by Senators Cloutier & Ennis, before the House for concurrence on **SA 1**.

**HB 314** - AN ACT TO AMEND TITLE 18 RELATING TO CAPTIVE INSURANCE COMPANIES.

Representative B. Short made comments.

The roll call on **HB 314 w/SA 1** was taken and revealed:

YES: 39.

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

Therefore, having received a constitutional majority, **HB 314 w/SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 347**, jointly sponsored by Representative Scott & Senator Sokola & Representatives Brady, J. Johnson, Keeley, Kowalko & Viola & Senators Ennis, Marshall & Venables, before the House for consideration.

**HB 347** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE MANDATORY REPORTING OF SCHOOL CRIMES.

Representative Barbieri introduced and brought **HA 1 to HB 347** 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 Robin Case, Education Associate in the area of School Discipline & Climate, Department of Education. Representatives Lavelle, B. Short, Kovach, Barbieri, Kovach, Lavelle, Thornburg & Barbieri made comments. Representative Barbieri requested and was granted privilege of the floor for James Nutter, Majority House Attorney. Representatives Oberle, Kovach, B. Short, Lavelle, Manolakos & Barbieri made comments. Representative Manolakos requested and was granted privilege of the floor for Robin Case, Education Associate in the area of School Discipline & Climate, Department of Education. Representatives Manolakos, Mitchell, Blakey, Barbieri, Blakey, Miro, Scott, Manolakos, Kovach, Schwartzkopf, J. Johnson, Lavelle, Barbieri, Miro, Kovach, Barbieri & Manolakos made comments.

The roll call on **HB 347 w/HA 1** was taken and revealed:

YES: 22.

NO: Representatives Briggs King, Hocker, Hudson, Kovach, Lavelle, Lee, Outten, Thornburg & Wilson - 9.

NOT VOTING: Representatives Carey, Cathcart, Manolakos, Miro, Mitchell, Oberle, Ramone & D. Short - 8.

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

Therefore, having received a constitutional majority, **HB 347 w/HA 1** was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 5:30 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 28, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 209 w/SA 1, SB 214, SB 216, SB 220, SB 240 & SCR 31** and requests the concurrence of the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Nick Manolakos, do hereby request that my name be removed as co-sponsor of **HB 347**.

Date: 4/27/10

Signed: Nick Manolakos

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.

**23rd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session  
April 28, 2010**

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Viola & D.E. Williams - 2.

The House observed a moment of silence in memory of Harold Stransky, uncle of Representative D. Short, at the request of Representative B. Short.

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 379 - SCHOOLEY & SENATOR SOKOLA; REPRESENTATIVES CAREY, JAQUES, MANOLAKOS, MIRO, MITCHELL, OUTTEN, VIOLA; SENATOR VENABLES - EDUCATION - An Act to Amend Title 14 and Title 21 of the Delaware Code Relating to School Buses.**

**HB 381 - LONGHURST & SENATOR MCDOWELL; REPRESENTATIVES BARBIERI, CARSON, GEORGE, J. JOHNSON, Q. JOHNSON, KEELEY, KOWALKO, MITCHELL, PLANT, SCHOOLEY, SCHWARTZKOPF, SCOTT, B. SHORT, VIOLA, WALLS, D.E. WILLIAMS, D.P. WILLIAMS; SENATORS BLEVINS, HALL-LONG, KATZ - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Elections.**

**HA 2 to HB 321 - CATHCART - Placed with the Bill.**

**HA 1 to HB 370 - JAQUES - Placed with the Bill.**

**HA 1 to HB 375 - GEORGE - Placed with the Bill.**

**SB 209 w/SA 1 - HENRY & REPRESENTATIVE BENNETT; SENATORS BLEVINS, CONNOR, SOKOLA, ENNIS, MCDOWELL, SORENSON; REPRESENTATIVES VIOLA, BRADY, SCHOOLEY, KOWALKO, CARSON, OBERLE, MANOLAKOS, BLAKEY, BRIGGS KING, CAREY, CATHCART, HOCKER, KOVACH, LEE, MIRO, OUTTEN, RAMONE, D. SHORT, WILSON - ECONOMIC DEVELOPMENT, BANKING, INSURANCE & COMMERCE - An Act to Amend Title 30 of the Delaware Code Providing for an Extension of the Historic Preservation Tax Credit Act.**

**SB 214 - PETERSON & REPRESENTATIVE CARSON - TRANSPORTATION, LAND USE & INFRASTRUCTURE - An Act to Amend Title 7 of the Delaware Code Relating to Outdoor Lighting.**

**SB 216 - DELUCA & REPRESENTATIVE B. SHORT; SENATORS BONINI, BUNTING, COOK, KATZ, SOKOLA; REPRESENTATIVES BENNETT, BRADY, HOCKER, HUDSON, KEELEY, LAVELLE, RAMONE, VIOLA, D.E. WILLIAMS - ECONOMIC DEVELOPMENT, BANKING, INSURANCE & COMMERCE - An Act to Amend Title 5 of the Delaware Code Relating to Variable Rates for Revolving Credit Plans.**

**SB 220 - SIMPSON & REPRESENTATIVE D.P. WILLIAMS; SENATORS BLEVINS, BOOTH; REPRESENTATIVES KOWALKO, BENNETT - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Execution of a Chattel Judgment.**

**SB 240 - SIMPSON & REPRESENTATIVE KEELEY; SENATOR PETERSON - AGRICULTURE - An Act to Amend Title 7 of the Delaware Code Relating to Dangerous and Potentially Dangerous Dogs. (2/3 bill)**

Representative Schwartzkopf brought the following prefiled **Consent Calendar #14** before the House for consideration.

**HCR 39 - SCHOOLEY ON BEHALF OF ALL REPRESENTATIVES & SENATOR SOKOLA ON BEHALF OF ALL SENATORS - Thanking the Parent Teacher Association (the "PTA") for Its 113 Years of Service and Dedication to Our Children, Our Schools and Our Communities.**

**SCR 31** - BUSHWELLER & REPRESENTATIVE KOVACH & REPRESENTATIVE SCOTT & SENATORS BOOTH, CLOUTIER, HENRY & SORENSON & REPRESENTATIVES BENNETT, BRIGGS KING, CAREY, CARSON, GEORGE, HUDSON, JAQUES, LAVELLE, MANOLAKOS, MITCHELL, OUTTEN, WILSON, HOCKER, & LEE - Recognizing June 6 through June 12, 2010 as Paralegal Week.

**Consent Calendar #14** was adopted by voice vote and **HCR 39** was sent to the Senate for concurrence and **SCR 31** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley introduced guests. Representative Kowalko requested and was granted personal privilege of the floor to make comments and to introduce a guest. Representatives D.P. Williams & Kovach requested that they be marked present. Representatives Kovach, Scott & Manolakos made comments regarding **HCR 39**. Representative Schwartzkopf deferred to Representative George. Representative George requested and was granted privilege of the floor for herself and Representative Brady to present a House Tribute to Ann Wick, Former Chairwoman, Delaware Early Childhood Council, who addressed the House. Representatives Brady & Schooley made comments. Representative Schwartzkopf deferred to Representative Thornburg. Representative Thornburg introduced guests and requested and was granted privilege of the floor for Emily Passwaters, State 4-H Teen Council President. Representatives Outten, Walls, Manolakos & Wilson made comments. Representatives Atkins, Keeley & Carey requested that they be marked present.

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.: Representatives Oberle, Lavelle & Mulrooney.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on April 29, 2010.

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

JUDICIARY: **HB 365** - 5F,1M; **HB 372** - 3F,3M; **HB 373** - 3F,3M; **HB 374** - 5F,3M; **HB 375** - 3F,3M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 368** - 6F, 2M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE:

**HB 256** - 8F, 1M; **HB 343** - 8F, 1M; **HB 371** - 9F; **HB 380** - 6F; **SB 157 w/SA 1** - 9F.

HOUSE ADMINISTRATION: **HB 359** - 1F, 4M; **HB 360** - 1F, 4M; **HB 362** - 5M.

TELECOMMUNICATION INTERNET & TECHNOLOGY: **HB 340** - 2F, 2M.

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

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HS 1 for HB 247, HB 308 & HB 341** and is returning the same to the House.

April 28, 2010

LEGISLATIVE ADVISORY #38

Governor Jack A. Markell signed the following legislation on the date indicated: 4/27/10 - **SB 167, SB 200, SB 224, HB 159 aab HA 1 aab HA 1 to HA 1, HA 2, SA 1 & SA 2; HB 294 aab SA 1 & HB 330 aab SA 1**.

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.

## **24th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session April 29, 2010**

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Schooley - 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 382** - CARSON & SENATOR PETERSON; REPRESENTATIVES BARBIERI, BENNETT, BRADY, KOWALKO, MITCHELL, PLANT, SCOTT, VIOLA, BLAKEY, JAQUES, WALLS; SENATORS BLEVINS, BUSHWELLER, COOK, ENNIS, HALL-LONG, HENRY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Controlled Substances.

**HB 383** - Q. JOHNSON & SENATOR ENNIS & SENATOR HALL-LONG; REPRESENTATIVES BRADY, HUDSON, MIRO, D. SHORT, THORNBURG, WALLS, JAQUES, WILSON; SENATORS BUSHWELLER, MARSHALL - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Registration of Vehicles.

**HA 1 to HB 320** - CATHCART - Placed with the Bill.

**HA 1 to HB 343** - BRADY - 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: April 29, 2010  
RE: Absence from session

I will be unable to attend today's session due to family obligations.

Representative Atkins requested that he be marked present. Representative Schwartzkopf deferred to Representative Lavelle. Representative Lavelle requested and was granted privilege of the floor to present a House Tribute to Edward Capodanno, who addressed the House. Representative George & Mr. Speaker Gilligan made comments. Representatives Lee & Carson requested and were granted personal privilege of the floor to introduce guests. Mr. Speaker Gilligan introduced guests. Representative Viola introduced **HA 1 to HB 334**. **HA 1** was placed with the bill. Representative B. Short introduced a guest. Mr. Speaker Gilligan assigned **HB 343** to the Appropriations Committee. Representatives Schwartzkopf & Atkins made comments.

The Majority Leader moved to recess for caucus at 2:19 p.m.

The House reconvened at 4:10 p.m.

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

ENERGY: **HB 378** - 4F, 8M; **SCR 27** - 11M.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **HB 354**, jointly sponsored by Senator Ennis & Representatives Bennett, Brady, Mulrooney, Jaques, Scott, Viola & D.E. Williams, before the House for consideration.

**HB 354** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DESIGNATION OF A STATE WILDLIFE ANIMAL.

Representatives Kovach, Miro, Scott & Thornburg requested that they be marked present.

Representative Kovach introduced and brought **HA 1 to HB 354** before the House for consideration.

Representatives Kovach, Kowalko & Schwartzkopf made comments. **HA 1** was defeated by voice vote. Representatives Kowalko & Blakey made comments.

The roll call on **HB 354** was taken and revealed:

YES: 37.

NO: Representative Kovach - 1.

ABSENT: Representatives Lavelle, Plant & Schooley - 3.

Therefore, having received a constitutional majority, **HB 354** was sent to the Senate for concurrence.

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

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins brought **HB 340**, jointly sponsored by Senator Venables & Representatives Bennett, Carson, Q. Johnson, Schooley, Walls & Wilson & cosponsored by Representatives Jaques, Kowalko, Mitchell, Schwartzkopf & Scott, before the House for consideration.

**HB 340** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LIBRARIES.

Representatives Atkins & Scott made comments.

The roll call on **HB 340** was taken and revealed:

YES: 39.

ABSENT: Representatives Plant, Schooley - 2.

Therefore, having received a constitutional majority, **HB 340** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought **HB 359**, jointly sponsored by Senator Venables, before the House for consideration.

**HB 359** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF BLADES RELATING TO ELECTIONS. (2/3 bill)

Representative D. Short made comments.

The roll call on **HB 359** was taken and revealed:

YES: 39.

ABSENT: Representatives Plant & Schooley - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 359** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 362**, jointly sponsored by Senator Ennis, before the House for consideration.

**HB 362** - AN ACT TO AMEND THE LAWS OF DELAWARE VOLUME 66, AS AMENDED, PERTAINING TO THE CHARTER OF THE TOWN OF CLAYTON. (2/3 bill)

Representative Q. Johnson made comments.

The roll call on **HB 362** was taken and revealed:

YES: 39.

ABSENT: Representatives Plant & Schooley - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 362** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 372**, jointly sponsored by Senator Blevins & Representatives Bennett, Carson, Hudson, Kovach & Lavelle & Senator Sorenson, before the House for consideration.

**HB 372** - 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.

Representative George made comments. Representative George requested and was granted privilege of the floor for Michael Migliore, Majority House Attorney. Mr. Speaker Gilligan made a comment.

The roll call on **HB 372** was taken and revealed:

YES: 38.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representatives Plant & Schooley - 2.

Therefore, having received a constitutional majority, **HB 372** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 373**, jointly sponsored by Senator Blevins & Representatives Bennett, Carson, Hudson, Jaques, Kovach & Lavelle, before the House for consideration.

**HB 373** - 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.

Representative George made comments.

The roll call on **HB 373** was taken and revealed:

YES: 38.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representatives Plant & Schooley - 2.

Therefore, having received a constitutional majority, **HB 373** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 374**, jointly sponsored by Senator Blevins & Representatives Bennett, Carson, Hudson, Kovach & Lavelle & cosponsored by Representative J. Johnson, before the House for consideration.

**HB 374** - 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.

Representative George made comments.

The roll call on **HB 374** was taken and revealed:

YES: 39.

ABSENT: Representatives Plant & Schooley - 2.

Therefore, having received a constitutional majority, **HB 374** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 375**, jointly sponsored by Senator Blevins & Representatives Bennett, Carson, Hudson, Kovach & Lavelle & Senator Sorenson, before the House for consideration.

**HB 375** - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 bill)

Representative George made comments.

Representative George brought **HA 1 to HB 375** before the House for consideration. Representative George made a comment. **HA 1** was adopted by voice vote. Mr. Speaker Gilligan announced that **HB 375** requires a two-thirds vote.

The roll call on **HB 375 w/HA 1** was taken and revealed:

YES: 38.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representatives Plant & Schooley - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 375 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart brought **HB 321**, jointly sponsored by Senator Ennis & Representatives Carson, Jaques, Q. Johnson, Mitchell, D. Short, Carey & Oberle & Senator Hall-Long, before the House for consideration.

**HB 321** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO TITLES AND CONVEYANCES.

Representative Cathcart requested that **HA 1 to HB 321** be stricken. Representative Cathcart made comments. Representative Cathcart brought **HA 2 to HB 321** before the House for consideration. **HA 2** was adopted by voice vote. Representative Cathcart made comments.

The roll call on **HB 321 w/HA 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Miro, Plant & Schooley - 3.

Therefore, having received a constitutional majority, **HB 321 w/HA 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart brought **HB 320**, jointly sponsored by Senator Ennis & Representatives Carson, Jaques, Q. Johnson, Mitchell, D. Short, Carey & Oberle & Senator Hall-Long & cosponsored by Representative Kovach, before the House for consideration.

**HB 320** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO TITLES AND CONVEYANCES.

Representative Cathcart brought **HA 1 to HB 320** before the House for consideration. Representative Cathcart made comments. **HA 1** was adopted by voice vote. Representative Cathcart introduced and brought **HA 2 to HB 320** before the House for consideration. Representative Cathcart made comments. **HA 2** was adopted by voice vote. Representative Cathcart made comments.

The roll call on **HB 320 w/HA 1 & 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Plant & Schooley - 2.

Therefore, having received a constitutional majority, **HB 320 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson introduced **HB 386**, jointly sponsored by Senator Sokola & Representatives Barbieri, George, Jaques, J. Johnson, Keeley, Kovach, Lavelle, Ramone & Schooley & Senators Henry & Sorenson & cosponsored by Representative D.E. Williams & Senators Bonini, Cloutier & Hall-Long.

**HB 386** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS.

Mr. Speaker Gilligan assigned **HB 386** to the Education Committee.

Representative Q. Johnson introduced **HB 387**, jointly sponsored by Senator Sokola & Representatives Barbieri, George, Gilligan, Jaques, J. Johnson, Keeley, Kovach, Lavelle, Longhurst, Ramone, Schooley, Scott & Viola & Senators Ennis, Hall-Long, Henry, Katz & Sorenson & cosponsored by Representative D.E. Williams & Senator Cloutier.

**HB 387** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.

Mr. Speaker Gilligan assigned **HB 387** to the Education Committee

Representative Scott made an announcement.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley introduced **HB 384**, jointly sponsored by Representative J. Johnson & Representative D.P. Williams & Senator Henry & Representatives Barbieri, Brady, Hudson & Mitchell & Senators Marshall & McDowell & cosponsored by Representatives Oberle, Schwartzkopf & Wilson.

**HB 384** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT.

Mr. Speaker Gilligan assigned **HB 384** to the House Administration Committee.

Representative Schwartzkopf deferred to Representative Mulrooney.

Representatives Mulrooney & Kowalko made announcements.

The Majority Leader moved to recess to the call of the Chair at 5:04 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on May 4, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 234 w/SA 1 & SA 3, SB 198 & SB 193** and requests the concurrence of the House and the Senate has passed **HB 328 w/HA 1, HCR 36, HCR 38 & HCR 39** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker introduced **HB 393**, jointly sponsored by Senator Bunting.

**HB 393** - AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH TO GRANT THE TOWN OF



DEWEY BEACH THE AUTHORITY TO CHANGE THE DATE OF ANNUAL MUNICIPAL ELECTIONS TO PREVENT CONFLICT WITH JEWISH HOLY DAYS. (2/3 bill)

Mr. Speaker Gilligan assigned **HB 393** to the House Administration Committee.

Representative Schwartzkopf made an announcement.

Representative Hocker introduced **HB 394**, jointly sponsored by Senator Bunting.

**HB 394** - AN ACT TO AMEND VOLUME 65, CHAPTER 295, LAWS OF DELAWARE, ENTITLED CHARTER OF THE TOWN OF BETHANY BEACH, REGARDING PENALTIES FOR VIOLATIONS OF TOWN ORDINANCES, TO INCREASE THE MAXIMUM FINANCIAL PENALTY THAT MAY BE IMPOSED TO ELIMINATE IMPRISONMENT AS A POTENTIAL SANCTION, AND TO AUTHORIZE THE TOWN TO IMPOSE CIVIL PENALTIES AS WELL AS CRIMINAL PENALTIES. (2/3 bill)

Mr. Speaker Gilligan assigned **HB 394** to the House Administration Committee.

Representative Hocker introduced **HB 395**, jointly sponsored by Senator Bunting.

**HB 395** - AN ACT TO AMEND VOLUME 65, CHAPTER 295, LAWS OF DELAWARE, AN ACT TO REINCORPORATE THE TOWN OF BETHANY BEACH REGARDING THE REFERENDUM POWER, AND TO ALLOW NATURAL PERSONS HOLDING TITLE TO REAL ESTATE AS TRUSTEE, TO VOTE IN MUNICIPAL ELECTIONS; AND PLACING A LIMIT ON THE TOTAL NUMBER OF PERSONS WHO MAY QUALIFY TO VOTE AS A "NONRESIDENT PROPERTY OWNER" TO A MAXIMUM OF EIGHT PERSONS PER PROPERTY. (2/3 bill)

Mr. Speaker Gilligan assigned **HB 395** to the House Administration Committee.

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 - 145th GENERAL ASSEMBLY - Second Session May 4, 2010**

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representatives Hudson- 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:

**HB 388** - HUDSON & REPRESENTATIVE MITCHELL & SENATOR BLEVINS; REPRESENTATIVES D. SHORT, HOCKER, KOVACH, LEE, MANOLAKOS, GILLIGAN, Q. JOHNSON, VIOLA, WALLS, WILSON; SENATORS SIMPSON, BOOTH, PETERSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to the Registration of Motor Vehicles.

**HB 389** - VIOLA & SENATOR HENRY; REPRESENTATIVES BARBIERI, BRADY, MITCHELL, D.E. WILLIAMS - GAMING & PARI-MUTUELS - An Act to Amend Title 29 of the Delaware Code Relating to Lotteries.

**HB 390** - B. SHORT & SENATOR KATZ; REPRESENTATIVES BENNETT, BRIGGS KING, GILLIGAN, HOCKER, Q. JOHNSON, KOVACH, LAVELLE, RAMONE, SCOTT, D. SHORT, WILSON; SENATORS BOOTH, HENRY - 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 392** - LONGHURST & SENATOR ENNIS - MANUFACTURED HOUSING - An Act to Amend Title 25 of the Delaware Code Relating to Manufactured Home Communities.

**HA 1 to HB 235** - CARSON - Placed with the Bill.

**HA 2 to HB 326** - SCHWARTZKOPF - Placed with the Bill.

**SB 193** - BUSHWELLER & REPRESENTATIVE MITCHELL; SENATORS CLOUTIER, HENRY, SORENSON, SOKOLA, ENNIS; REPRESENTATIVES KOVACH, B. SHORT, LAVELLE, HUDSON, SCHOOLEY, JAQUES, OUTTEN, BENNETT, WILSON, CAREY, HOCKER, D. SHORT - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles.

**SB 198** - BUSHWELLER & REPRESENTATIVE MITCHELL; SENATORS HENRY, SOKOLA, ENNIS; REPRESENTATIVES KEELEY, LAVELLE, HUDSON, MIRO, BENNETT, WILSON, CAREY, D. SHORT - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Vehicles.

**SB 234** - MCBRIDE & REPRESENTATIVE MULROONEY; SENATORS BLEVINS, BUNTING, CLOUTIER, KATZ, MCDOWELL, SIMPSON, PETERSON, BUSHWELLER, SORENSON; REPRESENTATIVES KEELEY, KOVACH, KOWALKO, RAMONE, SCHOOLEY, VIOLA, D.P. WILLIAMS, JAQUES, D.E. WILLIAMS - NATURAL RESOURCES - An Act to Amend Titles 7 and 30 of the Delaware Code Relating to Recycling and Beverage Containers.

Representative Mulrooney requested that he be marked present. Representative Schwartzkopf deferred to Representative Scott. Representative Scott requested and was granted privilege of the floor for Dr. Susanna Lee, President, Jobs for Delaware Graduates and Dayanna Chapnell, State Vice President & Courtney Everett, State Treasurer. Representative Scott made comments. Representatives Kovach, Cathcart, Wilson & Manolakos requested that they be marked present. Representative Miro made comments.

Representative Schwartzkopf deferred to Representative B. Short. Representative B. Short introduced guests. Representative B. Short requested and was granted privilege of the floor for Palash Gupta, Vice President, Delaware Asian American Business Association.

The Reading Clerk read the following communications into the record:

May 4, 2010

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, Tuesday, May 4, 2010, because of personal family business.

Thank you for your understanding.

Sincerely,  
Deborah D. Hudson  
State Representative  
12<sup>th</sup> District

Reminder

TO: Richard L. Puffer, Chief Clerk of the House  
Bernard Brady, Secretary of the Senate  
FROM: Deborah A. Porter  
Acting Director, Legislative Council, Division of Research, Legislative Hall  
DATE: May 4, 2010  
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 that 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 5, 2010 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.

Mr. Speaker Gilligan & Representative Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced **HB 391**, jointly sponsored by Senator Ennis.

**HB 391** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES.

Mr. Speaker Gilligan assigned **HB 391** to the Manufactured Housing Committee.

Representatives Longhurst & Schwartzkopf made announcements.

Representative Mitchell, Mr. Speaker Gilligan & Representative Schwartzkopf made comments.

The Majority Leader moved to recess for caucus at 2:32 p.m.

The House reconvened at 3:41 p.m.

Representatives Thornburg & D.P. Williams requested that they be marked present.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 380**, jointly sponsored by Representative

B. Short & Senator Cook & Senator Cloutier & Representatives Atkins, Barbieri, Brady, Briggs King, Carey, Carson, Cathcart, George, Gilligan, Hudson, Q. Johnson, Keeley, Kovach, Kowalko, Lee, Mitchell, Outten, Ramone, Scott, D. Short, Viola, Walls, D.E. Williams, D.P. Williams, Wilson & Senators Blevins, Bunting, DeLuca, Hall-Long, Katz, Marshall, McDowell, Simpson, Sokola & Sorenson & cosponsored by Representatives Jaques, Lavelle & Schwartzkopf, before the House for consideration.

**HB 380** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO ECONOMIC DEVELOPMENT INCENTIVES. (F/N)

Representatives Bennett & Miro made comments.

Mr. Speaker Gilligan granted privilege of the floor to Russell T. Larson, Controller General.

Representatives Kovach, Hocker & Bennett made comments. Representative Bennett requested and was granted privilege of the floor for Alan Levin, Director, Delaware Economic Development Office.

Representatives Kovach, Ramone & Bennett made comments.

The roll call on **HB 380** was taken and revealed:

YES: 40.

ABSENT: Representative Hudson - 1.

Therefore, having received a constitutional majority, **HB 380** was sent to the Senate for concurrence.

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

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **SB 217**, jointly sponsored by Senator Blevins & Senator Ennis & Representative J. Johnson, before the House for consideration.

**SB 217** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE TIMING OF AN INITIAL HEARING BEFORE A JUDGE OF A PERSON WHO IS TEMPORARILY INCAPACITATED.

Representative Mitchell introduced and brought **HA 1 to SB 217** before the House for consideration. Representatives Mitchell & Cathcart made comments. **HA 1** was adopted by voice vote. Representative Mitchell made comments.

The roll call on **SB 217 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Hudson - 1.

Therefore, having received a constitutional majority, **SB 217 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Schwartzkopf brought **HB 326**, jointly sponsored by Representative Atkins & Representative Keeley & Senator Bunting & Senator Blevins & Senator Peterson & Senator Connor & cosponsored by Representative Ramone & Senator McDowell, before the House for consideration.

**HB 326** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTHCARE MEDICAL NEGLIGENCE INSURANCE AND LITIGATION.

Representative Lavelle brought **HA 1 to HB 326** before the House for consideration.

Representatives Lavelle, Kovach, Oberle, Schwartzkopf & Lavelle made comments.

The roll call on **HA 1 to HB 326** was taken and revealed:

YES: Representatives Blakey, Briggs King, Carey, Cathcart, Hocker, Keeley, Kovach, Lavelle, Lee, Manolakos, Miro, Oberle, Outten, Ramone, D. Short, Thornburg & Wilson - 17.

NO: 22.

NOT VOTING: Representative Q. Johnson - 1.

ABSENT: Representative Hudson - 1.

Therefore, not having received a constitutional majority, **HA 1 to HB 326** was declared defeated.

Representative Schwartzkopf brought **HA 2 to HB 326** before the House for consideration.

Representative Schwartzkopf made comments. **HA 2** was adopted by voice vote. Representatives Schwartzkopf, Cathcart, Kovach, Lavelle, D.P. Williams, Schwartzkopf, Lavelle, D. Short & Briggs King made comments. Representative Schwartzkopf requested and was granted privilege of the floor for James Nutter, Majority House Attorney. Representatives Briggs King, Lavelle, Oberle, Cathcart, Kovach, Oberle, Schwartzkopf, Oberle, Cathcart & Schwartzkopf made comments. Representative Cathcart requested and was granted privilege of the floor for James Nutter, Majority House Attorney. Representatives Cathcart, Lavelle & Kovach made comments.

The roll call on **HB 326 w/HA 2** was taken and revealed:

YES: 36.

NO: Representatives Kovach & Lavelle - 2.

NOT VOTING: Representatives D. Short & Wilson - 2.

ABSENT: Representative Hudson - 1.

Therefore, having received a constitutional majority, **HB 326 w/HA 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **HB 378**, jointly sponsored by Senator Peterson & Representatives Barbieri, Bennett, Brady, Gilligan, Jaques, J. Johnson, Q. Johnson, Keeley, Lavelle, Mitchell, Mulrooney, Oberle, Plant, Ramone, Schooley, Scott, B. Short, Viola, D.E. Williams & D.P. Williams & Senator Sokola & cosponsored by Representative Manolakos, before the House for consideration.

**HB 378** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO ENERGY EFFICIENCY RESOURCE STANDARDS.

Representative Kowalko introduced and brought **HA 1 to HB 378** 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 **HB 378 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Hudson & Plant - 2.

Therefore, having received a constitutional majority, **HB 378 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George. Representatives George, Viola, Kowalko, Barbieri & Mulrooney made announcements. Representative Scott requested and was granted personal privilege of the floor to introduce a guest.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 213** and requests the concurrence of the House and the Senate has passed **HB 312 w/HA 1 & HB 351 w/SA 1** and is returning the same to the House.

The Majority Leader moved to recess to the call of the Chair at 5:06 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on May 5, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 105 w/HA 2 & SA 2** and is returning the same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, David Wilson, do hereby request that my name be removed as co-sponsor of **HB 376**.

Date: 5/4/10

Signed: Dave Wilson

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 - 145th GENERAL ASSEMBLY - Second Session**

**May 5, 2010**

The Chief Clerk called the roll.

Members Present: 33.

Members Absent: Representatives Carson, Carey, Keeley, Kovach, Lavelle, Manolakos, Oberle & D.E. Williams - 8.

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 following prefiled legislation was introduced:

**HA 1 to HB 391** - LONGHURST - Placed with the Bill

**SB 213** - HENRY & REPRESENTATIVE BARBIERI; SENATORS BLEVINS, ENNIS, BUSHWELLER; REPRESENTATIVES VIOLA, SCHOOLEY, MITCHELL, J. JOHNSON, BENNETT, SCOTT, JAQUES, HUDSON, D. SHORT, HOCKER, MANOLAKOS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to the Division of Child Support Enforcement.

The Reading Clerk read the following communications into the record:

May 5, 2010

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, Wednesday, May 5, 2010 due to family reasons.

Thank you for your understanding.

Sincerely,

Gregory F. Lavelle

State Representative

11<sup>th</sup> District

May 5, 2010

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 on Wednesday, May 5, 2010 and Thursday, May 6, 2010.

I will be attending the National Association of Secondary School Principals' National Board Meeting representing Delaware. I will also be meeting with the Delaware Congressional Delegation to discuss funding for the Educational and Secondary Education Act (ESEA).

Thank you.

Sincerely,

Nick T. Manolakos

State Representative

20<sup>th</sup> District

Representatives Miro & Hocker requested that they be marked present.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley requested and was granted personal privilege of the floor to introduce guests. Representatives Viola & Longhurst requested that they be marked present. Representative Miro made comments.

Representative Schwartzkopf brought **Consent Calendar #15** before the House for consideration

**HR 42** - SCHOOLEY ON BEHALF OF ALL REPRESENTATIVES - Honoring the Longstanding Partnership in Public Service Between the University of Delaware and the State of Delaware.

**HR 43** - SCHOOLEY ON BEHALF OF ALL REPRESENTATIVES - Honoring the Longstanding Partnership in Public Service between Delaware State University and the State of Delaware.

**HR 44** - SCHOOLEY ON BEHALF OF ALL REPRESENTATIVES - Honoring the Longstanding Partnership in Public Service Between Delaware Technical & Community College and the State of Delaware.

**HCR 40** - CARSON & REPRESENTATIVE WALLS ON BEHALF OF ALL REPRESENTATIVES & SENATOR ENNIS & SENATOR HALL-LONG ON BEHALF OF ALL SENATORS - Designating the Month of May 2010 as "Older Americans Month".

**HCR 41** - SCHOOLEY ON BEHALF OF ALL REPRESENTATIVES & SENATOR SOKOLA ON BEHALF OF ALL SENATORS - Commending the Students Selected as Secretary of Education Scholars of 2010.

**Consent Calendar #15** was adopted by voice vote and **HR 42**, **HR 43** & **HR 44** were declared passed and **HCR 40** & **HCR 41** were sent to the Senate for concurrence.

Representative Schooley made comments regarding **HR 42**, **HR 43** & **HR 44**.

Representative Atkins requested that he be marked present.

Representative J. Johnson made comments.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:13 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 2:13 p.m.: Representatives Kowalko, Thornburg, Scott, Mulrooney, Q. Johnson & Cathcart.

Mr. Speaker Gilligan called the House to order at 2:03 p.m. on May 6, 2010.

Representatives Kovach, D.E. Williams & Carson requested that they be marked present for the current Legislative Day.

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

JUDICIARY: **SB 220** - 4F, 2M.

MANUFACTURED HOUSING: **HB 391** - 3M; **HB 392** - 3M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE:

**SB 209 w/SA 1** - 4F, 3M; **SB 216** - 4F, 3M.

EDUCATION: **HB 379** - 9M; **HB 386** - 9M; **HB 387** - 10M.

CORRECTIONS: **SB 203** - 1F, 5M.

NATURAL RESOURCES: **SB 234 w/SA 1 & 3** - 2F, 5M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 383** - 1F, 6M;

**SB 212 w/SA 1, 2 & 3** - 1F, 7M; **SB 218** - 1F, 7M.

HEALTH & HUMAN DEVELOPMENT: **HB 382** - 2F, 5M.

HOUSE ADMINISTRATION: **HB 361** - 1F, 3M; **HB 381** - 4M; **HB 393** - 4M; **HB 394** - 4M; **HB 395** - 4M.

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **SB 214** - 4F.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 41 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 356 w/SA 1** and is returning the same to the House.

May 5, 2010

LEGISLATIVE ADVISORY #39

Governor Jack A. Markell signed the following legislation on the date indicated: 4/29/10 - **HB 243 aab SA 1 & 2**; 5/3/10 - **SB 192**, **HB 308**, **HB 314 aab SA 1 & HB 341**.

#### MEMORANDUM

DATE: MAY 5, 2010

TO: RICH PUFFER, CHIEF CLERK OF THE HOUSE

FROM: PETER SCHWARTZKOPF, Representative, 14<sup>TH</sup> DISTRICT

RE: REQUEST HB 5 BE RETURNED TO THE HOUSE OF REPRESENTATIVES

As the sponsor of HB 5, I would ask that you please contact the Senate and request the bill be returned to the House of Representatives. In light of the adoption of SB 121 it seems prudent to strike HB 5, and I plan to do so upon its return.

Thank you for your time and consideration.

MEMORANDUM

TO: Bernard J. Brady  
Secretary of the Senate

FROM: Richard L. Puffer  
Clerk of the House  
DATE: May 5, 2010  
RE: Request for the Return of House Bill 5 to the House of Representatives  
At the request of the House Prime Sponsor, Representative Peter C. Schwartzkopf, I respectfully request the return of House Bill 5 to the House of Representatives.  
Thank you for your attention to this request.  
TO: Richard L. Puffer  
Clerk of the House  
FROM: Bernard J. Brady  
Secretary of the Senate  
DATE: May 5, 2010  
RE: HB 5

Attached please find the original of HB 5. Senator Anthony J. DeLuca, Chair of the Executive Committee, to which HB 5 was assigned, has returned the same to the Office of the Secretary for delivery to the House as requested.

Representative Schwartzkopf brought **HB 5 w/HA 1**, jointly sponsored by Representative Keeley & Representative Oberle & Senator Sokola & Senator McDowell & Senator Sorenson & Representatives Barbieri, Gilligan, Jaques, J. Johnson, Kowalko, Longhurst, M. Marshall, Mitchell, Mulrooney, Plant, Schooley, B. Short, Viola, D.E. Williams, D.P. Williams & Senators Blevins, Bunting, Bushweller, Henry & Peterson, before the House for consideration.

**HB 5 - AN ACT TO AMEND TITLES 6, 9, 18, 19, 25 AND 29 OF THE DELAWARE CODE RELATING TO DISCRIMINATION IN EMPLOYMENT, PUBLIC WORKS CONTRACTING, HOUSING, EQUAL ACCOMMODATIONS AND THE INSURANCE BUSINESS.**

Representative Schwartzkopf requested that **HB 5 w/HA 1** be stricken.

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

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.

### **27th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session May 6, 2010**

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representatives Manolakos - 1.

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 two legislative days were approved as posted.

The following prefiled legislation was introduced:

**HB 396 - SCHOOLEY & SENATOR SOKOLA; REPRESENTATIVES BARBIERI, CARSON, JAQUES, Q. JOHNSON, LAVELLE, LONGHURST, MITCHELL, HUDSON, MIRO, RAMONE, MANOLAKOS, SCHWARTZKOPF, SCOTT; SENATORS ENNIS, MCDOWELL - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Education.**

**HB 397 - SCHWARTZKOPF & SENATOR BUNTING; REPRESENTATIVES HOCKER, JAQUES, KEELEY, LONGHURST, WILSON, BENNETT, WALLS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Special License or Registration Plates.**

**HB 398 - OUTTEN & SENATOR COOK; REPRESENTATIVES CAREY, HOCKER, HUDSON, THORNBURG, MITCHELL, J. JOHNSON, WALLS; SENATORS BUNTING, SIMPSON, BOOTH - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Extension of Muskrat Season.**

**HA 1 to HB 180 - HUDSON - Placed with the Bill.**

**HA 1 to HB 389 - HUDSON - Placed with the Bill.**

**SB 41 w/SA 1 - BLEVINS & SENATOR SORENSON & REPRESENTATIVE M. MARSHALL; SENATORS BUSHWELLER, CONNOR, HALL-LONG, HENRY, PETERSON; REPRESENTATIVES BARBIERI, BENNETT, JAQUES, Q. JOHNSON, LAVELLE, KEELEY, KOWALKO, MIRO, MITCHELL, OBERLE, RAMONE, SCHOOLEY, SCOTT - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Foster Care and the SEED Program.**

Representative Schwartzkopf introduced and brought **HCR 42**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short 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 42 - 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 Schwartzkopf made comments.

**HCR 42** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Carey requested that he be marked present.

Representative Schwartzkopf requested and was granted privilege of the floor for Frank Ingram, Education Specialist, working with Career & Technical Student Organizations, who introduced Amber Bullock, President, Future Farmers of America; Natilie Miller, Vice President, SkillsUSA; Steven Vanderloo, President, Technology Student Association; Amy Micklos, President, Family, Career & Community Leaders of America & Hunter McHugh, President, DECA - An Association of Marketing Students, all of whom addressed the House.

Representatives Thornburg, Briggs King, Wilson & Schooley made comments. The students announced their names & schools for the record. Representative Miro made comments.

Representative Schwartzkopf introduced and brought **HCR 43**, sponsored by Representative Gilligan on behalf of all Representatives & by Senator DeLuca on behalf of all Senators, before the House for consideration.

**HCR 43 - COMMENDING THE NOMINEES FOR THE 2010 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 2010 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 2010 include:

Eric Austin, Kimberly Judy, Karen Bounds, Lisa M. Shaw, John McCartney, Alan Nold, Sheng Yang, John Nauman, Reagan Paquette, Edward M. McWilliams, Robert Weakland, Robert Daniel, John Larouche, Kelli Stepler, Jowonna Thomas, Hope LaChance, Denise Hudson, Joyce Adkins, Bobbie L. Fisher, Ben McQueen, William Craig Watson, Brenda J. Solloway, Robert G. Cooke, Mary B. Parker, Robert L. Ragin, Vernon Kirk and Monica Farrell.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concurring therein, that we hereby honor the nominees for the 2010 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 43** was adopted by voice vote and was sent to the Senate for concurrence. Representative Jaques requested that **HB 370** be stricken. Representative Schwartzkopf deferred to Representative Kowalko. Representative Kowalko introduced a guest. Representative Schwartzkopf made an announcement. Representatives Schooley, Keeley, Outten & Mulrooney requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:34 p.m.

The House reconvened at 5:13 p.m.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **SB 157 w/SA 1**, jointly sponsored by Senator Peterson & Representatives Ramone, Oberle, Lavelle & cosponsored by Senators Bonini & McDowell & Representative Manolakos, before the House for consideration.

**SB 157 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO RESIDENTIAL HOMES AND EXEMPTIONS.**

Representative Keeley requested and was granted privilege of the floor for William F. Jaworski, Jr., Attorney. Representative Keeley made comments.

The roll call on **SB 157 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Kovach & Manolakos - 2.

Therefore, having received a constitutional majority, **SB 157 w/SA 1** was returned to the Senate.

Representatives Atkins, Hocker, Oberle, Plant & Viola requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 381**, jointly sponsored by Senator McDowell & Representatives Barbieri, Carson, George, J. Johnson, Q. Johnson, Keeley, Kowalko, Mitchell, Plant, Schooley, Schwartzkopf, Scott, B. Short, Viola, Walls, D.E. Williams & D.P. Williams & Senators Blevins, Hall-Long & Katz, before the House for consideration.

**HB 381 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.**

Representative Longhurst made comments.

The roll call on **HB 381** was taken and revealed:

YES: 27.

NO: Representatives Briggs King, Cathcart, Hocker, Lavelle, Lee, Miro, Oberle, Outten & Wilson -

9.

NOT VOTING: Representatives Hudson, Ramone & Thornburg - 3.

ABSENT: Representatives Kovach & Manolakos - 2.

Therefore, having received a constitutional majority, **HB 381** was sent to the Senate for concurrence.

Representatives Kowalko & Lavelle made comments regarding **HB 381**.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 105 w/HA 2 & SA 2**, jointly sponsored by Representative Atkins & cosponsored by Representative Schwartzkopf, before the House for concurrence on **SA 2**.

**HB 105 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE.**

Representative Cathcart made comments.

Representative Longhurst moved to place **HB 105 w/HA 2 & SA 2** on the Speaker's Table. The motion was seconded by Representative Schwartzkopf and adopted by voice vote.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **HB 338**, jointly sponsored by Senator Ennis & Senator Henry & Senator Sorenson & Senator Venables & Representatives Barbieri, Kowalko, Plant, Schooley & Scott, before the House for consideration.

**HB 338 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF OFFENSES AND SENTENCES.**

Representative J. Johnson brought **HA 1 to HB 338** before the House for consideration.

Representative J. Johnson made a comment. **HA 1** was adopted by voice vote. Representative J. Johnson made comments.

The roll call on **HB 338 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Kovach & Manolakos - 2.

Therefore, having received a constitutional majority, **HB 338 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 383**, jointly sponsored by Senator Ennis & Senator Hall-Long & Representatives Brady, Hudson, Miro, D. Short, Thornburg, Walls & Wilson & Senators Bushweller & Marshall & cosponsored by Representatives Jaques & Wilson, before the House for consideration.

**HB 383 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES.**

Representatives Q. Johnson & Lavelle made comments.

The roll call on **HB 383** was taken and revealed:

YES: 39.

ABSENT: Representatives Kovach & Manolakos - 2.

Therefore, having received a constitutional majority, **HB 383** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley requested and was granted personal privilege of the floor to introduce a guest. Representative Oberle made comments.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 386**, jointly sponsored by Senator Sokola & Representatives Barbieri, George, Jaques, J. Johnson, Keeley, Kovach, Lavelle, Ramone & Schooley & Senators Henry & Sorenson & cosponsored by Representative D.E. Williams & Senators Bonini, Connor & Hall-Long, before the House for consideration.

**HB 386 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS.**

Representative Q. Johnson made comments.

The roll call on **HB 386** was taken and revealed:

YES: 39.

ABSENT: Representatives Kovach, Manolakos - 2.

Therefore, having received a constitutional majority, **HB 386** was sent to the Senate for concurrence.



Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 387**, jointly sponsored by Senator Sokola & Representatives Barbieri, George, Gilligan, Jaques, J. Johnson, Keeley, Kovach, Lavelle, Longhurst, Ramone, Schooley, Scott & Viola & Senators Ennis, Hall-Long, Henry, Katz & Sorenson & cosponsored by Representative D.E. Williams & Senator Cloutier, before the House for consideration.

**HB 387** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.

Representative Q. Johnson made comments.

The roll call on **HB 387** was taken and revealed:

YES: 39.

ABSENT: Representatives Kovach & Manolakos - 2.

Therefore, having received a constitutional majority, **HB 387** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst moved to lift **HB 105 w/HA 2 & SA 2** from the Speaker's Table. The motion was seconded by Representative Schwartzkopf and adopted by voice vote.

Representative Longhurst brought **HB 105 w/HA 2 & SA 2**, jointly sponsored by Representative Atkins & cosponsored by Representative Schwartzkopf, before the House for concurrence on **SA 2**.

**HB 105** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE.

Representative Longhurst made a comment.

Representative Hocker announced that he will not be voting on **HB 105 w/HA 2 & SA 2** because of a possible conflict of interest.

Representatives Oberle & Longhurst made comments.

The roll call on **HB 105 w/HA 2 & SA 2** was taken and revealed:

YES: 38.

NOT VOTING: Representative Hocker - 1.

ABSENT: Representatives Kovach & Manolakos - 2.

Therefore, having received a constitutional majority, **HB 105 w/HA 2 & SA 2** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 351 w/SA 1**, jointly sponsored by Senator Henry & Representatives Carson, Gilligan, Jaques, Mitchell & D.E. Williams & Senators Bushweller, Hall-Long & Sorenson & cosponsored by Representatives Atkins, Briggs King, Carey, Cathcart, Hocker, Hudson, J. Johnson, Q. Johnson, Kovach, Kowalko, Lee, Manolakos, Miro, Oberle, Outten, Ramone, Schwartzkopf, D. Short, Walls & Wilson, before the House for concurrence on **SA 1**.

**HB 351** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE ELDER CARE INFORMATION AND SUPPORT SYSTEM FOR DELAWARE FAMILIES.

Representative Barbieri made comments.

The roll call on **HB 351 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Kovach & Manolakos - 2.

Therefore, having received a constitutional majority, **HB 351 w/SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott introduced **HB 399**, jointly sponsored by Representative Carson & Representative Bennett & Senator Bushweller & Senator Ennis & Representatives George, J. Johnson, Jaques, Plant, Schooley, D.P. Williams, Barbieri, Gilligan, Mitchell, Oberle, Thornburg, Blakey, Q. Johnson, Kowalko & Keeley & Senators Sokola, Henry, Hall-Long, Bunting & Peterson & cosponsored by Representatives Manolakos & Ramone & Senator Cook.

**HB 399** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.

Mr. Speaker Gilligan assigned **HB 399** to the Education Committee.

Representative Scott made comments regarding **HB 399**.

Mr. Speaker Gilligan wished a Happy Mothers' Day to Representatives Hudson, Briggs King, Longhurst, Schooley, Thornburg & Plant.

Representative Scott made an announcement.

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 2:02 p.m. on May 11, 2010.

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 **SB 225** and requests the concurrence of the House and the Senate has passed **HCR 40, HCR 41 & HCR 43** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 336 & HCR 42** 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.

**28th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session  
May 11, 2010**

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Lavelle & Manolakos - 2.

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 400** - B. SHORT & REPRESENTATIVE KOVACH & REPRESENTATIVE D. SHORT; REPRESENTATIVES BARBIERI, BENNETT, BRIGGS KING, HOCKER, Q. JOHNSON, LAVELLE, MITCHELL, RAMONE, WALLS; SENATORS BUSHWELLER, HENRY - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to Building Construction Disputes.

**HA 1 to HS 1 for HB 348** - LONGHURST - Placed with the Bill.

**HA 1 to HB 395** - HOCKER - Placed with the Bill.

**SB 225** - KATZ & SENATOR BUNTING & REPRESENTATIVE JAQUES & REPRESENTATIVE BRADY - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Regarding Absentee Voting and Associated Issues.

The Reading Clerk read the following communication into the record:

May 11, 2010

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, Tuesday May 11, 2010 due to family reasons.

Thank you for your understanding.

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

Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst made an announcement. Representative Kowalko requested and was granted personal privilege of the floor to introduce a guest and to make comments. Mr. Speaker Gilligan made a comment. Representatives Q. Johnson requested that he be marked present. Representative Thornburg made a comment. Representatives Mitchell, Outten & Miro requested that they be marked present. Representative Schwartzkopf deferred to Representative Scott. Representative Scott requested and was granted personal privilege of the floor to introduce guests. Representative Keeley requested that she be marked present. Representative Schwartzkopf deferred to Representative Brady. Representative Brady requested and was granted personal privilege of the floor to introduce guests. Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley made an announcement.

Representative Schwartzkopf introduced & brought **HCR 44**, jointly sponsored by Representative Atkins on behalf of all Representatives & Senator Bunting on behalf of all Senators, before the House for consideration.

**HCR 44** - TO RECOGNIZE THE MONTH OF MAY 2010 AS "POPPY MONTH" IN THE STATE OF DELAWARE.

WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers; and

WHEREAS, millions who have answered the call to arms have died on the field of battle; and

WHEREAS, a nation of peace must be reminded of the price of war and the debt owed to those who have died in war; and

WHEREAS, the red poppy has been designated as a symbol of sacrifice of lives in all wars; and

WHEREAS, the American Legion Auxiliary has pledged to remind America annually of the debt through the distribution of the memorial flower.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concurring therein, that the month of May 2010 be recognized as "Poppy Month" in the State of Delaware and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy.

BE IT FURTHER RESOLVED, that a suitably prepared copy of this resolution be delivered to The American Legion Auxiliary Unit #28 in Millsboro, Delaware.

Representative Schwartzkopf made comments.

**HCR 44** was adopted by voice vote and was sent the Senate for concurrence.

Representative Schwartzkopf introduced guests and requested and was granted privilege of the floor for Cindy Phillips, Secretary, American Legion Auxiliary Unit 28.

Representative Atkins requested that he be marked present and made comments.

Representative Schwartzkopf made an announcement.

Mr. Speaker Gilligan assigned **HB 97** to the Appropriations Committee.

Representative Schwartzkopf made an announcement.

Representatives Plant, Oberle & Viola requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:23 p.m.

The House reconvened at 4:40 p.m.

Representative Schwartzkopf brought **Consent Agenda B**, which requires a two-thirds vote, before the House for consideration & concurrence on a Senate Amendment.

**HB 356 w/SA 1** - OUTTEN & SENATOR COOK - An Act to Amend the Charter of The Town of Felton to Change the Duration of the Term of a Member of the Town Council and to Implement Use of the State's Voter Registration System. (2/3 bill)

**HB 393** - HOCKER & SENATOR BUNTING - An Act to Amend Chapter 59, Volume 63 of the Laws of Delaware, as Amended, the Charter of the Town of Dewey Beach to Grant the Town of Dewey Beach the Authority to Change the Date of Annual Municipal Elections to Prevent Conflict with Jewish Holy Days. (2/3 bill)

**HB 394** - HOCKER & SENATOR BUNTING - An Act to Amend Volume 65, Chapter 295, Laws of Delaware, Entitled Charter of the Town of Bethany Beach, Regarding Penalties for Violations of Town Ordinances, to Increase the Maximum Financial Penalty that may be Imposed to Eliminate Imprisonment as a Potential Sanction, and to Authorize the Town to Impose Civil Penalties as Well as Criminal Penalties. (2/3 bill)

Representative Schwartzkopf made comments.

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

YES: 37.

ABSENT: Representatives Lavelle, Manolakos, Plant & D.P. Williams - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 393** & **HB 394** were sent to the Senate for concurrence & **HB 356 w/SA 1** was sent to the Governor.

Representatives D. E. Williams & B. Short requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought **HB 360**, jointly sponsored by Representative Hudson & Representative Viola & Senator Simpson & Representatives Hocker, Lavelle, Manolakos, Miro & Carson & Senators Bunting, Venables & Bonini, before the House for consideration.

**HB 360** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FINANCIAL DISCLOSURE REPORTS.

Representative D. Short made comments.

The roll call on **HB 360** was taken and revealed:

YES: 39.

ABSENT: Representatives Lavelle, Manolakos - 2.

Therefore, having received a constitutional majority, **HB 360** 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 D. Short.

Representative D. Short brought **HB 361**, jointly sponsored by & Representative Hudson & Senator Simpson & Representatives Hocker, Lavelle, Manolakos, Miro & Carson & Senator Bonini, before the House for consideration.

**HB 361** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO DUTIES OF A CANDIDATE.

Representative D. Short made comments.

The roll call on **HB 361** was taken and revealed:

YES: 39.

ABSENT: Representatives Lavelle & Manolakos - 2.

Therefore, having received a constitutional majority, **HB 361** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 368**, jointly sponsored by Senator Bushweller & Representatives Barbieri, Carson, Lavelle & Ramone & Senator Ennis, before the House for consideration.

**HB 368** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES AND COMMERCIAL DRIVER LICENSES. (2/3 bill)

Representative Mitchell made comments.

The roll call on **HB 368** was taken and revealed:

YES: 39.

ABSENT: Representatives Lavelle & Manolakos - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 368** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mulrooney.

Representative Mulrooney moved to suspend the rules which interfere with action on **SB 234 w/SA 1 & 3**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Mulrooney brought **SB 234 w/SA 1 & 3**, jointly sponsored by Senator McBride & Senators Blevins, Bunting, Cloutier, Katz, McDowell, Simpson, Peterson, Bushweller & Sorenson & Representatives Keeley, Kovach, Kowalko, Ramone, Schooley, Viola, D.P. Williams, Jaques & D.E. Williams, before the House for consideration.

**SB 234 - AN ACT TO AMEND TITLES 7 AND 30 OF THE DELAWARE CODE RELATING TO RECYCLING AND BEVERAGE CONTAINERS. (3/5 bill) (F/N)**

Representative Miro announced that he will not be voting on **SB 234 w/SA 1 & 3** because of a possible conflict of interest. Representative Cathcart requested and was granted privilege of the floor for Ron Smith, Minority House Attorney. Representative Cathcart made comments. Mr. Speaker Gilligan granted privilege of the floor to William G. Bush IV, Majority House Attorney. Representatives Cathcart & Oberle made comments. Mr. Speaker Gilligan ruled that it would have been proper for **SB 234** to have started in either the Senate or the House. Representative Cathcart requested and was granted privilege of the floor for Ron Smith, Minority House Attorney. Representatives Cathcart & Mulrooney made comments. Mr. Speaker Gilligan granted privilege of the floor to William G. Bush IV, Majority House Attorney.

Representative Cathcart made comments. Mr. Speaker Gilligan ruled that **SB 234** is not a violation of Article VIII, Section 1 of the Constitution of the State of Delaware. Representative Cathcart requested and was granted privilege of the floor for Ron Smith, Minority House Attorney. Representative Cathcart made comments. Mr. Speaker Gilligan granted privilege of the floor to William G. Bush IV, Majority House Attorney. Representative Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for Ron Smith, Minority House Attorney. Representatives Cathcart & Oberle made comments. Mr. Speaker Gilligan ruled that the vote requirement for **SB 234** is three-fifths Members of the House.

The Reading Clerk read the following communication into the record:

Via email

Sent Tuesday, May 11, 2010

From: Greg Lavelle

To: Speaker of the House Robert Gilligan

Mr. Speaker,

Due to the unforeseen illness of my wife, and the need to care for my children, I regret to inform you I will be unable to attend session today.

If Senate Bill 234 is worked on the House floor in my absence, please be advised State House Minority Leader Richard Cathcart will floor manage House Amendments 1 & 3 in my stead. Representative Cathcart is a prime sponsor of both measures and is empowered to do this under existing House protocols.

Sincerely,

State Representative Greg Lavelle

Representative D. Short introduced and brought **HA 1 to SB 234**, jointly sponsored by Representative Cathcart & Representative Lavelle & Representative Hocker, before the House for consideration.

Representatives D. Short & Mulrooney made comments.

The roll call on **HA 1 to SB 234** was taken and revealed:

YES: Representatives Atkins, Blakey, Briggs King, Carey, Carson, Cathcart, Hocker, Hudson, Kovach, Lee, Oberle, Outten, Ramone, D. Short & Wilson - 15.

NO: 23.

ABSENT: Representatives Lavelle, Manolakos & Miro - 3.

Therefore, not having received a constitutional majority, **HA 1 to SB 234** was declared defeated.

Representative D. Short introduced and brought **HA 2 to SB 234** before the House for consideration.

Representatives D. Short & Mulrooney made comments.

Representative Kovach requested and was granted privilege of the floor for Collin O'Mara, Secretary, Department of Natural Resources and Environmental Control.

Representatives Kovach & Oberle made comments.

**HA 2** was defeated by voice vote.

Representative D. Short introduced and brought **HA 3 to SB 234**, jointly sponsored by Representative Lavelle & Representative Cathcart, before the House for consideration.

Representatives D. Short, Kowalko, Cathcart, Viola, D. Short, Q. Johnson, Bennett, D. Short, Viola, Briggs King & Jaques made comments.

The roll call on **HA 3 to SB 234** was taken and revealed:

NO: 37.

NOT VOTING: Representative Blakey - 1.

ABSENT: Representatives Lavelle, Manolakos & Miro - 3.

Therefore, not having received a constitutional majority, **HA 3 to SB 234** was declared defeated.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Joseph E. Miro, do hereby request that my name be removed as co-sponsor of **SB 234**.

Date: 5/11/10

Signed: Joseph E. Miro

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Joseph E. Miro, do hereby request that my name be removed as co-sponsor of **HA 6 to SB 234**.

Date: 5/11/10

Signed: Joseph E. Miro

Representative Oberle introduced and brought **HA 4 to SB 234**, jointly sponsored by Representative Cathcart & Representative D. Short & Representative Lavelle & Representative Hocker, before the House for consideration.

Representatives Oberle, Mulrooney, Hudson & Oberle made comments. Representative Kovach requested and was granted privilege of the floor for William G. Bush IV, Majority House Attorney.

Representatives Kovach & Oberle made comments.

The roll call on **HA 4 to SB 234** was taken and revealed:

YES: Representatives Blakey, Briggs King, Carey, Carson, Cathcart, Hocker, Hudson, Jaques, Kovach, Lee, Oberle, Outten, Ramone, D. Short, Thornburg & Wilson - 16.

NO: 22.

NOT VOTING: Representative Miro - 1.

ABSENT: Representatives Lavelle & Manolakos - 2.

Therefore, not having received a constitutional majority, **HA 4 to SB 234** was declared defeated.

Representative Oberle made comments regarding **HA 5 to SB 234**. Representative Oberle introduced and brought **HA 5 to SB 234**, jointly sponsored by Representative Cathcart & Representative Lavelle & Representative Hocker, before the House for consideration. Representative Oberle moved to place **HA 5** on the Speaker's Table. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Kovach introduced and brought **HA 6 to SB 234**, jointly sponsored by Representative Cathcart & Representative Hudson, before the House for consideration. Representatives Kovach, Mulrooney, Q. Johnson & Kovach made comments.

The roll call on **HA 6 to SB 234** was taken and revealed:

YES: Representatives Blakey, Briggs King, Carey, Cathcart, Hocker, Hudson, Q. Johnson, Kovach, Lee, Oberle, Outten, Ramone, D. Short & Wilson - 14.

NO: 23.

NOT VOTING: Representative Miro - 1.

ABSENT: Representatives Atkins, Lavelle & Manolakos - 3.

Therefore, not having received a constitutional majority, **HA 6 to SB 234** was declared defeated.

Representative Cathcart introduced and brought **HA 7 to SB 234**, jointly sponsored by Representative Ramone, before the House for consideration.

Representative Cathcart requested and was granted privilege of the floor for N.C. Vasuki, Former Chief Executive Officer, Delaware Solid Waste Authority.

Representatives Cathcart, Kovach, Cathcart, Hocker & Ramone made comments.

Representative Mulrooney requested and was granted privilege of the floor for Collin O'Mara, Secretary, Department of Natural Resources and Environmental Control.

Representatives Mulrooney, Cathcart, Oberle, Schwartzkopf, Oberle, Cathcart, Q. Johnson, D. Short, Hocker, Hudson & Kovach made comments. Representative Cathcart requested and was granted privilege of the floor for N.C. Vasuki, Former Chief Executive Officer, Delaware Solid Waste Authority.

Representatives Cathcart & Oberle made comments.

The roll call on **HA 7 to SB 234** was taken and revealed:

YES: Representatives Blakey, Briggs King, Carey, Carson, Cathcart, Hocker, Hudson, Kovach, Lee, Oberle, Outten, Ramone, D. Short & Wilson - 14.

NO: 24.

NOT VOTING: Representative Miro - 1.

ABSENT: Representatives Lavelle & Manolakos - 2.

Therefore, not having received a constitutional majority, **HA 7 to SB 234** was declared defeated.

Representatives Mulrooney, Cathcart, Hocker, Carey, Keeley, Kowalko & Cathcart made comments.

The roll call on **SB 234 w/SA 1 & 3** was taken and revealed:

YES: 26.

NO: Representatives Atkins, Blakey, Briggs King, Carey, Cathcart, Hocker, Hudson, Lee, Oberle, Outten, D. Short & Wilson - 12.

NOT VOTING: Representative Miro - 1.

ABSENT: Representatives Lavelle & Manolakos - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 234 w/SA 1 & 3** was returned to the Senate.

The Majority Leader moved to recess to the call of the Chair at 7:14 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on May 12, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 113** and requests the concurrence of the House and the Senate has passed **HB 304 w/HA 1** and is returning the same to the House and the Senate wishes to inform the House that it has passed **HB 362** and is returning the same to the House.

TO : The Honorable Robert Gilligan  
Speaker of the House  
FROM : Representative Ruth Briggs King  
SUBJECT : Absence from Session  
DATE : May 11, 2010

It is necessary for me to be absent from session on Wednesday, May 12 and Thursday, May 13, 2010 due to personal business.

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 - 145th GENERAL ASSEMBLY - Second Session May 12, 2010**

The Chief Clerk called the roll.

Members Present: 34.

Members Absent: Representatives Atkins, Briggs King, Jaques, Plant, B. Short, D. Short & D.E. Williams - 7.

A prayer was offered by Representative Robert E. Walls, Thirty-third Representative District.

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

The following prefiled legislation was introduced:

**HB 401** - OBERLE & REPRESENTATIVE CATHCART & REPRESENTATIVE D. SHORT - EDUCATION - An Act to Amend Titles 12 and 14 of the State of Delaware Relating to Escheats.

**HB 402** - WALLS & SENATOR BUNTING; REPRESENTATIVES CAREY, CARSON, HOCKER, Q. JOHNSON, LEE, THORNBURG, WILSON; SENATORS ENNIS, HALL-LONG, BOOTH - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Department of Agriculture.

**HB 403** - WALLS & SENATOR BUNTING; REPRESENTATIVES CARSON, HUDSON, Q. JOHNSON, THORNBURG, WILSON; SENATORS ENNIS, BOOTH - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Department of Agriculture.

**HB 404** - WALLS & SENATOR BUNTING; REPRESENTATIVES CARSON, WILSON; SENATORS HALL-LONG, BOOTH - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Department of Agriculture.

**HB 405** - WALLS & SENATOR BUNTING; REPRESENTATIVE WILSON; SENATOR BOOTH - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Department of Agriculture.

**HB 406** - WALLS & SENATOR BUNTING; REPRESENTATIVES CARSON, OUTTEN, THORNBURG, WILSON; SENATORS ENNIS, BOOTH - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Department of Agriculture.

**HB 407** - WALLS & SENATOR BUNTING; REPRESENTATIVES CARSON, HUDSON, OUTTEN, THORNBURG, WILSON; SENATORS BOOTH, SIMPSON - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Department of Agriculture.

**HA 2 to HB 389** - VIOLA - Placed with the Bill.

**SB 113** - COOK & REPRESENTATIVE M. MARSHALL; SENATORS BLEVINS, HALL-LONG, SORENSON, CONNOR, CLOUTIER; REPRESENTATIVES KOWALKO, SCHOOLEY, BRADY, BARBIERI, BENNETT, BRIGGS KING, CAREY, CARSON, CATHCART, HOCKER, HUDSON, JAQUES, J. JOHNSON, KOVACH, LEE, MANOLAKOS, MIRO, MITCHELL, OUTTEN, PLANT, RAMONE, SCOTT, B. SHORT, WALLS, D.E. WILLIAMS, WILSON, - JUDICIARY - An Act to Amend Titles 10, 29 and 31 of the Delaware Code Relating to Extending the Jurisdiction of the Family Court for Abused, Dependent and Neglected Children.

Representative George requested and was granted personal privilege of the floor to introduce guests. Mr. Speaker Gilligan introduced a guest. Representative Kovach made comments.

Representative Schwartzkopf brought **Consent Calendar #16** before the House.

**HR 45** - HUDSON ON BEHALF OF ALL REPRESENTATIVES - Recognizing May 12, 2010 as Fibromyalgia Awareness Day in Delaware.

**HCR 45** - SCHWARTZKOPF ON BEHALF OF ALL REPRESENTATIVES & SENATOR DELUCA ON BEHALF OF ALL SENATORS - In Recognition of the 2010 All Star Award Recipients of the Delaware Health Care Facilities Association during National Nursing Home Week.

**Consent Calendar #16** was adopted by voice vote and **HR 45** was declared passed and **HCR 45** was sent to the Senate for concurrence.

Representatives Barbieri, Miro, Manolakos, Thornburg & Keeley requested that they be marked present.

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 at 2:09 p.m.: Representatives Mulrooney & D.P. Williams.

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on May 13, 2010.

Representatives Jaques & D.E. Williams requested that they be marked present for the current Legislative Day.

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

APPROPRIATIONS: **HB 343** - 1F, 5M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HB 367** - 1F, 5M; **HB 377** - 6F, 1M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 388** - 2F, 6M; **SB 193** - 1F, 7M; **SB 198** - 1F, 7M.

EDUCATION: **HB 399** - 11F; **SB 41 w/ SA1** - 9M.

GAMING & PARIMUTUELS: **HB 389** - 4F, 2M.

HOUSE ADMINISTRATION: **HB 384** - 3M; **SB 225** - 3M.

HEALTH & HUMAN DEVELOPMENT: **SB 213** - 9F.

The Reading Clerk read the following communications into the record:

May 11, 2010

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 on Tuesday, May 11, 2010 because of unexpected obligations at work.

Thank you for your understanding.

Sincerely,

Nicholas Manolakos

State Representative

20<sup>th</sup> District

The Senate wishes to inform the House that it has passed **SB 215** & **SCR 33** and requests the concurrence of the House and the Senate has passed **HB 299**, **HB 322**, **HB 2**, **HB 190 w/SA 1** & **HCR 45** and is returning the same to the House.

Representatives Atkins, B. Short & Plant 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.

### **30th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session**

**May 13, 2010**

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Briggs King & Hudson - 2.

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 two legislative days were approved as posted.

The following prefiled legislation was introduced:

**HB 408** - MITCHELL & SENATOR HENRY; REPRESENTATIVES ATKINS, CARSON, LEE, D.P. WILLIAMS; SENATORS CLOUTIER, MCBRIDE, SOKOLA - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Tobacco Product Tax.

**HB 409** - WALLS & REPRESENTATIVE CARSON & SENATOR ENNIS & SENATOR VENABLES - NATURAL RESOURCES - An Act to Amend Chapters 5 and 7 of Title 7 of the Delaware Code Relating to Licenses and Regulations Concerning Game and Fish. (2/3 bill)

**HB 410** - GEORGE & SENATOR HENRY & SENATOR COOK; REPRESENTATIVES BENNETT, J. JOHNSON, LEE, MITCHELL, PLANT, KOVACH, D.P. WILLIAMS, WILSON;

SENATORS MCDOWELL, SIMPSON - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Divorce and Annulment.

**HB 411** - LAVELLE & SENATOR BONINI; REPRESENTATIVES CATHCART, D. SHORT, CAREY, HOCKER, LEE, WILSON, BRIGGS KING, KOVACH, RAMONE; SENATOR BOOTH - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Delaware Economic and Financial Advisory Council.

**HB 412** - LAVELLE & SENATOR BOOTH; REPRESENTATIVES CATHCART, BRIGGS KING, CAREY, MIRO, WILSON, HOCKER, KOVACH, OUTTEN, RAMONE; SENATORS KATZ, BONINI - 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 413** - LAVELLE & SENATOR SIMPSON; REPRESENTATIVES CATHCART, CAREY, HOCKER, KOVACH, WILSON, BRIGGS KING, OUTTEN, RAMONE - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to State Procurement.

**HCR 46** - BRADY & SENATOR MCDOWELL - 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 215** - VENABLES & D.P. WILLIAMS; SENATORS BUNTING, CLOUTIER, KATZ; REPRESENTATIVES OUTTEN, KOWALKO, HOCKER, KOVACH, LAVELLE, CARSON, D. SHORT - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Titles 7 and 21 of the Delaware Code Relating to Motor Vehicles.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett introduced & brought **SCR 33**, jointly sponsored by Senator Hall-Long, & Senator Cloutier & Senators Blevins, Henry, Ennis, Peterson, Bunting, Venables & Booth & Representatives Hocker, Hudson, Jaques, Q. Johnson, Keeley, Kowalko, Lavelle, Mitchell, Schooley, D. Short, Viola, Walls & D.E. Williams, before the House for consideration.

Representatives Barbieri & Mitchell requested that they be marked present.

**SCR 33** - RECOGNIZING MAY, 2010 AS MELANOMA AND SKIN CANCER DETECTION AND PREVENTION MONTH.

WHEREAS, skin cancer is the most common of all cancers, affecting one in five Americans; and

WHEREAS, melanoma is a particularly aggressive form of skin cancer that accounts for less than 5% of skin cancer cases, but causes a large majority of skin cancer deaths; and

WHEREAS, melanoma incidence rates have been increasing for at least 30 years; and

WHEREAS, in 2009 there were an estimated 220 new cases of melanoma diagnosed in Delaware and 68,720 nationally; and

WHEREAS, melanoma differs from other common cancers in that it has a wide age distribution and is common in individuals of all ages; and

WHEREAS, melanoma is curable if detected and treated early; and

WHEREAS, exposure to ultraviolet rays is the leading environmental factor for development of skin cancer; and

WHEREAS, May is recognized in the United States as National Melanoma and Skin Cancer Detection and Prevention Month; and

WHEREAS, May has been established in Delaware as Melanoma and Skin Cancer Detection and Prevention Month.

NOW THEREFORE:

BE IT RESOLVED by the Senate of the 145<sup>th</sup> General Assembly of the State of Delaware the House of Representatives concurring therein, that the members do hereby recognize May, 2010 as Melanoma and Skin Cancer Detection and Prevention Month.

Representative Bennett & Mr. Speaker Gilligan made comments.

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

Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst introduced guests. Representative Cathcart made an announcement. Representative Lavelle requested that he be marked present. Representative Schwartzkopf deferred to Representative Kovach. Representative Kovach introduced a guest. Mr. Speaker Gilligan assigned **HB 399** to the Appropriations Committee. Representative Schwartzkopf deferred to Representative Hocker. Representative Hocker made comments & introduced a guest. Representative Schwartzkopf made comments. Representative Manolakos requested that he be marked present.

The Reading Clerk read the following communication into the record:

May 13, 2010

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, Thursday, May 13, 2010, because of personal family business.

Thank you for your understanding.

Sincerely,  
Deborah D. Hudson  
State Representative  
12<sup>th</sup> District

Representative Schwartzkopf made an announcement.

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

The House reconvened at 4:08 p.m.

Representatives Carey, Carson, Miro, Oberle, Outten, Thornburg, Scott, Walls &

B. Short requested that they be marked present.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 190 w/SA 1**, jointly sponsored by Senator Hall-Long & Representatives M. Marshall, Schwartzkopf & Scott & Senator Henry, before the House for concurrence on **SA 1**.

**HB 190** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DRUG TESTING OF EMPLOYEES OF THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES.

Representative Barbieri made comments.

The roll call on **HB 190 w/SA 1** was taken and revealed:

YES: 36.

ABSENT: Representatives Briggs King, Cathcart, Hudson, Plant & D. Short - 5.

Therefore, having received a constitutional majority, **HB 190 w/SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **SB 225**, jointly sponsored by Senator Katz & Senator Bunting & Representative Brady, before the House for consideration.

**SB 225** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE REGARDING ABSENTEE VOTING AND ASSOCIATED ISSUES.

Representative Jaques made a comment.

Representative Jaques requested and was granted privilege of the floor for Elaine Manlove, Commissioner of Elections. Representative Lavelle made a comment.

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

YES: 37.

ABSENT: Representatives Briggs King, Cathcart, Hudson & Plant - 4.

Therefore, having received a constitutional majority, **SB 225** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **SB 212 w/SA 1, 2 & 3**, jointly sponsored by Senator Ennis & Senators Bushweller, Hall-Long, Connor & McBride & Representatives Jaques & Cathcart, before the House for consideration.

**SB 212** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY. (3/5 bill)

Representatives Mitchell, B. Short & Lavelle made comments.

The roll call on **SB 212 w/SA 1, 2 & 3** was taken and revealed:

YES: 38.

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

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 212 w/SA 1, 2 & 3** was returned to the Senate.

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

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 365**, jointly sponsored by Senator Blevins & Representatives Carson, Walls, George, Scott, Brady, Kowalko, Hudson, Manolakos, Oberle, Kovach, B. Short, J. Johnson, D.P. Williams, Jaques, Q. Johnson, D.E. Williams, Longhurst, Mitchell, Thornburg, Lee, Ramone & Wilson & Senators Booth, Bushweller, Katz, Simpson, Henry, Bonini, Sokola, Connor, Cloutier, Ennis, Hall-Long & Venables, before the House for consideration.

**HB 365** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CERTAIN POSITIONS IN THE COURT OF COMMON PLEAS.

Representative Bennett made comments.

The roll call on **HB 365** was taken and revealed:

YES: 38.

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

Therefore, having received a constitutional majority, **HB 365** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **SB 198**, jointly sponsored by Senator Bushweller & Senators Henry, Sokola & Ennis & Representatives Keeley, Lavelle, Hudson, Miro, Bennett, Wilson, Carey & D. Short, before the House for consideration.

**SB 198** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLES.

Representative Mitchell made comments.

The roll call on **SB 198** was taken and revealed:

YES: 38.

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

Therefore, having received a constitutional majority, **SB 198** was returned to the Senate.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **SB 41 w/SA 1**, jointly sponsored by Senator Blevins & Senator Sorenson & Representative M. Marshall & Senators Connor, Hall-Long, Henry, Peterson, Bunting, Sokola & Katz & Representatives Barbieri, Bennett, Jaques, Q. Johnson, Lavelle, Keeley, Kowalko, Miro, Mitchell, Oberle, Ramone, Schooley & Scott & cosponsored by Senator Bushweller, before the House for consideration.

**SB 41** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FOSTER CARE AND THE SEED PROGRAM. (F/N)

Representative George made comments.

The roll call on **SB 41 w/SA 1** was taken and revealed:

YES: 38.

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

Therefore, having received a constitutional majority, **SB 41 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker brought **HB 395**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 395** - AN ACT TO AMEND VOLUME 65, CHAPTER 295, LAWS OF DELAWARE, AN ACT TO REINCORPORATE THE TOWN OF BETHANY BEACH REGARDING THE REFERENDUM POWER, AND TO ALLOW NATURAL PERSONS HOLDING TITLE TO REAL ESTATE AS TRUSTEE, TO VOTE IN MUNICIPAL ELECTIONS; AND PLACING A LIMIT ON THE TOTAL NUMBER OF PERSONS WHO MAY QUALIFY TO VOTE AS A "NONRESIDENT PROPERTY OWNER" TO A MAXIMUM OF EIGHT PERSONS PER PROPERTY. (2/3 bill)

Representative Hocker brought **HA 1 to HB 395** before the House for consideration. **HA 1** was adopted by voice vote.

Representative Hocker made comments.

The roll call on **HB 395 w/HA 1** was taken and revealed:

YES: 38.

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

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 395 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart brought **HB 334**, sponsored by Representative Hudson & Senator Booth & Representatives D. Short, Briggs King, Kovach, Lavelle & Ramone & Senator Sorenson, before the House for consideration.

**HB 334** - AN ACT TO AMEND TITLE 30 AND TITLE 31 OF THE DELAWARE CODE RELATING TO THE DELAWARE CHILDREN'S TRUST FUND ACT.

Representative Viola brought **HA 1 to HB 334**, jointly sponsored by Representative Hudson, before the House for consideration.

Representative Viola made comments.

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

Representative Viola introduced **HA 1 to HA 1 to HB 334**.

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf moved to rescind the voice vote on **HA 1**. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Viola introduced and brought **HA 1 to HA 1 to HB 334** before the House for consideration.

Representatives Viola & J. Johnson made comments.

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

**HA 1 w/HA 1 to HA 1** was adopted by voice vote.

Representative Cathcart made comments.

The roll call on **HB 334 w/HA 1 & HA 1 to HA 1** was taken and revealed:

YES: 38.

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

Therefore, having received a constitutional majority, **HB 334 w/HA 1 & HA 1 to HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Outten.

Representative Outten introduced and brought **HCR 47**, sponsored on behalf of all Representatives & by Senator Cook on behalf of all Senators, before the House for consideration.

**HCR 47 - RECOGNIZING MAY, 2010 AS HUNTINGTON'S DISEASE AWARENESS MONTH IN DELAWARE.**

Representative Outten made comments.

**HCR 47** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **HS 1 for HB 229**, jointly sponsored by Representative D.P. Williams & Representative Miro & Senator Peterson & Representatives Barbieri, Bennett, Blakey, Brady, Carey, Carson, Jaques, J. Johnson, Q. Johnson, Keeley, Kovach, Kowalko, Lavelle, Manolakos, Mitchell, Mulrooney, Oberle, Ramone, Schooley, Schwartzkopf, B. Short & Walls & Senators Blevins, Bunting, Bushweller, Ennis, Henry & Sokola & cosponsored by Senator Cloutier, before the House for consideration.

**HB 229 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.**

Representative D. Short brought **HA 1 to HS 1 for HB 229**, sponsored by Representative Hudson, before the House for consideration. Representative D. Short moved to place **HA 1** on the Speaker's Table. The motion was seconded by Representative Schwartzkopf and adopted by voice vote. Representative D. Short introduced and brought **HA 2 to HS 1 for HB 229** before the House for consideration.

Representatives Scott, D. Short, Cathcart & Scott made comments. Mr. Speaker Gilligan declared a recess at 4:59 p.m. The House reconvened at 5:00 p.m. Representatives Scott, Schwartzkopf, Cathcart & D. Short made comments. **HA 2** was adopted by voice vote. Representative Atkins introduced and brought **HA 3 to HS 1 for HB 229**, jointly sponsored by Representative Blakey & Representative Carey & Representative Carson & Representative Hocker & Representative Lee & Representative Thornburg & Representative Walls, before the House for consideration. Representative Atkins made comments. **HA 3** was adopted by voice vote. Representative Scott introduced and brought **HA 4 to HS 1 for HB 229** before the House for consideration. Representatives Scott & Schwartzkopf made comments. **HA 4** was adopted by voice vote. Representatives Scott, D. Short, D.P. Williams, Lavelle & Scott made comments. Representative Lavelle requested and was granted privilege of the floor for

William G. Bush IV, Majority House Attorney. Representatives Lavelle & Atkins made comments.

The roll call on **HS 1 for HB 229 w/HA 2, 3 & 4** was taken and revealed:

YES: 33.

NO: Representatives Atkins, Hocker, Lee, Outten & Wilson - 5.

ABSENT: Representatives Briggs King, Hudson, Plant - 3.

Therefore, having received a constitutional majority, **HS 1 for HB 229 w/HA 2, 3 & 4** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Brady. Representative Brady requested that **HCR 24** be stricken. Representative Scott made comments regarding **HS 1 for HB 229**. Mr. Speaker Gilligan made an announcement. Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley requested that **HB 350** be stricken. Representative Schwartzkopf deferred to Representative D.P. Williams. Representatives D.P. Williams, Walls & Kowalko made announcements. Representatives Carson & Miro made comments regarding **HS 1 for HB 229**.

The Majority Leader moved to recess to the call of the Chair at 5:22 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 1, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 235 w/SA 2 & SB 122 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 344 w/HA 1, HB 185 w/ HA 1, HB 380, HCR 44 & HCR 47** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 44 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 352** and is returning the same to the House.

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.

### **31st LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session**

**June 1, 2010**

The Chief Clerk called the roll.

Members Present: 41.

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:

May 27, 2010

**HS 1 for HB 182** - GEORGE & REPRESENTATIVE KOVACH & SENATOR HENRY & SENATOR PETERSON & SENATOR SORENSON; REPRESENTATIVES GILLIGAN, HUDSON, KOWALKO, MITCHELL, SCHOOLEY; SENATORS DELUCA, SIMPSON - JUDICIARY - An Act to Amend Titles 10 and 11 of the Delaware Code Relating to Certain Offenses.

**HB 283** - SCHOOLEY & SENATOR SOKOLA; REPRESENTATIVES BARBIERI, GEORGE, JAQUES, KOVACH, KOWALKO, RAMONE, GILLIGAN, HOCKER, J. JOHNSON, KEELEY, MITCHELL, D.E. WILLIAMS, WALLS; SENATORS CLOUTIER, CONNOR, HALL-LONG, SORENSON, ENNIS, HENRY - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Education of Children who are Deaf or Hard of Hearing.

**HB 414** - D. SHORT & REPRESENTATIVE D.P. WILLIAMS & SENATOR BUNTING; REPRESENTATIVES CATHCART, HOCKER, LEE, OUTTEN, WILSON, BENNETT, CARSON, SCOTT, B. SHORT, WALLS; SENATORS MCDOWELL, BOOTH - APPROPRIATIONS - An Act to Provide a Supplemental Appropriation for the Fiscal Year Ending June 30, 2011 to the Department of Transportation for the Purpose of Providing Additional Funding for Municipal Street Aid.

**HB 415** - MITCHELL & SENATOR ENNIS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Chapter 64A, Title 29 of the Delaware Code Relating to the Department of Safety and Homeland Security.

**HB 416** - Q. JOHNSON & REPRESENTATIVE CATHCART & SENATOR HALL-LONG & SENATOR ENNIS; REPRESENTATIVES CARSON, GEORGE, KEELEY, LEE, MIRO, B. SHORT; SENATORS BLEVINS, CONNOR, PETERSON, SORENSON - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend 24 of the Delaware Code Relating to the Board of Chiropractic.

**HB 417** - BRIGGS KING & REPRESENTATIVE D. SHORT & SENATOR BOOTH; REPRESENTATIVES HOCKER, HUDSON, OUTTEN, WILSON, CARSON, CATHCART, RAMONE; SENATORS BUNTING, SIMPSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Fiscal Regulations of the State and the Creation of a General Fund Account for Disaster Relief.

**HB 418** - BRADY & REPRESENTATIVE JAQUES & SENATOR ENNIS; REPRESENTATIVES KEELEY, BARBIERI, BENNETT, BRIGGS KING, BLAKEY, MITCHELL, HOCKER, SCOTT, D. SHORT, WALLS; SENATORS BUNTING, HENRY, VENABLES - VETERANS AFFAIRS - An Act to Amend Title 13 of the Delaware Code Relating to Custody Proceedings.

**HB 419** - MULROONEY & SENATOR SIMPSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Counties and Title 7 of the Delaware Code Relating to Dogs.

**HB 420** - SCOTT & SENATOR BLEVINS; REPRESENTATIVES JAQUES, Q. JOHNSON, KEELEY, MITCHELL, B. SHORT, D. SHORT, BRIGGS KING, CATHCART, HOCKER, KOVACH, OUTTEN; SENATORS BUSHWELLER, ENNIS, HALL-LONG, HENRY - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance.

**HB 421** - CARSON & SENATOR PETERSON; REPRESENTATIVES BENNETT, MITCHELL, BRIGGS KING; SENATORS BOOTH, BUSHWELLER, ENNIS, CLOUTIER - TRANSPORTATION, LAND USE & INFRASTRUCTURE - An Act Amending Title 17 of the Delaware Code Relating to Reforestation Activities of the Department of Transportation.

**HB 422** - B. SHORT & SENATOR BUNTING; REPRESENTATIVES BENNETT, BRADY, LAVELLE, VIOLA - ECONOMIC DEVELOPMENT/ BANKING/INSURANCE & COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to Consumer Legal Finance Transactions.

**HB 423** - GEORGE & SENATOR BLEVINS; REPRESENTATIVES KEELEY, MITCHELL; SENATOR COOK - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Domestic Relations and Third Party Visitation.

**HB 424** - SCOTT & SENATOR BUSHWELLER; REPRESENTATIVES BARBIERI, KOWALKO, WILSON; SENATORS COOK, HENRY - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Public Works Contracting.

**HB 425** - JAQUES & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Elections.

**HB 426** - Q. JOHNSON & SENATOR SORENSON; REPRESENTATIVES LONGHURST, D.E. WILLIAMS - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9, Title 22, and Title 31 of the Delaware Code Relating to Housing.

**HB 427** - Q. JOHNSON & SENATOR ENNIS; REPRESENTATIVES BENNETT, CARSON, MITCHELL, SCOTT, WALLS; SENATORS BUNTING, HALL-LONG - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 28 of the Delaware Code Relating to Combative Sports and Combative Sports Entertainment.

**HB 428** - BARBIERI & REPRESENTATIVE RAMONE & 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.

**HA 1 to HB 41** - CATHCART - Placed with the Bill.

**HA 1 to HB 379** - SCHOOLEY - Placed with the Bill.

**SB 44 w/SA 1** - SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 16 of the Delaware Code Relating to Confidentiality of Personal Health Information.

**SB 122 w/SA 1** - HALL-LONG & SENATOR HENRY & REPRESENTATIVE CATHCART & REPRESENTATIVE BARBIERI; SENATORS SORENSON, SOKOLA, BLEVINS, BUSHWELLER; REPRESENTATIVES GILLIGAN, JAQUES, VIOLA, OBERLE, J. JOHNSON, Q. JOHNSON, CARSON, D. SHORT, HUDSON, LAVELLE, RAMONE, SCOTT, KEELEY, MITCHELL, HOCKER, KOWALKO - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Criminal Background Checks and Mandatory Drug Testing.

**SB 235 w/SA 2** - BUSHWELLER & SENATOR HALL-LONG & REPRESENTATIVE MITCHELL; SENATORS HENRY, SIMPSON, SORENSON; REPRESENTATIVES GEORGE, BARBIERI, LEE, RAMONE, CARSON, KOVACH - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Creating the Delaware Prescription Monitoring Act.

The following prefiled legislation was introduced:

**HS 1 for HB 10** - SCHOOLEY & SENATOR HENRY; REPRESENTATIVE BARBIERI, GEORGE, KEELEY, KOWALKO, MITCHELL, D.E. WILLIAMS; SENATORS ENNIS, KATZ, MCDOWELL, PETERSON - APPROPRIATIONS - An Act to Amend Title 29 of the Delaware Code Relating to Public Officers' and Employees' Health Care Insurance, State Employees' Pension, Plan, and Other State Employee Benefits.

**HB 429** - CATHCART & REPRESENTATIVE WILSON & REPRESENTATIVE WALLS & SENATOR SIMPSON - TRANSPORTATION, LAND USE & INFRASTRUCTURE - An Act to Amend the Laws of Delaware Relating to a Three-Year Moratorium on the Creation of New Special License Plates.

Representatives Cathcart, D. Short, Miro & Schooley requested that they be marked present.

The Reading Clerk read the following communications into the record:

May 17, 2010

#### LEGISLATIVE ADVISORY #40

Governor Jack A. Markell signed the following legislation on the date indicated:

5/06/10 - **SB 222**; 05/13/10 - **HB 203**.

May 19, 2010

#### LEGISLATIVE ADVISORY #41

Governor Jack A. Markell signed the following legislation on the date indicated: 5/14/10 - **SB 197**, **SB 217 aab HA 1**, **HB 105 aab HA 2 & SA 2**, **HB 312 aab HA 1 & HB 351 aab SA 1**; 5/18/10 - **SB 41 aab SA 1**, **SB 157 aab SA 1**, **SB 198**, **HB 2**, **HB 299**, **HB 322 & HB 356 aab SA 1**.

May 26, 2010

#### LEGISLATIVE ADVISORY #42

Governor Jack A. Markell signed the following legislation on the date indicated: 5/21/10 - **SB 212 aab SA 1, 2 & 3**, **SB 225**, **HB 190 aab SA 1**, **HB 304 aab HA 1**, **HB 344 aab HA 1 & HB 352**; 5/22/10 - **HB 362**.

The House observed a moment of silence in memory of J. Milton Hudson, father of Representative Deborah D. Hudson, at the request of Mr. Speaker Gilligan.

Representative Kowalko requested that he be marked present. Mr. Speaker Gilligan reassigned **HB 419** to the Natural Resources Committee. Representatives Kowalko & J. Johnson requested and were granted personal privilege of the floor to introduce guests. Representative Longhurst made an announcement. Representatives Hocker & Barbieri requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:11 p.m.

The House reconvened at 3:56 p.m.

Representatives Q. Johnson, Viola & Mulrooney requested that they be marked present.

Mr. Speaker Gilligan assigned **SB 209** to the Appropriations Committee.

Mr. Speaker Gilligan made announcements.

Representatives Kovach, D.P. Williams, Atkins & Oberle requested that they be marked present.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **SB 203**, jointly sponsored by Senator Henry & cosponsored by Representatives Wilson & Plant, before the House for consideration.

**SB 203** - AN ACT TO NAME THE DINING HALL AT BAYLOR WOMEN'S CORRECTIONAL INSTITUTION IN HONOR OF HAYWARD ROY JR.

Representative J. Johnson requested and was granted privilege of the floor for Josephine R. Roy, sister of Hayward Roy, Jr. Representative J. Johnson deferred to Representative Brady. Representative Brady requested and was granted personal privilege of the floor to introduce a guest.

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.

Representatives George & Plant requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 371**, jointly sponsored by Senator DeLuca & Representatives Carson, Kovach, Mitchell & D.E. Williams & Senator Katz, before the House for consideration.

**HB 371** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO FREEDOM OF CONTRACT.

Representative B. Short made comments.

The roll call on **HB 371** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 371** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 256** before the House for consideration.

**HB 256** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO GIVING CERTAINTY [sic] TO THE MORTGAGING OF LEASEHOLD INTERESTS.

Representative B. Short brought **HA 1 to HB 256** before the House for consideration.

Representative B. Short made a comment. **HA 1** was adopted by voice vote. Representative B. Short made comments.

The roll call on **HB 256 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 256 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 379**, jointly sponsored by Senator Sokola & Representatives Carey, Jaques, Manolakos, Miro, Mitchell, Outten & Viola & Senator Venables, before the House for consideration.

**HB 379** - AN ACT TO AMEND TITLE 14 AND TITLE 21 OF THE DELAWARE CODE RELATING TO SCHOOL BUSES.

Representative Schooley brought **HA 1 to HB 379** 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 379 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 379 w/HA 1** was sent to the Senate for concurrence.

Representative Mitchell made an announcement.

Mr. Speaker Gilligan assigned **SB 193** to the Public Safety & Homeland Security Committee.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson brought **HB 388**, jointly sponsored by Representative Mitchell & Senator Blevins & Representatives D. Short, Hocker, Kovach, Lee, Manolakos, Gilligan, Q. Johnson & Viola & Senators Simpson & Booth & cosponsored by Representatives Walls & Wilson & Senator Peterson, before the House for consideration.

**HB 388** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES.

Representatives Hudson, Jaques, Oberle, D.P. Williams & Kovach made comments.

The roll call on **HB 388** was taken and revealed:

YES: 37.

NO: Representative Plant - 1.

NOT VOTING: Representatives Blakey, Jaques & Miro - 3.

Therefore, having received a constitutional majority, **HB 388** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **SB 214**, jointly sponsored by Senator Peterson, before the House for consideration.

**SB 214** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO OUTDOOR LIGHTING REGULATION.

Representative Carson made comments.

The roll call on **SB 214** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 214** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **HB 384**, jointly sponsored by Representative J. Johnson & Representative D.P. Williams & Senator Henry & Representatives Barbieri, Brady, Hudson & Mitchell & Senators Marshall & McDowell and cosponsored by Representatives Oberle, Schwartzkopf & Wilson, before the House for consideration.

**HB 384** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT

Representative Keeley made comments.

The roll call on **HB 384** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 384** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell introduced and brought **HCR 50**, jointly sponsored by Senator Henry, before the House for consideration.

**HCR 50** - RECOGNIZING THE MONTH OF JUNE, 2010, AS AMATEUR RADIO MONTH IN THE STATE OF DELAWARE.

Representative Mitchell made comments.

**HCR 50** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 216**, jointly sponsored by Senator DeLuca & Senators Bonini, Bunting, Cook, Katz, Sokola & Cloutier & Representatives Bennett, Brady, Hocker, Hudson, Keeley, Lavelle, Ramone, Viola & D.E. Williams, before the House for consideration.

**SB 216** - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO VARIABLE RATES FOR REVOLVING CREDIT PLANS.

Representative B. Short made comments.

The roll call on **SB 216** was taken and revealed:

YES: 40.

NOT VOTING: Representative Oberle - 1.

Therefore, having received a constitutional majority, **SB 216** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Ramone.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 32 & SCR 34** and requests the concurrence of the House.

Representative Ramone introduced and brought **SCR 34**, jointly sponsored by Senator Peterson, before the House for consideration.

**SCR 34** - RECOGNIZING THE WEEK OF JUNE 1-7, 2010 AS NATIONAL CARDIOPULMONARY RESUSCITATION (CPR) AND AUTOMATED EXTERNAL DEFIBRILLATOR (AED) AWARENESS WEEK IN DELAWARE.

Representative Ramone made comments. Representative Ramone requested and was granted privilege of the floor for Johnathan Kirch, Director, representing the American Heart Association and Stewart Krug, President, Matthew Krug Foundation.

Representative Ramone made comments.

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

Representative Schwartzkopf deferred to Representative George.

Representative George introduced **HB 433**, jointly sponsored by Senator Blevins.

**HB 433** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CHOICE OF LAW AND CHOICE OF FORUM.

Mr. Speaker Gilligan assigned **HB 433** to the Judiciary Committee.

Representative George made an announcement. Representative Schwartzkopf deferred to Representative Scott. Representative Scott introduced **HA 1 to HB 399**. **HA 1** was placed with the bill. Representative Scott introduced **HA 2 to HB 399**. **HA 2** was placed with the bill. Representative Schwartzkopf deferred to Representative B. Short. Representative B. Short made an announcement. Representative Schwartzkopf deferred to Representative Jaques. Representative Jaques made an announcement. Representative Schwartzkopf deferred to Representative Walls. Representative Walls made an announcement.

The Majority Leader moved to recess to the call of the Chair at 4:47 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on June 2, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 254 w/SA 1, SB 255 w/SA 1 & SB 242** and requests the concurrence of the House and the Senate has passed **HB 349 & HB 345, HB 320 w/HA 1 & 2 & SA 1 & HB 321 w/HA 1** and is returning the same to the House.

Mr. Speaker Gilligan reassigned **HS 1 for HB 348** to the Appropriations Committee.

Representative Oberle introduced **HA 1 to HB 401**. **HA 1** was placed with the bill.

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.

**32nd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session  
June 2, 2010**

The Chief Clerk called the roll.

Members Present: 32.

Members Absent: Representatives Carey, Lavelle, Miro, Mitchell, Plant, Scott, Schwartzkopf, D.E. Williams & D.P. Williams - 9.

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 430** - WILSON & REPRESENTATIVE THORNBURG & SENATOR SIMPSON; REPRESENTATIVES CATHCART, D. SHORT, CAREY, HOCKER, HUDSON, LEE, OUTTEN, MITCHELL, SCHWARTZKOPF, WALLS; SENATOR BOOTH - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 24 of the Delaware Code Relating to Pawnbrokers, Secondhand Dealers and Scrap Metal Processors.

**HB 431** - BLAKEY & SENATOR BUSHWELLER - HOUSE ADMINISTRATION - An Act to Amend Chapter 189, Volume 43, Laws of Delaware, as Amended, Relating to the Charter of the Town of Wyoming. (2/3 bill)

**HB 432** - VIOLA; REPRESENTATIVES CARSON, HUDSON, KEELEY, KOWALKO, MITCHELL, D. SHORT, D.P. WILLIAMS; SENATORS ENNIS, MCBRIDE, PETERSON - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to Spirits, Wine, and Beer Tasting.

**HB 434** - CARSON & SENATOR ENNIS; REPRESENTATIVES BENNETT, BRADY, Q. JOHNSON, KEELEY, MIRO, SCHOOLEY, SCOTT, THORNBURG, WALLS, D.E. WILLIAMS; SENATOR HALL-LONG - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road. (2/3 bill)

**HB 435** - Q. JOHNSON & REPRESENTATIVE CATHCART & SENATOR HALL-LONG; REPRESENTATIVES CARSON, GEORGE, KEELEY, LEE, MIRO, B. SHORT; SENATORS BLEVINS, CONNOR, PETERSON, SORENSON - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Chiropractic.

**HB 436** - SCHOOLEY & SENATOR SOKOLA; REPRESENTATIVES LONGHURST, MITCHELL, SCOTT, B. SHORT; SENATORS BUNTING, VENABLES - EDUCATION - An Act to Amend title 14 of the Delaware Code Relating to Unit Funding.

**HB 438** - J. JOHNSON & SENATOR PETERSON - CORRECTIONS - An Act to Amend Title 11, § 4217 of the Delaware Code Relating to Release of Inmates for Demonstrated Rehabilitation.

**HA 2 to HS 1 for HB 348** - LONGHURST - Placed with the Bill.

**SB 242** - HALL-LONG & REPRESENTATIVE SCOTT; SENATORS HENRY, MCDOWELL; REPRESENTATIVES B. SHORT, MITCHELL, VIOLA, LAVELLE, KEELEY, GEORGE, BARBIERI - TRANSPORTATION, LAND USE & INFRASTRUCTURE - An Act to Amend Title 2 of the Delaware Code Relating to Powers and Duties of the Delaware Transit Corporation.

**SB 254 w/SA 1** - HENRY & REPRESENTATIVE BARBIERI; SENATORS BLEVINS, MARSHALL, MCDOWELL, ENNIS, PETERSON, SORENSON; REPRESENTATIVES SCHOOLEY, VIOLA, HUDSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 and Title 29 of the Delaware Code Relating to Nursing Facilities and Similar Facilities.

**SB 255 w/SA 1** - HENRY & REPRESENTATIVE SCHOOLEY; SENATORS DELUCA, MARSHALL, MCDOWELL, PETERSON, SORENSON; REPRESENTATIVES BARBIERI, JAQUES, J. JOHNSON, KEELEY, KOWALKO, OBERLE, VIOLA, D.P. WILLIAMS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to the Food Stamp Program.

Representatives Carson, Bennett, Kovach & Lee requested that they be marked present.

Representative Briggs King introduced **HB 437**, jointly sponsored by Senator Bonini & Representatives Cathcart, D. Short, Blakey, Carey, Hocker, Hudson, Lavelle, Oberle, Outten, Ramone, Thornburg, Wilson, Atkins, Viola & Walls & Senators Simpson & Booth and cosponsored by Senator Bushweller.

**HB 437** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING, AND FISHING LICENSES.

Mr. Speaker Gilligan assigned **HB 437** to the Natural Resources Committee.

Representative Briggs King made comments.

Representatives George, Wilson & Barbieri requested that they be marked present.

The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #22**



DATE: June 2, 2010

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                                                                                       |
|----------|-------------------|-----------|------|---------------------------------------------------------------------------------------------------|
| H145-445 | Outten            | 5/19/2009 | T    | Mary Jean Blades - Retire - Lake Forest School District                                           |
| H145-446 | Outten            | 5/19/2009 | T    | Nancy B. West - Retire - Lake Forest School District                                              |
| H145-447 | Blakey, Outten    | 5/19/2009 | T    | Francis O. Williams - Retire - Lake Forest Schools                                                |
| H145-448 | Outten            | 5/19/2009 | T    | John D. Mumaw - Retire - Lake Forest School District                                              |
| H145-449 | Outten            | 5/19/2009 | T    | Dianne L. Grambau - Retire - Lake Forest Schools                                                  |
| H145-450 | Thornburg; Outten | 5/19/2009 | T    | Virginia Ball - Retirement - Lake Forest School District                                          |
| H145-451 | Blakey, Outten    | 5/19/2009 | T    | Sharon R. Wright - Retire - Lake Forest School District                                           |
| H145-452 | Outten            | 5/19/2009 | T    | Wanda K. Marker - Retire - Lake Forest School District                                            |
| H145-453 | Walls, Outten     | 5/19/2009 | T    | Viola Schneiderwent - Retire - Lake Forest Schools                                                |
| H145-454 | Outten            | 5/19/2009 | T    | Judith A. Hoyt - Retire - Lake Forest School District                                             |
| H145-455 | Gilligan          | 5/14/2009 | T    | Dr. Robert J. Andrzejewski - Retire - Superintendent – Red Clay Consolidated School District      |
| H145-456 | Jaques            | 6/5/2009  | T    | Ryan Franzoni - Christ the Teacher Catholic School – 2009 Student Excellence and Leadership Award |
| H145-457 | Wilson            | 5/28/2009 | T    | George B. Parsons - Retirement - DelDOT                                                           |
| H145-458 | Hocker            | 5/23/2009 | T    | Robert Manier/Navy Veteran/Service to Millville & Country                                         |
| H145-459 | Schooley; Kowalko | 5/8/2009  | M    | Robert W. Bruner, II                                                                              |
| H145-460 | Booth             | 6/13/2009 | T    | Steven Patrick Marvel - Eagle Scout                                                               |
| H145-461 | Kovach; Schooley  | 4/22/2009 | T    | Benjamin F. Fay - 80th Birthday                                                                   |
| H145-462 | Schooley          | 5/16/2009 | T    | Lynn Snyder-Mackler – Francis Alison Faculty Award                                                |
| H145-463 | M. Marshall       | 4/24/2009 | M    | Marilyn Catherine Vreken                                                                          |
| H145-464 | Wilson; Outten    | 5/19/2009 | T    | Frances Greer Stangl - Retirement - Lake Forest School District                                   |
| H145-465 | Longhurst         | 5/30/2009 | T    | Gene Brodie Emory, Jr. – Eagle Scout                                                              |
| H145-466 | Hocker            | 6/20/2009 | T    | Taylor Kern - Eagle Scout                                                                         |
| H145-467 | Bennett           | 5/11/2009 | M    | The Honorable Maurice A. Hartnett, III                                                            |

cosponsors: All Representatives

HOUSE TRIBUTE ANNOUNCEMENT #23

DATE: June 2, 2010

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                                                                        |
|----------|--------------|-----------|------|------------------------------------------------------------------------------------|
| H145-468 | Schooley     | 5/21/2009 | T    | Laura Day - Driving Force Award - Fund for Women                                   |
| H145-469 | Kovach       | 5/23/2009 | T    | Joshua Andrew McDaniel – Eagle Scout                                               |
| H145-470 | Q. Johnson   | 6/1/2009  | T    | Melody Lasana/Retire/Health and Social Services                                    |
| H145-471 | Oberle       | 6/13/2009 | T    | Sean Brady - Eagle Scout                                                           |
| H145-472 | Barbieri     | 6/13/2009 | T    | Frazier Smith - Eagle Scout                                                        |
| H145-473 | Q. Johnson   | 5/9/2009  | T    | Matthew Ryan Morris - Eagle Scout                                                  |
| H145-474 | Hudson       | 5/14/2009 | T    | Mildred Courtney - 105th Birthday                                                  |
| H145-475 | Manolakos    | 6/4/2009  | T    | Susan Gooden - Retirement - Concord High School                                    |
| H145-476 | Walls        | 6/26/2009 | T    | Dorcell Smith Spence - Retire - Dept. of Education                                 |
| H145-477 | Outten       | 6/28/2009 | T    | Andrew Louis Blades - Eagle Scout                                                  |
| H145-478 | Atkins;Booth | 5/24/2009 | T    | Sarah S. Parker - 95th Birthday                                                    |
| H145-479 | Manolakos    | 4/25/2009 | T    | Robert & Corinne Harrington - 50th Anniversary                                     |
| H145-480 | Brady        | 5/21/2009 | T    | Nick & Josephine Silvestri - 60 <sup>th</sup> Anniversary                          |
| H145-481 | J. Johnson   | 4/23/2009 | T    | Samuel & Emma Paoletti - 60 <sup>th</sup> Anniversary                              |
| H145-482 | Lavelle      | 4/16/2009 | T    | Carl and Doris Ross - 60th Wedding Anniversary                                     |
| H145-483 | Carey        | 5/22/2009 | T    | DNREC Division of Fish and Wildlife - Dedication - Lewes Boat Ramp                 |
| H145-484 | Walls        | 6/9/2009  | T    | Julio Jordan - Outstanding Employee - First Quarter - Kent-Sussex Industries, Inc. |
| H145-485 | Walls        | 6/9/2009  | T    | Carolyn Dittmar - Outstanding                                                      |

|          |                                |          |   |                                                                                           |
|----------|--------------------------------|----------|---|-------------------------------------------------------------------------------------------|
| H145-486 | cosponsor: Rep. Carey<br>Walls | 6/9/2009 | T | Employee - Second Quarter - Kent-Sussex Industries<br>Lucas Fisher – Outstanding Employee |
| H145-487 | cosponsor: Rep. Carey<br>Walls | 6/9/2009 | T | - Fourth Quarter - Kent-Sussex Industries, Inc.<br>Richard Downing - Outstanding Employee |
|          | cosponsor: Rep. Carey          |          |   | - Third Quarter - Kent-Sussex Industries, Inc.                                            |

#### HOUSE TRIBUTE ANNOUNCEMENT #24

DATE: June 2, 2010

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                                                                |
|----------|--------------------------------------------------------|-----------|------|----------------------------------------------------------------------------|
| H145-488 | Walls                                                  | 6/9/2009  | T    | Robin Owens - Staff Employee                                               |
|          | cosponsor: Rep. Carson                                 |           |      | of Year - Kent-Sussex Industries, Inc.                                     |
| H145-489 | Cathcart                                               | 4/7/2009  | T    | Mario & Debbie Tiberi - 30 <sup>th</sup> Wedding Anniversary               |
| H145-490 | Schooley                                               | 4/16/2009 | T    | Edward & Katherine Hermann - 60th Anniversary                              |
| H145-491 | Gilligan                                               | 4/18/2009 | T    | William & Dorothy Johnson - 50 <sup>th</sup> Anniversary                   |
| H145-492 | Hudson                                                 | 4/11/2009 | T    | Ray & Anna Marie Alaburda - 50 <sup>th</sup> Anniversary                   |
| H145-493 | Gilligan                                               | 4/19/2009 | T    | Michael & Celia Malvestuto - 40 <sup>th</sup> Anniversary                  |
| H145-494 | Kovach                                                 | 5/2/2009  | T    | Robert & Henriette Wright - 50 <sup>th</sup> Wedding Anniversary           |
| H145-495 | Kovach                                                 | 4/16/2009 | T    | Merritt & Renee Tilley - 60 <sup>th</sup> Wedding Anniversary              |
| H145-496 | Booth                                                  | 6/28/2009 | T    | Roy Miller - Retirement - Div. of Fish & Wildlife                          |
| H145-497 | Walls                                                  | 5/28/2009 | T    | Milford High School Boy's Track<br>Team - 2009 Division II State Champions |
|          | cosponsor: Rep. Carey                                  |           |      |                                                                            |
| H145-498 | Atkins                                                 | 5/18/2009 | M    | George C. Truitt                                                           |
| H145-499 | Carson                                                 | 5/23/2009 | T    | Sergeant Devearl R. Royster, Jr. –                                         |
|          | cosponsors: Reps. Atkins, Schwartzkopf & Lee           |           |      | Retirement - Delaware State Police                                         |
| H145-500 | Lee                                                    | 5/19/2009 | T    | Christine B. Henderson - Retirement                                        |
|          | cosponsor: Rep. Outten                                 |           |      | - Lake Forest School District                                              |
| H145-501 | Viola                                                  | 6/24/2009 | T    | Michael L. Sheraton - Eagle Scout                                          |
| H145-502 | Carson                                                 | 6/24/2009 | T    | Paul Richard Vogl - Retirement - DelDOT                                    |
| H145-503 | Schwartzkopf                                           | 6/25/2009 | T    | Master Corporal John W. Justice -                                          |
|          | cosponsors: Reps. Atkins, Lee & Booth                  |           |      | Retirement - Delaware State Police                                         |
| H145-504 | Wilson                                                 | 6/25/2009 | T    | Sergeant Steve T. Swain -                                                  |
|          | cosponsors: Reps. Atkins, Lee,<br>Schwartzkopf & Booth |           |      | Retirement - Delaware State Police                                         |

#### HOUSE TRIBUTE ANNOUNCEMENT #25

DATE: June 2, 2010

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                                           |
|----------|---------------------------------------------------|-----------|------|-------------------------------------------------------|
| H145-505 | Booth                                             | 6/25/2009 | T    | Lieutenant Gregory W. Donaway -                       |
|          | cosponsors: Reps. Atkins Lee<br>& Schwartzkopf    |           |      | Retirement - Delaware State Police                    |
| H145-506 | Booth                                             | 6/29/2009 | T    | Master Corporal Timothy M.                            |
|          | cosponsors: Reps. Atkins, Lee<br>& & Schwartzkopf |           |      | Gallagher - Retirement – Delaware State Police        |
| H145-507 | Walls                                             | 6/26/2009 | T    | Christopher Zimmerman - Retire – Dept. of Education   |
| H145-508 | Blakey                                            | 6/10/2009 | T    | Brenda Mack-Bowman - Retire – Dept. of Education      |
| H145-509 | Thornburg                                         | 5/27/2009 | T    | John Metheny, Sr. - Retire - Kent Co. Public Safety   |
| H145-510 | D.E. Williams                                     | 5/28/2009 | T    | First Responders - Sunoco Refinery Explosion and Fire |
| H145-511 | Oberle                                            | 5/29/2009 | T    | University of Delaware Medical Technology Program     |
|          | cosponsors: All Representatives                   |           |      | - 60 <sup>th</sup> Anniversary                        |
| H145-512 | Hudson                                            | 6/15/2009 | T    | Second Lieutenant Scott M. Harra - 25th Birthday      |
| H145-513 | Carey                                             | 6/16/2009 | T    | Honorable Randy J. Holland – Longest Serving          |
|          | Gilligan                                          |           |      | DE Supreme Court Justice                              |
| H145-514 | Longhurst                                         | 6/3/2009  | T    | Tyler Snook - DIAA State Wrestling Champion           |
| H145-515 | Plant                                             | 6/16/2009 | T    | Amanda Brown - Padua Academy -                        |
|          | cosponsor: Rep. Keeley                            |           |      | Father Trainor Scholarship Award                      |
| H145-516 | D.P. Williams                                     | 6/16/2009 | T    | Samantha Decenord - St. Elizabeth                     |
|          | cosponsor: Rep. Keeley                            |           |      | High School - Father Trainor Scholarship Award        |
| H145-517 | Plant                                             | 6/16/2009 | T    | Michael Kane - Salesianum High                        |
|          | cosponsor: Rep. Keeley                            |           |      | School - Father Trainor Scholarship Award             |
| H145-518 | D.E. Williams                                     | 6/16/2009 | T    | Sana'ja McManus - Padua Academy                       |
|          | cosponsor: Rep. Keeley                            |           |      | - Father Trainor Scholarship Award                    |
| H145-519 | Keeley                                            | 6/16/2009 | T    | Nicholas Cann - Salesianum High                       |

|          |                            |           |   |                                  |
|----------|----------------------------|-----------|---|----------------------------------|
|          |                            |           |   | Father Trainor Scholarship Award |
| H145-520 | Schwartzkopf               | 5/28/2009 | M | Charles J. Simpson               |
| H145-521 | Carson                     | 5/24/2009 | M | William W. Christensen           |
|          | cosponsor: Rep. Carey      |           |   |                                  |
| H145-522 | Carson                     | 5/30/2009 | M | Julia T. Mast                    |
|          | cosponsor: Rep. Q. Johnson |           |   |                                  |

#### HOUSE TRIBUTE ANNOUNCEMENT #26

DATE: June 2, 2010

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                                                                 |
|----------|-----------------------------------------------------------------------------------|-----------|------|-----------------------------------------------------------------------------|
| H145-523 | Q. Johnson; Mitchell                                                              | 6/3/2009  | T    | U.S. Marshal David W. Thomas - Leadership - Fugitive Safe Surrender Program |
|          | cosponsors: All Representatives                                                   |           |      |                                                                             |
| H145-524 | B. Short                                                                          | 5/31/2009 | T    | The Birth Center - 10th Anniversary                                         |
|          | cosponsor: Rep. Brady                                                             |           |      |                                                                             |
| H145-525 | Cathcart                                                                          | 6/8/2009  | T    | Gary W. Durden, Jr. - Eagle Scout                                           |
| H145-526 | Brady                                                                             | 6/3/2009  | T    | Pam Price - 50th Birthday                                                   |
|          | cosponsors: Reps. Gilligan, Cathcart & All Representatives                        |           |      |                                                                             |
| H145-527 | Brady                                                                             | 6/2/2009  | M    | Francis J. Forsythe & Patricia E. Forsythe                                  |
| H145-528 | Outten                                                                            | 6/5/2009  | T    | Janet Lloyd - Retire - Kent Co. Recorder of Deeds                           |
| H145-529 | Schwartzkopf                                                                      | 6/9/2009  | T    | Eli Watkins - Sussex Technical High School Diploma                          |
| H145-530 | Mulrooney                                                                         | 6/4/2009  | T    | Victoria Clark – Retire - NCCo. Register of Wills                           |
| H145-531 | D. Short                                                                          | 6/2/2009  | T    | Allen's Hatchery - 90th Anniversary                                         |
| H145-532 | Outten                                                                            | 6/13/2009 | T    | Felton Lodge Independent Order of Odd Fellows – 150th Anniversary           |
| H145-533 | Walls                                                                             | 6/27/2009 | T    | Samuel & Shirley Mackert - 50 <sup>th</sup> Wedding Anniversary             |
| H145-534 | Outten                                                                            | 6/26/2009 | T    | Harry "Dickie" Minner – Retirement - DelDOT                                 |
| H145-535 | Booth                                                                             | 6/17/2009 | T    | James E. Hudson - Retirement - Indian River Schools                         |
| H145-536 | Booth                                                                             | 6/23/2009 | T    | Eleanor R. Warrington - Retirement - DelDOT                                 |
| H145-537 | Lee                                                                               | 7/17/2009 | T    | Michael G. Henry - Retirement - DelDOT                                      |
| H145-538 | Lee                                                                               | 6/30/2009 | T    | Norman G. Phillips - Retirement - DelDOT                                    |
| H145-539 | Bennett                                                                           | 6/11/2009 | T    | Dr. Darlene J. Bolig - Retirement - Dept. of Education                      |
| H145-540 | Outten                                                                            | 6/10/2009 | T    | Kyle Adam Rash - Eagle Scout                                                |
| H145-541 | Outten                                                                            | 6/10/2009 | T    | Kenneth Roger Miller - Eagle Scout                                          |
| H145-542 | Outten                                                                            | 6/10/2009 | T    | Jay Michael Piatkowski - Eagle Scout                                        |
| H145-543 | Q. Johnson                                                                        | 6/09/2009 | T    | Ed Czerwinski -School Board                                                 |
|          | cosponsors: Reps. Cathcart & Jaques President - Service to Appoquinimink District |           |      |                                                                             |

#### HOUSE TRIBUTE ANNOUNCEMENT #27

DATE: June 2, 2010

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                                                 |
|----------|--------------------------|-----------|------|-------------------------------------------------------------|
| H145-544 | Carey Longhurst          | 6/9/2009  | T    | Kayla Martell - Outstanding Work with Youth                 |
| H145-545 | Brady                    | 6/5/2009  | M    | William J. McGowan, Jr.                                     |
| H145-546 | Thornburg                | 6/7/2009  | M    | Doris Elaine DeRocili                                       |
| H145-547 | Kovach                   | 6/15/2009 | T    | Beverly Baxter - Retirement - Committee of 100              |
| H145-548 | D.P. Williams            | 4/15/2009 | M    | Allan N. Hart, Sr.                                          |
| H145-549 | D.P. Williams            | 6/1/2009  | M    | Charles W. Walton                                           |
| H145-550 | D.P. Williams            | 6/30/2009 | T    | Tyrone Nelson - Retirement - DelDOT                         |
| H145-551 | Bennett                  | 6/30/2009 | T    | Douglas J. Beyer - Retirement - DelDOT                      |
| H145-552 | Scott                    | 6/30/2009 | T    | Willie E. Jones - Retirement - DelDOT                       |
| H145-553 | Thornburg                | 6/10/2009 | T    | Patricia P. Conley - Retirement - Smyrna School District    |
| H145-554 | Mitchell                 | 6/12/2009 | T    | James F. Keeley - 80th Birthday                             |
|          | cosponsor: Rep. Keeley   |           |      |                                                             |
| H145-555 | Hudson                   | 6/12/2009 | T    | Neal D. Strauss - Retirement - Elsmere Police Dept.         |
|          | cosponsor: Rep. Mitchell |           |      |                                                             |
| H145-556 | Ramone                   | 6/09/2009 | M    | Donna L. Mucha                                              |
| H145-557 | Scott                    | 6/11/2009 | T    | Jane U. Ragains - Retire - William Henry School -           |
| H145-558 | Thornburg                | 6/11/2009 | T    | Ann M. McNinch - Retirement - William Henry Middle School - |
|          | cosponsor: Rep. Scott    |           |      |                                                             |

|          |                                       |           |   |                                                                        |
|----------|---------------------------------------|-----------|---|------------------------------------------------------------------------|
| H145-559 | Scott                                 | 6/11/2009 | T | Linda H. Barrows - Retire - William Henry School                       |
| H145-560 | Scott                                 | 6/16/2009 | T | Karen Nickerson - Retire - Public Service Commission                   |
| H145-561 | Outten                                | 6/16/2009 | T | Norma Sherwood - Retire - Public Service Commission                    |
| H145-562 | Longhurst;<br>Jaques                  | 6/11/2009 | T | Jonathan H. Buzby - 20 Years of<br>Service - Special Olympics Delaware |
| H145-563 | Marshall;<br>Schwartzkopf             | 6/7/2009  | M | Justin James Lesko                                                     |
| H145-564 | Schwartzkopf<br>cosponsor: Rep. Booth | 6/18/2009 | T | Cape Henlopen Girls Lacrosse Team<br>State Champions                   |

HOUSE TRIBUTE ANNOUNCEMENT #28

DATE: June 2, 2010

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                                       |
|----------|------------------------------------------------------------------------------------|-----------|------|---------------------------------------------------|
| H145-565 | Lavelle                                                                            | 6/11/2009 | T    | Jonathan Cap - Eagle Scout                        |
| H145-566 | Lavelle                                                                            | 6/11/2009 | T    | Daniel Caton - Eagle Scout                        |
| H145-567 | Lavelle                                                                            | 6/11/2009 | T    | Jesse Collis - Eagle Scout                        |
| H145-568 | Lavelle                                                                            | 6/11/2009 | T    | James Egnor-Keil - Eagle Scout                    |
| H145-569 | Lavelle                                                                            | 6/11/2009 | T    | Mark Hannagan - Eagle Scout                       |
| H145-570 | Lavelle                                                                            | 6/11/2009 | T    | Kevin Hession - Eagle Scout                       |
| H145-571 | Lavelle                                                                            | 6/11/2009 | T    | Andrew Mercante - Eagle Scout                     |
| H145-572 | Lavelle                                                                            | 6/11/2009 | T    | Eric Michels – Eagle Scout                        |
| H145-573 | Lavelle                                                                            | 6/11/2009 | T    | Andrew Minutella - Eagle Scout                    |
| H145-574 | Lavelle                                                                            | 6/11/2009 | T    | Mikael Oja - Eagle Scout                          |
| H145-575 | Outten                                                                             | 6/19/2009 | T    | William Leroy Betts - 70th Birthday               |
|          | cosponsors: Reps. Thornburg, Scott, Bennett, Walls, Blakey, Carson, Carey & Wilson |           |      |                                                   |
| H145-576 | Keeley                                                                             | 6/17/2009 | T    | Dennis J. Savage - Retirement -                   |
|          | cosponsor: Rep. D.P. Williams                                                      |           |      | Department of Health & Social Services            |
| H145-577 | D.P. Williams                                                                      | 6/11/2009 | M    | Julie Grace Gricol                                |
|          | cosponsor: Rep. Ramone                                                             |           |      |                                                   |
| H145-578 | Thornburg                                                                          | 6/22/2009 | T    | Gail Lanouette - Retirement - Department of State |
| H145-579 | Hudson                                                                             | 6/13/2009 | M    | William Hammett Daiger III                        |
| H145-580 | Booth                                                                              | 6/25/2009 | T    | Master Corporal Timothy R. Conaway -              |
|          | cosponsors: Reps. Atkins, Lee & Schwartzkopf                                       |           |      | Retirement – Delaware State Police                |
| H145-581 | Booth                                                                              | 6/3/2009  | T    | Howard &Dorothy Perdue - 70th Wedding Anniversary |
| H145-582 | Booth                                                                              | 7/11/2009 | T    | Harbeson Scholarship Program - 10th Anniversary   |
|          | cosponsor: Rep. Carey                                                              |           |      |                                                   |
| H145-583 | Schwartzkopf                                                                       | 6/20/2009 | T    | Pat Campbell-White - Center for Inland Bays       |
|          | cosponsor: Rep. Carey                                                              |           |      |                                                   |
| H145-584 | Brady                                                                              | 6/22/2009 | T    | Albert Carter - Retirement - Department of State  |

HOUSE TRIBUTE ANNOUNCEMENT #29

DATE: June 2, 2010

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                                                            |
|----------|----------------------------|-----------|------|------------------------------------------------------------------------|
| H145-585 | Gilligan                   | 6/17/2009 | T    | Robert Turner - Past National Commander – American Legion              |
| H145-586 | Longhurst                  | 6/26/2009 | T    | Andrew Haman - Retire - DHSS                                           |
| H145-587 | Q. Johnson                 | 6/11/2009 | M    | Wyman E. Rogers, Sr.                                                   |
| H145-588 | D. Short                   | 6/19/2009 | T    | Captain Terry Merritt - Retirement -                                   |
|          | cosponsor: Rep. Thornburg  |           |      | United States Navy                                                     |
| H145-589 | Brady                      | 6/21/2009 | T    | Most Reverend Michael A. Saltarelli,<br>DD - 2009 Share the Care Award |
| H145-590 | Manolakos                  | 6/21/2009 | T    | Harry Simeone - Unity Corp. - 2009<br>Share the Care Award             |
| H145-591 | Carson                     | 6/15/2009 | M    | Medford L. Potter                                                      |
| H145-592 | Mulrooney                  | 6/9/2009  | T    | Harold Hoagland - Induction -                                          |
|          | cosponsor: Rep. Cathcart   |           |      | Baseball Hall of Fame                                                  |
| H145-593 | Cathcart                   | 6/9/2009  | T    | Paul Loder - Induction - Baseball<br>Hall of Fame                      |
|          | cosponsor: Rep. Q. Johnson |           |      |                                                                        |
| H145-594 | J. Johnson                 | 5/5/2009  | T    | Frank & Denise Lingenfelter - 30th Anniversary                         |
| H145-595 | Manolakos                  | 5/11/2009 | T    | Walter & Cecelia Taplin - 35 <sup>th</sup> Wedding Anniversary         |
| H145-596 | Hudson                     | 5/30/2009 | T    | Tom & Nancy Johnson - 40 <sup>th</sup> Wedding Anniversary             |

|          |               |           |   |                                                                 |
|----------|---------------|-----------|---|-----------------------------------------------------------------|
| H145-597 | Mulrooney     | 5/1/2009  | T | Walter & Patricia Taplin - 65 <sup>th</sup> Wedding Anniversary |
| H145-598 | D.E. Williams | 6/15/2009 | T | Patrick & Rose Markovic - 50 <sup>th</sup> Wedding Anniversary  |
| H145-599 | Plant         | 5/14/2009 | T | Timmy & Helen Hnatowski - 60 <sup>th</sup> Anniversary          |
| H145-600 | Brady         | 5/4/2009  | T | Hugh & Marge Horning - 60 <sup>th</sup> Wedding Anniversary     |
| H145-601 | Schwartzkopf  | 6/6/2009  | T | Frank & Catherine Maule - 50 <sup>th</sup> Wedding Anniversary  |
| H145-602 | Longhurst     | 5/7/2009  | T | Henry & Bernice Smith - 50 <sup>th</sup> Wedding Anniversary    |
| H145-603 | Atkins        | 5/16/2009 | T | George & Caroline Morris - 50 <sup>th</sup> Wedding Anniversary |
| H145-604 | Walls         | 6/16/2009 | M | William Harold Rentz                                            |

T- Tribute

M - Memoriam

Representative Longhurst brought the following prefiled **Consent Calendar #17** before the House for consideration.

**HR 46 - B. SHORT ON BEHALF OF ALL REPRESENTATIVES - Celebrating the Tenth Anniversary of the First State Ballet Theatre.**

**HCR 49 - J. JOHNSON & SENATOR ENNIS; REPRESENTATIVES HOCKER, MITCHELL, D.E. WILLIAMS, KEELEY, HUDSON, BRIGGS KING; SENATOR BUNTING - Expressing the Gratitude of the General Assembly for the Tireless Work of the Statistical Analysis Center, and Urging the Department of Correction to Work Cooperatively with the Statistical Analysis Center to Update the Report Regarding Delaware's Correctional Justice System.**

**Consent Calendar #17** was adopted by voice vote and **HR 46** was declared passed and **HCR 49** was sent to the Senate for concurrence.

Representative Oberle made comments and introduced the Sanford High School Chorale who performed four selections. Representative Oberle deferred to Representative Manolakas.

Representative Manolakas requested and was granted privilege of the floor for himself, Representative Oberle & Representative Hudson to present a House Tribute to Clint Williams, Vocal Ensemble Director, Sanford School, who addressed the House. The Chorale members announced their names and grades for the record. Representatives Atkins, J. Johnson & Schooley requested that they be marked present.

Representative Longhurst deferred to Representative Schooley.

Representative Schooley introduced **HA 1 to HB 396**. **HA 1** was placed with the bill.

The Majority Whip moved to recess for committee meetings and to the call of the Chair at 2:37 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following member was marked present by the Chief Clerk after the House recessed at 2:37 p.m.: Representative Thornburg.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on June 3, 2010.

The Reading Clerk read the following communications into the record:

June 2, 2010

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, Wednesday June 2, 2010, due to personal reasons.

Thank you for your understanding.

Sincerely,

Gregory F. Lavelle

State Representative

11<sup>th</sup> District

The Senate wishes to inform the House that it has passed **HB 323 w/HA 1, HB 340, HB 337 w/HA 1, HB 347 w/HA 1, HB 372, HB 373, HB 374 & HB 375 w/HA 1** and is returning the same to the House.

Representatives Carey, Miro, Schwartzkopf, D.P. Williams & Mitchell requested that they be marked present for the current Legislative Day.

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

EDUCATION: **HB 283** - 8F; **HB 396** - 9M; **HB 401** - 10M.

LABOR: **HB 364** - 5F, 4M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 397** - 6M; **HB 415** - 6M; **SB 215** - 6M.

JUDICIARY: **HB 410** - 8M; **HB 423** - 7M; **HB 433** - 7M; **SB 113** - 7M.

APPROPRIATIONS: **HS 1 for HB 10** - 5M; **HB 128** - 4M; **HB 399** - 4M; **SB 209 w/SA 1** - 4M.

HEALTH & HUMAN DEVELOPMENT: **HB 41** - 1F, 6M; **SB 122 w/SA 1** - 1F, 6M; **SB 235 w/SA 2** - 7M.

NATURAL RESOURCES: **HB 398** - 7M; **HB 409** - 7M.

REVENUE & FINANCE: **HB 408** - 6F.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HB 400** - 6F, 3M.

AGRICULTURE: **HB 402** - 6M; **HB 403** - 6M; **HB 404** - 6M; **HB 405** - 6M; **HB 406** - 6M;  
**HB 407** - 6M.

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.

**33rd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session  
June 3, 2010**

The Chief Clerk called the roll.

Members Present: 40.

Members Absent: Representative Manolakos - 1.

A prayer was offered by Representative E. Bradford Bennett, Thirty-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 390** - B. SHORT & SENATOR KATZ; REPRESENTATIVES BENNETT, BRIGGS KING, GILLIGAN, HOCKER, Q. JOHNSON, KOVACH, CATHCART, LAVELLE, RAMONE, SCOTT, D. SHORT, WILSON; SENATORS BOOTH, HENRY - 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 439** - LEE & SENATOR VENABLES - HOUSE ADMINISTRATION - An Act to Amend Chapter 288, Volume 64, Laws of Delaware, as Amended, the Charter of the Town of Laurel, to Allow the Town of Laurel to Finance the Eligible Costs of Qualifying Projects and Items for a Tax Increment Financing (TIF) District and a Special Development District Created by the Town of Laurel Under Section 36A of the Charter, whether any such Project or Item will Ultimately be Owned by the Town of Laurel or by the State of Delaware or any Agency or Instrumentality Thereof, or any County, Local Political Subdivision, Instrumentality, Agency, Body Politic, Utility District, or Similar Entity within the State of Delaware.

**HB 440** - BARBIERI & SENATOR HENRY; REPRESENTATIVES GEORGE, HUDSON, JAQUES, MITCHELL, SCHOOLEY, SCOTT; SENATORS HALL-LONG, SORENSON, SOKOLA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Informed Consent and Confidentiality.

**HB 441** - OBERLE & REPRESENTATIVE CATHCART & REPRESENTATIVE D. SHORT & REPRESENTATIVE SCHOOLEY; REPRESENTATIVES BLAKEY, BRIGGS KING, KOVACH, MANOLAKOS, MIRO, BARBIERI, JAQUES, Q. JOHNSON, KOWALKO, MULROONEY, SCOTT - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Delaware Universal Breakfast Fund.

**HB 443** - GEORGE & SENATOR MCDOWELL & SENATOR SORENSON; REPRESENTATIVES BLAKEY, HUDSON, J. JOHNSON, KEELEY, KOWALKO, LAVELLE, MIRO, MITCHELL, B. SHORT; SENATORS COOK, HALL-LONG, VENABLES - JUDICIARY - An Act to Amend Titles 10, 11, 16 and 21 of the Delaware Code Relating to Drug Laws, Crimes and Criminal Procedure, Sentencing Accountability, Courts and Judicial Procedure, and Motor Vehicles.

**HB 444** - D.E. WILLIAMS & SENATOR KATZ; REPRESENTATIVES GILLIGAN, HUDSON, KEELEY, B. SHORT; SENATOR ENNIS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to Child Care.

**HB 445** - D.E. WILLIAMS & SENATOR HENRY; REPRESENTATIVES HOCKER, HUDSON, Q. JOHNSON, KEELEY - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

Representative Schwartzkopf deferred to Representative George.

Representative D.E. Williams requested that he be marked present.

Representative George requested and was granted privilege of the floor for herself and Representative Schooley to present a House Tribute to Connie Bond Stuart, Regional President, PNC Bank, who addressed the House.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson requested that **HB 416** be stricken.

Representatives Keeley, Viola, Mulrooney & Hocker requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:16 p.m.

The House reconvened at 4:58 p.m.

Representative Longhurst introduced and brought **SCR 32**, jointly sponsored by Senator Hall-Long & Senators Bunting & Sorenson & Representatives Manolakos, Mitchell, Jaques & Q. Johnson, before the House for consideration.

**SCR 32** - RECOGNIZING THE HEALTH CONCERNS OF BISPHENOL A EXPOSURE.

Representative Longhurst made comments.

**SCR 32** was adopted by voice vote and was returned to the Senate.

Representative Longhurst deferred to Representative B. Short.

Representative B. Short brought **HB 400**, jointly sponsored by Representative Kovach & Representative D. Short & Representatives Barbieri, Bennett, Briggs King, Hocker, Q. Johnson, Lavelle, Mitchell, Ramone & Walls & Senators Bushweller & Henry, before the House for consideration.

**HB 400** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO BUILDING CONSTRUCTION DISPUTES.

Representative B. Short made comments. Representative Kovach requested that he be marked present and made comments. Representatives Hudson, Barbieri, Oberle & Atkins requested that they be marked present. Representative B. Short made comments.

The roll call on **HB 400** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & Thornburg - 2.

Therefore, having received a constitutional majority, **HB 400** was sent to the Senate for concurrence.

Representative Plant requested that she be marked present during the roll call.

Representative Longhurst deferred to Representative Carson.

Representative Carson brought **HB 382**, jointly sponsored by Senator Peterson & Representatives Barbieri, Bennett, Brady, Kowalko, Mitchell, Plant, Scott & Viola & Senators Blevins, Bushweller, Cook, Ennis, Hall-Long & Henry and cosponsored by Representatives Blakey, Jaques & Walls, before the House for consideration.

**HB 382** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES

Representative Carson made comments.

The roll call on **HB 382** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **HB 382** was sent to the Senate for concurrence.

Representative Longhurst deferred to Representative D.P. Williams.

Representative D.P. Williams brought **SB 215**, jointly sponsored by Senator Venables & Senators Bunting & Katz & Representatives Outten, Kowalko, Hocker, Kovach, Lavelle, Carson & D. Short & cosponsored by Senator Cloutier, before the House for consideration.

**SB 215** - AN ACT TO AMEND TITLES 7 AND 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. (3/5 bill)

Representative D.P. Williams made comments.

Mr. Speaker Gilligan ruled that **SB 215** requires a three-fifths vote.

The roll call on **SB 215** 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 215** was returned to the Senate.

Representative Longhurst deferred to Representative Outten.

Representative Outten brought **HB 398**, jointly sponsored by Senator Cook & Representatives Carey, Hocker, Hudson, Thornburg & Mitchell & Senators Bunting, Simpson & Booth & cosponsored by Representatives J. Johnson & Walls, before the House for consideration.

**HB 398** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO EXTENSION OF MUSKRAT SEASON.

Representatives J. Johnson & Outten made comments.

The roll call on **HB 398** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **HB 398** was sent to the Senate for concurrence.

Representative Longhurst deferred to Representative Walls.

Representative Walls brought **HB 409**, jointly sponsored by Representative Carson & Senator Ennis & Senator Venables, before the House for consideration.

**HB 409** - AN ACT TO AMEND CHAPTERS 5 AND 7 OF TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSES AND REGULATIONS CONCERNING GAME AND FISH. (2/3 bill)

Representatives Walls & Lavelle made comments.

The roll call on **HB 409** 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 409** was sent to the Senate for concurrence.

Representative Longhurst deferred to Representative Barbieri.

Representative Barbieri brought **SB 213**, jointly sponsored by Senator Henry & Senators Blevins, Ennis & Bushweller & Representatives Viola, Schooley, Mitchell,

J. Johnson, Bennett, Scott, Jaques, Hudson, D. Short, Hocker & Manolakos, before the House for consideration.

**SB 213** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DIVISION OF CHILD SUPPORT ENFORCEMENT.

Representative Barbieri made comments.

The roll call on **SB 213** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & Oberle - 2.

Therefore, having received a constitutional majority, **SB 213** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **SB 209 w/SA 1**, jointly sponsored by Senator Henry & Senators Blevins, Sokola, Ennis, McDowell & Sorenson & Representatives Viola, Brady, Schooley, Kowalko, Carson, Oberle & Manolakos & cosponsored by Senator Connor & Representatives Blakey, Briggs King, Carey, Cathcart, Hocker, Kovach, Lee, Miro, Outten, Ramone, D. Short & Wilson, before the House for consideration.

**SB 209** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE PROVIDING FOR AN EXTENSION OF THE HISTORIC PRESERVATION TAX CREDIT ACT. (F/N)

Representative Bennett introduced and brought **HA 1 to SB 209** before the House for consideration.

**HA 1** was adopted by voice vote. Representative Bennett made comments.

The roll call on **SB 209 w/SA 1 & HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **SB 209 w/SA 1 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart brought **HB 320 w/HA 1 & 2 & SA 1**, jointly sponsored by Senator Ennis & Representatives Carson, Jaques, Q. Johnson, Mitchell, D. Short, Carey & Oberle & Senator Hall-Long & cosponsored by Representative Kovach, before the House for concurrence on **SA 1**.

**HB 320** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO TITLES AND CONVEYANCES.

Representative Cathcart made comments.

The roll call on **HB 320 w/HA 1 & 2 & SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Keeley & Manolakos - 2.

Therefore, having received a constitutional majority, **HB 320 w/HA 1 & 2 & SA 1** was sent to the Governor.

Representative Longhurst introduced **HB 447**, jointly sponsored by Representative Schwartzkopf & Representative Briggs King & Senator DeLuca & Representatives Bennett, Carson, Hudson, Lavelle, Mitchell, Q. Johnson, Scott & B. Short & Senators Bunting, Sorenson, Venables & Booth.

**HB 447** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO BREWERY-PUBS AND MICROBREWERIES.

Mr. Speaker Gilligan assigned **HB 447** to the Economic Development/Banking/Insurance & Commerce Committee.

Representative Longhurst deferred to Representative Kowalko.

Representative Kowalko introduced **HB 446**, jointly sponsored by Senator Hall-Long & Representatives Atkins, Bennett, Kovach & Lee & Senators Bonini, Booth, Bushweller & Katz.

**HB 446** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE NEWARK HOUSING AUTHORITY.

Mr. Speaker Gilligan assigned **HB 446** to the Policy Analysis & Government Accountability Committee.

Representatives Kowalko and Scott made announcements.

Representative Schwartzkopf brought **HB 397**, jointly sponsored by Senator Bunting & Representatives Hocker, Jaques, Keeley, Longhurst & Wilson & cosponsored by Representatives Bennett & Walls, before the House for consideration.

**HB 397** - 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.

Mr. Speaker Gilligan ruled that **HB 397** requires a three-fifths vote.

The roll call on **HB 397** was taken and revealed:

YES: 33.

NO: Representative Cathcart - 1.

NOT VOTING: Representatives Hudson, Lavelle, Outten, Ramone & B. Short - 5.

ABSENT: Representatives Hocker & Manolakos - 2.



Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 397** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced **HB 448**, jointly sponsored by Representative Mitchell & Senator Ennis & Representatives Bennett, Briggs King, Carson, George, Hocker, Hudson, Jaques, Q. Johnson, Keeley, Lee, Oberle, Ramone & D. Short & Senators Bushweller & Hall-Long & cosponsored by Representatives Schwartzkopf, Walls, Wilson, Cathcart, Kovach & Outten & Senators Bonini, Booth & Marshall.

**HB 448 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE IMPLEMENTATION OF A STATEWIDE “BLUE ALERT” SYSTEM FOR THE SPEEDY APPREHENSION OF PERSONS ACCUSED OF KILLING OR SERIOUSLY INJURING LAW ENFORCEMENT OFFICERS.**

Mr. Speaker Gilligan assigned **HB 448** to the Public Safety & Homeland Security Committee.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko requested that **HB 316** be stricken.

The Majority Leader moved to recess to the call of the Chair at 5:43 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on June 8, 2010.

The Reading Clerk read the following communications into the record:

June 3, 2010

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 on Thursday, June 3, 2010 because of unexpected obligations at work.

Thank you for your understanding.

Sincerely,

Nick T. Manolakos

State Representative

20<sup>th</sup> District

The Senate wishes to inform the House that it has passed **SB 236** and requests the concurrence of the House.

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.

### **34th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session**

**June 8, 2010**

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Lavelle & Plant - 2.

The House observed a moment of silence in memory of Ada Leigh Soles, former Representative, at the request of Mr. Speaker Gilligan.

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 442 - WALLS & REPRESENTATIVE Q. JOHNSON & SENATOR BUNTING; REPRESENTATIVES BENNETT, LONGHURST, SCOTT, B. SHORT, THORNBURG, BRADY, BRIGGS KING, CAREY, HOCKER, HUDSON, JAQUES, J. JOHNSON, LEE, MIRO, MULROONEY, OUTTEN, WILSON - TRANSPORTATION, LAND USE & INFRASTRUCTURE - An Act to Amend Title 26 of the Delaware Code Relating to Certificates of Public Convenience and Necessity for Wastewater Treatment Utilities.**

**HB 449 - SCHWARTZKOPF & SENATOR BUNTING; REPRESENTATIVES ATKINS, BRIGGS KING, CAREY, HOCKER, LEE, D. SHORT, WALLS, WILSON; SENATORS BOOTH, VENABLES - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Planning & Zoning.**

**HB 450 - SCHWARTZKOPF & SENATOR ENNIS; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, BRADY, CARSON, GILLIGAN, HUDSON, JAQUES, J. JOHNSON, Q. JOHNSON, KOWALKO, LEE, LONGHURST, MIRO, MITCHELL, OBERLE, SCHOOLEY, SCOTT, VIOLA, WALLS, D.P. WILLIAMS; SENATORS BUSHWELLER, HALL-LONG - 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 451** - HUDSON & REPRESENTATIVE BARBIERI & SENATOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES GEORGE, J. JOHNSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Family Court.

**HB 452** - D.P. WILLIAMS & SENATOR ENNIS; REPRESENTATIVE WILSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Related to Probation and Parole Officers.

**HB 453** - B. SHORT & SENATOR BLEVINS; REPRESENTATIVES BARBIERI, Q. JOHNSON, KOVACH - ECONOMIC DEVELOPMENT/BANKING/ INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Relating to the Conversion of a Mutual Insurer to a Stock Insurer.

**HA 1 for HB 237** - VIOLA - Placed with the Bill.

**HJR 10** - OBERLE & REPRESENTATIVE SCHOOLEY & REPRESENTATIVE KOWALKO - EDUCATION - Creating a Committee to Develop Curriculum for Instructing Students in the History of Organized Labor and the Collective Bargaining Process in America.

**SB 205 w/SA 1** - BUSHWELLER & SENATOR ENNIS & REPRESENTATIVE MITCHELL & REPRESENTATIVE CARSON & REPRESENTATIVE BENNETT & REPRESENTATIVE JAQUES; SENATORS HALL-LONG, BUNTING; REPRESENTATIVES KEELEY, M. MARSHALL, Q. JOHNSON, HUDSON, SCHOOLEY, SCOTT, WALLS, D. SHORT, WILSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Authorized Emergency Vehicles.

**SB 210 w/SA 1** - MCBRIDE & REPRESENTATIVE HUDSON - TRANSPORTATION, LAND USE & INFRASTRUCTURE - An Act to Amend Title 17 of the Delaware Code Relating to Delaware Byways.

**SB 236** - HALL-LONG & REPRESENTATIVE BARBIERI; SENATORS HENRY, SORENSON; REPRESENTATIVES MANOLAKOS, MITCHELL, JAQUES, KEELEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Qualifications of Psychologists.

**SB 246** - BUSHWELLER & REPRESENTATIVE MITCHELL; REPRESENTATIVES JAQUES, HUDSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 24 of the Delaware Code Relating to Private Investigators, Private Security Agencies and Bail Enforcement Agents.

**SB 259 w/SA 1 & 2** - HALL-LONG & SENATOR BLEVINS & SENATOR HENRY & REPRESENTATIVE BARBIERI & REPRESENTATIVE Q. JOHNSON; SENATOR SORENSON; REPRESENTATIVES HUDSON, MANOLAKOS, OBERLE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Licensing of Genetic Counselors.

**SB 261** - SOKOLA & REPRESENTATIVE SCHOOLEY - EDUCATION - An Act to Amend Title 14 of the Delaware Code to Encourage Parents to Become Involved in Public Schools.

Representative Schwartzkopf deferred to Representative J. Johnson. Representative J. Johnson requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker Gilligan reassigned **HS 1 for HB 348** to the Judiciary Committee. Representative George made an announcement.

The Reading Clerk read the following communications into the record:

June 8, 2010

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, Tuesday, June 8, 2010 and Wednesday, June 9, 2010, due to medical reasons.

Thank you for your understanding.

Sincerely,

Gregory F. Lavelle

State Representative

11<sup>th</sup> District

MEMORANDUM

TO: The Honorable Robert F. Gilligan  
Speaker of the House of Representatives

FROM: Representative William A. Oberle, Jr.

RE: Absence from Session

DATE: June 8, 2010

Please be advised that I will be unable to attend session Wednesday and Thursday, June 9 and 10, 2010, due to personal business.

Thank you for your consideration in this matter.

The Senate wishes to inform the House that it has passed **SB 261 & SB 210 w/SA1** and requests the concurrence of the House.

Representative Schwartzkopf requested and was granted privilege of the floor for Linda Pusey, Pageant Director, Miss Delaware Scholarship Program. The Miss Delaware 2010 contestants announced their names, titles and platforms for the record. Heather Lehman, Miss Delaware 2009 addressed the House and presented her official portrait.

Representative Longhurst requested and was granted privilege of the floor to make comments. Representatives Walls, Wilson, Hocker & Schwartzkopf made comments.

Representative Atkins requested that he be marked present. Representative Hocker made a comment. Representative Cathcart requested that he be marked present.

The Majority Leader moved to recess for caucus at 2:22 p.m.

The House reconvened at 4:44 p.m.

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

NATURAL RESOURCES: **HB 419** - 13M.

Mr. Speaker Gilligan reassigned **HB 449** to the House Administration Committee.

Representative Thornburg requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 283**, jointly sponsored by Senator Sokola & Representatives Barbieri, George, Jaques, Kovach, Kowalko, Ramone, Gilligan, Hocker, J. Johnson, Keeley, Mitchell, D.E. Williams & Walls & Senators Cloutier, Connor, Hall-Long, Sorenson, Ennis & Henry, before the House for consideration.

**HB 283** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE EDUCATION OF CHILDREN WHO ARE DEAF OR HARD OF HEARING.

Representatives Schooley, Kowalko & Q. Johnson made comments. Representative Q. Johnson announced that he would not be voting on **HB 283** because of a possible conflict of interest.

The roll call on **HB 283** was taken and revealed:

YES: 36.

NOT VOTING: Representative Q. Johnson - 1.

ABSENT: Representatives Cathcart, Lavelle, Plant & D. Short - 4.

Therefore, having received a constitutional majority, **HB 283** was sent to the Senate for concurrence.

Representatives Oberle, B. Short, Viola, D.P. Williams & Kovach requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **HB 281**, jointly sponsored by Senator Ennis & Representative Jaques, before the House for consideration.

**HB 281** - AN ACT TO AMEND 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.

Representative Keeley, Lee & Jaques made comments.

The roll call on **HB 281** was taken and revealed:

YES: 38.

ABSENT: Representatives Lavelle, Plant & D. Short - 3.

Therefore, having received a constitutional majority, **HB 281** was sent to the Senate for concurrence.

Representative Longhurst deferred to Representative Mitchell.

Representative Mitchell brought **HB 408**, jointly sponsored by Senator Henry & Representatives Atkins, Carson, Lee & D.P. Williams & Senators Cloutier, McBride & Sokola, before the House for consideration.

**HB 408** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TOBACCO PRODUCT TAX.

Representatives Mitchell & Blakey made comments.

The roll call on **HB 408** was taken and revealed:

YES: 37.

ABSENT: Representatives Keeley, Lavelle, Plant & D. Short - 4.

Therefore, having received a constitutional majority, **HB 408** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 415**, jointly sponsored by Senator Ennis, before the House for consideration.

**HB 415** - AN ACT TO AMEND CHAPTER 64A, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY.

Representative Mitchell introduced and brought **HA 1 to HB 415** before the House for consideration. Representative Mitchell made a comment. **HA 1** was adopted by voice vote. Representative Mitchell made comments.

The roll call on **HB 415 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Lavelle & Plant - 2.

Therefore, having received a constitutional majority, **HB 415 w/HA 1** was sent to the Senate for concurrence.

Representative Mitchell introduced a guest & made comments.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **SB 220**, sponsored by Senator Simpson & Representative D.P. Williams & Senator Booth & Representative Kowalko & cosponsored by Senator Blevins & Representative Bennett, before the House for consideration.

**SB 220** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXECUTION OF A CHATTEL JUDGMENT.

Representative George made comments.

The roll call on **SB 220** was taken and revealed:

YES: 36.

ABSENT: Representatives Hocker, Lavelle, Miro, Oberle & Plant - 5.

Therefore, having received a constitutional majority, **SB 220** was returned to the Senate.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 410**, jointly sponsored by Senator Henry & Senator Cook & Representatives Bennett, J. Johnson, Lee, Mitchell, Plant, D.P. Williams & Wilson & Senators McDowell & Simpson & cosponsored by Representative Kovach, before the House for consideration.

**HB 410** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DIVORCE AND ANNULMENT.

Representative George made comments. Representative George introduced and brought **HA 1 to HB 410** before the House for consideration. Representative George introduced and brought **HA 1 to HA 1 to HB 410** before the House for consideration. Representative George moved to place **HB 410, HA 1 & HA 1 to HA 1** on the Speaker's Table. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative Longhurst deferred to Representative George.

Representative George brought **HB 423**, jointly sponsored by Senator Blevins & Representatives Keeley & Mitchell & Senator Cook, before the House for consideration.

**HB 423** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DOMESTIC RELATIONS AND THIRD PARTY VISITATION.

Representative George made comments.

The roll call on **HB 423** was taken and revealed:

YES: 39.

ABSENT: Representatives Lavelle & Plant - 2.

Therefore, having received a constitutional majority, **HB 423** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 433**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 433** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CHOICE OF LAW AND CHOICE OF FORUM.

Representative George made comments.

The roll call on **HB 433** was taken and revealed:

YES: 39.

ABSENT: Representatives Lavelle & Plant - 2.

Therefore, having received a constitutional majority, **HB 433** was sent to the Senate for concurrence.

Mr. Speaker Gilligan made announcements.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **SB 218**, jointly sponsored by Senator Henry & Senators Bushweller & Ennis & Representatives Mitchell & Bennett, before the House for consideration.

**SB 218** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COURT COSTS FOR CIVIL TRAFFIC OFFENSES.

Representative Carson made comments.

The roll call on **SB 218** was taken and revealed:

YES: 39.

ABSENT: Representatives Lavelle & Plant - 2.

Therefore, having received a constitutional majority, **SB 218** was returned to the Senate.

Representative Schwartzkopf brought **Consent Agenda C** before the House for consideration.

**HB 402** - WALLS & SENATOR BUNTING & REPRESENTATIVES CAREY, CARSON, HOCKER, Q. JOHNSON, LEE, THORNBURG & WILSON & SENATORS ENNIS HALL-LONG & BOOTH - An Act to Amend Title 3 of the Delaware Code Relating to the Department of Agriculture.

**HB 404** - WALLS & SENATOR BUNTING & REPRESENTATIVES CARSON & WILSON & SENATORS HALL-LONG & BOOTH - An Act to Amend Title 3 of the Delaware Code Relating to the Department Of Agriculture.

**HB 406** - WALLS & SENATOR BUNTING & REPRESENTATIVES CARSON, OUTTEN, THORNBURG & WILSON & SENATORS ENNIS & BOOTH - An Act to Amend Title 3 of the Delaware Code Relating to the Department of Agriculture.

**HB 407** - WALLS & SENATOR BUNTING & REPRESENTATIVES CARSON, HUDSON, OUTTEN, THORNBURG & WILSON & SENATORS BOOTH & SIMPSON - An Act to Amend Title 3 of the Delaware Code Relating to the Department of Agriculture.

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

YES: 39.

ABSENT: Representatives Lavelle & Plant - 2.

Therefore, having received a constitutional majority, **HB 402**, **HB 404**, **HB 406** & **HB 407** were sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri introduced **HB 455**, jointly sponsored by Representative Longhurst & Senator Henry & Representative Keeley & Senators Katz & Sorenson.

**HB 455** - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO DURABLE POWERS OF ATTORNEY AND ADDING A CHAPTER 49A THERETO RELATING TO DURABLE PERSONAL POWERS OF ATTORNEY.

Mr. Speaker Gilligan assigned **HB 455** to the Judiciary Committee.

Representative Barbieri introduced **HS 1 for HB 428**, jointly sponsored by Representative Ramone & Senator Peterson & Representative Briggs King & Senator Henry & cosponsored by Representative Mitchell.

**HB 428** - 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.

Mr. Speaker Gilligan assigned **HS 1 for HB 428** to the Judiciary Committee.

Representative George made an announcement.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko introduced **HB 454**, jointly sponsored by Senator Hall-Long & Representatives Atkins, Bennett, Kovach & Lee & Senators Bonini, Booth, Bushweller & Katz.

**HB 454** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT.

Mr. Speaker Gilligan assigned **HB 454** to the Policy Analysis & Government Accountability Committee.

Representative Kowalko made an announcement.

Representative Schooley requested that **HB 272** be stricken.

Representative Schooley made an announcement.

Representative Schwartzkopf deferred to Representative George.

Representative George moved to lift **HB 410** from the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative George brought **HB 410**, jointly sponsored by Senator Henry & Senator Cook & Representatives Bennett, J. Johnson, Lee, Mitchell, Plant, D.P. Williams & Wilson & Senators McDowell & Simpson & cosponsored by Representative Kovach, before the House for consideration.

**HB 410** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DIVORCE AND ANNULMENT.

Representative George requested that **HA 1 to HA 1 to HB 410** be stricken. Representative George requested that **HA 1 to HB 410** be stricken. Representative George introduced and brought **HA 2 to HB 410** before the House for consideration. Representative George made a comment. **HA 2** was adopted by voice vote. Representative George made comments.

The roll call on **HB 410 w/HA 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Lavelle, Plant & Ramone - 3.

Therefore, having received a constitutional majority, **HB 410 w/HA 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart brought **SB 122 w/SA 1**, jointly sponsored by Senator Hall-Long & Senator Henry & Representative Barbieri & Senators Sorenson, Sokola, Blevins & Bushweller & Representatives Gilligan, Jaques, Viola, Oberle, Q. Johnson, Carson, D. Short, Hudson, Lavelle, Ramone, Scott, Keeley, Mitchell, Hocker & Kowalko & cosponsored by Representative J. Johnson, before the House for consideration.

**SB 122** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS AND MANDATORY DRUG TESTING.

Representative Cathcart made comments.

The roll call on **SB 122 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Lavelle & Plant - 2.

Therefore, having received a constitutional majority, **SB 122 w/SA 1** was returned to the Senate.

Representative Schooley requested that **HB 277** be stricken. Representative Scott made an announcement.

The Majority Leader moved to recess to the call of the Chair at 5:44 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 9, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 259 w/SA 1 & 2**, **SB 205 w/SA 1 & SB 246** and requests the concurrence of the House and it has passed **HB 354** and is returning the same to the House.

The Senate wishes to inform the House that it has passed **SB 260**, **SB 262 & SB 245 w/SA 1** and requests the concurrence of the House and the Senate wishes to inform the House that it has passed **SB 184**, **SB 239 w/SA 1 & SB 250 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 386**, **HB 387 & HB 359** 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.

### **35th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session June 9, 2010**

The Chief Clerk called the roll.

Members Present: 34.

Members Absent: Representatives Carey, Hudson, Keeley, Lavelle, Plant, Ramone & B. Short- 7.

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 HS 1 for HB 428** - BARBIERI - Placed with the Bill

**HA 1 for HB 437** - JAQUES - Placed with the Bill.

**HA 1 for HB 444** - BRIGGS KING - Placed with the Bill.

**HA 1 for HB 447** - KEELEY - Placed with the Bill.

**SB 184** - SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BUSHWELLER, KATZ, BONINI, CONNOR; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 26 of the Delaware Code Relating to the Public Service Commission.

**SB 239 w/SA 1** - DELUCA & REPRESENTATIVE B. SHORT; SENATORS BUNTING, CONNOR, SOKOLA, COOK, KATZ; REPRESENTATIVES BENNETT, RAMONE, LAVELLE, KEELEY, GEORGE, VIOLA - ECONOMIC DEVELOPMENT/ BANKING/INSURANCE & COMMERCE - An Act to Amend Title 12 of the Delaware Code Relating to Fiduciary Relations.

**SB 245 w/SA 1** -SOKOLA & REPRESENTATIVE SCHOOLEY; SENATOR HENRY; REPRESENTATIVES BRIGGS KING, JAQUES, Q. JOHNSON, WILSON - EDUCATION - An Act to Amend Title 11 of the Delaware Code Relating to Criminal Background Checks for Student Teachers.

**SB 250 w/SA 1** - MCBRIDE & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, HALL-LONG, KATZ; REPRESENTATIVES ATKINS, BENNETT - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Professional Engineers.

**SB 260** - BLEVINS & REPRESENTATIVE GEORGE - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to the Delaware Uniform Interstate Depositions and Discovery Act.

**SB 262** - BLEVINS & REPRESENTATIVE GEORGE - JUDICIARY - An Act to Amend Title 10 and Title 11 of the Delaware Code Relating to Unsworn Foreign Declarations.

The Reading Clerk read the following communications into the record:

#### MEMORANDUM

TO: The Honorable Robert F. Gilligan  
Speaker of the House of Representatives  
FROM: Representative William A. Oberle, Jr.  
RE: Absence from Session  
DATE: June 9, 2010

Yesterday I notified you that I would be unable to attend session on Wednesday and Thursday, June 9 and 10, 2010. My circumstances have changed and I find that I am able to attend session on those dates.

Thank you for your consideration in this matter.

#### MEMORANDUM

Representative Helene M. Keeley

TO: Speaker Robert F. Gilligan and Members of the 145<sup>th</sup> General Assembly  
DATE: June 9, 2010

RE: Wednesday June 9, 2010  
Dear Mr. Speaker and member of the 145<sup>th</sup> General Assembly,  
Due to a scheduling conflict; I will not be in Legislative Hall on the dates of June 9<sup>th</sup> and June 10<sup>th</sup> of this year. However, I will return as scheduled on June 15<sup>th</sup>. Please contact my office with any questions or concerns.  
Sincerely,  
Helene M. Keeley  
State Representative  
Third District

June 9, 2010

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 on Wednesday, June 9, 2010 due to a family medical issue.  
Thank you for your understanding.

Sincerely,  
Michael J. Ramone  
State Representative  
21<sup>st</sup> District

Representatives D.P. Williams & Walls requested that they be marked present.  
The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #30

DATE: June 9, 2010  
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                                                                                                                                                                                                           |
|----------|-----------|-----------|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| H145-605 | Gilligan  | 6/23/2009 | T    | Nicole Gentile - 2009 Legislative Fellow<br>cosponsors: Reps. Mitchell; Kowalko & All Representatives                                                                                                                 |
| H145-606 | Gilligan  | 6/23/2009 | T    | Brittany Schwartz - 2009 Legislative Fellow<br>cosponsors: Reps. J. Johnson; Mulrooney; D.P. Williams & All Representatives                                                                                           |
| H145-607 | Gilligan  | 6/23/2009 | T    | Amy Clark - 2009 Legislative Fellow<br>cosponsors: Reps. Schooley Carson; Jaques & All Representatives                                                                                                                |
| H145-608 | Gilligan  | 6/23/2009 | T    | Alyssa Koser - 2009 Legislative Fellow<br>cosponsors: Reps. Plant; M. Marshall; Barbieri & All Representatives                                                                                                        |
| H145-609 | Gilligan  | 6/23/2009 | T    | Matthew Stieglitz - 2009 Legislative Fellow<br>cosponsors: Reps. Scott; Longhurst, B. Short & All Representatives                                                                                                     |
| H145-610 | Gilligan  | 6/23/2009 | T    | Grant Newman - 2009 Legislative Fellow<br>cosponsors: Reps. Walls; Brady & All Representatives                                                                                                                        |
| H145-611 | Gilligan  | 6/23/2009 | T    | Pamela Townsend - 2009 Legislative Fellow<br>cosponsors: Reps. Viola, Schwartzkopf & All Representatives                                                                                                              |
| H145-612 | Cathcart; | 6/24/2009 | T    | Lorraine Makone - 2009 Legislative Fellow<br>B. Short, cosponsors: Reps. Kovach; Lavelle; Hudson; Manolakos; Ramone; Miro; Oberle; Thornburg; Outten; Blakey; Wilson; Carey; Booth; Hocker; Lee & All Representatives |

HOUSE TRIBUTE ANNOUNCEMENT #31

DATE: June 9, 2010  
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                                                                                                                                                                                                       |
|----------|--------------------------|-----------|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| H145-613 | Cathcart;                | 6/24/2009 | T    | Daniel Wavra – 2009 Legislative Fellow<br>B. Short cosponsors: Reps. Kovach; Lavelle; Hudson; Manolakos; Ramone; Miro; Oberle; Thornburg; Outten; Blakey; Wilson; Carey; Booth; Hocker; Lee & All Representatives |
| H145-614 | Carson                   | 6/20/2009 | T    | James A. Mood - 75th Birthday                                                                                                                                                                                     |
| H145-615 | Jaques;<br>D.E. Williams | 6/23/2009 | T    | Scott Mason - Contributions to Performing Arts                                                                                                                                                                    |
| H145-616 | D.E. Williams; B. Short  | 6/25/2009 | T    | New Candlelight Theatre - 40th Anniversary                                                                                                                                                                        |
| H145-617 | D.E. Williams            | 6/25/2009 | T    | Concord High Performing Arts - 40th Anniversary                                                                                                                                                                   |
| H145-618 | Schooley                 | 6/23/2009 | T    | Dr. Jerome Lewis - 40 Years -<br>University of Delaware                                                                                                                                                           |
| H145-619 | Barbieri                 | 6/23/2009 | T    | Michael Ciabattoni - Heroic Act                                                                                                                                                                                   |

|          |                      |           |   |                                                       |
|----------|----------------------|-----------|---|-------------------------------------------------------|
| H145-620 | Kowalko              | 6/26/2009 | T | Allan & Pamela Crowe - "A Better Newark Award"        |
| H145-621 | Kovach               | 6/27/2009 | T | Bellefonte Park - Renovation of Park                  |
| H145-622 | Longhurst;<br>Jaques | 6/19/2009 | M | Vicki Owens                                           |
| H145-623 | Carey                | 6/25/2009 | T | C. Russell McCabe - Retirement - Public Archives      |
| H145-624 | Hudson               | 6/11/2009 | T | Kyle Brozoski - Eagle Scout                           |
| H145-625 | Hudson               | 6/11/2009 | T | Ryan Stevens - Eagle Scout                            |
| H145-626 | Hudson               | 6/11/2009 | T | Peter Succoso - Eagle Scout                           |
| H145-627 | Thornburg            | 6/21/2009 | M | James O'Neal                                          |
| H145-628 | Plant                | 6/22/2009 | M | William Dean                                          |
| H145-629 | Jaques               | 6/30/2009 | T | Anna Lewis - Retirement – Justice of the Peace Court  |
| H145-630 | Mulrooney            | 6/30/2009 | T | James Kane - Retirement - Criminal Justice Council    |
| H145-631 | Scott                | 6/30/2009 | T | Betty Hutchins - Retirement – Department of Education |

#### HOUSE TRIBUTE ANNOUNCEMENT #32

DATE: June 9, 2010

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                                                         |
|----------|---------------------------------------------------------|-----------|------|---------------------------------------------------------------------|
| H145-632 | Wilson                                                  | 6/23/2009 | M    | The Honorable Thurman Adams, Jr.                                    |
| H145-633 | Gilligan                                                | 11/1/2009 | T    | Robert Heenan - Vice-President - Operating Engineers                |
| H145-634 | Scott                                                   | 6/19/2009 | T    | Lynn Hersey-Miller - Retirement - DTI                               |
| H145-635 | Gilligan;<br>J. Johnson; cosponsor: All Representatives | 6/30/2009 | T    | Joyce Keeler - Retirement - House of Representatives                |
| H145-636 | Booth                                                   | 6/29/2009 | M    | Anthony Camera                                                      |
| H145-637 | Wilson;<br>D. Short                                     | 7/11/2009 | T    | Neil Esterson - 80th Birthday                                       |
| H145-638 | Carey<br>cosponsor: All Representatives                 | 6/30/2009 | T    | Ronald Jefferson - Pilots' Assoc.<br>Bay and River - 1980-2009      |
| H145-639 | Kovach                                                  | 6/30/2009 | T    | Ross Baldwin - Eagle Scout                                          |
| H145-640 | Kovach                                                  | 6/30/2009 | T    | Daniel Harkins - Community Efforts Claymont                         |
| H145-641 | Hudson                                                  | 8/2/2009  | T    | Brock Sumner - Eagle Scout                                          |
| H145-642 | Hudson                                                  | 6/22/2009 | M    | Robert McBride                                                      |
| H145-643 | Hudson;<br>Oberle                                       | 7/25/2009 | T    | Paul & Margaret Bonarigo                                            |
| H145-644 | Booth                                                   | 7/12/2009 | T    | Diana Layfield - Retirement - DHSS                                  |
| H145-645 | Blakey                                                  | 6/30/2009 | T    | Fifer Orchards - 90th Anniversary                                   |
| H145-646 | Mitchell                                                | 6/30/2009 | T    | John Hammerer - 80th Birthday                                       |
| H145-647 | Outten;<br>Wilson                                       | 7/1/2009  | T    | Mark Anderson - Past Chief -<br>Harrington Police Dept.             |
| H145-648 | Thornburg;<br>Outten                                    | 7/15/2009 | T    | Allen Metheny, Sr. - Retirement -<br>Kent Co. Dept of Public Safety |
| H145-649 | J. Johnson                                              | 7/12/2009 | T    | Donald Cordell – Distinguished Service - UAW                        |
| H145-650 | Schwartzkopf                                            | 7/11/2009 | T    | Pine Valley Park - 25 <sup>th</sup> Anniversary                     |
| H145-651 | Schooley                                                | 6/9/2009  | M    | Reverend Chad Miller                                                |
| H145-652 | Hudson                                                  | 5/26/2009 | T    | Anthony & Allison Sparco - 25 <sup>th</sup> Wedding Anniversary     |
| H145-653 | D.E. Williams                                           | 4/26/2009 | T    | Arnold & Lois DeMuzio - 40 <sup>th</sup> Wedding Anniversary        |
| H145-654 | Mitchell                                                | 4/29/2009 | T    | James & Mary Moffett - 65 <sup>th</sup> Wedding Anniversary         |

#### HOUSE TRIBUTE ANNOUNCEMENT #33

DATE: June 9, 2010

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                                                |
|----------|---------------------------------|-----------|------|------------------------------------------------------------|
| H145-655 | Brady                           | 5/21/2009 | T    | John & Louise Myers - 60 <sup>th</sup> Wedding Anniversary |
| H145-656 | Booth<br>cosponsor: Rep. Atkins | 7/19/2009 | T    | Darin James Troy - Eagle Scout -                           |
| H145-657 | Wilson                          | 6/30/2009 | T    | Richard Toulson - Retirement - DelDOT                      |
| H145-658 | Walls                           | 6/30/2009 | T    | Richard Jones - Retirement - DelDOT                        |
| H145-659 | Cathcart                        | 7/6/2009  | M    | Littleton Mitchell                                         |
| H145-660 | J. Johnson                      | 8/16/2009 | T    | Virginia Lucas - 100th Birthday                            |
| H145-661 | Thornburg                       | 7/17/2009 | T    | Denise Stokes - Bachelor of Ministry Degree                |
| H145-662 | Thornburg                       | 7/17/2009 | T    | Dess Stokes - Associate of Ministry Degree                 |
| H145-663 | Wilson; Carey                   | 7/31/2009 | T    | Lori Rider & Dennis Ockels - Marriage                      |
| H145-664 | Hocker                          | 7/25/2009 | T    | Cripple Creek Golf & Country Club - 25th Anniversary       |
| H145-665 | Bennett                         | 6/28/2009 | T    | Dr. & Mrs. Richard Taylor - 50th Anniversary               |



|          |                        |           |   |                                                               |
|----------|------------------------|-----------|---|---------------------------------------------------------------|
| H145-666 | Hudson                 | 6/30/2009 | T | Evan Dedominicis - Lacrosse All American - All State          |
| H145-667 | Lee                    | 7/18/2009 | T | Bishop Leon Wilson - 16 Years in the Ministry                 |
|          | cosponsor: Rep. Atkins |           |   |                                                               |
| H145-668 | Hudson                 | 6/30/2009 | T | Joey Fragomele - Lacrosse All American - All State            |
| H145-669 | Blakey                 | 7/15/2009 | T | Dr. Harry Otto - Retirement - DNREC                           |
| H145-670 | Hudson;                | 8/2/2009  | T | Curtis Shiner Ramsey - Eagle Scout                            |
|          | Manolakos              |           |   |                                                               |
| H145-671 | Hudson                 | 7/6/2009  | T | Paul & Barbara Toner - 50 <sup>th</sup> Wedding Anniversary   |
| H145-672 | Kowalko                | 5/15/2009 | T | Bill & Char Day - 50th Wedding Anniversary                    |
| H145-673 | Gilligan               | 6/13/2009 | T | Michael & Helen Lahuta - 60 <sup>th</sup> Wedding Anniversary |
| H145-674 | B. Short               | 4/12/2009 | T | Robert & Carol Williamson - 40 <sup>th</sup> Anniversary      |
| H145-675 | D.E. Williams          | 6/28/2009 | T | Stanley & Jean Smith - 40 <sup>th</sup> Wedding Anniversary   |
| H145-676 | Kovach                 | 6/28/2009 | T | Bill & Leslie Lacombe - 40 <sup>th</sup> Wedding Anniversary  |

#### HOUSE TRIBUTE ANNOUNCEMENT #34

DATE: June 9, 2010

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                                                                              |
|----------|------------------------|------------|------|------------------------------------------------------------------------------------------|
| H145-677 | Atkins                 | 7/25/2009  | T    | David & Sharon Huselton - 40 <sup>th</sup> Wedding Anniversary                           |
| H145-678 | Schwartzkopf           | 7/1/2009   | T    | Donald & Helen Flood - 25 <sup>th</sup> Wedding Anniversary                              |
| H145-679 | Schooley               | 7/30/2009  | T    | Stanley & Jeanette Lehman - 65 <sup>th</sup> Wedding Anniversary                         |
| H145-680 | Mitchell               | 6/18/2009  | T    | John & Elvira Sarnecky - 60 <sup>th</sup> Wedding Anniversary                            |
| H145-681 | Mitchell               | 6/27/2009  | T    | Lucy & Paul Callahan - 50 <sup>th</sup> Wedding Anniversary                              |
| H145-682 | Mitchell               | 6/20/2009  | T    | Leon & Rita Minner - 50 <sup>th</sup> Wedding Anniversary                                |
| H145-683 | Ramone                 | 6/6/2009   | T    | Stanley & Louise Rybienski - 50 <sup>th</sup> Anniversary                                |
| H145-684 | Manolakos              | 6/25/2009  | T    | Edward & Ann Stevens - 60 <sup>th</sup> Wedding Anniversary                              |
| H145-685 | Manolakos              | 6/13/2009  | T    | Edward & Patricia Greenwood - 50th Anniversary                                           |
| H145-686 | Cathcart               | 6/20/2009  | T    | Walter & Brenda Hagelstein - 50 <sup>th</sup> Anniversary                                |
| H145-687 | Jaques                 | 7/11/2009  | T    | Joseph & Julia Zecca - 40 <sup>th</sup> Wedding Anniversary                              |
| H145-688 | D.E. Williams          | 5/14/2009  | T    | Joe & Eleanor Burns - 61 <sup>st</sup> Wedding Anniversary                               |
| H145-689 | Outten;                | 8/1/2009   | T    | Roslyn McFaul - 80th Birthday                                                            |
|          | Carey                  |            |      |                                                                                          |
| H145-690 | Thornburg              | 7/14/2009  | T    | Edward & Jo Ann Bowen - 30 <sup>th</sup> Wedding Anniversary                             |
| H145-691 | Schwartzkopf           | 11/22/2009 | T    | Master Cpl. Jeff Oldham - Retirement - State Police                                      |
| H145-692 | Thornburg              | 7/24/2009  | T    | Larry Prince - Retirement - DelDOT                                                       |
| H145-693 | J. Johnson             | 8/16/2009  | T    | Canaan Baptist Community Outreach Faith Based Substance Abuse Ministry - Day of Recovery |
| H145-694 | Schwartzkopf           | 8/6/2009   | T    | Major Randall Hughes - Retirement - Delaware State Police                                |
|          | cosponsor: Rep. Atkins |            |      |                                                                                          |
| H145-695 | Outten                 | 7/12/2009  | M    | Edith Killen                                                                             |
| H145-696 | Outten                 | 8/3/2009   | T    | Harrington Hurricane Cheerleading Squad – Outstanding Season                             |
| H145-697 | Booth; Atkins          | 7/1/2009   | T    | Brooke Ward - Gymnastics Club - Championship                                             |

#### HOUSE TRIBUTE ANNOUNCEMENT #35

DATE: June 9, 2010

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                                         |
|----------|--------------------------------------------------|-----------|------|-----------------------------------------------------|
| H145-698 | Brady                                            | 7/15/2009 | M    | Earl Hopkins, Sr.                                   |
| H145-699 | Atkins                                           | 6/7/2009  | T    | Todd McCabe/Sussex 911 Dispatcher/Help Save a Life  |
| H145-700 | Jaques                                           | 7/16/2009 | M    | Carol Rogers                                        |
| H145-701 | Carson                                           | 7/31/2009 | T    | Linda York - Retirement - Dept. of Correction       |
| H145-702 | Scott                                            | 7/25/2009 | T    | Dr. Ruth Mitchell Laws - Birthday                   |
| H145-703 | Outten                                           | 8/8/2009  | T    | John Short - 80th Birthday                          |
| H145-704 | Booth                                            | 7/18/2009 | M    | James Monihan                                       |
|          | cosponsor: Rep. Schwartzkopf                     |           |      |                                                     |
| H145-705 | Barbieri                                         | 7/22/2009 | T    | Edwin Grebe – Outstanding Credit Union Professional |
| H145-706 | Booth                                            | 7/21/2009 | M    | Edwin Pepper, Sr.                                   |
| H145-707 | Carson                                           | 7/24/2009 | T    | Linda Riddagh - Retirement - Dept. of Correction    |
| H145-708 | D. Short                                         | 7/30/2009 | T    | The Guide - 50th Anniversary                        |
| H145-709 | Hocker                                           | 7/8/2009  | T    | Harold & Nancy Palmatary - 50th Anniversary         |
| H145-710 | Schwartzkopf                                     | 8/1/2009  | T    | Douglas & Corey Marshall-Steele - 15th Anniversary  |
| H145-711 | Outten                                           | 7/30/2009 | T    | Delaware State Fair - 90 <sup>th</sup> Year         |
|          | cosponsors: Rep. Thornburg & All Representatives |           |      |                                                     |

|          |           |           |   |                                                  |
|----------|-----------|-----------|---|--------------------------------------------------|
| H145-712 | Outten    | 7/31/2009 | T | Paul Chandler - 41 Years - State Fair            |
| H145-713 | D. Short  | 8/9/2009  | T | Wesley Scott - Eagle Scout                       |
| H145-714 | Jaques    | 7/10/2009 | T | 9 Year Old Canal All Stars - District Champions  |
| H145-715 | Jaques    | 7/10/2009 | T | 8 Year Old Canal All Stars - District Champions  |
| H145-716 | Scott     | 7/1/2009  | T | Jane Leverage-O'Hara - Retirement - Family Court |
| H145-717 | Outten    | 8/7/2009  | T | Cora Bonniwell - Retirement - DEDO               |
| H145-718 | Hocker    | 8/1/2009  | T | Fenwick Island Lighthouse - 150th Anniversary    |
| H145-719 | Thornburg | 8/2/2009  | M | Donna Snell                                      |
| H145-720 | Walls     | 7/27/2009 | M | George Whaley                                    |

cosponsor: Rep. Carson

Representative Schwartzkopf deferred to Representative Atkins. Representative Atkins introduced guests. Representative Schwartzkopf deferred to Representative D. Short. Representative D. Short requested and was granted personal privilege to introduce guests. Representatives Scott & George requested that they be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:10 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 10, 2010.

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

JUDICIARY: **HS 1 for HB 348** - 6M; **HB 443** - 4M, 2U; **HB 455** - 7M.

TRANSPORTATION/LAND USE & INFRASTRUCTURE: **HB 421** - 5M;

**HB 429** - 4M, 1U; **HB 442** - 5M; **SB 210 w/SA 1** - 5M; **SB 242** - 5M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 427** - 1F, 8M;

**HB 430** - 8M; **HB 448** - 3F, 6M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE:

**HS 1 for HB 390** - 2F,3M,1U; **HB 420** - 1F,5M; **HB 432** - 4F,2M; **HB 447** - 3F,3M.

CORRECTIONS: **HB 438** - 3F, 3M.

HOUSE ADMINISTRATION: **HB 358** - 4M; **HB 425** - 3M; **HB 431** - 4M;

**HB 439** - 5M; **HB 449** - 5M.

EDUCATION: **HB 441** - 9M; **HJR 10** - 8M.

HEALTH & HUMAN DEVELOPMENT: **HB 440** - 10M; **SB 254 w/SA 1** - 8M; **SB 255 w/SA 1** - 1F, 8M.

NATURAL RESOURCES: **HB 437** - 10M; **SB 183 w/SA 1** - 10M.

VETERANS AFFAIRS: **HB 418** - 11M; **HCR 46** - 11M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 446** - 5M; **HB 454** - 5M; **SB 44 w/SA 1** - 1F, 4M.

Representatives Carey, Hudson, B. Short & Ramone requested that they be marked present for the current Legislative Day.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 268**, **SB 223 w/SA 1** & **SB 264 w/SA 1** and requests the concurrence of the House and the Senate wishes to inform the House that it has passed **HB 189**, **HB 296**, **HB 333 w/HA 1**, **HB 338 w/HA 1** & **HB 226 w/HA 1 & 2** 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.

### 36th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session

June 10, 2010

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Keeley & Lavelle - 2.

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

Mr. Speaker Gilligan invited Air Force Staff Sergeant Michael Hinchee 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 456** - SCHWARTZKOPF & REPRESENTATIVE LONGHURST & SENATOR HENRY & SENATOR MCDOWELL; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, BRADY, CARSON, GEORGE, GILLIGAN, JAQUES, J. JOHNSON, Q. JOHNSON, KEELEY, KOWALKO, MITCHELL, MULROONEY, PLANT, SCHOOLEY, SCOTT, B. SHORT, VIOLA, WALLS, D.E. WILLIAMS, D.P. WILLIAMS, BRIGGS KING, CATHCART, HUDSON, OBERLE, D. SHORT, THORNBURG, BLAKEY, CAREY, HOCKER, KOVACH, LEE, MANOLAKOS, MIRO, OUTTEN, RAMONE, WILSON; SENATORS BLEVINS, BUNTING, BUSHWELLER, COOK, DELUCA, ENNIS, HALL-

LONG, KATZ, MARSHALL, MCBRIDE, PETERSON, SOKOLA, VENABLES, BOOTH, CLOUTIER, CONNOR, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to the Treatment of Minors by Physicians under the Medical Practice Act.

**HB 457** - SCHWARTZKOPF & REPRESENTATIVE BRIGGS KING & SENATOR COOK; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, BRADY, CARSON, GEORGE, GILLIGAN, JAQUES, J. JOHNSON, Q. JOHNSON, LONGHURST, MITCHELL, KEELEY, KOWALKO, MULROONEY, PLANT, SCHOOLEY, SCOTT, B. SHORT, VIOLA, WALLS, D.E. WILLIAMS, D.P. WILLIAMS, CATHCART, HUDSON, OBERLE, D. SHORT, THORNBURG, BLAKEY, CAREY, HOCKER, KOVACH, LEE, MANOLAKOS, MIRO, OUTTEN, RAMONE, WILSON; ALL SENATORS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Titles 11, 24 and 29 of the Delaware Code Relating to Training on Child Sexual and Physical Abuse, Exploitation and Domestic Violence and the Mandatory Reporting Thereof.

**HB 458** - SCHWARTZKOPF & SENATOR KATZ; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, BRADY, CARSON, GEORGE, GILLIGAN, JAQUES, KEELEY, KOWALKO, LONGHURST, J. JOHNSON, Q. JOHNSON, MITCHELL, MULROONEY, PLANT, SCHOOLEY, SCOTT, B. SHORT, VIOLA, WALLS, D.E. WILLIAMS, D.P. WILLIAMS, BRIGGS KING, CATHCART, HUDSON, OBERLE, D. SHORT, THORNBURG, BLAKEY, CAREY, HOCKER, KOVACH, LEE, MANOLAKOS, MIRO, OUTTEN, RAMONE, WILSON; ALL SENATORS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Registration to Practice Medicine.

**HB 459** - KEELEY & REPRESENTATIVE SCHWARTZKOPF & SENATOR DELUCA & SENATOR BLEVINS; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, BRADY, CARSON, GEORGE, GILLIGAN, JAQUES, J. JOHNSON, Q. JOHNSON, KOWALKO, LONGHURST, MITCHELL, MULROONEY, PLANT, SCHOOLEY, SCOTT, B. SHORT, VIOLA, WALLS, D.E. WILLIAMS, D.P. WILLIAMS, BRIGGS KING, CATHCART, HUDSON, OBERLE, D. SHORT, THORNBURG, BLAKEY, CAREY, HOCKER, KOVACH, LEE, MANOLAKOS, MIRO, OUTTEN, RAMONE, WILSON; SENATORS BUNTING, BUSHWELER, COOK, ENNIS, HALL-LONG, HENRY, KATZ, MARSHALL, MCBRIDE, MCDOWELL, PETERSON, SOKOLA, VENABLES, BOOTH, SIMPSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Titles 24 and 29 of the Delaware Code Relating to the Medical Practice Act, the Board of Medical Practice and the Department of State.

**HB 462** - OBERLE & REPRESENTATIVE MITCHELL & SENATOR COOK; REPRESENTATIVES D. SHORT, HOCKER, MIRO, OUTTEN, Q. JOHNSON, KOWALKO, VIOLA, WILSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Penalties for Violations of Required Motor Vehicle Insurance, Including Fictitious Proofs of Insurance.

**HB 463** - KOWALKO & SENATOR HALL-LONG; REPRESENTATIVES ATKINS, BENNETT, KOVACH, LEE; SENATORS BONINI, BOOTH, BUSHWELLER, KATZ - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Massage and Bodywork.

**HB 464** - KOWALKO & SENATOR HALL-LONG; REPRESENTATIVES ATKINS, BENNETT, LEE; SENATORS BONINI, BUSHWELLER, KATZ - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 16 of the Delaware Code Relating to Amusement Rides Safety Inspection and Insurance Act; Fire Prevention; Reporting of Burn Injuries and Wounds; and Reduced Ignition Propensity Cigarettes.

**HB 465** - D.E. WILLIAMS & SENATOR KATZ; REPRESENTATIVE LONGHURST - HOUSE ADMINISTRATION - An Act Proposing an Amendment to Article III and the Schedule of the Delaware Constitution of 1897, as Amended, Relating to the Recorder of Deeds.

**HJR 12** - D.E. WILLIAMS & SENATOR KATZ; REPRESENTATIVES HUDSON, KOVACH, LAVELLE, LONGHURST; SENATORS HENRY, SOKOLA - HOUSING & COMMUNITY AFFAIRS - Recommending that the County Recorder of Deeds No Longer be an Elected Office and that a Working Group be Established to Develop Recommendations for Creating a Single Statewide Recordation System, Thereby Making State and County Government More Effective and Efficient.

**SB 223 w/SA 1** - BLEVINS & REPRESENTATIVE KEELEY; SENATORS DELUCA, HENRY, MCDOWELL - ECONOMIC DEVELOPMENT, BANKING, INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Insurance.

**SB 264 w/SA 1** - MCDOWELL & REPRESENTATIVE BARBIERI; SENATORS BLEVINS, BUSHWELLER, CONNOR, SIMPSON; REPRESENTATIVES GEORGE, J. JOHNSON, WILSON, LEE - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Disposition of Children Pending Adjudication and Payment for Care.

**SB 268** - PETERSON & REPRESENTATIVE MITCHELL - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Adoption and Enforcement of a Unified Heating, Ventilation, Air Conditioning, and Refrigeration Code, the International Mechanical Code, and the International Fuel Gas Code.

The Reading Clerk read the following communication into the record:

June 10, 2010

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, Thursday June 10, 2010, due to medical reasons.

Thank you for your understanding.

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

Representative Schwartzkopf requested and was granted privilege of the floor for Captain John Miller, Chairman, Law Enforcement Torch Run for Special Olympics, who addressed the House and introduced law enforcement officers from agencies throughout the state.

Representative Jaques made comments.

Representative Gilligan introduced guests.

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

Representative Oberle introduced **HB 461**, jointly sponsored by Senator Sorenson & Representative Brady & Senators McDowell & Connor.

**HB 461** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STUDENT ACADEMIC REWARD SCHOLARSHIP AT WILMINGTON UNIVERSITY.

Mr. Speaker Gilligan assigned **HB 461** to the Education Committee.

Representative Wilson requested and was granted personal privilege of the floor to introduce a guest. Representative Briggs King made a comment. Representative Carson requested and was granted privilege of the floor to introduce a guest. Representative Cathcart requested that **HB 430** be removed from **Consent Agenda D**. Representative Carson presented a House Tribute to Air Force Staff Sergeant Michael Hinchee, who addressed the House.

The Majority Leader moved to recess for caucus at 2:22 p.m.

The House reconvened at 4:35 p.m.

Representative Schwartzkopf deferred to Representative Walls.

Representative Walls brought **HB 403**, jointly sponsored by Senator Bunting & Representatives Carson, Hudson, Q. Johnson & Thornburg & Senator Ennis & cosponsored by Representative Wilson & Senator Booth, before the House for consideration.

**HB 403** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF AGRICULTURE.

Representative Walls made comments.

The roll call on **HB 403** was taken and revealed:

YES: 36.

ABSENT: Representatives Cathcart, Q. Johnson, Keeley, Lavelle & D.P. Williams - 5.

Therefore, having received a constitutional majority, **HB 403** was sent to the Senate for concurrence.

Representatives Kovach, Manolakos, D. Short & Plant requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Walls.

Representative Walls brought **HB 405**, jointly sponsored by Senator Bunting & cosponsored by Representative Wilson & Senator Booth, before the House for consideration.

**HB 405** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF AGRICULTURE.

Representative Walls made comments.

The roll call on **HB 405** was taken and revealed:

YES: 37.

ABSENT: Representatives Cathcart, Q. Johnson, Keeley & Lavelle - 4.

Therefore, having received a constitutional majority, **HB 405** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 425**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 425** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

Representative Jaques made comments.

The roll call on **HB 425** was taken and revealed:

YES: 36.

ABSENT: Representatives Briggs King, Cathcart, Q. Johnson, Keeley & Lavelle - 5.

Therefore, having received a constitutional majority, **HB 425** was sent to the Senate for concurrence. Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **HB 454**, jointly sponsored by Senator Hall-Long & Representatives Atkins, Bennett, Kovach & Lee & Senators Bonini, Booth, Bushweller & Katz, before the House for consideration.

**HB 454** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT.

Representative Kowalko introduced and brought **HA 1 to HB 454** before the House for consideration. Representative Kowalko made a comment. **HA 1** was adopted by voice vote. Representative Kowalko made comments.

The roll call on **HB 454 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Atkins, Cathcart, Keeley & Lavelle - 4.

Therefore, having received a constitutional majority, **HB 454 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **HB 446**, jointly sponsored by Senator Hall-Long & Representatives Atkins, Bennett, Kovach & Lee & Senators Bonini, Booth, Bushweller & Katz, before the House for consideration.

**HB 446** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE NEWARK HOUSING AUTHORITY.

Representative Kowalko made comments.

The roll call on **HB 446** was taken and revealed:

YES: 39.

ABSENT: Representatives Keeley & Lavelle - 2.

Therefore, having received a constitutional majority, **HB 446** was sent to the Senate for concurrence.

Representative Schwartzkopf brought **Consent Agenda D**, which requires a two-thirds vote, before the House for consideration.

**HB 432** - VIOLA & REPRESENTATIVES CARSON, HUDSON, KEELEY, KOWALKO, MITCHELL, D. SHORT & D.P. WILLIAMS & SENATORS ENNIS, MCBRIDE & PETERSON - An Act to Amend Title 4 of the Delaware Code Relating to Spirits, Wine, and Beer Tasting.

**HB 439** - LEE & SENATOR VENABLES - An Act to Amend Chapter 288, Volume 64, Laws of Delaware, as Amended, the Charter of the Town of Laurel, to Allow the Town of Laurel to Finance the Eligible Costs of Qualifying Projects and Items for a Tax Increment Financing (TIF) District and a Special Development District Created by the Town of Laurel under Section 36a of the Charter, whether any such Project or Item will Ultimately be Owned by the Town of Laurel or by the State of Delaware or any Agency or Instrumentality Thereof, or any County, Local Political Subdivision, Instrumentality, Agency, Body Politic, Utility District, or Similar Entity within the State of Delaware. (2/3 bill)

**HB 449** - SCHWARTZKOPF & SENATOR BUNTING & REPRESENTATIVES ATKINS, BRIGGS KING, CAREY, HOCKER, LEE, D. SHORT, WALLS & WILSON & SENATORS BOOTH & VENABLES - An Act to Amend Title 9 of the Delaware Code Relating to Planning & Zoning.

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

YES: 39.

ABSENT: Representatives Keeley & Lavelle - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 432**, **HB 439** & **HB 449** were sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Viola.

Representative Viola brought **HB 237**, jointly sponsored by Senator Cloutier & Representatives Hudson, Q. Johnson, M. Marshall & Mitchell, before the House for consideration.

**HB 237** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO EQUAL ACCOMMODATIONS. (F/N)

Representative Viola brought **HA 1 to HB 237** before the House for consideration. Representatives Viola & Hudson made comments. **HA 1** was adopted by voice vote. Representative Viola made a comment.

The roll call on **HB 237 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Keeley & Lavelle - 2.

Therefore, having received a constitutional majority, **HB 237 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf brought **HB 447**, jointly sponsored by Representative Briggs King & Senator DeLuca & Representatives Bennett, Carson, Hudson, Lavelle, Longhurst, Mitchell, Q. Johnson, Scott & B. Short & Senators Bunting, Sorenson, Venables & Booth, before the House for consideration.

**HB 447** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO BREWERY-PUBS AND MICROBREWERIES.

Representative B. Short requested that **HA 1 to HB 447** be stricken.

Representative Schwartzkopf moved to place **HB 447** on the Speaker's Table. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **SB 113**, jointly sponsored by Senator Cook & Senators Blevins, Hall-Long, Sorenson, Connor & Cloutier & Representatives Kowalko, Schooley & Brady & cosponsored by Representatives Barbieri, Bennett, Briggs King, Carey, Carson, Cathcart, Hocker, Hudson, Jaques, J. Johnson, Kovach, Lee, Manolakos, Miro, Mitchell, Outten, Plant, Ramone, Scott, B. Short, Walls, D.E. Williams & Wilson, before the House for consideration.

**SB 113** - AN ACT TO AMEND TITLES 10, 29 AND 31 OF THE DELAWARE CODE RELATING TO EXTENDING THE JURISDICTION OF THE FAMILY COURT FOR ABUSED, DEPENDENT AND NEGLECTED CHILDREN.

Representative George made comments.

The roll call on **SB 113** was taken and revealed:

YES: 39.

ABSENT: Representatives Keeley & Lavelle - 2.

Therefore, having received a constitutional majority, **SB 113** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 396**, jointly sponsored by Senator Sokola & Representatives Barbieri, Carson, Jaques, Q. Johnson, Lavelle, Longhurst, Mitchell, Hudson, Miro & Ramone & Senators Ennis & McDowell & cosponsored by Representatives Schwartzkopf, Manolakos & Scott, before the House for consideration.

**HB 396** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION

Representative Schooley brought **HA 1 to HB 396** before the House for consideration.

Representative Schooley made a comment. **HA 1** was adopted by voice vote. Representative Schooley made comments.

The roll call on **HB 396 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Keeley & Lavelle - 2.

Therefore, having received a constitutional majority, **HB 396 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **HB 438**, jointly sponsored by Senator Peterson, before the House for consideration.

**HB 438** - AN ACT TO AMEND TITLE 11, § 4217 OF THE DELAWARE CODE RELATING TO RELEASE OF INMATES FOR DEMONSTRATED REHABILITATION.

Representative J. Johnson introduced and brought **HA 1 to HB 438** before the House for consideration. Representative J. Johnson made a comment. **HA 1** was adopted by voice vote. Representative J. Johnson made comments.

The roll call on **HB 438 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Keeley & Lavelle - 2.

Therefore, having received a constitutional majority, **HB 438 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mulrooney.

Representative Mulrooney brought **HB 419**, jointly sponsored by Senator Simpson, before the House for consideration.

**HB 419** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTIES AND TITLE 7 OF THE DELAWARE CODE RELATING TO DOGS.

Representative Mulrooney introduced and brought **HA 1 to HB 419** before the House for consideration. Representative Mulrooney made comments. **HA 1** was adopted by voice vote. Representative Mulrooney introduced and brought **HA 2 to HB 419** before the House for consideration. Representative Mulrooney made comments. **HA 2** was adopted by voice vote. Representatives Mulrooney, Walls & Kowalko made comments.

The roll call on **HB 419 w/HA 1 & 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Keeley & Lavelle - 2.

Therefore, having received a constitutional majority, **HB 419 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought **HB 358**, jointly sponsored by Representative Bennett & Representative Hudson & Representative Kovach & Senator Bunting & Representatives Cathcart, Briggs King, Carey, Hocker, Lavelle, Lee, Miro, Ramone, Wilson, Carson, Keeley & B. Short & Senators Simpson, Sorenson, Bonini, Booth & Cloutier & cosponsored by Representative Walls, before the House for consideration.

**HB 358 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FISCAL PROJECTIONS.**

Representative D. Short introduced and brought **HA 1 to HB 358** before the House for consideration. Representative D. Short made comments. **HA 1** was adopted by voice vote. Representatives D. Short & Kowalko made comments.

The roll call on **HB 358 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Keeley & Lavelle - 2.

Therefore, having received a constitutional majority, **HB 358 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf moved to lift **HB 447** from the Speaker's Table.

The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative Schwartzkopf brought **HB 447**, jointly sponsored by Representative Briggs King & Senator DeLuca & Representatives Bennett, Carson, Hudson, Lavelle, Longhurst, Mitchell, Q. Johnson, Scott & B. Short & Senators Bunting, Sorenson, Venables & Booth, before the House for consideration.

**HB 447 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO BREWERY-PUBS AND MICROBREWERIES.**

Representative B. Short introduced and brought **HA 2 to HB 447**, jointly sponsored by Representative Keeley, before the House for consideration. Representative B. Short made comments. **HA 2** was adopted by voice vote. Representatives Schwartzkopf & Briggs King made comments.

The roll call on **HB 447 w/HA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Keeley & Lavelle - 2.

Therefore, having received a constitutional majority, **HB 447 w/HA 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 448**, jointly sponsored by Representative Mitchell & Senator Ennis & Representatives Bennett, Briggs King, Carson, George, Hocker, Hudson, Jaques, Q. Johnson, Keeley, Lee, Oberle, Ramone & D. Short & Senators Bushweller & Hall-Long & cosponsored by Representatives Schwartzkopf, Walls, Wilson, Cathcart, Outten & Kovach & Senators Bonini, Booth & Marshall, before the House for consideration.

**HB 448 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE IMPLEMENTATION OF A STATEWIDE "BLUE ALERT" SYSTEM FOR THE SPEEDY APPREHENSION OF PERSONS ACCUSED OF KILLING OR SERIOUSLY INJURING LAW ENFORCEMENT OFFICERS.**

Representative Schooley introduced and brought **HA 1 to HB 448** before the House for consideration. Representative Schooley made a comment. **HA 1** was adopted by voice vote. Representative Schooley made comments.

The roll call on **HB 448 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Atkins, Keeley & Lavelle - 3.

Therefore, having received a constitutional majority, **HB 448 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative Wilson.

Representative Kovach announced that he will not be voting on **HB 430** because of a possible conflict of interest.

Representative Wilson brought **HB 430**, jointly sponsored by Representative Thornburg & Senator Simpson & Representatives Cathcart, D. Short, Carey, Hocker, Hudson, Lee, Outten, Mitchell & Walls & Senator Booth & cosponsored by Representative Schwartzkopf, before the House for consideration.

**HB 430 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS, SECONDHAND DEALERS AND SCRAP METAL PROCESSORS.**

Representatives Wilson, Schwartzkopf, J. Johnson, Hocker, Jaques, Schwartzkopf, D.E. Williams, Schwartzkopf, Mulrooney, Wilson, Hocker & Wilson made comments.

The roll call on **HB 430** was taken and revealed:

YES: 37.

NOT VOTING: Representative Kovach - 1.

ABSENT: Representatives Atkins, Keeley & Lavelle - 3.

Therefore, having received a constitutional majority, **HB 430** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Briggs King.

Representative Briggs King brought **HB 437**, jointly sponsored by Senator Bonini & Representatives Cathcart, D. Short, Blakey, Carey, Hocker, Hudson, Lavelle, Oberle, Outten, Ramone, Thornburg, Wilson, Atkins, Viola & Walls & Senators Simpson & Booth & cosponsored by Senator Bushweller, before the House for consideration.

**HB 437** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING, AND FISHING LICENSES.

Representative Jaques brought **HA 1 to HB 437** before the House for consideration. Representative Jaques made a comment. **HA 1** was adopted by voice vote. Representatives Briggs King, Cathcart, Schwartzkopf, Kowalko, Briggs King, Jaques, Schwartzkopf, Kowalko & Briggs King made comments.

The roll call on **HB 437 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Atkins, Keeley & Lavelle - 3.

Therefore, having received a constitutional majority, **HB 437 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.

Representative George introduced **HB 468**, jointly sponsored by Senator Katz & Representatives Barbieri, Hudson, Kovach, Lavelle, Longhurst, Schooley & D.E. Williams & Senator Sorenson.

**HB 468** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, ARTICLE IV, AND THE SCHEDULE OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE REGISTER OF WILLS. (2/3 bill)

Mr. Speaker Gilligan assigned **HB 468** to the House Administration Committee.

Representative George made an announcement.

Representative George introduced **HJR 13**, jointly sponsored by Senator Katz & Representatives Barbieri, Hudson, Kovach, Lavelle, Longhurst, Schooley & D.E. Williams & Senator Sorenson.

**HJR 13** - RECOMMENDING THAT THE COUNTY REGISTER OF WILLS NO LONGER BE AN ELECTED OFFICE AND THAT A WORKING GROUP BE ESTABLISHED TO DEVELOP RECOMMENDATIONS TO TRANSFER THE DUTIES OF THE REGISTER OF WILLS TO THE COURT OF CHANCERY, THEREBY MAKING STATE AND COUNTY GOVERNMENT MORE EFFECTIVE AND EFFICIENT.

Mr. Speaker Gilligan assigned **HJR 13** to the House Administration Committee.

Representative George introduced **HB 466**, jointly sponsored by Representative Jaques & Senator Blevins & cosponsored by Representative Plant.

**HB 466** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO DOGS.

Mr. Speaker Gilligan assigned **HB 466** to the Housing & Community Affairs Committee.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson introduced **HS 1 for HB 357**, jointly sponsored by Representative Atkins & Senator Booth & Representatives Bennett, Briggs King, Carey, Cathcart, Hocker, Kovach, Lavelle, Lee, Manolakos, Mulrooney, Outten, Ramone, D. Short, Thornburg, Walls & Wilson & Senators Bonini, Bunting, Cook, Ennis, Hall-Long, McBride, Simpson & Venables.

**HB 357** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LIMITING THE AUTHORITY OF PUBLIC BODIES TO REGULATE ARMS.

Mr. Speaker Gilligan assigned **HS 1 for HB 357** to the House Administration Committee.

Representative Schwartzkopf made an announcement.

The Majority Leader moved to recess to the call of the Chair at 6:12 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on June 15, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 263 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 393 w/SA 1 & HB 394** 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.

### **37th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session June 15, 2010**

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Ruth Briggs King, Thirty-seventh Representative District.

The House observed a moment of silence in memory of Ann C. Spence, mother of former Speaker of the House Terry R. Spence, at the request of Mr. Speaker Gilligan.

Mr. Speaker Gilligan invited David Marvel, Boys State Speaker of the House and Shakeem Nottingham, Boys State Auditor 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 467** - BLAKEY & REPRESENTATIVE CATHCART & REPRESENTATIVE CARSON & SENATOR SIMPSON; REPRESENTATIVES BRIGGS KING, HOCKER, OBERLE, WILSON; SENATORS BUSHWELLER, HENRY, BOOTH - JUDICIARY - An Act to Amend the Laws of Delaware Relating to Naming the Kent County Family Court Building in Honor of Retired Judge David P. Buckson.

**HB 469** - D.P. WILLIAMS & REPRESENTATIVE MITCHELL & SENATOR PETERSON; REPRESENTATIVES BARBIERI, BRADY, CAREY, GILLIGAN, KEELEY, LEE, OBERLE; SENATORS BLEVINS, MCBRIDE - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Compensation for Innocent Victims of Crime.

**HB 470** - SCHOOLEY & SENATOR SOKOLA & SENATOR SORENSON; REPRESENTATIVES GEORGE, JAQUES, J. JOHNSON, Q. JOHNSON, KOWALKO, RAMONE, BARBIERI, BRIGGS KING, MITCHELL, VIOLA; SENATORS BLEVINS, CLOUTIER, CONNOR - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Early Childhood Education.

**HB 471** - GEORGE & SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 12 of the Delaware Code Relating to Escheats.

**HB 472** - OUTTEN & REPRESENTATIVE WILSON & SENATOR BOOTH & SENATOR CONNOR & SENATOR BUNTING; REPRESENTATIVES CATHCART, BRIGGS KING, HOCKER, HUDSON, LAVELLE, OBERLE, CARSON, GEORGE, KOWALKO, Q. JOHNSON, WALLS, BENNETT, LONGHURST, SCHWARTZKOPF, SCOTT, B. SHORT; SENATORS COOK, PETERSON, SORENSON, BUSHWELLER, CLOUTIER - HOUSE ADMINISTRATION - An Act to Amend Title 1 of the Delaware Code Establishing a Vietnam Veterans Day.

**HB 473** - B. SHORT & SENATOR BLEVINS; SENATOR ENNIS - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Requiring Property and Casualty Insurers to Annually Submit a Statement of Actuarial Opinion.

**HB 474** - KOWALKO & REPRESENTATIVE OBERLE & SENATOR KATZ & SENATOR SOKOLA; REPRESENTATIVES JAQUES, MITCHELL, HUDSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code by Creating an Office of Policy Analysis and Government Accountability.

**HB 475** - GEORGE; SENATOR HALL-LONG - JUDICIARY - An Act to Amend Title 25 of the Delaware Code Relating to the Delaware Uniform Common Interest Ownership Act and the Unit Property Act.

**HB 476** - B. SHORT & SENATOR KATZ; REPRESENTATIVES HOCKER, Q. JOHNSON, KOVACH, LAVELLE, MITCHELL - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Fees Chargeable in Connection with Stormwater Discharge.

**HB 477** - VIOLA & REPRESENTATIVE HUDSON & SENATOR BONINI; REPRESENTATIVE GILLIGAN - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Related to the Delaware Wholesale License Fee.

**HB 478** - MITCHELL & REPRESENTATIVE D.P. WILLIAMS & REPRESENTATIVE OBERLE & REPRESENTATIVE CATHCART & SENATOR ENNIS; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, HOCKER, JAQUES, LEE, WALLS, WILSON; SENATORS BUSHWELLER, COOK, MARSHALL - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to the State Trooper Fund, Funded by an Additional Penalty Imposed by Courts for Various Crimes and Offenses.

**HB 479** - MITCHELL & REPRESENTATIVE D.P. WILLIAMS & SENATOR BLEVINS & REPRESENTATIVES BRADY, OBERLE, GILLIGAN, KEELEY, BARBIERI, LEE, CAREY, BENNETT; SENATOR MCBRIDE - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to Police Chief Due Process.

**HB 480** - D.E. WILLIAMS & REPRESENTATIVE MULROONEY & SENATOR MCBRIDE; REPRESENTATIVES BARBIERI, JAQUES, Q. JOHNSON, KOVACH, KOWALKO, LONGHURST, MITCHELL; SENATORS CONNOR, SORENSON - NATURAL RESOURCES - An Act to Amend Titles 3, 7, and 29 of the Delaware Code Relating to the Department of Natural Resources and Environmental Control.

**HB 481** - KOWALKO & SENATOR HALL-LONG; REPRESENTATIVES ATKINS, BENNETT, KOVACH, LEE; SENATORS BONINI, BOOTH, BUSHWELLER, KATZ - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 Chapter 11 of the Delaware Code Relating to the Board of Dental Examiners.

**SB 263 w/SA 1** - SOKOLA & REPRESENTATIVE SCHOOLEY; SENATORS BUNTING, SORENSON; REPRESENTATIVES JAQUES, MIRO, SCOTT, BRIGGS KING, Q. JOHNSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Teacher Notice and Hearing Protections.

Representatives Atkins, Miro, D. Short, Plant & B. Short requested that they be marked present. Mr. Speaker Gilligan & Representatives Lavelle & Kowalko made comments. Mr. Speaker Gilligan introduced

guests. Representative Schwartzkopf deferred to Representative Miro. Representative Miro requested and was granted personal privilege of the floor to introduce guests.

The Reading Clerk read the following communications into the record:

June 11, 2010

LEGISLATIVE ADVISORY #43

Governor Jack A. Markell signed the following legislation on the date indicated: 6/8/10 - **SB 234 aab SA 1 & SA 3**; 6/10/10 - **SB 203, SB 213, SB 214, SB 216, HB 185 aab HA 1, HB 189, HS 1 for HB 247 aab HA 1, HA 2 & HA 4, HB 320 aab HA 1 & HA 2 & SA 1, HB 321 aab HA 2, HB 345, HB 354, HB 372, HB 373, HB 374 & HB 375 aab HA 1.**

Representative Schwartzkopf deferred to Representative Kowalko.

Representatives D.P. Williams & Mitchell requested that they be marked present.

Representative Kowalko introduced **HB 482**, jointly sponsored by Senator Hall-Long & Representatives Atkins, Bennett, Kovach & Lee & Senators Bonini, Booth, Bushweller & Katz.

**HB 482 - AN ACT TO AMEND TITLE 14 AND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HIGHER EDUCATION COMMISSION.**

Mr. Speaker Gilligan assigned **HB 482** to the Policy Analysis & Government Accountability Committee.

Representative Kowalko made an announcement. Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst made an announcement. Representative Keeley requested that she be marked present. Representative Keeley introduced a guest. Representative D.E. Williams requested that he be marked present. Representative George & Mr. Speaker Gilligan made announcements.

The Majority Leader moved to recess for caucus at 2:18 p.m.

The House reconvened at 4:56 p.m.

Representatives Lee, Kovach, Manolakos & Bennett requested that they be marked present.

Representative Schwartzkopf introduced and brought **HR 50**, jointly sponsored by Representative Gilligan & Representative Cathcart & Representative Longhurst & Representative D. Short on behalf of all Representatives, before the House for consideration.

**HR 50 - RECOGNIZING TUESDAY, JUNE 15, 2010 AS STAFF APPRECIATION DAY IN THE HOUSE OF REPRESENTATIVES.**

WHEREAS, it is a well known fact that without the dedicated, hard working staff of the Delaware House of Representatives, Legislative Hall would not run smoothly or efficiently; and

WHEREAS, they are 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 their bosses; and

WHEREAS, legislative staff sometimes 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, legislative employees each serve a unique role, which blend to make this very fine institution run; and

WHEREAS, legislative staff is such an integral part of the legislative process that this Resolution would not be possible without them.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145<sup>th</sup> 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, our deepest, most sincere gratitude for all of their hard work and dedication.

BE IT FURTHER RESOLVED that a suitably prepared copy of this resolution NOT be prepared for our dedicated staff because that would be too much work.

Representative Schwartzkopf made comments.

**HR 50** was adopted by voice vote.

Representatives Longhurst, D. Short, Lavelle, Schwartzkopf, Cathcart & D.P Williams, Mr. Speaker Gilligan & Representative Schwartzkopf made comments. Representative Schwartzkopf deferred to Representative Longhurst.

Representative Scott requested that he be marked present.

Representative Longhurst introduced and brought **HCR 53**, sponsored on behalf of all Representatives & jointly sponsored by Senator Hall-Long & Senator Marshall on behalf of all Senators, before the House for consideration.

**HCR 53 - RECOGNIZING JUNE 15, 2010, AS DELAWARE ELDER ABUSE AWARENESS DAY.**

Representative Longhurst made comments.

**HCR 53** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Longhurst brought **HS 1 for HB 348**, jointly sponsored by Senator Hall-Long & Representatives Barbieri, Bennett, Carson, Hudson, J. Johnson, Q. Johnson, Keeley, Mitchell, Mulrooney, Plant, Schooley & Schwartzkopf & Senators Henry & Peterson, before the House for consideration.

**HB 348 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (2/3 bill) (F/N)**

Representative Longhurst brought **HA 1 to HS 1 for HB 348** before the House for consideration. Representative Longhurst requested that **HA 1** be stricken. Representative Longhurst brought **HA 2 to HS 1 for HB 348** before the House for consideration. Representative Longhurst requested that **HA 2** be stricken. Representative Longhurst introduced and brought **HA 3 to HS 1 for HB 348** before the House for consideration. Representatives Longhurst & Lavelle made comments. Representative Longhurst requested and was granted privilege of the floor for James Nutter, Majority House Attorney. Representative Lavelle made comments. Representative Longhurst requested and was granted privilege of the floor for Marsha J. White, Deputy Attorney General. **HA 3** was adopted by voice vote. Representatives Longhurst & Lavelle made comments. Representative Longhurst requested and was granted privilege of the floor for Susan DelPesco, Director, Division of Long Term Care, Department of Health & Social Services. Representatives Lavelle, Longhurst, Lavelle, Briggs King & Longhurst made comments. Representative Longhurst requested and was granted privilege of the floor for Marsha J. White, Deputy Attorney General. Representative Briggs King made comments.

The roll call on **HS 1 for HB 348 w/HA 3** was taken and revealed:

YES: 40.

NO: Representative Thornburg - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HS 1 for HB 348 w/HA 3** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 392**, jointly sponsored by Senator Ennis, before the House for consideration.

**HB 392 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES.**

Representatives Longhurst, Kovach, Miro, Longhurst, B. Short, Oberle, Longhurst, Cathcart, Hudson, Carson, Oberle & B. Short made comments.

The roll call on **HB 392** was taken and revealed:

YES: 21.

NO: Representatives Blakey, Briggs King, Carey, Cathcart, Hocker, Hudson, Lee, Manolakos, Outten, D. Short, Thornburg & Wilson - 12.

NOT VOTING: Representatives Brady, Kovach, Lavelle, Miro, Oberle, Ramone, B. Short & Viola - 8.

Therefore, having received a constitutional majority, **HB 392** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 443**, jointly sponsored by Senator McDowell, & Senator Sorenson & Representatives Blakey, Hudson, J. Johnson, Keeley, Kowalko, Lavelle, Miro, Mitchell & B. Short & Senators Cook, Hall-Long & Venables, before the House for consideration.

**HB 443 - AN ACT TO AMEND TITLES 10, 11, 16 AND 21 OF THE DELAWARE CODE RELATING TO DRUG LAWS, CRIMES AND CRIMINAL PROCEDURE, SENTENCING ACCOUNTABILITY, COURTS AND JUDICIAL PROCEDURE, AND MOTOR VEHICLES.**

Representative George made comments & introduced guests. Representative George introduced and brought **HA 1 to HB 443** before the House for consideration. Representatives George, Cathcart, George, Schwartzkopf, Cathcart & Hudson made comments.

The roll call on **HA 1 to HB 443** was taken and revealed:

YES: 22.

NO: Representatives Briggs King, Lee, Outten, D.P. Williams & Wilson - 5.

NOT VOTING: Representatives Atkins, Bennett, Carey, Carson, Cathcart, Hocker, Kovach, Lavelle, Manolakos, Miro, Ramone, D. Short & Thornburg - 13.

ABSENT: Representative Q. Johnson - 1.

Therefore, having received a constitutional majority, **HA 1 to HB 443** was declared passed.

Representative Kovach introduced and brought **HA 2 to HB 443** before the House for consideration. Representative Kovach, George, D.P. Williams, Keeley, Kovach, Keeley, J. Johnson, D.P. Williams, Miro & George made comments. Representative George requested and was granted privilege of the floor for Richard Andrews, State Prosecutor, Department of Justice.

The roll call on **HA 2 to HB 443** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HA 2 to HB 443** was declared passed.

Representative Kovach introduced and brought **HA 3 to HB 443** before the House for consideration. Representative Kovach made comments. Representative Kovach requested that **HA 3** be stricken. Representative Lavelle made comments. Representative George requested and was granted privilege of the floor for Richard Andrews, State Prosecutor, Department of Justice. Representatives Lavelle, Manolakos, D.P. Williams, Ramone & Briggs King made comments. Representative George requested and was granted privilege of the floor for Richard Andrews, State Prosecutor, Department of Justice. Representatives Briggs King & George made comments.

The roll call on **HB 443 w/HA 1 & 2** was taken and revealed:

YES: 31.

NO: Representatives Atkins, Bennett, Carson, Walls & Wilson - 5.

NOT VOTING: Representatives Briggs King, Carey, Cathcart & Hocker - 4.

ABSENT: Representative Schwartzkopf - 1.

Therefore, having received a constitutional majority, **HB 443 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative George & Mr. Speaker Gilligan made comments.

Representative Longhurst deferred to Representative Cathcart.

Representative Cathcart brought **HB 41**, jointly sponsored by Senator Hall-Long & Representatives J. Johnson, Plant, Booth & Manolakos, before the House for consideration.

**HB 41** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE CREATING A COMMUNITY MENTAL HEALTH TREATMENT ACT.

Representative Cathcart brought **HA 1 to HB 41** before the House for consideration. Representative Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for Russ Larson, Controller General. Representative Cathcart & Mr. Speaker Gilligan made comments.

Representative Cathcart requested and was granted privilege of the floor for Deborah Gottschalk, Chief Policy Advisor, Department of Health & Social Services. Representative Cathcart made comments. **HA 1** was adopted by voice vote. Representatives Cathcart & J. Johnson made comments.

The roll call on **HB 41 w/HA 1** was taken and revealed:

YES: 39.

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

Therefore, having received a constitutional majority, **HB 41 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart made comments.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 455**, jointly sponsored by Representative Longhurst & Senator Henry & Representative Keeley & Senators Katz & Sorenson, before the House for consideration.

**HB 455** - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO DURABLE POWERS OF ATTORNEY AND ADDING A CHAPTER 49A THERETO RELATING TO DURABLE PERSONAL POWERS OF ATTORNEY.

Representatives Barbieri & Kovach made comments.

The roll call on **HB 455** was taken and revealed:

YES: 39.

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

Therefore, having received a constitutional majority, **HB 455** was sent to the Senate for concurrence.

Representative Barbieri requested and was granted personal privilege of the floor to introduce a guest. Representatives Longhurst & Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Blakey.

Representative Blakey brought **HB 431**, jointly sponsored by Senator Bushweller, before the House for consideration.

**HB 431** - AN ACT TO AMEND CHAPTER 189, VOLUME 43, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CHARTER OF THE TOWN OF WYOMING. (2/3 bill)

Representative Blakey made comments. Representative Blakey introduced and brought **HA 1 to HB 431** before the House for consideration. Representative Blakey introduced and brought **HA 1 to HA 1 to HB 431** before the House for consideration. Representative Blakey made comments. **HA 1 to HA 1** was adopted by voice vote. Representative Blakey made comments. **HA 1 w/HA 1** was adopted by voice vote. Representatives Blakey, Schwartzkopf, Oberle, Blakey & Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for Ron Smith, Minority House Attorney. Representatives Cathcart & Oberle made comments.

The roll call on **HB 431 w/HA 1 & HA 1 to HA 1** was taken and revealed:

YES: 39.

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

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 431 w/HA 1 & HA 1 to HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **SB 44 w/SA 1**, jointly sponsored by Senator Sokola & Senators Bonini, Bushweller, Connor & Katz & Representatives Atkins, Bennett, Lee & Thornburg, before the House for consideration.

**SB 44** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CONFIDENTIALITY OF PERSONAL HEALTH INFORMATION.

Representative Kowalko made comments.

The roll call on **SB 44 w/SA 1** was taken and revealed:

YES: 39.

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

Therefore, having received a constitutional majority, **SB 44 w/SA 1** was returned to the Senate. Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **HB 420**, jointly sponsored by Senator Blevins & Representatives Jaques, Q. Johnson, Keeley, Mitchell, B. Short & D. Short & Senators Bushweller, Ennis, Hall-Long & Henry & cosponsored by Representatives Briggs King, Cathcart, Hocker, Kovach & Outten, before the House for consideration.

**HB 420 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE**

Representative Scott introduced and brought **HA 1 to HB 420** before the House for consideration. Representative Scott made comments. **HA 1** was adopted by voice vote. Representatives Scott, Oberle, D. Short & Scott made comments.

The roll call on **HB 420 w/HA 1** was taken and revealed:

YES: 39.

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

Therefore, having received a constitutional majority, **HB 420 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Gilligan reassigned **HJR 12** to the House Administration Committee. Mr. Speaker Gilligan assigned **HB 441** to the Appropriations Committee. Representatives Schwartzkopf, Mulrooney, Mitchell & Viola made announcements. Representative Keeley requested that **HB 315** be stricken. Representative Kowalko requested that **HB 474** be stricken. Representative B. Short requested that **HB 377** be stricken. Representative B. Short made comments regarding **HB 377**. Representative Kowalko made an announcement.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson introduced **HS 1 for HB 435**, jointly sponsored by Representative Cathcart & Senator Hall-Long & Senator Ennis & Representatives Carson, George, Keeley, Lee, Miro & B. Short & Senators Blevins, Connor, Peterson & Sorenson.

**HB 435 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC.**

Mr. Speaker Gilligan assigned **HS 1 for HB 435** to the Economic Development/Banking/Insurance & Commerce Committee.

Representatives B. Short & Schooley made announcements. Representative Schwartzkopf deferred to Representative Carson.

Representative Carson introduced **HB 483**, jointly sponsored by Senator Connor & Senator Ennis & Representatives Jaques, Keeley, Thornburg & Walls & Senators Hall-Long & Sorenson & co-sponsored by Representatives Bennett, Carey, Hocker, J. Johnson, Kovach, Outten, Scott & Wilson & Senators Bushweller, Cloutier & Marshall.

**HB 483 - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO THE DELAWARE NATIONAL GUARD.**

Mr. Speaker Gilligan assigned **HB 483** to the Veterans Affairs Committee.

The Majority Leader moved to recess to the call of the Chair at 7:22 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 16, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 266 w/SA 1 & 2 & SB 269** and requests the concurrence of the House and the Senate has passed **HB 317 w/HA 1 aab HA 1 & 2 & SA 3** and is returning the same to the House.

June 15, 2010

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

I am writing to request that I be removed from House Bill 465.

Thank you for your assistance and attention to this request.

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

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Gregory F. Lavelle, do hereby request that my name be removed as co-sponsor of **HB 465**.

Date: 6/15/10

Signed: Gregory F. Lavelle

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Thomas H. Kovach, do hereby request that my name be removed as co-sponsor of **HB 465**.

Date: 6/15/10 Signed: Thomas H. Kovach  
WITHDRAWAL OF SPONSORSHIP REQUEST  
I, D. Hudson, do hereby request that my name be removed as co-sponsor of  
**HB 465.**  
Date: 6/15/10 Signed: D. Hudson  
WITHDRAWAL OF SPONSORSHIP REQUEST  
I, Margaret Rose Henry, do hereby request that my name be removed as co-sponsor of  
**HB 465.**  
Date: 6/15/10 Signed: Margaret Rose Henry  
WITHDRAWAL OF SPONSORSHIP REQUEST  
I, Sen. P. Blevins, do hereby request that my name be removed as co-sponsor of  
**HB 475.**  
Date: 6/15/10 Signed: Blevins  
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.

**38th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session**  
**June 16, 2010**

The Chief Clerk called the roll.  
Members Present: 40.  
Member Absent: Representative Carey - 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:  
**HA 1 to SS 1 for SB 171 - SCHOOLEY** - Placed with the Bill.  
**HA 2 to SS 1 for SB 171 - SCHOOLEY** - Placed with the Bill.  
**HA 1 to SB 260 - GEORGE** - Placed with the Bill.  
**SB 266 w/SA 1 & 2 - MCDOWELL & REPRESENTATIVE BRADY; SENATORS KATZ, MCBRIDE, HENRY, HALL-LONG; REPRESENTATIVES KEELEY, D.E. WILLIAMS, LONGHURST, MULROONEY, KOVACH, KOWALKO, THORNBURG - ENERGY** - An Act to Amend Title 29 of the Delaware Code Relating to the Green Energy Fund.  
**SB 269 - SOKOLA & REPRESENTATIVE BARBIERI; SENATOR BUNTING; REPRESENTATIVES BENNETT, CARSON, HUDSON, JAQUES, MIRO, BRADY, SCHOOLEY, D. SHORT, WALLS - PUBLIC SAFETY & HOMELAND SECURITY** - An Act to Amend Title 21 of the Delaware Code Relating to Careless or Inattentive Driving.  
The Reading Clerk read the following communications into the record:  
HOUSE TRIBUTE ANNOUNCEMENT #36

DATE: June 16, 2010  
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                                                 |
|----------|-------------------------------------------------------------------------------|-----------|------|-------------------------------------------------------------|
| H145-721 | Scott                                                                         | 8/15/2009 | T    | Andrew Jesse Davis - Eagle Scout                            |
| H145-722 | Walls                                                                         | 7/30/2009 | T    | Ellen Younghans - 75th Birthday                             |
|          | cosponsors: All Representatives                                               |           |      |                                                             |
| H145-723 | Gilligan                                                                      | 4/26/2009 | T    | Joseph & Sadie Walling - 60th Wedding Anniversary           |
| H145-724 | Walls; Wilson                                                                 | 6/7/2009  | T    | George Davis - 100th Birthday                               |
| H145-725 | Walls                                                                         | 8/4/2009  | T    | Heather Lehman - Miss Delaware 2009                         |
| H145-726 | Carey                                                                         | 6/6/2009  | T    | Strokers Nine - Pool Title Winners                          |
|          | cosponsors: Reps. Wilson, Atkins, Booth, Schwartzkopf, Hocker, B. Short & Lee |           |      |                                                             |
| H145-727 | D. Short                                                                      | 8/6/2009  | T    | Tyler Donald Justice - Eagle Scout                          |
| H145-728 | D. Short                                                                      | 10/3/2009 | T    | Preston Godfrey III - Eagle Scout                           |
| H145-729 | Carson                                                                        | 8/5/2009  | T    | James Vaughn, Jr. - 60th Birthday                           |
| H145-730 | Q. Johnson                                                                    | 8/15/2009 | T    | BG Terry Wiley - Grand Marshall - Middletown Peach Festival |
| H145-731 | M. Marshall                                                                   | 8/17/2009 | T    | Wal-Mart - Community Support                                |
| H145-732 | M. Marshall                                                                   | 8/17/2009 | T    | Applebee's - Community Support                              |
| H145-733 | Walls                                                                         | 8/7/2009  | M    | William Parker                                              |
| H145-734 | Walls                                                                         | 8/11/2009 | T    | Clarence Calhoun - 80th Birthday                            |
| H145-735 | Plant                                                                         | 8/16/2009 | T    | Virginia Lucas - 100th Birthday                             |
| H145-736 | Barbieri                                                                      | 8/13/2009 | T    | Rigney Family - Signing of SB 90                            |
| H145-737 | Bennett                                                                       | 7/23/2009 | T    | Jack & Nancy Lewis - 60th Wedding Anniversary               |
| H145-738 | Bennett                                                                       | 5/29/2009 | T    | Gilbert & Gladys Hutchins - 60th Anniversary                |

|          |                                 |           |   |                                    |
|----------|---------------------------------|-----------|---|------------------------------------|
| H145-739 | Wilson;                         | 8/16/2009 | T | Thomas Booth - 90th Birthday       |
|          | D. Short                        |           |   |                                    |
| H145-740 | D.E. Williams                   | 8/16/2009 | T | Eric Anthony Crowell - Eagle Scout |
| H145-741 | Thornburg                       | 8/15/2009 | T | Col. Thomas MacLeish -             |
|          | cosponsors: All Representatives |           |   | Retirement - Delaware State Police |
| H145-742 | Carson                          | 8/2/2009  | M | Eve Thomas                         |
| H145-743 | Carson                          | 8/5/2009  | M | Andrew Michael Slaughter           |

#### HOUSE TRIBUTE ANNOUNCEMENT #37

DATE: June 16, 2010

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                                      |
|----------|------------------------|-----------|------|--------------------------------------------------|
| H145-744 | Outten                 | 8/11/2009 | M    | Brian Christopher Poore                          |
| H145-745 | Wilson                 | 8/19/2009 | T    | Bridgeville Public Library                       |
| H145-746 | Outten                 | 8/12/2009 | M    | Patricia Cooper Hayman                           |
| H145-747 | Atkins                 | 8/1/2009  | T    | Millsboro Police Department - Accreditation      |
| H145-748 | Scott                  | 9/13/2009 | T    | Heritage at Dover                                |
| H145-749 | Carson                 | 8/31/2009 | T    | John Tigner, Jr. - Retirement- DelDOT            |
| H145-750 | Thornburg              | 8/14/2009 | M    | Ruth Melson                                      |
|          | cosponsor: Rep. Wilson |           |      |                                                  |
| H145-751 | Blakey                 | 8/16/2009 | M    | William Dawson                                   |
| H145-752 | Jaques                 | 8/15/2009 | M    | Dr. Edward Malin                                 |
| H145-753 | Bennett                | 8/15/2009 | M    | Joseph Marion Petrosky                           |
| H145-754 | Carey; Walls           | 9/14/2009 | T    | Milford City Council – Prostate Cancer Awareness |
| H145-755 | D. Short               | 10/3/2009 | T    | Matthew Tull - Eagle Scout                       |
| H145-756 | Gilligan               | 8/30/2009 | T    | Capitol Little League - 50th Anniversary         |
| H145-757 | Miro                   | 9/4/2009  | T    | Latin American Community Center -                |
|          | Keeley                 |           |      | 2009 Hispanic Heritage Month                     |
| H145-758 | Outten                 | 8/20/2009 | M    | Norris Wooters                                   |
| H145-759 | D. Short;              | 9/1/2009  | T    | Barry Connors - S.C.O.P.E. Program               |
|          | Schooley               |           |      |                                                  |
| H145-760 | Scott;                 | 9/1/2009  | T    | Capital School Dist. - Alternative Programs      |
|          | Schooley               |           |      |                                                  |
| H145-761 | D.E. Williams;         | 9/1/2009  | T    | Dr. Yvonne Barnett - Kingswood Academy           |
|          | Schooley               |           |      |                                                  |
| H145-762 | Q. Johnson             | 8/22/2009 | M    | Jack Keeler                                      |
| H145-763 | Hudson                 | 8/10/2009 | M    | Jodi Harrington                                  |
| H145-764 | Bennett                | 8/23/2009 | M    | Lloyd Sidney Kent                                |
| H145-765 | Bennett                | 8/16/2009 | M    | Natalie Wible Collin                             |
| H145-766 | Q. Johnson;            | 8/23/2009 | M    | Joseph Cahill, Jr.                               |
|          | Oberle                 |           |      |                                                  |
| H145-767 | Hudson; Ramone         | 8/22/2009 | T    | Robert & Sandra Moser - 50th Wedding Anniversary |
| H145-768 | Outten                 | 8/26/2009 | M    | William Dale Hammond                             |

#### HOUSE TRIBUTE ANNOUNCEMENT #38

DATE: June 16, 2010

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                                     |
|----------|----------------------------------|-----------|------|-------------------------------------------------|
| H145-769 | Schwartzkopf                     | 8/28/2009 | M    | Donald Mitchell                                 |
| H145-770 | Walls                            | 8/28/2009 | M    | George Davis                                    |
| H145-771 | Hocker                           | 7/30/2009 | T    | George & June Grise - 60th Wedding Anniversary  |
| H145-772 | Plant                            | 9/6/2009  | T    | Louise Singleton - Golden Girl's                |
| H145-773 | Plant                            | 9/6/2009  | T    | Nellie Comb - Golden Girl's                     |
| H145-774 | D. Short                         | 9/12/2009 | T    | R. Glen Mears - 100th Birthday                  |
| H145-775 | Cathcart;                        | 9/5/2009  | T    | Robert and Dorothy Willoughby -                 |
|          | cosponsor: Rep. Thornburg        |           |      | 50th Wedding Anniversary                        |
| H145-776 | Carson;                          | 9/23/2009 | T    | SAM'S Club 6330 - National                      |
|          | Miro                             |           |      | Hispanic Heritage Month                         |
| H145-777 | Gilligan                         | 9/1/2009  | M    | Patrolman Chad E. Spicer                        |
| H145-778 | Carey                            | 8/1/2009  | T    | Paul & Alice Hanke - 50th Wedding Anniversary   |
| H145-779 | Cathcart                         | 9/1/2009  | T    | Cpl. John Andrew Lloyd - Trooper of the Year    |
| H145-780 | Mitchell                         | 9/21/2009 | T    | John F. VanSant - Criminal Justice Alumni Award |
| H145-781 | Mulrooney                        | 9/9/2009  | M    | Mildred Freel                                   |
|          | cosponsors: Reps. Brady & Keeley |           |      |                                                 |

|          |                        |           |   |                                                                      |
|----------|------------------------|-----------|---|----------------------------------------------------------------------|
| H145-782 | M. Marshall            | 9/15/2009 | T | Dr. Lai, In-Jaw/President/Judicial Yuan, Taiwan Constitutional Court |
| H145-783 | Thornburg              | 6/14/2010 | M | Clinton Franklin Morris                                              |
| H145-784 | J. Johnson             | 9/18/2009 | T | Gladys Ringgold - 104th Birthday                                     |
| H145-785 | Thornburg; Blakey      | 9/17/2009 | T | M. Franklin King - Fireman of the Year                               |
| H145-786 | Hocker                 | 9/12/2009 | T | Bruce & Lois Dolby - 50th Wedding Anniversary                        |
| H145-787 | Hocker                 | 9/12/2009 | T | John & Tish Speights - 50th Wedding Anniversary                      |
| H145-788 | Longhurst; M. Marshall | 9/24/2009 | T | Easter Seals - New Castle Facility                                   |
| H145-789 | Lee                    | 9/30/2009 | T | Charles Greene - Retirement - DelDOT                                 |
| H145-790 | D. Short               | 10/3/2009 | T | Michael Mather - Eagle Scout                                         |
| H145-791 | Scott                  | 9/27/2009 | T | Mt. Zion A.M.E. Church - 50th Anniversary                            |
| H145-792 | Bennett                | 9/26/2009 | T | William & Elizabeth Livingston - 65th Anniversary                    |

HOUSE TRIBUTE ANNOUNCEMENT #39

DATE: June 16, 2010

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                                                   |
|----------|---------------------------------------------------------------|------------|------|---------------------------------------------------------------|
| H145-793 | B. Short                                                      | 11/15/2009 | T    | Christopher Skrobot - Eagle Scout                             |
| H145-794 | Outten                                                        | 9/28/2009  | T    | Mike Twining - Service to Kent Co. Agriculture                |
| H145-795 | Carey                                                         | 10/3/2009  | T    | Deerfield Farms – Sussex Family Farm of the Year              |
| H145-796 | Wilson                                                        | 9/4/2009   | T    | Sam & Helen Wilson - 50th Wedding Anniversary                 |
| H145-797 | Schooley                                                      | 10/1/2009  | T    | Bruce & Erika Schrim - 50th Wedding Anniversary               |
| H145-798 | Outten                                                        | 9/28/2009  | T    | Amanda Fabi - Kent Co. Youth Ambassador                       |
| H145-799 | Hocker                                                        | 9/26/2009  | T    | South Bethany - 40th Anniversary                              |
| H145-800 | M. Marshall<br>cosponsor: Rep. Longhurst                      | 9/24/2009  | T    | Westside Family Healthcare - Bear Facility                    |
| H145-801 | Lee                                                           | 9/23/2009  | T    | Geneva Boyce - 100th Birthday                                 |
| H145-802 | Lee                                                           | 8/8/2009   | T    | Jay & Janet Windsor - 50th Wedding Anniversary                |
| H145-803 | Kovach<br>cosponsor: Rep. B. Short                            | 8/31/2009  | M    | Daniel Harkins III                                            |
| H145-804 | Schwartzkopf; Outten                                          | 9/18/2009  | M    | Joyce Rickards                                                |
| H145-805 | Carson                                                        | 9/17/2009  | M    | James Naylor, Jr.                                             |
| H145-806 | Mitchell                                                      | 9/26/2009  | T    | DE Assoc. for Blind Athletes - 30th Anniversary               |
| H145-807 | Lee                                                           | 9/20/2009  | T    | Town of Delmar - 150th Anniversary                            |
| H145-808 | Cathcart                                                      | 4/15/2009  | T    | Keith Mussoni - Eagle Scout                                   |
| H145-809 | Kovach                                                        | 8/20/2009  | T    | Mr. Pasta - 50th Anniversary                                  |
| H145-810 | Walls                                                         | 10/3/2009  | T    | Harriett Buffkin - 90th Birthday                              |
| H145-811 | Briggs King                                                   | 9/13/2009  | T    | Toby & Carol Givens - 50 <sup>th</sup> Wedding Anniversary    |
| H145-812 | Ramone                                                        | 9/26/2009  | T    | Bob Mattson - Dedication of Pool - DE Swim and Fitness Center |
| H145-813 | Cathcart                                                      | 9/12/2009  | T    | Dale Streets, Jr. - Eagle Scout                               |
| H145-814 | D.P. Williams<br>cosponsors: All Representatives              | 9/25/2009  | M    | Andrew Joseph Volturo                                         |
| H145-815 | Hocker<br>cosponsors: Reps. Schwartzkopf, Walls & Briggs King | 10/3/2009  | T    | Alzheimer's Assoc. Memory Walk                                |

HOUSE TRIBUTE ANNOUNCEMENT #40

DATE: June 16, 2010

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                                      |
|----------|--------------------------------------------------|------------|------|--------------------------------------------------|
| H145-816 | Carson                                           | 9/28/2009  | M    | George Wicks, Jr.                                |
| H145-817 | Kovach                                           | 10/20/2009 | T    | Robert Meader - 75th Anniversary - Boy Scouts    |
| H145-818 | Carey                                            | 10/4/2009  | T    | Gladys Armour Jerread - 100th Birthday           |
| H145-819 | Longhurst                                        | 10/4/2009  | T    | Allyson Ulmer - United States Citizenship        |
| H145-820 | Carey; Kowalko                                   | 9/29/2009  | M    | Zelda Tobin                                      |
| H145-821 | Carson                                           | 10/7/2009  | T    | Guy Mentzer Edmondson - 90th Birthday            |
| H145-822 | Briggs King<br>cosponsors: Reps. Atkins & Hocker | 10/8/2009  | T    | Jane Boyd - 2009 School Nurse of the Year        |
| H145-823 | Kovach                                           | 6/14/2009  | T    | Joseph & Miriam Elman - 50th Wedding Anniversary |



|          |                                  |           |   |                                                         |
|----------|----------------------------------|-----------|---|---------------------------------------------------------|
| H145-824 | Hocker                           | 9/12/2009 | T | Howard & Margaret Smith - 50th Anniversary              |
| H145-825 | Gilligan                         | 9/5/2009  | T | Albert & Juli DiFurio - 50th Wedding Anniversary        |
| H145-826 | Hudson                           | 9/12/2009 | T | William & Mary Lou Boyce - 50 <sup>th</sup> Anniversary |
| H145-827 | Outten                           | 10/5/2009 | T | Raymond Blanchette - Heroic Firefighter of the Year     |
| H145-828 | Outten                           | 10/5/2009 | T | Ralph Tucker - Heroic Firefighter of the Year           |
| H145-829 | Outten                           | 10/5/2009 | T | Robbie Brode - Heroic Firefighter of the Year           |
| H145-830 | Outten                           | 10/5/2009 | T | Jason Brode - Heroic Firefighter of the Year            |
| H145-831 | Outten                           | 10/5/2009 | T | Kenny Brode - Heroic Firefighter of the Year            |
| H145-832 | Outten                           | 10/5/2009 | T | Cody Rash - Heroic Firefighter of the Year              |
| H145-833 | Outten                           | 10/5/2009 | T | Aguedo Garcia - Heroic Firefighter of the Year          |
| H145-834 | Outten                           | 10/5/2009 | T | Fred Chase - Heroic Firefighter of the Year             |
| H145-835 | Outten                           | 10/5/2009 | T | Scott Freeman - Heroic Firefighter of the Year          |
| H145-836 | Walls                            | 10/5/2009 | T | Billy Baker - Heroic Firefighter of the Year            |
|          | cosponsor: Rep. Outten           |           |   |                                                         |
| H145-837 | Outten                           | 10/5/2009 | T | Danny Washinski - Heroic Firefighter of the Year        |
| H145-838 | Carey                            | 10/5/2009 | T | Mark Devoe - Heroic Firefighter of the Year             |
|          | cosponsors: Reps. Walls & Outten |           |   |                                                         |

HOUSE TRIBUTE ANNOUNCEMENT #41

DATE: June 16, 2010

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                                    |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------|------------------------------------------------|
| H145-839 | Carey                                                                                                                                                                               | 10/5/2009  | T    | Mike Noble - Heroic Firefighter of the Year    |
|          | cosponsors: Reps. Walls & Outten                                                                                                                                                    |            |      |                                                |
| H145-840 | Carey                                                                                                                                                                               | 10/5/2009  | T    | Wayne Whitney - Heroic Firefighter of the Year |
|          | cosponsors: Reps. Walls & Outten                                                                                                                                                    |            |      |                                                |
| H145-841 | M. Marshall;                                                                                                                                                                        | 10/8/2009  | T    | University of Delaware Lab.                    |
|          | Kowalko                                                                                                                                                                             |            |      | Preschool and College School                   |
| H145-842 | Gilligan                                                                                                                                                                            | 10/10/2009 | T    | 2009 National Celebration Day                  |
|          | cosponsors: Reps. Miro & D.E. Williams                                                                                                                                              |            |      |                                                |
| H145-843 | Blakey                                                                                                                                                                              | 10/8/2009  | T    | John Sigler - National Rifle Association       |
|          | cosponsors: Reps. Atkins, Bennett, Briggs King, Carey, Carson, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, D. Short, Thornburg, Walls & Wilson |            |      |                                                |
| H145-844 | Scott                                                                                                                                                                               | 10/1/2009  | M    | Anita Cole                                     |
| H145-845 | Carson;                                                                                                                                                                             | 9/30/2009  | M    | Ann Scott                                      |
|          | Bennett                                                                                                                                                                             |            |      |                                                |
| H145-846 | D. Short                                                                                                                                                                            | 9/28/2009  | M    | Henry Nutter, Jr.                              |
| H145-847 | D.E. Williams                                                                                                                                                                       | 10/10/2009 | T    | Pastor Sean Gibson                             |
| H145-848 | Outten                                                                                                                                                                              | 10/5/2009  | T    | Robert Scott - Heroic Firefighter of the Year  |
| H145-849 | Carson                                                                                                                                                                              | 10/2/2009  | M    | Clarence Johnson, Jr.                          |
| H145-850 | B. Short                                                                                                                                                                            | 10/25/2009 | T    | Joshua Zaback - Eagle Scout                    |
| H145-851 | D.E. Williams                                                                                                                                                                       | 10/1/2009  | M    | Richard VanRyper                               |
|          | cosponsor: Rep. Hudson                                                                                                                                                              |            |      |                                                |
| H145-852 | Longhurst                                                                                                                                                                           | 10/18/2009 | T    | National Healthcare Quality Week               |
| H145-853 | Longhurst                                                                                                                                                                           | 10/4/2009  | T    | National Residents' Rights Week                |
| H145-854 | D.E. Williams;                                                                                                                                                                      | 10/3/2009  | M    | Brett Pierce, Patricia Pierce &                |
|          | M. Marshall                                                                                                                                                                         |            |      | James Pierce                                   |

T - Tribute

M - Memoriam

Representative Longhurst deferred to Representative Oberle. Representative Oberle made comments. Representative Oberle requested that **HB 461** be stricken.

Representative Longhurst deferred to Representative Thornburg. Representative Thornburg deferred to Representative Cathcart. Representative Cathcart requested and was granted privilege of the floor to present a House Tribute to Representative William R. Outten on the occasion of his retirement from Delmarva Power. Representative Outten addressed the House. Representatives Walls, Mr. Speaker Gilligan, Representatives Thornburg, J. Johnson & Kowalko made comments.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HS 1 for HB 229 w/HA 2, 3 & 4 & SA 1 aab SA 1 & SA 3** and is returning the same to the House.

Mr. Speaker Gilligan assigned **HB 418** to the Veterans Affairs Committee.

The Majority Whip 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 2:18 p.m.: Representatives Lavelle, Barbieri, Mulrooney & Atkins.

Mr. Acting Speaker D.P. Williams called the House to order at 2:03 p.m. on June 17, 2010.

The Reading Clerk read the following communications into the record:

June 16, 2010

Richard Puffer  
Chief Clerk of the House  
Legislative Hall  
Dover, DE 19901  
Dear Mr. Puffer,

Please be advised that I will be unable to attend Legislative Session on Thursday, June 17, 2010. In my absence, I hereby appoint Rep. Dennis P. Williams to perform the duties of the Speaker of the House. If Rep. Dennis P. Williams is unavailable for any reason, then in such case, Rep. Helene M. Keeley shall perform the duties of the Speaker of the House.

Thank you.

Sincerely,  
Robert F. Gilligan  
Speaker of the House

The Senate wishes to inform the House that it has passed **SB 286** and requests the concurrence of the House and the Senate has passed **HB 368 & HB 379 w/HA 1** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SJR 3 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 221** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HCR 53 & HCR 50** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 275 w/SA 2 & SB 249 w/SA 1** and requests the concurrence of the House.

June 16, 2010

#### LEGISLATIVE ADVISORY # 44

Governor Jack A. Markell signed the following legislation on the date indicated: 6/11/10 - **HB 349**; 6/15/10 - **SB 122 aab SA 1, SB 215, SB 218, SB 220, HB 323 aab HA 1, HB 337 aab HA 1, HB 340 & HB 359**.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Senator Marshall, do hereby request that my name be removed as co-sponsor of **HB 477**.

Date: 6-16-2010

Signed: R. Marshall

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

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 463** - 2F,1M; **HB 464** - 2F,1M; **HB 481** - 2F,1M; **HB 482** - 2F,1M; **SB 184** - 2F,1M; **SB 250 w/SA 1** - 2F, 1M; **SB 268** - 2F, 1M.

NATURAL RESOURCES: **HB 480** - 2F, 5M, 2U.

JUDICIARY: **HB 451** - 6M; **HB 471** - 6M; **HB 475** - 6M;

**SS 1 for SB 171 w/SA 1 & 2** - 6M; **SB 260** - 6M; **SB 262** - 6M; **SB 264 w/SA 1** - 6M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE:

**HB 422** - 1F, 5M, 1U; **HS 1 for HB 435** - 5F, 4M; **HB 453** - 5F, 4M; **SB 239 w/SA 1** - 2F, 4M.

EDUCATION: **HB 470** - 1F, 10M; **SB 245 w/SA 1** - 10M; **SB 261** - 7M, 1U; **SB 263 w/SA 1** - 2F, 9M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 217** - 9M; **HB 450** - 8M; **HB 452** - 9M; **HB 457** - 8M; **HB 462** - 8M; **HB 478** - 9M; **HB 479** - 8M; **SB 205 w/SA 1** - 6M.

HOUSE ADMINISTRATION: **HS 1 for HB 357** - 5M; **HB 366** - 4M; **HB 369** - 5M; **HB 472** - 4M.

HEALTH & HUMAN DEVELOPMENT: **HB 459** - 1F, 8M; **HB 458** - 7M; **HB 456** - 4F, 3M; **SB 259 w/SA 1 & 2** - 9M; **SB 236** - 1F, 8M.

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.

#### **39th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session**

**June 17, 2010**

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Gilligan & Manolakos - 2.

A prayer was offered by Representative Earl G. Jaques, Jr., Twenty-seventh 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 484** - BRIGGS KING & SENATOR BOOTH; REPRESENTATIVES CATHCART, BLAKEY, HOCKER, KOVACH, LEE, OUTTEN, THORNBURG - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Health Facilities and Peer Review of Alleged Criminal Conduct.

**HA 5 to HS 1 for HB 229** - BRIGGS KING - Placed with the Bill.

**HA 1 to HB 466** - GEORGE - Placed with the Bill.

**SB 249 w/SA 1** - SIMPSON & REPRESENTATIVE BRIGGS KING - HOUSE

ADMINSTRATION - An Act to Amend the Charter of the Board of Public Works of the City of Lewes, to Expand the Period of Time for Nominations to the Board of Public Works and to Modify the Procedures for the Board to Cease to Operate, Sell, Lease, Abandon or Dispose of Any Public Property.

**SB 275 w/SA 2** - MARSHALL & SENATOR SIMPSON & REPRESENTATIVE KEELEY & REPRESENTATIVE BRIGGS KING; SENATORS BOOTH, BUSHWELLER, ENNIS, HENRY, BUNTING, PETERSON; REPRESENTATIVES HOCKER, HUDSON, Q. JOHNSON, KOVACH - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Health Care Practices.

**SB 286** - HALL-LONG & SENATOR KATZ & REPRESENTATIVE BARBIERI; SENATORS VENABLES, BUNTING, COOK, ENNIS, HENRY; REPRESENTATIVES WALLS, D. SHORT, MITCHELL, JAQUES, KEELEY - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Delaware Board of Nursing.

**SJR 3 w/SA 1** - HENRY & REPRESENTATIVE BARBIERI; SENATORS BLEVINS, HALL-LONG, SIMPSON; REPRESENTATIVES SCHOOLEY, BLAKEY, BRIGGS KING - HEALTH & HUMAN DEVELOPMENT - Calling for the Designation of the Entire State of Delaware as a Healthcare Innovation Zone.

Representative George requested and was granted personal privilege of the floor to introduce guests.

The Reading Clerk read the following communications into the record:

June 17, 2010

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 on Thursday, June 17, 2010 because of unexpected obligations at work.

Thank you for your understanding.

Sincerely,

Nick T. Manolakos

State Representative

20<sup>th</sup> District

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Pamela Thornburg, do hereby request that my name be removed as co-sponsor of **SB 119**.

Date: 6-17-2010

Signed: Pamela J. Thornburg

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Bob Walls, do hereby request that my name be removed as co-sponsor of **SB 119**.

Date: 6/17/2010

Signed: Bob Walls

Representative Schwartzkopf introduced and brought **HCR 54**, jointly sponsored by Representative Longhurst & Representative Cathcart & Representative D. Short 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 54** - HONORING THE YOUNG MEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2010 SESSION OF DELAWARE'S BOYS' STATE.

Representative Schwartzkopf made a comment.

**HCR 54** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf requested and was granted privilege of the floor for Lyman Brenner, American Legion Boys' State Chairman. Representative Schwartzkopf, Mr. Acting Speaker D.P. Williams & Representatives Oberle, Ramone & Longhurst made comments. Boys' State participants announced their names, schools and offices held for the record. Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley requested and was granted privilege of the floor to present a House Tribute to Holly Firlein, Youth Governor, YMCA Youth in Government, who addressed the House. Representative D.E. Williams requested that he be marked present.

The Majority Leader moved to recess at 2:40 p.m.

The House reconvened at 2:46 p.m.

Representative Schwartzkopf introduced and brought **SCR 36**, jointly sponsored by Senator Sorenson & Senator DeLuca on behalf of all Senators & Representative Kovach on behalf of all Representatives, before the House for consideration.

**SCR 36** - COMMENDING THE CLASS OF 2009-2010 EAGLE SCOUTS FOR HAVING ATTAINED SCOUTING'S HIGHEST RANK AND CELEBRATING THE 100TH ANNIVERSARY OF THE BOY SCOUTS OF AMERICA.

Representative Schwartzkopf made comments.

**SCR 36** was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf deferred to Representative Kovach. Representative Kovach requested and was granted privilege of the floor to present a House Tribute to Patrick Sterrett, Scout Executive, Boy Scouts, Delmarva Council who addressed the House. Representatives Mitchell & Representative Briggs King requested and were granted personal privilege of the floor to make comments. Representatives Miro & Schwartzkopf made comments. The Eagle Scouts announced their names, troops and hometowns for the record. Representative Mulrooney requested that he be marked present.

The Majority Leader moved to recess for caucus at 3:04 p.m.

The House reconvened at 5:02 p.m.

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

REVENUE & FINANCE: **HB 477** - 2F, 5M.

HOUSING & COMMUNITY AFFAIRS: **HB 466** - 7M.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 427**, jointly sponsored by Senator Ennis & Representatives Bennett, Carson, Mitchell, Scott & Walls & Senators Bunting & Hall-Long, before the House for consideration.

**HB 427** - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO COMBATIVE SPORTS AND COMBATIVE SPORTS ENTERTAINMENT.

Representative Q. Johnson introduced and brought **HA 1** to **HB 427** 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 **HB 427 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Gilligan, Manolakos & Plant - 3.

Therefore, having received a constitutional majority, **HB 427 w/HA 1** was sent to the Senate for concurrence.

Representatives Atkins, Cathcart, Hudson, Lavelle & Thornburg requested that they be marked present during the roll call.

Representative Blakey introduced a guest. Representative Carson requested & was granted personal privilege of the floor to make comments and to introduce a guest.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 470**, jointly sponsored by Senator Sokola & Senator Sorenson & Representatives George, Jaques, J. Johnson, Q. Johnson, Kowalko, Ramone, Barbieri, Mitchell & Viola & Senators Blevins, Cloutier & Connor & cosponsored by Representative Briggs King, before the House for consideration.

**HB 470** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EARLY CHILDHOOD EDUCATION.

Representative Schooley made comments.

The roll call on **HB 470** was taken and revealed:

YES: 38.

ABSENT: Representatives Gilligan, Manolakos & Plant - 3.

Therefore, having received a constitutional majority, **HB 470** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 453**, jointly sponsored by Senator Blevins & Representatives Barbieri, Q. Johnson & Kovach, before the House for consideration.

**HB 453** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE CONVERSION OF A MUTUAL INSURER TO A STOCK INSURER.

Representative B. Short made comments.

The roll call on **HB 453** was taken and revealed:

YES: 38.

ABSENT: Representatives Gilligan, Manolakos & Plant - 3.

Therefore, having received a constitutional majority, **HB 453** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HS 1** for **HB 390**, jointly sponsored by Senator Katz & Representatives Bennett, Briggs King, Gilligan, Hocker, Q. Johnson, Kovach, Lavelle, Ramone, Scott, D. Short & Wilson & Senators Booth & Henry & cosponsored by Representative Cathcart, before the House for consideration.

**HB 390** - 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 & D. Short made comments.

The roll call on **HS 1 for HB 390** was taken and revealed:

YES: 37.

ABSENT: Representatives Gilligan, Lavelle, Manolakos & Plant - 4.

Therefore, having received a constitutional majority, **HS 1 for HB 390** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **SB 254 w/SA 1**, jointly sponsored by Senator Henry & Senators Blevins, Marshall, McDowell, Ennis, Peterson & Sorenson & Representatives Schooley, Viola & Hudson, before the House for consideration.

**SB 254** - AN ACT TO AMEND TITLE 16 AND TITLE 29 OF THE DELAWARE CODE RELATING TO NURSING FACILITIES AND SIMILAR FACILITIES.

Representative Barbieri made comments.

The roll call on **SB 254 w/SA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Gilligan, Lavelle, Manolakos & Plant - 4.

Therefore, having received a constitutional majority, **SB 254 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **HB 421**, jointly sponsored by Senator Peterson & Representatives Bennett & Mitchell & Senators Booth, Bushweller & Ennis & cosponsored by Representative Briggs King & Senator Cloutier, before the House for consideration.

**HB 421** - AN ACT AMENDING TITLE 17 OF THE DELAWARE CODE RELATING TO REFORESTATION ACTIVITIES OF THE DEPARTMENT OF TRANSPORTATION.

Representative Carson introduced and brought **HA 1 to HB 421** before the House for consideration. Representative Carson made a comment. **HA 1** was adopted by voice vote. Representative Carson made comments.

The roll call on **HB 421 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Gilligan, Lavelle, Manolakos & Plant - 4.

Therefore, having received a constitutional majority, **HB 421 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 440**, jointly sponsored by Senator Henry & Representatives George, Hudson, Jaques, Mitchell, Schooley & Scott & Senators Hall-Long & Sorenson, before the House for consideration.

**HB 440** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO INFORMED CONSENT AND CONFIDENTIALITY.

Representative Barbieri made comments.

The roll call on **HB 440** was taken and revealed:

YES: 37.

ABSENT: Representatives Gilligan, Lavelle, Manolakos & Plant - 4.

Therefore, having received a constitutional majority, **HB 440** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 239 w/SA 1**, sponsored by Senator DeLuca & Senators Bunting, Connor, Sokola, Cook & Katz & Representatives Bennett, Ramone, Lavelle, Keeley, George & Viola, before the House for consideration.

**SB 239** - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO FIDUCIARY RELATIONS.

Representative B. Short made comments.

The roll call on **SB 239 w/SA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Gilligan, Lavelle, Manolakos & Plant - 4.

Therefore, having received a constitutional majority, **SB 239 w/SA 1** was returned to the Senate.

Representative Schwartzkopf brought **HB 450**, jointly sponsored by Senator Ennis & Representatives Atkins, Barbieri, Bennett, Brady, Carson, Gilligan, Hudson, Jaques, J. Johnson, Q. Johnson, Kowalko, Lee, Longhurst, Miro, Mitchell, Oberle, Schooley, Scott, Viola, Walls & D.P. Williams & Senators Bushweller & Hall-Long, before the House for consideration.

**HB 450** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES. (3/5 bill)

Representatives Schwartzkopf, Oberle & Kovach made comments.

The roll call on **HB 450** was taken and revealed:

YES: 37.

ABSENT: Representatives Gilligan, Lavelle, Manolakos & Plant - 4.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 450** was sent to the Senate for concurrence.

Mr. Acting Speaker D.P Williams appointed Representative Keeley as Acting Speaker. Madam Acting Speaker Keeley made an announcement.

Representative Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams brought **HB 452**, jointly sponsored by Senator Ennis & cosponsored by Representative Wilson, before the House for consideration.

**HB 452 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATED TO PROBATION AND PAROLE OFFICERS.**

Representative D.P. Williams made comments.

The roll call on **HB 452** was taken and revealed:

YES: 36.

ABSENT: Representatives Atkins, Gilligan, Lavelle, Manolakos & Plant - 5.

Therefore, having received a constitutional majority, **HB 452** was sent to the Senate for concurrence.

Madam Acting Speaker Keeley introduced a guest. Representative Schwartzkopf deferred to Representative Jaques. Representatives Jaques & Kowalko made announcements.

The Majority Leader moved to recess to the call of the Chair at 5:49 p.m.

Mr. Speaker Gilligan resumed the Chair.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 22, 2010.

The Reading Clerk read the following communications into the record:

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Senator J. Booth, do hereby request that my name be removed as co-sponsor **HB 469**.

Date: 6-15-10

Signed: Joseph W. Booth

The Senate wishes to inform the House that it has passed **SB 281**, **SB 267 w/SA 2** & **SB 270 w/SA 1** and requests the concurrence of the House and the Senate wishes to inform the House that it has passed **SCR 36** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 388** and is returning the same to the House & the Senate wishes to inform the House that it has passed **HCR 54** and is returning the same to the House.

Mr. Speaker Gilligan 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.

**40th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session  
June 22, 2010**

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Plant - 1.

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

Mr. Speaker Gilligan invited Representative Pamela J. Thornburg 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 485 - SCHWARTZKOPF & REPRESENTATIVE MITCHELL & SENATOR BUSHWELLER; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, BRADY, CARSON, GEORGE, GILLIGAN, JAQUES, J. JOHNSON, Q. JOHNSON, KEELEY, KOWALKO, LONGHURST, MULROONEY, PLANT, SCHOOLEY, SCOTT, B. SHORT, VIOLA, WALLS, D.E. WILLIAMS, D.P. WILLIAMS, BLAKEY, BRIGGS KING, CAREY, CATHCART, HOCKER, HUDSON, KOVACH, LAVELLE, LEE, MANOLAKOS, MIRO, OBERLE, OUTTEN, RAMONE, D. SHORT, THORNBURG, WILSON; SENATORS BOOTH, CLOUTIER, SORENSON, BLEVINS, BUNTING, COOK, DELUCA, ENNIS, HALL-LONG, HENRY, KATZ, MARSHALL, MCBRIDE, MCDOWELL, PETERSON, SOKOLA, VENABLES - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to Crimes and Criminal Procedure.**

**HA 1 to HB 456 - SCHWARTZKOPF - Placed with the Bill.**

**HA 1 to HB 463 - KOWALKO - Placed with the Bill.**

**HA 1 to HB 481 - KOWALKO - Placed with the Bill.**

**SB 267 w/SA 2 - MCDOWELL & SENATOR SIMPSON & REPRESENTATIVE D.E. WILLIAMS & REPRESENTATIVE MULROONEY; SENATORS KATZ, HENRY; REPRESENTATIVES BRADY, KEELEY, GILLIGAN, KOWALKO, B. SHORT, KOVACH, OBERLE, HOCKER - ENERGY - An Act to Amend Title 26 of the Delaware Code Relating to Net Energy Metering.**

**SB 270 w/SA 1 - BOOTH & REPRESENTATIVE CAREY - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Ellendale, Relating to the Town Election Laws, Annexation, Rate of Taxation, Amount of Money That Can Be Borrowed Against Bonds and Short Term Borrowing Limits.**

**SB 281 - BLEVINS & REPRESENTATIVE D.P. WILLIAMS; SENATORS ENNIS, SORENSON; REPRESENTATIVES MITCHELL, LEE, WILSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Proof of Automobile Insurance.**

Representative Briggs King requested that she be marked present.

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

VETERANS AFFAIRS: **HB 483** - 7F, 3M.

The Reading Clerk read the following communications into the record:

June 21, 2010

#### LEGISLATIVE ADVISORY #45

Governor Jack A. Markell signed the following legislation on the date indicated: 6/16/10 - **HB 380**; 6/17/10 - **HB 328 aab HA 1**.

To: Rich Puffer, Chief Clerk, House of Representatives

From: Legislative Aide Nancy Hickman on behalf of Rep. Robert Walls

Date: June 21, 2010

Subject: **HB 441**

Rep. Robert Walls has requested that he be removed as a co-sponsor of **HB 441**.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Bob Walls, do hereby request that my name be removed as co-sponsor **HB 441**.

Date: 6-21-10

Signed: Bob Walls

Representatives Cathcart & Manolakos requested that they be marked present.

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

Representative Gilligan invited the members of House leadership and Representative Pamela J. Thornburg to join him at the front of the Chamber. Representative Gilligan made comments. Representative Gilligan presented a gift to Representative Pamela J. Thornburg on the occasion of her retirement from the House of Representatives. Representative Cathcart presented a House Tribute to Representative Thornburg and made comments. Representatives Schwartzkopf, D. Short, Longhurst, Mr. Acting Speaker D.P. Williams & Representative Gilligan made comments. Representative Oberle requested that he be marked present and made comments. Representatives J. Johnson, George, Kowalko, Carson, Hudson, Walls, Carey, Miro, Manolakos & Wilson made comments. Representative Atkins requested that he be marked present and made comments. Representative Thornburg addressed the House and introduced guests. Mr. Acting Speaker D.P. Williams made comments.

Mr. Speaker Gilligan resumed the Chair.

Representatives Mitchell, Kovach & Schooley requested that they be marked present.

Representative Schwartzkopf made comments.

The Majority Leader moved to recess for caucus at 2:36 p.m.

The House reconvened at 5:09 p.m.

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

AGRICULTURE: **SB 240** - 7M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 272 w/SA 1** and requests the concurrence of the House and the Senate has passed **SB 283 w/SA 1** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 300, SB 282, SB 296 w/SA 1** and requests the concurrence of the House and the Senate wishes to inform the House that it has passed **SB 297 w/SA 1, SB 298 & SS 1 for SB 119** and requests the concurrence of the House.

Mr. Speaker Gilligan requested that **SS 1 for SB 119**, sponsored by Senator McDowell & Representative D.E. Williams & Representative Kowalko & Senators Bushweller, Cloutier, Hall-Long, Katz, Marshall, McBride & Sorenson & Representatives Brady, Schooley, Mulrooney, Longhurst & Oberle be given its first reading.

**SB 119** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE RENEWABLE ENERGY PORTFOLIO STANDARDS.

Representative Kowalko made an announcement.

Mr. Speaker Gilligan assigned **SS 1 for SB 119** to the Energy Committee.

Representative Schwartzkopf deferred to Representative Carson. Representative Carson introduced guests. Representative Schwartzkopf requested and was granted personal privilege of the floor to introduce a guest. Representative Schwartzkopf deferred to Representative Keeley. Representative Keeley requested that she be marked present. The House observed a moment of silence in memory of Wendell Howell at the request of Representative Keeley. Representative Briggs King requested and was granted personal privilege of the floor to introduce a guest. Representative Lavelle requested that he be marked present.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady introduced and brought **HCR 48**, jointly sponsored by Representative Atkins & Representative Jaques on behalf of all Representatives & Senator Bunting on behalf of all Senators, before the House for consideration.

**HCR 48** - WELCOMING HOME THE MEMBERS OF THE DELAWARE ARMY NATIONAL GUARD'S 262nd COMPONENT REPAIR COMPANY AND EXPRESSING THE GENERAL ASSEMBLY'S SINCERE APPRECIATION FOR THEIR HEROIC SERVICE IN IRAQ.

Representative Brady made comments.

**HCR 48** 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 Captain Gary J. Nelson, Commander, 262nd Component Repair Company and First Sergeant Richard D. Hitchens, 262nd Component Repair Company. Captain Nelson & Sergeant Hitchens addressed the House. Representative Brady made comments. Representative Jaques requested and was granted personal privilege of the floor to make comments and to introduce a guest. Mr. Speaker Gilligan, Representatives Hocker, Atkins, Walls & Schwartzkopf made comments.

Representative Schwartzkopf brought the following prefiled **Consent Calendar #18** before the House for consideration.

**HR 47** - BRIGGS KING & REPRESENTATIVE CAREY - Requesting DELDOT Conduct a Feasibility Study to Facilitate the Creation of a Road Connection from State Route One to New Road, Lewes.

**HCR 51** - KOVACH & SENATOR CLOUTIER & SENATOR CONNOR & REPRESENTATIVES CATHCART, J. JOHNSON, LONGHURST, MULROONEY, PLANT & D.E. WILLIAMS & SENATOR ENNIS - Requesting that the Delaware Department of Natural Resources and Environmental Control (DNREC) Work with Delaware's U.S. Congressional Delegation, as Well as the U.S. National Parks Service and State Officials in New Jersey and Pennsylvania, to Facilitate the Creation of a Tidal Delaware River National Recreation Area.

**HCR 52** - GILLIGAN ON BEHALF OF ALL REPRESENTATIVES & SENATOR DELUCA ON BEHALF OF ALL SENATORS - Designating October 2010 as "Blindness Awareness Month" in Delaware.

**Consent Calendar #18** was adopted by voice vote and **HR 47** was declared passed & **HCR 51** & **HCR 52** were sent to the Senate for concurrence.

Representative Schwartzkopf brought **Consent Agenda E** before the House for consideration.

**HB 482** - KOWALKO & SENATOR HALL-LONG & REPRESENTATIVES ATKINS, BENNETT, KOVACH & LEE & SENATORS BONINI, BOOTH, BUSHWELLER & KATZ - An Act to Amend Title 14 and Title 16 of the Delaware Code Relating to the Delaware Higher Education Commission.

**SB 184** - SOKOLA & REPRESENTATIVE KOWALKO & SENATORS BUSHWELLER, KATZ, BONINI & CONNOR & REPRESENTATIVES ATKINS, BENNETT, LEE & THORNBURG - An Act to Amend Title 26 of the Delaware Code Relating to the Public Service Commission.

**SB 250 w/SA 1** - MCBRIDE & REPRESENTATIVE KOWALKO & SENATORS BONINI, BUSHWELLER, HALL-LONG & KATZ & REPRESENTATIVES ATKINS & BENNETT - An Act to Amend Title 24 of the Delaware Code Relating to Professional Engineers.

**SB 262** - BLEVINS & REPRESENTATIVE GEORGE - An Act to Amend Title 10 and Title 11 of the Delaware Code Relating to Unsworn Foreign Declarations.

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

YES: 39.

ABSENT: Representatives Oberle & Plant - 2.

Therefore, having received a constitutional majority, **HB 482** was sent to the Senate for concurrence and **SB 184**, **SB 250 w/SA 1** & **SB 262** were returned to the Senate.

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

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **SB 263 w/SA 1**, jointly sponsored by Senator Sokola & Representatives Miro, Jaques & Scott & Senators Bunting & Sorenson & cosponsored by Representatives Briggs King & Q. Johnson, before the House for consideration.

**SB 263** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TEACHER NOTICE AND HEARING PROTECTIONS.

Representatives Schooley & Lavelle made comments. Representative Schooley requested and was granted privilege of the floor for Dr. Lillian Lowery, Secretary, Department of Education. Representative Lavelle made comments.

The roll call on **SB 263 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Oberle, Plant - 2.

Therefore, having received a constitutional majority, **SB 263 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Outten.

Representative Outten brought **HB 472**, jointly sponsored by Representative Wilson & Representative Jaques & Senator Booth & Senator Connor & Senator Bunting, & Representatives Cathcart, Briggs King, Hocker, Hudson, Lavelle, Oberle, Carson, George, Kowalko, Q. Johnson & Walls & Senators Cook, Peterson & Sorenson & cosponsored by Representatives Bennett, Longhurst, Schwartzkopf, Scott & B. Short & Senators Bushweller & Cloutier, before the House for consideration.

**HB 472** - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE ESTABLISHING A VIETNAM VETERANS DAY.

Representative Jaques introduced and brought **HA 1 to HB 472** before the House for consideration. Representatives Jaques & J. Johnson made comments. **HA 1** was adopted by voice vote. Representative Outten made comments.



The roll call on **HB 472 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 472 w/HA 1** was sent to the Senate for concurrence.

Representative Outten requested and was granted privilege of the floor for Paul Davis, State President, Council of Vietnam Vets of America and Joseph G. Startt, Jr., Kent County President, Chapter 850 of Vietnam Veterans who addressed the House. Representatives Oberle & Blakey made comments.

Representative George brought **HB 475**, cosponsored by Senator Hall-Long, before the House for consideration.

**HB 475** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIFORM COMMON INTEREST OWNERSHIP ACT AND THE UNIT PROPERTY ACT.

Representative George introduced and brought **HA 1 to HB 475** before the House for consideration. Representative George made comments. **HA 1** was adopted by voice vote. Representative George made a comment.

The roll call on **HB 475 w/HA 1** was taken and revealed:

YES: 39.

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

Therefore, having received a constitutional majority, **HB 475 w/HA 1** was sent to the Senate for concurrence.

Representative Kowalko made comments.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **HB 459**, jointly sponsored by Representative Schwartzkopf & Senator DeLuca & Senator Blevins & Representatives Atkins, Barbieri, Bennett, Brady, Carson, George, Gilligan, Jaques, J. Johnson, Q. Johnson, Kowalko, Longhurst, Mitchell, Mulrooney, Plant, Schooley, Scott, B. Short, Viola, Walls, D.E. Williams, D.P. Williams, Briggs King, Cathcart, Hudson, Oberle, D. Short, Thornburg, Blakey, Carey, Hocker, Kovach, Lee, Manolakos, Miro, Outten, Ramone & Wilson & Senators Bunting, Bushweller, Cook, Ennis, Hall-Long, Henry, Katz, Marshall, McBride, McDowell, Peterson, Sokola, Venables, Booth & Simpson, before the House for consideration.

**HB 459** - AN ACT TO AMEND TITLES 24 AND 29 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICE ACT, THE BOARD OF MEDICAL PRACTICE AND THE DEPARTMENT OF STATE.

Representative Keeley introduced and brought **HA 1 to HB 459** before the House for consideration. Representative Keeley made comments. **HA 1** was adopted by voice vote. Representatives Keeley & Lavelle made comments. Representative Keeley requested and was granted privilege of the floor for James Collins, Director, Division of Professional Regulation. Representative Lavelle made comments.

The roll call on **HB 459 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 459 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf brought **HB 458**, jointly sponsored by Senator Katz & Representatives Atkins, Barbieri, Bennett, Brady, Carson, George, Gilligan, Jaques, Keeley, Kowalko, Longhurst, J. Johnson, Q. Johnson, Mitchell, Mulrooney, Plant, Schooley, Scott, B. Short, Viola, Walls, D.E. Williams, D.P. Williams, Briggs King, Cathcart, Hudson, Oberle, D. Short, Thornburg, Blakey, Carey, Hocker, Kovach, Lee, Manolakos, Miro, Outten, Ramone & Wilson & All Senators, before the House for consideration.

**HB 458** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO REGISTRATION TO PRACTICE MEDICINE.

Representatives Schwartzkopf, Lavelle, Kovach, Schwartzkopf & Kovach made comments.

The roll call on **HB 458** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 458** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Briggs King.

Representative Briggs King brought **HB 457**, jointly sponsored by Representative Schwartzkopf & Senator Cook & Representatives Atkins, Barbieri, Bennett, Brady, Carson, George, Gilligan, Jaques, J. Johnson, Q. Johnson, Longhurst, Mitchell, Keeley, Kowalko, Mulrooney, Plant, Schooley, Scott, B. Short, Viola, Walls, D.E. Williams, D.P. Williams, Cathcart, Hudson, Oberle, D. Short, Thornburg, Blakey, Carey, Hocker, Kovach, Lee, Manolakos, Miro, Outten, Ramone & Wilson & All Senators, before the House for consideration.

**HB 457** - AN ACT TO AMEND TITLES 11, 24 AND 29 OF THE DELAWARE CODE RELATING TO TRAINING ON CHILD SEXUAL AND PHYSICAL ABUSE, EXPLOITATION AND DOMESTIC VIOLENCE AND THE MANDATORY REPORTING THEREOF.

Representative Briggs King made comments.

The roll call on **HB 457** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 457** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **HB 481**, jointly sponsored by Senator Hall-Long & Representatives Atkins, Bennett, Kovach & Lee & Senators Bonini, Booth, Bushweller & Katz, before the House for consideration.

**HB 481** - AN ACT TO AMEND TITLE 24 CHAPTER 11 OF THE DELAWARE CODE RELATING THE BOARD OF DENTAL EXAMINERS

Representative Kowalko brought **HA 1 to HB 481** before the House for consideration.

Representative Kowalko made comments. **HA 1** was adopted by voice vote. Representatives Kowalko, Lavelle & Oberle made comments.

The roll call on **HB 481 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 481 w/HA 1** was sent to the Senate for concurrence.

Representative Scott brought **HS 1 for HB 229 w/HA 2, 3 & 4 & SA 1, SA 1 to SA 1 & SA 3**, jointly sponsored by Representative D.P. Williams & Representative Miro & Senator Peterson & Representatives Barbieri, Bennett, Blakey, Brady, Carey, Carson, Jaques, J. Johnson, Q. Johnson, Keeley, Kovach, Kowalko, Lavelle, Manolakos, Mitchell, Mulrooney, Oberle, Ramone, Schooley, Schwartzkopf, B. Short & Walls & Senators Blevins, Bunting, Bushweller, Ennis, Henry & Sokola and cosponsored by Senator Cloutier, before the House for concurrence on **SA 1, SA 1 to SA 1 & SA 3**.

**HB 229** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.

Representative Briggs King brought **HA 5 to HS 1 for HB 229** before the House for consideration.

Representatives Briggs King, Scott, Kovach, Scott, Miro & Briggs King made comments.

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

YES: Representatives Atkins, Blakey, Briggs King, Carey, Carson, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Outten, Ramone, D. Short, Thornburg, Viola, Walls & Wilson - 19.

NO: 20.

ABSENT: Representatives Oberle & Plant - 2.

Therefore, not having received a constitutional majority, **HA 5** was declared defeated.

Representatives Scott, Hudson, Atkins, Kovach & Scott made comments.

The roll call on **HS 1 for HB 229 w/HA 2, 3 & 4 & SA 1, SA 1 to SA 1 & SA 3** was taken and revealed:

YES: 34.

NO: Representatives Atkins, Carey, Hocker, Lee, Outten & Wilson - 6.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 229 w/HA 2, 3 & 4 & SA 1, SA 1 to SA 1 & SA 3** was sent to the Governor.

Representative Schwartzkopf made an announcement. Mr. Speaker Gilligan made comments and announcements. Representative Lavelle made comments. Representative Keeley made an announcement.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **SB 260**, jointly sponsored by Senator Blevins, before the House for consideration.

**SB 260** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT.

Representative George brought **HA 1 to SB 260** before the House for consideration. Representative George made comments. **HA 1** was adopted by voice vote. Representative George made comments.

The roll call on **SB 260 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 260 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Schwartzkopf deferred to Representative Oberle.

Representative Oberle brought **HB 462**, jointly sponsored by Representative Mitchell & Senator Cook & Representatives D. Short, Hocker, Miro, Outten, Q. Johnson, Kowalko & Viola & cosponsored by Representative Wilson, before the House for consideration.

**HB 462** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR VIOLATIONS OF REQUIRED MOTOR VEHICLE INSURANCE, INCLUDING FICTITIOUS PROOFS OF INSURANCE.

Representative Oberle introduced and brought **HA 1 to HB 462** before the House for consideration. Representative Oberle made a comment. **HA 1** was adopted by voice vote. Representative Oberle made comments.

The roll call on **HB 462 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Keeley & Plant - 2.

Therefore, having received a constitutional majority, **HB 462 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Oberle.

Representative Oberle brought **HJR 10**, jointly sponsored by Representative Schooley & Representative Kowalko, before the House for consideration.

**HJR 10** - CREATING A COMMITTEE TO DEVELOP CURRICULUM FOR INSTRUCTING STUDENTS IN THE HISTORY OF ORGANIZED LABOR AND THE COLLECTIVE BARGAINING PROCESS IN AMERICA.

Representatives Oberle, Kowalko, Lavelle, Schooley & Oberle made comments.

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

YES: 30.

NO: Representatives Briggs King, Hocker, Lavelle, Lee, Outten, D. Short & Wilson - 7.

ABSENT: Representatives Atkins, Hudson, Kovach & Plant - 4.

Therefore, having received a constitutional majority, **HJR 10** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins brought **HS 1 for HB 357**, jointly sponsored by Senator Booth & Representatives Bennett, Briggs King, Carey, Carson, Cathcart, Hocker, Kovach, Lavelle, Lee, Manolakos, Mulrooney, Outten, Ramone, D. Short, Thornburg, Walls & Wilson & Senators Bonini, Bunting, Cook, Ennis, Hall-Long, McBride, Simpson & Venables, before the House for consideration.

**HB 357** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LIMITING THE AUTHORITY OF PUBLIC BODIES TO REGULATE ARMS.

Representative D.P. Williams introduced and brought **HA 1 to HS 1 for HB 357**, jointly sponsored by Representative. Keeley & Representative J. Johnson & Representative Plant & Representative Mitchell & Representative Brady, before the House for consideration. Representatives D.P. Williams, Atkins, Keeley, J. Johnson, Atkins & D.P. Williams made comments.

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

YES: Representatives Barbieri, Brady, Jaques, J. Johnson, Keeley, Kowalko, Mitchell, Schooley, Scott, B. Short, Viola & D.P. Williams - 12.

NO: 25.

NOT VOTING: Representatives Blakey & Carey - 2.

ABSENT: Representatives Oberle & Plant - 2.

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

Representative George introduced and brought **HA 2 to HS 1 for HB 357** before the House for consideration.

Representatives George, Kovach, Atkins & Lavelle made comments. Representative Atkins requested and was granted privilege of the floor for William G. Bush IV, Majority House Attorney. Representatives Lavelle, Oberle, George, D. Short, Ramone & J. Johnson made comments. Representative George moved to place **HA 2** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative George introduced and brought **HA 3 to HS 1 for HB 357** before the House for consideration.

Representatives George, D.P. Williams & Schwartzkopf made comments. Representative Kovach requested and was granted privilege of the floor for William G. Bush IV, Majority House Attorney. Representatives Kovach & Kowalko made comments. Representative Atkins requested and was granted privilege of the floor for John Thompson, President, Delaware State Sportsmen's Association. Representatives Atkins, George, Kowalko, Kovach & D.P. Williams made comments. Representative George requested and was granted privilege of the floor for Lewis D. Schiliro, Secretary, Department of Public Safety and Homeland Security. Representatives George, Atkins, Schwartzkopf & Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for William G. Bush IV, Majority House Attorney. Representatives Cathcart, George, D.P. Williams & George made comments.

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

YES: 21.

NO: Representatives Atkins, Bennett, Briggs King, Carey, Carson, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, D. Short, Thornburg, Walls & Wilson - 19.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HA 3** was declared passed.

Representative Atkins made comments. Representative D.P. Williams requested and was granted privilege of the floor for John Thompson, President, Delaware State Sportsmen's Association. Representatives D.P. Williams, Kowalko, Keeley & D.P. Williams made comments.

The roll call on **HS 1 for HB 357 w/HA 3** was taken and revealed:

YES: 31.

NO: Representatives Barbieri, Brady, J. Johnson, Keeley, Kowalko, Mitchell, Schooley, D.E. Williams & D.P. Williams - 9.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 357 w/HA 3** was sent to the Senate for concurrence.

Representative Schwartzkopf introduced **HB 488**, jointly sponsored by Senator Cook & cosponsored by Representative Barbieri.

**HB 488** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PLUMBING PERMITS.

Mr. Speaker Gilligan assigned **HB 488** to the Health & Human Development Committee.

Representative Barbieri 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 265 w/SA 1, SB 277, SB 292 & SB 278** and requests the concurrence of the House and the Senate wishes to inform the House that it has passed **SB 280 w/SA 2 & SB 271 w/SA 1** and requests the concurrence of the House.

Mr. Speaker Gilligan requested that **SB 278**, sponsored by Senator Bunting & Representative Hocker, be given its first reading.

**SB 278** - AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW. (2/3 bill)

Mr. Speaker Gilligan assigned **SB 278** to the House Administration Committee.

Representative Kowalko made an announcement.

Representative Atkins introduced **HB 487**, jointly sponsored by Representatives Schwartzkopf, Carson, Gilligan, Q. Johnson, Kowalko, Mitchell & Mulrooney.

**HB 487** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY GOVERNMENTS

Mr. Speaker Gilligan assigned **HB 487** to the Housing & Community Affairs Committee.

The Majority Leader moved to recess to the call of the Chair at 8:09 p.m.

Mr. Speaker Gilligan called the House to order at 2:04 p.m. on June 23, 2010.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Debbie Hudson, do hereby request that my name be removed as co-sponsor of **HB 422**.

Date: June 22

Signed: Deborah Hudson

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Gerald W. Hocker, do hereby request that my name be removed as co-sponsor of **HB 422**.

Date: 6/22/10

Signed: Gerald W. Hocker

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Michael Ramone, do hereby request that my name be removed as co-sponsor of **HB 422**.

Date: 6/22/10

Signed: Michael Ramone

Mr. Speaker Gilligan requested that **SB 296 w/SA 1**, jointly sponsored by Senator Blevins & Representative Schwartzkopf & Representative Keeley & All Senators & All Representatives be given its first reading.

**SB 296** - AN ACT TO AMEND THE DELAWARE CODE RELATING TO THE BOARD OF MEDICAL PRACTICE.

Mr. Speaker Gilligan assigned **SB 296 w/SA 1** to the Health & Human Development Committee.

Mr. Speaker Gilligan requested that **SB 297 w/SA 1**, jointly sponsored by Senator Bunting & Representative Schwartzkopf & Senators Blevins, Bushweller, Cook, DeLuca, Ennis, Hall-Long, Henry, Katz, Marshall, McBride, McDowell, Peterson, Venables, Sokola, Booth, Simpson, Sorenson, Connor & Cloutier & All Representatives be given its first reading.

**SB 297 w/SA 1** - AN ACT TO AMEND TITLES 16 AND 24 OF THE DELAWARE CODE RELATING TO THE REPORTING OF ABUSE AND UNPROFESSIONAL PRACTICE.

Mr. Speaker Gilligan assigned **SB 297 w/SA 1** to the Health & Human Development Committee.

Mr. Speaker Gilligan requested that **SB 298**, jointly sponsored by Senator Sokola & Representative Schwartzkopf & All Senators & All Representatives be given its first reading.

**SB 298** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE IMPOSITION OF FINES BY THE BOARD OF MEDICAL PRACTICE.

Mr. Speaker Gilligan assigned **SB 298** to the Health & Human Development Committee.

Representative Barbieri made an announcement.

Representative Schwartzkopf deferred to Representative Thornburg.

Representative Thornburg introduced and brought **HCR 56**, jointly sponsored by Senator Cook, before the House for consideration.

**HCR 56** - CREATING A TASK FORCE TO REVIEW DELAWARE'S AGRICULTURAL OUTLOOK.

Representatives Thornburg & Mr. Speaker Gilligan made comments.

**HCR 56** was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Speaker Gilligan introduced guests.

Representative George introduced and brought **HCR 55**, jointly sponsored by Senator Blevins, before the House for consideration.

**HCR 55** - PROCLAIMING THE WEEK OF OCTOBER 24 - 30, 2010 AS "DELAWARE'S PRO BONO CELEBRATION WEEK".

Representative George made comments.

**HCR 55** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Kowalko requested and was granted personal privilege of the floor to make an announcement. Representative George requested and was granted personal privilege of the floor to introduce a guest. Representative Viola made an announcement.

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

#### **41st LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session June 23, 2010**

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Lavelle & Plant - 2.

The House observed a moment of silence in memory of Alberta "Bert" Melloy at the request of Representative Brady.

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

Mr. Speaker Gilligan invited Josh Bennett & Andrew Longhurst 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 486** - SCOTT & REPRESENTATIVE BARBIERI & SENATOR HALL-LONG & SENATOR SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Powers and Duties of the Department of Education.

**HB 489** - KOVACH & REPRESENTATIVE LAVELLE & SENATOR BONINI; REPRESENTATIVE MITCHELL; SENATOR SOKOLA - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Special License or Registration Plates for Flyers Charities.

**HA 1 to HB 473** - HOCKER - Placed with the Bill.

**SB 265 w/SA 1** - VENABLES & REPRESENTATIVE WALLS; SENATORS BUNTING, COOK, ENNIS; REPRESENTATIVES ATKINS, CARSON. Q. JOHNSON, LONGHURST, HOCKER - AGRICULTURE - An Act to Amend the Delaware Code Relating to the Right to Farm and Public and Private Nuisance Actions.

**SB 271 w/SA 1** - ENNIS & REPRESENTATIVE MITCHELL; SENATORS HALL-LONG, BUSHWELLER, CONNOR; REPRESENTATIVES CARSON, WALLS, CATHCART, D. SHORT - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend All Titles of the Delaware Code Relating to the Delaware Volunteer Firefighter's Association and to Amend Title 18 Relating to the Responsibilities of the Delaware Volunteer Firefighter's Association.

**SB 272 w/SA 1** - DELUCA & REPRESENTATIVE GILLIGAN; SENATORS BLEVINS, HENRY, VENABLES, COOK, SIMPSON, SORENSON; REPRESENTATIVES SCHWARTZKOPF, LONGHURST, KEELEY, D.P. WILLIAMS, VIOLA - REVENUE & FINANCE - An Act to Amend Chapter 11 of Title 12 of the Delaware Code Relating to Escheats.

**SB 277** - BUSHWELLER & REPRESENTATIVE MITCHELL; SENATOR BUNTING; 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 280 w/SA 1** - BLEVINS & REPRESENTATIVE GEORGE; SENATORS BUSHWELLER, ENNIS, HENRY, PETERSON, SIMPSON, SORENSON; REPRESENTATIVES GILLIGAN, HUDSON, JACQUES, KEELEY, MITCHELL, OBERLE, SCHOOLEY, B. SHORT - JUDICIARY - An Act to Amend Title 3 of the Delaware Code Relating to Animals Held in Shelter.

**SB 282** - DELUCA & REPRESENTATIVE B. SHORT; SENATORS BUNTING, BONINI; REPRESENTATIVES BENNETT, BRADY, VIOLA, HOCKER - ECONOMIC

DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 12 of the Delaware Code Relating to Trusts.

**SB 283 w/SA 1** - PETERSON & REPRESENTATIVE GILLIGAN; SENATORS BLEVINS, BONINI, BOOTH, BUNTING, BUSHWELLER, CLOUTIER, CONNOR, COOK, DELUCA, ENNIS, HALL-LONG, HENRY, KATZ, MARSHALL, SOKOLA, SIMPSON, SORENSON; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, BRADY, BRIGGS KING, CAREY, CARSON, CATHCART, GEORGE, HOCKER, HUDSON, JAQUES, J. JOHNSON, Q. JOHNSON, KEELEY, KOWALKO, LONGHURST, MIRO, MITCHELL, MULROONEY, OUTTEN, PLANT, RAMONE, SCHOOLEY, SCHWARTZKOPF, SCOTT, B. SHORT, D. SHORT, VIOLA, WALLS, D.E. WILLIAMS, WILSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Freedom of Information.

**SB 292** - VENABLES & REPRESENTATIVE SCHWARTZKOPF; REPRESENTATIVE HOCKER - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to County Government and County Administrators.

**SB 300** - BLEVINS & REPRESENTATIVE SCHOOLEY; SENATORS CLOUTIER, CONNOR, HALL-LONG, HENRY, KATZ, MCDOWELL, PETERSON, SORENSON; REPRESENTATIVES GEORGE, HUDSON, JAQUES, J. JOHNSON, Q. JOHNSON, KOWALKO, RAMONE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Childhood Lead Poisoning Prevention.

**HA 1 to SB 246** - MITCHELL - Placed with the Bill.

**HA 1 to SB 261** - HOCKER - Placed with the Bill.

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

The Reading Clerk read the following communications into the record:

June 23, 2010

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, Wednesday, June 23, 2010, due to personal obligations.

Thank you for your understanding.

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

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

HEALTH & HUMAN DEVELOPMENT: **HB 488** - 8M; **SJR 3 w/SA 1** - 7M;

**SB 275 w/SA 2** - 7M.

ENERGY: **SS 1 for SB 119** - 2F, 8M; **SB 266 w/SA 1 & 2** - 3F, 8M;

**SB 267 w/SA 2** - 3F, 8M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY:

**SB 286** - 1F, 2M.

Speaker Gilligan appointed Representative Mulrooney as Acting Speaker.

Representative Gilligan invited the members of House leadership and Representative V. George Carey to join him at the front of the Chamber.

Representatives Gilligan & Carey made comments.

Representative Gilligan presented a gift to Representative V. George Carey on the occasion of his retirement from the House of Representatives. Representative Daniel B. Short presented a House Tribute to Representative Carey and made comments. Representatives Cathcart, Schwartzkopf, Longhurst, Walls & Carson made comments. Representative Keeley requested that she be marked present and made comments. Representative Hudson requested that she be marked present and made comments. Representative Carey requested that Mrs. Carey join him at the podium and introduced a guest. Representative J. Johnson made comments. Representative Oberle requested that he be marked present and made comments. Representatives Blakey, Jaques, Hocker & Thornburg made comments. Representative Kovach requested that he be marked present and made comments. Representatives Wilson & Carey made comments.

Mr. Speaker Gilligan resumed the Chair.

Mr. Speaker Gilligan introduced a guest. Representative Longhurst requested and was granted personal privilege of the floor to make an announcement. Representatives Mitchell, Atkins & Schooley requested that they be marked present. Representative Briggs King requested and was granted personal privilege of the floor to introduce a guest.

The Majority Leader moved to recess for caucus at 2:58 p.m.

The House reconvened at 5:05 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 227** and requests the concurrence of the House and the Senate wishes to inform the House that it has passed **SB 24, SB 219 w/SA 1, SB 285 & SB 311** and requests the concurrence of the House.

Representative D.P. Williams requested that he be marked present.

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

Representative Gilligan moved to suspend the rules which interfere with introduction of and action on **SB 227**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Gilligan introduced and brought **SB 227**, jointly sponsored by Senator DeLuca & All Senators & All Representatives, before the House for consideration

**SB 227 - AN ACT TO RENAME THE GEORGETOWN STATE SERVICE CENTER IN HONOR OF THE HONORABLE THURMAN ADAMS, JR.**

Representative Gilligan made comments.

The roll call on **SB 227** was taken and revealed:

YES: 38.

ABSENT: Representatives Cathcart, Lavelle & Plant - 3.

Therefore, having received a constitutional majority, **SB 227** was returned to the Senate.

Representatives Manolakos requested that he be marked present during the roll call.

Representative Gilligan requested and was granted privilege of the floor for Lynn Kokjohn and Polly Mervine, daughters of the late Senator Thurman G. Adams, Jr. who addressed the House and introduced guests.

Mr. Speaker Gilligan resumed the Chair.

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

PUBLIC SAFETY & HOMELAND SECURITY: **HB 485** - 6M; **SB 269** - 3M, 3U; **SB 281** - 5M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE: **HB 473** - 6M; **SB 223 w/SA 1** - 6M.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst requested and was granted privilege of the floor for herself, Representative Carey & Representative Walls to present a House Tribute to Kayla Martell, Miss Delaware 2010, who addressed the House. Representatives Walls & Carey made comments.

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

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

Mr. Speaker Gilligan resumed the Chair.

Representative Hocker made comments.

Representative Schwartzkopf requested and was granted privilege of the floor for Amanda Lamar, Communications Coordinator, who presented House Tributes to Katie Anderson, Amy Clark, Morgan DiGravini, Trevor Felix, Jordan Fischer, Chris Lang & Kaylynn Palaio, Legislative Fellows. Pam Price, Minority Chief of Staff, addressed the House. Representative D. Short presented House Tributes to Legislative Fellows Kira Paul & Ted Briggs.

Representatives Schwartzkopf, Lee, Schooley, Kowalko, J. Johnson, George, Viola, Mulrooney, Barbieri, Jaques, Walls, B. Short, Longhurst, Mitchell, Scott, Mr. Speaker Gilligan & Representative Keeley made comments.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 231 w/SA 1** and requests the concurrence of the House and the Senate wishes to inform the House that it has passed **SB 324 w/SA 1, SB 325 & SB 304** and requests the concurrence of the House.

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

HOUSE ADMINISTRATION: **SB 249 w/SA 1** - 3M; **SB 270 w/SA 1** - 4M; **SB 278** - 4M.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 317 w/HA 1, HA 1 & 2 to HA 1 & SA 3**, jointly sponsored by Senator Katz & Representatives Brady, Carey, Carson, Q. Johnson, Kowalko, Lavelle, Miro, Mitchell, Oberle, Schooley & Viola, before the House for concurrence on **SA 3**.

**HB 317 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO HOME SOLICITATION AND DOOR TO DOOR SALES. (2/3 bill)**

Representatives B. Short & Kovach made comments.

The roll call **HB 317 w/HA 1, HA 1 & 2 to HA 1 & SA 3** was taken and revealed:

YES: 22.

NO: Representatives Blakey, Briggs King, Carey, Hocker, Hudson, Lee, Longhurst, Manolakos, Miro, Oberle, Outten, Ramone, D. Short, Thornburg & Wilson - 15.

ABSENT: Representatives Brady, Cathcart, Lavelle & Plant - 4.

Therefore, not having received a constitutional majority of at least two-thirds Members of the House, **HB 317 w/HA 1, HA 1 & 2 to HA 1 & SA 3** was declared defeated.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **HB 464**, jointly sponsored by Senator Hall-Long & Representatives Atkins, Bennett & Lee & Senators Bonini, Bushweller & Katz, before the House for consideration.

**HB 464** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO AMUSEMENT RIDES SAFETY INSPECTION AND INSURANCE ACT; FIRE PREVENTION; REPORTING OF BURN INJURIES AND WOUNDS; AND REDUCED IGNITION PROPENSITY CIGARETTES.

Representative Lee introduced and brought **HA 1 to HB 464** before the House for consideration. Representatives Lee & Kowalko made comments. **HA 1** was adopted by voice vote. Representative Kowalko made comments.

The roll call on **HB 464 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Brady, Cathcart, Lavelle & Plant - 4.

Therefore, having received a constitutional majority, **HB 464 w/HA 1** was sent to the Senate for concurrence.

Representative Lee requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **HB 463**, jointly sponsored by Senator Hall-Long & Representatives Atkins, Bennett, Kovach & Lee & Senators Bonini, Booth, Bushweller & Katz, before the House for consideration.

**HB 463** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MASSAGE AND BODYWORK.

Representative Kowalko brought **HA 1 to HB 463** 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 463 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Brady, Cathcart, Lavelle & Plant - 4.

Therefore, having received a constitutional majority, **HB 463 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 466**, jointly sponsored by Representative Jaques & Senator Blevins & cosponsored by Representative Plant, before the House for consideration.

**HB 466** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO DOGS.

Representative George made comments. Representative George requested and was granted privilege of the floor for Anne Gryczon, Executive Director, Safe Haven Animal Sanctuary of Sussex County. Representative George made comments. Representative George brought **HA 1 to HB 466** before the House for consideration. Representatives George, Blakey & Carson made comments. **HA 1** was adopted by voice vote. Representative George requested and was granted privilege of the floor for Meredith Stewart, Majority House Attorney. Representatives Blakey, Kovach, George, Carson, D. Short, George, Blakey, Oberle, George & Hudson made comments.

Representative George moved to place **HB 466 w/HA 1** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Carson brought **HB 483**, jointly sponsored by Senator Connor & Senator Ennis & Representatives Jaques, Keeley, Thornburg & Walls & Senators Hall-Long & Sorenson, and co-sponsored by Representatives Bennett, Carey, Hocker, J. Johnson, Kovach, Outten, Scott & Wilson & Senators Bushweller, Cloutier & Marshall, before the House for consideration.

**HB 483** - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO THE DELAWARE NATIONAL GUARD.

Representative Carson made comments.

The roll call on **HB 483** was taken and revealed:

YES: 37.

ABSENT: Representatives Brady, Cathcart, Lavelle & Plant - 4.

Therefore, having received a constitutional majority, **HB 483** was sent to the Senate for concurrence.

Representative Carson made an announcement.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **SB 245 w/SA 1**, jointly sponsored by Senator Sokola & Senator Henry & Representatives Briggs King & Jaques & cosponsored by Representatives Q. Johnson & Wilson, before the House for consideration.

**SB 245** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS FOR STUDENT TEACHERS.

Representative Schooley made comments.

The roll call on **SB 245 w/SA 1** was taken and revealed:



YES: 37.

ABSENT: Representatives Brady, Cathcart, Lavelle & Plant - 4.

Therefore, having received a constitutional majority, **SB 245 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **SB 259 w/SA 1 & 2**, jointly sponsored by Senator Hall-Long & Senator Blevins & Senator Henry & Representative Barbieri & Senator Sorenson & Representatives Hudson & Manolakos & cosponsored by Representative Oberle, before the House for consideration.

**SB 259 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO LICENSING OF GENETIC COUNSELORS.**

Representative Q. Johnson made comments.

The roll call on **SB 259 w/SA 1 & 2** was taken and revealed:

YES: 37.

ABSENT: Representatives Brady, Cathcart, Lavelle & Plant - 4.

Therefore, having received a constitutional majority, **SB 259 w/SA 1 & 2** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **SB 236**, jointly sponsored by Senator Hall-Long & Senators Henry, Sorenson & Ennis & Representatives Manolakos, Mitchell, Jaques & Keeley, before the House for consideration.

**SB 236 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO QUALIFICATIONS OF PSYCHOLOGISTS.**

Representative Barbieri made comments.

The roll call on **SB 236** was taken and revealed:

YES: 24.

NO: Representatives Briggs King, Hocker, Hudson, Lee, Manolakos, Miro, Outten, Ramone, D. Short, Thornburg, D.P. Williams & Wilson - 12.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representatives Brady, Cathcart, Lavelle & Plant - 4.

Therefore, having received a constitutional majority, **SB 236** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **SB 264 w/SA 1**, jointly sponsored by Senator McDowell & Senators Blevins, Bushweller, Connor & Simpson & Representatives George, J. Johnson, Wilson & Lee, before the House for consideration.

**SB 264 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO DISPOSITION OF CHILDREN PENDING ADJUDICATION AND PAYMENT FOR CARE.**

Representative Barbieri made comments.

The roll call on **SB 264 w/SA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Brady, Cathcart, Lavelle & Plant - 4.

Therefore, having received a constitutional majority, **SB 264 w/SA 1** was returned to the Senate.

Representative Schwartzkopf brought **HB 456**, jointly sponsored by Representative Longhurst & Senator Henry & Senator McDowell & Representatives Atkins, Barbieri, Bennett, Brady, Carson, George, Gilligan, Jaques, J. Johnson, Q. Johnson, Keeley, Kowalko, Mitchell, Mulrooney, Plant, Schooley, Scott, B. Short, Viola, Walls, D.E. Williams, D.P. Williams, Briggs King, Cathcart, Hudson, Oberle, D. Short, Thornburg, Blakey, Carey, Hocker, Kovach, Lee, Manolakos, Miro, Outten, Ramone & Wilson & Senators Blevins, Bunting, Bushweller, Cook, DeLuca, Ennis, Hall-Long, Katz, Marshall, McBride, Peterson, Sokola, Venables, Booth, Cloutier, Connor & Sorenson, before the House for consideration.

**HB 456 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE TREATMENT OF MINORS BY PHYSICIANS UNDER THE MEDICAL PRACTICE ACT.**

Representative Schwartzkopf brought **HA 1 to HB 456**, jointly sponsored by Representative Longhurst, before the House for consideration.

Representative Kovach introduced and brought **HA 1 to HA 1 to HB 456**, jointly sponsored by Representatives Cathcart, D. Short, Blakey, Briggs King, Carey, Hocker, Hudson, Lavelle, Lee, Manolakos, Miro, Oberle, Outten, Ramone, Thornburg & Wilson, before the House for consideration. Representative Kovach moved to place **HA 1 to HA 1** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representative Schwartzkopf moved to place **HA 1** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representative Blakey introduced and brought **HA 2 to HB 456** before the House for consideration. Representative Blakey made comments. Representative Blakey moved to place **HA 2** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representative Schwartzkopf moved to place **HB 456** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

The Majority Leader moved to recess at 6:50 p.m.

The House reconvened at 7:19 p.m.

Representative Schwartzkopf moved to lift **HB 456** from the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought **HB 456**, jointly sponsored by Representative Longhurst & Senator Henry & Senator McDowell & Representatives Atkins, Barbieri, Bennett, Brady, Carson, George, Gilligan, Jaques, J. Johnson, Q. Johnson, Keeley, Kowalko, Mitchell, Mulrooney, Plant, Schooley, Scott, B. Short, Viola, Walls, D.E. Williams, D.P. Williams, Briggs King, Cathcart, Hudson, Oberle, D. Short, Thornburg, Blakey, Carey, Hocker, Kovach, Lee, Manolakos, Miro, Outten, Ramone & Wilson & Senators Blevins, Bunting, Bushweller, Cook, DeLuca, Ennis, Hall-Long, Katz, Marshall, McBride, Peterson, Sokola, Venables, Booth, Cloutier, Connor & Sorenson, before the House for consideration.

**HB 456** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE TREATMENT OF MINORS BY PHYSICIANS UNDER THE MEDICAL PRACTICE ACT.

Representative Schwartzkopf introduced and brought **HA 3 to HB 456**, jointly sponsored by Representative Longhurst & All Representatives, before the House for consideration.

Representatives Schwartzkopf, Kovach, Ramone & Schwartzkopf made comments. **HA 3** was adopted by voice vote. Representative Blakey introduced and brought **HA 4 to HB 456** before the House for consideration. Representatives Blakey, Jaques & Schwartzkopf made comments. **HA 4** was adopted by voice vote.

The roll call on **HB 456 w/HA 3 & 4** was taken and revealed:  
YES: 36.  
ABSENT: Representatives Brady, Cathcart, Lavelle, Miro, Plant - 5.  
Therefore, having received a constitutional majority, **HB 456 w/HA 3 & 4** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **SB 205 w/SA 1**, jointly sponsored by Senator Bushweller & Senator Ennis & Representative Carson & Representative Bennett & Representative Jaques & Senators Hall-Long & Bunting & Representatives Keeley, M. Marshall, Q. Johnson, Hudson, Schooley, Scott, Walls & D. Short & cosponsored by Representative Wilson, before the House for consideration.

**SB 205** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO AUTHORIZED EMERGENCY VEHICLES.

Representative Mitchell made comments.

The roll call on **SB 205 w/SA 1** was taken and revealed:  
YES: 36.  
ABSENT: Representatives Brady, Cathcart, Lavelle, Miro & Plant - 5.  
Therefore, having received a constitutional majority, **SB 205 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Kovach.

Representative Kovach introduced **HB 490**, jointly sponsored by Representative Keeley & Senator McDowell & Senator Hall-Long & Senator Henry & Representatives Bennett, Blakey, Briggs King, Carey, Hocker, Hudson, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, B. Short, D.E. Williams, D.P. Williams & Wilson & Senators Bonini & Sorenson.

**HB 490** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF STATE ECONOMIC DEVELOPMENT.

Mr. Speaker Gilligan assigned **HB 490** to the Economic Development/Banking/Insurance & Commerce Committee.

Mr. Speaker Gilligan reassigned **HB 487** to the House Administration Committee.

The Majority Leader moved to recess to the call of the Chair at 7:38 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on June 24, 2010.

Mr. Speaker Gilligan 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 291 w/SA 1, SB 303 & SB 317** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 446, HB 454 w/HA 1, HB 237 w/HA 1, HB 143 w/HA 1, HB 382, HB 423, HB 365, HB 408 & HB 438 w/HA 1** and is returning the same to the House.

The Chief Clerk read the following committee report into the record:  
HOUSE ADMINISTRATION: **HB 487** - 3M.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #42

DATE: June 23, 2010

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                          |
|----------|----------------------|------------|------|--------------------------------------|
| H145-855 | Schooley;<br>Kowalko | 10/24/2009 | T    | Newark Lions Club - 80th Anniversary |

|          |                                         |            |   |                                                                                       |
|----------|-----------------------------------------|------------|---|---------------------------------------------------------------------------------------|
|          | cosponsors: Reps. Miro, Oberle & Ramone |            |   |                                                                                       |
| H145-856 | Scott                                   | 11/7/2009  | T | Chief Apostle Kim Warfield - 50th Birthday                                            |
| H145-857 | D. Short                                | 10/8/2009  | T | Honorable Ruth Briggs King – DelTech Distinguished Alumni Award                       |
| H145-858 | D. Short                                | 10/8/2009  | T | Tracy Morris – DelTech Distinguished Alumni Award                                     |
| H145-859 | D. Short                                | 10/8/2009  | T | Charles O'Brien, Jr. - DelTech Distinguished Alumni Award                             |
| H145-860 | Atkins                                  | 10/23/2009 | T | Red Ribbon Week                                                                       |
| H145-861 | Briggs King                             | 9/24/2009  | T | Eugene Dvornick, Jr. - Town Manager of the Year                                       |
| H145-862 | Walls; Carey                            | 10/14/2009 | T | Byler's Store – Supported Employment Award - KSI                                      |
| H145-863 | Walls; Carey                            | 10/14/2009 | T | Veterans Home – Supported Employment Award - KSI                                      |
| H145-864 | Carey; Walls                            | 10/14/2009 | T | Dollar Tree – Supported Employment Award - KSI                                        |
| H145-865 | Walls; Carey                            | 10/14/2009 | T | Intervet/Schering-Plough – Industrial Work Crew Award - KSI                           |
| H145-866 | Walls; Carey                            | 10/14/2009 | T | Kraft Foods - Industrial Work Crew Award - KSI                                        |
| H145-867 | Walls; Carey                            | 10/14/2009 | T | Orthopedic Associates of Southern Delaware - KSI Cartridge Service Award              |
| H145-868 | Walls; Carey                            | 10/14/2009 | T | Div. of Developmental Disabilities Services – Woodbrook – KSI Cartridge Service Award |
| H145-869 | Carey; Walls                            | 10/14/2009 | T | CHEER, Inc. - KSI Cartridge Award                                                     |
| H145-870 | Carey; Walls                            | 10/14/2009 | T | Playtex - Sub-Contract Award - KSI                                                    |
| H145-871 | Walls; Carey                            | 10/14/2009 | T | Mohawk Electrical Systems - Sub-Contract Award - KSI                                  |
| H145-872 | Carey; Walls                            | 10/14/2009 | T | Fastenal Co. - Sub-Contract Award - KSI                                               |
| H145-873 | Walls; Carey                            | 10/14/2009 | T | B & G Foods - Sub-Contract Award - KSI                                                |
| H145-874 | Walls; Carey                            | 10/14/2009 | T | Dentsply/Caulk - Sub-Contract Award - KSI                                             |
| H145-875 | Carey; Walls                            | 10/14/2009 | T | Procter & Gamble - The Dover Wipes Company – Partnership Award - KSI                  |
| H145-876 | Carey; Walls                            | 10/14/2009 | T | Abbott's Mill - Associations Award - KSI                                              |
| H145-877 | Carey; Walls                            | 10/14/2009 | T | Food Bank of Delaware - Associations Award - KSI                                      |
| H145-878 | Carey; Walls                            | 10/14/2009 | T | Kiwanis Club of Dover - Associations Award - KSI                                      |
| H145-879 | Carey; Walls                            | 10/14/2009 | T | L & W Insurance – Associations Award - KSI                                            |

#### HOUSE TRIBUTE ANNOUNCEMENT #43

DATE: June 23, 2010

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                                                         |
|----------|-------------------------------|------------|------|---------------------------------------------------------------------|
| H145-880 | Brady                         | 10/8/2009  | M    | Most Reverend Michael A. Saltarelli, DD                             |
| H145-881 | Outten                        | 10/7/2009  | M    | Lillian Alveda Boone Sennett                                        |
| H145-882 | Hocker                        | 9/12/2009  | T    | Joseph & Margaret Leonard - 50th Anniversary                        |
| H145-883 | Kovach                        | 7/11/2009  | T    | Robert & Eleanor Capik - 50th Wedding Anniversary                   |
| H145-884 | Outten                        | 10/7/2009  | M    | Angel Samuel Rodriguez                                              |
| H145-885 | Hudson                        | 10/29/2009 | T    | James R. McNinch III - Retirement - DelDOT                          |
| H145-886 | B. Short                      | 10/10/2009 | M    | Marie Marshall                                                      |
|          | cosponsor: Rep. D.E. Williams |            |      |                                                                     |
| H145-887 | Hudson                        | 10/19/2009 | T    | Prestige Academy                                                    |
| H145-888 | Hudson                        | 10/12/2009 | T    | Odyssey Charter School                                              |
| H145-889 | Walls                         | 10/17/2009 | T    | Frank Eicherly IV - Induction Maritime Hall of Fame                 |
| H145-890 | Walls                         | 10/17/2009 | T    | James White - Induction Maritime Hall of Fame                       |
| H145-891 | Kowalko                       | 9/5/2009   | T    | Carl & Ann Marsh - 50th Wedding Anniversary                         |
| H145-892 | Outten; Scott                 | 10/13/2009 | M    | Margaret Nichols                                                    |
| H145-893 | Thornburg                     | 10/10/2009 | M    | Ethel Duke                                                          |
| H145-894 | Wilson;                       | 10/22/2009 | T    | Ralph Scott III - Business Person of the Year - Seaford             |
| H145-895 | D. Short;                     | 10/22/2009 | T    | Seaford Community Food Closet - Community Service Award             |
| H145-896 | D. Short;                     | 10/22/2009 | T    | VFW Sunrise Cafe - Greater Seaford Chamber of Commerce Award        |
| H145-897 | D. Short;                     | 10/22/2009 | T    | William Messenger - Volunteer of Year – Seaford Chamber of Commerce |
| H145-898 | Outten, Wilson                | 10/20/2009 | T    | Butler Farm - Century Farm                                          |
| H145-899 | Wilson                        | 10/20/2009 | T    | Warrington Farm - 2009 Century Farm                                 |
| H145-900 | Atkins                        | 10/20/2009 | T    | Boyce Farm - 2009 Century Farm                                      |

|          |           |            |   |                                              |
|----------|-----------|------------|---|----------------------------------------------|
| H145-901 | Wilson    | 10/20/2009 | T | Warrington Farm - 2009 Century Farm          |
| H145-902 | Walls     | 10/20/2009 | T | Miller Farm - 325th Year - Family Owned Farm |
| H145-903 | D. Short  | 10/16/2009 | M | Leon Trivits                                 |
| H145-904 | Thornburg | 10/9/2009  | M | Joseph Lee Hurd                              |

HOUSE TRIBUTE ANNOUNCEMENT #44

DATE: June 23, 2010

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                                                     |
|----------|--------------------------------------------|------------|------|-----------------------------------------------------------------|
| H145-905 | Schwartzkopf                               | 8/8/2009   | T    | Lawrence & Jane Hance - 50th Wedding Anniversary                |
| H145-906 | B. Short                                   | 9/5/2009   | T    | Robert & Louise Orlofsky - 50th Anniversary                     |
| H145-907 | Outten                                     | 10/18/2009 | M    | Catherine Shockley-Robb                                         |
| H145-908 | Carson                                     | 10/12/2009 | M    | William Whitaker                                                |
| H145-909 | Gilligan                                   | 10/6/2009  | M    | Norman Lowry, Sr.                                               |
| H145-910 | Briggs King; Schwartzkopf                  | 9/25/2009  | M    | Vivian Ann Barry                                                |
| H145-911 | Carey                                      | 10/18/2009 | M    | Arthur Tucker                                                   |
| H145-912 | Schwartzkopf                               | 10/25/2009 | T    | Cape Henlopen High School                                       |
|          | cosponsor: Rep. Briggs King                |            |      |                                                                 |
| H145-913 | Thornburg; Miro                            | 10/31/2009 | T    | Catherine Ann Bakerian & Jeffrey Adam Kempista - Marriage       |
| H145-914 | Blakey; Scott                              | 10/17/2009 | T    | The Approaching Storm Marching Band - Delaware State University |
| H145-915 | Carson                                     | 10/23/2009 | T    | Delaware Vietnam Veterans of America - Chapter 850              |
| H145-916 | Lee                                        | 10/28/2009 | T    | John Layton - Delmar Citizen of the Year                        |
| H145-917 | Lee                                        | 11/04/2009 | T    | Melinda Tingle - Laurel Business Person of the Year             |
| H145-918 | Cathcart; Longhurst                        | 11/21/2009 | T    | Benjamin DeWhirst - Eagle Scout                                 |
| H145-919 | Q. Johnson                                 | 7/22/2009  | T    | William & Betty Ann Berndt - 65th Anniversary                   |
| H145-920 | D.E. Williams                              | 9/12/2009  | T    | Edward & Bonita Wise - 50th Wedding Anniversary                 |
| H145-921 | Jaques                                     | 7/18/2009  | T    | Chester & Jean Pasapane - 50th Wedding Anniversary              |
| H145-922 | Ramone                                     | 8/22/2009  | T    | Edward & Mary Wirth - 50th Wedding Anniversary                  |
| H145-923 | Schwartzkopf                               | 9/5/2009   | T    | Charles & Arlene Cavanaugh - 50th Anniversary                   |
| H145-924 | Cathcart                                   | 8/22/2009  | T    | A. Rodney & Jane Daniels - 50th Wedding Anniversary             |
| H145-925 | Manolakos                                  | 8/1/2009   | T    | Robert & Constance Starr - 50th Wedding Anniversary             |
| H145-926 | Wilson                                     | 10/29/2009 | T    | Master Cpl. William Wallace – Retirement                        |
|          | cosponsors: Reps. Schwartzkopf, Lee Atkins |            |      | Delaware State Police                                           |
| H145-927 | Lee                                        | 10/29/2009 | T    | Master Cpl. Richard Jenney - Retirement - Delaware State Police |
|          | cosponsors: Reps. Schwartzkopf & Atkins    |            |      |                                                                 |

HOUSE TRIBUTE ANNOUNCEMENT #45

DATE: June 23, 2010

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                                                       |
|----------|---------------------------------------------|------------|------|-------------------------------------------------------------------|
| H145-928 | Carey                                       | 10/29/2009 | T    | Master Cpl. H. Burton Murray - Retirement - Delaware State Police |
|          | cosponsors: Reps. Schwartzkopf, Lee, Atkins |            |      |                                                                   |
| H145-929 | Outten                                      | 10/21/2009 | T    | Helen Maloney - 50 Years -Milford Memorial Hospital               |
| H145-930 | Hudson                                      | 11/5/2009  | T    | Marbrook Elementary School - Blue Ribbon School of Excellence     |
|          | cosponsor: Rep. Ramone                      |            |      |                                                                   |
| H145-931 | Mulrooney                                   | 11/7/2009  | T    | Doris Hall - 50 Years Dedicated Service - Musician                |
| H145-932 | Brady                                       | 11/7/2009  | T    | Georgianna Dodd/53 Years Dedicated Service/Musician               |
| H145-933 | D.P. Williams                               | 11/7/2009  | T    | Vivian Saunders/50 Years Dedicated Service/Musician               |
| H145-934 | Plant                                       | 11/7/2009  | T    | Betty Jervey - 60 Years - Dedicated Service - Musician            |
| H145-935 | Outten                                      | 10/22/2009 | M    | Teresa Deford                                                     |
| H145-936 | Outten                                      | 10/06/2009 | M    | Billy Morris                                                      |
| H145-937 | Brady                                       | 10/28/2009 | T    | Gary Linarducci - President - Highlands Community                 |
| H145-938 | Mitchell                                    | 10/18/2009 | M    | Angeline Petrucci                                                 |
| H145-939 | Jaques                                      | 9/29/2009  | T    | Joseph & Rosemary Contini - 30th Anniversary                      |
| H145-940 | B. Short                                    | 9/29/2009  | T    | Brian and Toni Wilson                                             |
| H145-941 | Miro                                        | 9/4/2009   | T    | Daniel & Rose Ann Sauers - 55th Anniversary                       |
| H145-942 | Brady                                       | 7/14/2009  | T    | Francis & Addie Cole - 25th Wedding Anniversary                   |
| H145-943 | Briggs King                                 | 9/18/2009  | T    | Richard & Lynn Cecil - 45th Wedding Anniversary                   |
| H145-944 | Schwartzkopf                                | 9/5/2009   | T    | Earl & Arlene Werkheiser - 45th Wedding Anniversary               |

|          |                     |            |   |                                                                     |
|----------|---------------------|------------|---|---------------------------------------------------------------------|
| H145-945 | Gilligan;<br>Jaques | 10/29/2009 | M | Robert Strawbridge                                                  |
| H145-946 | Kovach              | 11/9/2009  | T | William McCracken - Retire - NCC Local Emergency Planning Committee |
| H145-947 | Cathcart            | 11/28/2009 | T | Kyle Rawding - Eagle Scout                                          |
| H145-948 | Outten              | 10/22/2009 | M | Lester William Fountain, Jr.                                        |
| H145-949 | Outten              | 10/26/2009 | M | Francis Holleger                                                    |
| H145-950 | Walls               | 10/27/2009 | M | Ulysses Samuel Grant                                                |
| H145-951 | Hudson              | 10/21/2009 | M | Susanne Speakman Denham Singer                                      |

HOUSE TRIBUTE ANNOUNCEMENT #46

DATE: June 23, 2010

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                                                                                                                                                                                |
|----------|---------------------------|------------|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| H145-952 | Hudson                    | 10/26/2009 | M    | William Swayze III                                                                                                                                                                         |
| H145-953 | Bennett                   | 10/25/2009 | M    | Betty Barcus                                                                                                                                                                               |
| H145-954 | B. Short                  | 12/20/2009 | T    | Paul Thomas Fagan - Eagle Scout                                                                                                                                                            |
| H145-955 | Gilligan                  | 11/1/2009  | T    | Alzheimer's Association - National Alzheimer's Month                                                                                                                                       |
| H145-956 | D.P. Williams             | 11/27/2009 | T    | Mary Pinkston - Teacher of the Year                                                                                                                                                        |
| H145-957 | Briggs King               | 12/04/2009 | T    | Richard Kearney - Retirement - Department of Correction                                                                                                                                    |
| H145-958 | D.E. Williams             | 12/20/2009 | T    | Christopher Gosling - Eagle Scout                                                                                                                                                          |
| H145-959 | Bennett                   | 10/15/2009 | M    | Maj. Franklin Blackmon, Jr.                                                                                                                                                                |
| H145-960 | D.P. Williams; Keeley     | 11/13/2009 | T    | Gloria Jean Folks - Service - Lutheran Neighborhood Center                                                                                                                                 |
| H145-961 | Schwartzkopf; Briggs King | 11/14/2009 | T    | James Prettyman Marvel, Jr., M.D. - Beebe Medical Center Orthopaedic Unit Dedication                                                                                                       |
| H145-962 | Walls                     | 11/14/2009 | T    | Bessie Kemp Sherwood McCracken - 100th Birthday                                                                                                                                            |
| H145-963 | Blakey                    | 11/13/2009 | T    | Richard Reynolds - Retirement - DTI                                                                                                                                                        |
| H145-964 | Keeley                    | 11/14/2009 | T    | Wilmington Turners - 150th Anniversary                                                                                                                                                     |
| H145-965 | Carson                    | 10/31/2009 | M    | Diane Shaner                                                                                                                                                                               |
| H145-966 | Hudson                    | 11/2/2009  | M    | Robert Manning                                                                                                                                                                             |
| H145-967 | Gilligan                  | 11/4/2009  | M    | Donald Schneckeburger                                                                                                                                                                      |
| H145-968 | Jaques                    | 11/5/2009  | M    | Anthony Gonzon, Sr.                                                                                                                                                                        |
| H145-969 | Carey                     | 11/6/2009  | M    | Lionel Shockley                                                                                                                                                                            |
| H145-970 | Cathcart                  | 11/7/2009  | T    | The Honorable Steven H. Amick - cosponsors: Reps. Kovach, Lavelle, Hudson, Manolakos, Ramone, Miro, Oberle, Thornburg, Outten, Blakey, Wilson, Carey, Briggs, King, Hocker, D. Short & Lee |
| H145-971 | Briggs King               | 11/15/2009 | T    | Jeremy King - Eagle Scout                                                                                                                                                                  |

HOUSE TRIBUTE ANNOUNCEMENT #47

DATE: June 23, 2010

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                                                              |
|----------|---------------------|------------|------|--------------------------------------------------------------------------|
| H145-972 | Q. Johnson          | 9/20/2009  | T    | Brian Hill- Police Chief of the Year - DLLG                              |
| H145-973 | Blakey; Scott       | 10/27/2009 | T    | Delaware State University Flying Hornets - NIFA Competition - Region VII |
| H145-974 | Blakey; Scott       | 11/10/2009 | T    | Dr. Curtis Powell & the DSU Choir                                        |
| H145-975 | Blakey; Scott       | 11/10/2009 | T    | Mrs. Marva Thomas – Sunday Concert                                       |
| H145-976 | Atkins; Briggs King | 11/15/2009 | T    | Cpl. Shawn Brittingham - Law Enforcement Order of the Purple Heart       |
| H145-977 | Blakey              | 12/15/2009 | T    | Sandra Correll - Retirement - OMB                                        |
| H145-978 | Carey               | 10/10/2009 | T    | Bill & Connie Fisher - 50th Wedding Anniversary                          |
| H145-979 | Carson              | 9/19/2009  | T    | Brooks & Ruth Banta - 50th Wedding Anniversary                           |
| H145-980 | Carson              | 11/9/2009  | T    | Rosemarie Williams/Promotion/Major/National Guard                        |
| H145-981 | Scott               | 11/14/2009 | T    | Zeta Amicae of Dover - 30th Anniversary of Service                       |
| H145-982 | Wilson              | 12/12/2009 | T    | Bridgeville Fire Company - 100th Anniversary                             |
| H145-983 | Carson              | 11/19/2009 | T    | Ronald Crouch - Retirement - cosponsors: Reps. Brady, D. P. Williams     |
| H145-984 | Walls               | 11/20/2009 | T    | Wilmington State Parks                                                   |
| H145-985 | Scott               | 11/18/2009 | T    | Ronald Galeski, Sr., - Retirement - DelDOT                               |
| H145-986 | Hudson;             | 11/15/2009 | M    | Dover Century Club - Military Spouses Luncheon                           |
|          |                     |            |      | Geraldine Donovan Fleming                                                |

|          |                        |            |   |                                                     |
|----------|------------------------|------------|---|-----------------------------------------------------|
|          | Kovach                 |            |   |                                                     |
| H145-987 | Jaques;Oberle          | 11/16/2009 | M | Bernard Nutter, Sr.                                 |
| H145-988 | D. Short               | 11/19/2009 | T | Emma Coulborne - 100th Birthday                     |
| H145-989 | Carey                  | 11/17/2009 | M | Augusta Mae Joseph                                  |
|          | cosponsor: Rep. Walls  |            |   |                                                     |
| H145-990 | Atkins                 | 12/5/2009  | T | Millsboro Boy Scout Troop 89 - 80 Years of Scouting |
| H145-991 | Q. Johnson             | 11/15/2009 | M | Michael Joe Jester                                  |
| H145-992 | Q. Johnson             | 12/21/2009 | M | James John Trabaudo                                 |
|          | cosponsor: Rep. Carson |            |   |                                                     |
| H145-993 | Barbieri; Jaques       | 11/19/2009 | M | John "JJ" Jordan                                    |

HOUSE TRIBUTE ANNOUNCEMENT #48

DATE: June 23, 2010

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                                            |
|-----------|----------------------------------------------|------------|------|--------------------------------------------------------|
| H145-994  | Scott                                        | 11/20/2009 | M    | Frederick Franze, Sr.                                  |
| H145-995  | Mitchell                                     | 11/16/2009 | M    | Rosemarie Casapulla                                    |
| H145-996  | Hocker                                       | 11/9/2009  | T    | Violet Hudson - 100th Birthday                         |
| H145-997  | Q. Johnson; Schooley                         | 11/30/2009 | T    | Nancy Wilson, Ph.D., - Retirement - Dept. of Education |
| H145-998  | Outten                                       | 12/3/2009  | T    | Amanda Fabi - Youth Ambassador - Kent Farm Bureau      |
| H145-999  | Wilson                                       | 12/3/2009  | T    | Keith & Rebecca Johnson - Young Farmers Award          |
| H145-1000 | Blakey                                       | 12/3/2009  | T    | G. Wallace Caulk, Jr. - Retirement - DE Farm Bureau    |
|           | cosponsors: Reps. Carey, Thornburg, & Walls  |            |      |                                                        |
| H145-1001 | Scott                                        | 11/16/2009 | T    | John Hammond - 90th Birthday                           |
| H145-1002 | Briggs King                                  | 11/28/2009 | T    | Rosalie Walls - 75th Birthday                          |
| H145-1003 | J. Johnson                                   | 11/20/2009 | M    | Pecholia Howard Law Aiken                              |
| H145-1004 | Briggs King                                  | 12/18/2009 | T    | Kenneth Stevens - Retirement - DelDOT                  |
| H145-1005 | Carey                                        | 11/30/2009 | T    | Ronald Gooch - Retirement - Lewes Police Dept.         |
|           | cosponsors: Reps. Briggs King & Schwartzkopf |            |      |                                                        |
| H145-1006 | Blakey; Bennett                              | 11/30/2009 | T    | Bishop Thomas Lee Holsey - Church of God in Christ     |
| H145-1007 | Outten                                       | 11/29/2009 | M    | Lyman Rash                                             |
| H145-1008 | Lavelle; B. Short                            | 12/3/2009  | T    | Gail Antoine O'Sullivan - 95th Birthday                |
| H145-1009 | Bennett                                      | 11/25/2009 | M    | George Burd                                            |
| H145-1010 | Schwartzkopf                                 | 09/12/2009 | T    | Robert & Felice Stone - 50th Wedding Anniversary       |
| H145-1011 | Kowalko                                      | 08/22/2009 | T    | Hugh & Joan Ferguson - 50th Wedding Anniversary        |
| H145-1012 | Scott; Bennett                               | 12/1/2009  | M    | George Frick                                           |
| H145-1013 | Carson                                       | 11/23/2009 | M    | Master Sgt. Edgar Denham, Sr.                          |
| H145-1014 | Scott                                        | 11/25/2009 | M    | Vernon Davenport, Jr.                                  |
| H145-1015 | Gilligan                                     | 11/14/2009 | T    | William & Frances Ziegler - 50th Anniversary           |
| H145-1016 | Q. Johnson                                   | 12/4/2009  | T    | Jimmy Craig - Service - Volunteer Hose Company         |

T- Tribute

M - Memoriam

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 - 145th GENERAL ASSEMBLY - Second Session**  
**June 24, 2010**

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Plant - 1.

A prayer was offered by Representative Michael Ramone, Twenty-first Representative District.

A moment of silence was observed in memory of those men and women who have served in the House of Representatives with Representative Oberle and have gone before us at the request of Mr. Speaker Gilligan.

Mr. Speaker Gilligan invited Oliver Townsend, grandson of Representative Schwartzkopf, to lead those present in the pledge of allegiance to the American Flag.

The following prefiled legislation was introduced:

**HB 491 - D. SHORT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to the Division of Child Support Enforcement and Confidentiality of Records.**

**HB 492** - HUDSON & SENATOR SIMPSON; REPRESENTATIVES CATHCART, D. SHORT, CAREY, HOCKER, LAVELLE, LEE, MIRO, OBERLE, RAMONE, WILSON - REVENUE & FINANCE - An Act to Amend Titles 30, 12, and 3 of the Delaware Code Relating to the Delaware Estate Tax.

**SB 24** - DELUCA & SENATOR ADAMS; SENATOR SIMPSON; REPRESENTATIVES GILLIGAN, SCHWARTZKOPF, LEE; SENATORS CONNOR, SOKOLA - HOUSE ADMINISTRATION - An Act Concurring in a Proposed Amendment to Article IV of the Delaware Constitution of 1897, as Amended, Relating to the Judiciary and the Chief Magistrate of the Justice of the Peace Court. (2/3 bill) (F/N)

**SB 219 w/SA 1** - BUNTING & REPRESENTATIVE WALLS; SENATORS ENNIS, SIMPSON; REPRESENTATIVES OUTTEN, ATKINS, CAREY, HOCKER, CARSON, Q. JOHNSON - AGRICULTURE - An Act to Amend Title 6 of the Delaware Code Relating to Retail Gasoline Station Compliance.

**SB 231 w/SA 1** - BUSHWELLER & SENATOR KATZ & REPRESENTATIVE KOWALKO & REPRESENTATIVE BARBIERI & REPRESENTATIVE SCOTT; SENATORS DELUCA, BLEVINS, COOK, HALL-LONG, SOKOLA, MCDOWELL, CLOUTIER, BUNTING, SIMPSON; REPRESENTATIVES B. SHORT, BENNETT, KOVACH - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Health Information Network.

**SB 285** - KATZ & SENATOR CLOUTIER & SENATOR CONNOR & REPRESENTATIVE LONGHURST; SENATORS MCDOWELL, ENNIS, HALL-LONG, SOKOLA; REPRESENTATIVES D.E. WILLIAMS, Q. JOHNSON, CATHCART, BARBIERI, GEORGE, KOWALKO, MANOLAKOS, OBERLE, SCHOOLEY, VIOLA, D.P. WILLIAMS - HOUSE ADMINISTRATION - An Act to Amend Titles 15 and 29 of the Delaware Code Relating to Polling Place Accessibility.

**SB 291 w/SA 1** - MARSHALL & SENATOR HENRY & REPRESENTATIVE BARBIERI - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Nursing Facilities and Similar Facilities.

**SB 303** - MARSHALL & REPRESENTATIVE BARBIERI - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to the Division of Long Term Care Residents Protection.

**SB 304** - BLEVINS & REPRESENTATIVE GEORGE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Child Protection Accountability Commission.

**SB 311** - PETERSON & REPRESENTATIVE GILLIGAN; SENATORS BLEVINS, CONNOR, SOKOLA - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Natural Resources and Environmental Control.

**SB 317** - ENNIS & HALL-LONG & REPRESENTATIVE Q. JOHNSON; REPRESENTATIVES JAQUES, CARSON, WALLS, ATKINS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Thefts from Cemeteries.

**SB 324 w/SA 1** - COOK & REPRESENTATIVE D.P. WILLIAMS; SENATORS DELUCA, SIMPSON; REPRESENTATIVES SCHWARTZKOPF, OBERLE - HOUSE ADMINISTRATION - An Act to Amend Title 11 of the Delaware Code Relating to the Delaware County and Municipal Police/Firefighter Pension Plan.

**SB 325** - COOK & REPRESENTATIVE D.P. WILLIAMS; SENATORS DELUCA, SIMPSON; REPRESENTATIVES SCHWARTZKOPF, OBERLE - HOUSE ADMINISTRATION - An Act to Amend Titles 11 and 29 of the Delaware Code Relating to the State Employees' Pension Plan, the County and Municipal Employees' Pension Plan, the County and Municipal Police/Firefighter Pension Plan, the State Judiciary Pension Plan, the State Police Pension Plan, and Pensions.

Mr. Speaker Gilligan introduced guests and welcomed former Members of the House to the Chamber. Mr. Speaker Gilligan invited the Members of House Leadership and Representative William A. Oberle, Jr. to join him at the front of the Chamber. Representative Gilligan presented a gift to Representative William A. Oberle, Jr. on the occasion of his retirement from the House of Representatives. Mr. Speaker Gilligan made comments. Representative Cathcart presented a House Tribute to Representative William A. Oberle, Jr. Representative Cathcart made comments. Mr. Speaker Gilligan read notes from former Governor Pete DuPont and Senator Tom Carper. Representatives Schwartzkopf, D. Short, Longhurst, Blakey, Mulrooney, Kowalko, Carey, Schooley, Mitchell & Miro made comments. Representative Lavelle requested that he be marked present and made comments. Representatives Bennett, Kovach, Thornburg, George, Hocker, Ramone, J. Johnson, Brady, D.E. Williams, Atkins & D.P. Williams made comments. Mr. Speaker Gilligan granted privilege of the floor to Former Representative John Burris who made comments. Representatives Keeley & Carson made comments. Mr. Speaker Gilligan made comments. Representative Oberle addressed the House and introduced guests.

The Majority Leader moved to recess to the call of the Chair at 3:24 p.m.

The House reconvened at 3:56 p.m.

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

PUBLIC SAFETY & HOMELAND SECURITY: **HB 489** - 7M.

HOUSE ADMINISTRATION: **SB 283 w/SA 1** - 3M.

JUDICIARY: **SB 280 w/SA 2** - 6M.

HEALTH & HUMAN DEVELOPMENT: **SB 296 w/SA 1** - 7M; **SB 297 w/SA 1** - 7M; **SB 298** - 7M; **SB 300** - 7M.

AGRICULTURE: **SB 107** - 6M.

Representative Schwartzkopf brought **Consent Agenda E**, which requires a 2/3 vote, before the House for consideration.

**SB 183 w/SA 1** - MCBRIDE & SENATORS BUNTING, ENNIS, VENABLES; REPRESENTATIVES ATKINS, BOOTH, CARSON, MULROONEY, OBERLE, WALLS - An Act to Amend Title 7, Chapter 5 of the Delaware Code Relating to Game Preserves.

**SB 210 w/SA 1** - MCBRIDE & REPRESENTATIVE HUDSON - An Act to Amend Title 17 of the Delaware Code Relating to Delaware Byways.

**SB 240** - SIMPSON & REPRESENTATIVE KEELEY; SENATOR PETERSON - An Act to Amend Title 7 of the Delaware Code Relating to Dangerous and Potentially Dangerous Dogs. (2/3 bill)

**SB 249 w/SA 1** - SIMPSON & REPRESENTATIVE BRIGGS KING - An Act to Amend the Charter of the Board of Public Works of the City of Lewes, to Expand the Period of Time for Nominations to the Board of Public Works and to Modify the Procedures for the Board to Cease to Operate, Sell, Lease, Abandon or Dispose of any Public Utility. (2/3 bill)

**SB 270 w/SA 1** - BOOTH & REPRESENTATIVE CAREY - An Act to Amend the Charter of the Town of Ellendale, Relating to the Town Election Laws, Annexation, Rate of Taxation, Amount of Money that can be Borrowed Against Bonds and Short Term Borrowing Limits. (2/3 bill)

**SB 278** - BUNTING & REPRESENTATIVE HOCKER - An Act to Reincorporate the Town of Ocean View. (2/3 bill)

Representative Schwartzkopf made a comment.

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

YES: 37.

ABSENT: Representatives Keeley, Manolakos, Oberle & Plant - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 183 w/SA 1**, **SB 210 w/SA 1**, **SB 240**, **SB 249 w/SA 1**, **SB 270 w/SA 1** & **SB 278** were returned to the Senate.

Representatives Hudson & Scott requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott requested and was granted personal privilege of the floor to introduce guests. Representative Bennett requested and was granted personal privilege of the floor to make an announcement. Mr. Speaker Gilligan introduced a guest.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short introduced and brought **HCR 58** sponsored on behalf of all Representatives & jointly sponsored by Senator Simpson on behalf of all Senators, before the House for consideration.

**HCR 58** - HONORING THE YOUNG WOMEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2010 SESSION OF DELAWARE'S GIRLS' STATE.

Representative D. Short made comments.

**HCR 58** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Briggs King.

Representative Briggs King requested and was granted personal privilege of the floor to present a House Tribute to Ryan Faucett who saved the life of an automobile accident victim. Representatives D. Short & Ramone made comments.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **SB 235 w/SA 2**, jointly sponsored by Senator Bushweller & Senator Hall-Long & Senators Henry, Simpson & Sorenson & Representatives George, Barbieri, Lee, Ramone, Carson & Kovach, before the House for consideration.

**SB 235** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE CREATING THE DELAWARE PRESCRIPTION MONITORING ACT. (F/N)

Representatives Mitchell & Oberle made comments.

Representative Oberle requested and was granted privilege of the floor for James Collins, Director, Division of Professional Regulation.

Representatives Oberle, Kovach, Cathcart, Barbieri, D. Short & Briggs King made comments.

The roll call on **SB 235 w/SA 2** was taken and revealed:

YES: 38.

NO: Representative Briggs King - 1.

ABSENT: Representatives Manolakos & Plant - 2.

Therefore, having received a constitutional majority, **SB 235 w/SA 2** was returned to the Senate.

Representative Mitchell made comments.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson introduced **HA 1 to HS 1 for HB 435**. **HA 1** was placed with the bill.



Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **SB 242**, jointly sponsored by Senator Hall-Long & Senators Henry & McDowell & Representatives B. Short, Mitchell, Viola, Lavelle, Keeley, George & Barbieri, before the House for consideration.

**SB 242** - AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO POWERS AND DUTIES OF THE DELAWARE TRANSIT CORPORATION.

Representatives Scott & Lavelle made comments.

The roll call on **SB 242** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & Plant - 2.

Therefore, having received a constitutional majority, **SB 242** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **SB 268**, jointly sponsored by Senator Peterson, before the House for consideration.

**SB 268** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE ADOPTION AND ENFORCEMENT OF A UNIFIED HEATING, VENTILATION, AIR CONDITIONING, AND REFRIGERATION CODE, THE INTERNATIONAL MECHANICAL CODE, AND THE INTERNATIONAL FUEL GAS CODE.

Representatives Mitchell & Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for Hal Godwin, Deputy Administrator, Sussex County. Representative Cathcart made comments. Representative Mitchell requested and was granted privilege of the floor for James Collins, Director, Division of Professional Regulation. Representatives Cathcart & Mitchell made comments. Representative Cathcart requested and was granted privilege of the floor for Phil Corrozi, representing Associated Builders & Contractors. Representatives Cathcart, Carson & Oberle made comments. Representative Carson requested and was granted privilege of the floor for James Collins, Director, Division of Professional Regulation.

Representatives Carson, Oberle, Miro, D. Short & Cathcart made comments.

Representative Mitchell moved to place **SB 268** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Longhurst deferred to Representative Schooley.

Representative Schooley brought **SS 1 for SB 171 w/SA 1 & 2**, jointly sponsored by Senator Ennis & Senators Hall-Long, Bonini & McDowell & Representatives Bennett, Carson, Keeley & Ramone, before the House for consideration.

**SB 171** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTAGE.

Representative Schooley requested that **HA 1 to SS 1 for SB 171** be stricken. Representative Schooley brought **HA 2 to SS 1 for SB 171** before the House for consideration. Representative Schooley made a comment. **HA 2** was adopted by voice vote. Representative Schooley introduced and brought **HA 3 to SS 1 for SB 171** before the House for consideration. Representatives Schooley & Kovach made comments. **HA 3** was adopted by voice vote. Representative Schooley made comments.

The roll call on **SS 1 for SB 171 w/SA 1 & 2 & HA 2 & 3** was taken and revealed:

YES: 39.

ABSENT: Representatives Kowalko & Plant - 2.

Therefore, having received a constitutional majority, **SS 1 for SB 171 w/SA 1 & 2 & HA 2 & 3** was returned to the Senate for concurrence on **HA 2 & 3**.

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

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell moved to lift **SB 268** from the Speaker's Table. The motion was seconded by Representative Jaques and adopted by voice vote.

Representative Mitchell brought **SB 268**, jointly sponsored by Senator Peterson, before the House for consideration.

**SB 268** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE ADOPTION AND ENFORCEMENT OF A UNIFIED HEATING, VENTILATION, AIR CONDITIONING, AND REFRIGERATION CODE, THE INTERNATIONAL MECHANICAL CODE, AND THE INTERNATIONAL FUEL GAS CODE.

Representative Mitchell requested and was granted privilege of the floor for James Collins, Director, Division of Professional Regulation. Representative Cathcart made comments. Representative Carson requested and was granted privilege of the floor for David Baker, Administrator, Sussex County. Representatives Carson, Schwartzkopf & D. Short made comments.

The roll call on **SB 268** was taken and revealed:

YES: 30.

NO: Representatives Briggs King, Hocker, Schwartzkopf, D. Short & Wilson - 5.

NOT VOTING: Representatives Carey, Carson & Thornburg - 3.

ABSENT: Representatives Atkins, Plant & Schooley - 3.

Therefore, having received a constitutional majority, **SB 268** was returned to the Senate.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 471**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 471 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ESCHEATS.**

Representatives George & Cathcart made comments.

Representative George requested and was granted privilege of the floor for Mike Migliore, Majority House Attorney.

Representatives Cathcart & George made comments.

Representative George requested and was granted privilege of the floor for Mike Barlow, Chief Legal Counsel, Office of the Governor.

The roll call on **HB 471** was taken and revealed:

YES: 39.

ABSENT: Representatives Brady & Plant - 2.

Therefore, having received a constitutional majority, **HB 471** 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 **SB 296 w/SA 1**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Keeley brought **SB 296 w/SA 1**, jointly sponsored by Senator Blevins & Representative Schwartzkopf & All Senators & All Representatives, before the House for consideration.

**SB 296 - AN ACT TO AMEND THE DELAWARE CODE RELATING TO THE BOARD OF MEDICAL PRACTICE.**

Representative Keeley made comments.

The roll call on **SB 296 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 296 w/SA 1** was returned to the Senate.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **SB 297 w/SA 1**. The motion was properly seconded and adopted by voice vote.

Representative Schwartzkopf brought **SB 297 w/SA 1**, jointly sponsored by Senator Bunting & Senators Blevins, Bushweller, Cook, DeLuca, Ennis, Hall-Long, Henry, Katz, Marshall, McBride, McDowell, Peterson, Venable, Sokola, Booth, Simpson & Sorenson & All Representatives, before the House for consideration.

**SB 297 - AN ACT TO AMEND TITLES 16 AND 24 OF THE DELAWARE CODE RELATING TO THE REPORTING OF ABUSE AND UNPROFESSIONAL PRACTICE.**

Representatives Schwartzkopf & Lavelle made comments.

Representative Schwartzkopf requested and was granted privilege of the floor for Mike Barlow, Chief Legal Counsel, Office of the Governor.

Representative Lavelle made comments.

The roll call on **SB 297 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Plant & Thornburg - 2.

Therefore, having received a constitutional majority, **SB 297 w/SA 1** was returned to the Senate.

Mr. Speaker Gilligan introduced guests.

Representative Oberle & Mr. Speaker Gilligan made comments.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **SB 298**. The motion was seconded by Representative Jaques and adopted by voice vote.

Representative Schwartzkopf brought **SB 298**, jointly sponsored by Senator Sokola & All Senators & All Representatives, before the House for consideration.

**SB 298 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE IMPOSITION OF FINES BY THE BOARD OF MEDICAL PRACTICE.**

Representative Schwartzkopf made comments. Representative Cathcart made an announcement. Representative Lavelle made comments. Representative Schwartzkopf requested and was granted privilege of the floor for Mike Barlow, Chief Legal Counsel, Office of the Governor. Representative Lavelle made comments.

The roll call on **SB 298** was taken and revealed:

YES: 37.

ABSENT: Representatives Carey, Hocker, Plant & D. Short - 4.

Therefore, having received a constitutional majority, **SB 298** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 485**, jointly sponsored by Representative Schwartzkopf & Senator Bushweller & All Representatives & Senators Booth, Cloutier, Sorenson, Blevins, Bunting, Cook,

DeLuca, Ennis, Hall-Long, Henry, Katz, Marshall, McBride, McDowell, Peterson, Sokola & Venables, before the House for consideration.

**HB 485 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE.**

Representative Mitchell made comments.

The roll call on **HB 485** was taken and revealed:

YES: 39.

ABSENT: Representatives Carey & Plant - 2.

Therefore, having received a constitutional majority, **HB 485** was sent to the Senate for concurrence.

Representative Cathcart made an announcement.

Representative Schwartzkopf brought **HB 488**, jointly sponsored by Senator Cook, & cosponsored by Representative Barbieri, before the House for consideration.

**HB 488 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PLUMBING PERMITS.**

Representative Schwartzkopf made comments. Representative Wilson introduced and brought **HA 1 to HB 488** before the House for consideration. Representatives Cathcart, Wilson & Schwartzkopf made comments.

The roll call on **HA 1 to HB 488** was taken and revealed:

NO: 22.

YES: Representatives Blakey, Briggs King, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Oberle, Outten, Ramone, D. Short, Thornburg & Wilson - 16.

ABSENT: Representatives Atkins, Carey & Plant - 3.

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

Representative Schwartzkopf introduced and brought **HA 2 to HB 488** before the House for consideration. Representative Schwartzkopf made comments. **HA 2** was adopted by voice vote. Representative Schwartzkopf made comments.

The roll call on **HB 488 w/HA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Carey & Plant - 2.

Therefore, having received a constitutional majority, **HB 488 w/HA 2** was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins moved to suspend the rules which interfere with action on **HB 487**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Akins brought **HB 487**, jointly sponsored by Representatives Schwartzkopf, Carson, Gilligan, Q. Johnson, Kowalko, Mitchell & Mulrooney, before the House for consideration.

**HB 487 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY GOVERNMENTS.**

Representative D. Short introduced and brought **HA 1 to HB 487** before the House for consideration. Representatives Atkins & D. Short made comments.

The roll call on **HA 1 to HB 487** was taken and revealed:

NO: 22.

YES: Representatives Blakey, Briggs King, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, D. Short, Thornburg & Wilson - 15.

ABSENT: Representatives Barbieri, Carey, Oberle & Plant - 4.

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

Representative Atkins made comments. Representative Lee requested and was granted privilege of the floor for David Baker, Administrator, Sussex County. Representatives Lee, Schwartzkopf, Thornburg, Cathcart, Ramone & Atkins made comments. Representative Hocker requested and was granted privilege of the floor for David Baker, Administrator, Sussex County. Representatives Hocker, Thornburg, Cathcart, Jaques, Manolakos, Atkins, Wilson, Cathcart & Briggs King made comments.

The Reading Clerk read the following communication into the record at the request of Representative Atkins:

March 29, 2010

The Honorable Vance C. Phillips  
President, Sussex County Council  
2 The Circle, P.O. box 989  
Georgetown, DE 19947  
Dear Councilman Phillips:

I write in reference to a Sussex County government policy of which I have recently become aware, and which I believe may be unnecessarily restrictive in light of important public policy considerations. It is my understanding that, pursuant to § 2607 of the Sussex County Code, an employee of Sussex County who

retires and subsequently becomes an elected official for Sussex County must either serve as an elected official without pay or waive the employee's county pension.

After researching this issue, I have concluded that neither Kent County nor New Castle County has adopted such a broad restriction on an elected official's right to receive a pension to which the official was otherwise entitled based on prior service in the county government. Instead, the Kent County and New Castle County codes each contain less restrictive versions of the same policy, each providing, in essence, that a former county employee who subsequently becomes a county elected official does not have to give up vested pension benefits, but if the elected official chooses not to forego the previously vested pension benefits, that official is not eligible for additional years of service or vested benefits. *See* New Castle County Code Art. IV, § 26.04.122 (Exempting elected and appointed officials from county pension restriction); Kent County Code § 83-20 ("Former employees receiving retirement benefits under this article who are elected or appointed to a statutorily defined County office shall continue to receive retirement benefits, but shall be ineligible for additional years of service or vested benefits, unless the elected or appointed official chooses to cease his/her retirement benefits, during the term of office."). In other words, the official may keep his or her previous benefits but may not, in essence, collect double benefits from the county pension system.

In the context of state judicial pensions, the Delaware Supreme Court has noted that "it is the fundamental intent and purpose of the State pension plan to encourage qualified individuals to enter and remain in public service." *State of Delaware EX REL. State Board of Pension Trustees et al v. Dineen*, 409 A.2d 1256, 1260 (Del. Ch. Nov. 20, 1979). One can reasonably infer that the Sussex County pension plan came into being based (at least in part) on the same fundamental policy principle. I therefore respectfully request that the Sussex County Council consider amending its pension policy as it applies to former employees who become elected officials, so that it more closely resembles the less restrictive policies of Kent County and New Castle County. I am available at your convenience should you have any questions or wish to discuss any of the foregoing.

Sincerely  
John C. Atkins  
Representative 41<sup>st</sup> District

CC: The Honorable George B. Cole  
The Honorable Joan R. Deaver  
The Honorable Michael H. Vincent  
The Honorable Samuel R. Wilson  
The roll call on **HB 487** was taken and revealed:  
YES: 21.

NO: Representatives Briggs King, Hocker, Lavelle, Lee, Manolakos, Miro, D. Short, Thornburg & Wilson - 10.

NOT VOTING: Representatives Blakey, Hudson, J. Johnson, Kovach, Oberle & Ramone - 6.

ABSENT: Representatives Carey, Outten, Plant & D.P. Williams - 4.

Therefore, having received a constitutional majority, **HB 487** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **SB 266 w/SA 1 & 2**, jointly sponsored by Senator McDowell & Senators Katz, McBride, Henry & Hall-Long & Representatives Keeley, D.E. Williams, Longhurst, Mulrooney, Kovach & Thornburg & cosponsored by Representative Kowalko, before the House for consideration.

**SB 266** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE GREEN ENERGY FUND.

Representatives Brady & Lavelle made comments. Representative Brady requested and was granted privilege of the floor for David Small, Deputy Secretary, Department of Natural Resources and Environmental Control and Scott Lynch, Energy Program Planner III, Delaware Energy Office, Department of Natural Resources and Environmental Control. Representatives Lavelle & Kowalko made comments. Representative Kowalko requested and was granted privilege of the floor for Charles Smisson, Energy Coordinator, Delaware Energy Office, Department of Natural Resources and Environmental Control. Representatives Lavelle, Kovach, Manolakos, Mulrooney, Kovach & Briggs King made comments.

Representative Brady moved to place **SB 266 w/SA 1 & 2** on the Speaker's Table. The motion was seconded by Representative Schwartzkopf and adopted by voice vote.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson brought **HB 451**, jointly sponsored by Representative Barbieri & Senator Blevins & Senator Sorenson & cosponsored by Representatives George & J. Johnson, before the House for consideration.

**HB 451** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO FAMILY COURT.

Representative Hudson made comments.

The roll call on **HB 451** was taken and revealed:

YES: 38.

ABSENT: Representatives Carey, Plant & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HB 451** 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 326, SB 316 w/SA 2 & SB 289 w/SA 1** and requests the concurrence of the House and the Senate has passed **SB 307, SB 233, SB 232, SB 327 w/SA 1 & SB 229** and requests the concurrence of the House and the Senate has passed **SB 314, SB 287 w/SA 1 & SB 306 w/SA 1** and requests the concurrence of the House and the Senate has passed **SB 309, SB 221 w/SA 1, SCR 30 & SJR 4** and requests the concurrence of the House and the Senate wishes to inform the House that it has passed **HB 430, HB 432 & HB 447 w/HA 2** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 228 w/SA 1 & 2** and requests the concurrence of the House and the Senate has passed **HB 395 w/HA 1 & SA 1, 2 & 3** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 302, SCR 38** and requests the concurrence of the House and **HB 470 & HCR 48, HCR 52, HCR 55, HCR 56, HCR 58 & HCR 31** and is returning the same to the House.

June 24, 2010

#### LEGISLATIVE ADVISORY #46

Governor Jack A. Markell signed the following legislation on the date indicated: 6/22/10 - **HB 296, HB 333 aab HA 1 & 2, HB 338 aab HA 1 & HB 394.**

Representative Schwartzkopf introduced **HB 460**, jointly sponsored by Senator Bunting.

**HB 460 - AN ACT TO AMEND TITLE 9 AND TITLE 22 OF THE DELAWARE CODE RELATING TO ACCESSIBILITY FOR PERSONS WITH DISABILITIES.**

Mr. Speaker Gilligan assigned **HB 460** to the Health & Human Development Committee.

Representative Kowalko introduced **HA 1 to SB 267. HA 1** was placed with the bill.

The Majority Leader moved to recess to the call of the Chair at 7:16 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 29, 2010.

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.

#### **43rd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session**

**June 29, 2010**

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Plant - 1.

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

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

The minutes of the two previous legislative days were approved as posted.

The following out-of-session prefiled legislation was introduced:

June 25, 2010

**HB 493 - SCHWARTZKOPF & SENATOR BUNTING & SENATOR VENABLES; REPRESENTATIVES ATKINS, BENNETT, BARBIERI, BRIGGS KING, CARSON, CATHCART, GEORGE, GILLIGAN, JAQUES, KEELEY, KOWALKO, LEE, LONGHURST, MIRO, MULROONEY, SCOTT, B. SHORT, D. SHORT, THORNBURG, VIOLA, WALLS, WILSON; SENATORS BONINI, BOOTH, COOK, SIMPSON, CONNOR, SORENSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road.**

**HB 494 - BRIGGS KING & REPRESENTATIVE WILSON & SENATOR BOOTH; REPRESENTATIVES CATHCART, D. SHORT, CAREY, HOCKER, HUDSON, OUTTEN, LEE; SENATORS SIMPSON, BONINI, CONNOR, SORENSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road.**

**SB 221 w/SA 1 - HENRY & REPRESENTATIVE BARBIERI; SENATORS BLEVINS, BUSHWELLER, SORENSON; REPRESENTATIVES SCHOOLEY, BENNETT, MANOLAKOS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Mental Health.**

**SB 229 - BUSHWELLER & REPRESENTATIVE MITCHELL & REPRESENTATIVE SCHWARTZKOPF; SENATORS BLEVINS, BUNTING, COOK, DELUCA, ENNIS, HALL-LONG, HENRY, KATZ, MARSHALL, MCBRIDE, MCDOWELL, PETERSON, SOKOLA, VENABLES, BOOTH, CONNOR, SORENSON; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, BRADY, CARSON, GEORGE, GILLIGAN, JAQUES, J. JOHNSON, Q. JOHNSON, KEELEY, KOWALKO, LONGHURST, MULROONEY, PLANT, SCHOOLEY, SCOTT, B. SHORT, VIOLA, WALLS, D.E. WILLIAMS, D.P. WILLIAMS, BLAKEY, BRIGGS KING, CAREY, CATHCART, HOCKER, HUDSON, KOVACH, LAVELLE, LEE, MANOLAKOS, MIRO, OBERLE, OUTTEN, RAMONE, D. SHORT, THORNBURG, WILSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Crimes Against Children and Specific Offenses.**

**SB 232 - MARSHALL & REPRESENTATIVE BARBIERI - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Civil Administrative Procedures.**

**SB 233** - MARSHALL & REPRESENTATIVE BARBIERI - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Medical Practice.

**SB 287 w/SA 1** - ENNIS & REPRESENTATIVE CARSON; SENATORS HALL-LONG, SOKOLA, BUSHWELLER, HENRY; REPRESENTATIVES MITCHELL, OUTTEN, WILSON, WALLS - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Workers' Compensation.

**SB 289 w/SA 1** - ENNIS & REPRESENTATIVE J. JOHNSON; SENATORS BUSHWELLER, SOKOLA, BONINI; REPRESENTATIVES BARBIERI, CARSON, HOCKER, HUDSON, MITCHELL & WALLS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to the Interstate Compact for Juveniles.

**SB 302** - DELUCA & REPRESENTATIVE B. SHORT & REPRESENTATIVE GEORGE - ECONOMIC DEVELOPMENT/BUSINESS/INSURANCE & COMMERCE - An Act to Amend Title 12 of the Delaware Code Relating to Statutory Trusts. (3/5 bill)

**SB 306 w/SA 1** - DELUCA & REPRESENTATIVE SCHWARTZKOPF; REPRESENTATIVE ATKINS - HOUSE ADMINISTRATION - An Act to Amend Title 20, Chapter 31 of the Delaware Code Relating to Emergency Management. (2/3 bill)

**SB 307** - DELUCA & REPRESENTATIVE SCHWARTZKOPF; REPRESENTATIVE ATKINS - HOUSE ADMINISTRATION - An Act to Amend Title 21, Chapter 41 of the Delaware Code Relating to Rules of the Road. (2/3 bill)

**SB 309** - HALL-LONG & REPRESENTATIVE KOWALKO - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Geology.

**SB 314** - ENNIS & SENATOR SIMPSON & REPRESENTATIVE WALLS; SENATORS HALL-LONG, BONINI, BOOTH; REPRESENTATIVES MITCHELL, CARSON, WILSON, CAREY - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Truck Weights.

**SB 316 w/SA 1** - PETERSON; SENATORS ENNIS, MCDOWELL, SOKOLA, BUSHWELLER; REPRESENTATIVE D.E. WILLIAMS - ENERGY - An Act to Amend Title 25 of the Delaware Code Relating to Solar Photovoltaic Systems and Real Property.

**SB 326 w/SA 1** - KATZ & SENATOR ENNIS & REPRESENTATIVE D.E. WILLIAMS - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Municipal Elections.

**SB 327 w/SA 1** - BLEVINS & REPRESENTATIVE MITCHELL - HOUSE ADMINISTRATION - An Act to Amend Volume 68, Chapter 3, Laws of Delaware as Amended, Entitled "An Act to Reincorporate the Town of Elsmere" Concerning Elections. (2/3 bill)

The following prefiled legislation was introduced:

**HA 1 to HB 236** - JAQUES - Placed with the Bill.

**HA 3 to HB 399** - SCOTT - Placed with the Bill.

**HA 1 to HB 480** - D.E. WILLIAMS - Placed with the Bill.

**HR 48** - HUDSON; REPRESENTATIVES D. SHORT, BRIGGS KING, HOCKER, KOVACH, CARSON, MITCHELL - ECONOMIC DEVELOPMENT/BUSINESS/INSURANCE & COMMERCE - Directing the Delaware Economic Development Office to Study the Costs and Impact of Undocumented Immigration on the State of Delaware.

**SB 228 w/SA 1 & 2** - MCDOWELL & REPRESENTATIVE BRADY; SENATOR BLEVINS; REPRESENTATIVE B. SHORT - ECONOMIC DEVELOPMENT/BUSINESS/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code for Purposes of Regulating Discount Medical Plans.

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

EDUCATION: **HB 486** - 8M.

HEALTH & HUMAN DEVELOPMENT: **HB 491** - 9M; **SB 221 w/SA 1** - 9M; **SB 233** - 9M; **SB 289 w/SA 1** - 7M; **SB 291 w/SA 1** - 8M; **SB 303** - 8M; **SB 304** - 7M, 1U.

PUBLIC SAFETY & HOMELAND SECURITY: **SB 246** - 8M.

REVENUE & FINANCE: **SB 272 w/SA 1** - 8M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 231 w/SA1** - 1F, 4M.

Representative Kovach requested that he be marked present.

Mr. Speaker Gilligan invited the Members of House Leadership and Mrs. JoAnn Hedrick to join him at the front of the Chamber. Mr. Speaker Gilligan addressed the House on the occasion of the retirement of JoAnn M. Hedrick, Chief Clerk Emeritus. Mr. Speaker Gilligan presented a gift to Mrs. Hedrick. Representative Cathcart presented a House Tribute and gift to Mrs. Hedrick. Mr. Speaker Gilligan presented flowers to Mrs. Hedrick. Representatives Schwartzkopf, D. Short, Longhurst, Ramone, Oberle, Kovach, Thornburg, Atkins, Keeley, Carey & Miro made comments. Mr. Speaker Gilligan introduced guests. Representatives Hudson, Schooley, J. Johnson, Kowalko & Blakey made comments. Mr. Speaker Gilligan made comments. Mrs. Hedrick addressed the House.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley introduced and brought **HCR 59**, sponsored on behalf of all Representatives & jointly sponsored by Senator Blevins & Senator Hall-Long on behalf of all Senators, before the House for consideration.

**HCR 59** - RECOGNIZING THE MONTH OF OCTOBER, 2010, AS “DWARFISM AWARENESS MONTH” IN THE STATE OF DELAWARE.

Representative Keeley made a comment.

**HCR 59** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins made an announcement.

The Majority Leader moved to recess for caucus at 2:51 p.m.

The House reconvened at 5:31 p.m.

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

NATURAL RESOURCES: **SB 311** - 11M, 1U.

HOUSING & COMMUNITY AFFAIRS: **SB 292** - 6M.

PUBLIC SAFETY & HOMELAND SECURITY - **SB 314** - 5M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 421 w/HA 1**,

**HB 41 w/HA 1**, **HB 37 w/HA 2** & **HB 402** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 457**, **HB 458**, **HB 459 w/HA 1**, **HB 475 w/HA 1** & **HB 440** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 320 w/SA 1** and requests the concurrence of the House and has passed **HB 453** is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 312 w/SA 2** & **SB 328** and requests the concurrence of the House and the Senate has passed **SB 253 w/SA 2, 3 & 4** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 403**, **HB 404**, **HB 405**, **HB 392 w/SA 1**, **HB 406** & **HB 407** and is returning the same to the House.

Representatives Manolakos, Mitchell & Miro requested that they be marked present.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced and brought **HCR 60**, sponsored on behalf of all Representatives & jointly sponsored by Senator Hall-Long on behalf of all Senators, before the House for consideration.

**HCR 60** - RECOGNIZING THE WEEK OF OCTOBER 3RD, 2010, AS “DELAWARE LONG-TERM CARE RESIDENTS’ RIGHTS WEEK” AND PRAISING THE DELAWARE CHAPTER OF THE NATIONAL CONSUMER VOICE FOR QUALITY LONG-TERM CARE ON ITS 9TH RESIDENTS’ RIGHTS RALLY.

Representative Longhurst made comments.

**HCR 60** was adopted by voice vote and was sent to the Senate for concurrence.

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

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker brought **HB 393 w/SA 1**, jointly sponsored by Senator Bunting, before the House for concurrence on **SA 1**.

**HB 393** - AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH TO GRANT THE TOWN OF DEWEY BEACH THE AUTHORITY TO CHANGE THE DATE OF ANNUAL MUNICIPAL ELECTIONS TO PREVENT CONFLICT WITH JEWISH HOLY DAYS. (2/3 bill)

Representatives Schwartzkopf & Hocker made comments.

The roll call on **HB 393 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 393 w/SA 1** was sent to the Governor.

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

Representative Keeley introduced **HB 500**, jointly sponsored by Senator Venables & Representatives Mulrooney, Schooley, Viola, Carey & Oberle & Senators Sokola, Cook, McDowell, Simpson & Sorenson.

**HB 500** - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2011; 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)

Mr. Speaker Gilligan assigned **HB 500** to the Capital Infrastructure Committee.

Representative Keeley made comments.

Representative Schwartzkopf deferred to Representative Viola.

Representative Viola moved to suspend the rules which interfere with action on **SB 272 w/SA 1**.

The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Viola brought **SB 272 w/SA 1**, sponsored by Senator DeLuca & Representative Gilligan & Senators Blevins, Henry, Venables, Cook, Simpson & Sorenson & Representatives Schwartzkopf, Longhurst, Keeley & D.P. Williams & cosponsored by Representative Viola, before the House for consideration.

**SB 272** - AN ACT TO AMEND CHAPTER 11 OF TITLE 12 OF THE DELAWARE CODE RELATING TO ESCHEATS.

Representatives Viola & Briggs King made comments. Representative Viola requested and was granted privilege of the floor for Thomas J. Cook, Secretary, Department of Finance. Representative Briggs King made a comment.

The roll call on **SB 272 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 272 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Viola.

Representative Viola brought **HB 477**, jointly sponsored by Representative Hudson & Senator Bonini & cosponsored by Representative Gilligan, before the House for consideration.

**HB 477** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATED TO THE DELAWARE WHOLESALE LICENSE FEE.

Representatives Viola & Hudson made comments.

The roll call on **HB 477** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 477** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kovach.

Representative Kovach introduced guests.

Representative Kovach requested and was granted privilege of the floor for Lauren Hart who sang "God Bless America."

Representative Schwartzkopf made comments.

Representative Kovach brought **HB 489**, jointly sponsored by Representative Lavelle & Senator Bonini & Representative Mitchell & Senator Sokola, before the House for consideration.

**HB 489** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES FOR FLYERS CHARITIES. (3/5 bill)

Representative Kovach made comments.

Representative Kovach introduced and brought **HA 1 to HB 489** before the House for consideration. Representatives Lavelle, Cathcart, Kovach, Schwartzkopf & Kovach made comments. **HA 1** was adopted by voice vote. Representatives Kovach, Atkins & Kovach, Carson, Schwartzkopf, Hudson, Keeley, Walls, Mitchell, Kowalko, Kovach, J. Johnson, Jaques, Kovach, Cathcart, Oberle, Lavelle, Brady, Schwartzkopf, Ramone & Kovach made comments.

The roll call on **HB 489 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Plant, Thornburg - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 489 w/HA 1** was sent to the Senate for concurrence.

Representative Kovach requested and was granted privilege of the floor for Mary Ann Saleski, representing Comcast Spectacor Foundation. Representatives Schwartzkopf & Kovach made comments. Lauren Hart sang "The Star Spangled Banner."

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

Representative Schwartzkopf deferred to Representative Gilligan.

Representative Gilligan brought **SB 283 w/SA 1**, jointly sponsored by Senator Peterson & Senators Blevins, Bonini, Booth, Bunting, Bushweller, Connor, Cook, DeLuca, Ennis, Hall-Long, Henry, Katz, Marshall, Sokola, Simpson & Sorenson & Representatives Atkins, Barbieri, Bennett, Brady, Briggs King, Carey, Carson, Cathcart, George, Hocker, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kowalko, Longhurst, Miro, Mitchell, Mulrooney, Outten, Plant, Ramone, Schooley, Schwartzkopf, Scott, B. Short, D. Short, Viola, Walls, D.E. Williams & Wilson & cosponsored by Senator Cloutier, before the House for consideration.

**SB 283** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FREEDOM OF INFORMATION.



Representative Gilligan made comments.

The roll call on **SB 283 w/SA 1** was taken and revealed:

YES: 36.

ABSENT: Representatives Kovach, Lavelle, Plant, Ramone & Thornburg - 5.

Therefore, having received a constitutional majority, **SB 283 w/SA 1** was returned to the Senate.

Mr. Speaker Gilligan resumed the Chair.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady moved to lift **SB 266 w/SA 1 & 2** from the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Brady brought **SB 266 w/SA 1 & 2**, jointly sponsored by Senator McDowell & Senators Katz, McBride, Henry & Hall-Long & Representatives Keeley, D.E. Williams, Longhurst, Mulrooney, Kovach & Thornburg & cosponsored by Representative Kowalko, before the House for consideration.

**SB 266 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE GREEN ENERGY FUND**

Representative Brady made comments.

The roll call on **SB 266 w/SA 1 & 2** was taken and revealed:

YES: 37.

ABSENT: Representatives Kovach, Lavelle, Plant & Thornburg - 4.

Therefore, having received a constitutional majority, **SB 266 w/SA 1 & 2** was returned to the Senate.

Representative Schwartzkopf deferred to Representative D.E. Williams.

Representative D.E. Williams brought **SB 267 w/SA 2**, jointly sponsored by Senator McDowell & Senator Simpson & Representative Mulrooney & Senators Katz & Henry & Representatives Brady, Keeley, Gilligan, B. Short, Kovach, Oberle & Hocker & cosponsored by Representative Kowalko, before the House for consideration.

**SB 267 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO NET ENERGY METERING.**

Representative Kowalko brought **HA 1 to SB 267** before the House for consideration.

Representative Kowalko requested that **HA 1** be stricken. Representatives D.E. Williams, D. Short & Kowalko made comments.

The roll call on **SB 267 w/SA 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Kovach, Lavelle & Plant - 3.

Therefore, having received a constitutional majority, **SB 267 w/SA 2** was returned to the Senate.

Mr. Speaker Gilligan made an announcement. A moment of silence was observed in support of Dr. John J. Lavelle at the request of Mr. Speaker Gilligan.

Representative Schwartzkopf deferred to Representative D.E. Williams.

Representative D.E. Williams brought **SS 1 for SB 119**, jointly sponsored by Senator McDowell & Representative Kowalko & Senators Bushweller, Cloutier, Hall-Long, Katz, Marshall, McBride & Sorenson & Representatives Brady, Schooley, Mulrooney, Longhurst & Oberle, before the House for consideration.

**SB 119 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE RENEWABLE ENERGY PORTFOLIO STANDARDS.**

Representatives D.E. Williams & Kovach made comments. Representative D.E. Williams requested and was granted privilege of the floor for Collin O'Mara, Secretary, Department of Natural Resources and Environmental Control. Representatives Kovach, Kowalko, Briggs King & D.E. Williams made comments.

The roll call on **SS 1 for SB 119** was taken and revealed:

YES: 28.

NO: Representatives Briggs King, Hocker, Lee, Outten, D. Short, Walls & Wilson - 7.

ABSENT: Representatives Atkins, Lavelle, Plant, Schwartzkopf, Thornburg & Viola - 6.

Therefore, having received a constitutional majority, **SS 1 for SB 119** was returned to the Senate.

Representative Longhurst deferred to Representative D.E. Williams.

Representative D.E. Williams brought **HB 480**, jointly sponsored by Representative Mulrooney & Senator McBride & Representatives Barbieri, Jaques, Q. Johnson, Kovach, Kowalko, Longhurst & Mitchell & Senators Connor & Sorenson, before the House for consideration.

**HB 480 - AN ACT TO AMEND TITLES 3, 7, AND 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.**

Representative D.E. Williams brought **HA 1 to HB 480** before the House for consideration.

Representative D.E. Williams made a comment. **HA 1** was adopted by voice vote. Representative D.E. Williams made comments.

The roll call on **HB 480 w/HA 1** was taken and revealed:

YES: 34.

NO: Representatives Hocker, Walls & Wilson - 3.

NOT VOTING: Representative Blakey - 1.

ABSENT: Representatives Lavelle, Plant & Viola - 3.

Therefore, having received a constitutional majority, **HB 480 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HS 1 for HB 435**, jointly sponsored by Representative Cathcart & Senator Hall-Long & Senator Ennis & Representatives Carson, George, Keeley, Lee, Miro & B. Short & Senators Blevins, Connor, Peterson & Sorenson, before the House for consideration.

**HB 435 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC. (F/N)**

Representative Q. Johnson brought **HA 1 to HS 1 for HB 435** before the House for consideration.

Representatives Q. Johnson & D. Short made comments. **HA 1** was adopted by voice vote.

Representative Q. Johnson introduced and brought **HA 2 to HS 1 for HB 435** before the House for consideration. Representative Q. Johnson made comments. **HA 2** was adopted by voice vote.

Representatives Q. Johnson & D. Short made comments. Representative D. Short rose on a point of order. Mr. Speaker Gilligan concurred. Representatives D. Short & Q. Johnson made comments.

The roll call on **HS 1 for HB 435 w/HA 1 & 2** was taken and revealed:

YES: 24.

NO: Representatives Blakey, Briggs King, Carey, Hocker, Hudson, Lee, Outten, D. Short, Thornburg & Wilson - 10.

NOT VOTING: Representatives Kovach, Manolakos, Oberle & Ramone - 4.

ABSENT: Representatives Lavelle, Plant & Viola - 3.

Therefore, having received a constitutional majority, **HS 1 for HB 435 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Ramone announced that he did not vote on **HS 1 for HB 435 w/HA 1 & 2** because of a possible conflict of interest.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell moved to suspend the rules which interfere with action on **SB 246**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Mitchell brought **SB 246**, jointly sponsored by Senator Bushweller & Representatives Jaques & Hudson, before the House for consideration.

**SB 246 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PRIVATE INVESTIGATORS, PRIVATE SECURITY AGENCIES AND BAIL ENFORCEMENT AGENTS. (3/5 bill)**

Representative Mitchell brought **HA 1 to SB 246** before the House for consideration.

Representatives Mitchell & Keeley made comments. **HA 1** was adopted by voice vote. Representative Mitchell introduced and brought **HA 2 to SB 246** before the House for consideration. Representative Mitchell made a comment. **HA 2** was adopted by voice vote. Representative Mitchell made comments.

The roll call on **SB 246 w/HA 1 & 2** was taken and revealed:

YES: 37.

ABSENT: Representatives Carey, Lavelle, Plant & Viola - 4.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 246 w/HA 1 & 2** was returned to the Senate for concurrence on **HA 1 & 2**.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko 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 Kowalko brought **SB 231 w/SA 1**, jointly sponsored by Senator Bushweller & Senator Katz & Representative Barbieri & Senators DeLuca, Blevins, Cook, Hall-Long, Sokola, McDowell, Bunting & Simpson & Representatives B. Short, Bennett & Kovach & cosponsored by Representative Scott & Senator Cloutier, before the House for consideration.

**SB 231 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH INFORMATION NETWORK. (2/3 bill)**

Representatives Kowalko & Kovach made comments.

The roll call on **SB 231 w/SA 1** was taken and revealed:

YES: 35.

NOT VOTING: Representative Cathcart - 1.

ABSENT: Representatives Carey, Lavelle, Plant, Viola & D.P. Williams - 5.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 231 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Walls.

Representative Walls brought **SB 219 w/SA 1**, jointly sponsored by Senator Bunting & Senators Ennis & Simpson & Representatives Outten, Atkins, Carey, Hocker, Carson & Q. Johnson, before the House for consideration.

**SB 219** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO RETAIL GASOLINE STATION COMPLIANCE.

Representative Walls moved to suspend the rules which interfere with action on **SB 219 w/SA 1**. The motion was properly seconded and adopted by voice vote.

Representative Walls made comments.

The roll call on **SB 219 w/SA 1** was taken and revealed:

YES: 36.

ABSENT: Representatives Lavelle, Plant, Schooley, Viola & D.P. Williams - 5.

Therefore, having received a constitutional majority, **SB 219 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell moved to suspend the rules which interfere with action on **SB 229**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Mitchell brought **SB 229**, jointly sponsored by Senator Bushweller & Representative Schwartzkopf & Senators Blevins, Bunting, Cook, DeLuca, Ennis, Hall-Long, Henry, Katz, Marshall, McBride, McDowell, Peterson, Sokola, Venables, Booth, Connor & Sorenson & All Representatives, before the House for consideration.

**SB 229** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AGAINST CHILDREN AND SPECIFIC OFFENSES.

Representative Mitchell made comments.

The roll call on **SB 229** was taken and revealed:

YES: 37.

ABSENT: Representatives Lavelle, Plant, Viola & D.P. Williams - 4.

Therefore, having received a constitutional majority, **SB 229** was returned to the Senate.

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 236**, jointly sponsored by Senator Bunting & Senator Ennis, before the House for consideration.

**HB 236** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO SPECIAL ELECTIONS.

Representative Jaques brought **HA 1 to HB 236** 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 236 w/HA 1** was taken and revealed:

YES: 32.

NO: Representatives Lee & Outten - 2.

NOT VOTING: Representatives Cathcart, D. Short & Thornburg - 3.

ABSENT: Representatives Lavelle, Plant, Viola & D.P. Williams - 4.

Therefore, having received a constitutional majority, **HB 236 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart brought **HB 369**, jointly sponsored by Representative Lavelle & Representative Miro & Senator Katz & Representatives D. Short, Briggs King, Hocker, Hudson, Manolakos, Carson, Keeley & Scott & Senators Bunting, Simpson, Sorenson, Bonini & Booth, before the House for consideration.

**HB 369** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT.

Representative Cathcart made comments.

The roll call on **HB 369** was taken and revealed:

YES: 37.

ABSENT: Representatives Lavelle, Plant, Viola & D.P. Williams - 4.

Therefore, having received a constitutional majority, **HB 369** was sent to the Senate for concurrence.

Mr. Speaker Gilligan appointed Representative Keeley as Acting Speaker.

Representative Gilligan moved to suspend the rules which interfere with action on **SB 311**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Gilligan brought **SB 311**, jointly sponsored by Senator Peterson & Senator Blevins & cosponsored by Senators Connor & Sokola, before the House for consideration.

**SB 311** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.

Representatives Gilligan, Kovach, Oberle & Kowalko made comments.

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

YES: 36.

NO: Representative Kovach - 1.

ABSENT: Representatives Lavelle, Plant, Viola & D.P. Williams - 4.

Therefore, having received a constitutional majority, **SB 311** was returned to the Senate.

Mr. Speaker Gilligan resumed the Chair.

Representative Schwartzkopf deferred to Representative Walls.

Representative Walls moved to suspend the rules which interfere with action on **SB 314**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Walls brought **SB 314**, jointly sponsored by Senator Ennis & Senator Simpson & Senators Hall-Long, Bonini & Booth & Representatives Mitchell, Carson, Wilson & Carey, before the House for consideration.

**SB 314** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TRUCK WEIGHTS.

Representative Walls made comments.

The roll call on **SB 314** was taken and revealed:

YES: 37.

ABSENT: Representatives Lavelle, Plant, Viola & D.P. Williams - 4.

Therefore, having received a constitutional majority, **SB 314** was returned to the Senate.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **HB 493**. The motion was seconded by Representative J. Johnson and adopted by voice vote. Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf brought **HB 493**, jointly sponsored by Senator Bunting & Senator Venables & Representatives Atkins, Bennett, Barbieri, Briggs King, Carson, Cathcart, George, Gilligan, Keeley, Kowalko, Longhurst, Mulrooney, Scott, B. Short, D. Short, Thornburg, Viola, Walls & Wilson & Senators Bonini, Booth, Cook & Simpson & cosponsored by Representatives Jaques, Lee & Miro, before the House for consideration.

**HB 493** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.

Representative Briggs King introduced and brought **HA 1 to HB 493** before the House for consideration. Representative Briggs King made comments. Representative Briggs King requested and was granted privilege of the floor for Patrick Ryan, representing Amateur Radio Operators. Representatives Briggs King, D. Short, Schwartzkopf, Briggs King, D. Short, Schwartzkopf & Briggs King made comments. Representative Briggs King moved to place **HA 1** on the Speaker's Table. The motion was properly seconded and adopted by voice vote. Representative Cathcart made comments. Representative Briggs King introduced and brought **HA 2 to HB 493** before the House for consideration. Representative Briggs King moved to place **HA 2** on the Speaker's Table. The motion was properly seconded and adopted by voice vote. Representatives D. Short & Scott made comments.

The roll call on **HB 493** was taken and revealed:

YES: 37.

ABSENT: Representatives Lavelle, Plant, Viola & D.P. Williams - 4.

Therefore, having received a constitutional majority, **HB 493** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.

Representative George introduced **HJR 14**, jointly sponsored by Senator Blevins & Representatives Bennett, Briggs King, Hocker, Hudson, J. Johnson, Q. Johnson, Keeley, Kovach, Kowalko, Mitchell, B. Short & D. Short & Senators Bushweller, Katz, Simpson, Sokola & Sorenson.

**HJR 14** - REQUESTING DELAWARE'S U.S. DELEGATION TO SUPPORT FEDERAL LEGISLATION THAT ADDS UNPAID COURT-ORDERED RESTITUTION, FINES, FEES AND COSTS TO DELINQUENT OBLIGATIONS THAT CAN BE INTERCEPTED THROUGH THE UNITED STATES DEPARTMENT OF THE TREASURY OFFSET PROGRAM.

Mr. Speaker Gilligan assigned **HJR 14** to the Judiciary Committee.

Representative Schwartzkopf deferred to Representative Kovach.

Representative Kovach introduced **HB 495**, jointly sponsored by Representative Lavelle & Senator Booth & Representatives D. Short, Briggs King, Hocker, Hudson, Lee, Manolakos, Ramone, Wilson, Bennett, B. Short & Q. Johnson & Senators Sorenson & Bonini.

**HB 495** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO GROSS RECEIPTS TAXES.

Mr. Speaker Gilligan assigned **HB 495** to the Revenue & Finance Committee.

Representative Schwartzkopf deferred to Representative Hudson. Representative Hudson introduced **HA 7 to HB 317**. **HA 7** was placed with the Bill. Representative Hudson introduced **HA 8 to HB 317**. **HA 8** was placed with the Bill. Representative Hudson introduced **HA 9 to HB 317**. **HA 9** was placed with the Bill. Representative Hudson introduced **HA 10 to HB 317**. **HA 10** was placed with the Bill.

Representative Schwartzkopf deferred to Representative Oberle.

Representative Oberle made comments.

Representative Oberle introduced **HA 6 to HB 317**. **HA 6** was placed with the Bill.

The Majority Leader moved to recess to the call of the Chair at 8:37 p.m.

Mr. Speaker Gilligan called the House to order at 4:01 p.m. on June 30, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 310, SJR 5 & SJR 6** and requests the concurrence of the House and the Senate has passed **HB 456 w/HA 3 & 4, HB 485 & HB 439** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 431 w/HA 1** as amended by **HA 1 to 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 4:03 p.m.

**44th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session  
June 30, 2010**

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Plant - 1.

A prayer was offered by Representative Pamela J. Thornburg, 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 496 - VIOLA & REPRESENTATIVE HUDSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Business Tax Credits and Deductions.**

**HB 497 - RAMONE - REVENUE & FINANCE - An Act to Amend the Laws of Delaware Relating to the Estate Tax.**

Representatives Lavelle, D.P. Williams, Viola, Cathcart & Mulrooney requested that they be marked present. Representative Hudson made an announcement. Representatives Atkins & Oberle requested that they be marked present. Representative Walls made an announcement.

Representative Schwartzkopf deferred to Representative Briggs King.

Representative Briggs King moved to suspend the rules which interfere with action on **HB 494**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Briggs King brought **HB 494**, jointly sponsored by Representative Wilson & Senator Booth & Representatives Cathcart, D. Short, Carey, Hocker, Hudson, Outten & Lee & Senators Simpson & Bonini & cosponsored by Senators Connor & Sorenson, before the House for consideration.

**HB 494 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.**

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

Representative Briggs King made comments.

Representative Briggs King introduced and brought **HA 1 to HB 494** before the House for consideration.

Representatives Briggs King, Schwartzkopf, Kovach & Carson made comments.

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

The roll call on **HB 494 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 494 w/HA 1** was sent to the Senate for concurrence.

Representatives Miro requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Walls.

Representative Walls moved to suspend the rules which interfere with action on **SB 265 w/SA 1**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Walls brought **SB 265 w/SA 1**, jointly sponsored by Senator Venables & Senators Bunting, Cook, Ennis & Hall-Long & Representatives Atkins, Carson, Q. Johnson, Longhurst & Hocker, before the House for consideration.

**SB 265 - AN ACT TO AMEND THE DELAWARE CODE RELATING TO THE RIGHT TO FARM AND PUBLIC AND PRIVATE NUISANCE ACTIONS.**

Representative Walls made comments. Representative Thornburg requested and was granted personal privilege of the floor to introduce guests. Representative Kovach made comments.

The roll call on **SB 265 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Keeley & Plant - 2.

Therefore, having received a constitutional majority, **SB 265 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell moved to suspend the rules which interfere with action on **SB 277**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Mitchell brought **SB 277**, jointly sponsored by Senator Bushweller & Senator Bunting & Representatives D. Short & Scott, before the House for consideration.

**SB 277** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGULATION OF VEHICLE SPEEDS IN SCHOOL ZONES.

Representatives Mitchell & Miro made comments.

The roll call on **SB 277** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 277** was returned to the Senate.

Representative D. Short requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 473**, jointly sponsored by Senator Blevins & Senator Ennis, before the House for consideration.

**HB 473** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE REQUIRING PROPERTY AND CASUALTY INSURERS TO ANNUALLY SUBMIT A STATEMENT OF ACTUARIAL OPINION.

Representative B. Short requested that **HA 1 to HB 473** be stricken. Representative B. Short made comments.

The roll call on **HB 473** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 473** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell moved to suspend the rules which interfere with action on **SB 271 w/SA 1**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Mitchell brought **SB 271 w/SA 1**, jointly sponsored by Senator Ennis & Senators Hall-Long, Bushweller & Connor & Representatives Carson, Walls, Cathcart & D. Short, before the House for consideration.

**SB 271** - AN ACT TO AMEND ALL TITLES OF THE DELAWARE CODE RELATING TO THE DELAWARE VOLUNTEER FIREFIGHTER'S ASSOCIATION AND TO AMEND TITLE 18 RELATING TO THE RESPONSIBILITIES OF THE DELAWARE VOLUNTEER FIREFIGHTER'S ASSOCIATION.

Representative Mitchell made comments.

The roll call on **SB 271 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 271 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **SB 221 w/SA 1**, jointly sponsored by Senator Henry & Senators Blevins, Bushweller & Sorenson & Representatives Schooley, Bennett & Manolakos, before the House for consideration.

**SB 221** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MENTAL HEALTH.

Representative Barbieri made comments.

The roll call on **SB 221 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro, Plant - 2.

Therefore, having received a constitutional majority, **SB 221 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **SB 291 w/SA 1**, jointly sponsored by Senator Marshall & Senator Henry, before the House for consideration.

**SB 291** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO NURSING FACILITIES AND SIMILAR FACILITIES.

Representative Barbieri made comments.

The roll call on **SB 291 w/SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Miro, Mitchell & Plant - 3.

Therefore, having received a constitutional majority, **SB 291 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri moved to suspend the rules which interfere with action on **SB 303**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Barbieri brought **SB 303**, jointly sponsored by Senator Marshall, before the House for consideration.

**SB 303** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF LONG TERM CARE RESIDENTS PROTECTION.

Representative Barbieri made comments.

The roll call on **SB 303** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 303** was returned to the Senate.

Representative Schwartzkopf deferred to Representative George.

Representative George moved to suspend the rules which interfere with action on **HJR 14**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative George brought **HJR 14**, jointly sponsored by Senator Blevins & Representatives Bennett, Briggs King, Hocker, Hudson, J. Johnson, Q. Johnson, Keeley, Kovach, Kowalko, Mitchell, B. Short & D. Short & Senators Bushweller, Katz, Simpson, Sokola & Sorenson, before the House for consideration.

**HJR 14** - REQUESTING DELAWARE'S U.S. DELEGATION TO SUPPORT FEDERAL LEGISLATION THAT ADDS UNPAID COURT-ORDERED RESTITUTION, FINES, FEES AND COSTS TO DELINQUENT OBLIGATIONS THAT CAN BE INTERCEPTED THROUGH THE UNITED STATES DEPARTMENT OF THE TREASURY OFFSET PROGRAM.

Representatives George, Hudson & Kovach made comments.

The roll call on **HJR 14** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HJR 14** was sent to the Senate for concurrence.

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

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

The Majority Leader moved to recess for caucus at 4:52 p.m.

The House reconvened at 7:28 p.m.

The Reading Clerk read the following communications into the record:

June 30, 2010

#### LEGISLATIVE ADVISORY #47

Governor Jack A. Markell signed the following legislation on the date indicated: 6/23/10 - **SB 227**; 6/28/10 - **SB 44 aab SA 1, SB 184, SB 254 aab SA 1, HB 221, HB 368 & HB 379 aab HA 1**; 6/29/10 - **HB 226 aab HA 1 & HA 2, HB 386 & HB 387**.

The Senate wishes to inform the House that it has passed **SCR 37 & SCR 39** and requests the concurrence of the House and the Senate has passed **HCR 59 & HCR 60** and is returning the same to the House.

June 30, 2010

#### LEGISLATIVE ADVISORY #48

Governor Jack A. Markell signed the following legislation on the date indicated: 6/29/10 - **SB 314**, 6/30/10 - **SB 259 aab SA 1 & SA 2, SB 229, SB 296 aab SA 1, SB 297 aab SA 1, SB 298, HB 456 aab HA 3 & HA 4, HB 457, HB 458, HB 459 aab HA 1 & HB 485**.

Mr. Speaker Gilligan introduced a guest and made an announcement.

Representative Schwartzkopf deferred to Representative Blakey.

Representative Blakey brought **HB 431 w/HA 1, HA 1 to HA 1 & SA 1**, jointly sponsored by Senator Bushweller, before the House for concurrence on **SA 1**.

**HB 431** - AN ACT TO AMEND CHAPTER 189, VOLUME 43, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CHARTER OF THE TOWN OF WYOMING. (2/3 bill)

Representative Blakey made comments.

The roll call on **HB 431 w/HA 1, HA 1 to HA 1 & SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Kovach & Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 431 w/HA 1, HA 1 to HA 1 & SA 1** was sent to the Governor.

Representative Schwartzkopf requested and was granted personal privilege of the floor to introduce a guest. The House observed a moment of silence in memory of Joshua Davis at the request of Representative Schwartzkopf. Representatives Cathcart, Oberle & Briggs requested and were granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf deferred to Representative Longhurst.

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

Representative Longhurst brought **HB 392 w/SA 1**, jointly sponsored by Senator Ennis, before the House for concurrence on **SA 1**.

**HB 392 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES.**

Representative Longhurst made comments.

The roll call on **HB 392 w/SA 1** was taken and revealed:

YES: 27.

NO: Representatives Lee, Outten, Thornburg & Wilson - 4.

NOT VOTING: Representatives Hocker, Kovach, Lavelle, Manolakos, Miro, Oberle, Ramone & D. Short - 8.

ABSENT: Representatives Kowalko & Plant - 2.

Therefore, having received a constitutional majority, **HB 392 w/SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Hocker. Representative Hocker made comments. Representative Hocker requested that **HB 355** be stricken.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady moved to suspend the rules which interfere with action on **SB 228 w/SA 1 & 2**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Brady brought **SB 228 w/SA 1 & 2**, jointly sponsored by Senator McDowell & Senator Blevins & Representative B. Short, before the House for consideration.

**SB 228 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE FOR PURPOSES OF REGULATING DISCOUNT MEDICAL PLANS. (3/5 bill)**

Representative Brady introduced and brought **HA 1 to SB 228** before the House for consideration. Representative Brady made comments. **HA 1** was adopted by voice vote. Representatives Brady & D. Short made comments. Representative Brady requested and was granted privilege of the floor for Gerald Pepper, Director, Fraud Prevention, Insurance Commissioner's Office. Representatives D. Short & Brady made comments. Representative Brady requested and was granted privilege of the floor for Gene Reed, Deputy Insurance Commissioner. Representative D. Short made comments.

The roll call on **SB 228 w/SA 1 & 2 & HA 1** was taken and revealed:

YES: 39.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 228 w/SA 1 & 2 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **Consent Agenda G**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought **Consent Agenda G**, which requires a two-thirds vote, before the House for consideration and for concurrence on Senate Amendments.

**HB 395 w/HA 1 & SA 1, 2 & 3 - HOCKER & SENATOR BUNTING - An Act to Amend Volume 65, Chapter 295, Laws of Delaware, An Act to Reincorporate the Town of Bethany Beach Regarding the Referendum Power, and to Allow Natural Persons Holding Title to Real Estate as Trustee, to Vote in Municipal Elections; and Placing a Limit on the Total Number of Persons who may Qualify to Vote as a "Nonresident Property Owner" to a Maximum of Eight Persons per Property. (2/3 bill)**

**SB 107 - SORENSON & SENATOR PETERSON & SENATORS BONINI, CLOUTIER, CONNOR, ENNIS, HENRY & SIMPSON & REPRESENTATIVES LAVELLE, M. MARSHALL, OUTTEN, RAMONE & D. SHORT - An Act to Amend Title 3 of the Delaware Code Relating to Cruelty of Animals.**

**SB 253 w/SA 2, 3 & 4 - BONINI & REPRESENTATIVE WALLS - An Act to Reincorporate the Town of Magnolia. (2/3 bill)**

**SB 275 w/SA 2 - MARSHALL & SENATOR SIMPSON & REPRESENTATIVE KEELEY & REPRESENTATIVE BRIGGS KING & SENATORS BOOTH, BUSHWELLER, ENNIS, BUNTING, PETERSON & HENRY & REPRESENTATIVES HOCKER, HUDSON, Q. JOHNSON & KOVACH - An Act to Amend Title 24 of the Delaware Code Relating to Health Care Practices.**

**SB 282 - DELUCA & REPRESENTATIVE B. SHORT & SENATORS BUNTING & BONINI & REPRESENTATIVES BENNETT, BRADY, VIOLA & HOCKER - An Act to Amend Title 12 of the Delaware Code Relating to Trusts.**

**SB 285 - KATZ & SENATOR CLOUTIER & SENATOR CONNOR & REPRESENTATIVE LONGHURST & SENATORS MCDOWELL, ENNIS, HALL-LONG & SOKOLA & REPRESENTATIVES D.E. WILLIAMS, Q. JOHNSON, CATHCART, BARBIERI, GEORGE, KOWALKO, MANOLAKOS, OBERLE, SCHOOLEY, VIOLA & D.P. WILLIAMS - An Act to Amend Titles 15 and 29 of the Delaware Code Relating to Polling Place Accessibility.**

**SB 312 w/SA 2 - SIMPSON & REPRESENTATIVE WALLS & REPRESENTATIVE CAREY - An Act to Amend the Laws of Delaware Relating to the Re-Incorporation of the City of Milford. (2/3 bill)**

The roll call on **Consent Agenda G** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.



Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 395 w/HA 1 & SA 1, 2 & 3** was sent to the Governor and **SB 107, SB 253 w/SA 2, 3 & 4, SB 275 w/SA 2, SB 282, SB 285 & SB 312 w/SA 2** were returned to the Senate.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on **Consent Agenda H**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf introduced and brought **Consent Agenda H** before the House for consideration.

**SB 233** - MARSHALL & REPRESENTATIVE BARBIERI - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Medical Practice.

**SB 281** - BLEVINS & REPRESENTATIVE D.P.WILLIAMS & SENATORS ENNIS & SORENSON & REPRESENTATIVES MITCHELL, LEE & WILSON - An Act to Amend Title 21 of the Delaware Code Relating to Proof of Automobile Insurance.

**SB 286** - HALL-LONG & SENATOR KATZ & REPRESENTATIVE BARBIERI & SENATORS VENABLES, BUNTING, COOK, ENNIS & HENRY & REPRESENTATIVES WALLS, D. SHORT, MITCHELL, JAQUES & KEELEY - An Act to Amend Title 24 of the Delaware Code Relating to the Delaware Board of Nursing.

**SB 287 w/SA 1** - ENNIS & REPRESENTATIVE CARSON & SENATORS HALL-LONG, SOKOLA, BUSHWELLER & HENRY & REPRESENTATIVES MITCHELL, OUTTEN, WILSON & WALLS - An Act to Amend Title 19 of the Delaware Code Relating to Workers' Compensation.

**SB 304** - BLEVINS & REPRESENTATIVE GEORGE - An Act to Amend Title 16 of the Delaware Code Relating to the Child Protection Accountability Commission.

**SJR 4** - BUNTING & REPRESENTATIVE OBERLE & REPRESENTATIVE JAQUES & SENATOR BOOTH, CONNOR, ENNIS, HALL-LONG, MCDOWELL, BUSHWELLER, COOK & PETERSON & REPRESENTATIVES ATKINS, CARSON, CATHCART, BRADY, BRIGGS KING, GEORGE, Q. JOHNSON, KOVACH, MULROONEY, SCHWARTZKOPF, B. SHORT & D. SHORT - Designating the Honor and Remember Flag as the State's Emblem of the Service and Sacrifice by the Brave Men and Women of the United States Armed Forces Who Have Given Their Lives in the Line of Duty.

The roll call on **Consent Agenda H** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Plant - 2.

Therefore, having received a constitutional majority **SB 233, SB 281, SB 286, SB 287 w/SA 1, SB 304 & SJR 4** were returned to the Senate.

Representatives Cathcart, Wilson, D. Short & Q. Johnson requested and were granted personal privilege of the floor to introduce guests. Representatives Atkins & Carson introduced guests. Representatives Hocker & Kovach made comments. Representative Barbieri requested and was granted personal privilege of the floor to introduce guests. Representative Carey introduced a guest and made comments. Representative Mulrooney requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **Consent Agenda F**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought **Consent Agenda F**, which requires a two-thirds vote, before the House for consideration.

**SB 302** - DELUCA & REPRESENTATIVE B. SHORT & REPRESENTATIVE GEORGE - An Act to Amend Title 12 of the Delaware Code Relating to Statutory Trusts. (3/5 bill)

**SB 309** - HALL-LONG & REPRESENTATIVE KOWALKO - An Act to Amend Title 24 of the Delaware Code Relating to Geology.

**SB 324 w/SA 1** - COOK & REPRESENTATIVE D.P. WILLIAMS & SENATORS DELUCA & SIMPSON & REPRESENTATIVES SCHWARTZKOPF & OBERLE - An Act to Amend Title 11 of the Delaware Code Relating to the Delaware County and Municipal Police/Firefighter Pension Plan.

**SB 325** - COOK & REPRESENTATIVE D.P. WILLIAMS & SENATORS DELUCA & SIMPSON & REPRESENTATIVES SCHWARTZKOPF & OBERLE - An Act to Amend Titles 11 and 29 of the Delaware Code Relating to the State Employees' Pension Plan, the County and Municipal Employees' Pension Plan, the County and Municipal Police/Firefighter Pension Plan, the State Judiciary Pension Plan, the State Police Pension Plan, and Pensions.

**SB 326 w/SA 1** - KATZ & SENATOR ENNIS & REPRESENTATIVE D.E. WILLIAMS - An Act to Amend Title 15 of the Delaware Code Relating to Municipal Elections.

**SB 327 w/SA 1** - BLEVINS: REP. MITCHELL - An Act to Amend Volume 68, Chapter 3, Laws of Delaware as Amended, Entitled "An Act to Reincorporate the Town of Elsmere" Concerning Elections. (2/3 bill)

The roll call on **Consent Agenda F** was taken and revealed:

YES: 39.

ABSENT: Representatives Kowalko & Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House,

**SB 302, SB 309, SB 324 w/SA 1, SB 325, SB 326 w/SA 1 & SB 327 w/SA 1** were returned to the Senate.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri moved to suspend the rules which interfere with action on **SB 232**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Barbieri brought **SB 232**, jointly sponsored by Senator Marshall before the House for consideration.

**SB 232 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CIVIL ADMINISTRATIVE PROCEDURES.**

Representatives Barbieri & Oberle made comments.

Representative Barbieri requested and was granted privilege of the floor for James Collins, Director, Division of Professional Regulation. Representative Oberle made comments.

The roll call on **SB 232** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 232** was returned to the Senate.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson moved to suspend the rules which interfere with introduction of and action on **SB 320 w/SA 1**. The motion was seconded by Representative Keeley and adopted by voice vote.

Representative J. Johnson introduced and brought **SB 320 w/SA 1**, jointly sponsored by Senator Ennis & Senators Simpson, Henry, Venables, Peterson & McDowell & Representatives Carey, George, Hudson, Kovach, Lee, Viola, Walls, Mulrooney, & Wilson, before the House for consideration.

**SB 320 - AN ACT TO AMEND TITLE 11 RELATING TO SENTENCING AND GOOD TIME.**

Representatives J. Johnson & Kovach made comments.

The roll call on **SB 320 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Plant - 2.

Therefore, having received a constitutional majority, **SB 320 w/SA 1** was returned to the Senate.

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

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **SB 300**, jointly sponsored by Senator Blevins & Senators Cloutier, Connor, Hall-Long, Henry, Katz, McDowell, Peterson & Sorenson & Representatives George, Hudson, Jaques, J. Johnson, Q. Johnson, Kowalko & Ramone, before the House for consideration.

**SB 300 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CHILDHOOD LEAD POISONING PREVENTION.**

Representative Schooley made comments.

The roll call on **SB 300** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Plant - 2.

Therefore, having received a constitutional majority, **SB 300** was returned to the Senate.

Representative D.E. Williams requested and was granted personal privilege of the floor to introduce a guest.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **SB 280 w/SA 2**, jointly sponsored by Senator Blevins & Senators Bonini, Booth, Cloutier, McDowell, Sokola, Venables, Bushweller, Ennis, Henry, Peterson, Simpson & Sorenson & Representatives Gilligan, Hudson, Jaques, Keeley, Mitchell, Oberle, Schooley & B. Short, before the House for consideration.

**SB 280 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO ANIMALS HELD IN SHELTER.**

Representative George made comments.

The roll call on **SB 280 w/SA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Plant, D.P. Williams - 2.

Therefore, having received a constitutional majority, **SB 280 w/SA 2** was returned to the Senate.

Representative George requested and was granted personal privilege of the floor to make comments and to introduce guests. Mr. Speaker Gilligan made comments. Representative Keeley introduced a guest and made an announcement. Representatives Mulrooney, Longhurst, Lavelle & Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **SB 289 w/SA 1**, jointly sponsored by Senator Ennis & Senators Bushweller & Sokola & Representatives Barbieri, Carson, Hocker, Hudson, Mitchell & Walls & cosponsored by Senator Bonini, before the House for consideration.

**SB 289 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE INTERSTATE COMPACT FOR JUVENILES.**

Representative J. Johnson made comments.

The roll call on **SB 289 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 289 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley requested and was granted privilege of the floor for herself and Representatives Mitchell and Atkins. Representative Schooley presented a House Tribute to Sergeant Richard Edward Dennis on the occasion of his retirement from the Delaware State Police. Representatives Mitchell, Atkins, Cathcart, Oberle, Schwartzkopf and Thornburg made comments. Sergeant Dennis addressed the House. Representatives Schooley, Atkins & Schwartzkopf made comments.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 322 & SB 323** and requests the concurrence of the House and the Senate has passed **HB 396 w/SA 1, HB 448 w/SA 1, HB 449 & HB 420 w/HA 1 & SA 1** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 455, HB 425, HB 433, HB 427 w/HA 1, HB 384, HS 1 for HB 348, HB 283 & HB 381** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Scott. Representative Scott made comments.

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

Representative Schwartzkopf deferred to Representative Gilligan.

Representative Gilligan moved to suspend the rules which interfere with introduction of and action on **SB 328**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Gilligan introduced and brought **SB 328**, jointly sponsored by Senator Cook & Senators Blevins & Sokola, before the House for consideration.

**SB 328 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE III OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO CONFIRMATION OF OFFICERS APPOINTED BY THE GOVERNOR. (2/3 bill)**

Representatives Gilligan & Lavelle made comments.

The roll call on **SB 328** was taken and revealed:

YES: 38.

ABSENT: Representatives Manolakos, Plant & Ramone - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 328** was returned to the Senate.

Mr. Speaker Gilligan resumed the Chair.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott moved to suspend the rules which interfere with action on **HB 399**. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Scott brought **HB 399**, jointly sponsored by Representative Carson & Representative Bennett & Senator Bushweller & Senator Ennis & Representatives George, J. Johnson, Jaques, Plant, Schooley, D.P. Williams, Barbieri, Gilligan, Mitchell, Oberle, Thornburg, Blakey, Q. Johnson, Kowalko, Keeley & Senators Sokola, Henry, Hall-Long, Bunting & Peterson and cosponsored by Representatives Manolakos & Ramone & Senator Cook, before the House for consideration.

**HB 399 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. (F/N)**

Representative Cathcart announced that he will not be participating in the debate or voting on **HB 399** because of a possible conflict of interest.

Representative Scott brought **HA 1 to HB 399** before the House for consideration. Representative Scott made comments. **HA 1** was adopted by voice vote. Representative Scott brought **HA 2 to HB 399** before the House for consideration. Representative Scott made a comment. Representative Scott requested that **HA 2** be stricken. Representative Scott brought **HA 3 to HB 399** before the House for consideration. Representative Scott made comments. **HA 3** was adopted by voice vote. Mr. Speaker Gilligan appointed Representative D.P. Williams as Acting Speaker. Representatives Scott & Gilligan made comments. Mr. Speaker Gilligan resumed the Chair. Representatives Blakey & Keeley made comments.

The roll call on **HB 399 w/HA 1 & 3** was taken and revealed:

YES: 32.

NOT VOTING: Representative Cathcart - 1.

ABSENT: Representatives Briggs King, Hocker, Hudson, Kovach, Lavelle, Miro, Outten & Plant - 8.

Therefore, having received a constitutional majority, **HB 399 w/HA 1 & 3** was sent to the Senate for concurrence.

Representative J. Johnson made an announcement. Representative Brady introduced a guest.

Representative D.E. Williams requested and was granted personal privilege of the floor to introduce a guest.

The Majority Leader moved to recess for caucus at 9:13 p.m.

The House reconvened at 11:04 p.m.

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 **SJR 5**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams introduced and brought **SJR 5**, jointly sponsored by Senator Cook & Senators Cloutier, Connor, Ennis, McBride & McDowell & Representatives George, J. Johnson, Miro, Mitchell & Thornburg, before the House for consideration.

**SJR 5 - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2010.**

Representative D.P. Williams made comments.

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

YES: 39.

ABSENT: Representatives Plant & B. Short - 2.

Therefore, having received a constitutional majority, **SJR 5** was returned to the Senate.

Representative D.P. Williams moved to suspend the rules which interfere with introduction of and action on **SJR 6**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams introduced and brought **SJR 6**, jointly sponsored by Senator Cook & Senators Cloutier, Connor, Ennis, McBride & McDowell & Representatives George, J. Johnson, Miro, Mitchell & Thornburg, before the House for consideration.

**SJR 6 - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2011.**

Representative D.P. Williams made comments.

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

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SJR 6** was returned to the Senate.

Representative D.P. Williams moved to suspend the rules which interfere with introduction of and action on **SB 310**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams introduced and brought **SB 310**, jointly sponsored by Senator Cook & Senators Ennis, McBride, McDowell, Cloutier & Connor & Representatives George, J. Johnson, Mitchell, Miro & Thornburg, before the House for consideration.

**SB 310 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2011; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.**

Representatives D.P. Williams, Cathcart D.P. Williams, Schwartzkopf, Cathcart, George, Cathcart, Lavelle, D. Short, Kovach & Hudson made comments.

The roll call on **SB 310** was taken and revealed:

YES: 27.

NO: Representatives Briggs King, Carey, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Outten, Ramone, D. Short, Wilson - 13.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 310** was returned to the Senate.

Representative George requested and was granted personal privilege of the floor to make comments. Representative Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with action on **HB 500**. The motion was properly seconded and adopted by voice vote.

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

CAPITAL INFRASTRUCTURE: **HB 500 - 5F.**

The Reading Clerk read the following communication into the record:

**DEBT LIMIT STATEMENT FOR FISCAL YAR 2011**

This Debt Limit Statement is to be attached to the Fiscal Year 2011 Bond and Capital Improvement Act as required by 29 Del. C §7422.

- (1) **Estimated Net General Fund revenue** for the  
Fiscal year ending June 30, 2011 as per the  
Joint resolution of the House and Senate which  
will be signed by the Governor in connection  
with the adoption of the annual Budget Appropriation  
Bill for that fiscal year.

\$ 3,333.2 million

- (2) Multiply by 5%.

X .05

- (3) Maximum aggregate principal amount of tax-  
supported obligations which may be authorized  
by the State in the fiscal year ending June 30, 2011.

\$ 166.9 million

- (4) Less: Aggregate principal amount of previously  
Authorized tax-supported obligations subject to debt limit. \$ 0 million
- (5) **AVAILABLE DEBT LIMIT** prior to appended legislation  
(Line 3 minus Line 4). \$ 166.9 million
- (6) Less: Aggregate principal amount of new tax-  
supported obligations subject to debt limit  
to be authorized pursuant to appended legislation. \$ 0 million
- (7) **REMAINING DEBT LIMIT** (Line 5 minus Line 6). \$ 166.9 million

Thomas J. Cook  
June 29, 2010

Representative Keeley brought **HB 500**, jointly sponsored by Senator Venables & Representatives Mulrooney, Schooley, Viola, Carey & Oberle & Senators Sokola, Cook, McDowell, Simpson & Sorenson, before the House for consideration.

**HB 500** - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2011; 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)

Representative Keeley made comments.

The roll call on **HB 500** was taken and revealed:

YES: 34.

NO: Representatives Briggs King, Hocker, Manolakos, Ramone & Wilson - 5.

NOT VOTING: Representative Cathcart - 1.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 500** was sent to the Senate for concurrence.

Representatives Keeley & Schwartzkopf made comments.

Representative Schwartzkopf brought the following prefiled **Consent Calendar #19** before the House for consideration.

**HR 49** - SCHWARTZKOPF, ON BEHALF OF ALL REPRESENTATIVES - Celebrating the Twentieth Anniversary of the Enactment of the Americans with Disabilities Act of 1990.

**HCR 57** - ATKINS & SENATOR BOOTH - Requesting the Delaware Board of Veterinary Medicine Develop Regulations to Assure that Animal Owners are Provided with Product Safety Information Associated with the Veterinary Prescription Drugs Administered or Dispensed by their Veterinarians.

**SCR 38** - COOK & REPRESENTATIVE B. SHORT - Urging the Delaware Heritage Commission to Undertake the State's Official Observance of the 150th Anniversary of the Civil War Between 2011 and 2015, and to Assist Other Organizations in their Commemorative Efforts.

**SCR 37** - ENNIS & REPRESENTATIVE J. JOHNSON & SENATOR BUNTING & REPRESENTATIVES BRIGGS KING, HOCKER, HUDSON, KEELEY, MITCHELL & D.E. WILLIAMS - Relating to the Delaware Statistical Analysis Center and the Establishment of the Criminal Justice Statistical Review Committee.

**SCR 39** - HALL-LONG & REPRESENTATIVE Q. JOHNSON & REPRESENTATIVES BARBIERI, B. SHORT & D. SHORT & SENATORS BOOTH, BUNTING & ENNIS - Recognizing July 6, 2010 as Independent Business Owners Day in the State Of Delaware.

**Consent Calendar #19** was adopted by voice vote and **HR 49** was declared passed, **HCR 57** was sent to the Senate for concurrence and **SCR 38**, **SCR 37** & **SCR 39** were returned to the Senate.

Representative Schwartzkopf deferred to Representative D.E. Williams.

Representative D.E. Williams brought **SB 316 w/SA 2**, jointly sponsored by Senator Peterson & Senators Ennis, McDowell, Sokola & Bushweller, before the House for consideration.

**SB 316** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO SOLAR PHOTOVOLTAIC SYSTEMS AND REAL PROPERTY.

Representatives D.E. Williams & Lavelle made comments.

The roll call on **SB 316 w/SA 2** was taken and revealed:

YES: 23.

NO: Representatives Blakey, Carey, Cathcart, Hocker, Hudson, Lavelle, Lee, Outten, D. Short & Wilson - 10.

NOT VOTING: Representatives Briggs King, Kovach, Manolakos, Miro, Ramone & Thornburg - 6.

ABSENT: Representatives Oberle & Plant - 2.

Therefore, having received a constitutional majority, **SB 316 w/SA 2** was returned to the Senate.

The Majority Leader moved to adjourn the Second Session of the 145th General Assembly at 12:00 a.m.

Mr. Speaker Gilligan called the House to order at 12:01 a.m. on July 1, 2010.

The Reading Clerk read the following communication into the record:

TO: The Members of the 145<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, 2010

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 145<sup>th</sup> 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 - 145th GENERAL ASSEMBLY - Second Special Session**

**July 1, 2010**

The Chief Clerk Emeritus called the roll.

Members Present: 40.

Member Absent: Representative Plant - 1.

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 D.P. Williams as Acting Speaker.

Representative Schwartzkopf deferred to Representative Gilligan.

Representative Gilligan moved to suspend the rules which interfere with action on **SB 24**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Gilligan brought **SB 24**, jointly sponsored by Senator DeLuca & Senator Adams & Senator Simpson & Representatives Schwartzkopf & Lee, before the House for consideration.

**SB 24 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE JUDICIARY AND THE CHIEF MAGISTRATE OF THE JUSTICE OF THE PEACE COURT. (2/3 bill) (F/N)**

Representative Gilligan made comments.

The roll call on **SB 24** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 24** was returned to the Senate.

Mr. Speaker Gilligan resumed the Chair.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **SB 306 w/SA 1**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought **SB 306 w/SA 1**, jointly sponsored by Senator DeLuca & Representative Atkins, before the House for consideration.

**SB 306 - AN ACT TO AMEND TITLE 20, CHAPTER 31 OF THE DELAWARE CODE RELATING TO EMERGENCY MANAGEMENT. (2/3 bill)**

Representatives Schwartzkopf, Thornburg, Hocker & Schwartzkopf made comments.

The roll call on **SB 306 w/SA 1** was taken and revealed:

YES: 39.

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

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 306 w/SA 1** was returned to the Senate.

Representative Carey made comments.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **SB 307**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought **SB 307**, jointly sponsored by Senator DeLuca & Representative Atkins, before the House for consideration.

**SB 307 - AN ACT TO AMEND TITLE 21, CHAPTER 41 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (2/3 bill)**

Representative Schwartzkopf made comments.

The roll call on **SB 307** was taken and revealed:

YES: 38.

ABSENT: Representatives Carey, Cathcart, Plant - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 307** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **HB 420 w/HA 1 & SA 1**, jointly sponsored by Senator Blevins & Representatives Jaques, Q. Johnson, Keeley, Mitchell, B. Short & D. Short & Senators Bushweller, Ennis, Hall-Long & Henry & cosponsored by Representatives Briggs King, Cathcart, Hocker, Kovach & Outten, before the House for concurrence on **SA 1**.

**HB 420 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE**

Representative Scott made comments.

The roll call on **HB 420 w/HA 1 & SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Carey & Plant - 2.

Therefore, having received a constitutional majority, **HB 420 w/HA 1 & SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **HB 378 w/HA 1 & SA 1**, jointly sponsored by Senator Peterson & Representatives Barbieri, Bennett, Brady, Gilligan, Jaques, J. Johnson, Q. Johnson, Keeley, Lavelle, Mitchell, Mulrooney, Oberle, Plant, Ramone, Schooley, Scott, B. Short, Viola, D.E. Williams & D.P. Williams & Senator Sokola & cosponsored by Representative Manolakos, before the House for concurrence on **SA 1**.

**HB 378 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO ENERGY EFFICIENCY RESOURCE STANDARDS.**

Representative Kowalko made comments.

The roll call on **HB 378 w/HA 1 & SA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Carey, Keeley, Plant & D. Short - 4.

Therefore, having received a constitutional majority, **HB 378 w/HA 1 & SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson brought **HB 276 w/HA 1 & SA 1**, jointly sponsored by Senator McBride & Representatives Barbieri, Brady, Carson, Jaques, Booth, Carey, Hocker, Lavelle, Manolakos, Miro, Ramone & Thornburg & Senators Sokola & Sorenson & cosponsored by Representative Kovach & Senator Katz, before the House for concurrence on **SA 1**.

**HB 276 - AN ACT TO AMEND TITLES 11, 16, 17 AND 21 OF THE DELAWARE CODE RELATING TO CRIMINAL MISCHIEF, GRAFFITI, AND OTHER INJURY TO A SCENIC AND HISTORICAL HIGHWAY OR A SCENIC BYWAY.**

Representative Hudson made comments.

The roll call on **HB 276 w/HA 1 & SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Carey & Plant - 2.

Therefore, having received a constitutional majority, **HB 276 w/HA 1 & SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Briggs King.

Representative Briggs King made a comment.

Representative Briggs King brought **HB 437 w/HA 1 & SA 1**, jointly sponsored by Senator Bonini & Representatives Cathcart, D. Short, Blakey, Carey, Hocker, Hudson, Lavelle, Oberle, Outten, Ramone, Thornburg, Wilson, Atkins, Viola & Walls & Senators Simpson & Booth & cosponsored by Senator Bushweller, before the House for concurrence on **SA 1**.

**HB 437 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING, AND FISHING LICENSES.**

The roll call on **HB 437 w/HA 1 & SA 1** was taken and revealed:

YES: 37.

NOT VOTING: Representative Jaques - 1.

ABSENT: Representatives Carey, Plant, D. Short - 3.

Therefore, having received a constitutional majority, **HB 276 w/HA 1 & SA 1** was sent to the Governor.

Representative Jaques made a comment regarding **HB 276**.

Representative Schwartzkopf brought **HB 326 w/HA 2 & SA 1**, jointly sponsored by Representative Atkins & Representative Keeley & Senator Bunting & Senator Blevins & Senator Peterson & Senator Connor & cosponsored by Representative Ramone & Senator McDowell, before the House for concurrence on **SA 1**.

**HB 326 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTHCARE MEDICAL NEGLIGENCE INSURANCE AND LITIGATION. (F/N)**

Representative Schwartzkopf made comments.

The roll call on **HB 326 w/HA 2 & SA 1** was taken and revealed:

YES: 38.

NO: Representative Lavelle - 1.

ABSENT: Representatives Carey & Plant - 2.

Therefore, having received a constitutional majority, **HB 326 w/HA 2 & SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady moved to suspend the rules which interfere with introduction of and action on **SB 322**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Brady introduced and brought **SB 322**, jointly sponsored by Senator Bunting & Senator Sokola & Representative Bennett & Senator Venables & Representatives Hocker, Scott, Hudson, Ramone, Kovach & Briggs King, before the House for consideration.

**SB 322 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO TITLES AND CONVEYANCES.**

Representative Brady made comments.

The roll call on **SB 322** was taken and revealed:

YES: 39.

ABSENT: Representatives Carey, Plant - 2.

Therefore, having received a constitutional majority, **SB 322** 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 500, HB 276 w/HA 1 & SA 1, HB 487, HB 419 w/HA 1 & 2, HB 482, HB 481 w/HA 1, HB 409, HB 463 w/HA 1, HB 464 w/HA 1, HB 452 & HB 477** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with introduction of and action on **SB 323**. The motion was properly seconded and adopted by voice vote.

Representative Keeley introduced and brought **SB 323**, jointly sponsored by Senator Henry & Representative D. Short & Hudson, before the House for consideration.

**SB 323 - AN ACT TO AMEND TITLE 24, CHAPTER 17, OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICE ACT.**

Representative Keeley made comments and deferred to Representative D. Short.

Representative D. Short made comments.

The roll call on **SB 323** was taken and revealed:

YES: 37.

ABSENT: Representatives Carey, Cathcart, Plant & Scott - 4.

Therefore, having received a constitutional majority, **SB 323** 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 **SB 315**. The motion was properly seconded and adopted by voice vote.

Representative D.P. Williams introduced and brought **SB 315**, jointly sponsored by Senator Cook & Senators Ennis, McBride, McDowell, Cloutier & Connor & Representatives George, J. Johnson, Mitchell, Miro & Thornburg, before the House for consideration.

**SB 315 - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2011; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2011 APPROPRIATIONS ACT; AND TITLE 1 OF THE DELAWARE CODE RELATING TO STATE HOLIDAYS. (3/4 bill)**

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **SB 269**, jointly sponsored by Senator Sokola & Senator Bunting & Representatives Bennett, Carson, Hudson, Jaques, Miro, Schooley, D. Short & Walls & cosponsored by Representative Brady, before the House for consideration.

**SB 269 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CARELESS OR INATTENTIVE DRIVING.**

Representative Barbieri introduced and brought **HA 1 to SB 269** before the House for consideration. Representative Barbieri made comments.

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



YES: 24.

NO: Representatives Blakey, Briggs King, Carson, Cathcart, Hocker, Hudson, Lee, Manolakos, Outten, D. Short, Walls & Wilson - 12.

NOT VOTING: Representatives Lavelle, Miro & Ramone - 3.

ABSENT: Representatives Carey & Plant - 2.

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

Representative Barbieri made comments.

The roll call on **SB 269 w/HA 1** was taken and revealed:

YES: 21.

NO: Representatives Briggs King, Carson, Cathcart, Hocker, Hudson, Lee, Manolakos, Miro, Outten, Schwartzkopf, Walls & Wilson - 12.

NOT VOTING: Representatives Lavelle, Mitchell, Ramone, Schooley & Thornburg - 5.

ABSENT: Representatives Carey, Plant & D. Short - 3.

Therefore, having received a constitutional majority, **SB 269 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SCR 30**, jointly sponsored by Senator Sokola, before the House for consideration.

**SCR 30 - FORMALLY RATIFYING THE 17TH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDING FOR THE POPULAR ELECTION OF SENATORS TO THE UNITED STATES SENATE.**

Representative B. Short made comments.

Mr. Speaker Gilligan granted privilege of the floor to William G. Bush IV, Majority House Attorney.

**SCR 30** was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **SB 292**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought **SB 292**, jointly sponsored by Senator Venables & cosponsored by Representative Hocker, before the House for consideration.

**SB 292 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY GOVERNMENT AND COUNTY ADMINISTRATORS.**

Representative Schwartzkopf made comments.

The roll call on **SB 292** was taken and revealed:

YES: 39.

ABSENT: Representatives Carey & Plant - 2.

Therefore, having received a constitutional majority, **SB 292** 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 493, HB 480 w/HA 1, HS 1 for HB 435 w/HA 1 & 2, HB 236 w/HA 1, HB 494 w/HA 1, HJR 14, HB 451, HB 398, HB 334 w/HA 1 & HA 1 to HA 1, HB 488 w/HA 2** and is returning the same to the House. The Senate wishes to inform the house that it has passed **HB 437 w/HA 1 & SA 1, HB 326 w/HA 2 & SA 1, HB 378 w/HA 1 & SA1, HB 256 w/HA 1, HB 371, HB 483, HB 410 w/HA 2, HB 472 w/HA 1 & HB 462 w/HA 1** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst 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 **SJR 3 w/SA 1**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought **SJR 3 w/SA 1**, sponsored by Senator Henry & Representative Barbieri & Senators Blevins, Hall-Long & Simpson & Representatives Schooley, Blakey & Briggs King, before the House for consideration.

**SJR 3 - CALLING FOR THE DESIGNATION OF THE ENTIRE STATE OF DELAWARE AS A HEALTHCARE INNOVATION ZONE.**

Representative Schwartzkopf made comments. Representative Schwartzkopf requested and was granted privilege of the floor for Wayne Smith, President, Delaware Healthcare Association.

The roll call on **SJR 3 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Carey & Plant - 2.

Therefore, having received a constitutional majority, **SJR 3 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative D.P. Williams.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 315** and requests the concurrence of the House.

Representative D.P. Williams moved to suspend the rules which interfere with action on **SB 315**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams brought **SB 315**, jointly sponsored by Senator Cook & Senators Ennis, McBride, McDowell, Cloutier & Connor & Representatives George, J. Johnson, Mitchell, Miro & Thornburg, before the House for consideration.

**SB 315** - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2011; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2011 APPROPRIATIONS ACT; AND TITLE 1 OF THE DELAWARE CODE RELATING TO STATE HOLIDAYS. (3/4 bill)

Representatives D.P. Williams & Lavelle made comments. Representative D.P. Williams requested and was granted privilege of the floor for Russ Larson, Controller General. Representatives Lavelle & Kovach made comments. Representative D.P. Williams requested and was granted privilege of the floor for Mike Morton, Analyst, Office of the Controller General. Representative D.P. Williams moved to place **SB 315** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

The Majority Leader moved to recess at 1:27 a.m.

The House reconvened at 1:44 a.m.

Representative D.P. Williams moved to lift **SB 315** from the Speaker's Table.

The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams brought **SB 315**, jointly sponsored by Senator Cook & Senators Ennis, McBride, McDowell, Cloutier & Connor & Representatives George, J. Johnson, Mitchell, Miro & Thornburg, before the House for consideration.

**SB 315** - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2011; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2011 APPROPRIATIONS ACT; AND TITLE 1 OF THE DELAWARE CODE RELATING TO STATE HOLIDAYS. (3/4 bill)

Representative D.P. Williams made a comment.

The roll call on **SB 315** was taken and revealed:

YES: 39.

ABSENT: Representatives Carey & Plant - 2.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SB 315** was returned to the Senate.

Representative D.P. Williams made comments.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 85 w/HA 1 & SA 1, HS 1 for HB 169 w/HA 1 & SA 1** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 92 w/HA 1 & SA 1** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought **HB 85 w/HA 1 & SA 1**, jointly sponsored by Representative B. Short & Senator Blevins & Representatives Barbieri, Bennett, Carey, Hocker, Hudson, Q. Johnson, Lavelle, Kovach, Miro, Outten, Ramone, Walls & Wilson & Senators Bunting, Ennis, Venables & Simpson, before the House for concurrence on **SA 1**.

**HB 85** - 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 85 w/HA 1 & SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Carey, Plant & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HB 85 w/HA 1 & SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HS 1 for HB 169 w/HA 1 & SA 1**, jointly sponsored by Senator McDowell & Senator Venables & Representatives Bennett, J. Johnson, Keeley, Kovach, Kowalko, Mulrooney, Plant, Schooley & B. Short, before the House for concurrence on **SA 1**.

**HB 169** - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO RECORDS OF ARREST AND PROSECUTION.

Representatives George & Oberle made comments.

The roll call on **HS 1 for HB 169 w/HA 1 & SA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Carey, Plant, Scott & D.P. Williams - 4.

Therefore, having received a constitutional majority, **HS 1 for HB 169 w/HA 1 & SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson brought **HB 92 w/HA 1 & SA 1**, jointly sponsored by Senator Blevins & Senator Henry & Senator Simpson, before the House for concurrence on **SA 1**.

**HB 92 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL LICENSES AND FEES. (F/N)**

Representative Hudson made a comment.

The roll call on **HB 92 w/HA 1 & SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Carey, Plant & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HB 92 w/HA 1 & SA 1** was sent to the Governor.

Representative Oberle & Mr. Speaker Gilligan & Representatives Cathcart, Schwartzkopf & Lavelle made comments.

The Majority Leader moved to recess to the call of the Chair at 2:01 a.m.

COMMUNICATIONS RECEIVED AFTER JULY 1, 2010

The Senate wishes to inform the House that it has passed **HB 56 w/HA 2, HB 172 w/HA 1 & 2, HB 361 & HB 415 w/HA 1** and is returning the same to the House.

July 1, 2010

LEGISLATIVE ADVISORY #49

Governor Jack A. Markell signed the following legislation on the date indicated: 7/1/2010 - **SB 310, SB 315, SJR 5, SJR 6 & HB 500**.

July 8, 2010

LEGISLATIVE ADVISORY #50

Governor Jack A. Markell signed the following legislation on the date indicated: 7/2/2010 - **SB 239 aab SA 1, SB 250 aab SA 1, SB 262, HB 365, HB 382, HB 388, HB 408, HB 423, HB 430, HB 432, HB 446, HB 454 aab HA 1; 7/6/2010 - HB 143 aab HA 1, HS 1/HB 229 aab HA 2, 3 & 4 & SA 1 aab SA 1 & SA 3, HB 493 & HB 494 aab HA 1**.

July 14, 2010

LEGISLATIVE ADVISORY #51

Governor Jack A. Markell signed the following legislation on the date indicated: 7/9/2010 - **HB 237 aab HA 1; 7/12/2010 - HB 56 aab HA 2, HS 1/HB 169 aab HA 1 & SA 1, HB 172 aab HA 1 & 2, HB 276 aab HA 1 & SA 1, HB 334 aab HA 1 & HA 1 to HA 1, HB 336, HB 360, HB 393 aab SA 1, HB 402, HB 403, HB 404, HB 405, HB 406, HB 407, HB 421 aab HA 1, HB 438 aab HA 1, HB 470, HB 475 aab HA 1, HB 487 & HJR 14**.

July 14, 2010

LEGISLATIVE ADVISORY #52

Governor Jack A. Markell signed the following legislation on the date indicated: 7/12/2010 - **SB 183 aab SA 1, SB 210 aab SA 1, SB 231 aab SA 1, SB 232, SB 233, SB 240, SB 242, SB 245 aab SA 1, SB 260 aab HA 1, SB 264 aab SA 1, SB 265 aab SA 1, SB 270 aab SA 1, SB 271 aab SA 1, SB 282, SB 287 aab SA 1, SB 289 aab SA 1, SB 303 & SB 304**.

July 19, 2010

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE 145<sup>TH</sup> GENERAL ASSEMBLY:

Pursuant to Article III, Section 18 of the Delaware Constitution, and after careful consideration, I am vetoing House Bill No. 92 by returning it with my objections to the House of Representatives without my signature.

House Bill No. 92 creates a new category of occupational license tax for direct care workers. Under current law, any person engaging in a service industry or business, including a direct care worker working as an independent contractor, is responsible for obtaining an occupational license at a cost of \$75 annually. 30 Del. C. § 2301(b). In contrast, a person employed by a business, such as a direct care worker employed by a personal services agency and appropriately classified as an employee under IRS rules, is not required to obtain an occupational license. “Employees” in Delaware are exempt from occupational license fees. 30 Del. C. § 2301(e)(2) (“[a]ny person functioning in an ‘employee’ relationship ... shall be exempt from this chapter with respect to activities as an employee.”).

The legislation amends the current law to create a category of “direct care workers” that is specifically defined for the first time. The new category distinguishes direct care workers from other businesses subject to occupational license fees, and then creates a reduced license fee of \$18.75 for direct care workers making less than \$10,000.

However, the definition of “direct care worker” in House Bill No. 92 fails to preserve the distinction in current law between independent contractors (who must get a license under current law) and employees (who need not get a license). Section 2 of the bill, as amended, defines “direct care worker” as:

“an individual (aide, assistant, caregiver, technician or other designation used) as defined in Department of Health and Social Services Regulation § 4469(1.1) (or successors thereto) *employed by or under contract to* a personal assistance services agency to provide care services, companion services, homemaker services, transportation services and those services as permitted in § 1921(a)(19) of Title 24 of the Delaware Code to consumers. The direct care worker provides these services to an individual primarily in their place of residence.”.

This definition is not new. House Bill No. 92 imports this definition into Delaware’s license fee statute from the regulations of the Department of Health and Social Services. *Compare* 16 Del. Admin. C. § 4469. It defines “direct care worker” to include *both* persons “employed by” an agency and persons “under contract to” an agency. By doing so, the bill actually creates a new occupational license fee and additional burden for persons who have never previously had to pay it -- direct care workers employed by an agency.

By imposing a fee on persons merely “employed by” a personal assistance services agency, House Bill No. 92 directly conflicts with the employee exemption in § 2301(e)(2). Under Delaware law, where two statutes are in irreconcilable conflict, the later-enacted law is given effect. *State ex rel. Green v. Foote*, 168 A.2d 245, 249 (Del. 1933); *Christina Education Ass’n v. Delaware State Board of Education*, C.A. No 93A-070015 (Del. Super. May 25, 1994). As a result, if House Bill No. 92 were to become law, direct care workers employed by a personal assistance services agency, who have never previously had to get a license, would be required for the first time to spend \$75 or \$18.75 (depending on income) to get a license.

I can understand it was not the intention of the sponsors to create a new license fee for employee direct care workers, and that the inclusion of persons “employed by” a personal services agency was unintentional. My administration is prepared to work with the sponsors and supports of House Bill No. 92 to craft new legislation to avoid this result. However, because House Bill No. 92 does create a new license fee on employees who have never had to pay it, I have concluded that vetoing the legislation is the only appropriate action.

Sincerely,  
Jack A. Markell  
Governor

July 20, 2010

#### LEGISLATIVE ADVISORY #53

Governor Jack A. Markell signed the following legislation on the date indicated: 7/13/2010 - **HB 326 aab HA 2 & SA 1**; 7/14/2010 - **SB 113**; 7/15/2010 - **HB 37 aab HA 2, HB 41 aab HA 1, HB 85 aab HA 1 & SA 1, HB 236 aab HA 1, HB 392 aab SA 1, HB 439, HB 440, SB 107, SB 219 aab SA 1, SB 221 aab SA 1, SB 235 aab SA 2, SB 249 aab SA 1, SB 268, SB 278, SB 283 aab SA 1, SB 291 aab SA 1, SB 300, SB 302, SB 309, SB 312 aab SA 2, SB 320 aab SA1, SB 324 aab SA 1, SB 325, SB 326 aab SA 1, SB 327 aab SA 1 & SJR 4**; 7/16/2010 - **SB 277**; 7/19/2010 - **HB 477 & SB 209 aab SA 1 & HA 1**.

The following is enacted into law without the Governor’s signature: **SB 236**.

The following is a constitutional amendment and does not require the Governor’s signature: **SB 328**.

Governor Jack A. Markell vetoed the following legislation on the date indicated: 7/19/2010 - **HB 92 aab HA 1 & SA 1 & SB 311**.

July 28, 2010

#### LEGISLATIVE ADVISORY #54

Governor Jack A. Markell signed the following legislation on the date indicated: 7/16/2010 - **HS 1/HB 348 aab HA 3**; 7/23/2010 - **SB 272 aab SA 1, SB 280 aab SA 2, SB 281, SB 286, SB 292, HB 256 aab HA 1, HB 361, HB 396 aab HA 1, HB 409, HB 410 aab HA 2, HB 415 aab HA 1, HB 419 aab HA 1 & 2, HB 425, HB 480 aab HA 1 & HB 482**; 7/24/2010 - **HB 447 aab HA 2**.

The following is a constitutional amendment and does not require the Governor’s signature: **SB 24**.

July 30, 2010

#### LEGISLATIVE ADVISORY #55

Governor Jack A. Markell signed the following legislation on the date indicated: 7/27/2010 - **HB 371, HB 378 aab HA 1 & SA 1, HB 395 aab HA 1 & SA 1, 2 & 3, HB 398, HB 427 aab HA 1, HB 433, HB 437 aab HA 1 & SA 1, HB 449, HB 451, HB 452, HB 464 aab HA 1, HB 488 aab HA 2, SB 285, SB 307, SB 322, SB 323 & SJR 3 aab SA 1**; 7/28/2010 - **HB 431 aab HA 1, HA 1 to HA 1 & SA 1, SS 1/SB 119, SB 266 aab SA 1 & 2, SB 267 aab SA 2 & SB 316 aab SA 2**.

August 2, 2010

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE 145<sup>TH</sup>

## GENERAL ASSEMBLY:

House Bill No. 462 eliminates the ability of Delaware's judges to suspend the substantial fines imposed for operating a motor vehicle for fewer than 30 days without liability insurance. Although penalties for failing to carry auto insurance are intended to encourage drivers to be properly ensured, I believe this legislation may actually have the opposite effect of forcing drivers of limited means to pay thousands of dollars in fines to the State instead of buying insurance. Because judges in auto insurance cases should have the discretion to consider relevant circumstances like these, I am vetoing House Bill No. 462 by returning it with my objections to the Delaware House of Representatives pursuant to Article III, Section 18 of the Delaware Constitution.

Since 1995, Delaware has had one of the highest fines in the region for failing to maintain automobile insurance. First time violators face a fine of \$1,500 to \$2,000, and driving privileges are suspended for six months. Second and subsequent violations are penalized by fines of \$3,000 to \$5,000, and another six month suspension. 21 DEL.C. § 2118(s)(1). These are substantial fines. Delaware's minimum fine is five times higher than the minimum fines imposed by our surrounding states, Maryland (\$150), New Jersey (\$300) and Pennsylvania (\$300).<sup>1</sup> The \$1,500 fine is then increased by various additional fees, such as \$750 for the Transportation Trust Fund, \$270 for the Victim Compensation Fund, \$100 for the services of a public defender, and possibly the costs of prosecution.<sup>2</sup> The total cost of someone receiving a \$1,500 fine would be more than \$2,600, which would represent almost 5% of the median annual household income in Delaware.

As with most other fines in Delaware, judges can suspend them from a violator's sentence in appropriate circumstances. However, if the prosecutor proves that the violator has been without insurance for 30 or more consecutive days, then the fine is not subject to suspension and must be imposed. 21 DEL.C. § 2118(s)(1).

House Bill No. 462 would make the minimum fine of \$1,500 (or \$3,000, for subsequent convictions) mandatory for every person convicted of driving without insurance. Instead of imposing that mandatory fine only on drivers proven to lack insurance for 30 days or more, all drivers without insurance would face the mandatory fine. By making this change, the bill eliminates the ability of the judge to consider any other relevant factors. It would not matter whether a driver lacked insurance for one day or one year -- the fine would be the same. It would not matter whether the judge thought the driver had the capacity to pay that fine -- the fine would be the same.

These types of mandatory fees may be appropriate for some crimes. But imposing them for the failure to get automobile insurance could cause the opposite result, and lead to fewer insured drivers on our roads. If a driver's financial resources are committed to paying thousands of dollars in fines and fees, that is money he or she does not have available to comply with the law by purchasing automobile insurance. Because the failure to pay these fines could result in a series of warrants for failure to pay the fines, a mandatory fine of this magnitude could result in additional state expense for court involvement.

Certainly there are many cases in which a fine of \$1,500 or more will be appropriate and necessary. Delaware law already recognized that the long-term uninsured, who lack insurance for 30 or more days, should be subject to mandatory fines. For those who are not the long-term uninsured, I believe that Delaware's judges will know when a significant fine is appropriate or not. Delaware's judges resolve difficult cases every day. They commit perpetrators to significant prison terms. They resolve substantial financial disputes. They are well-equipped to consider the facts of any particular case, and impose fines that appropriately punish the violators.

Uninsured motorists are a problem in Delaware. They increase the costs for all drivers who are responsible and properly insured. But I do not believe House Bill No. 462 is the solution. Prosecutors and judges should not have discretion to waive these fines in limited situations. The sponsor of the bill has conveyed his belief that these fines are waived too often. I appreciated that concern and will initiate a dialogue between law enforcement and the judiciary to address this issue. If I am unsatisfied with the results of this dialogue, I would be prepared to consider legislation similar to House Bill No. 462 in the future. Because removing judicial discretion will not remove uninsured motorists from our roads, I am returning House Bill No. 462 to the House of Representatives without my signature.

Sincerely,  
Jack A. Markell  
Governor

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<sup>1</sup> MD. CODE ANN., TRANSP. § 17-106(e) (imposing a fine of \$150 for failure to maintain security for 1 to 30 days, and then \$7 per day thereafter); N.J. STAT. ANN. § 39:6B-2 (imposing a fine ranging from a

minimum of \$300 to a maximum of \$1,000, plus loss of a driver's license for a year and community service); 75 PA. STAT. ANN. § 1786(f) (imposing a fine of \$300 for driving uninsured, in addition to suspension of registration and license for three months).

<sup>2</sup>11 DEL. C. § 4101(g)(1); 11 DEL. C. § 9016(b); 29 DEL. C. § 4607(a); 11 DEL. C. § 4204(i).

August 2, 2010

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES  
OF THE 145TH GENERAL ASSEMBLY

House Bill No. 463, as amended by House Amendment No. 1, unnecessarily eliminates an entire class of massage practitioners who provide massage services to Delawareans seeking non-therapeutic massage. As a result, pursuant to Article III, Section 18 of the Delaware Constitution and for the reasons articulated below, I am vetoing House Bill No. 463 by returning it with my objections to the House of Representatives without my signature.

Delaware law currently provides for a two-tiered structure for the licensing and certification of massage professionals. Each tier is regulated by the State Board of Massage and Bodywork. There are currently over 600 individuals certified by the Board as Certified Massage Technicians ("Massage Technicians") to practice massage for non-medically diagnosed conditions. To be a certified Massage Technician, these individuals must complete 300 hours of supervised in-class study of massage, with coursework in anatomy, physiology, theory and technique. They must also be certified in CRP and they are subject to rigorous professional standards.

The second tier of regulated massage professionals are Certified Massage Therapists ("Massage Therapists") who must demonstrate the same qualifications as Massage Technicians, but are required to have 200 additional hours of supervised in-class study, and must pass a written, standardized examination. There are over 400 licensed Massage Therapists in Delaware. Because the scope of Massage Therapists' work involves medically diagnosed conditions, they are typically permitted to bill their services directly to insurance companies, while Massage Technicians may not.

House Bill 463 would create a single tier of massage professionals by eliminating the ability to become a Massage Technician as of the effective date of the act. Current Massage Technicians would be required to pass the written examination to become Massage Therapists, or they will lose their ability to practice massage in Delaware.

The rationale for this legislation was that there was confusion by consumers and practitioners between the scope of practice for massage therapy services offered by Massage Technicians and Massage Therapists. However, in the past three years there has been only one complaint to the Board related to this apparent confusion, and that complaint did not involve the quality of care, but instead related to why the services were not being compensated by the consumer's insurance company.

Given the number of regulated Massage Technicians in Delaware (nearly 60% of all regulated massage professionals), there is obviously a market in the State for massage not on medically diagnosed conditions. Individuals who wish to provide this service without becoming full-fledged Massage Therapists, and the attendant costs and time associated with such designation, should be able to do so. Furthermore, it is possible that a majority of consumers who seek out a massage professional are doing so for reasons other than a medical diagnosis. Because Massage Technicians may charge less for their services, consumers should have the ability to choose to receive a massage from a Massage Technician.

To ensure that individuals are receiving safe and appropriate massage services, the State Board of Massage and Bodywork should conduct outreach to the public regarding the distinction between these two classes of massage professionals. This may include promulgating regulations that require some form of disclosure by Massage Technicians that they cannot accept insurance and cannot treat medically diagnosed conditions.

While I appreciate the considerable time the Joint Sunset Committee and the sponsors undertook in reviewing the Board and in preparing this legislation, I respectfully disagree with eliminating an entire class of qualified massage professionals. For these reasons, I must veto House Bill No. 463 and return it to the House of Representatives without my signature.

Sincerely,  
Jack A. Markell  
Governor

August 6, 2010

LEGISLATIVE ADVISORY #56

Governor Jack A. Markell signed the following legislation on the date indicated: 7/29/2010 - **HB 483**; 7/30/2010 - **SS 1/SB 171 aab SA 1 & 2 & HA 2 & 3, SB 246 aab HA 1 & 2, SB 253 aab SA 2, 3 & 4, SB 275 aab SA 2, SB 306 aab SA 1, HS 1/HB 435 aab HA 1 & 2 & HB 481 aab HA 1.**  
Governor Jack A. Markell vetoed the following legislation on the date indicated: 8/2/2010 - **HB 462 aab HA 1 & HB 463 aab HA 1.**

August 17, 2010

LEGISLATIVE ADVISORY #57

Governor Jack A. Markell signed the following legislation on the date indicated: 8/12/2010 - **SB 269 aab HA 1.**

August 24, 2010

LEGISLATIVE ADVISORY #58

Governor Jack A. Markell signed the following legislation on the date indicated: 8/17/2010 - **SB 205 aab SA 1**; 8/18/2010 - **HB 453**; 8/19/2010 - **HB 455.**

August 30, 2010

LEGISLATIVE ADVISORY #59

Governor Jack A. Markell signed the following legislation on the date indicated: 8/25/2010 - **HB 347 aab HA 1**; 8/26/2010 - **HB 448 aab HA 1.**

August 31, 2010

LEGISLATIVE ADVISORY #60

Governor Jack A. Markell signed the following legislation on the date indicated: 8/30/2010 - **SB 228 aab SA 1 & 2 & HA 1 & HB 420 aab HA 1 & SA 1.**

September 9, 2010

LEGISLATIVE ADVISORY #61

Governor Jack A. Markell signed the following legislation on the date indicated: 8/31/10 - **HB 384**; 9/8/10 - **HB 381.**

September 14, 2010

LEGISLATIVE ADVISORY #62

Governor Jack A. Markell signed the following legislation on the date indicated: 9/10/10 - **HB 283**; 9/11/10 - **HB 472 aab HA 1.**

October 5, 2010

LEGISLATIVE ADVISORY #63

Governor Jack A. Markell signed the following legislation on the date indicated: 10/4/10 - **HB 399 aab HA 1 & HA 3.**

HOUSE TRIBUTE ANNOUNCEMENT #49

DATE: June 30, 2010

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                                                       |
|-----------|--------------------------------------|------------|------|-------------------------------------------------------------------|
| H145-1017 | Walls                                | 12/3/2009  | T    | Frederica Senior Center - 35 <sup>th</sup> Anniversary            |
| H145-1018 | Carson                               | 12/2/2009  | M    | Clarence Scuse, Jr.                                               |
|           | cosponsors: Reps. Thornburg & Outten |            |      |                                                                   |
| H145-1019 | Walls                                | 11/30/2009 | M    | Frances L. Robbins                                                |
| H145-1020 | Keeley                               | 12/4/2009  | T    | West Center City Neighborhood Planning Advisory                   |
|           | cosponsor: Rep. J. Johnson           |            |      | Committee - 25 <sup>th</sup> Anniversary                          |
| H145-1021 | Bennett                              | 1/24/2010  | T    | Raymond Acocella, Jr. - Eagle Scout                               |
| H145-1022 | Schwartzkopf                         | 12/6/2009  | T    | Bette Gallo - Rehoboth Beach - Citizen of the Year                |
| H145-1023 | Schwartzkopf                         | 11/16/2009 | T    | The Starboard - Cornerstone Award - DRA                           |
| H145-1024 | Wilson                               | 12/9/2009  | T    | Richard Lewis - Distinguished Service - DSBA                      |
| H145-1025 | Bennett                              | 12/11/2009 | T    | Khairat Onaneye Makanjuola - US Citizenship                       |
| H145-1026 | Q. Johnson                           | 12/12/2009 | T    | Louise Poore - Community Service                                  |
| H145-1027 | Kowalko                              | 10/27/2009 | T    | Richard & Angela Howe - 50 <sup>th</sup> Wedding Anniversary      |
| H145-1028 | D.E. Williams                        | 10/3/2009  | T    | Rosario & Genevena Limmina - 50 <sup>th</sup> Wedding Anniversary |
| H145-1029 | D.E. Williams                        | 10/3/2009  | T    | Nelson & Joanne Lamb - 50 <sup>th</sup> Wedding Anniversary       |
| H145-1030 | Schwartzkopf                         | 12/2/2009  | M    | Lisa McHale                                                       |
| H145-1031 | Briggs King                          | 12/11/2009 | T    | Hope Tyler - Volunteer of the Year - Lewes Library                |
| H145-1032 | Scott                                | 12/2/2009  | M    | Gloria Juanita Sampson Houston                                    |
| H145-1033 | Schwartzkopf                         | 1/9/2010   | T    | Brendan Joseph Callahan - Eagle Scout                             |
| H145-1034 | Schwartzkopf                         | 1/9/2010   | T    | Nathaniel Joseph Tanner - Eagle Scout                             |
| H145-1035 | Schwartzkopf                         | 1/9/2010   | T    | Derek Joseph Fanto - Eagle Scout                                  |
| H145-1036 | Jaques                               | 12/6/2009  | M    | Rita Joyce Bero                                                   |
| H145-1037 | Carson                               | 12/6/2009  | M    | Lt. Col. James Sanders (Ret.) USAF                                |
| H145-1038 | Hudson; Miro                         | 12/31/2009 | T    | Arnie Caine - Retirement - AstraZeneca                            |
| H145-1039 | Carson                               | 12/19/2009 | T    | James Cubbage, Jr. - Chief Emeritus - Clayton Fire Co.            |

cosponsors: Reps. Q. Johnson & Thornburg

HOUSE TRIBUTE ANNOUNCEMENT #50

DATE: June 30, 2010

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

| Number    | Sponsor                         | Date       | Type | Description                                                      |
|-----------|---------------------------------|------------|------|------------------------------------------------------------------|
| H145-1040 | D.P. Williams                   | 11/23/2009 | M    | David G. Menser                                                  |
| H145-1041 | Mitchell                        | 10/30/2009 | T    | Kyle Orth - Eagle Scout                                          |
| H145-1042 | Carson                          | 12/13/2009 | T    | First Presbyterian Church of Smyrna - Dedication                 |
| H145-1043 | M. Marshall                     | 12/9/2009  | M    | James B. Holliday                                                |
| H145-1044 | Bennett                         | 12/9/2009  | M    | William H. Vaughn                                                |
|           | cosponsor: Rep. Carson          |            |      |                                                                  |
| H145-1045 | Bennett                         | 12/17/2009 | T    | Leo Gracie - Retirement - DelDOT                                 |
| H145-1046 | Outten                          | 12/23/2009 | T    | Garrison Hanson - Eagle Scout                                    |
| H145-1047 | Outten                          | 12/23/2009 | T    | Adam Nixdorf - Eagle Scout                                       |
| H145-1048 | Outten                          | 12/23/2009 | T    | Joshua Bilbrough - Eagle Scout                                   |
| H145-1049 | Mitchell                        | 12/17/2009 | M    | Anita I. Van Sant                                                |
|           | cosponsors: All Representatives |            |      |                                                                  |
| H145-1050 | B. Short                        | 1/7/2010   | T    | Nathan Litwin - Eagle Scout                                      |
| H145-1051 | Cathcart                        | 1/9/2010   | T    | Ryan Pitcher - Fireman of the Year - Townsend                    |
|           | cosponsor: Rep. Q. Johnson      |            |      |                                                                  |
| H145-1052 | Q. Johnson                      | 1/9/2010   | T    | David Hall, Sr. - EMT of the Year - Townsend                     |
|           | cosponsor: Rep. Cathcart        |            |      |                                                                  |
| H145-1053 | Q. Johnson                      | 1/9/2010   | T    | Megan Young - Junior Fireman of the Year - Townsend              |
|           | cosponsor: Rep. Cathcart        |            |      |                                                                  |
| H145-1054 | Cathcart                        | 1/9/2010   | T    | Brandi DiDonato - Chief's Award - Townsend Fire Co.              |
|           | cosponsor: Rep. Q. Johnson      |            |      |                                                                  |
| H145-1055 | Q. Johnson                      | 1/9/2010   | T    | Dee Craig - Commitment & Dedication - Townsend Fire Co.          |
|           | cosponsor: Rep. Cathcart        |            |      |                                                                  |
| H145-1056 | Walls                           | 12/12/2009 | M    | Margaret E. Brittingham                                          |
| H145-1057 | Hudson                          | 12/7/2009  | M    | Charles A. Albano                                                |
| H145-1058 | Q. Johnson                      | 1/10/2010  | T    | Gregory Desgrosseilliers - Eagle Scout                           |
| H145-1059 | Carey; Walls                    | 12/14/2009 | M    | William Jennings Mills                                           |
| H145-1060 | Bennett                         | 12/14/2009 | M    | Robert Frank Garrow                                              |
| H145-1061 | Kovach;                         | 12/28/2009 | T    | Lawrence & Eleanor Kovach - 51 <sup>st</sup> Wedding Anniversary |
|           | D.E. Williams                   |            |      |                                                                  |

HOUSE TRIBUTE ANNOUNCEMENT #51

DATE: November 1, 2010

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

| Number    | Sponsor                                 | Date       | Type | Description                                                             |
|-----------|-----------------------------------------|------------|------|-------------------------------------------------------------------------|
| H145-1062 | Carson                                  | 12/16/2009 | M    | Thomas "Howard" Everett                                                 |
| H145-1063 | Outten                                  | 12/18/2009 | M    | James E. Hutson                                                         |
| H145-1064 | Hudson                                  | 11/5/2009  | M    | John Carbone                                                            |
| H145-1065 | Outten                                  | 12/26/2009 | M    | H. Raymond Poore, Sr.                                                   |
| H145-1066 | Outten                                  | 12/23/2009 | M    | Carl LeGates                                                            |
| H145-1067 | Outten                                  | 12/30/2009 | T    | Bill & Irene Outten - 64 <sup>th</sup> Wedding Anniversary              |
| H145-1068 | Mitchell                                | 1/4/2010   | T    | Col. John McCarnan - Retirement - DRBA Police                           |
| H145-1069 | Outten                                  | 12/29/2009 | M    | Anthony A. Bianco                                                       |
| H145-1070 | Scott; Carson                           | 12/21/2009 | M    | Randall Peder Hansen                                                    |
| H145-1071 | Carson                                  | 11/27/2009 | T    | Bob & Jackie Bamberger - 50 <sup>th</sup> Wedding Anniversary           |
| H145-1072 | Carson                                  | 12/27/2009 | T    | Norm & Rennie Quible - 65 <sup>th</sup> Wedding Anniversary             |
| H145-1073 | Atkins                                  | 1/9/2010   | T    | John W. Swithenbank III - 42 <sup>nd</sup> Year - Indian River Fire Co. |
|           | cosponsors: Reps. Hocker & Schwartzkopf |            |      |                                                                         |
| H145-1074 | Atkins                                  | 1/9/2010   | T    | Steven Deery, Jr. - Life Member - Indian River Fire Co.                 |
|           | cosponsors: Reps. Hocker & Schwartzkopf |            |      |                                                                         |
| H145-1075 | Atkins                                  | 1/9/2010   | T    | James Norwood - 40 Years- Indian River Fire Co.                         |
|           | cosponsors: Reps. Hocker & Schwartzkopf |            |      |                                                                         |
| H145-1076 | Schwartzkopf                            | 1/9/2010   | T    | Michael Bowden - 40 Years - Indian River Fire Co.                       |
|           | cosponsors: Reps. Hocker & Atkins       |            |      |                                                                         |
| H145-1077 | Brady                                   | 1/4/2010   | M    | John Louis Cerasari, Sr.                                                |
|           | cosponsor: Rep. Lavelle                 |            |      |                                                                         |



|                                       |                       |            |   |                                                                                |
|---------------------------------------|-----------------------|------------|---|--------------------------------------------------------------------------------|
| H145-1078                             | Carey                 | 1/1/2010   | M | William T. Wadkins                                                             |
|                                       | cosponsor: Rep. Walls |            |   |                                                                                |
| H145-1079                             | Walls; Carey          | 1/9/2010   | T | Forrest & Bobbie Jacobs - 55 <sup>th</sup> Wedding Anniversary                 |
| H145-1080                             | Carey                 | 1/5/2010   | T | William Coulbourne - 70 Years of Service - Houston/<br>Milton Fire Departments |
| H145-1081                             | J. Johnson            | 11/28/2009 | T | William & Charlotte Ennis - 50 <sup>th</sup> Wedding Anniversary               |
| <u>HOUSE TRIBUTE ANNOUNCEMENT #52</u> |                       |            |   |                                                                                |

DATE: November 1, 2010

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

| Number    | Sponsor                                  | Date       | Type | Description                                                                     |
|-----------|------------------------------------------|------------|------|---------------------------------------------------------------------------------|
| H145-1082 | Wilson;<br>D. Short                      | 1/21/2009  | T    | Grace Ash - 88 <sup>th</sup> Birthday                                           |
| H145-1083 | Kovach                                   | 1/3/2010   | M    | Mary Meconi                                                                     |
| H145-1084 | Carey                                    | 12/20/2009 | M    | Thomas E. Best                                                                  |
| H145-1085 | Mitchell                                 | 12/10/2009 | T    | Joseph & Pauline Renai - 60 <sup>th</sup> Wedding Anniversary                   |
| H145-1086 | Briggs King                              | 1/21/2010  | T    | Rogers Jones - President - Lewes Historical Society                             |
| H145-1087 | Cathcart                                 | 1/3/2010   | M    | Shawn Breslin                                                                   |
|           | cosponsors: All Representatives          |            |      |                                                                                 |
| H145-1088 | Outten                                   | 1/5/2010   | M    | Clara Wilcutts                                                                  |
| H145-1089 | Bennett                                  | 1/5/2010   | M    | Richard Gerald Winchell                                                         |
|           | cosponsors: Reps. Outten & Blakey        |            |      |                                                                                 |
| H145-1090 | Scott; Carson                            | 1/5/2010   | T    | Edward Sutor - 60 <sup>th</sup> Birthday                                        |
| H145-1091 | Bennett;<br>Carson                       | 1/9/2010   | T    | Little Creek Volunteer Fire Co. - 66 <sup>th</sup> Anniversary                  |
| H145-1092 | Bennett;<br>Carson                       | 1/9/2010   | T    | Little Creek Volunteer Fire Co. Ladies Auxiliary - 61 <sup>st</sup> Anniversary |
| H145-1093 | Thornburg;<br>Blakey                     | 1/9/2010   | T    | Nancy Papen - 70 <sup>th</sup> Birthday                                         |
| H145-1094 | Hudson;<br>Gilligan                      | 1/11/2010  | M    | Catherine Eugenia "Jean" Finnegan Biden                                         |
| H145-1095 | Carey                                    | 1/6/2010   | M    | Susann Vesta Mills                                                              |
|           | cosponsor: Rep. Walls                    |            |      |                                                                                 |
| H145-1096 | Longhurst                                | 1/14/2010  | T    | Sr. Lt. Craig Weldon - Retirement - NCCPD                                       |
|           | cosponsors: Reps. M. Marshall & Mitchell |            |      |                                                                                 |
| H145-1097 | B. Short                                 | 1/10/2010  | M    | John William Van Dyk                                                            |
|           | cosponsor: Rep. Lavelle                  |            |      |                                                                                 |
| H145-1098 | Outten                                   | 1/2/2010   | T    | Leroy & Marylou Betts - 50 <sup>th</sup> Wedding Anniversary                    |
| H145-1099 | Jaques                                   | 1/15/2010  | T    | Maureen Tucker - Retirement - State Service Centers                             |
| H145-1100 | Q. Johnson                               | 2/6/2010   | T    | Carrie Johnston - Venturing Crew 135 - Silver Award                             |
| H145-1101 | Walls                                    | 1/29/2010  | T    | Greater Milford Boys & Girls Club - 2009 Family<br>Strengthening Award          |
|           | cosponsor: Rep. Carey                    |            |      |                                                                                 |

HOUSE TRIBUTE ANNOUNCEMENT #53

DATE: November 1, 2010

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

| Number    | Sponsor                                            | Date      | Type | Description                                                                 |
|-----------|----------------------------------------------------|-----------|------|-----------------------------------------------------------------------------|
| H145-1102 | Carey                                              | 1/28/2010 | T    | Connie Sipple - Retirement - Delaware State Police                          |
|           | cosponsor: Rep. Walls                              |           |      |                                                                             |
| H145-1103 | Briggs King                                        | 1/23/2010 | T    | Jacob Ricker - Fireman of the Year - Georgetown Fire<br>Department          |
|           | cosponsors: Reps. Wilson, D. Short,<br>Carey & Lee |           |      |                                                                             |
| H145-1104 | Briggs King                                        | 1/23/2010 | T    | Ira Hitchens - Lifetime Fireman of the Year -<br>Georgetown Fire Department |
|           | cosponsors: Reps. Wilson, D. Short,<br>Carey & Lee |           |      |                                                                             |
| H145-1105 | Miro                                               | 8/11/2009 | M    | Michael Bonelli                                                             |
| H145-1106 | Schwartzkopf                                       | 1/16/2010 | M    | William G. McCafferty                                                       |
|           | cosponsors: All Representatives                    |           |      |                                                                             |
| H145-1107 | Wilson                                             | 1/16/2010 | T    | Robert Thomas, Sr. - 55 Years - Bridgeville Vol. Fire<br>Co.                |
|           | cosponsors: Reps. Outten & Lee                     |           |      |                                                                             |
| H145-1108 | Wilson                                             | 1/16/2010 | T    | W. Allen Jones - 53 Years - Bridgeville Vol. Fire Co.                       |
|           | cosponsors: Reps. Outten & Lee                     |           |      |                                                                             |
| H145-1109 | Wilson                                             | 1/16/2010 | T    | Glenn Collins - 50 Years - Bridgeville Vol. Fire Co.                        |
|           | cosponsors: Reps. Outten & Lee                     |           |      |                                                                             |

|           |                       |            |   |                                                                                        |
|-----------|-----------------------|------------|---|----------------------------------------------------------------------------------------|
| H145-1110 | Wilson                | 1/16/2010  | T | Kenneth McIlvain - 50 Years - Bridgeville Vol. Fire Co.                                |
| H145-1111 | Wilson                | 1/16/2010  | T | C. Walton Smith, Jr. - 62 Years - Bridgeville Vol. Fire Co.                            |
| H145-1112 | Wilson                | 1/16/2010  | T | Ronald Sipple - 52 Years - Bridgeville Vol. Fire Co.                                   |
| H145-1113 | Hudson; Miro          | 12/14/2009 | T | Steven Bomberger - Top Builder of the Year - Home Builders                             |
| H145-1114 | D. Short              | 1/18/2010  | T | Tanya Smack - Dr. M. L. King, Jr. Community Award                                      |
| H145-1115 | Kovach                | 1/20/2010  | T | Sportraits 'N More - 30 <sup>th</sup> Anniversary                                      |
| H145-1116 | Longhurst             | 1/26/2010  | T | Caravel Academy Boys Soccer Team - State Champs                                        |
| H145-1117 | Scott                 | 1/21/2010  | T | Noah Link - Winner - Conservation Poster Contest                                       |
| H145-1118 | Scott                 | 1/28/2010  | T | Delaware Technical & Community College - Womens Volleyball - NJCAA - Region XIX Champs |
| H145-1119 | Schwartzkopf          | 1/14/2010  | M | Gregory Sarley                                                                         |
| H145-1120 | J. Johnson; Thornburg | 1/14/2010  | M | Frank DelCoglin, Jr.                                                                   |
| H145-1121 | Q. Johnson            | 1/14/2010  | M | Marie N. Berghorn                                                                      |

#### HOUSE TRIBUTE ANNOUNCEMENT #54

DATE: November 1, 2010

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

| Number    | Sponsor                                                 | Date       | Type | Description                                                                                                  |
|-----------|---------------------------------------------------------|------------|------|--------------------------------------------------------------------------------------------------------------|
| H145-1122 | Hudson; Mitchell                                        | 1/14/2010  | M    | Edward H. Locke                                                                                              |
| H145-1123 | Thornburg                                               | 1/29/2010  | T    | Donna Speed - Retirement - Family Court                                                                      |
| H145-1124 | Carson                                                  | 1/31/2010  | T    | Charles Christopher - 100 <sup>th</sup> Birthday                                                             |
| H145-1125 | Longhurst                                               | 12/15/2009 | T    | Andrew Skomorucha - Eagle Scout                                                                              |
| H145-1126 | B. Short                                                | 1/20/2010  | T    | Jiangsu Province Leadership Participants                                                                     |
| H145-1127 | J. Johnson; Manolakos                                   | 1/15/2010  | M    | Allie Miller Holley                                                                                          |
| H145-1128 | Bennett                                                 | 1/18/2010  | T    | Calvin Wilson III - Dr. M. L. King, Jr. Award                                                                |
| H145-1129 | M. Marshall                                             | 1/13/2009  | M    | Anne Knight Jordan                                                                                           |
| H145-1130 | Jaques                                                  | 1/17/2010  | M    | Harvey T. Ogden                                                                                              |
| H145-1131 | Barbieri                                                | 1/27/2010  | T    | Delaware Center for Justice - Task Force Participation                                                       |
| H145-1132 | Atkins                                                  | 1/22/2010  | T    | Bradley Layfield - 30 <sup>th</sup> Birthday                                                                 |
| H145-1133 | Carey                                                   | 1/19/2010  | M    | Francis A. Webb IV                                                                                           |
| H145-1134 | cosponsors: Reps. Walls & Outten<br>Blakey              | 1/29/2010  | T    | Larry Klepner - Retirement - University of Delaware                                                          |
| H145-1135 | Blakey                                                  | 3/18/2010  | T    | Joan Cote - Devotion to the USO                                                                              |
| H145-1136 | cosponsors: Reps. Bennett, Jaques & Cathcart;<br>Carson | 1/28/2010  | T    | George Marshall<br>Brig. Gen. Scott Chambers - Commander - 261 <sup>st</sup> Theater Tactical Signal Brigade |
| H145-1137 | D. Short                                                | 1/23/2010  | M    | Donald E. White, Jr.                                                                                         |
| H145-1138 | cosponsors: All Representatives<br>Lee                  | 1/27/2010  | T    | Delmar High School Football - State Champs - Div. II                                                         |
| H145-1139 | Cathcart                                                | 1/29/2010  | T    | Sr. Sgt. Domenick Gregory - Retirement - NCCPD                                                               |
| H145-1140 | cosponsor: Rep. Mitchell<br>Schooley                    | 1/29/2010  | T    | Lt. Col. W. Scott McLaren - Retirement - NCCPD                                                               |
| H145-1141 | cosponsor: Rep. Mitchell<br>Miro                        | 1/29/2010  | T    | Sr. Cpl. Hugh O. Ferrill - Retirement - NCCPD                                                                |
| H145-1142 | cosponsor: Rep. Mitchell<br>Jaques                      | 1/29/2010  | T    | Sr. Cpl. Christopher Shanahan - Retirement - NCCPD                                                           |
| H145-1143 | cosponsor: Rep. Mitchell<br>Thornburg                   | 1/29/2010  | T    | Sr. Cpl. Fred W. Oehler, Jr. - Retirement - NCCPD                                                            |
| H145-1144 | cosponsor: Rep. Mitchell<br>Manolakos                   | 1/29/2010  | T    | Sr. Cpl. Michael P. Capodanno - Retirement - NCCPD                                                           |
| H145-1145 | cosponsor: Rep. Mitchell<br>Manolakos                   | 1/29/2010  | T    | Sr. Lt. Drew R. Outten - Retirement - NCCPD                                                                  |
| H145-1146 | cosponsor: Rep. Mitchell<br>Manolakos                   | 1/29/2010  | T    | Major Stuart A. Snyder - Retirement - NCCPD                                                                  |
| H145-1147 | cosponsor: Rep. Mitchell<br>Cathcart                    | 1/29/2010  | T    | Sr. Cpl. Thomas J. Darby, Jr. - Retirement - NCCPD                                                           |

H145-1148 Q. Johnson 1/29/2010 T Sr. Cpl. William J. Lenhart - Retirement - NCCPD  
cosponsor: Rep. Mitchell

HOUSE TRIBUTE ANNOUNCEMENT #55

DATE: November 1, 2010

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

| Number    | Sponsor                         | Date      | Type | Description                                                 |
|-----------|---------------------------------|-----------|------|-------------------------------------------------------------|
| H145-1149 | Kowalko                         | 2/11/2010 | T    | Kathryn V. Reynolds - 101 <sup>st</sup> Birthday            |
| H145-1150 | Bennett                         | 1/23/2010 | M    | Robert Wilson Hartley                                       |
| H145-1151 | Schwartzkopf                    | 1/23/2010 | M    | John Francis Hyde                                           |
|           | cosponsor: Rep. Keeley          |           |      |                                                             |
| H145-1152 | Atkins                          | 1/30/2010 | T    | Chad Dorey - Valor Award - Dagsboro Vol. Fire Dept.         |
| H145-1153 | Atkins                          | 1/30/2010 | T    | Frank Bunting - Valor Award - Dagsboro Vol. Fire Dept.      |
| H145-1154 | Atkins                          | 1/30/2010 | T    | Megan Hudson - Valor Award - Dagsboro Vol. Fire Dept.       |
| H145-1155 | Hocker                          | 1/30/2010 | T    | Nick Ciampo - Valor Award - Dagsboro Vol. Fire Dept.        |
| H145-1156 | D.E. Williams                   | 1/31/2010 | T    | Kevin Pineault - Eagle Scout                                |
| H145-1157 | Mitchell                        | 1/29/2010 | T    | Julia Kemp - Retirement - New Castle County                 |
| H145-1158 | Lavelle                         | 1/29/2010 | T    | Margaret Bramble - 90 <sup>th</sup> Birthday                |
| H145-1159 | Briggs King                     | 2/1/2010  | T    | Carlton Moore - Preservation - Georgetown Heritage          |
| H145-1160 | Schwartzkopf                    | 2/6/2010  | T    | Howard Blizzard - 50 Years - Rehoboth Beach Vol. Fire Co.   |
| H145-1161 | Walls; Outten                   | 1/31/2010 | T    | Deborah Porter - 60 <sup>th</sup> Birthday                  |
|           | cosponsors: All Representatives |           |      |                                                             |
| H145-1162 | Mitchell                        | 2/5/2010  | T    | Harry Land - 50 Years - Five Points Fire Co.                |
| H145-1163 | Mitchell                        | 2/5/2010  | T    | Edward Kuzepski - Member of the Year - Five Points Fire Co. |
| H145-1164 | Hudson                          | 2/12/2010 | T    | Sylvia Korn - 90 <sup>th</sup> Birthday                     |
| H145-1165 | D. Short                        | 2/6/2010  | T    | Seaford Vol. Fire Dept. Ladies Auxiliary - 75 Years         |
| H145-1166 | D.P. Williams;                  | 1/21/2010 | M    | Edith Bowman                                                |
|           | George Marshall                 |           |      |                                                             |
| H145-1167 | Bennett                         | 1/25/2010 | M    | Betty Emma Taylor Wootten                                   |
| H145-1168 | Lee                             | 1/14/2010 | T    | Huldah Callaway - 100 <sup>th</sup> Birthday                |

HOUSE TRIBUTE ANNOUNCEMENT #56

DATE: November 1, 2010

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

| Number    | Sponsor                          | Date       | Type | Description                                                           |
|-----------|----------------------------------|------------|------|-----------------------------------------------------------------------|
| H145-1169 | D. Short                         | 12/24/2009 | T    | Preston & Mildred Windsor - 71 <sup>st</sup> Wedding Anniversary      |
| H145-1170 | Walls                            | 1/28/2010  | M    | Frances Mills Lynch                                                   |
| H145-1171 | Outten                           | 1/30/2010  | M    | Jane I. Melvin                                                        |
| H145-1172 | D. Short                         | 1/26/2010  | T    | David Ruff - Sussex County Vol. Firefighter of the Year               |
| H145-1173 | Bennett                          | 1/30/2010  | M    | William Ray Johnson                                                   |
| H145-1174 | Carson                           | 1/23/2010  | M    | Carole Anne Calvert Lee                                               |
| H145-1175 | Carson                           | 1/20/2010  | M    | Constance Kathleen Brenda Ives Faulkner                               |
| H145-1176 | Q. Johnson                       | 3/5/2010   | T    | Brig. Gen. Terry L. Wiley - Retirement - Delaware Army National Guard |
|           | cosponsors: All Representatives  |            |      |                                                                       |
| H145-1177 | Wilson                           | 1/19/2010  | T    | Richard Carlisle - Service Award - Fruit & Vegetable Assoc.           |
| H145-1178 | Carey                            | 1/19/2010  | T    | Allen Chorman - Service Award - Fruit & Vegetable Assoc.              |
|           | cosponsors: Reps. Outten & Walls |            |      |                                                                       |
| H145-1179 | Lee                              | 1/19/2010  | T    | Hastings Family - Farm Family Award - Fruit & Vegetable Association   |
| H145-1180 | D.E. Williams;                   | 1/29/2010  | M    | Claire Williams Pasquale                                              |
|           | George Marshall                  |            |      |                                                                       |
| H145-1181 | Carson                           | 1/29/2010  | M    | Virginia M. Kruchen                                                   |
| H145-1182 | Carson                           | 2/6/2010   | T    | Leipsic Vol. Fire Co. - 63 Years                                      |
| H145-1183 | Carson                           | 2/6/2010   | T    | Leipsic Vol. Fire Co. Ladies Auxiliary - 63 Years                     |
| H145-1184 | Outten                           | 2/1/2010   | M    | K. David Knotts                                                       |
| H145-1185 | Atkins                           | 2/24/2010  | T    | American Legion Post 28 - Black History Month                         |

|           |                     |           |   |                                                                                                          |
|-----------|---------------------|-----------|---|----------------------------------------------------------------------------------------------------------|
| H145-1186 | Carson              | 2/17/2010 | T | Delaware Asphalt Pavement Association                                                                    |
| H145-1187 | Wilson              | 2/26/2010 | T | Master Cpl. Alan Todd Seeney - Retirement - DSP<br>cosponsors: Reps. Lee, Schwartzkopf & Atkins          |
| H145-1188 | Kovach              | 2/12/2010 | T | Judge Walter K. Stapleton - 40 Years of Service as a<br>Federal Judge<br>cosponsors: All Representatives |
| H145-1189 | Wilson              | 2/7/2010  | M | Irene V. Nichols<br>cosponsors: All Representatives                                                      |
| H145-1190 | Schooley;<br>Kovach | 2/18/2010 | T | Michael J. Chajes, Ph.D., P.E. - 2009 Engineer of the<br>Year                                            |

HOUSE TRIBUTE ANNOUNCEMENT #57

DATE: November 1, 2010

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

| Number    | Sponsor                 | Date      | Type | Description                                                                            |
|-----------|-------------------------|-----------|------|----------------------------------------------------------------------------------------|
| H145-1191 | Hocker                  | 2/20/2010 | T    | Elmer Evans - 50 Years - Roxana Vol. Fire Co.                                          |
| H145-1192 | Hocker                  | 2/20/2010 | T    | Clement Hudson - 50 Years - Roxana Vol. Fire Co.                                       |
| H145-1193 | Hocker                  | 2/20/2010 | T    | Gerald W. Pepper - 50 Years - Roxana Vol. Fire Co.                                     |
| H145-1194 | Hocker                  | 2/20/2010 | T    | Maxine Bennett - 50 Years - Roxana Vol. Fire Co.<br>Ladies Auxiliary                   |
| H145-1195 | Hocker                  | 2/20/2010 | T    | Ursula Hudson - 50 Years - Roxana Vol. Fire Co.<br>Ladies Auxiliary                    |
| H145-1196 | Hocker                  | 2/20/2010 | T    | Roxana Volunteer Fire Company - 50 <sup>th</sup> Anniversary                           |
| H145-1197 | Ramone                  | 3/11/2010 | T    | Capt. Jeffrey McGowan, USAFR - 35 Years of Service                                     |
| H145-1198 | Blakey                  | 3/23/2010 | T    | Sheryl Ford - CRHS - Community Service Project<br>cosponsors: Reps. Outten & Thornburg |
| H145-1199 | Thornburg;<br>Carson    | 2/27/2010 | T    | Mary Scott - Former Superintendent - Smyrna School<br>District                         |
| H145-1200 | Lavelle                 | 2/21/2010 | T    | Maj. Gen. William H. Duncan, M.D. (Ret.) - 80 <sup>th</sup><br>Birthday                |
| H145-1201 | D.P. Williams           | 2/23/2010 | M    | John LaMotte Webb<br>cosponsors: All Representatives                                   |
| H145-1202 | Schooley                | 2/23/2010 | T    | Willard Baxter - Volunteer - Newark High School                                        |
| H145-1203 | Carey                   | 3/13/2010 | T    | Mark Curtis - Eagle Scout<br>cosponsor: Rep. Walls                                     |
| H145-1204 | Longhurst               | 3/18/2010 | T    | CWO5 Kenneth Fowler, Jr. - Retirement - Delaware<br>Army National Guard                |
| H145-1205 | Q. Johnson              | 3/18/2010 | T    | CWO5 John Stipo - Retirement - Delaware Army<br>National Guard                         |
| H145-1206 | Bennett                 | 3/18/2010 | T    | CWO4 Timothy Lewis - Retirement - Delaware Army<br>National Guard                      |
| H145-1207 | Plant                   | 2/26/2010 | T    | William Anderson - Retirement - Court of Common<br>Pleas                               |
| H145-1208 | Mitchell                | 2/27/2010 | T    | James & Martha Keeley - 50 <sup>th</sup> Wedding Anniversary<br>cosponsor: Rep. Keeley |
| H145-1209 | Atkins;<br>Schwartzkopf | 3/18/2010 | T    | American Legion Auxiliary Unit 28 - 90 Years                                           |
| H145-1210 | Scott                   | 2/14/2010 | M    | Dr. Ruth Mitchell Laws                                                                 |
| H145-1211 | Atkins                  | 2/27/2010 | T    | Lynsey Lofland - Fire Prevention Queen                                                 |
| H145-1212 | Atkins                  | 2/27/2010 | T    | Hannah DeFelice - Fire Prevention Queen                                                |
| H145-1213 | Atkins                  | 2/27/2010 | T    | Rosalie Downs - Charter Member - Gumboro Vol. Fire<br>Co. Auxiliary - 53 Years         |

HOUSE TRIBUTE ANNOUNCEMENT #58

DATE: November 1, 2010

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

| Number    | Sponsor       | Date      | Type | Description                                          |
|-----------|---------------|-----------|------|------------------------------------------------------|
| H145-1214 | Outten        | 2/26/2010 | T    | Scott Mace - Retirement - DelDOT                     |
| H145-1215 | Hocker        | 2/27/2010 | T    | Ellen Schaeffer - 90 <sup>th</sup> Birthday          |
| H145-1216 | J. Johnson    | 2/19/2010 | M    | Elder Howard A. Spencer                              |
| H145-1217 | Kovach        | 3/25/2010 | T    | Gregory Motley - Eagle Scout                         |
| H145-1218 | Walls         | 2/26/2010 | M    | Gladys B. Case<br>cosponsor: Rep. Carey              |
| H145-1219 | Outten        | 3/13/2010 | T    | Robert Messick - 50 Years - Farmington Vol. Fire Co. |
| H145-1220 | Carey; Wilson | 3/6/2010  | T    | George E. Kreigh - Ellendale Vol. Fire Co.           |

|           |                                 |           |   |                                                                     |
|-----------|---------------------------------|-----------|---|---------------------------------------------------------------------|
| H145-1221 | Miro; Plant                     | 3/7/2010  | T | Rev. Andre L. Harris - Ordination                                   |
| H145-1222 | D. Short                        | 3/6/2010  | T | George Sapna II - Nanticoke Ducks Unlimited                         |
| H145-1223 | Wilson                          | 2/28/2010 | M | Emma L. Breeding                                                    |
| H145-1224 | Gilligan                        | 1/24/2010 | T | Hon. John E. Babiarz, Jr. - Retirement - Superior Court             |
| H145-1225 | Cathcart;<br>Carson             | 2/24/2010 | T | Charles & Susan Shockley - 60 <sup>th</sup> Wedding Anniversary     |
| H145-1226 | Thornburg;<br>Carson            | 2/28/2010 | M | David W. Morrison                                                   |
| H145-1227 | Carson                          | 2/16/2010 | M | Robert L. Bamberger                                                 |
| H145-1228 | Outten                          | 2/18/2010 | M | Cheryl J. Hodgman                                                   |
|           | cosponsor: Rep. Wilson          |           |   |                                                                     |
| H145-1229 | Briggs King                     | 3/13/2010 | T | Chandler Elmore - Eagle Scout                                       |
| H145-1230 | Carey                           | 3/6/2010  | T | Richard Shockley - Memorial Vol. Fire Co. - 89 -<br>Slaughter Beach |
|           | cosponsor: Rep. Walls           |           |   |                                                                     |
| H145-1231 | Longhurst                       | 3/1/2010  | M | Inspector Brian P. Waynant, Sr.                                     |
| H145-1232 | Manolakos                       | 3/27/2010 | T | Tanner Kurz - Male High School Swimmer of the Year                  |
|           | cosponsor: Rep. Ramone          |           |   |                                                                     |
| H145-1233 | Schooley                        | 3/27/2010 | T | Kaitlyn Jones - Female High School Swimmer of the<br>Year           |
|           | cosponsor: Rep. Ramone          |           |   |                                                                     |
| H145-1234 | Blakey                          | 3/1/2010  | M | Theodore Ressler                                                    |
| H145-1235 | Blakey;<br>Bennett              | 3/5/2010  | M | Doris Truitt Torbert                                                |
|           | cosponsors: All Representatives |           |   |                                                                     |

#### HOUSE TRIBUTE ANNOUNCEMENT #59

DATE: November 1, 2010

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

| <u>Number</u> | <u>Sponsor</u>                  | <u>Date</u> | <u>Type</u> | <u>Description</u>                                            |
|---------------|---------------------------------|-------------|-------------|---------------------------------------------------------------|
| H145-1236     | Schooley                        | 3/13/2010   | M           | Raymond Cuyler Reidinger                                      |
| H145-1237     | Scott; Carson                   | 3/13/2010   | T           | Officers of Delaware Veterans Post 2 - Service                |
| H145-1238     | Manolakos                       | 4/7/2010    | T           | Kent Jordan - Eagle Scout                                     |
| H145-1239     | Carson                          | 3/7/2010    | M           | Adeline B. Knotts                                             |
| H145-1240     | Walls                           | 3/12/2010   | T           | James Clendaniel - 50 Years - Magnolia Vol. Fire Co.          |
| H145-1241     | Outten                          | 3/8/2010    | M           | Louise E. Chalmers                                            |
| H145-1242     | Blakey                          | 2/17/2010   | M           | Dr. Yaw Ackah                                                 |
| H145-1243     | Carson                          | 3/12/2010   | T           | Clarence Hill - American Legion National Commander            |
|               | cosponsors: All Representatives |             |             | Official Visit                                                |
| H145-1244     | J. Johnson                      | 3/10/2010   | M           | Nathan Wayne Beasley                                          |
| H145-1245     | Jaques                          | 3/27/2010   | T           | Steve Taylor - Eagle Scout                                    |
| H145-1246     | Plant                           | 3/16/2010   | T           | Ella Butler - 50 Years - League of Women Voters -<br>NCC      |
|               | cosponsor: Rep. Schooley        |             |             |                                                               |
| H145-1247     | Hudson                          | 3/16/2010   | T           | Yetta Chaiken - 50 Years - League of Women Voters -<br>NCC    |
|               | cosponsor: Rep. Schooley        |             |             |                                                               |
| H145-1248     | Schooley                        | 3/16/2010   | T           | Jane Dilley - 50 Years - League of Women Voters -<br>NCC      |
| H145-1249     | D.E. Williams                   | 3/16/2010   | T           | Anne Frost - 50 Years - League of Women Voters -<br>NCC       |
|               | cosponsor: Rep. Schooley        |             |             |                                                               |
| H145-1250     | Schooley                        | 3/16/2010   | T           | Betty Hutchinson - 50 Years - League of Women<br>Voters - NCC |
| H145-1251     | Lavelle                         | 3/16/2010   | T           | Joyce Johnson - 50 Years - League of Women Voters -<br>NCC    |
|               | cosponsor: Rep. Schooley        |             |             |                                                               |
| H145-1252     | Hudson                          | 3/16/2010   | T           | Joy Jones - 50 Years - League of Women Voters - NCC           |
|               | cosponsor: Rep. Schooley        |             |             |                                                               |
| H145-1253     | Jaques                          | 3/16/2010   | T           | June MacArtor - 50 Years - League of Women Voters -<br>NCC    |
|               | cosponsor: Rep. Schooley        |             |             |                                                               |
| H145-1254     | Manolakos                       | 3/16/2010   | T           | Dorothy Munroe - 50 Years - League of Women<br>Voters - NCC   |
|               | cosponsor: Rep. Schooley        |             |             |                                                               |
| H145-1255     | Schooley                        | 3/16/2010   | T           | Margo Perkins - 50 Years - League of Women Voters -<br>NCC    |
| H145-1256     | Schooley                        | 3/16/2010   | T           | Marge Purcell - 50 Years - League of Women Voters -<br>NCC    |
| H145-1257     | Schooley                        | 3/16/2010   | T           | Beth Schuerman - 50 Years - League of Women<br>Voters - NCC   |
| H145-1258     | D.P. Williams                   | 3/16/2010   | T           | Ruth Siegel - 50 Years - League of Women Voters -             |

|           |                                      |           |   |                                                                |
|-----------|--------------------------------------|-----------|---|----------------------------------------------------------------|
| H145-1259 | cosponsor: Rep. Schooley<br>Hudson   | 3/16/2010 | T | NCC<br>Jerry Trabant - 50 Years - League of Women Voters - NCC |
| H145-1260 | cosponsor: Rep. Schooley<br>Lavelle  | 3/16/2010 | T | Cay Trask - 50 Years - League of Women Voters - NCC            |
| H145-1261 | cosponsor: Rep. Schooley<br>Schooley | 3/16/2010 | T | Miriam Willis - 50 Years - League of Women Voters - NCC        |
| H145-1262 | B. Short                             | 3/16/2010 | T | Harriet Wolfson - 50 Years - League of Women Voters - NCC      |
| H145-1263 | cosponsor: Rep. Schooley<br>Brady    | 3/16/2010 | T | Sybil Zefitel - 50 Years - League of Women Voters - NCC        |

#### HOUSE TRIBUTE ANNOUNCEMENT #60

DATE: November 1, 2010

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

| Number    | Sponsor                                                                                                                                                                                                                                                              | Date       | Type | Description                                                           |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------|-----------------------------------------------------------------------|
| H145-1264 | Carey                                                                                                                                                                                                                                                                | 3/9/2010   | M    | Mary Beth Abbott                                                      |
|           | cosponsor: Rep. Outten                                                                                                                                                                                                                                               |            |      |                                                                       |
| H145-1265 | B. Short                                                                                                                                                                                                                                                             | 2/10/2010  | T    | Edward & Ella Swanson - 65 <sup>th</sup> Wedding Anniversary          |
| H145-1266 | Viola                                                                                                                                                                                                                                                                | 2/20/2010  | T    | Alfonso & Terri Castango - 50 <sup>th</sup> Wedding Anniversary       |
| H145-1267 | Schwartzkopf                                                                                                                                                                                                                                                         | 2/16/2010  | T    | James & Caroline Short - 60 <sup>th</sup> Wedding Anniversary         |
| H145-1268 | Mulrooney                                                                                                                                                                                                                                                            | 2/4/2010   | T    | Marvin & Isabel Snedeker - 60 <sup>th</sup> Wedding Anniversary       |
| H145-1269 | Gilligan                                                                                                                                                                                                                                                             | 1/25/2010  | T    | Francis & Ann Wegrznowski - 63 <sup>rd</sup> Wedding Anniversary      |
| H145-1270 | Kowalko                                                                                                                                                                                                                                                              | 10/23/2009 | T    | Copher & Florence Reel - 50 <sup>th</sup> Wedding Anniversary         |
| H145-1271 | Gilligan                                                                                                                                                                                                                                                             | 3/13/2010  | M    | Elaine Aviola Moser                                                   |
| H145-1272 | Jaques                                                                                                                                                                                                                                                               | 3/18/2010  | T    | Multiple Sclerosis Society - Awareness Week                           |
|           | cosponsor: Rep. Barbieri                                                                                                                                                                                                                                             |            |      |                                                                       |
| H145-1273 | Carson                                                                                                                                                                                                                                                               | 3/12/2010  | M    | Franklin Webb Jones                                                   |
| H145-1274 | Outten                                                                                                                                                                                                                                                               | 3/13/2010  | M    | Thomas Dukes Robb                                                     |
| H145-1275 | Walls                                                                                                                                                                                                                                                                | 3/20/2010  | T    | Marvin Hitch - 60 Years - Carlisle Fire Company                       |
|           | cosponsor: Rep. Carey                                                                                                                                                                                                                                                |            |      |                                                                       |
| H145-1276 | Blakey                                                                                                                                                                                                                                                               | 3/20/2010  | T    | VFW Memorial Post 3238 - 75 <sup>th</sup> Anniversary                 |
| H145-1277 | Outten                                                                                                                                                                                                                                                               | 3/21/2010  | T    | Charles Anderson - Retirement                                         |
| H145-1278 | Schwartzkopf                                                                                                                                                                                                                                                         | 2/2/2010   | M    | Charles "Bud" B. Cavanaugh                                            |
|           | cosponsor: Rep. Ramone                                                                                                                                                                                                                                               |            |      |                                                                       |
| H145-1279 | Outten                                                                                                                                                                                                                                                               | 3/1/2010   | T    | Bobby & Ruth Ann Messick - Community Service                          |
|           | cosponsors: Reps. Wilson, Walls, D.P. Williams, Plant, Keeley, Brady, Marshall, B. Short, Q. Johnson, D.E. Williams, Mitchell, Schwartzkopf, Longhurst, J. Johnson, Mulrooney, Barbieri, Gilligan, Schooley, Kowalko, Viola, Jaques, Carson, Scott, Bennett & Atkins |            |      |                                                                       |
| H145-1280 | Mitchell                                                                                                                                                                                                                                                             | 3/20/2010  | T    | Roger T. McLane - 50 Years - Elsmere Fire Co.                         |
| H145-1281 | Hudson                                                                                                                                                                                                                                                               | 3/20/2010  | T    | Warren Jones - 50 Years - Elsmere Fire Co.                            |
|           | cosponsor: Rep. Mitchell                                                                                                                                                                                                                                             |            |      |                                                                       |
| H145-1282 | Hudson                                                                                                                                                                                                                                                               | 3/20/2010  | T    | Carol Walton - Ladies Auxiliary Member of the Year - Elsmere Fire Co. |
|           | cosponsor: Rep. Mitchell                                                                                                                                                                                                                                             |            |      |                                                                       |
| H145-1283 | Mitchell                                                                                                                                                                                                                                                             | 3/20/2010  | T    | Laura Fernandes - 50 Years - Elsmere Fire Co. Ladies Auxiliary        |
| H145-1284 | Hudson                                                                                                                                                                                                                                                               | 3/20/2010  | T    | John Rossiter - 2009 Member of the Year - Elsmere Fire Co.            |
|           | cosponsor: Rep. Mitchell                                                                                                                                                                                                                                             |            |      |                                                                       |

#### HOUSE TRIBUTE ANNOUNCEMENT #61

DATE: November 1, 2010

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

| Number    | Sponsor                              | Date      | Type | Description                                                    |
|-----------|--------------------------------------|-----------|------|----------------------------------------------------------------|
| H145-1285 | Jaques                               | 3/23/2010 | T    | Newark Charter School - 8 <sup>th</sup> Grade Lego Champs      |
|           | cosponsors: Reps. Schooley & Kowalko |           |      |                                                                |
| H145-1286 | Briggs King                          | 3/4/2010  | T    | Ryan Faucett - Heroic Act - Saving a Life                      |
| H145-1287 | Hudson                               | 3/22/2010 | T    | Beverly Stewart - Commission for Women - Hall of Fame          |
| H145-1288 | Briggs King                          | 3/22/2010 | T    | Sister Ascension Banegas - Commission for Women - Hall of Fame |
| H145-1289 | D. Short                             | 3/22/2010 | T    | Dr. Judith Gedney Tobin - Commission for Women - Hall of Fame  |
| H145-1290 | D.P. Williams                        | 3/22/2010 | T    | Kathryn Young Hazeur - Commission for Women -                  |

|           |                                 |           |   |                                                                       |
|-----------|---------------------------------|-----------|---|-----------------------------------------------------------------------|
| H145-1291 | Brady                           | 3/22/2010 | T | Hall of Fame<br>Jeanette Eckman - Commission for Women - Hall of Fame |
| H145-1292 | Outten                          | 3/18/2010 | T | William Jester - Tree Farmer of the Year                              |
| H145-1293 | Hudson                          | 3/12/2010 | M | Alfred Baron                                                          |
| H145-1294 | Scott                           | 3/25/2010 | T | Dover Capital City Rotary Club - 25 <sup>th</sup> Anniversary         |
| H145-1295 | Q. Johnson                      | 3/25/2010 | T | Delaware Medal of Honor Historical Society                            |
|           | cosponsors: All Representatives |           |   |                                                                       |
| H145-1296 | Q. Johnson                      | 3/25/2010 | T | VFW Post 3792 - Medal of Honor Recognition Day                        |
|           | cosponsors: All Representatives |           |   |                                                                       |
| H145-1297 | Viola                           | 4/30/2010 | T | Kyle Spade - Eagle Scout                                              |
| H145-1298 | Scott                           | 3/21/2010 | M | Floyd Harlan Leroy Durham                                             |
| H145-1299 | Viola                           | 3/13/2010 | M | Robert M. Allen                                                       |
| H145-1300 | Thornburg;<br>Carey             | 3/25/2010 | T | Barbara Sapp - Women in History Month                                 |
| H145-1301 | Thornburg                       | 3/25/2010 | T | Hon. Helene M. Keeley - Women in History Month                        |
| H145-1302 | Carson                          | 3/26/2010 | T | Yahya Faqiri - Retirement - Town of Middletown                        |
| H145-1303 | Schooley                        | 2/25/2010 | M | Michael T. Kriner                                                     |
| H145-1304 | Q. Johnson                      | 2/25/2010 | M | Christopher "Gern" Sturfels                                           |

#### HOUSE TRIBUTE ANNOUNCEMENT #62

DATE: November 1, 2010

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

| <u>Number</u> | <u>Sponsor</u>                           | <u>Date</u> | <u>Type</u> | <u>Description</u>                                                             |
|---------------|------------------------------------------|-------------|-------------|--------------------------------------------------------------------------------|
| H145-1305     | Plant                                    | 3/29/2010   | T           | Macedonia Baptist Church - 5 <sup>th</sup> Anniversary                         |
|               | cosponsor: Rep. J. Johnson               |             |             |                                                                                |
| H145-1306     | Q. Johnson                               | 3/27/2010   | T           | Easter Burch - 100 <sup>th</sup> Birthday                                      |
| H145-1307     | Q. Johnson                               | 3/22/2010   | M           | Charles E. Price                                                               |
| H145-1308     | Schwartzkopf                             | 3/25/2010   | M           | James William Short                                                            |
|               | cosponsor: Rep. Keeley                   |             |             |                                                                                |
| H145-1309     | Brady; Kovach                            | 3/8/2010    | T           | Barry Schlecker - 70 <sup>th</sup> Birthday                                    |
| H145-1310     | Hudson                                   | 3/22/2010   | T           | Jaquelin Pitts - Commission for Women - Hall of Fame                           |
| H145-1311     | Cathcart                                 | 4/10/2010   | T           | William Logan - 40 Years - Holloway Terrace Vol. Fire Co.                      |
|               | cosponsors: Reps. Mulrooney & J. Johnson |             |             |                                                                                |
| H145-1312     | J. Johnson                               | 4/10/2010   | T           | J.B. Romano - 50 Years - Holloway Terrace Vol. Fire Co.                        |
|               | cosponsor: Rep. Mulrooney                |             |             |                                                                                |
| H145-1313     | J. Johnson                               | 4/10/2010   | T           | Gladys Reese - 55 Years - Holloway Terrace Vol. Fire Co. Ladies Auxiliary      |
|               | cosponsor: Rep. Mulrooney                |             |             |                                                                                |
| H145-1314     | Viola                                    | 4/10/2010   | T           | Barbara Rossiter - 50 Years - Holloway Terrace Vol. Fire Co. Ladies Auxiliary  |
|               | cosponsors: Reps. Mulrooney & J. Johnson |             |             |                                                                                |
| H145-1315     | J. Johnson                               | 4/10/2010   | T           | Joyce Peck - 50 Years - Holloway Terrace Vol. Fire Co. Ladies Auxiliary        |
|               | cosponsor: Rep. Mulrooney                |             |             |                                                                                |
| H145-1316     | J. Johnson                               | 4/10/2010   | T           | Barbara Sutton - 50 Years - Holloway Terrace Vol. Fire Co. Ladies Auxiliary    |
|               | cosponsor: Rep. Mulrooney                |             |             |                                                                                |
| H145-1317     | Mulrooney                                | 4/10/2010   | T           | Mildred E. Garcia - 45 Years - Holloway Terrace Vol. Fire Co. Ladies Auxiliary |
|               | cosponsor: Rep. J. Johnson               |             |             |                                                                                |
| H145-1318     | Mulrooney                                | 4/10/2010   | T           | Thelma Kempista - 40 Years - Holloway Terrace Vol. Fire Co. Ladies Auxiliary   |
|               | cosponsor: Rep. J. Johnson               |             |             |                                                                                |
| H145-1319     | J. Johnson                               | 4/10/2010   | T           | Eleanor Logan - 40 Years - Holloway Terrace Vol. Fire Co. Ladies Auxiliary     |
|               | cosponsor: Rep. Mulrooney                |             |             |                                                                                |
| H145-1320     | J. Johnson                               | 4/10/2010   | T           | Dottie Romano - 35 Years - Holloway Terrace Vol. Fire Co. Ladies Auxiliary     |
|               | cosponsor: Rep. Mulrooney                |             |             |                                                                                |
| H145-1321     | Schwartzkopf                             | 3/11/2010   | M           | Myrtle E. Shockley                                                             |
| H145-1322     | Outten                                   | 3/22/2010   | M           | William C. Hayes                                                               |
| H145-1323     | Longhurst                                | 3/28/2010   | T           | Paul Niggebrugge - Caravel Academy Baseball Coach - 300 Wins                   |
| H145-1324     | Viola;<br>Schooley                       | 4/6/2010    | T           | Michael Hunter - Community Service - Housing                                   |
| H145-1325     | Miro;<br>Schooley                        | 4/6/2010    | T           | Rashmi Rangan - Community Service - Housing                                    |
| H145-1326     | Outten                                   | 3/27/2010   | M           | S. Kathleen Montague                                                           |
| H145-1327     | Mitchell                                 | 4/7/2010    | T           | Connor Kelleher - Eagle Scout                                                  |

|           |                                   |           |   |                                                   |
|-----------|-----------------------------------|-----------|---|---------------------------------------------------|
| H145-1328 | Cathcart                          | 4/1/2010  | T | Michael Jackson - Service to Delaware             |
|           | cosponsors: All Representatives   |           |   |                                                   |
| H145-1329 | Lavelle                           | 4/25/2010 | T | Erma Bowen - 100 <sup>th</sup> Birthday           |
| H145-1330 | Blakey                            | 4/10/2010 | T | Chief Jeffrey Horvath - Retirement - Dover Police |
|           | cosponsors: Reps. Bennett & Scott |           |   |                                                   |
| H145-1331 | Blakey                            | 4/1/2010  | M | Barbara E. Caulk                                  |
|           | cosponsors: All Representatives   |           |   |                                                   |

HOUSE TRIBUTE ANNOUNCEMENT #63

DATE: November 1, 2010

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

| Number    | Sponsor                                                                 | Date      | Type | Description                                                       |
|-----------|-------------------------------------------------------------------------|-----------|------|-------------------------------------------------------------------|
| H145-1332 | Hudson                                                                  | 3/18/2010 | T    | Haley Pierce - All State Indoor Track Girls MVP                   |
|           | cosponsor: Rep. Ramone                                                  |           |      |                                                                   |
| H145-1333 | Ramone                                                                  | 3/18/2010 | T    | Tyler Tate - All State Indoor Track Boys MVP                      |
| H145-1334 | Kowalko                                                                 | 4/3/2010  | M    | Lillian Rynkowski                                                 |
| H145-1335 | Keeley                                                                  | 4/19/2010 | T    | Adele Meehan - Community Service                                  |
| H145-1336 | Wilson                                                                  | 4/3/2010  | M    | James Dudley Stevens                                              |
| H145-1337 | Thornburg                                                               | 4/10/2010 | T    | David Bakerian - 60 <sup>th</sup> Birthday                        |
|           | cosponsor: Rep. Miro                                                    |           |      |                                                                   |
| H145-1338 | Carson                                                                  | 4/20/2010 | T    | Delaware Veterinary Medical Association                           |
| H145-1339 | D. Short                                                                | 4/6/2010  | M    | Phyllis Ann Baker McNatt                                          |
| H145-1340 | Outten                                                                  | 4/5/2010  | M    | Gayle B. Smith                                                    |
| H145-1341 | Wilson                                                                  | 4/24/2010 | T    | Minnie Short O’Day                                                |
|           | cosponsors: All Representatives                                         |           |      |                                                                   |
| H145-1342 | Scott                                                                   | 4/5/2010  | M    | Thomas Eugene Eldred                                              |
| H145-1343 | Miro; Hudson                                                            | 4/20/2010 | T    | Janet C. Rzewnicki - Longest Serving State Treasurer              |
| H145-1344 | Outten                                                                  | 4/17/2010 | T    | Dorothy Dill - 60 Years - Felton & Magnolia Fire Cos. Auxiliaries |
| H145-1345 | Outten                                                                  | 4/17/2010 | T    | Mary Green - 52 Years - Felton Community Fire Co. Auxiliary       |
| H145-1346 | Outten                                                                  | 4/17/2010 | T    | Fern Harrington - 51 Years - Felton Community Fire Co. Auxiliary  |
| H145-1347 | Scott                                                                   | 4/17/2010 | T    | Mary Nicol Brown - 100 <sup>th</sup> Birthday                     |
| H145-1348 | Lavelle                                                                 | 4/14/2010 | T    | Springer Middle School - Rededication                             |
|           | cosponsors: Reps. Brady, Plant, B. Short, D.E. Williams & D.P. Williams |           |      |                                                                   |
| H145-1349 | Mitchell                                                                | 3/26/2010 | T    | William & Carol Cathell - 50 <sup>th</sup> Wedding Anniversary    |
| H145-1350 | J. Johnson                                                              | 4/30/2010 | T    | Andrew & Gertrude Pavlick - 50 <sup>th</sup> Wedding Anniversary  |
| H145-1351 | Gilligan                                                                | 2/20/2010 | T    | Donald & Myrtle Werkeiser - 50 <sup>th</sup> Wedding Anniversary  |
| H145-1352 | Gilligan                                                                | 4/28/2010 | T    | Robert & Evelyn Pettit - 55 <sup>th</sup> Wedding Anniversary     |
| H145-1353 | Mulrooney                                                               | 4/2/2010  | T    | Rudolph & Carolyn Alvini - 50 <sup>th</sup> Wedding Anniversary   |

HOUSE TRIBUTE ANNOUNCEMENT #64

DATE: November 1, 2010

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

| Number    | Sponsor                    | Date      | Type | Description                                                           |
|-----------|----------------------------|-----------|------|-----------------------------------------------------------------------|
| H145-1354 | George                     | 4/14/2010 | T    | Hon. Eric M. Davis - Investiture - Court of Common Pleas              |
| H145-1355 | D. Short                   | 4/11/2010 | M    | Richard Donnan Livingston                                             |
| H145-1356 | Mitchell                   | 4/24/2010 | T    | Carol Johnson - 50 Years - Minquadale Ladies Auxiliary                |
|           | cosponsor: J. Johnson      |           |      |                                                                       |
| H145-1357 | J. Johnson                 | 4/24/2010 | T    | Gary Lambert - 2009 Fireman of the Year - Minquadale Fire Co.         |
| H145-1358 | J. Johnson                 | 4/24/2010 | T    | Billy DeHoyes - 2009 Junior Fireman of the Year - Minquadale Fire Co. |
| H145-1359 | J. Johnson                 | 4/24/2010 | T    | Joseph Hojnicky, Sr. - President’s Award - Minquadale Fire Co.        |
| H145-1360 | Mulrooney                  | 4/24/2010 | T    | Joseph Day III - President’s Award - Minquadale Fire Co.              |
|           | cosponsor: Rep. J. Johnson |           |      |                                                                       |
| H145-1361 | Longhurst                  | 4/24/2010 | T    | Terry Masten - 2009 Member of the Year - Minquadale Fire Co.          |
|           | cosponsor: Rep. J. Johnson |           |      |                                                                       |
| H145-1362 | Atkins                     | 4/24/2010 | T    | Ralph Fox - 60 Years - Minquadale Fire Co.                            |



|           |                                                                                                         |           |   |                                                                                                                      |
|-----------|---------------------------------------------------------------------------------------------------------|-----------|---|----------------------------------------------------------------------------------------------------------------------|
| H145-1363 | cosponsor: Rep. J. Johnson<br>Atkins                                                                    | 4/24/2010 | T | John Gordon, Sr. - 55 Years - Minquadale Fire Co.                                                                    |
| H145-1364 | cosponsor: Rep. J. Johnson<br>Mulrooney;                                                                | 4/24/2010 | T | Joseph Day III - Heroic Fireman of the Year -<br>Minquadale Fire Co.                                                 |
| H145-1365 | J. Johnson                                                                                              | 4/24/2010 | T | Geoff Daniels - Heroic Fireman of the Year -<br>Minquadale Fire Co.                                                  |
| H145-1366 | Schooley                                                                                                | 4/21/2010 | T | Newark Charter School - Odyssey of the Mind -<br>First Place Winners - Nature Trail R Division -<br>Fifth Grade      |
| H145-1367 | cosponsors: Reps. Jaques &<br>Kowalko<br>Schooley                                                       | 4/21/2010 | T | Newark Charter School - Odyssey of the Mind -<br>First Place Winners - Discovered Treasures Division<br>Eighth Grade |
| H145-1368 | cosponsors: Reps. Jaques &<br>Kowalko<br>Blakey                                                         | 4/30/2010 | T | Mary Rose D'Annunzio - Retirement - DPI/DOE                                                                          |
| H145-1369 | Lee                                                                                                     | 4/20/2010 | T | Sussex Child Health Promotion Coalition                                                                              |
|           | cosponsors: Reps. Atkins, Briggs King, Carey, Hocker, Outten, Schwartzkopf, D. Short,<br>Walls & Wilson |           |   |                                                                                                                      |
| H145-1370 | Briggs King                                                                                             | 4/2/2010  | T | Bob & Shirley Roberts - 60 <sup>th</sup> Wedding Anniversary                                                         |
| H145-1371 | Carson                                                                                                  | 5/17/2009 | M | Raymond Francis Ryan                                                                                                 |
| H145-1372 | Kovach                                                                                                  | 4/24/2010 | T | Gordon Edwards, Jr. - 30 Years - Brandywine Hundred<br>Vol. Fire Co.                                                 |
| H145-1373 | Kovach                                                                                                  | 4/24/2010 | T | Thomas Finocchiaro - 30 Years - Brandywine Hundred<br>Vol. Fire Co.                                                  |
| H145-1374 | Kovach                                                                                                  | 4/24/2010 | T | Michael DiMauro, Sr. - 35 Years - Brandywine<br>Hundred Vol. Fire Co.                                                |
| H145-1375 | Lavelle;                                                                                                | 4/24/2010 | T | Thomas Willette, Jr. - 35 Years - Brandywine Hundred<br>Vol. Fire Co.                                                |
| H145-1376 | Kovach                                                                                                  | 4/24/2010 | T | Charles Frampton, Jr. - 50 Years - Brandywine<br>Hundred Vol. Fire Co.                                               |
| H145-1377 | Kovach                                                                                                  | 4/24/2010 | T | Gerry Hurst - 50 Years - Brandywine Hundred Vol.<br>Fire Co. Ladies Auxiliary                                        |
| H145-1378 | Kovach                                                                                                  | 4/24/2010 | T | Virginia Yeager - 50 Years - Brandywine Hundred<br>Vol. Fire Co. Ladies Auxiliary                                    |
| H145-1379 | Q. Johnson                                                                                              | 4/30/2010 | T | Ray Barcus - Retirement - DelDOT                                                                                     |
| H145-1380 | Hocker                                                                                                  | 4/24/2010 | T | Gertrude Jones - 90 <sup>th</sup> Birthday                                                                           |

#### HOUSE TRIBUTE ANNOUNCEMENT #65

DATE: November 1, 2010

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| Number    | Sponsor                             | Date      | Type | Description                                            |
|-----------|-------------------------------------|-----------|------|--------------------------------------------------------|
| H145-1381 | Q. Johnson                          | 4/24/2010 | T    | Town of Townsend - Community Wildlife Habitat          |
| H145-1382 | Walls                               | 4/24/2010 | T    | Paul Davis - 50 Years - Frederica Vol. Fire Co.        |
| H145-1383 | Walls                               | 4/24/2010 | T    | Frank Beebe - 60 Years - Frederica Vol. Fire Co.       |
| H145-1384 | Walls                               | 4/24/2010 | T    | Bradford Holliday - 75 Years - Frederica Vol. Fire Co. |
| H145-1385 | Walls;Wilson                        | 4/25/2010 | T    | Pastor Andrew W. Stevens - Pastor Appreciation Day     |
| H145-1386 | George                              | 5/8/2010  | T    | David Schley - Bachelor of Arts Degree                 |
| H145-1387 | Kovach                              | 3/8/2010  | T    | Adrian Chambers - William V. Roth Citizenship Award    |
| H145-1388 | Barbieri                            | 4/8/2010  | M    | Milton Kennard Markley, Jr.                            |
| H145-1389 | Outten                              | 4/22/2010 | M    | Melissa Dee Stubbs                                     |
| H145-1390 | Walls; Outten                       | 4/24/2010 | M    | Bessie E. McCracken                                    |
| H145-1391 | Lavelle                             | 6/6/2010  | T    | Adam Dryden - Eagle Scout                              |
| H145-1392 | Q. Johnson                          | 4/22/2010 | M    | William S. "Skip" Larkin II                            |
| H145-1393 | Blakey                              | 5/5/2010  | T    | Dennis M. O'Shea - Retirement - DelDOT                 |
| H145-1394 | Brady                               | 4/28/2010 | T    | Ann Wick - Chairman - Early Childhood Council          |
|           | cosponsors: Reps. Schooley & George |           |      |                                                        |
| H145-1395 | Barbieri                            | 4/6/2010  | M    | Michael R. Gropp                                       |
|           | cosponsor: Rep. Ramone              |           |      |                                                        |
| H145-1396 | Gilligan                            | 4/27/2010 | T    | Chris Grundner - Kelly Heinz-Grundner Foundation       |
| H145-1397 | J. Johnson                          | 4/22/2010 | M    | Grace Woolford                                         |
| H145-1398 | Q. Johnson;                         | 5/2/2010  | T    | Kevin Boone - Eagle Scout                              |
|           | Jaques                              |           |      |                                                        |
| H145-1399 | Outten                              | 4/25/2010 | M    | George N. Reed                                         |
| H145-1400 | Oberle                              | 4/28/2010 | T    | Mark Boles - Community Service                         |
| H145-1401 | Hudson                              | 4/29/2010 | T    | Hon. Russell W. Peterson - John Gardner Lifetime       |

|                     |                       |           |   |                                                                                     |
|---------------------|-----------------------|-----------|---|-------------------------------------------------------------------------------------|
| H145-1402           | Hudson                | 4/29/2010 | T | Achievement - Common Cause<br>John Taylor - Open Government Award -<br>Common Cause |
| H145-1403           | Longhurst;<br>Kowalko | 4/21/2010 | M | Christopher W. White, Esq.                                                          |
| H145-1404           | Oberle                | 4/28/2010 | T | David Woodside - Community Service                                                  |
| H145-1405           | B. Short              | 4/23/2010 | M | Harold J. Stransky                                                                  |
| H145-1406           | Schwartzkopf          | 5/8/2010  | T | Sgt. Donna M. Simpson - Retirement - DSP                                            |
| cosponsor: Rep. Lee |                       |           |   |                                                                                     |

#### HOUSE TRIBUTE ANNOUNCEMENT #66

DATE: November 1, 2010

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

| <u>Number</u>                       | <u>Sponsor</u> | <u>Date</u> | <u>Type</u> | <u>Description</u>                                                              |
|-------------------------------------|----------------|-------------|-------------|---------------------------------------------------------------------------------|
| H145-1407                           | Outten         | 4/30/2010   | T           | Terry Porter - Retirement - DelDOT                                              |
| H145-1408                           | Lavelle        | 4/29/2010   | T           | Joanne Cunningham & Ed Capodanno - Induction -<br>Special Olympics Hall of Fame |
| H145-1409                           | Lavelle        | 4/30/2010   | T           | John L. Ault - Retirement                                                       |
| H145-1410                           | B. Short       | 4/7/2010    | M           | Donald E. Bedard                                                                |
| H145-1411                           | B. Short       | 3/29/2010   | M           | Terry Ann Colgan                                                                |
| H145-1412                           | J. Johnson     | 5/7/2010    | T           | Robert & Joyce Dixon - 50 <sup>th</sup> Wedding Anniversary                     |
| H145-1413                           | B. Short       | 5/23/2010   | T           | Brian Naughton - Eagle Scout                                                    |
| H145-1414                           | Atkins         | 5/8/2010    | T           | William J. Davis, Jr. - 60 Years - Millsboro Fire Co.                           |
| cosponsors: Reps. Briggs King & Lee |                |             |             |                                                                                 |
| H145-1415                           | Q. Johnson     | 5/18/2010   | T           | William Eisenbrey, Jr. - Retirement - Lake Forest<br>School District            |
| cosponsor: Rep. Outten              |                |             |             |                                                                                 |
| H145-1416                           | Outten         | 5/18/2010   | T           | Larry Dill - Retirement - Lake Forest School District                           |
| H145-1417                           | Outten         | 5/18/2010   | T           | Janet Hendricks - Retirement - Lake Forest School<br>District                   |
| H145-1418                           | Walls          | 5/18/2010   | T           | Diane Fleming - Retirement - Lake Forest School<br>District                     |
| cosponsor: Rep. Outten              |                |             |             |                                                                                 |
| H145-1419                           | Carey          | 5/18/2010   | T           | Brenda Powers - Retirement - Lake Forest School<br>District                     |
| cosponsor: Rep. Outten              |                |             |             |                                                                                 |
| H145-1420                           | Outten         | 5/18/2010   | T           | Denise Hayward - Retirement - Lake Forest School<br>District                    |
| H145-1421                           | Outten         | 5/18/2010   | T           | Brent Pandel - Retirement - Lake Forest School District                         |
| H145-1422                           | Carey          | 5/18/2010   | T           | Eugene Topolski - Retirement - Lake Forest School<br>District                   |
| cosponsor: Rep. Outten              |                |             |             |                                                                                 |
| H145-1423                           | Outten         | 5/18/2010   | T           | Dee Gerardi - Retirement - Lake Forest School District                          |
| H145-1424                           | Briggs King    | 5/18/2010   | T           | Nancy Schaefer - Retirement - Lake Forest School<br>District                    |
| cosponsor: Rep. Outten              |                |             |             |                                                                                 |
| H145-1425                           | Briggs King    | 5/18/2010   | T           | Laurita Jewett - Retirement - Lake Forest School<br>District                    |
| cosponsor: Rep. Outten              |                |             |             |                                                                                 |
| H145-1426                           | Walls          | 5/18/2010   | T           | Bethel Crockett - Retirement - Lake Forest School<br>District                   |
| cosponsor: Rep. Outten              |                |             |             |                                                                                 |
| H145-1427                           | Scott          | 5/18/2010   | T           | Dave McClintock - Retirement - Lake Forest School<br>District                   |
| cosponsor: Rep. Outten              |                |             |             |                                                                                 |
| H145-1428                           | D. Short       | 5/18/2010   | T           | Carolyn Scott - Retirement - Lake Forest School<br>District                     |
| cosponsor: Rep. Outten              |                |             |             |                                                                                 |
| H145-1429                           | Walls          | 5/18/2010   | T           | Randy Ward - Retirement - Lake Forest School District                           |
| cosponsor: Rep. Outten              |                |             |             |                                                                                 |
| H145-1430                           | Walls          | 5/18/2010   | T           | Betty Wyatt-Dix - Retirement - Lake Forest School<br>District                   |
| cosponsor: Rep. Outten              |                |             |             |                                                                                 |
| H145-1431                           | Schwartzkopf   | 5/18/2010   | T           | Cathy Zimmerman - Retirement - Lake Forest School<br>District                   |
| cosponsor: Rep. Outten              |                |             |             |                                                                                 |

#### HOUSE TRIBUTE ANNOUNCEMENT #67

DATE: November 1, 2010

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

| <u>Number</u>                                                                  | <u>Sponsor</u>         | <u>Date</u> | <u>Type</u> | <u>Description</u>                         |
|--------------------------------------------------------------------------------|------------------------|-------------|-------------|--------------------------------------------|
| H145-1432                                                                      | Briggs King            | 5/8/2010    | T           | Delaware Confederate Veterans              |
| cosponsors: Reps. Atkins, Lee, D. Short, Hocker, Carey, Wilson, Walls & Outten |                        |             |             |                                            |
| H145-1433                                                                      | Hocker;<br>Briggs King | 5/6/2010    | T           | Ronald Foskey - Water Operator of the Year |

|           |                                                   |           |   |                                                                                                  |
|-----------|---------------------------------------------------|-----------|---|--------------------------------------------------------------------------------------------------|
| H145-1434 | Atkins;<br>Briggs King                            | 5/6/2010  | T | Robert Moore - Wastewater Operator of the Year                                                   |
| H145-1435 | Blakey;<br>Briggs King                            | 5/6/2010  | T | Hollis T. Warren - On-Site Professional of the Year                                              |
| H145-1436 | Blakey;<br>Briggs King                            | 5/6/2010  | T | Kenneth Darling - Environmental Lifetime Achievement Award                                       |
| H145-1437 | Carey;<br>Briggs King                             | 5/6/2010  | T | George Seigfried - Environmental Lifetime Achievement Award                                      |
| H145-1438 | Bennett                                           | 5/7/2010  | T | Lisa Shaw - Excellence & Commitment - State Service                                              |
| H145-1439 | Bennett                                           | 5/7/2010  | T | Robert Weakland - Excellence & Commitment - State Service                                        |
| H145-1440 | Outten                                            | 5/7/2010  | T | Robert Daniel - Excellence & Commitment - State Service                                          |
| H145-1441 | Briggs King                                       | 5/7/2010  | T | Denise Hudson - Excellence & Commitment - State Service                                          |
| H145-1442 | Schooley                                          | 5/7/2010  | T | Robert Cooke - Excellence & Commitment - State Service                                           |
| H145-1443 | Carson                                            | 5/7/2010  | T | Vernon Kirk - Excellence & Commitment - State Service                                            |
| H145-1444 | Carson                                            | 5/3/2010  | T | Gerald Mood - 2009 Fireman of the Year - Citizens Hose Co.                                       |
| H145-1445 | Q. Johnson<br>cosponsor: Rep. Carson              | 5/3/2010  | T | Michael Everett, Jr. - 2009 Firefighter of the Year - Citizens Hose Co.                          |
| H145-1446 | Carson                                            | 5/3/2010  | T | Eric Neeld - 2009 School Probational Member Award - Citizens Hose Co.                            |
| H145-1447 | Bennett                                           | 4/29/2010 | M | Elizabeth Bushweller Sarfatti                                                                    |
| H145-1448 | Outten                                            | 3/31/2010 | T | Betty D. Kemp - Retirement                                                                       |
| H145-1449 | Outten                                            | 5/14/2010 | T | Priscilla G. Morris - Retirement                                                                 |
| H145-1450 | Schooley<br>cosponsors: Reps. Jaques &<br>Kowalko | 4/20/2010 | T | Newark Charter School - Eighth Grade Math League Team - First Place Winners - Secondary Schools  |
| H145-1451 | Schooley<br>cosponsors: Reps. Jaques &<br>Kowalko | 4/20/2010 | T | Newark Charter School - Seventh Grade Math League Team - First Place Winners - Secondary Schools |
| H145-1452 | Briggs King                                       | 6/23/2010 | T | Darlene D. Houseman - Retirement - DelDOT                                                        |

#### HOUSE TRIBUTE ANNOUNCEMENT #68

DATE: November 1, 2010

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

| <u>Number</u> | <u>Sponsor</u>                            | <u>Date</u> | <u>Type</u> | <u>Description</u>                                                                    |
|---------------|-------------------------------------------|-------------|-------------|---------------------------------------------------------------------------------------|
| H145-1453     | Lee<br>cosponsor: Rep. D. Short           | 6/5/2010    | T           | Christopher Liammayty - Eagle Scout                                                   |
| H145-1454     | Q. Johnson<br>cosponsor: Rep. Outten      | 5/18/2010   | T           | Gail W. Hill - Retirement - Lake Forest Schools                                       |
| H145-1455     | Kowalko                                   | 5/12/2010   | T           | Karen Fredricks - Presidential Award - Excellence in Mathematics and Science Teaching |
| H145-1456     | Schooley<br>cosponsor: Rep. Kowalko       | 5/12/2010   | T           | Jo Anne Deshon - Presidential Award - Excellence in Mathematics and Science Teaching  |
| H145-1457     | Carey<br>cosponsor: Rep. Walls            | 5/7/2010    | M           | William J. "John" Coulbourne                                                          |
| H145-1458     | Lee                                       | 5/15/2010   | T           | Carolyn L. Calio - Laurel Alumni Association                                          |
| H145-1459     | George<br>cosponsors: All Representatives | 5/15/2010   | T           | Food Allergy & Anaphylaxis Network - Allergy Walk                                     |
| H145-1460     | Oberle                                    | 5/18/2010   | T           | Buel Mutter - Community Service - Scottfield                                          |
| H145-1461     | Oberle                                    | 5/18/2010   | T           | Herb & Jackie Foster - Community Service - Scottfield                                 |
| H145-1462     | Carey<br>cosponsor: Rep. Walls            | 5/5/2010    | M           | Francis Joseph "Art" Gunning                                                          |
| H145-1463     | Hocker                                    | 3/13/2010   | T           | Boy Scout Troop 281 - Troop of the Year - Sussex County                               |
| H145-1464     | Cathcart<br>cosponsor: Rep. Q. Johnson    | 4/24/2010   | T           | Marquis Ali Dendy - High School Boys Triple Jump Record - Penn Relays                 |
| H145-1465     | Carson                                    | 5/31/2010   | T           | Elizabeth B. Seay - Retirement - DSP                                                  |
| H145-1466     | Carson                                    | 5/29/2010   | T           | Robert L. Hoffecker - 60 <sup>th</sup> Birthday                                       |
| H145-1467     | Cathcart;                                 | 5/7/2010    | M           | Lucille L. Horsey                                                                     |

|           |        |          |   |                                                      |
|-----------|--------|----------|---|------------------------------------------------------|
|           | Carson |          |   |                                                      |
| H145-1468 | Oberle | 6/7/2010 | T | Leighann Basilio - Sterck School - Graduating Class  |
| H145-1469 | Oberle | 6/7/2010 | T | Isabel Glasman - Sterck School - Graduating Class    |
| H145-1470 | Oberle | 6/7/2010 | T | Yusaf Jameel - Sterck School - Graduating Class      |
| H145-1471 | Oberle | 6/7/2010 | T | Kyle McEvoy - Sterck School - Graduating Class       |
| H145-1472 | Oberle | 6/7/2010 | T | Martika Myers - Sterck School - Graduating Class     |
| H145-1473 | Oberle | 6/7/2010 | T | Reginald Saunders - Sterck School - Graduating Class |
| H145-1474 | Oberle | 6/7/2010 | T | Matthew Ward - Sterck School - Graduating Class      |

#### HOUSE TRIBUTE ANNOUNCEMENT #69

DATE: November 1, 2010

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

| Number    | Sponsor               | Date       | Type | Description                                                                                                      |
|-----------|-----------------------|------------|------|------------------------------------------------------------------------------------------------------------------|
| H145-1475 | D. Short              | 5/27/2010  | T    | Capt. Gregory D. Nolt - Retirement - DSP<br>cosponsors: Reps. Lee, Schwartzkopf & Atkins                         |
| H145-1476 | Keeley                | 5/13/2010  | T    | Cerron Cade & Kasmira Seymour - Engagement<br>cosponsors: Reps. Oberle, Brady & Viola                            |
| H145-1477 | Outten                | 5/11/ 2010 | M    | Lela P. Taylor                                                                                                   |
| H145-1478 | Blakey;<br>Outten     | 5/11/2010  | M    | Kimberly Susan Winters                                                                                           |
| H145-1479 | Outten                | 5/12/2010  | M    | Paul E. Chandler, Jr.                                                                                            |
| H145-1480 | Kovach                | 5/23/2010  | T    | Casey Casalnuovo - Eagle Scout                                                                                   |
| H145-1481 | D. Short              | 5/21/2010  | T    | Soroptimist International of Seaford - 60 <sup>th</sup> Anniversary                                              |
| H145-1482 | B. Short              | 5/19/2010  | T    | Claymont Boys & Girls Club - Teen Center Opening                                                                 |
| H145-1483 | Oberle;<br>Q. Johnson | 4/29/2010  | M    | Alice Elizabeth Berlund Cahill                                                                                   |
| H145-1484 | Oberle;<br>Hudson     | 5/19/2010  | T    | Drewry Nash Fennell - Service - ACLU                                                                             |
| H145-1485 | Mulrooney             | 5/22/2010  | T    | Gladys Clark - 60 Years - New Castle Community<br>Progressive Club, Inc.<br>cosponsors: Reps. J. Johnson & Plant |
| H145-1486 | Carey; Walls          | 5/16/2010  | M    | Virginia M. Ingram<br>cosponsors: Reps. D. Short & Wilson                                                        |
| H145-1487 | Kowalko               | 5/3/2010   | M    | Dr. Donald F. Crossan<br>cosponsors: All Representatives                                                         |
| H145-1488 | Lee                   | 5/29/2010  | T    | Morning Star Lodge #10 - 150 <sup>th</sup> Anniversary<br>cosponsor: Rep. D. Short                               |
| H145-1489 | Barbieri              | 5/7/2010   | T    | Joseph & Marlene Sadowski - 50 <sup>th</sup> Wedding<br>Anniversary                                              |
| H145-1490 | Schwartzkopf          | 2/27/2010  | T    | John & Ellen Sobieski - 50 <sup>th</sup> Wedding Anniversary                                                     |
| H145-1491 | Gilligan              | 5/6/2010   | T    | Robert & Margaret Maclary - 60 <sup>th</sup> Wedding<br>Anniversary                                              |
| H145-1492 | Q. Johnson            | 6/4/2010   | T    | Ethan Yerger - Christ the Teacher School - Student<br>Excellence & Leadership Award                              |
| H145-1493 | Schooley              | 5/22/2010  | T    | Hon. Dr. S.B. & Katy Woo - Honor - Asian Pacific<br>Heritage Society of the USA<br>cosponsor: Rep. Brady         |
| H145-1494 | Carey                 | 5/19/2010  | M    | Curtis Rodney Sharp, Jr.<br>cosponsors: Reps. Walls & Wilson                                                     |

#### HOUSE TRIBUTE ANNOUNCEMENT #70

DATE: November 1, 2010

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

| Number    | Sponsor    | Date      | Type | Description                                                                                                 |
|-----------|------------|-----------|------|-------------------------------------------------------------------------------------------------------------|
| H145-1495 | Outten     | 4/30/2010 | T    | James MacMillan - Retirement - DelDOT                                                                       |
| H145-1496 | Walls      | 8/1/2010  | T    | Dennis Smith - Retirement - DelDOT                                                                          |
| H145-1497 | Kowalko    | 5/26/2010 | T    | Melvin Gardner - Baseball Coach - Wm. Penn H.S.                                                             |
| H145-1498 | Outten     | 6/18/2010 | T    | Frederick H. Schuman - 100 <sup>th</sup> Birthday                                                           |
| H145-1499 | Scott      | 6/25/2010 | T    | Robert D. Gates - Retirement - Safety & Homeland<br>Security                                                |
| H145-1500 | Thornburg  | 5/14/2010 | M    | Ernest Sylvester Dickerson, Sr.<br>cosponsor: Rep. Scott                                                    |
| H145-1501 | George     | 6/9/2010  | T    | Benjamin Strauss, Esq. - State Bar Association - 2009-<br>2010 President<br>cosponsors: All Representatives |
| H145-1502 | Manolakos; | 6/2/2010  | T    | Sanford School - Best Band & Best Choir - 1 <sup>st</sup> Place -                                           |

|           |                          |           |   |                                                                  |
|-----------|--------------------------|-----------|---|------------------------------------------------------------------|
|           | Oberle; Hudson           |           |   | Festivals of Music Competition                                   |
| H145-1503 | Walls                    | 6/8/2010  | T | Paula Green - Outstanding Employee - Kent-Sussex Industries      |
|           | cosponsor: Rep. Carey    |           |   |                                                                  |
| H145-1504 | Walls                    | 6/8/2010  | T | Melvin Freeman - Outstanding Employee - Kent-Sussex Industries   |
|           | cosponsor: Rep. Carey    |           |   |                                                                  |
| H145-1505 | Walls                    | 6/8/2010  | T | Carolyn Camper - Outstanding Employee - Kent-Sussex Industries   |
|           | cosponsor: Rep. Carey    |           |   |                                                                  |
| H145-1506 | Walls                    | 6/8/2010  | T | Carmen Warren - Employee of the Year - Kent-Sussex Industries    |
|           | cosponsor: Rep. Carey    |           |   |                                                                  |
| H145-1507 | Walls                    | 6/8/2010  | T | Dot Melvin - Staff Employee of the Year - Kent-Sussex Industries |
|           | cosponsor: Rep. Carey    |           |   |                                                                  |
| H145-1508 | Carson                   | 5/26/2010 | T | Donald V. Ebright, Jr. - 50 <sup>th</sup> Birthday               |
| H145-1509 | Wilson                   | 6/8/2010  | T | Ralph Scott III - Family Owned Business Award                    |
|           | cosponsor: Rep. D. Short |           |   |                                                                  |
| H145-1510 | Kovach                   | 6/12/2010 | T | Boy Scout Troop 99 - Bellefonte - 70 Years                       |
| H145-1511 | Scott                    | 6/15/2010 | T | Marjorie Wicks - 100 <sup>th</sup> Birthday                      |
| H145-1512 | Thornburg; Carson        | 8/11/2010 | T | Frances N. Ziegler - 90 <sup>th</sup> Birthday                   |
| H145-1513 | J. Johnson               | 5/22/2010 | M | James Williams Cummings                                          |
| H145-1514 | George; Schooley         | 6/3/2010  | T | Connie Bond Stuart - Co-Chair - Policy Matters                   |
| H145-1515 | Thornburg; Carson        | 5/20/2010 | M | Mary Hester Ford                                                 |
| H145-1516 | Q. Johnson               | 6/2/2010  | T | Dave Raughley - Mayor of Townsend - Service                      |

#### HOUSE TRIBUTE ANNOUNCEMENT #71

DATE: November 1, 2010

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

| Number    | Sponsor                                                                                                                 | Date      | Type | Description                                                 |
|-----------|-------------------------------------------------------------------------------------------------------------------------|-----------|------|-------------------------------------------------------------|
| H145-1517 | Schwartzkopf                                                                                                            | 6/19/2010 | T    | Delaware State Police Federal Credit Union - 50 Years       |
|           | cosponsor: Rep. Lee                                                                                                     |           |      |                                                             |
| H145-1518 | Walls                                                                                                                   | 6/11/2010 | T    | Janice S. Yerkes - 70 <sup>th</sup> Birthday                |
|           | cosponsors: Reps. Briggs King, Carey, Hocker, Oberle, Outten & Wilson                                                   |           |      |                                                             |
| H145-1519 | Bennett                                                                                                                 | 6/15/2010 | T    | Jean Zimmerman - Retirement - Capital School District       |
| H145-1520 | Kowalko                                                                                                                 | 6/10/2010 | T    | Daniel Rich - Chair - Early Childhood Council               |
|           | cosponsors: Reps. George & Schooley                                                                                     |           |      |                                                             |
| H145-1521 | Scott; Carson                                                                                                           | 5/27/2010 | M    | Dorothy Louise Gardner Downs                                |
| H145-1522 | Cathcart                                                                                                                | 7/2/2010  | T    | John L. Beck - Eagle Scout                                  |
| H145-1523 | George                                                                                                                  | 6/2/2010  | T    | Jahaira Torres - Graduation - Christiana High School        |
| H145-1524 | Miro                                                                                                                    | 6/13/2010 | T    | Rev. James P. Byrne, OSFS - 50 Years                        |
| H145-1525 | Mitchell                                                                                                                | 6/14/2010 | T    | Mark Corrigan - Fr. Trainor Memorial Scholarship            |
|           | cosponsor: Rep. Keeley                                                                                                  |           |      | Award - St. Mark's High School                              |
| H145-1526 | Brady                                                                                                                   | 6/14/2010 | T    | Emma Field - Fr. Trainor Memorial Scholarship               |
|           | cosponsor: Rep. Keeley                                                                                                  |           |      | Award - Ursuline Academy                                    |
| H145-1527 | D. P. Williams                                                                                                          | 6/14/2010 | T    | Sierrah Harris - Fr. Trainor Memorial Scholarship           |
|           | cosponsor: Rep. Keeley                                                                                                  |           |      | Award - St. Elizabeth High School                           |
| H145-1528 | George                                                                                                                  | 6/14/2010 | T    | Cecilia Mazalewski - Fr. Trainor Memorial Scholarship       |
|           | cosponsor: Rep. Keeley                                                                                                  |           |      | Award - St. Elizabeth High School                           |
| H145-1529 | Keeley                                                                                                                  | 6/14/2010 | T    | Khaadim Rider - Fr. Trainor Memorial Scholarship            |
|           |                                                                                                                         |           |      | Award - St. Elizabeth High School                           |
| H145-1530 | Plant                                                                                                                   | 7/18/2010 | T    | Jay Caldwell - Gospel Ambassadors                           |
| H145-1531 | D. Short                                                                                                                | 5/30/2010 | M    | Marshall Roberts Nesbitt                                    |
|           | cosponsor: Rep. Barbieri                                                                                                |           |      |                                                             |
| H145-1532 | Lavelle                                                                                                                 | 6/6/2010  | T    | Connor Norat - Eagle Scout                                  |
| H145-1533 | Walls                                                                                                                   | 5/28/2010 | M    | Julia Denniece Bailey                                       |
| H145-1534 | Keeley; J. Johnson                                                                                                      | 6/8/2010  | T    | George E. Evans, Esq. - Service - Christina School District |
|           | cosponsors: Reps. Plant, Mitchell, George, Longhurst, Barbieri, Ramone, Miro, Schooley, Oberle, Kowalko, Viola & Jaques |           |      |                                                             |
| H145-1535 | Gilligan                                                                                                                | 6/9/2010  | T    | Parents & Caregivers - First State School Students          |
| H145-1536 | Walls                                                                                                                   | 6/1/2010  | T    | Rebecca Tatman - Retirement - Holy Cross Elementary         |

#### HOUSE TRIBUTE ANNOUNCEMENT #72

DATE: November 1, 2010

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

| Number    | Sponsor          | Date      | Type | Description                                                                                                                                                                                          |
|-----------|------------------|-----------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| H145-1537 | Brady            | 6/10/2010 | T    | George Meldrum - Service to Children<br>cosponsors: Reps. George & Schooley                                                                                                                          |
| H145-1538 | George           | 6/3/2010  | T    | Juan Martinez - United States Citizenship                                                                                                                                                            |
| H145-1539 | Cathcart         | 6/16/2010 | T    | William R. Outten - Retirement - Delmarva Power<br>cosponsors: Reps. D. Short, Lee, Hocker, Briggs King, Carey, Wilson, Blakey, Thornburg, Oberle, Miro, Ramone, Manolakos, Hudson, Lavelle & Kovach |
| H145-1540 | Ramone;<br>Brady | 6/5/2010  | M    | Lawrence Nicastro                                                                                                                                                                                    |
| H145-1541 | Carey            | 6/2/2010  | M    | Robert Craig Hudson                                                                                                                                                                                  |
| H145-1542 | Carson           | 6/10/2010 | T    | Staff Sgt. Michael Hinchee USAF - Service to Country                                                                                                                                                 |
| H145-1543 | Carey            | 6/12/2010 | T    | Lynn Rogers - Chief Emeritus - Milton Fire Dept.                                                                                                                                                     |
| H145-1544 | Barbieri         | 6/1/2010  | M    | Janet M. Blansfield                                                                                                                                                                                  |
| H145-1545 | D. Short         | 6/7/2010  | M    | E. Margaret Tatman Monaco                                                                                                                                                                            |
| H145-1546 | Mulrooney        | 6/7/2010  | T    | Kelly Green - Presidential Award - Excellence in<br>Science Teaching<br>cosponsors: Reps. Jaques & Q. Johnson                                                                                        |
| H145-1547 | Gilligan         | 6/30/2010 | T    | William F. Cooke, Jr. - Retirement - Brandywine<br>Springs School                                                                                                                                    |
| H145-1548 | Longhurst        | 6/25/2010 | T    | Curtis & Robin Whitaker - 25 <sup>th</sup> Wedding Anniversary                                                                                                                                       |
| H145-1549 | Schooley         | 6/7/2010  | M    | Ada Leigh Soles<br>cosponsors: All Representatives                                                                                                                                                   |
| H145-1550 | Plant            | 4/1/2010  | T    | Roland & Mary Johnson - 60 <sup>th</sup> Wedding Anniversary                                                                                                                                         |
| H145-1551 | Atkins           | 5/29/2010 | T    | Thomas & Barbara Birowski - 50 <sup>th</sup> Wedding<br>Anniversary                                                                                                                                  |
| H145-1552 | D.E. Williams    | 5/14/2010 | T    | Lowell & Marilyn Mercer - 50 <sup>th</sup> Wedding Anniversary                                                                                                                                       |
| H145-1553 | D.E. Williams    | 5/7/2010  | T    | Robert & Bonnie Siley - 50 <sup>th</sup> Wedding Anniversary                                                                                                                                         |
| H145-1554 | Gilligan         | 5/11/2010 | T    | Kenneth & Geraldine Jeffery - 50 <sup>th</sup> Wedding<br>Anniversary                                                                                                                                |
| H145-1555 | Brady            | 6/18/2010 | T    | Joseph & Doris DelleDonne - 50 <sup>th</sup> Wedding<br>Anniversary                                                                                                                                  |
| H145-1556 | Mitchell         | 6/25/2010 | T    | Raymond & Elizabeth Cichocki - 55 <sup>th</sup> Wedding<br>Anniversary                                                                                                                               |
| H145-1557 | Schooley         | 4/23/2010 | T    | Robert & Barbara Fell - 50 <sup>th</sup> Wedding Anniversary                                                                                                                                         |

HOUSE TRIBUTE ANNOUNCEMENT #73

DATE: November 1, 2010

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

| Number    | Sponsor                                              | Date      | Type | Description                                                                                 |
|-----------|------------------------------------------------------|-----------|------|---------------------------------------------------------------------------------------------|
| H145-1558 | Briggs King                                          | 5/30/2010 | T    | John & Bonnie Hall - 40 <sup>th</sup> Wedding Anniversary                                   |
| H145-1559 | Scott                                                | 6/6/2010  | M    | Jacqueline Wuest                                                                            |
| H145-1560 | Briggs King                                          | 6/17/2010 | T    | Master Cpl. Dennis R. Lineweaver - Retirement - DSP<br>cosponsors: Reps. Lee & Schwartzkopf |
| H145-1561 | Briggs King                                          | 6/17/2010 | T    | Master Cpl. Randy D. Ramirez - Retirement - DSP<br>cosponsors: Reps. Lee & Schwartzkopf     |
| H145-1562 | Schwartzkopf;<br>Briggs King                         | 6/11/2010 | T    | Andy Staton - Sussex County Realtor of the Year                                             |
| H145-1563 | Schooley                                             | 6/17/2010 | T    | Holly Firlein - Governor - Youth in Government                                              |
| H145-1564 | Carson                                               | 6/30/2010 | T    | Cynthia Allen - Retirement - Smyrna School District                                         |
| H145-1565 | Oberle                                               | 6/5/2010  | M    | Philip D. Langell, Jr.                                                                      |
| H145-1566 | Outten                                               | 6/20/2010 | T    | Felton Fire Co. - Fire Engine 48-4<br>cosponsor: Rep. Blakey                                |
| H145-1567 | Mitchell                                             | 6/3/2010  | M    | Stephanie Van Sant                                                                          |
| H145-1568 | Gilligan;<br>Kovach, cosponsors: All Representatives | 6/17/2010 | T    | Boy Scouts of America - 100 Years                                                           |
| H145-1569 | Scott                                                | 7/24/2010 | T    | William & Shirley Smith - 50 <sup>th</sup> Wedding Anniversary                              |
| H145-1570 | Oberle;<br>Mulrooney                                 | 6/13/2010 | M    | William G. Treible, Jr.                                                                     |
| H145-1571 | Walls                                                | 6/13/2010 | M    | John Allen Townsend                                                                         |
| H145-1572 | Carson                                               | 6/26/2010 | T    | Ted Wilson - 60 <sup>th</sup> Birthday                                                      |
| H145-1573 | B. Short                                             | 8/3/2010  | T    | Ed & Anne Suratt - 60 <sup>th</sup> Wedding Anniversary                                     |
| H145-1574 | Miro                                                 | 6/17/2010 | T    | William Kennel - Eagle Scout                                                                |

|           |                                           |           |   |                                                                                                |
|-----------|-------------------------------------------|-----------|---|------------------------------------------------------------------------------------------------|
| H145-1575 | Cathcart;                                 | 5/13/2010 | M | J. Milton Hudson                                                                               |
|           | D. Short, cosponsors: All Representatives |           |   |                                                                                                |
| H145-1576 | Cathcart;                                 | 6/12/2010 | M | Ann C. Spence                                                                                  |
|           | D. Short, cosponsors: All Representatives |           |   |                                                                                                |
| H145-1577 | Keeley                                    | 6/14/2010 | T | Joshua Yearwood - Fr. Trainor Scholarship Award -<br>Nativity Preparatory School of Wilmington |
| H145-1578 | Manolakos                                 | 7/6/2010  | T | Jon & Margaret Stewart - 25 <sup>th</sup> Wedding Anniversary                                  |
| H145-1579 | Carson                                    | 6/10/2010 | T | Gene Handsberry - Delaware Baseball Hall of Fame                                               |
| H145-1580 | Cathcart;                                 | 6/22/2010 | T | Hon. Pamela J. Thornburg - 10 Years - Member of                                                |
|           | Schwartzkopf                              |           |   | House of Representatives                                                                       |

HOUSE TRIBUTE ANNOUNCEMENT #74

DATE: November 1, 2010

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

| Number    | Sponsor                             | Date      | Type | Description                                                    |
|-----------|-------------------------------------|-----------|------|----------------------------------------------------------------|
| H145-1581 | Cathcart;                           | 6/23/2010 | T    | Hon. V. George Carey - 26 Years - Member of                    |
|           | Schwartzkopf                        |           |      | House of Representatives                                       |
| H145-1582 | Cathcart;                           | 6/24/2010 | T    | Hon. William A. Oberle, Jr. - 34 Years - Member                |
|           | Schwartzkopf                        |           |      | of House of Representatives                                    |
| H145-1583 | Blakey; Scott                       | 6/5/2010  | T    | Dr. Lacy & Martha Myers - 60 <sup>th</sup> Wedding Anniversary |
| H145-1584 | Oberle;                             | 6/16/2010 | M    | Katherine J. Dickerson                                         |
|           | Schooley                            |           |      |                                                                |
| H145-1585 | Walls                               | 6/19/2010 | M    | Arnold J. Swygert, Sr.                                         |
| H145-1586 | Carey                               | 6/23/2010 | T    | Kayla Martell - Miss Delaware 2010                             |
|           | cosponsors: Reps. Walls & Longhurst |           |      |                                                                |
| H145-1587 | Gilligan                            | 6/23/2010 | T    | Katie Anderson - Legislative Fellow                            |
|           | cosponsors: All Representatives     |           |      |                                                                |
| H145-1588 | Gilligan                            | 6/23/2010 | T    | Morgan DiGravina - Legislative Fellow                          |
|           | cosponsors: All Representatives     |           |      |                                                                |
| H145-1589 | Gilligan                            | 6/23/2010 | T    | Trevor Felix - Legislative Fellow                              |
|           | cosponsors: All Representatives     |           |      |                                                                |
| H145-1590 | Gilligan                            | 6/23/2010 | T    | Amy Clark - Legislative Fellow                                 |
|           | cosponsors: All Representatives     |           |      |                                                                |
| H145-1591 | Gilligan                            | 6/23/2010 | T    | Jordan Fischer - Legislative Fellow                            |
|           | cosponsors: All Representatives     |           |      |                                                                |
| H145-1592 | Gilligan                            | 6/23/2010 | T    | Chris Lang - Legislative Fellow                                |
|           | cosponsors: All Representatives     |           |      |                                                                |
| H145-1593 | Gilligan                            | 6/23/2010 | T    | Kaylynn Palaio - Legislative Fellow                            |
|           | cosponsors: All Representatives     |           |      |                                                                |
| H145-1594 | Cathcart                            | 6/23/2010 | T    | Tedd Briggs - Legislative Fellow                               |
|           | cosponsors: All Representatives     |           |      |                                                                |
| H145-1595 | Cathcart                            | 6/23/2010 | T    | Kira Paul - Legislative Fellow                                 |
|           | Cosponsors: All Representatives     |           |      |                                                                |
| H145-1596 | Outten                              | 6/8/2010  | M    | Emil Gallo, Sr.                                                |
| H145-1597 | Q. Johnson                          | 6/22/2010 | T    | William & Betty Bullock - 50 <sup>th</sup> Wedding Anniversary |
| H145-1598 | Q. Johnson                          | 6/30/2010 | T    | Richard Austin - Retirement - DelDOT                           |
| H145-1599 | Carson;                             | 7/1/2010  | T    | British National Champion Romford Drum & Trumpet               |
|           | Q. Johnson                          |           |      | Corps - Smyrna-Clayton July 4 Parade                           |
| H145-1600 | Schwartzkopf                        | 2/21/2010 | M    | Richard McCabe Baylis                                          |

HOUSE TRIBUTE ANNOUNCEMENT #75

DATE: November 1, 2010

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

| Number    | Sponsor                                                                              | Date      | Type | Description                               |
|-----------|--------------------------------------------------------------------------------------|-----------|------|-------------------------------------------|
| H145-1601 | Hudson                                                                               | 6/21/2010 | T    | Charles C. Stirk, Jr. - Community Service |
| H145-1602 | Hudson                                                                               | 6/21/2010 | T    | Isaac Walker - Community Service          |
| H145-1603 | Hudson                                                                               | 6/21/2010 | T    | Michael S. Ansul - Community Service      |
| H145-1604 | Mitchell                                                                             | 6/30/2010 | T    | New Castle County Paramedics - National   |
|           | cosponsors: Reps. D.P. Williams, Accreditation                                       |           |      |                                           |
|           | Plant, Keeley, Brady, George, Kovach, B. Short, Q. Johnson, Cathcart, D.E. Williams, |           |      |                                           |
|           | Lavelle, Hudson, Longhurst, J. Johnson, Mulrooney, Barbieri, Gilligan, Manolakos,    |           |      |                                           |
|           | Ramone, Miro, Schooley, Oberle, Kowalko, Viola & Jaques                              |           |      |                                           |
| H145-1605 | Plant;                                                                               | 6/21/2010 | M    | Wendell Howell, Sr.                       |
|           | J. Johnson                                                                           |           |      |                                           |

|           |                                                                                                                                                                                                                         |           |   |                                                                                            |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|---|--------------------------------------------------------------------------------------------|
| H145-1606 | Brady                                                                                                                                                                                                                   | 6/19/2010 | M | Alberta A. Melloy                                                                          |
| H145-1607 | Walls                                                                                                                                                                                                                   | 6/23/2010 | M | Jean R. Hill                                                                               |
| H145-1608 | Lavelle                                                                                                                                                                                                                 | 6/30/2010 | T | George J. Losse - Retirement - Claymont Community Coalition                                |
|           | cosponsors: Reps. Kovach & B. Short                                                                                                                                                                                     |           |   |                                                                                            |
| H145-1609 | Carson                                                                                                                                                                                                                  | 6/23/2010 | M | Harry R. Shirey                                                                            |
| H145-1610 | Brady                                                                                                                                                                                                                   | 6/25/2010 | M | Lucy Bruno Gungui                                                                          |
|           | cosponsor: Rep. Keeley                                                                                                                                                                                                  |           |   |                                                                                            |
| H145-1611 | Schwartzkopf                                                                                                                                                                                                            | 6/20/2010 | M | Mary Lynch Taylor                                                                          |
| H145-1612 | Schwartzkopf;                                                                                                                                                                                                           | 6/30/2010 | T | Amanda Lamar - Service to the House of Representatives                                     |
|           | Longhurst                                                                                                                                                                                                               |           |   |                                                                                            |
|           | cosponsors: Reps. D.P. Williams, Plant, Keeley, Brady, George, B. Short, Q. Johnson, D.E. Williams, Mitchell, J. Johnson, Mulrooney, Barbieri, Schooley, Kowalko, Viola, Jaques, Carson, Scott, Bennett, Walls & Atkins |           |   |                                                                                            |
| H145-1613 | Schwartzkopf;                                                                                                                                                                                                           | 6/30/2010 | T | Pamela Townsend - Service to the House of Representatives                                  |
|           | Longhurst                                                                                                                                                                                                               |           |   |                                                                                            |
|           | cosponsors: Reps. D.P. Williams, Plant, Keeley, Brady, George, B. Short, Q. Johnson, D.E. Williams, Mitchell, J. Johnson, Mulrooney, Barbieri, Schooley, Kowalko, Viola, Jaques, Carson, Scott, Bennett, Walls & Atkins |           |   |                                                                                            |
| H145-1614 | Schwartzkopf;                                                                                                                                                                                                           | 6/30/2010 | T | Meredith Stewart - Service to the House of Representatives                                 |
|           | Longhurst,                                                                                                                                                                                                              |           |   |                                                                                            |
|           | cosponsors: Reps. D.P. Williams, Plant, Keeley, Brady, George, B. Short, Q. Johnson, D.E. Williams, Mitchell, J. Johnson, Mulrooney, Barbieri, Schooley, Kowalko, Viola, Jaques, Carson, Scott, Bennett, Walls & Atkins |           |   |                                                                                            |
| H145-1615 | Schwartzkopf;                                                                                                                                                                                                           | 6/29/2010 | T | JoAnn Hedrick - Retirement - House of Representatives                                      |
|           | Cathcart                                                                                                                                                                                                                |           |   |                                                                                            |
| H145-1616 | Bennett                                                                                                                                                                                                                 | 6/27/2010 | M | Ernst Danneman                                                                             |
|           | cosponsor: Rep. Scott                                                                                                                                                                                                   |           |   |                                                                                            |
| H145-1617 | Outten;                                                                                                                                                                                                                 | 6/30/2010 | T | Harrington/Greenwood/Felton Centennial Rotary Club - 5 <sup>th</sup> Anniversary           |
|           | Wilson                                                                                                                                                                                                                  |           |   |                                                                                            |
| H145-1618 | Blakey;                                                                                                                                                                                                                 | 6/30/2010 | T | T. Bryant Bell - Rotarian of the Year - Harrington/Greenwood/Felton Centennial Rotary Club |
|           | Outten                                                                                                                                                                                                                  |           |   |                                                                                            |
| H145-1619 | Schooley                                                                                                                                                                                                                | 6/30/2010 | T | Richard Edward Dennis - Retirement - DSP                                                   |
|           | cosponsors: Reps. Atkins, Lee, Mitchell & Schwartzkopf                                                                                                                                                                  |           |   |                                                                                            |
| H145-1620 | D.E. Williams;                                                                                                                                                                                                          | 6/30/2010 | T | Wally Kremer - Community Service                                                           |
|           | Kovach                                                                                                                                                                                                                  |           |   |                                                                                            |

#### HOUSE TRIBUTE ANNOUNCEMENT #76

DATE: November 1, 2010

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

| <u>Number</u> | <u>Sponsor</u>                            | <u>Date</u> | <u>Type</u> | <u>Description</u>                                                                        |
|---------------|-------------------------------------------|-------------|-------------|-------------------------------------------------------------------------------------------|
| H145-1621     | Oberle                                    | 6/30/2010   | T           | Sally Oberle - Business Owner of the Year Award                                           |
| H145-1622     | Bennett                                   | 6/30/2010   | T           | Dr. Elizabeth Mansley - Faculty Excellence Award For Teaching - Delaware State University |
| H145-1623     | Bennett                                   | 6/30/2010   | T           | Dr. Sam Hoff - Faculty Excellence Award for Service - Delaware State University           |
| H145-1624     | Carson                                    | 6/30/2010   | T           | Raymond E. Deputy - 80 <sup>th</sup> Birthday                                             |
| H145-1625     | Bennett                                   | 6/30/2010   | T           | Evelyn Deakins - 50 Years - American Red Cross                                            |
| H145-1626     | Carson                                    | 7/25/2010   | T           | Earl Carlton Ford - 90 <sup>th</sup> Birthday                                             |
| H145-1627     | Cathcart;                                 | 7/3/2010    | M           | Dr. John James Lavelle                                                                    |
|               | D. Short, cosponsors: All Representatives |             |             |                                                                                           |
| H145-1628     | Carson                                    | 7/2/2010    | M           | Frank W. Marshall, Sr.                                                                    |
| H145-1629     | Mitchell                                  | 7/2/2010    | M           | Robert N. Johnson, Sr.                                                                    |
| H145-1630     | Walls                                     | 8/14/2010   | T           | Dylan Fox - Eagle Scout                                                                   |
| H145-1631     | Carson                                    | 7/18/2010   | M           | Mary E. Rice                                                                              |
| H145-1632     | Carson                                    | 7/8/2010    | M           | Frank T. Knotts                                                                           |
| H145-1633     | Outten                                    | 7/8/2010    | M           | Charlotte J. Andrews                                                                      |
| H145-1634     | Walls; Hocker                             | 7/10/2010   | M           | John W. Walls, Jr.                                                                        |
| H145-1635     | Lee                                       | 8/12/2010   | T           | Millie Hall - Retirement - Division of Public Health                                      |
| H145-1636     | Carson                                    | 7/13/2010   | T           | Faron Marshall - 50 <sup>th</sup> Birthday                                                |
| H145-1637     | Outten                                    | 7/12/2010   | M           | Peyton Elizabeth Ratledge                                                                 |
| H145-1638     | Jaques                                    | 7/2/2010    | T           | David & Alice Southerland - 55 <sup>th</sup> Wedding Anniversary                          |
| H145-1639     | Jaques                                    | 7/1/2010    | T           | Evan & Joan Moody - 50 <sup>th</sup> Wedding Anniversary                                  |
| H145-1640     | Gilligan                                  | 6/26/2010   | T           | Peter & Doris Grehawick - 70 <sup>th</sup> Wedding Anniversary                            |



|           |            |           |   |                                                               |
|-----------|------------|-----------|---|---------------------------------------------------------------|
| H145-1641 | J. Johnson | 7/15/2010 | T | Charles & Joan Rodgers - 60 <sup>th</sup> Wedding Anniversary |
| H145-1642 | Schooley   | 6/4/2010  | T | George & Verna Plitnik - 50 <sup>th</sup> Wedding Anniversary |

HOUSE TRIBUTE ANNOUNCEMENT #77

DATE: November 1, 2010

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

| Number    | Sponsor                                                     | Date      | Type | Description                                                          |
|-----------|-------------------------------------------------------------|-----------|------|----------------------------------------------------------------------|
| H145-1643 | Blakey                                                      | 7/27/2010 | T    | Star Hill Community Association                                      |
| H145-1644 | Cathcart;<br>Q. Johnson                                     | 6/16/2010 | T    | William O’Neal - Retirement                                          |
| H145-1645 | Carson<br>cosponsors: All Representatives                   | 7/16/2010 | T    | 166 <sup>th</sup> Airlift Wing - Air Force<br>Outstanding Unit Award |
| H145-1646 | Carson<br>cosponsors: All Representatives                   | 7/16/2010 | T    | Air National Guard - Air Force Organizational<br>Excellence Award    |
| H145-1647 | Briggs King                                                 | 7/24/2010 | T    | Brandon Zehner - Eagle Scout                                         |
| H145-1648 | Outten                                                      | 7/21/2010 | M    | Charles Wesley Bostick                                               |
| H145-1649 | D. Short;<br>Briggs King<br>cosponsors: All Representatives | 6/30/2010 | T    | TFC Anthony Andrews - DSP - 2009 Trooper of the<br>Year              |
| H145-1650 | Thornburg                                                   | 7/30/2010 | T    | Clair Edwards - Retirement - DelDOT                                  |
| H145-1651 | Outten                                                      | 7/30/2010 | T    | Julian Rexrode - Retirement - DelDot                                 |
| H145-1652 | Miro                                                        | 8/15/2010 | T    | Benjamin Masino - Eagle Scout                                        |
| H145-1653 | Walls                                                       | 7/15/2010 | M    | James A. Gooden                                                      |
| H145-1654 | Scott                                                       | 8/14/2010 | T    | Joan Lynn - 80 <sup>th</sup> Birthday                                |
| H145-1655 | Kowalko                                                     | 7/20/2010 | M    | Terri Lyn Schall                                                     |
| H145-1656 | Schwartzkopf                                                | 7/31/2010 | M    | Joshua Benjamin Davis                                                |
| H145-1657 | Walls                                                       | 8/8/2010  | T    | Kyle DiCuirci - Eagle Scout                                          |
| H145-1658 | Barbieri<br>cosponsor: Rep. J. Johnson                      | 7/30/2010 | T    | Joyce White - Retirement - DHSS                                      |
| H145-1659 | Carson                                                      | 8/2/2010  | T    | Sayers Jewelers & Gemologists - 60 Years                             |
| H145-1660 | Carey; Walls                                                | 7/25/2010 | M    | Reese E. Dickerson                                                   |
| H145-1661 | Bennett                                                     | 7/23/2010 | T    | Irene Patillo - 100 <sup>th</sup> Birthday                           |
| H145-1662 | Carson                                                      | 8/7/2010  | T    | Alan & Sandra Robinson - 40 <sup>th</sup> Wedding Anniversary        |
| H145-1663 | Outten                                                      | 7/27/2010 | M    | Mary Hendricks                                                       |
| H145-1664 | Scott                                                       | 8/22/2010 | T    | Kathryn Smaling - 100 <sup>th</sup> Birthday                         |
| H145-1665 | Kowalko                                                     | 7/29/2010 | M    | Frank Tait                                                           |

HOUSE TRIBUTE ANNOUNCEMENT #78

DATE: November 1, 2010

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

| Number    | Sponsor                                         | Date      | Type | Description                                                                     |
|-----------|-------------------------------------------------|-----------|------|---------------------------------------------------------------------------------|
| H145-1666 | Cathcart;<br>Jaques                             | 7/30/2010 | M    | Wilbur Roy Best, Jr.                                                            |
| H145-1667 | Lee                                             | 7/4/2010  | T    | Norman & Mary Lee LeCates - 65 <sup>th</sup> Wedding<br>Anniversary             |
| H145-1668 | J. Johnson;<br>Plant                            | 7/29/2010 | M    | Bernard R. Massey                                                               |
| H145-1669 | Outten                                          | 8/25/2010 | T    | Sandi Nickerson - Retirement - Dept. of Justice                                 |
| H145-1670 | D. Short                                        | 6/30/2010 | T    | William Messenger - Nanticoke Memorial Hospital<br>Chaplain - Dedicated Service |
| H145-1671 | Thornburg                                       | 7/30/2010 | T    | Brenda Gardels - Retirement - DelDOT                                            |
| H145-1672 | Brady                                           | 7/30/2010 | M    | Teresa Taylor                                                                   |
| H145-1673 | Kowalko                                         | 8/6/2010  | T    | John & Grace Gosnay - 50 <sup>th</sup> Wedding Anniversary                      |
| H145-1674 | Mulrooney                                       | 7/30/2010 | T    | Charles & Ann Hopkins - 50 <sup>th</sup> Wedding Anniversary                    |
| H145-1675 | J. Johnson                                      | 7/1/2010  | T    | James & Althea Matthews - 60 <sup>th</sup> Wedding Anniversary                  |
| H145-1676 | Carson                                          | 8/1/2010  | M    | Carol McKinney                                                                  |
| H145-1677 | Wilson; Lee                                     | 8/9/2010  | T    | Bonnie S. Walls - Retirement - Town of Bridgeville                              |
| H145-1678 | Briggs King<br>cosponsors: Reps. Brady & Jaques | 9/30/2010 | T    | CWO5 Roger C. Perry - Retirement - Delaware Army<br>National Guard              |
| H145-1679 | Ramone<br>cosponsors: Reps. Brady & Jaques      | 9/30/2010 | T    | CWO5 Freddie A. Rios, Sr. - Retirement - Delaware<br>Army National Guard        |
| H145-1680 | Lee<br>cosponsor: Rep. D. Short                 | 8/1/2010  | M    | Barbara C. Shwed                                                                |
| H145-1681 | Carson                                          | 8/1/ 2010 | M    | Alberta B. Morris                                                               |

|                                       |            |           |   |                                                     |
|---------------------------------------|------------|-----------|---|-----------------------------------------------------|
| H145-1682                             | Hocker     | 8/28/2010 | T | Garrett Piel - Eagle Scout                          |
| H145-1683                             | Bennett    | 8/12/2010 | M | Joan Poole Brown                                    |
| H145-1684                             | Brady      | 8/11/2010 | M | E. Pauline Kincaid                                  |
| H145-1685                             | Q. Johnson | 8/10/2010 | M | Walter Leo Sherlock, IV                             |
| H145-1686                             | D. Short   | 8/14/2010 | T | Gladys Briggs - Community Service - Sussex County   |
| H145-1687                             | J. Johnson | 8/15/2010 | T | Canaan Baptist Church - Celebration Day of Recovery |
| <u>HOUSE TRIBUTE ANNOUNCEMENT #79</u> |            |           |   |                                                     |

DATE: November 1, 2010

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

| <u>Number</u> | <u>Sponsor</u>                                  | <u>Date</u> | <u>Type</u> | <u>Description</u>                                               |
|---------------|-------------------------------------------------|-------------|-------------|------------------------------------------------------------------|
| H145-1688     | Kowalko                                         | 8/11/2010   | T           | Dorothy & Lawrence Connor - 50 <sup>th</sup> Wedding Anniversary |
| H145-1689     | Outten                                          | 8/14/2010   | T           | Byler’s - Grand Opening - Harrington                             |
| H145-1690     | Brady                                           | 8/12/2010   | M           | Oletha Marie Calvert Gallagher                                   |
|               | cosponsor: Rep. Keeley                          |             |             |                                                                  |
| H145-1691     | Carey                                           | 8/8/2010    | M           | James Lee Carpenter                                              |
| H145-1692     | Hudson;                                         | 8/1/2010    | M           | Lyn Ann Zerbe                                                    |
|               | Jaques                                          |             |             |                                                                  |
| H145-1693     | Carey                                           | 7/4/2010    | M           | Lawrence Edward McLaughlin                                       |
|               | cosponsor: Rep. Briggs King                     |             |             |                                                                  |
| H145-1694     | Hocker                                          | 8/17/2010   | M           | Aldon D. Hall                                                    |
| H145-1695     | Briggs King                                     | 8/3/2010    | M           | Tamra Starr Hopkins Brittingham                                  |
|               | cosponsors: Reps. Schwartzkopf, Hudson & Oberle |             |             |                                                                  |
| H145-1696     | Thornburg                                       | 8/22/2010   | T           | George Harris - Knight’s Order of the Legion of France           |
| H145-1697     | Kovach                                          | 8/12/2010   | M           | Hon. Kermit Justice                                              |
| H145-1698     | Atkins                                          | 8/12/2010   | M           | Ira R. Truitt                                                    |
|               | cosponsor: Rep. Briggs King                     |             |             |                                                                  |
| H145-1699     | Miro; Oberle                                    | 8/15/2010   | M           | Lynne P. Ambrosino                                               |
| H145-1700     | Gilligan;                                       | 8/14/2010   | M           | Hon. Sherman W. Tribbitt                                         |
|               | Schwartzkopf                                    |             |             |                                                                  |
| H145-1701     | Bennett                                         | 8/16/2010   | M           | Mary Dorothy Hartley                                             |
| H145-1702     | Schooley                                        | 8/16/2010   | M           | Dr. James E. Danberg                                             |
| H145-1703     | Carey; Walls                                    | 8/16/2010   | M           | Deejion Fullman                                                  |
| H145-1704     | Scott                                           | 8/16/2010   | M           | Beulah M. Gray                                                   |
| H145-1705     | Mitchell                                        | 8/23/2010   | T           | Edward Bennett - 70 Years - Elsmere Fire Co.                     |
| H145-1706     | Barbieri;                                       | 8/22/2010   | M           | Mary Frances Anglin                                              |
|               | Viola                                           |             |             |                                                                  |
| H145-1707     | Walls; Outten                                   | 9/18/2010   | T           | Benjamin B. Betts - 91 <sup>st</sup> Birthday                    |
| H145-1708     | Thornburg;                                      | 8/22/2010   | M           | Gilbert Masten Attix, Sr.                                        |
|               | Carson                                          |             |             |                                                                  |
| H145-1709     | Barbieri;                                       | 8/17/2010   | M           | Hearlin DuPont                                                   |
|               | George                                          |             |             |                                                                  |
| H145-1710     | Schwartzkopf                                    | 9/11/2010   | T           | Grotto Pizza - 50 <sup>th</sup> Anniversary                      |
|               | cosponsor: Rep. Carey                           |             |             |                                                                  |

HOUSE TRIBUTE ANNOUNCEMENT #80

DATE: November 1, 2010

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

| <u>Number</u> | <u>Sponsor</u> | <u>Date</u> | <u>Type</u> | <u>Description</u>                                                 |
|---------------|----------------|-------------|-------------|--------------------------------------------------------------------|
| H145-1711     | Scott          | 9/4/2010    | T           | Virginia Hearne - 50 <sup>th</sup> Reunion - Wm. Henry H.S.        |
| H145-1712     | George         | 10/26/2010  | T           | Delaware State Bar Association - Pro Bono Week                     |
| H145-1713     | George         | 9/3/2010    | T           | Wal-Mart - Grand Re-Opening - New Castle                           |
| H145-1714     | Scott          | 9/4/2010    | T           | Mary Caputo - 90 <sup>th</sup> Birthday                            |
| H145-1715     | Q. Johnson     | 6/12/2010   | T           | Robert & Jacqueline Collins - 50 <sup>th</sup> Wedding Anniversary |
| H145-1716     | Outten         | 10/29/2010  | T           | Lt. Eric Maloney - Retirement - Harrington Police                  |
| H145-1717     | D. Short; Lee  | 8/31/2010   | T           | Mark Porches - Eagle Scout                                         |
| H145-1718     | D. Short; Lee  | 8/31/2010   | T           | Brandon Wilkins - Eagle Scout                                      |
| H145-1719     | D. Short; Lee  | 8/31/2010   | T           | Donald Wilkins - Eagle Scout                                       |
| H145-1720     | Miro; Keeley   | 9/3/2010    | T           | Latin American Community Center - 2010 Hispanic Heritage Month     |
| H145-1721     | Brady          | 9/1/2010    | T           | Ruby Ryle - 96 <sup>th</sup> Birthday                              |
| H145-1722     | Ramone         | 9/11/2010   | T           | Old Mill Manor - 50 <sup>th</sup> Anniversary                      |

|           |                              |           |   |                                                     |
|-----------|------------------------------|-----------|---|-----------------------------------------------------|
| H145-1723 | Briggs King                  | 8/30/2010 | M | Eldon L. Mitchell                                   |
|           | cosponsor: Rep. Schwartzkopf |           |   |                                                     |
| H145-1724 | Hudson                       | 8/29/2010 | M | Willard T. White, Jr.                               |
| H145-1725 | Outten                       | 8/30/2010 | M | Jean Marie Trotta                                   |
| H145-1726 | Hudson                       | 9/11/2010 | T | Hon. Nancy G. Brinker - Fight Against Breast Cancer |
| H145-1727 | J. Johnson                   | 9/5/2010  | T | Dave May - Favorite Son of the City of New Castle   |
| H145-1728 | D.E. Williams                | 9/1/2010  | M | Donald L. Hopkins                                   |
| H145-1729 | Q. Johnson;                  | 8/29/2010 | M | William C. Shetzler, Jr.                            |
|           | Carson                       |           |   |                                                     |
| H145-1730 | Q. Johnson                   | 8/31/2010 | M | William Paul Vitcusky                               |
| H145-1731 | Atkins                       | 9/7/2010  | M | Geraldine C. Lingo                                  |
| H145-1732 | Outten                       | 9/1/2010  | M | Edward McCloskey                                    |
|           | cosponsor: Rep. Walls        |           |   |                                                     |

HOUSE TRIBUTE ANNOUNCEMENT #81

DATE: November 1, 2010

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

| Number    | Sponsor                                          | Date       | Type | Description                                                                                        |
|-----------|--------------------------------------------------|------------|------|----------------------------------------------------------------------------------------------------|
| H145-1733 | Atkins                                           | 9/4/2010   | M    | Donald R. Shultie                                                                                  |
| H145-1734 | Cathcart                                         | 9/16/2010  | T    | Jasper Lakey - 2010 Fireman of the Year - Vol. Firefighter's Association                           |
|           | cosponsors: Reps. Carson, Lee, Outten & D. Short |            |      |                                                                                                    |
| H145-1735 | Jaques                                           | 9/25/2010  | T    | Matthew O'Sullivan - Eagle Scout                                                                   |
| H145-1736 | Outten                                           | 9/4/2010   | M    | Virginia Morris Willey                                                                             |
| H145-1737 | B. Short                                         | 8/21/2010  | T    | Len & Tess Ricci - 50 <sup>th</sup> Wedding Anniversary                                            |
| H145-1738 | Mitchell                                         | 7/26/2010  | T    | Russell & Laura Fernandes - 65 <sup>th</sup> Wedding Anniversary                                   |
| H145-1739 | D.E. Williams                                    | 7/2/2010   | T    | Donald & Janet Vassallo - 50 <sup>th</sup> Wedding Anniversary                                     |
| H145-1740 | Atkins                                           | 8/27/2010  | T    | Edward & Frances Deptula - 60 <sup>th</sup> Wedding Anniversary                                    |
| H145-1741 | Longhurst                                        | 8/23/2010  | T    | Justin Draper - Eagle Scout                                                                        |
| H145-1742 | Lee                                              | 9/15/2010  | T    | Mitchell's Interiors & Floor Designs - 75 <sup>th</sup> Anniversary                                |
| H145-1743 | Gilligan                                         | 9/29/2010  | T    | O. Francis Biondi, Esq. - Retirement                                                               |
| H145-1744 | Walls                                            | 9/16/2010  | T    | Willard R. Betts, Jr. - Retirement - Fire Prevention Commission                                    |
|           | cosponsors: Reps. Carson, Lee, Outten & D. Short |            |      |                                                                                                    |
| H145-1745 | Jaques                                           | 9/16/2010  | T    | Kenneth H. McMahon - Retirement - Fire Prevention Commission                                       |
|           | cosponsors: Reps. Carson, Lee, Outten & D. Short |            |      |                                                                                                    |
| H145-1746 | D. Short                                         | 10/16/2010 | T    | Governor Ross Mansion - 150 <sup>th</sup> Anniversary                                              |
| H145-1747 | Q. Johnson                                       | 9/16/2010  | T    | Delaware Association of Rehabilitation Facilities - Direct Support Professionals Day               |
| H145-1748 | D.E. Williams                                    | 10/7/2010  | T    | Patricia Guilday, R.N., M.S.N, N.C.S.N. - School Nurse of the Year - Delaware School Nurses Assoc. |
| H145-1749 | Kowalko                                          | 9/18/2010  | T    | Brig. Gen. Hugh T. Broomall - Promotion to Major General - Air National Guard                      |
|           | cosponsors: Reps. Brady & Jaques                 |            |      |                                                                                                    |
| H145-1750 | Q. Johnson;                                      | 9/11/2010  | M    | Margaret Kinsey Uhlendorff                                                                         |
|           | Carson                                           |            |      |                                                                                                    |
| H145-1751 | Mulrooney                                        | 9/23/2010  | T    | James & Georgiana Gilfillan - 60 <sup>th</sup> Wedding Anniversary                                 |
| H145-1752 | J. Johnson                                       | 7/15/2010  | T    | Ted & Nedra Jennings - 60 <sup>th</sup> Wedding Anniversary                                        |
| H145-1753 | Gilligan                                         | 9/14/2010  | T    | Salvatore & Marie Catullo - 60 <sup>th</sup> Wedding Anniversary                                   |
| H145-1754 | Thornburg                                        | 9/25/2010  | T    | Donald M. Clark - Induction - Delaware Aviation Hall of Fame                                       |
|           | cosponsors: Reps. Carson & Oberle                |            |      |                                                                                                    |
| H145-1755 | Outten                                           | 10/2/2010  | T    | Madeline Quillen - 90 <sup>th</sup> Birthday                                                       |

HOUSE TRIBUTE ANNOUNCEMENT #82

DATE: November 1, 2010

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

| Number    | Sponsor   | Date      | Type | Description                                                 |
|-----------|-----------|-----------|------|-------------------------------------------------------------|
| H145-1756 | Jaques;   | 10/1/2010 | T    | CMS Emerson H. Wells - Retirement - Air National Guard      |
|           | Brady     |           |      |                                                             |
| H145-1757 | Jaques;   | 10/1/2010 | T    | CMS Michael L. Dell Vella - Retirement - Air National Guard |
|           | Brady     |           |      |                                                             |
| H145-1758 | Mitchell; | 10/1/2010 | T    | Sr. Master Sgt. Gerald F. Dougherty - Retirement - Air      |

|           |                                                     |            |   |                                                                               |
|-----------|-----------------------------------------------------|------------|---|-------------------------------------------------------------------------------|
|           | cosponsors: Reps. Jaques & Brady                    |            |   | National Guard                                                                |
| H145-1759 | D. Short                                            | 9/17/2010  | T | George, Miles & Buhr, LLC - 50 <sup>th</sup> Anniversary                      |
| H145-1760 | Carey                                               | 9/14/2010  | M | James C. Wells, Jr.                                                           |
|           | cosponsor: Rep. Walls                               |            |   |                                                                               |
| H145-1761 | Atkins                                              | 9/11/2010  | M | William A. Carter, Ph.D., Commander, U.S.N.R. (Ret.)                          |
|           | cosponsors: All Representatives                     |            |   |                                                                               |
| H145-1762 | D. Short                                            | 10/9/2010  | T | Singletree Stables Riding School - 40 <sup>th</sup> Anniversary               |
| H145-1763 | Kovach                                              | 9/20/2010  | T | William Kooser - Retirement - St. Patrick's Senior Center                     |
|           | cosponsor: Rep. Keeley                              |            |   |                                                                               |
| H145-1764 | Outten                                              | 9/17/2010  | M | Yvonne B. Algier                                                              |
| H145-1765 | Outten                                              | 9/18/2010  | M | Irene M. Fry                                                                  |
| H145-1766 | Lee                                                 | 7/21/2010  | T | Mr. & Mrs. Robert Bowie - 50 <sup>th</sup> Wedding Anniversary                |
| H145-1767 | Briggs King                                         | 10/14/2010 | T | Sgt. Brian E. Conlin - Retirement - DSP                                       |
|           | cosponsors: Reps. Lee, Schwartzkopf & Atkins        |            |   |                                                                               |
| H145-1768 | Briggs King                                         | 10/14/2010 | T | Master Cpl. Preston A. Lewis - Retirement - DSP                               |
|           | cosponsors: Reps. Lee, Schwartzkopf & Atkins        |            |   |                                                                               |
| H145-1769 | Schwartzkopf                                        | 10/14/2010 | T | Master Cpl. Kevin J. Smith - Retirement - DPS                                 |
|           | cosponsors: Reps. Lee & Atkins                      |            |   |                                                                               |
| H145-1770 | Outten                                              | 9/18/2010  | M | Ivan P. Yoder                                                                 |
| H145-1771 | Carson                                              | 9/15/2010  | M | Guy M. Edmondson, Jr.                                                         |
| H145-1772 | Carson                                              | 9/10/2010  | M | Herman L. Clark                                                               |
| H145-1773 | Walls                                               | 9/14/2010  | M | Vicki Ann Booth                                                               |
| H145-1774 | Schooley                                            | 10/2/2010  | T | First Presbyterian Church of Newark - 175 <sup>th</sup> Anniversary           |
| H145-1775 | Manolakos                                           | 10/3/2010  | T | Col. John Wayne Merritt - Promotion to Brigadier General - Air National Guard |
|           | cosponsors: Reps. Brady, Jaques, Kowalko & D. Short |            |   |                                                                               |
| H145-1776 | Walls                                               | 9/20/2010  | M | Robert Donnan Burris                                                          |
|           | cosponsor: Rep. Carey                               |            |   |                                                                               |
| H145-1777 | Schooley                                            | 9/25/2010  | T | Yvonne Puffer - 70 <sup>th</sup> Birthday                                     |

#### HOUSE TRIBUTE ANNOUNCEMENT #83

DATE: November 1, 2010

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

| <u>Number</u> | <u>Sponsor</u>                              | <u>Date</u> | <u>Type</u> | <u>Description</u>                                                               |
|---------------|---------------------------------------------|-------------|-------------|----------------------------------------------------------------------------------|
| H145-1778     | Outten                                      | 9/27/2010   | T           | Rebecca Urian - Kent County Farm Bureau Youth Ambassador                         |
| H145-1779     | Walls                                       | 9/27/2010   | T           | Floyd & Maurice Blessing - Kent County Farm Bureau Farm Family of the Year       |
| H145-1780     | Carey; Walls                                | 9/26/2010   | M           | Ida Mae Abbott                                                                   |
| H145-1781     | Lavelle                                     | 9/21/2010   | M           | Jack R. Saddler                                                                  |
| H145-1782     | Carey                                       | 9/28/2010   | M           | Ronald L. Jefferson                                                              |
| H145-1783     | Outten                                      | 9/28/2010   | M           | Donald Jay Welch                                                                 |
| H145-1784     | Kowalko                                     | 9/23/2010   | M           | Edward Webb Cooch, Jr.                                                           |
|               | cosponsors: All Representatives             |             |             |                                                                                  |
| H145-1785     | Hudson;                                     | 10/12/2010  | T           | Blaine Phillips - Service to Mt. Cuba Center - 37 Years                          |
|               | Brady                                       |             |             |                                                                                  |
| H145-1786     | Brady                                       | 10/1/2010   | T           | Ristorante Attilio - 25 <sup>th</sup> Anniversary                                |
|               | cosponsor: Rep. Keeley                      |             |             |                                                                                  |
| H145-1787     | Kovach                                      | 9/27/2010   | M           | Virgil Elder Frey                                                                |
| H145-1788     | Carey                                       | 10/2/2010   | T           | Allen Chorman - Sussex County Farm Bureau - Distinguished Service to Agriculture |
| H145-1789     | Briggs King;                                | 10/2/2010   | T           | Henry Fisher - Induction - Maritime Hall of Fame                                 |
|               | Schwartzkopf                                |             |             |                                                                                  |
| H145-1790     | Wilson                                      | 10/2/2010   | T           | Joseph Lofland III - Induction - Maritime Hall of Fame                           |
|               | cosponsors: Rep. Briggs King & Schwartzkopf |             |             |                                                                                  |
| H145-1791     | Briggs King;                                | 10/2/2010   | T           | James Marvil - Induction - Maritime Hall of Fame                                 |
|               | Schwartzkopf                                |             |             |                                                                                  |
| H145-1792     | Briggs King                                 | 10/2/2010   | T           | Capt. James S. Roberts - Induction - Maritime Hall of Fame                       |
|               | cosponsor: Rep. Schwartzkopf                |             |             |                                                                                  |
| H145-1793     | Briggs King;                                | 10/2/2010   | T           | Wilson Vinyard - Induction - Maritime Hall of Fame                               |
|               | Schwartzkopf                                |             |             |                                                                                  |
| H145-1794     | Briggs King;                                | 10/2/2010   | T           | John R. Warren - Induction - Maritime Hall of Fame                               |
|               | Schwartzkopf                                |             |             | Meritorious Service Award                                                        |

|           |             |           |   |                                                                                          |
|-----------|-------------|-----------|---|------------------------------------------------------------------------------------------|
| H145-1795 | Briggs King | 10/2/2010 | T | World War II Veterans                                                                    |
| H145-1796 | Walls       | 10/7/2010 | T | Heidi A. LeGates - Distinguished Alumni Award - Delaware Technical & Community College   |
| H145-1797 | Atkins      | 10/7/2010 | T | Mitchell K. Rogers - Distinguished Alumni Award - Delaware Technical & Community College |
| H145-1798 | Briggs King | 10/7/2010 | T | Samuel R. Schlegel - Distinguished Alumni Award - Delaware Technical & Community College |

HOUSE TRIBUTE ANNOUNCEMENT #84

DATE: November 1, 2010

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

| Number    | Sponsor                                      | Date       | Type | Description                                                                        |
|-----------|----------------------------------------------|------------|------|------------------------------------------------------------------------------------|
| H145-1799 | Briggs King                                  | 10/10/2010 | T    | Tech. Sgt. Neil E. Elmore - Retirement - 142 <sup>nd</sup> Airlift Squadron        |
| H145-1800 | Q. Johnson                                   | 10/2/2010  | T    | Cornelia E. Ross - Oldest Member/Mother - Ringgold Chapel A.M.E. Church            |
| H145-1801 | Barbieri                                     | 10/3/2010  | T    | BAPS Charities - Delaware Walk                                                     |
| H145-1802 | Gilligan                                     | 10/10/2010 | T    | National Celebration Day/99 <sup>th</sup> Anniversary - Republic of China - Taiwan |
|           | cosponsors: Rep. Miro & D.E. Williams        |            |      |                                                                                    |
| H145-1803 | Briggs King                                  | 9/30/2010  | T    | Kiwanis Club of Georgetown - 75 <sup>th</sup> Anniversary                          |
| H145-1804 | Atkins; Carey                                | 10/2/2010  | T    | Dallas Wright Family - Sussex County Farm Bureau Farm Family of the Year           |
| H145-1805 | Schooley                                     | 10/1/2010  | T    | Ross & Honey Vickers - 50 <sup>th</sup> Wedding Anniversary                        |
| H145-1806 | Schooley                                     | 10/6/2010  | T    | Downes Elementary School - Walk to School Day                                      |
| H145-1807 | Barbieri; Keeley                             | 10/8/2010  | T    | Heidi Beck - Hilltop Lutheran Neighborhood Center Honoree                          |
| H145-1808 | George                                       | 10/14/2010 | T    | Doris Pusey - 100 <sup>th</sup> Birthday                                           |
| H145-1809 | D. Short                                     | 8/12/2010  | T    | Louis & Betty Daudt - 60 <sup>th</sup> Wedding Anniversary                         |
| H145-1810 | Barbieri                                     | 10/4/2010  | T    | Polycystic Kidney Disease Foundation Walk                                          |
| H145-1811 | Mulrooney                                    | 10/6/2010  | T    | Rev. John J. Mink - Silver Anniversary - Ordination                                |
| H145-1812 | Briggs King                                  | 9/28/2010  | M    | Donald J. Van Sciver                                                               |
|           | cosponsor: Rep. Oberle                       |            |      |                                                                                    |
| H145-1813 | Carey                                        | 10/16/2010 | T    | Ellendale Ladies Auxiliary - 50 <sup>th</sup> Anniversary                          |
| H145-1814 | Gilligan                                     | 9/15/2010  | T    | J. Marshall & Juanita Shay - 60 <sup>th</sup> Wedding Anniversary                  |
| H145-1815 | B. Short                                     | 10/6/2010  | T    | Theodore & Mildred Lambert - 60 <sup>th</sup> Wedding Anniversary                  |
| H145-1816 | Brady                                        | 10/4/2010  | T    | Olivia Johnson - 99 <sup>th</sup> Birthday                                         |
| H145-1817 | Atkins                                       | 9/1/2010   | T    | American Legion Auxiliary Unit 28 - National President's Award for Excellence      |
|           | cosponsors: Reps. Briggs King & Schwartzkopf |            |      |                                                                                    |
| H145-1818 | Lavelle                                      | 10/2/2010  | M    | Faye Werley Jurden                                                                 |
| H145-1819 | Cathcart                                     | 10/11/2010 | T    | Logan Derickson - New Castle County Farm Bureau Youth Ambassador                   |
|           | cosponsor: Rep. Q. Johnson                   |            |      |                                                                                    |
| H145-1820 | Scott                                        | 10/16/2010 | T    | PPG Industries Dover - 35 <sup>th</sup> Anniversary                                |

HOUSE TRIBUTE ANNOUNCEMENT #85

DATE: November 1, 2010

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

| Number    | Sponsor                               | Date       | Type | Description                                                  |
|-----------|---------------------------------------|------------|------|--------------------------------------------------------------|
| H145-1821 | Outten                                | 10/6/2010  | M    | Ronald R. Messick, Sr.                                       |
| H145-1822 | Keeley                                | 10/1/2010  | M    | Viola Marie Walker                                           |
| H145-1823 | Outten                                | 10/6/2010  | M    | Diane Marie Brown                                            |
|           | cosponsor: Rep. Walls                 |            |      |                                                              |
| H145-1824 | Blakey                                | 10/11/2010 | T    | Lance Cpl. Christian J. Naylor - Dedication & Courage - USMC |
|           | cosponsors: Reps. Carson & Q. Johnson |            |      |                                                              |
| H145-1825 | Outten                                | 10/6/2010  | M    | Noah J. Zook                                                 |
| H145-1826 | Briggs King                           | 10/16/2010 | T    | Thomas Hudson - Eagle Scout                                  |
| H145-1827 | Barbieri                              | 10/16/2010 | T    | Medical Society of Delaware - First Permanent Facility       |
| H145-1828 | Atkins                                | 10/14/2010 | T    | Antique Police Car Association                               |
|           | cosponsors: Reps. Lee & Schwartzkopf  |            |      |                                                              |
| H145-1829 | Brady;                                | 10/14/2010 | T    | Paul M. Pantano - Realtor of the Year - Delaware             |

|           |                        |            |   |                                                                                                     |
|-----------|------------------------|------------|---|-----------------------------------------------------------------------------------------------------|
|           | Briggs King            |            |   | Association of Realtors                                                                             |
| H145-1830 | Lee                    | 10/16/2010 | T | Delmar Fire Co. Ladies Auxiliary - 70 <sup>th</sup> Anniversary                                     |
| H145-1831 | Wilson                 | 10/18/2010 | T | T.S. Smith & Sons Farm - Century Farm Award                                                         |
| H145-1832 | Walls                  | 10/18/2010 | T | Hill Family Farm - Century Farm Award                                                               |
| H145-1833 | Briggs King            | 10/18/2010 | T | James B. Mears Farm - Century Farm Award                                                            |
| H145-1834 | Briggs King            | 10/18/2010 | T | Rodney G. Mears Farm - Century Farm Award                                                           |
| H145-1835 | Briggs King            | 10/11/2010 | M | Norman E. Kugel, Sr.                                                                                |
|           | cosponsor: Rep. Miro   |            |   |                                                                                                     |
| H145-1836 | Carson                 | 10/6/2010  | M | Pauline Coudright Moor Wemple                                                                       |
| H145-1837 | Gilligan               | 10/18/2010 | T | Paul Strochine - Mill Creek Fire Co. - Heroism                                                      |
| H145-1838 | Gilligan               | 10/18/2010 | T | Aaron Olicker - Mill Creek Fire Co. Heroism                                                         |
|           | cosponsor: Rep. Scott  |            |   |                                                                                                     |
| H145-1839 | Kovach                 | 10/15/2010 | T | Hon. Leonard Philip Stark - Investiture - United States District Judge for the District of Delaware |
|           | cosponsor: Rep. George |            |   |                                                                                                     |
| H145-1840 | Outten;                | 10/17/2010 | T | Pastor William E. Tull - 97 <sup>th</sup> Birthday                                                  |
|           | Wilson                 |            |   |                                                                                                     |
| H145-1841 | Atkins                 | 10/17/2010 | T | James Tyrone Norwood - Community Commitment                                                         |
| H145-1842 | Walls                  | 10/12/2010 | M | Ben P. Coleman                                                                                      |

#### HOUSE TRIBUTE ANNOUNCEMENT #86

DATE: November 1, 2010

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

| Number    | Sponsor                        | Date       | Type | Description                                                                                                        |
|-----------|--------------------------------|------------|------|--------------------------------------------------------------------------------------------------------------------|
| H145-1843 | Brady                          | 10/9/2010  | M    | Charles Carter                                                                                                     |
| H145-1844 | Gilligan                       | 10/18/2010 | T    | Mill Creek Fire Co - Rescue/Pumper Engine Truck Crew - Outstanding Effort & Rescue                                 |
| H145-1845 | Brady                          | 10/17/2010 | T    | Evelyn Heanue Mullin - 80 <sup>th</sup> Birthday                                                                   |
| H145-1846 | Scott                          | 10/17/2010 | T    | Wesley College Ice Hockey Team - Inaugural Season                                                                  |
| H145-1847 | Outten                         | 10/15/2010 | M    | Bonnie A. Baynum                                                                                                   |
| H145-1848 | Outten                         | 10/14/2010 | M    | Samuel E. Powell, Jr.                                                                                              |
| H145-1849 | D.E. Williams                  | 10/28/2010 | T    | Jayanth Rao - Eagle Scout                                                                                          |
| H145-1850 | Schooley                       | 10/16/2010 | T    | Juanita Pritchett - Retirement - Glasgow High School                                                               |
| H145-1851 | Lee; D. Short                  | 10/21/2010 | T    | Robert C. Wheatley - Business Person of the Year - Greater Seaford Chamber of Commerce                             |
|           | cosponsor: Rep. Wilson         |            |      |                                                                                                                    |
| H145-1852 | D. Short                       | 10/21/2010 | T    | Charlie Towers - Moore Community Service Award - Greater Seaford Chamber of Commerce                               |
|           | cosponsors: Reps. Wilson & Lee |            |      |                                                                                                                    |
| H145-1853 | D. Short                       | 10/21/2010 | T    | Dr. Bill Wade - Seaford Animal Hospital - Exceptional Customer Service Award - Greater Seaford Chamber of Commerce |
|           | cosponsors: Reps. Wilson & Lee |            |      |                                                                                                                    |
| H145-1854 | Wilson;                        | 10/21/2010 | T    | Jenny Keim - Volunteer of the Year - Greater Seaford Chamber of Commerce                                           |
|           | D. Short                       |            |      |                                                                                                                    |
|           | cosponsor: Rep. Lee            |            |      |                                                                                                                    |
| H145-1855 | Wilson                         | 10/17/2010 | M    | Gerald W. Jones                                                                                                    |
|           | cosponsor: Rep. Outten         |            |      |                                                                                                                    |
| H145-1856 | Scott                          | 10/27/2010 | T    | Bruce Morris - Retirement - OMB - Facilities Management                                                            |
| H145-1857 | Atkins                         | 10/20/2010 | T    | Indian River Senior Center - 40 <sup>th</sup> Anniversary                                                          |
| H145-1858 | Oberle                         | 10/15/2010 | M    | Theresa Miller                                                                                                     |
| H145-1859 | Keeley                         | 10/15/2010 | M    | John Bukowski                                                                                                      |
| H145-1860 | Cathcart;                      | 10/18/2010 | M    | Harry L. Grantland, Jr.                                                                                            |
|           | Brady                          |            |      |                                                                                                                    |
| H145-1861 | Scott                          | 10/19/2010 | M    | Catherine Mears Thomas                                                                                             |
| H145-1862 | Outten                         | 10/21/2010 | M    | Iva Mae Banning                                                                                                    |
| H145-1863 | Hudson                         | 10/28/2010 | T    | June J. Peterson - The Fund for Women - Spirit of Women's Philanthropy                                             |
| H145-1864 | Outten                         | 10/22/2010 | M    | Terry J. Smith                                                                                                     |

#### HOUSE TRIBUTE ANNOUNCEMENT #87

DATE: November 1, 2010

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

| Number    | Sponsor                         | Date       | Type | Description                                                              |
|-----------|---------------------------------|------------|------|--------------------------------------------------------------------------|
| H145-1865 | Outten                          | 10/21/2010 | M    | Virginia Lee Tucker                                                      |
| H145-1866 | D. Short                        | 10/28/2010 | T    | Louis F. Owen, Jr., M.D. - Induction - Nanticoke Physicians Hall of Fame |
|           | cosponsors: Reps. Briggs King & |            |      |                                                                          |

|           |                                                  |            |   |                                                                     |
|-----------|--------------------------------------------------|------------|---|---------------------------------------------------------------------|
|           | Wilson                                           |            |   |                                                                     |
| H145-1867 | Schwartzkopf                                     | 10/28/2010 | T | Rex L. Mears - Nanticoke Health Services - Allen Philanthropy Award |
|           | cosponsors: Reps. D. Short, Briggs King & Wilson |            |   |                                                                     |
| H145-1868 | Briggs King                                      | 10/28/2010 | T | Sister Rosita Alvarez - Nanticoke Health Services -                 |
|           | cosponsors: Reps. D. Short & Wilson              |            |   | Founders Award                                                      |
| H145-1869 | D. Short                                         | 10/28/2010 | T | Soroptimist International of Seaford - Nanticoke Health             |
|           | cosponsors: Reps. Briggs King & Wilson           |            |   | Services - Founders Award                                           |
| H145-1870 | Gilligan                                         | 10/23/2010 | M | Bernice Murray                                                      |
| H145-1871 | Schwartzkopf                                     | 10/19/2010 | M | Barbara Dill Montgomery                                             |
| H145-1872 | Atkins;                                          | 10/22/2010 | M | James Tyrone Norwood                                                |
|           | D. Short                                         |            |   |                                                                     |
| H145-1873 | D.P. Williams                                    | 9/19/2010  | M | Francis M. James, Jr.                                               |
| H145-1874 | Outten                                           | 10/31/2010 | M | Irma M. Hrupsa                                                      |
|           | cosponsor: Rep. Lavelle                          |            |   |                                                                     |
| H145-1875 | Outten                                           | 10/28/2010 | M | Giovanni Antonio Pizzadili                                          |
| H145-1876 | Outten                                           | 10/30/2010 | M | Harold E. Fry                                                       |
| H145-1877 | Schooley                                         | 10/29/2010 | M | James R. Soles                                                      |
|           | cosponsors: All Representatives                  |            |   |                                                                     |
| H145-1878 | Thornburg                                        | 11/1/2010  | T | Gary & Denis Madden - Outstanding Service - Marydel Vol. Fire Co.   |

T - Tribute

M - Memoriam

# INDEX



## HOUSE BILLS

HB 1 w/ HA1, HA 1 & 2 to HA 1, HA 2 & 3 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. (Signed by the Governor 6/12/09) p. 5, 14, 18, 23, 30, 72, 89-90, 116.

HB 2 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES, ANIMALS, AND PENALTIES. (Signed by the Governor 5/18/10) p. 21, 26, 37, 238, 244.

HB 3 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY. (Signed by the Governor 3/25/10) p. 21, 43, 56, 76, 169, 192, 206.

HB 4 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO CASH CONTRIBUTIONS. (Senate Executive Committee) p. 21, 34, 45.

HB 5 w/HA 1 AN ACT TO AMEND TITLES 6, 9, 18, 19, 25 AND 29 OF THE DELAWARE CODE RELATING TO DISCRIMINATION IN EMPLOYMENT, PUBLIC WORKS CONTRACTING, HOUSING, EQUAL ACCOMMODATIONS AND THE INSURANCE BUSINESS. (Stricken 5/5/10) p. 22, 34, 38, 228-229.

HB 6 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (House Health & Human Development Committee) p. 22.

HB 7 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO RECOVERY OF DAMAGES FROM PARENTS OR GUARDIANS. (Signed by the Governor 6/16/09) p. 22, 26, 32, 91, 116.

HB 8 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE PERSONAL INCOME TAX. (House Revenue & Finance Committee) p. 22.

HB 9 AN ACT TO AMEND TITLE 15, DELAWARE CODE RELATING TO ELECTIONS AND CANDIDATE DISCLOSURES. (House Ready List) p. 22, 24, 64, 68.

HS 1/HB 10 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC OFFICERS' AND EMPLOYEES' HEALTH CARE INSURANCE, STATE EMPLOYEES' PENSION PLAN, AND OTHER STATE EMPLOYEE BENEFITS. (House Ready List) p. 22, 44, 244, 252.

HB 11 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE VIDEO LOTTERY. (House Revenue & Finance Committee) p. 22.

HB 12 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CONDUCT OF OFFICERS AND EMPLOYEES. (House Administration Committee) p. 22.

HB 13 AN ACT PROPOSING AN AMENDMENT TO THE DELAWARE CONSTITUTION RELATING TO VOTING ON THE BUDGET AND BOND BILLS. (House Administration Committee) p. 22, 31.

HB 14 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY AND THE GRANTING OF AN ADMINISTRATIVE VARIANCE. (Senate Community/County Affairs) p. 22, 34, 40.

HB 15 w/HA 1 AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO RECYCLING AND WASTE REDUCTION IN THE STATE OF DELAWARE. (Signed by the Governor 8/17/09) p. 22, 26, 38-39, 161, 168.

HB 16 w/HA 1 AN ACT TO AMEND CHAPTER 58, TITLE 29 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF LOBBYISTS. (Senate Executive Committee) p. 22, 44, 48.

HB 17 w/HA 1 AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 2, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO QUALIFICATIONS FOR VOTING. (Senate Executive Committee) p. 22, 34, 37, 41.

HB 18 AN ACT TO AMEND CHAPTER 7, TITLE 19 OF THE DELAWARE CODE RELATING TO THE DOCTRINE OF EMPLOYMENT AT WILL AND PROTECTION FROM WRONGFUL TERMINATION. (House Ready List) p. 22, 37, 51.

HB 19 AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (Signed by the Governor 4/10/09) p. 22, 26-27, 50, 55.

HB 20 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CONDUCT OF OFFICERS AND EMPLOYEES. (House Ready List) p. 22-23, 64.

HS 1/HB 21 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF CERTAIN MINOR TRAFFIC OFFENSES. (Signed by the Governor 6/26/09) p. 22, 49, 51, 54, 103, 148.

HB 22 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTHY CHILDREN PROGRAM. (House Appropriations Committee) p. 23, 43.

HB 23 w/HA 1 AN ACT TO AMEND CHAPTER 278, VOLUME 72, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLVILLE, TO CLARIFY CERTAIN NON-RECOURSE PROVISIONS OF SECTION 31 (a)(45) OF THE CHARTER RELATING TO MUNICIPAL TAX INCREMENT AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS FINANCINGS. (Signed by the Governor 2/4/09) p. 5, 14-15, 19, 24.

HB 24 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HAZARDOUS WASTE MANAGEMENT. (Stricken 4/22/10) p. 5, 13, 213.

HB 25 AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2010; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (House Appropriations Committee) p. 9.

HB 26 w/HA 1 AN ACT TO AMEND TITLES 22 AND 25 OF THE DELAWARE CODE TO AUTHORIZE THE COLLECTION OF LIENS BY WRIT OF MONITION. (Senate Ready List) p. 5, 14-15.

HB 27 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOBBYISTS. (House Ready List) p. 5, 12, 14, 16, 18, 21, 34.

HB 28 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO A SPECIAL EXAMINATION FOR A DRIVER LICENSE DUE TO A POSSIBLE PHYSICAL OR MENTAL IMPEDIMENT. (Senate Ready List) p. 39, 65, 72, 88-89.

HB 29 AN ACT TO AMEND CHAPTER 26, TITLE 9 OF THE DELAWARE CODE RELATING TO ZONING. (House Ready List) p. 6, 14.

HB 30 w/HA 1 & HA 1 to HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE POWERS, DUTIES AND FUNCTIONS OF THE SECRETARY OF EDUCATION. (Senate Education Committee) p. 6, 31, 116, 126, 166-167.

HB 31 AN ACT TO AMEND CHAPTER 278, VOLUME 72, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLVILLE, TO REMOVE OR "DEANNEX" FROM THE TOWN OF MILLVILLE CERTAIN PROPERTY UPON WHICH A PORTION OF LORD BALTIMORE ELEMENTARY SCHOOL IS LOCATED, CONTIGUOUS TO THE TOWN OF OCEAN VIEW, WHICH DESIRES TO ACQUIRE AND MAINTAIN POLICE JURISDICTION OVER THE ENTIRETY OF THE LORD BALTIMORE ELEMENTARY SCHOOL. (Stricken 1/22/09) p. 6, 14-15.

HB 32 AN ACT TO AMEND THE CHARTER OF THE CITY OF LEWES, CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES", TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND TO PROVIDE FOR MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS, TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS AND TO INCREASE THE CONTRACT AMOUNT NOT SUBJECT TO COMPETITIVE BIDDING. (Signed by the Governor 4/9/09) p. 14, 26, 28, 47, 55.

HB 33 AN ACT TO REINCORPORATE THE CHARTER OF THE BOARD OF PUBLIC WORKS OF THE CITY OF LEWES, CHAPTER 196, VOLUME 22, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO AUTHORIZE THE COMMISSIONERS OF LEWES TO APPOINT A BOARD OF PUBLIC WORKS FOR THE TOWN OF LEWES WHICH SHALL ESTABLISH, CONTROL AND REGULATE AN ELECTRIC LIGHT PLANT, WATER WORKS AND A SEWER SYSTEM FOR SAID TOWN; PRESCRIBING THE POWERS AND DUTIES OF SAID BOARD OF PUBLIC WORKS AND PROVIDING FOR THE ELECTION OF THEIR SUCCESSORS". (Signed by the Governor 4/9/09) p. 23, 26, 28, 47, 55.

HB 34 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ESTABLISHMENT OF A MENTAL HEALTH DEATH REVIEW COMMITTEE. (Stricken 6/9/09) p. 6, 34, 100.

HB 35 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE PSYCHIATRIC CENTER. (House Health & Human Development Committee) p. 6.

HB 36 AN ACT TO AMEND TITLES 16 AND 29 OF THE DELAWARE CODE RELATING TO NURSING FACILITIES AND SIMILAR FACILITIES. (Signed by the Governor 8/24/09) p. 6, 34, 93, 99, 158, 169.

HB 37 w/HA 2 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE MENTAL HEALTH PATIENTS' BILL OF RIGHTS. (Signed by the Governor 7/15/10) p. 6, 34, 79, 93, 99, 310, 331.

HB 38 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE MENTAL HEALTH PATIENTS' BILL OF RIGHTS, NOTIFICATIONS AND FORMS. (Signed by the Governor 8/24/09) p. 6, 104, 112, 158, 169.

HB 39 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (Signed by the Governor 8/24/09) p. 6, 34, 93, 99, 158, 169.

HS 1/HB 40 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Senate Ready List) p. 6, 23, 29, 42, 51, 78-79, 84-85.

HB 41 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE CREATING A COMMUNITY MENTAL HEALTH TREATMENT ACT. (Signed by the Governor 7/15/10) p. 6, 244, 252, 275, 310, 331.

HB 42 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES AND CREATING THE DELAWARE PSYCHIATRIC CENTER AUTHORITY. (House Health & Human Development Committee) p. 6.

HB 43 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION. (Stricken 1/22/09) p. 6, 16.

HB 44 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PERMITTING THE DELAWARE STATE FIRE PREVENTION COMMISSION TO ESTABLISH A DELAWARE BURN CAMP TO HELP YOUNG PEOPLE WHO HAVE SUFFERED BURNS. (Signed by the Governor 4/30/09) p. 13, 17-19, 50, 74.

HB 45 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIFORM COMMON INTEREST OWNERSHIP ACT. (Signed by the Governor 2/4/09) p. 12, 14, 16-17, 19, 24.

HB 46 AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO RECORDS OF ARREST AND PROSECUTION. (Signed by the Governor 7/10/09) p. 14, 26, 33, 158, 162.

HB 47 w/HA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE PERMITTING BAIL AGENTS TO ALSO ACT AS PROPERTY BAIL AGENTS. (Signed by the Governor 1/29/09) p. 14, 17, 19, 23.

HB 48 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX AND MODIFICATIONS THERETO. (House Revenue & Finance Committee) p. 15.

HB 49 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE RESOLUTION OF DISPUTES IN THE COURT OF CHANCERY. (Signed by the Governor 4/2/09) 14, 18-20, 41, 47.

HB 50 w/HA 1 AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH TO LIMIT THE HEIGHT OF STRUCTURES WITHIN THE TOWN. (Senate Ready List) p. 16, 64, 83.

HB 51 w/HA 1 & 2 AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH TO GRANT THE TOWN OF DEWEY BEACH THE AUTHORITY TO LEVY AND COLLECT AN ACCOMMODATIONS TAX. (Signed by the Governor 5/18/09) p. 16, 26, 31, 33, 70, 87.

HB 52 AN ACT TO AMEND CHAPTER 278, VOLUME 72, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLVILLE, TO REMOVE OR "DEANNEX" FROM THE TOWN OF MILLVILLE CERTAIN PROPERTY UPON WHICH A PORTION OF LORD BALTIMORE ELEMENTARY SCHOOL IS LOCATED CONTIGUOUS TO THE TOWN OF OCEAN VIEW, WHICH DESIRES TO ACQUIRE AND MAINTAIN POLICE JURISDICTION OVER THE ENTIRETY OF THE LORD BALTIMORE ELEMENTARY SCHOOL. (Signed by the Governor 2/4/09) p. 15, 19, 24.

HB 53 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO UNPAID LEAVES OF ABSENCE. (Signed by the Governor 4/9/09) p. 16-18, 20, 47, 55.

HB 54 AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH, TO MAKE THE TOWN CHARTER CONSISTENT WITH CHANGES TO 15 DEL. C. SECTION 7501 ET SEQ., ENACTED BY THE 143RD GENERAL ASSEMBLY, CONCERNING MUNICIPAL ELECTIONS. (Stricken 4/30/09) p. 17, 19, 65.

HB 55 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMPENSATION COMMISSION. (House Ready List) p. 18, 54, 72, 87.

HB 56 w/HA 2 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO COLLECTIVE BARGAINING. (Signed by the Governor 7/12/10) p. 18, 37, 40, 43, 48, 330.

HB 57 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION AND VEHICLES. (Stricken 4/7/10) p. 18.

HB 58 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD AND THE PENALTY FOR SPEEDING. (House Public Safety and Homeland Security Committee) p. 18.

HB 59 AN ACT TO AMEND VOLUME 57, CHAPTER 504, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HENLOPEN ACRES", SECTIONS 21, 21.A, 22, AND 23, TO UPDATE THE PROCEDURE FOR ASSESSMENT AND APPEAL OF TAXES. (Signed by the Governor 6/16/09) p. 20, 26, 33, 91, 116.

HB 60 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. (Senate Ready List) p. 20, 26-27.

HB 61 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO FAILURE TO ANSWER A SUMMONS. (Signed by the Governor 5/12/09) p. 20, 26-27, 68, 75.

HB 62 w/HA 3 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND SPECIFIC OFFENSES. (Senate Ready List) p. 19, 23, 26, 29, 34, 44, 83-84.

HS 1/HB 63 AN ACT TO AMEND CHAPTER 25, TITLE 29 OF THE DELAWARE CODE RELATING TO EMPLOYMENT OF PRIVATE ATTORNEYS. (Stricken 4/7/10) p. 21, 33.

HB 64 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE. (Stricken 4/7/10) p. 21, 26.

HB 65 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUSSEX COUNTY COUNCILMANIC DISTRICTS. (Stricken 4/7/10) p. 21, 34.

HB 66 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO ELIGIBILITY FOR STATE EMPLOYMENT. (Stricken 5/7/09) p. 21, 73.

HB 67 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROTECTED WILDLIFE. (Signed by the Governor 6/16/09) p. 21, 26, 28, 95, 116.

HB 68 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS STATUS FOR DRIVING DURING A PERIOD OF SUSPENSION OR REVOCATION. (Signed by the Governor 5/12/09) p. 21, 26, 28, 68, 75.

HB 69 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ESTABLISHING A DIRECT CARE ADVANCED TRAINING PROGRAM. (Stricken 6/4/09) p. 21, 23, 96.

HS 1/HB 70 w/HA 2 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO WIND ENERGY SYSTEMS. (Signed by the Governor 7/9/09) p. 21, 70, 81, 86, 87, 115, 123, 158, 162.

HB 71 w/HA 1 A BILL TO AMEND TITLE 21 OF THE DELAWARE CODE TO EXPAND THE MOVE ON OVER LAW TO INCLUDE TOW TRUCKS. (Signed by the Governor 5/14/09) p. 21, 26, 32, 70, 86.

HB 72 AN ACT TO AMEND CHAPTER 27 OF TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER LICENSE REQUIREMENTS FOR REGISTERED SEX OFFENDERS. (Signed by the Governor 7/24/09) p. 21, 26, 39, 158, 164.

HB 73 w/SA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION FOR THOSE SERVING IN THE DELAWARE NATIONAL GUARD. (Signed by the Governor 9/1/09) p. 21, 26, 40, 157-158, 170.

HB 74 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. (House Administration Committee) p. 21.

HB 75 AN ACT TO AMEND CHAPTER 10, TITLE 16 OF THE DELAWARE CODE RELATING TO POLICIES OF HOSPITALS AND OTHER FACILITIES. (Stricken 4/2/09) p. 21, 26, 47.

HB 76 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE OATH OF OFFICE OF SCHOOL BOARD MEMBERS. (Signed by the Governor 6/16/09) p. 23, 34, 41, 103, 116.

HB 77 AN ACT TO AMEND CHAPTER 9 OF TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE. (Senate Judiciary Committee) p. 23, 26, 32-33.

HB 78 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SALE OR TRANSFER OF A PUPPY UNDER THE AGE OF EIGHT WEEKS OF AGE. (Stricken 1/19/10) p. 23, 168.

HB 79 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO HIGHWAY OR ROAD CAPACITY AND RESIDENTIAL DEVELOPMENT IN NEW CASTLE COUNTY. (House Housing & Community Affairs Committee) p. 23.

HB 80 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO INFORMATION FROM THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF TRANSPORTATION REGARDING REZONING AND SUBDIVISION APPLICATIONS IN NEW CASTLE COUNTY. (House Housing & Community Affairs Committee) p. 23.

HB 81 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO CHANGES IN THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE AND DENSITY INCREASES IN RESIDENTIAL DEVELOPMENT PLANS. (House Ready List) p. 23, 51.

HB 82 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO DISCLOSURE FOR WORKFORCE HOUSING IN NEW CASTLE COUNTY. (House Housing & Community Affairs Committee) p. 23.

HB 83 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY LAND USE PLANNING AND EDUCATION UNDER THE QUALITY OF LIFE ACT OF 1988. (House Ready List) p. 23, 51.

HB 84 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO BUDGET APPROPRIATION AND CAPITAL BUDGET LEGISLATION. (House Administration Committee) p. 23, 34.

HB 85 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SMALL EMPLOYER HEALTH INSURANCE. (Signed by the Governor 7/15/10) p. 29, 72, 74, 101, 107, 329, 331.

HB 86 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DISCLOSURE OF CHECKING ACCOUNT ACTIVITY AND PAY AND BENEFITS OF STATE AGENCIES. (House Administration Committee) p. 31.

HB 87 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DISCLOSURE OF CHECKING ACCOUNT ACTIVITY AND PAY AND BENEFITS OF SCHOOL DISTRICTS AND CHARTER SCHOOLS. (House Education Committee) p. 31.

HB 88 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO A SEARCHABLE ARCHIVE OF ALL CONTRACTS ENTERED INTO BY SCHOOL DISTRICTS AND CHARTER SCHOOLS. (House Education Committee) p. 31.

HB 89 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE STRATEGIC FUND. (House Administration Committee) p. 31.

HB 90 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CREATING A SEARCHABLE BUDGET DATABASE FOR STATE SPENDING. (House Administration Committee) p. 31, 90.

HB 91 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN. (Stricken 3/24/09) p. 31, 33.

HB 92 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL LICENSES AND FEES. (Vetoed 7/19/10) p. 34, 64, 68, 100-101, 329-331.

HB 93 w/HA 1 & 2 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO FARM WINERIES. (Signed by the Governor 6/26/09) p. 34, 51, 56, 62, 116, 148.

HB 94 AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH, TO MAKE THE TOWN CHARTER CONSISTENT WITH CHANGES TO 15 DEL. C. SECTION 7501 ET SEQ., ENACTED BY THE 143RD GENERAL ASSEMBLY CONCERNING MUNICIPAL ELECTIONS AND RELATING TO ANNEXATION, ELECTIONS, TERMS OF OFFICE, AND ORGANIZATIONAL MEETINGS AND DUTIES. (Signed by the Governor 6/16/09) p. 34, 44, 48, 91, 116.

HB 95 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO DOGS. (House Agriculture Committee) p. 37, 55.

HB 96 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE EXAMINATION OF MORTGAGE SATISFACTIONS BY A COMMISSIONER. (Signed by the Governor 5/27/09) p. 37, 43, 61-62, 85, 87.

HB 97 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE PERSONAL INCOME TAX. (House Appropriations Committee) p. 47, 104, 234.

HB 98 AN ACT TO AMEND THE CITY OF WILMINGTON'S HOME RULE CHARTER TO [sic] RELATING TO THE DEPARTMENT OF PERSONNEL, PERSONNEL DIRECTOR AND PERSONNEL CODE. (Signed by the Governor 7/6/09) p. 37, 64, 107, 139, 162.

HB 99 AN ACT TO AMEND CHAPTER 3, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DESIGNATION OF A STATE DESSERT. (Signed by the Governor 7/30/09) p. 54, 68, 83, 114, 167.

HS 1/HB 100 w/HA 2, 3, 4, 5 & 10 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE LOTTERY. (Signed by the Governor 5/14/09) p. 38, 47, 49, 50, 68-70, 73-74, 79, 86.

HB 101 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN. (House Ready List) p. 39, 42, 44, 50, 91.

HB 102 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR LICENSURE AND CERTIFICATION. (Signed by the Governor 4/20/09) p. 39, 43, 45-46, 55.

HB 103 AN ACT TO AMEND CHAPTER 7 OF TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE. (Stricken 3/31/09) p. 40-41.

HB 104 AN ACT TO AMEND TITLES 10, 13 AND 31 OF THE DELAWARE CODE RELATING TO DSCYF CUSTODY AND THIRD PARTY VISITATION. (Signed by the Governor 6/16/09) p. 42, 51, 61, 91, 116.

HB 105 w/HA 2 & SA 2 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE. (Signed by the Governor 5/14/10) p. 40, 104, 130, 227, 231-232, 244.

HB 106 AN ACT TO AMEND TITLES 7 AND 29 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE DELAWARE OPEN SPACE COUNCIL, THE PARKS AND RECREATION COUNCIL AND THE DELAWARE COUNCIL ON GREENWAYS AND TRAILS. (Signed by the Governor 4/8/10) p. 43, 51, 53, 206-207.

HB 107 w/HA 1, 2 & 3 & SA 1 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE. (Signed by the Governor 6/24/09) p. 41, 44, 46-47, 91, 112, 148.

HB 108 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FAILURE TO APPEAR AT TRIAL. (House Judiciary Committee) p. 44.

HB 109 w/HA 1 AN ACT TO AMEND TITLES 11 AND 16 OF THE DELAWARE CODE RELATING TO SUBSTANTIAL ASSISTANCE. (Signed by the Governor 6/16/09) p. 44, 51, 54, 103, 116.

HB 110 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO A PILOT PROGRAM EXEMPTING DELAWARE PUBLIC SCHOOLS FROM PREVAILING WAGE REQUIREMENTS. (House Labor Committee) p. 44.

HB 111 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE IGNITION INTERLOCK DEVICE (IID) PROGRAM. (Signed by the Governor 7/24/09) p. 44, 64, 76, 161, 164.

HB 112 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HOSPITALS AND OTHER FACILITIES. (Signed by the Governor 6/18/09) p. 47, 51, 53, 105, 125.

HB 113 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 7/8/09) p. 47, 64, 109, 158, 162.

HB 114 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE FEE FOR ISSUANCE OF MARRIAGE CERTIFICATES. (Signed by the Governor 6/26/09) p. 47, 49, 64, 84, 116, 148.

HB 115 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE PENALTIES FOR AND CLASSIFICATION OF CARRYING A CONCEALED DEADLY WEAPON. (Stricken 6/18/09) p. 47, 64, 119.

HB 116 AN ACT TO AMEND THE CHARTER OF THE TOWN OF SMYRNA, 74 DELAWARE LAWS CHAPTER 176, RELATING TO THE REPAYMENT TERM OF LOANS THE TOWN IS AUTHORIZED TO BORROW. (Signed by the Governor 6/26/09) p. 48, 64, 77, 116, 148.

HB 117 w/HA 4 AN ACT TO AMEND TITLES 14 AND 15 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS AND SCHOOL BOARD ELECTIONS. (Senate Finance Committee) p. 46, 64-65, 72, 98-99.

HB 118 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE. (Signed by the Governor 7/6/09) p. 48, 64, 76-77, 139, 140-141, 162.

HS 1/HB 119 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE WITH RESPECT TO PUBLIC EDUCATION. (Signed by the Governor 8/13/09) p. 49, 81, 93, 104, 111, 113-114, 158, 168.

HB 120 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN OFFENSES. (Signed by the Governor 6/26/09) p. 48, 70, 72, 89, 114, 148.

HB 121 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO COSMETOLOGY AND BARBERING AND LICENSURE OF AESTHETICIANS. (Signed by the Governor 6/26/09) p. 51, 65, 83, 116, 148.

HB 122 w/HA 1 & 2 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLE PLATES. (Signed by the Governor 7/24/09) p. 52, 64-65, 78, 161, 164.

HB 123 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT. (Senate Executive Committee) p. 52, 64, 84.

HB 124 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO GENERAL POWERS AND DUTIES OF NEW CASTLE COUNTY. (House Housing & Community Affairs Committee) p. 52.

HB 125 AN ACT TO AMEND TITLE 24 RELATING TO PROFESSIONS AND OCCUPATIONS. (Stricken 5/12/09) p. 52, 79.

HB 126 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PENSIONS FOR MEMBERS OF THE STATE JUDICIARY. (Signed by the Governor 6/26/09) p. 52, 64, 66-67, 124, 148.

HS 1/HB 127 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SIZE AND WEIGHT OF VEHICLES. (Signed by the Governor 6/26/09) p. 53, 70, 72, 77, 114, 148.

HB 128 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES PENSION PLAN. (House Ready List) p. 55, 64, 72, 170, 252.

HB 129 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE CONSTRUCTION INDUSTRY INDEPENDENT CONTRACTOR ACT. (House Labor Committee) p. 55, 68.

HB 130 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION FUND ASSESSMENTS. (House Labor Committee) p. 55.

HB 131 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY. (Signed by the Governor 6/26/09) p. 55, 72, 84-85, 116, 148.

HB 132 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ABSENTEE VOTING. (Signed by the Governor 7/8/09) p. 56, 64, 77, 161-162.

HB 133 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE PERTAINING TO COMPENSATION FOR INNOCENT VICTIMS OF CRIME. (Signed by the Governor 8/24/09) p. 55, 72, 93-94, 158, 169.

HB 134 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE ESTABLISHING THE OFFICE OF THE STATE INSPECTOR GENERAL. (House Administration Committee) p. 55.

HB 135 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATED TO THE ISSUANCE OF A LIMITED LICENSE FOR A DIRECTOR OR CHAIRPERSON OF A DENTAL OR ORAL AND MAXILLOFACIAL SURGERY RESIDENCY PROGRAM. (Signed by the Governor 8/26/09) p. 56, 64, 67, 105, 119, 169.

HB 136 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEX OFFENDERS AND SEXUAL OFFENSES. (Signed by the Governor 7/10/09) p. 56, 64, 67-68, 161-162.

HB 137 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO AUDITS OF SMALL EMPLOYER HEALTH INSURANCE CARRIERS. (Stricken 3/30/10) p. 56, 72, 190, 194, 202.

HB 138 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE DELAWARE LAND AND HISTORIC RESOURCES PROTECTION INCENTIVES ACT. (Signed by the Governor 7/8/09) p. 65, 104, 130-131, 158, 162.

HB 139 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTHY CHILDREN PROGRAM. (Signed by the Governor 8/27/09) p. 65, 90, 104, 120, 158, 169.

HB 140 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE CANCELLATION OR NONRENEWAL OF AN AUTOMOBILE INSURANCE POLICY. (Signed by the Governor 1/27/10) p. 68, 72, 77, 171, 179-180, 187.

HB 141 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PREVAILING WAGE REQUIREMENTS. (House Labor Committee) p. 68.

HB 142 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 6/26/09) p. 68, 81, 88, 124, 148.

HB 143 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ASSESSMENT OF AN ADMINISTRATIVE FEE. (Signed by the Governor 7/6/10) p. 70, 81, 108, 297, 330.

HB 144 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCUREMENT AND THE ASSESSMENT OF AN ADMINISTRATIVE FEE. (House Administration Committee) p. 70.

HB 145 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PREVAILING WAGE REQUIREMENTS. (Stricken 4/7/10) p. 70.

HB 146 w/SA 2 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DOMESTIC VIOLENCE. (Signed by the Governor 7/8/09) p. 72, 81, 88, 124, 140-141, 162.

HB 147 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE. (Signed by the Governor 6/26/09) p. 72, 81, 88, 124, 148.

HB 148 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO DISPOSITION OF STOCK OF INSOLVENT, DECEASED OR FORMER LICENSEE. (Signed by the Governor 7/8/09) p. 74, 104, 122, 158, 162.

HB 149 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO COMPENSATION RECEIVED BY MORTGAGE LOAN BROKERS AND LICENSED LENDERS FOR MORTGAGE LOAN MODIFICATION SERVICES. (Signed by the Governor 7/8/09) p. 74, 91, 100, 158, 162.

HB 150 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE QUALIFICATIONS AND TRAINING OF CONSTABLES. (Signed by the Governor 7/8/09) p. 74, 91, 106, 158, 162.

HB 151 w/HA 1 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO ABOLISHING JURY COMMISSIONERS. (Signed by the Governor 7/22/09) p. 74, 91, 94, 161-162.

HB 152 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Signed by the Governor 7/13/09) p. 74, 91, 128-129, 158, 162.

HB 153 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PREVAILING WAGE REQUIREMENTS. (House Labor Committee) p. 74.

HB 154 w/HA 1 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE. (Signed by the Governor 7/8/09) p. 74, 90-91, 107, 139, 162.

HB 155 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PLEADINGS AND PRACTICE. (House Ready List) p. 79, 116, 128.

HB 156 w/HA 1 & 2 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIFORM COMMON INTEREST OWNERSHIP ACT. (Signed by the Governor 7/2/09) p. 86, 91, 101, 122, 158, 161.



HB 157 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE FAMILY AND MEDICAL LEAVE ACT. (Stricken 6/24/09) p. 74, 104, 117, 130.

HB 158 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FORFEITURE OF STATE EMPLOYEE BENEFITS UPON CONVICTION. (Stricken 4/7/10) p. 79.

HB 159 w/HA 1, HA 1 to HA 1, HA 2 & SA 1 & 2 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO POWERS, DUTIES, AND FUNCTIONS OF THE SECRETARY OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (Signed by the Governor 4/27/10) p. 79, 91-92, 101, 111-112, 206, 209, 220.

HB 160 w/HA 1 & 2 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS' LICENSES AND IDENTIFICATION CARDS. (Signed by the Governor 7/22/09) p. 79, 87, 91, 97, 107, 158, 162.

HB 161 AN ACT TO AMEND TITLE 2 AND TITLE 21 OF THE DELAWARE CODE RELATING TO PUBLIC CARRIERS. (Signed by the Governor 7/8/09) p. 79, 91, 107-108, 158, 162.

HB 162 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO VESSEL TO VESSEL PETROLEUM TRANSFERS. (Stricken 4/22/10) p. 79, 87, 133, 213.

HB 163 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ESTABLISHMENT OF A DEPARTMENT OF HEALTH AND SOCIAL SERVICES DEATH REVIEW COMMITTEE. (Senate Executive Committee) p. 79, 91, 93, 100.

HB 164 w/HA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS, SECONDHAND DEALERS, SCRAP METAL PROCESSORS AND JUNK DEALERS. (Signed by the Governor 7/24/09) p. 81, 91-92, 108, 158, 164.

HB 165 w/HA 1 & SA 1 AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE RELATING TO THE ADULT ABUSE REGISTRY. (Signed by the Governor 6/30/09) p. 81, 91, 93, 136, 139, 161.

HB 166 AN ACT TO AMEND CHAPTER 65, VOLUME 295, LAWS OF DELAWARE, AN ACT TO REINCORPORATE THE TOWN OF BETHANY BEACH REGARDING THE REFERENDUM POWER, AND TO ALLOW NATURAL PERSONS HOLDING TITLE TO REAL ESTATE AS TRUSTEE, AND THE SPOUSES OF PERSONS WHO HOLD TITLE TO REAL ESTATE (EITHER IN THEIR OWN NAME OR AS TRUSTEE), TO VOTE IN MUNICIPAL ELECTIONS; AND PLACING A LIMIT ON THE TOTAL NUMBER OF PERSONS WHO MAY QUALIFY TO VOTE AS A "NONRESIDENT PROPERTY OWNER" TO A MAXIMUM OF EIGHT PERSONS PER PROPERTY. (Senate Ready List) p. 82, 91, 94-95.

HB 167 AN ACT TO AMEND CHAPTER 65, VOLUME 295, LAWS OF DELAWARE, AN ACT TO REINCORPORATE THE TOWN OF BETHANY BEACH REGARDING THE HOLDING OF THE TOWN COUNCIL'S ORGANIZATIONAL MEETING TO BE CONSISTENT WITH THE PROVISIONS OF 15 DEL.C. CHAPTER 75 ("MUNICIPAL ELECTIONS"). (Signed by the Governor 7/6/09) p. 82, 91, 95, 139, 162.

HB 168 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO DRUG OFFENSES. (House Ready List) p. 82, 126.

HS 1/HB 169 w/HA 1 & SA 1 AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO RECORDS OF ARREST AND PROSECUTION. (Signed by the Governor 7/12/10) p. 81, 87, 92, 101, 108, 329-330.

HB 170 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (Signed by the Governor 7/1/09) p. 82, 95, 121, 158, 161.

HB 171 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. (Stricken 6/11/09) p. 81, 87, 90, 104-105.

HB 172 w/HA 1 & 2 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DISCLOSURE OF COUNCIL OR BOARD MEMBERSHIP. (Signed by the Governor 7/12/10) p. 86, 91-92, 96, 109, 330.

HB 173 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO DISCLOSURE FOR WORKFORCE HOUSING IN NEW CASTLE COUNTY. (House Housing & Community Affairs Committee) p. 86.

HB 174 w/HA 1 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE RECORDATION OF INSTRUMENTS. (Signed by the Governor 7/8/09) p. 86, 91, 94, 139, 162.

HB 175 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ASSESSMENT OF A PROSECUTION FEE. (Senate Judiciary Committee) p. 86, 91, 97, 100.

HB 176 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 7/22/09) p. 86, 91, 100, 161-162.

HB 177 AN ACT TO AMEND CHAPTER 291, VOLUME 66 OF LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF CLAYTON", RELATING TO ELECTIONS FOR TOWN COUNCIL. (Signed by the Governor 7/10/09) p. 86, 91, 95, 161-162.



HB 178 AN ACT TO AMEND CHAPTER 65, VOLUME 295, LAWS OF DELAWARE, ENTITLED CHARTER OF THE TOWN OF BETHANY BEACH, REGARDING PENALTIES FOR VIOLATIONS OF TOWN ORDINANCES, TO INCREASE THE MAXIMUM FINANCIAL PENALTY THAT MAY BE IMPOSED TO ELIMINATE IMPRISONMENT AS A POTENTIAL SANCTION, AND TO AUTHORIZE THE TOWN TO IMPOSE CIVIL PENALTIES AS WELL AS CRIMINAL PENALTIES. (Senate Ready List) p. 86, 91, 95.

HB 179 AN ACT TO AMEND CHAPTER 237, VOLUME 51, ENTITLED AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE RELATING TO SEWER AND WATER MAIN IMPROVEMENTS. (Signed by the Governor 7/22/09) p. 86, 91, 95, 158, 162.

HB 180 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. 86, 229.

HB 181 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES & CRIMINAL PROCEDURE. (Signed by the Governor 7/8/09) p. 87, 91, 94, 148, 162.

HS 1/HB 182 AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO CERTAIN OFFENSES. (House Judiciary Committee) p. 87, 243.

HB 183 w/HA 1 & 2 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE UNIT PROPERTY ACT. (Signed by the Governor 7/2/09) p. 87, 91, 101, 122, 158, 161.

HB 184 w/HA 1, 2 & 3 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (Signed by the Governor 2/1/10) p. 90, 104, 128, 135-136, 138, 184, 187.

HB 185 w/HA 1 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO AUTOMATED CALLS IN THE STATE OF DELAWARE. (Signed by the Governor 6/10/10) p. 87, 91, 132, 242, 273.

HB 186 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT AND ADMINISTRATION OF A TAX DEFERRED SAVINGS PLAN FOR EMPLOYEES OF THE DEPARTMENT OF EDUCATION AND THE PUBLIC SCHOOLS OF THE STATE OF DELAWARE. (Senate Finance Committee) p. 89, 91, 106.

HB 187 AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE TO RECOGNIZE MILITARY SPOUSE APPRECIATION DAY. (Signed by the Governor 10/6/09) p. 91, 116, 119, 158, 171.

HB 188 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO LODGING TAX. (House Revenue & Finance Committee) p. 92, 114.

HB 189 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE RULES OF THE ROAD. (Signed by the Governor 6/10/10) p. 92, 116, 205-206, 265, 273.

HB 190 w/SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DRUG TESTING OF EMPLOYEES OF THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES. (Signed by the Governor 5/21/10) p. 92, 104, 113, 238, 240, 244.

HB 191 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Signed by the Governor 9/4/09) p. 92, 116, 119, 158, 170.

HB 192 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE ANIMAL POPULATION CONTROL PROGRAM AND SPAY/NEUTER FUND. (Signed by the Governor 7/22/09) p. 92, 104, 113, 158, 162.

HB 193 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO PURCHASING, RECEIVING, STORING, AND SELLING WINE AND BEER IN GROCERY STORES. (House Revenue & Finance Committee) p. 92-93, 95-96, 101.

HB 194 AN ACT TO AMEND TITLES 3 AND 29 OF THE DELAWARE CODE RELATING TO THE LICENSING OF VENUES WHICH DID NOT CONDUCT HARNESS RACING DURING 1992 AS VIDEO LOTTERY AGENTS. (Laid on the Table in the House 6/24/09) p. 93, 129, 139, 148, 165, 180, 186, 201- 202, 204, 207.

HB 195 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PERSONAL ACTIONS. (House Health & Human Development Committee) p. 95.

HB 196 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Senate Ready List) p. 95, 104, 132.

HB 197 w/HA 1 & 2 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLE SPEED MONITORING SYSTEMS. (Senate Judiciary Committee) p. 96, 104, 124, 139, 148, 156.

HB 198 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. (Senate Ready List) p. 95, 104, 130.

HB 199 w/HA 2 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO DEVELOPMENTAL SCREENING OF INFANTS AND TODDLERS. (Signed by the Governor 8/27/09) p. 96, 104, 127-128, 135, 158, 169.

HB 200 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES. (House Ready List) p. 97, 104.

HB 201 AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO BEVERAGE CONTAINERS. (Vetoed 7/21/09) p. 97, 124, 153, 158, 162.

HB 202 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION. (Signed by the Governor 1/26/10) p. 97, 104, 108, 167, 187.

HB 203 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DESIGNATING THE STRAWBERRY AS THE STATE FRUIT. (Signed by the Governor 5/13/10) p. 96, 104, 132, 200, 244.

HB 204 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF MURDER IN THE FIRST DEGREE AND THE CLASSIFICATION OF OFFENSES. (Signed by the Governor 7/31/09) p. 96, 104, 106, 161, 167.

HB 205 w/HA 1 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO REGIONAL PLANNING. (Signed by the Governor 7/22/09) p. 96, 104, 115, 120, 158, 162.

HB 206 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 7/10/09) p. 96, 104, 113, 161.

HB 207 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SPECIAL LAW ENFORCEMENT ASSISTANCE FUND. (Signed by the Governor 7/22/09) 97, 104, 106, 158, 162.

HB 208 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOMES. (House Ready List) p. 96, 104.

HB 209 AN ACT TO AMEND TITLES 9 AND 22 OF THE DELAWARE CODE RELATING TO COUNTIES AND MUNICIPALITIES. (House Ready List) p. 97, 104.

HB 210 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSING FEES. (Signed by the Governor 7/1/09) p. 99, 104, 124, 139, 144, 161.

HB 211 AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE RELATING TO THE LEVY, COLLECTION AND USE OF TOBACCO PRODUCT TAX REVENUE. (Signed by the Governor 7/1/09) p. 99, 104, 111, 123-124, 139, 144-145, 161.

HB 212 w/HA 2 AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO TAXES ON ALCOHOLIC BEVERAGES. (Defeated in the House 6/29/09) p. 99, 104, 111, 123, 139, 144.

HB 213 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO BUSINESS LICENSES. (House Economic Development/Banking/Insurance/Commerce Committee) p. 101.

HB 214 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY. (House Administration Committee) p. 101.

HB 215 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT PROCUREMENT AND THE PUBLICATION OF LEGAL NOTICES. (House Administration Committee) p. 101.

HB 216 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING & FISHING LICENSES. (Signed by the Governor 4/8/10) p. 104, 116, 119, 206-207.

HB 217 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LITTERING ON OR ALONGSIDE A HIGHWAY. (House Ready List) p. 110, 281.

HB 218 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO DELAWARE COUNTY AND MUNICIPAL POLICE/FIREFIGHTER PENSION PLAN. (Signed by the Governor 2/23/10) p. 105, 116, 156, 178, 188.

HB 219 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE STATE PUBLIC ASSISTANCE CODE. (House Health & Human Development Committee) p. 109.

HB 220 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEE BENEFITS COMMITTEE. (Signed by the Governor 7/22/09) p. 109, 116-117, 119-120, 158, 162.

HB 221 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO CREDIT SERVICES ORGANIZATIONS. (Signed by the Governor 6/28/10) p. 110, 126, 138, 281, 318.

HB 222 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO REPORTS IN ELECTRONIC FORMAT TO THE DELAWARE GENERAL ASSEMBLY. (Senate Finance Committee) p. 110, 128, 138.

HB 223 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL MEALS. (House Education Committee) p. 110.

HB 224 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PROFESSIONAL DEVELOPMENT OF SCHOOL EMPLOYEES. (House Ready List) p. 111, 114, 116.

HB 225 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS. (Signed by the Governor 7/22/09) p. 110, 116, 119, 158, 162.

HB 226 w/HA 1 & 2 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. (Signed by the Governor 6/29/10) p. 110, 116, 127, 131, 265, 318.

HB 227 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ARCHITECTURE. (Signed by the Governor 2/1/10) p. 110, 116, 122, 180, 187.

HB 228 w/HA 1 & 2 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Signed by the Governor 9/1/09) p. 114, 117-118, 148, 170.

HS 1/HB 229 w/HA 2, 3 & 4 & SA 1, SA 1 to SA 1 & SA 3 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Signed by the Governor 7/6/10) p. 110-111, 116, 159, 186, 190-191, 242, 280, 282, 289, 330.

HS 1/HB 230 w/HA 1 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO LABOR. (Signed by the Governor 7/31/09) p. 110, 116, 131, 134-135, 148, 167.

HB 231 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES. (House Education Committee) p. 111-112.

HB 232 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO DEBT MANAGEMENT SERVICES. (Signed by the Governor 10/5/09) p. 111-112, 116, 119, 161, 171.

HB 233 w/HA 2 & 3 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTIES AND TITLE 7 OF THE DELAWARE CODE RELATING TO DOGS. (Signed by the Governor 7/22/09) p. 114, 126, 133, 134, 143, 158, 162.

HB 234 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES AND VESSEL-TO-VESSEL TRANSFERS OF PETROLEUM PRODUCTS. (Stricken 1/26/10) p. 115, 179.

HB 235 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF PHARMACY. (House Health & Human Development Committee) p. 115, 224.

HB 236 w/HA 1 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO SPECIAL ELECTIONS. (Signed by the Governor 7/15/10) p. 114-115, 128, 309, 314, 328, 331.

HB 237 w/HA 1 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO EQUAL ACCOMMODATIONS. (Signed by the Governor 7/9/10) p. 117, 191, 257, 268, 297, 330.

HB 238 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Stricken 6/25/09) p. 115, 128, 135.

HB 239 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO TAX ON LIMITED LIABILITY COMPANY. (Stricken 6/25/09) p. 115, 128, 135.

HB 240 AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO CORPORATE FRANCHISE TAX. (Stricken 6/25/09) p. 115, 128, 135.

HB 241 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO TAX ON LIMITED LIABILITY COMPANY. (Stricken 6/24/09) p. 115, 128, 131.

HB 242 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Stricken 6/24/09) p. 115, 128, 131.

HB 243 w/SA 1 & 2 AN ACT TO AMEND THE CHARTER OF THE TOWN OF BOWERS, CHAPTER 279, VOLUME 53, LAWS OF DELAWARE AS AMENDED TO (1) CONFER UPON THE TAX COLLECTOR THE POWERS OF THE KENT COUNTY RECEIVER OF TAXES FOR PURPOSES OF COLLECTING DELINQUENT TAXES, AND (2) GRANT THE TOWN THE SPECIFIC AUTHORITY TO REGULATE THE USE OF GOLF CARTS. (Signed by the Governor 4/29/10) p. 114, 116, 120, 202, 209, 228.

HB 244 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO NOTICE OF SCHOOL ELECTIONS. (Signed by the Governor 2/1/10) p. 115, 128, 141, 180, 187.

HB 245 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. (Signed by the Governor 2/1/10) p. 114-115, 128, 141, 183-185, 187.

HB 246 w/HA 1 & HA 1 to HA 1 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE. (Signed by the Governor 4/8/10) p. 115, 124, 128, 136-137, 202, 207.

HS 1/HB 247 w/HA 1, 2 & 4 AN ACT TO AMEND TITLE 6, TITLE 25 AND TITLE 29 OF THE DELAWARE CODE RELATING TO CONSUMER PROTECTION. (Signed by the Governor 6/10/10) p. 115, 125, 187, 191, 194, 199-200, 220, 273.

HB 248 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE DELAWARE CHARITABLE/FRATERNAL SOLICITATION ACT OF 1996. (House Economic Development/Banking/Insurance/Commerce Committee) p. 115, 127.

HB 249 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (Signed by the Governor 2/1/10) p. 117, 127, 132-133, 180, 187.

HB 250 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE GENERAL FUND AND STATE ECONOMIC DEVELOPMENT. (House Ready List) p. 125, 133, 148.

HB 251 AN ACT TO AMEND THE CHARTER OF THE TOWN OF FELTON, CHAPTER 91, VOLUME 70, LAWS OF DELAWARE, AS AMENDED, TO PRECLUDE CONTEMPORANEOUS SERVICE ON THE TOWN COUNCIL BY RELATED INDIVIDUALS, TO CHANGE THE DURATION OF THE TERM OF A MEMBER OF THE TOWN COUNCIL, AND TO IMPLEMENT USE OF THE KENT COUNTY VOTER REGISTRATION SYSTEM. (Vetoed 2/9/10) p. 116, 120, 184, 188.

HB 252 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEXUAL OFFENDERS. (House Ready List) p. 117, 126, 139.

HB 253 w/HA 2 & 3 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMPENSATION FOR INNOCENT VICTIMS OF VIOLENT CRIME. (Signed by the Governor 7/31/09) p. 117, 126, 134, 136, 161, 167.

HB 254 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION AND EXCEPTIONAL PERSONS. (Senate Education Committee) p. 117, 133, 155.

HS 1/HB 255 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE. (House Ready List) p. 125, 167, 170.

HB 256 w/HA 1 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO GIVING CERTAINTY TO THE MORTGAGING OF LEASEHOLD INTERESTS. (Signed by the Governor 7/23/10) p. 125, 128, 220, 245, 328, 331.

HB 257 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOTTERIES. (Signed by the Governor 7/24/09) p. 125, 131-132, 158, 164.

HB 258 w/HA 1 & 2 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LICENSES TO CARRY CONCEALED DEADLY WEAPONS. (Signed by the Governor 2/3/10) p. 125, 137, 178, 188.

HB 259 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO OIL REFINERIES AND EMPLOYMENT PRACTICES. (Stricken 3/23/10) p. 125, 148, 186, 194.

HS 1/HB 260 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE TAXATION OF LOTTERY WINNINGS. (Signed by the Governor 7/1/09) p. 125-126, 133-134, 145, 158, 161.

HB 261 AN ACT TO AMEND CHAPTER 55, TITLE 30 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITY TAXES. (Stricken 1/26/10) p. 125-126, 133, 135, 178.

HS 1/HB 262 AN ACT TO AMEND TITLE 9 AND TITLE 29 OF THE DELAWARE CODE RELATING TO GOVERNMENT RECORDS MANAGEMENT. (Signed by the Governor 7/1/09) p. 125-126, 133, 145, 158, 161.

HS 1/HB 263 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE MARSHAL FEES. (Signed by the Governor 7/1/09) p. 125-126, 133, 145-146, 161.

HS 1/HB 264 w/HA 2 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES ON PERSONAL INCOME. (Signed by the Governor 7/1/09) p. 126, 128, 133, 135, 142, 146, 161.

HB 265 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE ESTATE TAX. (Stricken 1/26/10) p. 126, 133, 135, 178.

HB 266 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO GROSS RECEIPTS TAXES. (Stricken 1/26/10) p. 126, 133, 135, 178.

HS 1/HB 267 w/HA 2 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. (Signed by the Governor 7/1/09) p. 126, 128, 133, 135, 142, 148, 150-151, 158, 161.

HS 1/HB 268 AN ACT TO AMEND CHAPTER 5, TITLE 30 OF THE DELAWARE CODE RELATING TO PROCEDURE, ADMINISTRATION AND ENFORCEMENT. (Signed by the Governor 7/1/09) p. 126, 133, 143-144, 158, 161.

HB 269 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES AND SALE AND DISTRIBUTION OF TOBACCO PRODUCTS. (Signed by the Governor 7/22/09) p. 126, 155-156, 158, 162.

HB 270 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE REGULATION OF FINFISHING IN TIDAL WATERS. (Signed by the Governor 4/8/10) p. 128, 148, 152, 206-207.

HB 271 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE AUTHORITY OF THE PUBLIC SERVICE COMMISSION TO COMPEL RETURN OF UTILITY PROPERTY TRANSFERRED WITHOUT AUTHORIZATION. (House Energy Committee) p. 128.

HB 272 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES. (House Energy Committee) p. 128, 260.

HB 273 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO STANDARD WEIGHTS AND MEASURES. (Stricken 6/25/09) p. 127, 139.

HB 274 AN ACT TO AMEND TITLES 16, 24 AND 31 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (Stricken 6/25/09) p. 127, 139.

HB 275 AN ACT REQUIRING COLONIAL SCHOOL DISTRICT TO RETURN A TEACHER WITHIN THE DISTRICT TO THE SAME TEACHING POSITION HELD PRIOR TO SUCH TEACHER'S LEAVE UNDER THE FAMILY AND MEDICAL LEAVE ACT. (Signed by the Governor 7/21/09) p. 128, 130, 158, 162.

HB 276 w/HA 1 & SA 1 AN ACT TO AMEND TITLES 11, 16, 17 AND 21 OF THE DELAWARE CODE RELATING TO CRIMINAL MISCHIEF, GRAFFITI, AND OTHER INJURY TO A SCENIC AND HISTORICAL HIGHWAY OR A SCENIC BYWAY. (Signed by the Governor 7/12/10) p. 134, 164, 166, 326-327, 330.

HB 277 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. (Stricken 6/8/10) p. 134, 165, 167, 261.

HB 278 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ANIMAL CRUELTY. (House Judiciary Committee) p. 134.

HB 279 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO REVENUE ESTIMATES. (House Administration Committee) p. 139.

HB 280 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE. (House Ready List) p. 148, 170, 195, 200.

HB 281 AN ACT TO AMEND 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Senate Executive Committee) p. 139, 182, 258.

HB 282 AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER BY THE COLONIAL SCHOOL DISTRICT TO THE DELAWARE CITY FIRE COMPANY OF CERTAIN REAL PROPERTY INCLUDING THE BUILDING LOCATED ON SOUTH DUPONT PARKWAY KNOWN AS THE COMMODORE MACDONOUGH PROPERTY. (Signed by the Governor 2/4/10) p. 152, 180, 188.

HB 283 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE EDUCATION OF CHILDREN WHO ARE DEAF OR HARD OF HEARING. (Signed by the Governor 9/10/10) p. 243, 252, 258, 322, 334.

HB 284 w/SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEXUAL RELATIONS IN A DETENTION FACILITY. (Signed by the Governor 4/9/10) p. 148, 164, 167, 195, 200, 207.

HB 285 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ESCHEAT. (House Revenue & Finance Committee) p. 148, 182.

HB 286 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FEES FOR VITAL CERTIFICATES. (Signed by the Governor 7/1/09) p. 146, 158, 161.

HB 287 AN ACT TO AMEND TITLES 7 AND 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL LICENSES AND FEES. (Signed by the Governor 7/1/09) p. 146-147, 161.

HB 288 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITY TAXES. (Signed by the Governor 7/1/09) p. 145, 158, 161.

HB 289 w/HA 2 AN ACT TO AMEND TITLE 7 AND TITLE 30 OF THE DELAWARE CODE AND CHAPTER 282, VOLUME 76 OF THE LAWS OF DELAWARE RELATING TO GROSS RECEIPTS TAXES. (Signed by the Governor 7/1/09) p. 142, 147-148, 161.

HB 290 AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2010; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Signed by the Governor 7/1/09) p. 140, 148, 151-152, 158, 161.

HB 291 w/HA 1 & 4 AN ACT TO AMEND TITLES 3, 12 AND 30 OF THE DELAWARE CODE RELATING TO THE ESTATE TAX. (Signed by the Governor 7/1/09) p. 142, 147, 161.

HB 292 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE. (Stricken 1/21/10) p. 148, 178.

HB 293 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO DOGS. (House Housing & Community Affairs Committee) p. 148.

HB 294 w/SA 1 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE KENT COUNTY COMPTROLLER, KENT COUNTY RECEIVER OF TAXES AND COUNTY TREASURER, AND GOVERNMENT OF KENT COUNTY. (Signed by the Governor 4/27/10) p. 148, 164, 166, 206, 210, 220.

HB 295 AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2010; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2010 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Signed by the Governor 7/1/09) p. 157, 161.

HB 296 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO DECEDENTS' ESTATES. (Signed by the Governor 6/22/10) p. 180, 196, 209-210, 265, 308.

HB 297 w/HA 1 AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE DELAWARE GENERAL CORPORATION LAW. (Signed by the Governor 1/26/10) p. 159, 164-166, 178, 187.

HB 298 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD AND CELL TELEPHONE USAGE. (House Public Safety and Homeland Security Committee) p. 159.

HB 299 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 5/18/10) p. 159, 182, 189, 238, 244.

HB 300 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. (Senate Executive Committee) p. 159, 170, 179.

HB 301 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO DEBTS OF AND CLAIMS AGAINST ESTATE. (Signed by the Governor 2/1/10) p. 159, 164, 166, 184, 187.

HB 302 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO REPORTING FINANCIAL EXPLOITATION OF THE ELDERLY AND INFIRM. (House Judiciary Committee) p. 159.

HB 303 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO PREDATORY REFUND ANTICIPATION LENDING. (House Economic Development/Banking/Insurance/Commerce Committee) p. 159.

HB 304 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 5/21/10) p. 159, 181, 186, 189-190, 237, 244.

HB 305 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO TRANSPORTATION OF STATE EMPLOYEES. (Signed by the Governor 1/28/10) p. 165, 170, 176, 182, 187.

HB 306 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO REPORTING POSSIBLE SEXUAL ABUSE OF A CHILD. (House Judiciary Committee) p. 165.

HB 307 AN ACT TO AMEND TITLES 12 AND 16 OF THE DELAWARE CODE RELATING TO ESCHEATS. (House Health & Human Development Committee) p. 165.

HB 308 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CODE ENFORCEMENT CONSTABLES. (Signed by the Governor 5/3/10) p. 168, 170, 179, 220, 228.

HB 309 AN ACT TO AMEND VOLUME 43, CHAPTER 184 OF THE LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT CHANGING THE NAME OF THE TOWN OF SEAFORD TO THE CITY OF SEAFORD AND ESTABLISHING A CHARTER THEREFORE" RELATING TO THE ASSESSMENT OF TAXES. (Stricken 3/23/10) p. 178, 191, 194.

HB 310 w/HA 2, 5, 6, 7, 8, 10 & 11 AN ACT TO AMEND TITLES 3, 11 AND 29 OF THE DELAWARE CODE RELATING TO THE OPERATION OF TABLE GAMES BY THE DELAWARE LOTTERY, THE CREATION OF A DIVISION OF GAMING ENFORCEMENT WITHIN THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY, LICENSING OF VIDEO LOTTERY AGENT PERSONNEL AND LOTTERY AND AGENT VENDORS, PROHIBITION ON GAMING BY CERTAIN PERSONS, THE CREATION OF A LOTTERY COMMISSION, AND THE NUMBER OF HARNESS RACING DAYS. (Signed by the Governor 1/28/10) p. 168-171, 176-177, 183, 187.

HB 311 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES. (House Manufactured Housing Committee) p. 178.

HB 312 w/HA 1 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES. (Signed by the Governor 5/14/10) p. 178, 202-203, 205, 227, 244.

HB 313 AN ACT TO AMEND TITLES 25 AND 29 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES AND CONSUMER PROTECTION ADVISORY COUNCILS. (House Ready List) p. 178, 202-203.

HB 314 w/SA 1 AN ACT TO AMEND TITLE 18 RELATING TO CAPTIVE INSURANCE COMPANIES. (Signed by the Governor 5/3/10) p. 179, 182, 189, 216, 218, 228.

HB 315 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING A VEHICLE WHILE UNDER THE INFLUENCE. (Stricken 6/15/10) p. 180, 190, 276.

HB 316 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DESIGNATION OF A STATE WILDLIFE ANIMAL. (Stricken 6/3/10) p. 182, 186-187, 256.

HB 317 w/HA 1, HA 1 & HA 2 to HA 1 & SA 3 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO HOME SOLICITATION AND DOOR TO DOOR SALES. (Defeated in the House 6/23/10) p. 182, 191, 195-196, 199, 276, 294, 315.

HB 318 AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO PUBLIC CARRIERS. (House Public Safety and Homeland Security Committee) p. 182.

HB 319 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOTTERIES. (Signed by the Governor 3/31/10) p. 183, 185, 196, 206.

HB 320 w/HA 1 & 2 & SA 1 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO TITLES AND CONVEYANCES. (Signed by the Governor 6/10/10) p.182, 203, 220, 223, 246, 255, 273.

HB 321 w/HA 2 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO TITLES AND CONVEYANCES. (Signed by the Governor 6/10/10) p. 182, 203, 213, 219, 223, 246, 273.

HB 322 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 5/18/10) p. 184, 191-192, 238, 244.

HB 323 w/HA 1 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF A PERSON'S LAST REMAINS. (Signed by the Governor 6/15/10) p. 186-187, 196, 201, 252, 281.

HB 324 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CONSTABLE SALES. (Signed by the Governor 4/8/10) p. 186, 191-193, 206, 207.

HB 325 A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2011; 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. 182-183.

HB 326 w/HA 2 & SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTHCARE MEDICAL NEGLIGENCE INSURANCE AND LITIGATION. (Signed by the Governor 7/13/10) p. 186, 191, 194, 202, 224, 226, 327, 328, 331.

HB 327 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO REALTY TRANSFER TAX. (Stricken 4/20/10) p. 186, 208.

HB 328 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EXCEPTIONAL PERSONS. (Signed by the Governor 6/17/10) p. 186, 203, 206, 223, 286.

HB 329 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEE BENEFITS COMMITTEE. (House Administration Committee) p. 186.

HB 330 w/SA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO IMMUNITY FOR DONATIONS TO VOLUNTEER FIRE DEPARTMENTS. (Signed by the Governor 4/27/10) p. 186, 191, 193, 210-211, 220.

HB 331 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO CHILD CARE QUALITY AND THE ESTABLISHMENT OF TIERED REIMBURSEMENTS BASED ON QUALITY OF CARE. (House Health & Human Development Committee) p. 187.

HB 332 AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO BOXING, MIXED MARTIAL ARTS, AND COMBATIVE SPORTS ENTERTAINMENT. (House Public Safety and Homeland Security Committee) p. 187.

HB 333 w/HA 1 & 2 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE ENFORCEMENT OF AN ORDER TO CONNECT TO A SANITARY SEWER. (Signed by the Governor 6/22/10) p. 187, 203-204, 210, 265, 308.

HB 334 w/HA 1 & HA 1 to HA 1 AN ACT TO AMEND TITLE 30 AND TITLE 31 OF THE DELAWARE CODE RELATING TO THE DELAWARE CHILDREN'S TRUST FUND ACT. (Signed by the Governor 7/12/10) p. 190, 212, 221, 241-242, 328, 330.

HB 335 AN ACT TO AMEND CHAPTER 11 OF TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX RETURNS. (Signed by the Governor 4/14/10) p. 187, 191, 193, 206, 216.

HB 336 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PROTECTION FROM ABUSE PROCEEDINGS. (Signed by the Governor 7/12/10) p. 191, 196, 198, 232, 330.

HB 337 w/HA 1 AN ACT TO AMEND THE CHARTER OF THE CITY OF SEAFORD RELATING TO THE ASSESSMENT OF TAXES. (Signed by the Governor 6/15/10) p. 194-195, 252, 281.

HB 338 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF OFFENSES AND SENTENCES. (Signed by the Governor 6/22/10) p. 194, 202, 206, 231, 265, 308.

HB 339 AN ACT TO AMEND THE CHARTER OF THE TOWN OF FELTON TO CHANGE THE DURATION OF THE TERM OF A MEMBER OF THE TOWN COUNCIL AND TO IMPLEMENT USE OF THE KENT COUNTY VOTER REGISTRATION SYSTEM. (Stricken 4/1/10) p. 194, 204.

HB 340 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LIBRARIES. (Signed by the Governor 6/15/10) p. 200, 209, 220-221, 252, 281.

HB 341 AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (Signed by the Governor 5/3/10) p. 194, 196, 198, 200, 228.



HB 342 AN ACT PROPOSING AN AMENDMENT TO THE DELAWARE CONSTITUTION RELATING TO SPENDING INCREASES. (House Appropriations Committee) p. 196.

HB 343 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE CONTRACTS. (House Ready List) p. 200, 220-221, 238.

HB 344 w/HA 1 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE. (Signed by the Governor 5/21/10) p. 200, 203-205, 242, 244.

HB 345 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL CURRICULUM AND WORLD LANGUAGES. (Signed by the Governor 6/10/10) p. 197, 212, 215, 246, 273.

HB 346 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. (House Judiciary Committee) p. 200.

HB 347 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE MANDATORY REPORTING OF SCHOOL CRIMES. (Signed by the Governor 8/25/10) p. 200, 212, 218-219, 252, 334.

HS 1/HB 348 w/HA 3 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 7/16/10) p. 200, 202, 207, 233, 246, 247, 257, 265, 273-274, 322, 331.

HB 349 AN ACT TO AMEND TITLES 9 AND 30 OF THE DELAWARE CODE RELATING TO WITHHOLDING OF TAX ON GAINS FROM REAL ESTATE. (Signed by the Governor 6/11/10) p. 200, 203, 214, 246, 281.

HB 350 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PARENTAL INVOLVEMENT IN SCHOOLS. (Stricken 5/13/10) p. 197, 211, 212, 213, 242.

HB 351 w/SA 1 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE ELDER CARE INFORMATION AND SUPPORT SYSTEM FOR DELAWARE FAMILIES. (Signed by the Governor 5/14/10) p. 200, 203, 205, 227, 232, 244.

HB 352 AN ACT TO AMEND TITLE 27 OF THE DELAWARE CODE RELATING TO RELIGIOUS CAMP MEETINGS. (Signed by the Governor 5/21/10) p. 202, 212, 215, 242, 244.

HB 353 AN ACT TO AMEND TITLE 16 AND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND DUTIES OF THE ATTORNEY GENERAL. (House Administration Committee) p. 201-202.

HB 354 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DESIGNATION OF A STATE WILDLIFE ANIMAL. (Signed by the Governor 6/10/10) p. 202, 212, 221, 261, 273.

HB 355 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO ENVIRONMENTAL CONTROL. (Stricken 6/30/10) p. 202, 212, 319.

HB 356 w/SA 1 AN ACT TO AMEND THE CHARTER OF THE TOWN OF FELTON TO CHANGE THE DURATION OF THE TERM OF A MEMBER OF THE TOWN COUNCIL AND TO IMPLEMENT USE OF THE STATE'S VOTER REGISTRATION SYSTEM. (Signed by the Governor 5/18/10) p. 204-205, 228, 234, 244.

HS 1/HB 357 w/HA 3 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LIMITING THE AUTHORITY OF PUBLIC BODIES TO REGULATE ARMS. (Senate Finance Committee) p. 186, 271, 281, 290-291.

HB 358 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FISCAL PROJECTIONS. (Senate Finance Committee) p. 204, 265, 270.

HB 359 AN ACT TO AMEND THE CHARTER OF THE TOWN OF BLADES RELATING TO ELECTIONS. (Signed by the Governor 6/15/10) p. 204, 220, 221, 261, 281.

HB 360 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FINANCIAL DISCLOSURE REPORTS. (Signed by the Governor 7/12/10) p. 204, 220, 234, 330.

HB 361 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO DUTIES OF A CANDIDATE. (Signed by the Governor 7/23/10) p. 204, 228, 234, 330, 331.

HB 362 AN ACT TO AMEND THE LAWS OF DELAWARE VOLUME 66, AS AMENDED, PERTAINING TO THE CHARTER OF THE TOWN OF CLAYTON. (Signed by the Governor 5/22/10) p. 207, 220, 221-222, 237, 244.

HB 363 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO INSTRUCTION IN PUBLIC SCHOOLS ON THE HISTORY OF ORGANIZED LABOR IN AMERICA AND THE COLLECTIVE BARGAINING PROCESS. (House Education Committee) p. 206.

HB 364 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE POLICE OFFICERS' AND FIREFIGHTERS' EMPLOYMENT RELATIONS ACT. (House Ready List) p. 206, 218, 252.

HB 365 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CERTAIN POSITIONS IN THE COURT OF COMMON PLEAS. (Signed by the Governor 7/2/10) p. 207, 220, 240, 297, 330.



HB 366 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DISCLOSURE OF CONSULTANTS AND CONTRACTORS TO AGENCIES. (House Ready List) p. 207, 281.

HB 367 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO UNFAIR ACTS IN THE BUSINESS OF INSURANCE. (House Ready List) p. 207, 238.

HB 368 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES AND COMMERCIAL DRIVER LICENSES. (Signed by the Governor 6/28/10) p. 207, 220, 234-235, 281, 318.

HB 369 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. (Passed in the House 6/29/10) p. 208, 281, 314.

HB 370 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE. (Stricken 5/6/10) p. 210-211, 219, 230.

HB 371 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO FREEDOM OF CONTRACT. (Signed by the Governor 7/27/10) p. 211, 220, 245, 328, 331.

HB 372 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 6/10/10) p. 211, 220, 222, 252, 273.

HB 373 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 6/10/10) p. 211, 220, 222, 252, 273.

HB 374 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 6/10/10) p. 211, 220, 222, 252, 273.

HB 375 w/HA 1 AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (Signed by the Governor 6/10/10) p. 211, 219, 220, 222, 252, 273.

HB 376 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE PREVENTION. (House Public Safety and Homeland Security Committee) p. 212, 227.

HB 377 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO LICENSURE FOR PLUMBING CONTRACTORS AND HEATING, VENTILATION, AIR CONDITIONING, AND REFRIGERATION CONTRACTORS. (Stricken 6/15/10) p. 212, 238, 276.

HB 378 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO LICENSURE FOR PLUMBING CONTRACTORS AND HEATING, VENTILATION, AIR CONDITIONING, AND REFRIGERATION CONTRACTORS. (Signed by the Governor 7/27/10) p. 216, 221, 226, 326, 328, 331.

HB 379 w/HA 1 AN ACT TO AMEND TITLE 14 AND TITLE 21 OF THE DELAWARE CODE RELATING TO SCHOOL BUSES. (Signed by the Governor 6/28/10) p. 219, 228, 244-245, 281, 318.

HB 380 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO ECONOMIC DEVELOPMENT INCENTIVES. (Signed by the Governor 6/16/10) p. 212, 220, 225, 242, 286.

HB 381 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. (Signed by the Governor 9/8/10) p. 219, 228, 231, 322, 334.

HB 382 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES. (Signed by the Governor 7/2/10) p. 220, 228, 254, 297, 330.

HB 383 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES. (Senate Executive Committee) p. 220, 228, 231.

HB 384 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT. (Signed by the Governor 8/31/10) p. 223, 238, 246, 322, 334.

HB 385 A Bill with this number was not introduced.

HB 386 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS. (Signed by the Governor 6/29/10) p. 223, 228, 231, 261, 318.

HB 387 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. (Signed by the Governor 6/29/10) p. 223, 228, 232, 261, 318.

HB 388 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES. (Signed by the Governor 7/2/10) p. 224, 238, 245, 285, 330.

HB 389 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOTTERIES. (House Ready List) p. 224, 229, 237, 238.

HS 1/HB 390 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REGULATORY FLEXIBILITY ACT AND THE ADMINISTRATIVE PROCEDURES ACT. (Senate Executive Committee) p. 224, 253, 265, 283-284.

HB 391 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES. (House Ready List) p. 225, 227, 228.

HB 392 w/SA 1 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES. (Signed by the Governor 7/15/10) p. 224, 228, 274, 310, 318-319, 331.

HB 393 w/SA 1 AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH TO GRANT THE TOWN OF DEWEY BEACH THE AUTHORITY TO CHANGE THE DATE OF ANNUAL MUNICIPAL ELECTIONS TO PREVENT CONFLICT WITH JEWISH HOLY DAYS. (Signed by the Governor 7/12/10) p. 223-224, 228, 234, 271, 310, 330.

HB 394 AN ACT TO AMEND VOLUME 65, CHAPTER 295, LAWS OF DELAWARE, ENTITLED CHARTER OF THE TOWN OF BETHANY BEACH, REGARDING PENALTIES FOR VIOLATIONS OF TOWN ORDINANCES, TO INCREASE THE MAXIMUM FINANCIAL PENALTY THAT MAY BE IMPOSED TO ELIMINATE IMPRISONMENT AS A POTENTIAL SANCTION, AND TO AUTHORIZE THE TOWN TO IMPOSE CIVIL PENALTIES AS WELL AS CRIMINAL PENALTIES. (Signed by the Governor 6/22/10) p. 224, 228, 234, 271, 308.

HB 395 w/HA 1 & SA 1, 2 & 3 AN ACT TO AMEND VOLUME 65, CHAPTER 295, LAWS OF DELAWARE, AN ACT TO REINCORPORATE THE TOWN OF BETHANY BEACH REGARDING THE REFERENDUM POWER, AND TO ALLOW NATURAL PERSONS HOLDING TITLE TO REAL ESTATE AS TRUSTEE, TO VOTE IN MUNICIPAL ELECTIONS; AND PLACING A LIMIT ON THE TOTAL NUMBER OF PERSONS WHO MAY QUALIFY TO VOTE AS A "NONRESIDENT PROPERTY OWNER" TO A MAXIMUM OF EIGHT PERSONS PER PROPERTY. (Signed by the Governor 7/27/10) p. 224, 228, 233, 241, 308, 319, 320, 331.

HB 396 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. (Signed by the Governor 7/23/10) p. 229, 252, 269, 322, 331.

HB 397 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES. (Senate Executive Committee) p. 229, 252, 255-256.

HB 398 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO EXTENSION OF MUSKRAT SEASON. (Signed by the Governor 7/27/10) p. 229, 252, 254, 328, 331.

HB 399 w/HA 1 & 3 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. (Senate Education Committee) p. 232, 238, 239, 246, 252, 309, 322, 334.

HB 400 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO BUILDING CONSTRUCTION DISPUTES. (Senate Ready List) p. 233, 252, 254.

HB 401 AN ACT TO AMEND TITLES 12 AND 14 OF THE DELAWARE CODE RELATING TO ESCHEATS. (House Ready List) p. 237, 246, 252.

HB 402 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF AGRICULTURE. (Signed by the Governor 7/12/10) p. 237, 253, 259, 260, 310, 330.

HB 403 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF AGRICULTURE. (Signed by the Governor 7/12/10) p. 237, 253, 267, 310, 330.

HB 404 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF AGRICULTURE. (Signed by the Governor 7/12/10) p. 237, 253, 259, 260, 310, 330.

HB 405 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF AGRICULTURE. (Signed by the Governor 7/12/10) p. 237, 253, 267, 310, 330.

HB 406 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF AGRICULTURE. (Signed by the Governor 7/12/10) p. 237, 253, 260, 310, 330.

HB 407 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF AGRICULTURE. (Signed by the Governor 7/12/10) p. 237, 253, 260, 310, 330.

HB 408 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TOBACCO PRODUCT TAX. (Signed by the Governor 7/2/10) p. 238, 252, 258, 297, 330.

HB 409 AN ACT TO AMEND CHAPTERS 5 AND 7 OF TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSES AND REGULATIONS CONCERNING GAME AND FISH. (Signed by the Governor 7/23/10) p. 238, 252, 254, 327, 331.

HB 410 w/HA 2 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DIVORCE AND ANNULMENT. (Signed by the Governor 7/23/10) p. 238, 252, 259, 260, 328, 331.

HB 411 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DELAWARE ECONOMIC AND FINANCIAL ADVISORY COUNCIL. (House Administration Committee) p. 239.

HB 412 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. 239.

HB 413 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCUREMENT. (House Administration Committee) p. 239.

HB 414 AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE 30, 2011 TO THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF PROVIDING ADDITIONAL FUNDING FOR MUNICIPAL STREET AID. (House Appropriations Committee) p. 243.

HB 415 w/HA 1 AN ACT TO AMEND CHAPTER 64A, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY. (Signed by the Governor 7/23/10) p. 243, 252, 258-259, 330, 331.

HB 416 AN ACT TO AMEND 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC. (Stricken 6/3/10) p. 243, 253.

HB 417 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FISCAL REGULATIONS OF THE STATE AND THE CREATION OF A GENERAL FUND ACCOUNT FOR DISASTER RELIEF. (House Administration Committee) p. 243.

HB 418 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CUSTODY PROCEEDINGS. (House Veterans Affairs Committee) p. 243, 265, 280.

HB 419 w/HA 1 & 2 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTIES AND TITLE 7 OF THE DELAWARE CODE RELATING TO DOGS. (Signed by the Governor 7/23/10) p. 243, 244, 258, 269, 327, 331.

HB 420 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE. (Signed by the Governor 8/30/10) p. 243, 265, 276, 322, 326, 334.

HB 421 w/HA 1 AN ACT AMENDING TITLE 17 OF THE DELAWARE CODE RELATING TO REFORESTATION ACTIVITIES OF THE DEPARTMENT OF TRANSPORTATION. (Signed by the Governor 7/12/10) p. 243, 265, 284, 310, 330.

HB 422 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO CONSUMER LEGAL FINANCE TRANSACTIONS. (House Ready List) p. 243, 281, 291.

HB 423 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DOMESTIC RELATIONS AND THIRD PARTY VISITATION. (Signed by the Governor 7/2/10) p. 243, 252, 259, 297, 330.

HB 424 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTING. (House Administration Committee) p. 243.

HB 425 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. (Signed by the Governor 7/23/10) p. 243, 265, 267-268, 322, 331.

HB 426 AN ACT TO AMEND TITLE 9, TITLE 22, AND TITLE 31 OF THE DELAWARE CODE RELATING TO HOUSING. (House Housing & Community Affairs Committee) p. 243.

HB 427 w/HA 1 AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO COMBATIVE SPORTS AND COMBATIVE SPORTS ENTERTAINMENT. (Signed by the Governor 7/27/10) p. 243, 265, 283, 322, 331.

HS 1/HB 428 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. (House Judiciary Committee) p. 244, 260, 261.

HB 429 AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO A THREE-YEAR MORATORIUM ON THE CREATION OF NEW SPECIAL LICENSE PLATES. (House Ready List) p. 244, 265.

HB 430 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS, SECONDHAND DEALERS AND SCRAP METAL PROCESSORS. (Signed by the Governor 7/2/10) p. 247, 265, 267, 270, 308, 330.

HB 431 w/HA 1, HA 1 to HA 1 & SA 1 AN ACT TO AMEND CHAPTER 189, VOLUME 43, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CHARTER OF THE TOWN OF WYOMING. (Signed by the Governor 7/28/10) p. 247, 265, 275, 316, 318, 331.

HB 432 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO SPIRITS, WINE, AND BEER TASTING. (Signed by the Governor 7/2/10) p. 247, 265, 268, 308, 330.

HB 433 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CHOICE OF LAW AND CHOICE OF FORUM. (Signed by the Governor 7/27/10) p. 246, 252, 259, 322, 331.

HB 434 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (House Public Safety and Homeland Security Committee) p. 247.

HS 1/HB 435 w/HA 1 & 2 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC. (Signed by the Governor 7/30/10) p. 247, 276, 281, 303, 313, 328, 334.

HB 436 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO UNIT FUNDING. (House Education Committee) p. 247.

HB 437 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING, AND FISHING LICENSES. (Signed by the Governor 7/27/10) p. 247, 261, 265, 271, 326, 328, 331.

HB 438 w/HA 1 AN ACT TO AMEND TITLE 11, § 4217 OF THE DELAWARE CODE RELATING TO RELEASE OF INMATES FOR DEMONSTRATED REHABILITATION. (Signed by the Governor 7/12/10) p. 247, 265, 269, 297, 330.

HB 439 AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, TO ALLOW THE TOWN OF LAUREL TO FINANCE THE ELIGIBLE COSTS OF QUALIFYING PROJECTS AND ITEMS FOR A TAX INCREMENT FINANCING (TIF) DISTRICT AND A SPECIAL DEVELOPMENT DISTRICT CREATED BY THE TOWN OF LAUREL UNDER SECTION 36A OF THE CHARTER, WHETHER ANY SUCH PROJECT OR ITEM WILL ULTIMATELY BE OWNED BY THE TOWN OF LAUREL OR BY THE STATE OF DELAWARE OR ANY AGENCY OR INSTRUMENTALITY THEREOF, OR ANY COUNTY, LOCAL POLITICAL SUBDIVISION, INSTRUMENTALITY, AGENCY, BODY POLITIC, UTILITY DISTRICT, OR SIMILAR ENTITY WITHIN THE STATE OF DELAWARE. (Signed by the Governor 7/15/10) p. 253, 265, 268, 316, 331.

HB 440 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO INFORMED CONSENT AND CONFIDENTIALITY. (Signed by the Governor 7/15/10) p. 253, 265, 284, 310, 331.

HB 441 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIVERSAL BREAKFAST FUND. (House Appropriations Committee) p. 253, 265, 276, 286.

HB 442 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR WASTEWATER TREATMENT UTILITIES. (House Ready List) p. 256, 265.

HB 443 w/HA 1 & 2 AN ACT TO AMEND TITLES 10, 11, 16 AND 21 OF THE DELAWARE CODE RELATING TO DRUG LAWS, CRIMES AND CRIMINAL PROCEDURE, SENTENCING ACCOUNTABILITY, COURTS AND JUDICIAL PROCEDURE, AND MOTOR VEHICLES. (Senate Executive Committee) p. 253, 265, 274-275.

HB 444 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO CHILD CARE. (House Health & Human Development Committee) p. 253, 261.

HB 445 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (House Judiciary Committee) p. 253.

HB 446 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE NEWARK HOUSING AUTHORITY. (Signed by the Governor 7/2/10) p. 255, 265, 268, 297, 330.

HB 447 w/HA 2 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO BREWERY-PUBS AND MICROBREWERIES. (Signed by the Governor 7/24/10) p. 255, 261, 265, 268-269, 270, 308, 331.

HB 448 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE IMPLEMENTATION OF A STATEWIDE “BLUE ALERT” SYSTEM FOR THE SPEEDY APPREHENSION OF PERSONS ACCUSED OF KILLING OR SERIOUSLY INJURING LAW ENFORCEMENT OFFICERS. (Signed by the Governor 8/26/10) p. 256, 265, 270, 322, 334.

HB 449 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO PLANNING & ZONING. (Signed by the Governor 7/27/10) p. 256, 258, 265, 268, 322, 331.

HB 450 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES. (Senate Executive Committee) p. 256, 281, 284.

HB 451 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO FAMILY COURT. (Signed by the Governor 7/27/10) p. 257, 281, 307-308, 328, 331.

HB 452 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATED TO PROBATION AND PAROLE OFFICERS. (Signed by the Governor 7/27/10) p. 257, 281, 285, 327, 331.

HB 453 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE CONVERSION OF A MUTUAL INSURER TO A STOCK INSURER. (Signed by the Governor 8/18/10) p. 257, 281, 283, 310, 334.

HB 454 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT. (Signed by the Governor 7/2/10) p. 260, 265, 268, 297, 330.

HB 455 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO DURABLE POWERS OF ATTORNEY AND ADDING A CHAPTER 49A THERETO RELATING TO DURABLE PERSONAL POWERS OF ATTORNEY. (Signed by the Governor 8/19/10) p. 260, 265, 275, 322, 334.

HB 456 w/HA 3 & 4 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE TREATMENT OF MINORS BY PHYSICIANS UNDER THE MEDICAL PRACTICE ACT. (Signed by the Governor 6/30/10) p. 265, 281, 285, 296-297, 316, 318.

HB 457 AN ACT TO AMEND TITLES 11, 24 AND 29 OF THE DELAWARE CODE RELATING TO TRAINING ON CHILD SEXUAL AND PHYSICAL ABUSE, EXPLOITATION AND DOMESTIC VIOLENCE AND THE MANDATORY REPORTING THEREOF. (Signed by the Governor 6/30/10) p. 266, 281, 288-289, 310, 318.

HB 458 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO REGISTRATION TO PRACTICE MEDICINE. (Signed by the Governor 6/30/10) p. 266, 281, 288, 310, 318.

HB 459 w/HA 1 AN ACT TO AMEND TITLES 24 AND 29 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICE ACT, THE BOARD OF MEDICAL PRACTICE AND THE DEPARTMENT OF STATE. (Signed by the Governor 6/30/10) p. 266, 281, 288, 310, 318.

HB 460 AN ACT TO AMEND TITLE 9 AND TITLE 22 OF THE DELAWARE CODE RELATING TO ACCESSIBILITY FOR PERSONS WITH DISABILITIES. (House Health & Human Development Committee) p. 308.

HB 461 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STUDENT ACADEMIC REWARD SCHOLARSHIP AT WILMINGTON UNIVERSITY. (Stricken 6/16/10) p. 267, 280.

HB 462 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR VIOLATIONS OF REQUIRED MOTOR VEHICLE INSURANCE, INCLUDING FICTITIOUS PROOFS OF INSURANCE. (Vetoed 8/2/10) p. 266, 281, 289-290, 328, 334.

HB 463 w/HA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MASSAGE AND BODYWORK. (Vetoed 8/2/10) p. 266, 281, 285, 295, 327, 334.

HB 464 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO AMUSEMENT RIDES SAFETY INSPECTION AND INSURANCE ACT; FIRE PREVENTION; REPORTING OF BURN INJURIES AND WOUNDS; AND REDUCED IGNITION PROPENSITY CIGARETTES. (Signed by the Governor 7/27/10) p. 266, 281, 295, 327, 331.

HB 465 AN ACT PROPOSING AN AMENDMENT TO ARTICLE III AND THE SCHEDULE OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE RECORDER OF DEEDS. (House Administration Committee) p. 266, 276-277.

HB 466 w/HA 1 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO DOGS. (Laid on the Table in the House 6/23/10) p. 271, 282, 283, 295.

HB 467 AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO NAMING THE KENT COUNTY FAMILY COURT BUILDING IN HONOR OF RETIRED JUDGE DAVID P. BUCKSON. (House Judiciary Committee) p. 272.

HB 468 AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, ARTICLE IV, AND THE SCHEDULE OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE REGISTER OF WILLS. (House Administration Committee) p. 271.

HB 469 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMPENSATION FOR INNOCENT VICTIMS OF CRIME. (House Judiciary Committee) p. 272, 285.

HB 470 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EARLY CHILDHOOD EDUCATION. (Signed by the Governor 7/12/10) p. 272, 281, 283, 308, 330.

HB 471 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ESCHEATS. (Passed in the House 6/24/10) p. 272, 281, 305.

HB 472 w/HA 1 AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE ESTABLISHING A VIETNAM VETERANS DAY. (Signed by the Governor 9/11/10) p. 272, 281, 287-288, 328, 334.

HB 473 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE REQUIRING PROPERTY AND CASUALTY INSURERS TO ANNUALLY SUBMIT A STATEMENT OF ACTUARIAL OPINION. (Passed in the House 6/30/10) p. 272, 292, 294, 317.

HB 474 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE BY CREATING AN OFFICE OF POLICY ANALYSIS AND GOVERNMENT ACCOUNTABILITY. (Stricken 6/15/10) p. 272, 276.

HB 475 w/HA 1 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIFORM COMMON INTEREST OWNERSHIP ACT AND THE UNIT PROPERTY ACT. (Signed by the Governor 7/12) p. 272, 277, 281, 288, 310, 330.

HB 476 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FEES CHARGEABLE IN CONNECTION WITH STORMWATER DISCHARGE. (House Natural Resources Committee) p. 272.

HB 477 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATED TO THE DELAWARE WHOLESALE LICENSE FEE. (Signed by the Governor 7/19/10) p. 272, 281, 283, 311, 327, 331.

HB 478 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE STATE TROOPER FUND, FUNDED BY AN ADDITIONAL PENALTY IMPOSED BY COURTS FOR VARIOUS CRIMES AND OFFENSES. (House Ready List) p. 272, 281.

HB 479 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE CHIEF DUE PROCESS. (House Ready List) p. 272, 281.

HB 480 w/HA 1 AN ACT TO AMEND TITLES 3, 7, AND 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. (Signed by the Governor 7/23/10) p. 272, 281, 309, 312-313, 328, 331.

HB 481 w/HA 1 AN ACT TO AMEND TITLE 24 CHAPTER 11 OF THE DELAWARE CODE RELATING THE BOARD OF DENTAL EXAMINERS. (Signed by the Governor 7/30/10) p. 272, 281, 285, 289, 327, 334.

HB 482 AN ACT TO AMEND TITLE 14 AND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HIGHER EDUCATION COMMISSION. (Signed by the Governor 7/23/10) p. 273, 281, 287, 327, 331.

HB 483 AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO THE DELAWARE NATIONAL GUARD. (Signed by the Governor 7/29/10) p. 276, 286, 295, 328, 334.

HB 484 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH FACILITIES AND PEER REVIEW OF ALLEGED CRIMINAL CONDUCT. (House Health & Human Development Committee) p. 282.

HB 485 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. (Signed by the Governor 6/30/10) p. 285, 294, 305-306, 316, 318.

HB 486 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF EDUCATION. (House Ready List) p. 292, 309.

HB 487 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY GOVERNMENTS. (Signed by the Governor 7/12/10) p. 291, 297, 306-307, 327, 330.

HB 488 w/HA 2 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PLUMBING PERMITS. (Signed by the Governor 7/27/10) p. 291, 293, 306, 328, 331.

HB 489 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES FOR FLYERS CHARITIES. (Passed in the House 6/29/10) p. 292, 302, 311.

HB 490 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF STATE ECONOMIC DEVELOPMENT. (House Economic Development/Banking/Insurance/Commerce Committee) p. 297.

HB 491 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DIVISION OF CHILD SUPPORT ENFORCEMENT AND CONFIDENTIALITY OF RECORDS. (House Ready List) p. 301, 309.

HB 492 AN ACT TO AMEND TITLES 30, 12, AND 3 OF THE DELAWARE CODE RELATING TO THE DELAWARE ESTATE TAX. (House Revenue & Finance Committee) p. 302.

HB 493 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Signed by the Governor 7/6/10) p. 308, 315, 328, 330.

HB 494 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Signed by the Governor 7/6/10) p. 308, 316, 328, 330.

HB 495 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO GROSS RECEIPTS TAXES. (House Revenue & Finance Committee) p. 315.

HB 496 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO BUSINESS TAX CREDITS AND DEDUCTIONS. (House Revenue & Finance Committee) p. 316.

HB 497 AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO THE ESTATE TAX. (House Revenue & Finance Committee) p. 316.

HB 498 A Bill with this number was not introduced.

HB 499 A Bill with this number was not introduced.

HB 500 A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2011; 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 7/1/10) p. 310-311, 323-324, 327, 330.

## HOUSE RESOLUTIONS

HR 1 RELATING TO THE ELECTION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. (Passed) p. 3.

HR 2 RELATING TO TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES OF THE 145TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE. (Passed) p. 4.

HR 3 RELATING TO THE ELECTION OF OFFICERS OF THE HOUSE OF REPRESENTATIVES. (Passed) p. 4.

HR 4 RELATING TO PERMANENT PROCEDURES OF THE HOUSE OF REPRESENTATIVES OF THE 145TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE FOR ETHICS VIOLATIONS. (Passed) p. 4.

HR 5 URGING THE GOVERNMENT OF TURKEY TO CEASE ITS DISCRIMINATION OF THE ECUMENICAL PATRIARCHATE, TO GRANT THE ECUMENICAL PATRIARCH APPROPRIATE INTERNATIONAL RECOGNITION, ECCLESIASTICAL SUCCESSION AND THE RIGHT TO TRAIN CLERGY OF ALL NATIONALITIES, AND TO RESPECT THE PROPERTY RIGHTS AND HUMAN RIGHTS OF THE ECUMENICAL PATRIARCHATE. (Stricken 3/19/09) p. 19, 29.

HR 6 PROCLAIMING FEBRUARY 15-21, 2009 AS FOOD CHECK-OUT WEEK IN DELAWARE. (Passed) p. 19.

HR 7 RECOGNIZING TECHNICAL SERGEANT HENRY D. FORTNEY II FOR RECEIVING THE MERITORIOUS SERVICE MEDAL FROM THE PRESIDENT OF THE UNITED STATES OF AMERICA FOR OUTSTANDING ACHIEVEMENT. (Passed) p. 26.

HR 8 RECOGNIZING THE SMYRNA SCHOOL DISTRICT FOR ITS 125th YEAR OF HIGH SCHOOL GRADUATIONS. (Passed) p. 26.

HR 9 URGING THE GOVERNMENT OF TURKEY TO GRANT THE ECUMENICAL PATRIARCH APPROPRIATE INTERNATIONAL RECOGNITION, ECCLESIASTICAL SUCCESSION AND THE RIGHT TO TRAIN CLERGY OF ALL NATIONALITIES, AND TO RESPECT THE PROPERTY RIGHTS AND HUMAN RIGHTS OF THE ECUMENICAL PATRIARCHATE. (Passed) p. 23, 26, 30.

HR 10 DECLARING APRIL, 2009 AS AUTISM AWARENESS MONTH IN DELAWARE. (Passed) p. 42.

HR 11 A RESOLUTION RECOGNIZING MARCH 25, 2009 AS GREEK INDEPENDENCE DAY IN THE STATE OF DELAWARE. (Passed) p. 34.

HR 12 A RESOLUTION REQUESTING THE DEPARTMENT OF FINANCE AND THE OFFICE OF MANAGEMENT AND BUDGET TO REPORT TO THE DELAWARE ECONOMIC AND FINANCIAL ADVISORY COUNCIL ON ANY POTENTIAL LONG TERM NEGATIVE FISCAL CONSEQUENCES RESULTING FROM THE ACCEPTANCE OF FUNDS FROM THE FEDERAL AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009. (House Ready List) p. 34, 44.

HR 13 COMMENDING THE DELAWARE DENTAL SOCIETY ON THE ACHIEVEMENTS OF ITS SIXTH ANNUAL GIVE KIDS A SMILE PROGRAM. (Passed) p. 82.

HR 14 A RESOLUTION URGING THE DELAWARE DEPARTMENT OF TRANSPORTATION (DELDOT), AND OTHER STATE AGENCIES RECEIVING MONEY FOR CAPITAL PROJECTS VIA THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, ("RECOVERY ACT") TO USE DELAWARE COMPANIES AND DELAWARE LABOR. (House Ready List) p. 39, 51.

HR 15 HONORING JUDGE MERRILL C. TRADER FOR HIS DEDICATED SERVICE TO THE STATE OF DELAWARE. (Passed) p. 44-45.

HR 16 RESOLUTION URGING ALL MEMBERS OF THE DELAWARE HOUSE OF REPRESENTATIVES TO MATCH COMPENSATION AND BENEFIT REDUCTIONS THAT ARE BEING ASKED OF OUR FELLOW STATE EMPLOYEES. (Passed) p. 41, 45.

HR 17 RECOGNIZING APRIL 28, 2009 AS WORKERS MEMORAL DAY. (Passed) p. 52.

HR 18 ESTABLISHING APRIL 28, 2009 AS "EQUAL PAY DAY" IN THE STATE OF DELAWARE. (Passed) p. 61.

HR 19 URGING CONGRESS TO DEFEAT THE EMPLOYEE FREE CHOICE ACT. (House Administration Committee) p. 68.

HR 20 REQUESTING EACH DELAWARE HIGH SCHOOL TO PROVIDE THE HOUSE OF REPRESENTATIVES WITH THE NAMES AND ADDRESSES OF ITS GRADUATING SENIORS. (Passed) p. 71.

HR 21 A RESOLUTION CELEBRATING ARMED FORCES DAY AND HONORING THE 4TH UNITED STATES COLORED INFANTRY REGIMENT. (Passed) p. 75.

HR 22 CREATING A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS FOR IMPROVING DELAWARE'S LAWS, REGULATIONS AND SCHOOL DISTRICT POLICIES RELATING TO SCHOOL DISCIPLINE AND VIOLATIONS OF SCHOOL CODES OF CONDUCT. (Passed) p. 85.



HR 23 RELATING TO TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES OF THE 145TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE. (Passed) p. 85, 88.

HR 24 A RESOLUTION CREATING A COMMITTEE TO STUDY IMPLEMENTATION OF A STATEWIDE UNIVERSAL BREAKFAST PROGRAM. (Passed) p. 91.

HR 25 URGING DELAWARE'S CONGRESSIONAL DELEGATION TO SUPPORT H.R. 22 ALLOWING THE UNITED STATES POSTAL SERVICE TO PAY ITS SHARE OF CONTRIBUTIONS FOR ANNUITANTS' HEALTH BENEFITS OUT OF THE POSTAL SERVICE RETIREE HEALTH BENEFITS FUND. (Passed) p. 91.

HR 26 RECOGNIZING DR. ROBERT J. ANDRZEJEWSKI ON THE HONOR OF RECEIVING THE JANE MARONEY AWARD. (Passed) p. 91.

HR 27 RECOGNIZING THURSDAY, JUNE 11, 2009 AS STAFF APPRECIATION DAY IN THE HOUSE OF REPRESENTATIVES, THE MOST IMPORTANT DAY OF THE YEAR. (Passed) p. 104-105.

HR 28 CREATING A DART PARATRANSIT CELL PHONE PILOT PROGRAM. (Passed) p. 112.

HR 29 DIRECTING THE OFFICE OF MANAGEMENT AND BUDGET TO STUDY DEFERRED RETIREMENT OPTION PLANS. (Passed) p. 150.

HR 30 COMMENDING THE KIWANIS CLUB OF DOVER FOR SEVENTY-FIVE YEARS OF SERVICE TO THE COMMUNITY. (Passed) p. 163-164.

HR 31 EXTENDING THE REPORTING DATE OF THE SCHOOL DISCIPLINE TASK FORCE. (Passed) p. 167.

HR 32 SUPPORTING THE DELAWARE RIVER MAIN CHANNEL DEEPENING PROJECT. (Natural Resources Committee) p. 169.

HR 33 REQUESTING THE DEPARTMENT OF EDUCATION BEGIN DEVELOPMENT OF STANDARDIZED STUDENT CODE OF CONDUCT POLICIES FOR ALL OF DELAWARE'S PUBLIC SCHOOL DISTRICTS. (Passed) p. 180.

HR 34 CONGRATULATING THE GIRL SCOUTS OF THE CHESAPEAKE BAY COUNCIL'S SCIENCE AND TECHNOLOGY LODGE ON RECEIVING THE FIRST LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN PLATINUM CERTIFICATION IN DELAWARE. (Passed) p. 183.

HR 35 A RESOLUTION RELATING TO THE ROUTE 301 PROJECT. (Passed) p. 185.

HR 36 HONORING JUDGE EDWARD G. DAVIS OF THE JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE AS HE RETIRES AFTER THIRTY-SIX YEARS OF DISTINGUISHED SERVICE. (Passed) p. 181.

HR 37 DECLARING APRIL, 2010 AS AUTISM AWARENESS MONTH IN DELAWARE. (Passed) p. 202-203.

HR 38 PROCLAIMING FEBRUARY 21-27, 2010 AS FOOD CHECK-OUT WEEK IN DELAWARE. (Passed) p. 197.

HR 39 REQUESTING THE HEALTH CARE ADVISORY PANEL TO PROVIDE AN UPDATE TO THE LEGISLATURE ON THE IMPACT ON PREMIUM COSTS TO EMPLOYERS AS A RESULT OF ENACTMENT OF THE 2007 WORKERS' COMPENSATION LAW. (Passed) p. 211-212.

HR 40 RELATING TO PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES OF THE 145TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE. (Passed) p. 204, 214-215.

HR 41 REQUESTING THE DELAWARE INSURANCE COMMISSIONER TO CONDUCT RANDOM AUDITS OF SMALL BUSINESS HEALTH INSURANCE CARRIERS IN DELAWARE. (Passed) p. 211-212.

HR 42 HONORING THE LONGSTANDING PARTNERSHIP IN PUBLIC SERVICE BETWEEN THE UNIVERSITY OF DELAWARE AND THE STATE OF DELAWARE. (Passed) p. 228.

HR 43 HONORING THE LONGSTANDING PARTNERSHIP IN PUBLIC SERVICE BETWEEN DELAWARE STATE UNIVERSITY AND THE STATE OF DELAWARE. (Passed) p. 228.

HR 44 HONORING THE LONGSTANDING PARTNERSHIP IN PUBLIC SERVICE BETWEEN DELAWARE TECHNICAL & COMMUNITY COLLEGE AND THE STATE OF DELAWARE. (Passed) p. 228.

HR 45 RECOGNIZING MAY 12, 2010 AS FIBROMYALGIA AWARENESS DAY IN DELAWARE. (Passed) p. 237.

HR 46 CELEBRATING THE TENTH ANNIVERSARY OF THE FIRST STATE BALLET THEATRE. (Passed) p. 252.

HR 47 REQUESTING DELDOT CONDUCT A FEASIBILITY STUDY TO FACILITATE THE CREATION OF A ROAD CONNECTION FROM STATE ROUTE ONE TO NEW ROAD, LEWES. (Passed) p. 287.

HR 48 DIRECTING THE DELAWARE ECONOMIC DEVELOPMENT OFFICE TO STUDY THE COSTS AND IMPACT OF UNDOCUMENTED IMMIGRATION ON THE STATE OF DELAWARE. (House Economic Development/Banking/Insurance/Commerce Committee) p. 309.

HR 49 CELEBRATING THE TWENTIETH ANNIVERSARY OF THE ENACTMENT OF THE AMERICANS WITH DISABILITIES ACT OF 1990. (Passed) p. 324.



HR 50 RECOGNIZING TUESDAY, JUNE 15, 2010 AS STAFF APPRECIATION DAY IN THE HOUSE OF REPRESENTATIVES. (Passed) p. 273.

#### HOUSE CONCURRENT RESOLUTIONS

HCR 1 URGING CONGRESS TO ENACT THE EMPLOYEE FREE CHOICE ACT. (Stricken 1/19/10) p. 5, 167.

HCR 2 A CONCURRENT RESOLUTION ENDORSING THE NATIONAL HEALTH INSURANCE ACT. (House Ready List) p. 14, 16, 21, 91-92.

HCR 3 CELEBRATING THE WEEK OF JANUARY 26TH THROUGH JANUARY 31ST AS CATHOLIC SCHOOLS WEEK IN DELAWARE. (Passed) p. 16-17.

HCR 4 RECOGNIZING THE DIVISION OF CORPORATIONS ON RECEIVING THE W.L. GORE AWARD. (Passed) p. 16-17.

HCR 5 COMMENDING MARK TEESDALE FOR BEING SELECTED DELAWARE'S STATE TEACHER OF THE YEAR FOR 2009 AND COMMENDING EACH SCHOOL DISTRICT'S TEACHER OF THE YEAR. (Passed) p. 31, 34.

HCR 6 A RESOLUTION URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO REQUIRE ALL FACILITIES THAT OPERATE IN THE DELAWARE ESTUARY WATERS AND UTILIZE COOLING WATER INTAKE STRUCTURES TO IMPLEMENT "CLOSED-CYCLE" COOLING SYSTEMS, AND URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DECLARE THAT "CLOSED CYCLE" COOLING SYSTEMS CONSTITUTE THE BEST TECHNOLOGY AVAILABLE FOR WATER INTAKE STRUCTURES. (Stricken 3/24/09) p. 29, 33.

HCR 7 w/SA 1 A RESOLUTION URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO REQUIRE ALL FACILITIES THAT OPERATE IN DELAWARE WATERS AND UTILIZE COOLING WATER INTAKE STRUCTURES TO IMPLEMENT "CLOSED-CYCLE" COOLING SYSTEMS, AND URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DECLARE THAT "CLOSED CYCLE" COOLING SYSTEMS CONSTITUTE THE BEST TECHNOLOGY AVAILABLE FOR WATER INTAKE STRUCTURES. (Passed) p. 32, 72, 89, 124, 141.

HCR 8 PROCLAIMING THE WEEK OF APRIL 6, 2009, THROUGH APRIL 12, 2009, TO BE FARM VEHICLE AWARENESS WEEK IN DELAWARE AND ENCOURAGING ALL MOTORISTS TO SHARE THE ROAD WITH FARM VEHICLES. (Passed) p. 45, 50.

HCR 9 DESIGNATING SATURDAY, MAY 2, 2009 AS "BRAIN TUMOR AWARENESS DAY" IN THE STATE OF DELAWARE. (Passed) p. 64.

HCR 10 DECLARING MAY 14, 2009 AS DIRECT SUPPORT PROFESSIONALS DAY IN DELAWARE. (Passed) p. 80-81.

HCR 11 COMMENDING THE NOMINEES FOR THE 2009 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE. (Passed) p. 65, 71.

HCR 12 COMMENDING THE WORK OF THE DEL-MAR-VA COUNCIL, BOY SCOUTS OF AMERICA IN SERVING THE YOUTH OF DELAWARE. (Passed) p. 69-70.

HCR 13 COMMENDING THE EFFORTS OF DELAWARE'S CHARTER SCHOOLS IN EDUCATING DELAWARE STUDENTS. (Passed) p. 71.

HCR 14 TO RECOGNIZE MAY AS "POPPY MONTH" IN THE STATE OF DELAWARE. (Passed) p. 82, 86.

HCR 15 PROCLAIMING MAY 6, 2009, "EARLY CHILD CARE AND EDUCATION PROFESSIONALS APPRECIATION DAY". (Passed) p. 71.

HCR 16 DESIGNATING THE MONTH OF MAY 2009 AS "OLDER AMERICANS MONTH". (Passed) p. 72-73, 81.

HCR 17 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. 72, 74.

HCR 18 ESTABLISHING THE DELAWARE NATIONAL GUARD AND RESERVIST HEALTH INSURANCE SUPPORT GROUP. (Passed) p. 80-81.

HCR 19 PROCLAIMING THE MONTH OF OCTOBER TO BE "DISABILITY HISTORY AND AWARENESS MONTH" AND ENCOURAGING ALL DELAWARE SCHOOLS TO PROVIDE INSTRUCTION AND EVENTS RELATED THERETO. (Passed) p. 103, 124.

HCR 20 A Concurrent Resolution with this number was not introduced.

HCR 21 PROCLAIMING THE WEEK OF OCTOBER 25 - 31, 2009 AS "DELAWARE'S PRO BONO CELEBRATION WEEK". (Passed in House 6/30/09) p. 150.

HCR 22 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. 170-171.

HCR 23 DESIGNATING THE MONTH OF FEBRUARY, 2010, AS "DELAWARE'S TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH". (Passed) p. 180, 182.

HCR 24 REQUESTING THE UNITED STATES CONGRESS INCLUDE FUNDING FOR THE NATIONAL HOUSING TRUST FUND IN THE JOBS FOR MAIN STREET ACT (HR 2847) PENDING BEFORE THE UNITED STATES SENATE. (Stricken 5/13/10) p. 187, 191, 242.

HCR 25 URGING CONGRESS TO REQUIRE THE UNITED STATES DEPARTMENT OF DEFENSE TO DESIGNATE "PRISONER OF WAR" AND "MISSING IN ACTION" INTO THE CASUALTY STATUS AND CATEGORY CLASSIFICATION FOR MILITARY PERSONNEL. (Stricken 3/30/10) p. 187, 196, 201.

HCR 26 PROCLAIMING MARCH 17, 2010, "EARLY CHILD CARE AND EDUCATION PROFESSIONALS APPRECIATION DAY". (Passed) p. 190-191.

HCR 27 SUPPORTING THE DESIGNATION OF THE "HONOR AND REMEMBER FLAG" AS A NATIONAL SYMBOL FOR REMEMBERING OUR FALLEN SERVICEMEN AND WOMEN. (Passed) p. 192, 196.

HCR 28 URGING THE 111TH CONGRESS TO ABANDON THE IRRATIONAL PURSUIT OF A FISCALLY IRRESPONSIBLE FEDERAL HEALTHCARE ENTITLEMENT PLAN AND ENACT LESS COSTLY ALTERNATIVES TO REDUCE THE COST OF HEALTHCARE AND INCREASE ITS AVAILABILITY FOR ALL AMERICANS. (House Administration Committee) p. 193.

HCR 29 RECOGNIZING THE VALUABLE CONTRIBUTION THAT THE LIONS CLUBS INTERNATIONAL MAKE TO OUR LOCAL COMMUNITIES, AS WELL AS TO THE WORLD AT-LARGE, BY DESIGNATING THAT MARCH 27, 2010 BE DECLARED AS DELAWARE STATE LIONS DAY. (Passed) p. 195, 196.

HCR 30 COMMENDING MARY E. PINKSTON FOR BEING SELECTED DELAWARE'S STATE TEACHER OF THE YEAR FOR 2010 AND COMMENDING EACH SCHOOL DISTRICT'S TEACHER OF THE YEAR. (Passed) p. 197-198, 200.

HCR 31 URGING CONGRESS TO REQUIRE THE UNITED STATES DEPARTMENT OF DEFENSE TO DESIGNATE "PRISONER OF WAR" AND "MISSING IN ACTION" INTO THE CASUALTY STATUS AND CATEGORY CLASSIFICATION FOR MILITARY PERSONNEL. (Passed) p. 201, 308.

HCR 32 URGING THE MEMBERS OF THE UNITED STATES CONGRESS TO PROPOSE THE PARENTAL RIGHTS AMENDMENT TO THE STATES FOR RATIFICATION. (House Administration Committee) p. 202.

HCR 33 PROCLAIMING APRIL 18, 2010 THROUGH APRIL 24, 2010 AS "DELAWARE'S WEEK OF SERVICE." (Passed) p. 203, 206.

HCR 34 CELEBRATING THE TENTH ANNIVERSARY OF THE SISTER STATE-PROVINCE AGREEMENT BETWEEN THE STATE OF DELAWARE AND THE PROVINCE OF TAIWAN. (Passed) p. 208, 211.

HCR 35 ESTABLISHING APRIL 20, 2010 AS "EQUAL PAY DAY" IN THE STATE OF DELAWARE. (Passed) p. 209, 211.

HCR 36 SUPPORTING THE EMPLOYER SUPPORT OF THE GUARD AND RESERVE ("ESGR") STATEMENT OF SUPPORT PROGRAM AND ENCOURAGING ALL DELAWARE EMPLOYERS TO SIGN AN ESGR STATEMENT OF SUPPORT. (Passed) p. 217-218, 223.

HCR 37 MOURNING THE DEATHS OF THE PRESIDENT, FIRST LADY AND MANY OTHER LEADERS OF THE REPUBLIC OF POLAND WHO TRAGICALLY DIED IN A PLANE CRASH ON APRIL 10, 2010; REMEMBERING THE SACRIFICE OF THE APPROXIMATELY 22,000 POLISH CITIZENS EXECUTED IN 1940 BY THE SOVIET SECRET POLICE ON THIS 70TH ANNIVERSARY OF THE KATYN MASSACRE; AND OBSERVING APRIL AS A MONTH OF REMEMBRANCE TO HONOR THE MEMORY OF THE VICTIMS OF BOTH OF THESE TRAGIC EVENTS. (Passed) p. 213-214, 216.

HCR 38 DESIGNATING SATURDAY MAY 1, 2010, AS "BRAIN TUMOR AWARENESS DAY" IN THE STATE OF DELAWARE. (Passed) p. 216- 217, 223.

HCR 39 THANKING THE PARENT TEACHER ASSOCIATION (THE "PTA") FOR ITS 113 YEARS OF SERVICE AND DEDICATION TO OUR CHILDREN, OUR SCHOOLS AND OUR COMMUNITIES. (Passed) p. 219-220, 223.

HCR 40 DESIGNATING THE MONTH OF MAY 2010 AS "OLDER AMERICANS MONTH". (Passed) p. 228, 232.

HCR 41 COMMENDING THE STUDENTS SELECTED AS SECRETARY OF EDUCATION SCHOLARS OF 2010. (Passed) p. 228, 232.

HCR 42 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. 229-230, 232.

HCR 43 COMMENDING THE NOMINEES FOR THE 2010 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE. (Passed) p. 230, 232.

HCR 44 TO RECOGNIZE THE MONTH OF MAY 2010 AS "POPPY MONTH" IN THE STATE OF DELAWARE. (Passed) p. 233-234, 242.

HCR 45 IN RECOGNITION OF THE 2010 ALL STAR AWARD RECIPIENTS OF THE DELAWARE HEALTH CARE FACILITIES ASSOCIATION DURING NATIONAL NURSING HOME WEEK. (Passed) p. 238.

HCR 46 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. (House Ready List) p. 239, 265.

HCR 47 RECOGNIZING MAY, 2010 AS HUNTINGTON'S DISEASE AWARENESS MONTH IN DELAWARE. (Passed) p. 242.

HCR 48 WELCOMING HOME THE MEMBERS OF THE DELAWARE ARMY NATIONAL GUARD'S 262nd COMPONENT REPAIR COMPANY AND EXPRESSING THE GENERAL ASSEMBLY'S SINCERE APPRECIATION FOR THEIR HEROIC SERVICE IN IRAQ. (Passed) p. 286, 308.

HCR 49 EXPRESSING THE GRATITUDE OF THE GENERAL ASSEMBLY FOR THE TIRELESS WORK OF THE STATISTICAL ANALYSIS CENTER, AND URGING THE DEPARTMENT OF CORRECTION TO WORK COOPERATIVELY WITH THE STATISTICAL ANALYSIS CENTER TO UPDATE THE REPORT REGARDING DELAWARE'S CORRECTIONAL JUSTICE SYSTEM. (Senate Adult & Juvenile Corrections Committee) p. 252.

HCR 50 RECOGNIZING THE MONTH OF JUNE, 2010, AS AMATEUR RADIO MONTH IN THE STATE OF DELAWARE. (Passed) p. 246, 281.

HCR 51 REQUESTING THAT THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL (DNREC) WORK WITH DELAWARE'S U.S. CONGRESSIONAL DELEGATION, AS WELL AS THE U.S. NATIONAL PARKS SERVICE AND STATE OFFICIALS IN NEW JERSEY AND PENNSYLVANIA, TO FACILITATE THE CREATION OF A TIDAL DELAWARE RIVER NATIONAL RECREATION AREA. (Senate Executive Committee) p. 287.

HCR 52 DESIGNATING OCTOBER 2010 AS "BLINDNESS AWARENESS MONTH" IN DELAWARE. (Passed) p. 287, 308.

HCR 53 RECOGNIZING JUNE 15, 2010, AS DELAWARE ELDER ABUSE AWARENESS DAY. (Passed) p. 273, 281.

HCR 54 HONORING THE YOUNG MEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2010 SESSION OF DELAWARE'S BOYS' STATE. (Passed) p. 282, 285.

HCR 55 PROCLAIMING THE WEEK OF OCTOBER 24 - 30, 2010 AS "DELAWARE'S PRO BONO CELEBRATION WEEK". (Passed) p. 292, 308.

HCR 56 CREATING A TASK FORCE TO REVIEW DELAWARE'S AGRICULTURAL OUTLOOK. (Passed) p. 292, 308.

HCR 57 REQUESTING THE DELAWARE BOARD OF VETERINARY MEDICINE DEVELOP REGULATIONS TO ASSURE THAT ANIMAL OWNERS ARE PROVIDED WITH PRODUCT SAFETY INFORMATION ASSOCIATED WITH THE VETERINARY PRESCRIPTION DRUGS ADMINISTERED OR DISPENSED BY THEIR VETERINARIANS. (Passed in the House 6/30/10) p. 324.

HCR 58 HONORING THE YOUNG WOMEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2010 SESSION OF DELAWARE'S GIRLS' STATE. (Passed) p. 303, 308.

HCR 59 RECOGNIZING THE MONTH OF OCTOBER, 2010, AS "DWARFISM AWARENESS MONTH" IN THE STATE OF DELAWARE. (Passed) p. 310, 318.

HCR 60 RECOGNIZING THE WEEK OF OCTOBER 3RD, 2010, AS "DELAWARE LONG-TERM CARE RESIDENTS' RIGHTS WEEK" AND PRAISING THE DELAWARE CHAPTER OF THE NATIONAL CONSUMER VOICE FOR QUALITY LONG-TERM CARE ON ITS 9TH RESIDENTS' RIGHTS RALLY. (Passed) p. 310, 318.

#### HOUSE JOINT RESOLUTIONS

HJR 1 RELATING TO THE ELECTION OF A BILL CLERK OF THE HOUSE OF REPRESENTATIVES. (Signed by the Governor 1/15/09) p. 4, 9, 12.

HJR 2 INCREASING THE ACCOUNTABILITY AND TRANSPARENCY OF THE FUNDS THE STATE OF DELAWARE IS RECEIVING VIA THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 BY REQUIRING THE ADMINISTRATION OF GOVERNOR JACK A. MARKELL TO REPORT ON WHAT FUTURE OBLIGATIONS ACCEPTING SUCH FUNDS WILL PLACE ON THE STATE AND APPROPRIATING THE RECOVERY ACT FUNDS VIA AMENDMENTS ON THE STATE'S OPERATING AND CAPITAL BUDGET BILLS. (House Administration Committee) p. 28-29, 52.

HJR 3 DEDICATING AND ALLOWING AN AREA ON THE SOUTH SIDE OF THE LEGISLATIVE MALL TO BE USED FOR THE PLACEMENT OF A DELAWARE LAW ENFORCEMENT MEMORIAL. (Signed by the Governor 5/5/09) p. 67, 70, 74.

HJR 4 A Joint Resolution with this number was not introduced.

HJR 5 w/HA 1 REQUESTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, THE DELAWARE SOLID WASTE AUTHORITY, AND OTHER INTERESTED PARTIES, TO WORK TOGETHER TO ACHIEVE THE GOAL OF "ZERO WASTE" IN THE STATE OF DELAWARE. (Senate Natural Resources & Environmental Control Committee) p. 141, 148, 154.

HJR 6 THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2009. (Signed by the Governor 7/1/09) p. 151, 158, 161.

HJR 7 THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2010. (Signed by the Governor 7/1/09) p. 151, 158, 161.

HJR 8 CREATING A TASK FORCE TO IMPLEMENT AND REVIEW A PILOT PROGRAM ALLOWING VEHICLE INSPECTIONS TO BE PERFORMED BY DELAWARE NEW FRANCHISE AUTOMOBILE AND TRUCK DEALERSHIPS. (Stricken 3/16/10) p. 178, 181, 184, 188, 189.

HJR 9 REQUESTING CONGRESS TO ENACT FEDERAL LEGISLATION THAT ADDS UNPAID COURT-ORDERED RESTITUTION, FINES, FEES AND COSTS TO DELINQUENT OBLIGATIONS THAT CAN BE INTERCEPTED THROUGH THE UNITED STATES DEPARTMENT OF THE TREASURY OFFSET PROGRAM. (House Ready List) p. 197, 206.

HJR 10 CREATING A COMMITTEE TO DEVELOP CURRICULUM FOR INSTRUCTING STUDENTS IN THE HISTORY OF ORGANIZED LABOR AND THE COLLECTIVE BARGAINING PROCESS IN AMERICA. (Senate Ready List) p. 257, 265, 290.

HJR 11 A Joint Resolution with this number was not introduced.

HJR 12 RECOMMENDING THAT THE COUNTY RECORDER OF DEEDS NO LONGER BE AN ELECTED OFFICE AND THAT A WORKING GROUP BE ESTABLISHED TO DEVELOP RECOMMENDATIONS FOR CREATING A SINGLE STATEWIDE RECORDATION SYSTEM, THEREBY MAKING STATE AND COUNTY GOVERNMENT MORE EFFECTIVE AND EFFICIENT. (House Administration Committee) p. 266, 276.

HJR 13 RECOMMENDING THAT THE COUNTY REGISTER OF WILLS NO LONGER BE AN ELECTED OFFICE AND THAT A WORKING GROUP BE ESTABLISHED TO DEVELOP RECOMMENDATIONS TO TRANSFER THE DUTIES OF THE REGISTER OF WILLS TO THE COURT OF CHANCERY, THEREBY MAKING STATE AND COUNTY GOVERNMENT MORE EFFECTIVE AND EFFICIENT. (House Administration Committee) p. 271.

HJR 14 REQUESTING DELAWARE'S U.S. DELEGATION TO SUPPORT FEDERAL LEGISLATION THAT ADDS UNPAID COURT-ORDERED RESTITUTION, FINES, FEES AND COSTS TO DELINQUENT OBLIGATIONS THAT CAN BE INTERCEPTED THROUGH THE UNITED STATES DEPARTMENT OF THE TREASURY OFFSET PROGRAM. (Signed by the Governor 7/12/10) p. 315, 318, 328, 330.

#### SENATE BILLS

SB 4 AN ACT TO NAME THE WORSHIP CENTER/MULTI-PURPOSE BUILDING AT BAYLOR WOMEN'S CORRECTIONAL INSTITUTION IN HONOR OF FAY AND NORMAN WHITTLE. (Signed by the Governor 5/14/09) p. 54, 56, 66, 86.

SB 6 w/SA 2 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO FIRE ENGINEERS, CHIEF ENGINEERS, DEPUTY FIRE CHIEFS, AUTHORIZED EMERGENCY VEHICLES, WARNING DEVICES FOR EMERGENCY VEHICLES, AND LIGHTING EQUIPMENT. (Signed by the Governor 3/26/09) p. 19, 21, 26, 28, 39.

SB 7 w/SA 1 & 2 AN ACT TO AMEND TITLES 10 AND 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND EMINENT DOMAIN. (Signed by the Governor 4/9/09) p. 17, 44, 45-46, 55.

SB 9 w/SA 2 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO VOTER REGISTRATION AND THE CHANGE OF PARTY DESIGNATION. (House Administration Committee) p. 39, 40.

SB 11 AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, THE CHARTER OF THE TOWN OF LAUREL, AS AMENDED, RELATING TO BORROWING MONEY AND ISSUING BONDS. (Signed by the Governor 3/26/09) p. 18-19, 26, 32, 39.

SB 14 w/SA 2 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMPENSATION PER INNOCENT VICTIMS OF CRIME. (House Ready List) p. 148-149, 164, 187.

SB 19 AN ACT APPROPRIATING BOND PREMIUMS AND SPECIAL FUNDS OF THE STATE, REVERTING CERTAIN FUNDS OF THE STATE; DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND AND SPECIFYING CERTAIN CONDITIONS FOR THE EXPENDITURE OF CERTAIN FUNDS; AND AMENDING THE LAWS OF DELAWARE. (Signed by the Governor 1/29/09) p. 17, 20, 23.

SB 24 AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE JUDICIARY AND THE CHIEF MAGISTRATE OF THE JUSTICE OF THE PEACE COURT. (Enacted without signature) p. 294, 302, 325, 331.

SB 25 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JUDICIAL BRANCH EMERGENCIES. (Signed by the Governor 5/19/09) p. 50, 52, 64, 78, 87.

SB 26 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE. (Signed by the Governor 5/19/09) p. 50, 52, 64, 78, 87.

SB 30 w/SA 1 AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO NO LIMIT TEXAS HOLD'EM POKER. (Signed by the Governor 5/14/09) p. 50, 52, 64, 66, 86.

SB 31 w/SA 1 & 2 AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO NONPROFIT CHARITABLE GAMING. (Signed by the Governor 5/14/09) p. 50, 52, 64, 66, 86.

SB 32 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AGAINST CHILDREN. (Signed by the Governor 5/22/09) p. 49, 64, 76, 87.

SB 33 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 5/22/09) p. 49, 50, 64, 76, 87.

SB 34 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO TERMINATION AND TRANSFER OF PARENTAL RIGHTS IN ADOPTION PROCEEDINGS. (Signed by the Governor 5/14/09) p. 54, 56, 64, 67, 86.

SS 1/SB 35 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO RATES AND RATING ORGANIZATIONS. (Signed by the Governor 7/6/09) p. 105, 111, 116, 119, 162.

SB 36 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PROCEDURES APPLICABLE TO TRESPASS, REPLEVIN, AND DETINUE CLAIMS IN THE JUSTICE OF THE PEACE COURT. (Signed by the Governor 6/26/09) p. 90, 104, 106, 148.

SB 37 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COSTS IN THE JUSTICE OF THE PEACE COURT. (Signed by the Governor 6/26/09) p. 90, 104, 121, 148.

SB 38 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION. (Signed by the Governor 7/6/09) p. 81, 82, 104, 120, 162.

SB 39 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE DELAWARE PROFESSIONAL ENGINEERS ACT. (Signed by the Governor 6/18/09) p. 72, 91, 94, 125.

SB 41 w/SA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FOSTER CARE AND THE SEED PROGRAM. (Signed by the Governor 5/18/10) p. 228, 229, 238, 241, 244.

SB 43 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE. (Signed by the Governor 5/14/09) p. 54, 56, 64, 67, 86.

SB 44 w/SA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CONFIDENTIALITY OF PERSONAL HEALTH INFORMATION. (Signed by the Governor 6/28/10) p. 242, 244, 265, 275-276, 318.

SB 45 w/SA 3 & HA 1 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE PUBLIC SERVICE COMMISSION. (Signed by the Governor 7/10/09) p. 91, 92, 116, 118, 122-123, 162.

SB 47 w/SA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH STATISTICS CENTER. (Signed by the Governor 6/26/09) p. 85, 87, 104, 113, 148.

SB 48 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE CONSERVATION DISTRICTS. (Signed by the Governor 7/6/09) p. 85, 87, 104, 121, 162.

SS 1/SB 49 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO SOLAR PHOTOVOLTAIC SYSTEMS AND AMENDMENTS TO DEED RESTRICTIONS. (Signed by the Governor 7/9/09) p. 114, 115, 128, 143, 162.

SB 50 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DELAWARE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS. (Signed by the Governor 7/8/09) p. 114, 115, 128, 155, 156, 162.

SB 52 w/SA 1 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE INTERSTATE COMPACT FOR THE PLACEMENT OF CHILDREN. (Signed by the Governor 7/16/09) p. 139, 154, 162.

SB 53 AN ACT TO AMEND THE MUNICIPAL CHARTER OF THE TOWN OF WYOMING (43 DEL. LAWS 189) TO DESIGNATE THE FISCAL YEAR FOR THE TOWN AS JULY 1 THROUGH JUNE 30. (Signed by the Governor 5/7/09) p. 49-50, 64, 66, 75.

SB 54 w/SA 1 AN ACT TO AMEND CHAPTER 138, VOLUME 68, LAWS OF DELAWARE, AS AMENDED, ENTITLED “AN ACT TO INCORPORATE THE TOWN OF DAGSBORO”, RELATED TO NOMINATIONS FOR TOWN COUNCIL ELECTIONS. (Signed by the Governor 6/15/09) p. 70, 81, 89, 116.

SB 55 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO TERMINATION AND TRANSFER OF PARENTAL RIGHTS IN ADOPTION PROCEEDINGS. (Signed by the Governor 5/19/09) p. 54, 56, 72, 77, 87.

SB 56 w/SA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HEAVY VEHICLE REGISTRATION, AND TO CREATE A TASK FORCE TO REVIEW THE EXISTING DELAWARE HEAVY VEHICLE WEIGHT LAW TO DETERMINE THE FEASIBILITY OF ITS IMPLEMENTATION. (Signed by the Governor 7/30/09) p. 148, 149, 156, 167.

SB 59 w/SA 3 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ENERGY CONSERVATION. (Signed by the Governor 7/29/09) p. 79, 91, 121-122, 167.

SB 60 AN ACT PROPOSING AN AMENDMENT TO ARTICLE I, SECTION 12 OF THE DELAWARE CONSTITUTION OF 1897 RELATING TO CRIMINAL PROCEDURES. (House Ready List) p. 90, 126, 193, 202.

SB 61 w/SA 2 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ASSAULTS. (Signed by the Governor 7/8/09) p. 101, 102, 116, 132, 162.

SB 62 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE PERSONAL INCOME TAX CHECKOFF PROGRAMS. (Signed by the Governor 7/9/09) p. 139, 142, 162.

SB 63 AN ACT TO AMEND THE CHARTER OF THE TOWN OF FENWICK ISLAND, DELAWARE, CHAPTER 302, VOLUME 49, LAWS OF DELAWARE, AS AMENDED, ENTITLED “AN ACT TO INCORPORATE THE TOWN OF FENWICK ISLAND, DELAWARE”, TO AMEND SECTION 33, AUTHORIZING THE BORROWING OF MONEY. (Signed by the Governor 5/14/09) p. 54, 56, 64, 65-66, 86.

SB 65 w/SA 2 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO DENTAL INSURANCE AND CHILDREN WITH SEVERE DISABILITIES. (Signed by the Governor 6/25/09) p. 91, 92, 104, 109, 148.

SB 68 w/SA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT ASSESSMENT AND ACADEMIC PROMOTION. (Signed by the Governor 8/13/09) p. 124, 126, 128, 137, 168.

SB 69 AN ACT REVERTING CERTAIN FUNDS OF THE STATE AND DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND. (Signed by the Governor 4/10/09) p. 50, 52, 53, 55.

SB 71 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JUDGES OF THE SUPERIOR COURT. (House Ready List) p. 148, 149, 164.

SB 72 AN ACT TO AMEND TITLE 26, CHAPTER 13 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES, GAS, WATER AND OIL CORPORATIONS. (Signed by the Governor 7/6/09) p. 91, 92, 104, 132, 162.

SB 73 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE TO IMPLEMENT THE UNITED STATES SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT OF 2008 (U.S. PUBLIC LAW 110-289). (Signed by the Governor 7/6/09) p. 105, 111, 116, 120, 162.

SB 76 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE SALE OF MOTOR VEHICLES. (Signed by the Governor 7/6/09) p. 116-117, 128, 137-138, 162.

SB 77 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO RECORDATION OF INSTRUMENTS IN KENT COUNTY. (Signed by the Governor 7/8/09) p. 91, 92, 104, 129, 162.

SB 78 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE. (Signed by the Governor 6/17/09) p. 74, 75, 91, 93, 125.

SB 79 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE. (Signed by the Governor 6/17/09) p. 74, 75, 91, 93, 125.

SB 81 w/SA 5 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE REQUIRING RESTAURANTS TO DISPLAY NUTRITION INFORMATION FOR FOOD AND BEVERAGE ITEMS OFFERED FOR SALE. (House Economic Development/Banking/Insurance/Commerce Committee) p. 180.

SB 82 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 6/26/09) p. 90, 104, 106, 148.

SB 83 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 6/26/09) p. 90, 104, 106, 148.

SB 84 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTS. (Signed by the Governor 7/6/09) p. 85, 87, 104, 129, 162.

SB 85 w/SA 1 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO NET ENERGY METERING. (Signed by the Governor 7/9/09) p. 85, 87, 91, 121, 162.

SB 86 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY, INFORMED CONSENT AND HIV TESTING. (Signed by the Governor 7/6/09) p. 95, 97, 116, 136, 162.

SB 88 AN ACT TO AMEND TITLES 6 AND 12 OF THE DELAWARE CODE RELATING TO TRANSFERS OF PROPERTY AND FIDUCIARY RELATIONS. (Signed by the Governor 7/6/09) p. 102, 116, 119, 162.

SB 89 AN ACT TO AMEND TITLE 12 WITH RESPECT TO THE ALLOCATION OF PRINCIPAL AND INCOME OF TRUSTS, DECEDENTS' ESTATES AND OTHER FIDUCIARY ACCOUNTS. (Signed by the Governor 7/6/09) p. 101, 102, 116, 119, 162.

SB 90 w/SA 2 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO TANNING FACILITIES. (Signed by the Governor 8/13/09) p. 101, 102, 118-119, 124, 168.

SB 99 AN ACT AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND; REVERTING CERTAIN FUNDS OF THE STATE AND AMENDING THE LAWS OF DELAWARE. (Signed by the Governor 5/14/09) p. 74, 76, 86.

SB 101 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PERSONAL ACTIONS. (Signed by the Governor 6/30/09) p. 101, 102, 116, 123, 161.

SB 102 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE. (Signed by the Governor 7/6/09) p. 103, 104, 116, 132, 162.

SB 103 AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE BY ESTABLISHING MAY AS MELANOMA AND SKIN CARE DETECTION AND PREVENTION MONTH IN DELAWARE. (Signed by the Governor 5/27/09) p. 81, 85, 87.

SB 104 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT TO PERMIT VIDEO-CONFERENCING IN CERTAIN CIRCUMSTANCES. (Signed by the Governor 9/17/09) p. 116, 117, 141, 170.

SB 105 AN ACT TO AMEND 76 DELAWARE LAWS, CHAPTER 261 RELATING TO THE MEDICAL PRACTICE ACT. (Signed by the Governor 7/6/09) p. 116, 117, 126, 132, 133, 162.

SB 106 w/SA 2 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO ENERGY EFFICIENCY RESOURCE STANDARDS AND ENERGY EFFICIENCY PLANNING. (Signed by the Governor 7/29/09) p. 139, 140, 142-143, 167.

SB 107 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO CRUELTY TO ANIMALS. (Signed by the Governor 7/15/10) p. 114, 115, 303, 319, 320, 331.

SB 108 w/SA 4 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO TITLE LOANS AND SHORT-TERM CONSUMER LOANS. (Signed by the Governor 7/16/09) p. 148, 149, 153, 162.

SB 109 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO SALVINORIN A. (Signed by the Governor 7/6/09) p. 116, 117, 127, 132, 133, 162.

SB 110 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE PENALTIES FOR FAILING TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT. (Signed by the Governor 7/8/09) p. 114, 115, 127, 138, 162.

SB 111 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO NOTARIES PUBLIC. (Signed by the Governor 7/16/09) p. 105, 111, 116, 131, 162.

SB 113 AN ACT TO AMEND TITLES 10, 29 AND 31 OF THE DELAWARE CODE RELATING TO EXTENDING THE JURISDICTION OF THE FAMILY COURT FOR ABUSED, DEPENDENT AND NEGLECTED CHILDREN. (Signed by the Governor 7/14/10) p. 237, 252, 269, 331.

SB 114 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JURISDICTION OF THE FAMILY COURT. (Signed by the Governor 7/8/09) p. 116, 118, 127, 143, 162.

SB 115 w/HA 1 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE DELAWARE FALSE CLAIMS AND REPORTING ACT. (Signed by the Governor 7/16/09) p. 116, 118, 127, 135, 138, 162.



SB 116 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE DOMESTIC VIOLENCE COORDINATING COUNCIL. (Signed by the Governor 7/6/09) p. 105, 111, 126, 133, 162.

SB 117 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DOMESTIC VIOLENCE COORDINATING COUNCIL AND PROXY VOTING. (Signed by the Governor 7/6/09) p. 105, 111, 126, 133, 162.

SB 118 AN ACT TO AMEND CHAPTER 27, TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL LAND SURVEYORS. (Signed by the Governor 7/6/09 p. 114-115, 126, 138, 162.

SS 1/SB 119 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE RENEWABLE ENERGY PORTFOLIO STANDARDS. (Signed by the Governor 7/28/10) p. 282, 286, 293, 312, 331.

SB 121 AN ACT TO AMEND TITLES 6, 9, 18, 19, 25, AND 29 OF THE DELAWARE CODE RELATING TO DISCRIMINATION IN EMPLOYMENT, PUBLIC WORKS CONTRACTING, HOUSING, EQUAL ACCOMMODATIONS AND THE INSURANCE BUSINESS. (Signed by the Governor 7/2/09) p. 133-134, 161, 228.

SB 122 w/SA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS AND MANDATORY DRUG TESTING. (Signed by the Governor 6/15/10) p. 242, 244, 252, 260-261, 281.

SB 129 w/SA 1 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO DELAWARE AGRICULTURAL LANDS PROTECTION. (Signed by the Governor 7/8/09) p. 114, 116, 128, 153, 162.

SB 133 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES AND WEIGHTS LIMITS. (Signed by the Governor 7/8/09) p. 114, 116, 128, 138, 162.

SB 134 w/SA 1 AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO NONPROFIT CHARITABLE GAMING. (Signed by the Governor 7/6/09) p. 139, 140, 143, 162.

SB 135 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PENSIONS FOR STATE POLICE OFFICERS. (Signed by the Governor 7/16/09) p. 157, 158, 162.

SB 138 w/SA 2 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MEDICAL CERTIFICATION FOR LICENSE PLATES AND PARKING PERMITS FOR PERSONS WITH DISABILITIES. (Signed by the Governor 7/6/09) p. 105, 111, 128, 138, 162.

SB 139 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR THE SALES OF FIREARMS. (Signed by the Governor 7/6/09) p. 105, 111, 116, 131, 162.

SB 140 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE BOARD OF EDUCATION. (Signed by the Governor 6/18/09) p. 105, 111, 116, 121, 125.

SB 142 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF INFORMATION AND TECHNOLOGY. (Signed by the Governor 7/6/09) p. 116, 118, 126, 133, 162.

SB 143 w/SA 1 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM LOCAL TAXES. (Signed by the Governor 7/8/09) p. 124, 126, 154, 162.

SB 145 w/SA 1 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS. (Signed by the Governor 7/8/09) p. 114, 116, 133, 138, 162.

SB 148 AN ACT REVERTING CERTAIN FUNDS OF THE STATE AND DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND. (Signed by the Governor 6/11/09) p. 101, 105-106, 116.

SB 149 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSURE AND CERTIFICATION OF NONPUBLIC SCHOOL TEACHERS, SPECIALISTS AND ADMINISTRATORS, AND PUBLIC EDUCATION EMPLOYEES. (Signed by the Governor 7/6/09) p. 114, 116, 128, 137, 162.

SB 150 w/SA 1 AN ACT TO AMEND TITLE 14, TITLE 18, AND TITLE 29 OF THE DELAWARE CODE. (Signed by the Governor 7/6/09) p. 116, 118, 126, 133, 162.

SB 151 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO AN ACADEMIC ACHIEVEMENT AWARD PROGRAM. (Signed by the Governor 8/13/09) p. 114, 116, 128, 137, 168.

SB 152 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO MUNICIPAL ELECTIONS. (Signed by the Governor 7/10/09) p. 148, 149, 155-156, 162.

SB 153 w/SA 1 & 2 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO CUSTOMER SITED ENERGY RESOURCES. (Signed by the Governor 9/21/09) p. 154-155, 161, 170.

SB 154 AN ACT PROPOSING AN AMENDMENT TO ARTICLE V OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED RELATING TO VOTING. (House Ready List) p. 148, 149, 170.



SB 155 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO TRUSTS. (Signed by the Governor 7/10/09) p. 148, 149, 153, 162.

SB 156 AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (Signed by the Governor 6/24/09) p. 103-104, 116, 129-130, 148.

SB 157 w/SA 1 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO RESIDENTIAL HOMES AND EXEMPTIONS. (Signed by the Governor 5/18/10) p. 196-197, 220, 230, 244.

SB 159 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CIVIL ADMINISTRATIVE PROCEDURES. (Signed by the Governor 7/8/09) p. 148, 149, 156-157, 162.

SB 160 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE ADOPTION AND ENFORCEMENT OF A UNIFIED PLUMBING CODE. (Signed by the Governor 8/21/09) p. 148, 149, 153-154, 169.

SB 161 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO TAXES. (Signed by the Governor 7/8/09) p. 114, 116, 133, 152, 162.

SB 163 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING, AND FISHING LICENSES. (Signed by the Governor 7/8/09) p. 148, 149, 152, 162.

SB 164 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (Signed by the Governor 8/18/09) p. 148, 149, 157, 169.

SB 165 w/SA 1 AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER BEING CHAPTER 175, VOLUME 75, OF THE LAWS OF DELAWARE, AS AMENDED, RELATING TO GOVERNANCE, ELECTIONS, ADMINISTRATION AND FINANCE. (Signed by the Governor 7/8/09) p. 114, 116, 124-125, 139, 140, 162.

SB 167 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM TAXATION FOR CERTAIN ORGANIZATIONS. (Signed by the Governor 4/27/10) p. 148, 149, 164, 210, 220.

SB 168 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO BICYCLE AND MOTOR VEHICLE SAFETY. (House Public Safety and Homeland Security Committee) p. 148, 149.

SB 169 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OBSTRUCTION OF INGRESS AND EGRESS TO HEALTH CARE FACILITIES. (House Judiciary Committee) p. 148, 149.

SB 170 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO SPEECH/LANGUAGE PATHOLOGY, AUDIOLOGY AND HEARING AID DISPENSERS. (Signed by the Governor 7/10/09) p. 148, 149, 152, 162.

SS 1/SB 171 w/SA 1 & 2 & HA 2 & 3 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTAGE. (Signed by the Governor 7/30/10) p. 206, 207, 277, 281, 304, 334.

SB 172 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM THE PRACTICE OF NURSING. (Signed by the Governor 2/1/10) p. 148, 149, 182, 184, 187.

SB 173 w/SA 1 AN ACT TO AMEND TITLES 26 AND 29 OF THE DELAWARE CODE RELATING TO THE SUSTAINABLE ENERGY UTILITY AND RENEWABLE ENERGY. (Signed by the Governor 7/8/09) p. 139, 140, 152, 162.

SB 174 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO UNIFORMED CONTROLLED SUBSTANCES ACT. (Signed by the Governor 7/10/09) p. 148, 149, 156, 162.

SB 175 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE LAW ENFORCEMENT OFFICER'S BILL OF RIGHTS. (Signed by the Governor 7/13/09) p. 148, 149, 156, 162.

SB 176 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO UNIFORMED CONTROLLED SUBSTANCES. (Signed by the Governor 7/13/09) p. 148, 149, 156, 162.

SB 177 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Signed by the Governor 7/13/09) p. 148, 150, 156, 162.

SB 178 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. (Signed by the Governor 7/13/09) p. 148, 150, 152, 162.

SB 179 AN ACT TO AMEND CHAPTER 16 OF TITLE 24 OF THE DELAWARE CODE RELATING TO ADULT ENTERTAINMENT. (Signed by the Governor 7/16/09) p. 148, 150, 156, 162.

SB 180 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME INSTALLATION. (Signed by the Governor 7/16/09) p. 148, 150, 156, 162.

SB 181 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH PLANNING AND RESOURCES MANAGEMENT. (Signed by the Governor 7/8/09) p. 148, 150, 156, 162.

SB 182 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO NURSING. (Signed by the Governor 3/31/10) p. 182, 191, 192, 206.

SB 183 w/SA 1 AN ACT TO AMEND TITLE 7, CHAPTER 5 OF THE DELAWARE CODE RELATING TO GAME PRESERVES. (Signed by the Governor 7/12/10) p. 204, 206, 265, 303, 330.

SB 184 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE PUBLIC SERVICE COMMISSION. (Signed by the Governor 6/28/10) p. 261, 281, 287, 318.

SB 185 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL PROCEDURES. (Signed by the Governor 7/10/09) p. 148, 150, 156, 162.

SB 188 w/SA 1 AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE AND UNDERAGE LOTTERY GAMING. (Signed by the Governor 2/1/10) p. 171, 182, 185, 187.

SB 189 AN ACT TO AMEND CHAPTERS 69 AND 80 TITLE 29 OF THE DELAWARE CODE RELATING TO THE ENERGY PERFORMANCE CONTRACTING ACT AND THE DELAWARE ENERGY ACT, RESPECTIVELY. (Signed by the Governor 2/1/10) p. 178, 182, 184, 187.

SB 190 A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2010; 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 7/1/09) p. 158, 161.

SB 192 AN ACT TO AMEND THE CHARTER OF THE TOWN OF FENWICK RELATING TO TOWN COUNCIL VACANCIES AND FORFEITURES. (Signed by the Governor 5/3/10) p. 184, 186, 191, 210, 228.

SB 193 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. (House Public Safety and Homeland Security Committee) p. 223, 224, 238, 245.

SB 195 w/HA 1 AN ACT TO AMEND THE CHARTER OF THE TOWN OF BLADES RELATING TO ELECTIONS. (Passed in the House 3/18/10) p. 184, 187, 191, 192.

SB 196

SB 197 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES AGAINST THE PERSON. (Signed by the Governor 5/14/10) p. 200, 201, 212, 215, 244.

SB 198 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLES. (Signed by the Governor 5/18/10) p. 223, 224, 238, 241, 244.

SB 200 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HEAVY VEHICLE REGISTRATION. (Signed by the Governor 4/27/10) p. 202, 204, 212, 215, 220.

SS 1/SB 202 AN ACT TO AMEND THE FISCAL YEAR 2010 BOND AND CAPITAL IMPROVEMENTS ACT; AMENDING TITLE 29 OF THE DELAWARE CODE RELATING TO DRAINAGE; AND AMENDING THE LAWS OF DELAWARE. (Signed by the Governor 2/1/10) p. 182, 185, 187.

SB 203 AN ACT TO NAME THE DINING HALL AT BAYLOR WOMEN'S CORRECTIONAL INSTITUTION IN HONOR OF HAYWARD ROY JR. (Signed by the Governor 6/10/10) p. 216, 228, 244-245, 273.

SB 205 w/SA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO AUTHORIZED EMERGENCY VEHICLES. (Signed by the Governor 8/17/10) p. 257, 261, 281, 297, 334.

SB 209 w/SA 1 & HA 1 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE PROVIDING FOR AN EXTENSION OF THE HISTORIC PRESERVATION TAX CREDIT ACT. (Signed by the Governor 7/19/10) p. 219, 228, 244, 252, 255, 331.

SB 210 w/SA 1 AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO DELAWARE BYWAYS. (Signed by the Governor 7/12/10) p. 257, 258, 265, 303, 330.

SB 212 w/SA 1, 2 & 3 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY. (Signed by the Governor 5/21/10) p. 212, 213, 228, 240, 244.

SB 213 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DIVISION OF CHILD SUPPORT ENFORCEMENT. (Signed by the Governor 6/10/10) p. 227, 238, 254-255, 273.

SB 214 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO OUTDOOR LIGHTING REGULATION. (Signed by the Governor 6/10/10) p. 219, 228, 245, 273.

SB 215 AN ACT TO AMEND TITLES 7 AND 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. (Signed by the Governor 6/15/10) p. 238, 239, 252, 254, 281.

SB 216 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO VARIABLE RATES FOR REVOLVING CREDIT PLANS. (Signed by the Governor 6/10/10) p. 219, 228, 246, 273.

SB 217 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE TIMING OF AN INITIAL HEARING BEFORE A JUDGE OF A PERSON WHO IS TEMPORARILY INCAPACITATED. (Signed by the Governor 5/14/10) p. 206, 207, 212, 226, 244.

SB 218 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COURT COSTS FOR CIVIL TRAFFIC OFFENSES. (Signed by the Governor 6/15/10) p. 216, 228, 259, 281.

SB 219 w/SA 1 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO RETAIL GASOLINE STATION COMPLIANCE. (Signed by the Governor 7/15/10) p. 294, 302, 313-314, 331.

SB 220 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXECUTION OF A CHATTEL JUDGMENT. (Signed by the Governor 6/15/10) p. 219, 228, 259, 281.

SB 221 w/SA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MENTAL HEALTH. (Signed by the Governor 7/15/10) p. 308, 309, 317, 331.

SB 222 AN ACT TO AMEND TITLE 23 OF THE DELAWARE CODE RELATING TO PILOTAGE RATES. (Signed by the Governor 5/6/10) p. 206, 207, 212, 218, 244.

SB 223 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE. (House Ready List) p. 265, 266, 294.

SB 224 AN ACT TO AMEND TITLE 20 RELATING TO THE DELAWARE STATE POLICE READY RESERVE. (Signed by the Governor 4/27/10) p. 206, 207, 212, 215, 220.

SB 225 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE REGARDING ABSENTEE VOTING AND ASSOCIATED ISSUES. (Signed by the Governor 5/21/10) p. 232, 233, 238, 240, 244.

SB 227 AN ACT TO RENAME THE GEORGETOWN STATE SERVICE CENTER IN HONOR OF THE HONORABLE THURMAN ADAMS, JR. (Signed by the Governor 6/23/10) p. 294, 318.

SB 228 w/SA 1 & 2 & HA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE FOR PURPOSES OF REGULATING DISCOUNT MEDICAL PLANS. (Signed by the Governor 8/30/10) p. 308, 309, 319, 334.

SB 229 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AGAINST CHILDREN AND SPECIFIC OFFENSES. (Signed by the Governor 6/30/10) p. 308, 314, 318.

SB 231 w/SA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH INFORMATION NETWORK (Signed by the Governor 7/12/10) p. 294, 302, 309, 313, 330.

SB 232 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CIVIL ADMINISTRATIVE PROCEDURES. (Signed by the Governor 7/12/10) p. 308, 321, 330.

SB 233 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF MEDICAL PRACTICE. (Signed by the Governor 7/12/10) p. 308, 309, 320, 330.

SB 234 w/SA 1 & 3 AN ACT TO AMEND TITLES 7 AND 30 OF THE DELAWARE CODE RELATING TO RECYCLING AND BEVERAGE CONTAINERS. (Signed by the Governor 6/8/10) p. 223, 224, 228, 235-237, 273.

SB 235 w/SA 2 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE CREATING THE DELAWARE PRESCRIPTION MONITORING ACT. (Signed by the Governor 7/15/10) p. 242, 244, 252, 303, 331.

SB 236 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO QUALIFICATIONS OF PSYCHOLOGISTS. (Enacted without signature) p. 256, 257, 281, 296, 331.

SB 239 w/SA 1 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO FIDUCIARY RELATIONS. (Signed by the Governor 7/2/10) p. 261, 281, 284, 330.

SB 240 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO DANGEROUS AND POTENTIALLY DANGEROUS DOGS. (Signed by the Governor 7/12/10) p. 219, 286, 303, 330.

SB 242 AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO POWERS AND DUTIES OF THE DELAWARE TRANSIT CORPORATION (Signed by the Governor 7/12/10) p. 246, 247, 265, 304, 330.

SB 245 w/SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS FOR STUDENT TEACHERS. (Signed by the Governor 7/12/10) p. 261, 281, 295-296, 330.

SB 246 w/HA 1 & 2 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PRIVATE INVESTIGATORS, PRIVATE SECURITY AGENCIES AND BAIL ENFORCEMENT AGENTS. (Signed by the Governor 7/30/10) p. 257, 261, 293, 309, 313, 334.

SB 249 w/SA 1 AN ACT TO AMEND THE CHARTER OF THE BOARD OF PUBLIC WORKS OF THE CITY OF LEWES, TO EXPAND THE PERIOD OF TIME FOR NOMINATIONS TO THE BOARD OF PUBLIC WORKS AND TO MODIFY THE PROCEDURES FOR THE BOARD TO CEASE TO OPERATE, SELL, LEASE, ABANDON OR DISPOSE OF ANY PUBLIC UTILITY. (Signed by the Governor 7/15/10) p. 281, 282, 294, 303, 331.

SB 250 w/SA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL ENGINEERS. (Signed by the Governor 7/2/10) p. 261, 281, 287, 330.

SB 253 w/SA 2, 3 & 4 AN ACT TO REINCORPORATE THE TOWN OF MAGNOLIA. (Signed by the Governor 7/30/10) p. 310, 319-320, 334.

SB 254 w/SA 1 AN ACT TO AMEND TITLE 16 AND TITLE 29 OF THE DELAWARE CODE RELATING TO NURSING FACILITIES AND SIMILAR FACILITIES. (Signed by the Governor 6/28/10) p. 246-247, 265, 284, 318.

SB 255 w/SA 1 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE FOOD STAMP PROGRAM. (House Ready List) p. 246-247, 265.

SB 259 w/SA 1 & 2 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO LICENSING OF GENETIC COUNSELORS. (Signed by the Governor 6/30/10) p. 257, 261, 281, 296, 318.

SB 260 w/HA 1 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT. (Signed by the Governor 7/12/10) p. 261, 277, 281, 289, 330.

SB 261 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE TO ENCOURAGE PARENTS TO BECOME INVOLVED IN PUBLIC SCHOOLS. (House Ready List) p. 257, 258, 281, 293.

SB 262 AN ACT TO AMEND TITLE 10 AND TITLE 11 OF THE DELAWARE CODE RELATING TO UNSWORN FOREIGN DECLARATIONS. (Signed by the Governor 7/2/10) p. 261, 281, 287, 330.

SB 263 w/SA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TEACHER NOTICE AND HEARING PROTECTIONS (Signed by the Governor 7/30/10) p. 271, 272, 281, 287.

SB 264 w/SA 1 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO DISPOSITION OF CHILDREN PENDING ADJUDICATION AND PAYMENT FOR CARE. (Signed by the Governor 7/12/10) p. 265, 266, 281, 296, 330.

SB 265 w/SA 1 AN ACT TO AMEND THE DELAWARE CODE RELATING TO THE RIGHT TO FARM AND PUBLIC AND PRIVATE NUISANCE ACTIONS. (Signed by the Governor 7/12/10) p. 291, 292, 316, 330.

SB 266 w/SA 1 & 2 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE GREEN ENERGY FUND. (Signed by the Governor 7/28/10) p. 276, 277, 293, 307, 312, 331.

SB 267 w/SA 2 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO NET ENERGY METERING. (Signed by the Governor 7/28/10) p. 285, 293, 308, 312, 331.

SB 268 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE ADOPTION AND ENFORCEMENT OF A UNIFIED HEATING, VENTILATION, AIR CONDITIONING, AND REFRIGERATION CODE, THE INTERNATIONAL MECHANICAL CODE, AND THE INTERNATIONAL FUEL GAS CODE. (Signed by the Governor 7/15/10) p. 265, 266, 281, 304-305, 331.

SB 269 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CARELESS OR INATTENTIVE DRIVING. (Signed by the Governor 8/12/10) p. 276, 277, 294, 327-328, 334.

SB 270 w/SA 1 AN ACT TO AMEND THE CHARTER OF THE TOWN OF ELLENDALE, RELATING TO THE TOWN ELECTION LAWS, ANNEXATION, RATE OF TAXATION, AMOUNT OF MONEY THAT CAN BE BORROWED AGAINST BONDS AND SHORT TERM BORROWING LIMITS. (Signed by the Governor 7/12/10) p. 285, 294, 303, 330.

SB 271 w/SA 1 AN ACT TO AMEND ALL TITLES OF THE DELAWARE CODE RELATING TO THE DELAWARE VOLUNTEER FIREFIGHTER'S ASSOCIATION AND TO AMEND TITLE 18 RELATING TO THE RESPONSIBILITIES OF THE DELAWARE VOLUNTEER FIREFIGHTER'S ASSOCIATION. (Signed by the Governor 7/12/10) p. 291, 292, 317, 330.

SB 272 w/SA 1 AN ACT TO AMEND CHAPTER 11 OF TITLE 12 OF THE DELAWARE CODE RELATING TO ESCHEATS. (Signed by the Governor 7/23/10) p. 286, 292, 309, 311, 331.

SB 275 w/SA 2 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO HEALTH CARE PRACTICES. (Signed by the Governor 7/30/10) p. 281, 282, 293, 319-320, 334.

SB 277 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGULATION OF VEHICLE SPEEDS IN SCHOOL ZONES. (Signed by the Governor 7/16/10) p. 291, 292, 316-317, 331.

SB 278 AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW. (Signed by the Governor 7/15/10) p. 291, 294, 303, 331.

SB 280 w/SA 2 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO ANIMALS HELD IN SHELTER. (Signed by the Governor 7/23/10) p. 291, 292, 303, 321, 331.

SB 281 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PROOF OF AUTOMOBILE INSURANCE. (Signed by the Governor 7/23/10) p. 285, 294, 320, 331.

SB 282 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS. (Signed by the Governor 7/12/10) p. 286, 292, 319-320, 330.

SB 283 w/SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FREEDOM OF INFORMATION. (Signed by the Governor 7/15/10) p. 286, 293, 303, 311-312, 331.

SB 285 AN ACT TO AMEND TITLES 15 AND 29 OF THE DELAWARE CODE RELATING TO POLLING PLACE ACCESSIBILITY. (Signed by the Governor 7/27/10) p. 294, 302, 319, 320, 331.

SB 286 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE DELAWARE BOARD OF NURSING. (Signed by the Governor 7/23/10) p. 281-282, 293, 320, 331.

SB 287 w/SA 1 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION. (Signed by the Governor 7/12/10) p. 308-309, 320, 330.

SB 289 w/SA 1 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE INTERSTATE COMPACT FOR JUVENILES. (Signed by the Governor 7/12/10) p. 308, 309, 321-322, 330.

SB 291 w/SA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO NURSING FACILITIES AND SIMILAR FACILITIES. (Signed by the Governor 7/15/10) p. 297, 302, 309, 317, 331.

SB 292 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY GOVERNMENT AND COUNTY ADMINISTRATORS. (Signed by the Governor 7/23/10) p. 291, 293, 310, 328, 331.

SB 296 w/SA 1 AN ACT TO AMEND THE DELAWARE CODE RELATING TO THE BOARD OF MEDICAL PRACTICE. (Signed by the Governor 6/30/10) p. 286, 291, 303, 305, 318.

SB 297 w/SA 1 AN ACT TO AMEND TITLES 16 AND 24 OF THE DELAWARE CODE RELATING TO THE REPORTING OF ABUSE AND UNPROFESSIONAL PRACTICE. (Signed by the Governor 6/30/10) p. 286, 291, 303, 305, 318.

SB 298 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE IMPOSITION OF FINES BY THE BOARD OF MEDICAL PRACTICE. (Signed by the Governor 6/30/10) p. 286, 291, 303, 305, 318.

SB 300 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CHILDHOOD LEAD POISONING PREVENTION. (Signed by the Governor 7/15/10) p. 286, 293, 303, 321, 331.

SB 302 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO STATUTORY TRUSTS. (Signed by the Governor 7/15/10) p. 308, 309, 320, 321, 331.

SB 303 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF LONG TERM CARE RESIDENTS PROTECTION. (Signed by the Governor 7/12/10) p. 297, 302, 309, 317-318, 330.

SB 304 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE CHILD PROTECTION ACCOUNTABILITY COMMISSION (Signed by the Governor 7/12/10) p. 294, 302, 309, 320, 330.

SB 306 w/SA 1 AN ACT TO AMEND TITLE 20, CHAPTER 31 OF THE DELAWARE CODE RELATING TO EMERGENCY MANAGEMENT. (Signed by the Governor 7/30/10) p. 308, 309, 325, 334.

SB 307 AN ACT TO AMEND TITLE 21, CHAPTER 41 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Signed by the Governor 7/27/10) p. 308, 309, 325-326, 331.

SB 309 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO GEOLOGY. (Signed by the Governor 7/15/10) p. 308, 309, 320, 321, 331.

SB 310 AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2011; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Signed by the Governor 7/1/10) p. 316, 323, 330.

SB 311 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. (Vetoed 7/19/10) p. 294, 302, 310, 314, 331.

SB 312 w/SA 2 AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO THE RE-INCORPORATION OF THE CITY OF MILFORD. (Signed by the Governor 7/15/10) p. 310, 319-320, 331.

SB 314 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TRUCK WEIGHTS. (Signed by the Governor 6/29/10) p. 308, 309, 310, 315 318.

SB 315 AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2011; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2011 APPROPRIATIONS ACT; AND TITLE 1 OF THE DELAWARE CODE RELATING TO STATE HOLIDAYS. (Signed by the Governor 7/1/10) p. 327-330.

SB 316 w/SA 2 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO SOLAR PHOTOVOLTAIC SYSTEMS AND REAL PROPERTY. (Signed by the Governor 7/28/10) p. 308, 309, 324-325, 331.

SB 317 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THEFTS FROM CEMETERIES. (House Judiciary Committee) p. 297, 302.

SB 320 w/SA 1 AN ACT TO AMEND TITLE 11 RELATING TO SENTENCING AND GOOD TIME. (Signed by the Governor 7/15/10) p. 310, 321, 331.

SB 322 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO TITLES AND CONVEYANCES. (Signed by the Governor 7/27/10) p. 322, 327, 331.

SB 323 AN ACT TO AMEND TITLE 24, CHAPTER 17, OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICE ACT. (Signed by the Governor 7/27/10) p. 322, 327, 331.

SB 324 w/SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DELAWARE COUNTY AND MUNICIPAL POLICE/FIREFIGHTER PENSION PLAN. (Signed by the Governor 7/15/10) p. 294, 302, 320-321, 331.

SB 325 AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN, THE COUNTY AND MUNICIPAL EMPLOYEES' PENSION PLAN, THE COUNTY AND MUNICIPAL POLICE/FIREFIGHTER PENSION PLAN, THE STATE JUDICIARY PENSION PLAN, THE STATE POLICE PENSION PLAN, AND PENSIONS. (Signed by the Governor 7/15/10) p. 294, 302, 320, 331.

SB 326 w/SA 1 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO MUNICIPAL ELECTIONS. (Signed by the Governor 7/15/10) p. 308, 309, 320-321, 331.

SB 327 w/SA 1 AN ACT TO AMEND VOLUME 68, CHAPTER 3, LAWS OF DELAWARE AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF ELSMERE" CONCERNING ELECTIONS. (Signed by the Governor 7/15/10) p. 308, 309, 320-321, 331.

SB 328 AN ACT PROPOSING AN AMENDMENT TO ARTICLE III OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO CONFIRMATION OF OFFICERS APPOINTED BY THE GOVERNOR. (Enacted without signature) p. 310, 322, 331.

#### SENATE CONCURRENT RESOLUTIONS

SCR 1 PROVIDING FOR A JOINT SESSION OF THE HOUSE AND SENATE FOR THE PURPOSE OF ANNOUNCING THE VOTE FOR GOVERNOR AND LT. GOVERNOR OF THE STATE OF DELAWARE. (Passed) p. 9.

SCR 2 DESIGNATING FEBRUARY 6, 2009 AS "RONALD REAGAN DAY" IN THE STATE OF DELAWARE. (Passed) p. 17-18.

SCR 3 DESIGNATING THE MONTH OF FEBRUARY 2009 AS "DELAWARE'S TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH". (Passed) p. 17, 18.

SCR 4 MEMORIALIZING THE ONE HUNDREDTH ANNIVERSARY OF THE TOWN OF ELSMERE AND EXTENDING SINCERE CONGRATUALTIONS TO ITS CITIZENS. (Passed) p. 17-18.

SCR 5 REORGANIZING THE MOTORCYCLE RIDER EDUCATION ADVISORY COMMITTEE. (Passed) p. 31, 34.

SCR 6 PROCLAIMING THE MONTH OF MAY 2009 AS "MOTORCYCLE AWARENESS MONTH" AND REQUESTING THE GOVERNOR TO ISSUE A PROCLAMATION FOR "MOTORCYCLE AWARENESS MONTH". (Passed) p. 31, 34.

SCR 7 DESIGNATING ONE HOUR ON MARCH 28, 2009 AS "EARTH HOUR" IN LEGISLATIVE HALL AND URGING THE PARTICIPATION OF THE GOVERNOR AND THE CITIZENS OF DELAWARE IN THIS OBSERVANCE. (Passed) p. 34.

SCR 8 RECOGNIZING AND OBSERVING THE MONTH OF APRIL AS WORK ZONE SAFETY MONTH IN DELAWARE. (Passed) p. 39, 43.

SCR 9 DESIGNATING THE MONTH OF APRIL 2009 AS DELAWARE'S SEXUAL ASSAULT AWARENESS MONTH. (Passed) p. 49, 50.

SCR 10 OBSERVING THE MONTH OF MAY, 2009 AS BOTH DRIVER SAFETY MONTH AND HEALTHY VISION MONTH IN THE STATE OF DELAWARE, AND URGING DELAWAREANS TO MAINTAIN THEIR EYE HEALTH AND THEIR DRIVING SKILLS TO ENSURE SAFE DRIVING. (Passed) p. 50, 64.

SCR 11 DESIGNATING APRIL 23, 2009 AS "TECHNOLOGY EDUCATION DAY" IN THE STATE OF DELAWARE. (Passed) p. 50, 52.

SCR 12 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. (Passed) p. 53, 54.

SCR 13 CALLING ON DELAWARE'S CHIEF SCHOOL OFFICERS, POLICE CHIEFS AND STATE LEGISLATORS TO CONVENE MEETINGS FOR THE PURPOSE OF FINDING AND IMPLEMENTING STRATEGIES TO REDUCE VIOLENCE AND THE PRESENCE OF WEAPONS IN OUR SCHOOLS. (Passed) p. 54, 55.

SCR 14 RECOGNIZING JUNE 15 THROUGH JUNE 19, 2009 AS PARALEGAL WEEK. (Passed) p. 71, 80.

SCR 15 RECOGNIZING JUNE 11, 2009 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. 71, 80.

SCR 16 EXPRESSING THE SENSE OF THE DELAWARE GENERAL ASSEMBLY THAT ENSURING THE AVAILABILITY OF ADEQUATE HOUSING IS AN ESSENTIAL COMPONENT OF AN EFFECTIVE STRATEGY FOR THE PREVENTION AND TREATMENT OF HIV AND THE CARE OF INDIVIDUALS WITH HIV. (Passed) p. 71, 80.

SCR 17 HONORING DELAWARE PUBLIC DEFENDER LAWRENCE M. SULLIVAN AS HE PREPARES TO RETIRE FROM THE POSITION HE HAS HELD ABLY AND WELL FOR NEARLY FOUR DECADES. (Passed) p. 74, 91.

SCR 18 RECOGNIZING THE WEEK OF JUNE 1-7, 2009 AS NATIONAL CARDIOPULMONARY RESUSCITATION (CPR) AND AUTOMATED EXTERNAL DEFIBRILLATOR (AED) AWARENESS WEEK IN DELAWARE. (Passed) p. 88, 90.

SCR 19 ENCOURAGING ALL DELAWARE PUBLIC AND PRIVATE SCHOOLS TO INCREASE THE AMOUNT OF PHYSICAL ACTIVITY FOR STUDENTS IN ORDER TO DECREASE OBESITY AND IMPROVE THE HEALTH OF DELAWARE'S YOUNG PEOPLE. (Passed) p. 95, 103.

SCR 20 RECOGNIZING THE MONTH OF JUNE, 2009, AS AMATEUR RADIO MONTH IN THE STATE OF DELAWARE. (Passed) p. 95, 103.

SCR 21 ESTABLISHING A TASK FORCE TO EVALUATE AND MAKE RECOMMENDATIONS OF POLICIES RELATING TO TEEN DATING VIOLENCE EDUCATION IN SCHOOLS. (Passed) p. 124, 127.

SCR 22 ENCOURAGING DELAWARE HOSPITALS AND OTHER HEALTHCARE FACILITIES TO ADOPT THE NATIONAL COLOR STANDARDS FOR PATIENT ALERT WRISTBANDS. (Passed) p. 124, 127.

SCR 23 COMMENDING THE CLASS OF 2008-2009 EAGLE SCOUTS FOR HAVING ATTAINED THE HIGHEST RANK ONE CAN EARN IN THE BOY SCOUTS OF AMERICA. (Passed) p. 105, 127.

SCR 24 SUPPORTING DELAWARE'S APPLICATION FOR A FEDERAL RACE TO THE TOP GRANT. (Passed) p. 155, 161.

SCR 25 WELCOMING DR. HARRY LEE WILLIAMS, 10TH PRESIDENT OF DELAWARE STATE UNIVERSITY, TO LEGISLATIVE HALL AND EXTENDING TO HIM BEST WISHES FOR SUCCESS IN HIS NEW OFFICE. (Passed) p. 168-169.

SCR 26 COMMENDING THE DELAWARE STATE DENTAL SOCIETY ON THE ACHIEVEMENTS OF ITS SIXTH ANNUAL GIVE KIDS A SMILE PROGRAM, AND RECOGNIZE ITS CONTINUING EFFORTS. (Passed) p. 182, 183.

SCR 27 URGING THE PRESIDENT AND THE UNITED STATES CONGRESS TO ADDRESS THE ISSUE OF CLIMATE CHANGE AND ENERGY BY PASSING CLEAN ENERGY LEGISLATION THAT PROMOTES JOBS AND INNOVATIVE ENERGY DEVELOPMENT, STRENGTHENS NATIONAL ENERGY AND ECONOMIC SECURITY, AND POSITIONS THE UNITED STATES TO BE A LEADER IN THE FIELD OF CLEAN ENERGY. (House Ready List) p. 206, 207, 221.

SCR 28 CELEBRATING THE 90TH ANNIVERSARY OF THE LEAGUE OF WOMEN VOTERS. (Passed) p. 192, 193.

SCR 29 DESIGNATING APRIL 22, 2010 AS "TECHNOLOGY EDUCATION DAY" IN THE STATE OF DELAWARE. (Passed) p. 212, 213.

SCR 30 FORMALLY RATIFYING THE 17TH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDING FOR THE POPULAR ELECTION OF SENATORS TO THE UNITED STATES SENATE. (Passed) 308, 328.

SCR 31 RECOGNIZING JUNE 6 THROUGH JUNE 12, 2010 AS PARALEGAL WEEK. (Passed) p. 219, 220.

SCR 32 RECOGNIZING THE HEALTH CONCERNS OF BISPHENOL A EXPOSURE. (Passed) p. 246, 253.

SCR 33 RECOGNIZING MAY, 2010 AS MELANOMA AND SKIN CANCER DETECTION AND PREVENTION MONTH. (Passed) p. 238, 239.

SCR 34 RECOGNIZING THE WEEK OF JUNE 1-7, 2010 AS NATIONAL CARDIOPULMONARY RESUSCITATION (CPR) AND AUTOMATED EXTERNAL DEFIBRILLATOR (AED) AWARENESS WEEK IN DELAWARE. (Passed) p. 246.

SCR 36 COMMENDING THE CLASS OF 2009-2010 EAGLE SCOUTS FOR HAVING ATTAINED SCOUTING'S HIGHEST RANK AND CELEBRATING THE 100TH ANNIVERSARY OF THE BOY SCOUTS OF AMERICA. (Passed) p. 282-283, 285.

SCR 37 RELATING TO THE DELAWARE STATISTICAL ANALYSIS CENTER AND THE ESTABLISHMENT OF THE CRIMINAL JUSTICE STATISTICAL REVIEW COMMITTEE. (Passed) p. 318, 324.

SCR 38 URGING THE DELAWARE HERITAGE COMMISSION TO UNDERTAKE THE STATE'S OFFICIAL OBSERVANCE OF THE 150TH ANNIVERSARY OF THE CIVIL WAR BETWEEN 2011 AND 2015, AND TO ASSIST OTHER ORGANIZATIONS IN THEIR COMMEMORATIVE EFFORTS. (Passed) p. 308, 324.

SCR 39 RECOGNIZING JULY 6, 2010 AS INDEPENDENT BUSINESS OWNERS DAY IN THE STATE OF DELAWARE. (Passed) p. 318, 324.

#### SENATE JOINT RESOLUTIONS

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| Mental Health Bill of Rights           |            |    |     |
| Added Protections                      | Cathcart   | HB | 37  |
| Death & Critical Incidents             | Cathcart   | HB | 38  |
| Mental Health Death Review Committee   | Cathcart   | HB | 34  |
| Nursing Facilities/ Protection Agency  | Cathcart   | HB | 36  |
| Personal Health Information/Exceptions | Barbieri   | HB | 440 |
| Psychiatric Center                     |            |    |     |
| Abuse Report Protection                | Cathcart   | HB | 39  |
| Delaware Psychiatric Center Authority  | Cathcart   | HB | 42  |
| Director/Board Certified               | Cathcart   | HB | 35  |
| Dress Code/Mandatory                   | J. Johnson | HB | 6   |
| Vital Records/Increase Fees            | Gilligan   | HB | 286 |

### **HOSPITALS**

|                   |        |    |     |
|-------------------|--------|----|-----|
| Visitation Policy | Keeley | HB | 75  |
|                   | Keeley | HB | 112 |

### **HOUSING**

|                                            |            |    |     |
|--------------------------------------------|------------|----|-----|
| Newark Housing Authority/Revisions         | Kowalko    | HB | 446 |
| Public Finance Assistance/Universal Design | Q. Johnson | HB | 426 |

|                                                         |              |         |     |
|---------------------------------------------------------|--------------|---------|-----|
| Public Housing/Right to Bear Arms                       | Atkins       | HS 1/HB | 357 |
| Workforce Housing/Disclosure/Impact                     | Cathcart     | HB      | 82  |
| <b><u>I</u></b>                                         |              |         |     |
| <b><u>INSURANCE</u></b>                                 |              |         |     |
| Audits/Small Employer Carrier                           | D. Short     | HB      | 137 |
| Auto/Transfer Between/Insurers/Notify                   | B. Short     | HB      | 140 |
| Captive Insurance/Add Two Types                         | B. Short     | HB      | 314 |
| Chiropractic/Unreasonable Charges                       | Q. Johnson   | HB      | 416 |
|                                                         | Q. Johnson   | HS 1/HB | 435 |
| Coverage Denial/Out-of-Pocket                           | D. Short     | HB      | 367 |
| Delaware Life and Health Insurance Guaranty             |              |         |     |
| Association/Amendments                                  | B. Short     | HB      | 202 |
| Health                                                  |              |         |     |
| Children/Low Income                                     | Schooley     | HB      | 22  |
|                                                         | Schooley     | HB      | 139 |
| Health Care Provider/Civil Actions/Sexual Abuse         | Schwartzkopf | HB      | 326 |
| Infant & Toddler Developmental Screening/Cover          | Schooley     | HB      | 199 |
| Insurance Department/Procurement Laws                   | Lavelle      | HB      | 413 |
| Motor Vehicle Collision/Underinsured Insurance Benefits | Keeley       | HB      | 255 |
| Mutual Insurer/Stock Insurer/Conversion                 | B. Short     | HB      | 453 |
| Pharmacy/Electronic Payments                            | Carson       | HB      | 118 |
| Post-Claims Underwriting/Prohibit                       | Scott        | HB      | 420 |
| Prosthetic Parity                                       | Brady        | HB      | 343 |
| Small Business/Participation                            | Booth        | HB      | 64  |
| Small Employer/Reform Rating Rules                      | D. Short     | HB      | 85  |
| Statement of Actuarial Opinion                          | B. Short     | HB      | 473 |
| Uninsured/Physicians/Volunteers                         | D.P Williams | HB      | 195 |
| <b><u>J</u></b>                                         |              |         |     |
| <b><u>JUSTICE, DEPARTMENT OF</u></b>                    |              |         |     |
| Charitable Organizations/Fraud                          | Keeley       | HB      | 248 |
| Credit Repair Companies/Enforcement Options             | Keeley       | HB      | 221 |
| Fees/Amenity/Enforcement                                | Cathcart     | HB      | 321 |
| Health Care Freedom Act/Duties                          | Hudson       | HB      | 353 |
| Manufactured Homes/Enforce Laws                         | Longhurst    | HB      | 311 |
| Prosecution Fee/Assessment                              | Brady        | HB      | 175 |
| Protection/Consumer Protection Unit                     | Keeley       | HB      | 247 |
| Substantial Assistance/New Statute/Drug Trafficking     | Mitchell     | HB      | 109 |
| Violent Crimes Compensation Board/Changes               | Kowalko      | HB      | 253 |
| <b><u>L</u></b>                                         |              |         |     |
| <b><u>LABOR</u></b>                                     |              |         |     |
| Construction/Independent Contractor/Penalties           | Gilligan     | HB      | 230 |
| Construction Industry Independent Contractor Act        | Plant        | HB      | 129 |
| Department of Correction/Collective Bargaining          | Oberle       | HB      | 56  |
| Direct Care Workers/Licensing                           | Hudson       | HB      | 92  |
| Parents/School Meetings/Grant Leave                     | Scott        | HB      | 231 |
| Police Officers' and Firefighters' Employment Relations |              |         |     |
| Act/Employees                                           | Oberle       | HB      | 364 |
| Prevailing Wage                                         |              |         |     |
| Wage/Establish Rates                                    | Booth        | HB      | 145 |
| Threshold/Increase                                      | Lavelle      | HB      | 141 |
| Mechanics & Laborers/Opt Out                            | Hudson       | HB      | 153 |
| Prohibit Discrimination/Sexual Orientation              | Schwartzkopf | HB      | 5   |
| Refinery/Trailers/Temporary Structures                  | Mulrooney    | HB      | 259 |
| Schools/Exempt Prevailing Wage                          | D. Short     | HB      | 110 |
| Schools/Instruction/History - Organized Labor           | Oberle       | HB      | 363 |
| Unemployment Compensation                               |              |         |     |
| Revisions/Federal Stimulus Funds                        | B. Short     | HB      | 170 |
| Wrongful Termination/Protection                         | Plant        | HB      | 18  |
| Landlord/Tenant Code                                    |              |         |     |
| Clarification/Notices                                   | Q. Johnson   | HB      | 280 |
| Appeals                                                 | M. Marshall  | HB      | 292 |
| <b><u>LAW ENFORCEMENT</u></b>                           |              |         |     |
| Blue Alert System                                       | Schooley     | HB      | 448 |



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|-------------------------------------------------------|--------------|--------|-----|
| Employment Relations Act/Employees                    | Oberle       | HB     | 364 |
| Delaware Law Enforcement Memorial/Funds               | Mitchell     | HB     | 207 |
| Law Enforcement/Certification                         | Oberle       | HB     | 56  |
| Motor Vehicle Special Plates                          |              |        |     |
| Law Enforcement Memorial                              | Schwartzkopf | HB     | 450 |
| Pension Plan/Final Average Compensation               | Bennett      | HB     | 218 |
| Police Chief/Due Process/Updates                      | Mitchell     | HB     | 479 |
| State Trooper Fund/Create                             | Mitchell     | HB     | 478 |
| <b><u>LIMITED LIABILITY COMPANY</u></b>               |              |        |     |
| LLC/Tax Increase                                      | Kowalko      | HB     | 239 |
|                                                       | Kowalko      | HB     | 241 |
| <b><u>LOBBYISTS</u></b>                               |              |        |     |
| Disclosure/Council or Board Membership                | Keeley       | HB     | 16  |
| Cooling Off Period/One Year                           | Kowalko      | HB     | 27  |
| <b><u>LOTTERY</u></b>                                 |              |        |     |
| Also see “Video Lottery,” “Gaming” & “Sports Betting” |              |        |     |
| Authorize Table Games                                 | Schwartzkopf | HB     | 310 |
| Equalize State Share                                  | Hudson       | HB     | 11  |
| Harness Racing Venues/Video Lottery Agent             | Schwartzkopf | HB     | 194 |
| Private Club/Establish                                | Viola        | HB     | 389 |
| Purse Distribution/Adjust                             | Gilligan     | HB     | 257 |
| Reporting Date/Amend                                  | Schwartzkopf | HB     | 319 |
| Sports Betting/Allow                                  | Schwartzkopf | HS1/HB | 100 |
| Winnings/Eliminate Tax Exemption                      | Gilligan     | HB     | 260 |
| <b><u>M</u></b>                                       |              |        |     |
| <b><u>MANUFACTURED HOMES</u></b>                      |              |        |     |
| Alternate Dispute Resolution/Revisions                | Longhurst    | HB     | 313 |
| Attorney General/Enforce Laws                         | Longhurst    | HB     | 311 |
| By-Laws/Update/Clarify Language                       | Longhurst    | HB     | 246 |
| Community Center/Use                                  | Longhurst    | HB     | 392 |
| Lease Disclosures/Requirements                        | Longhurst    | HB     | 391 |
| Rent Payments/Equal Amounts                           | Atkins       | HB     | 103 |
|                                                       | Atkins       | HB     | 107 |
| Standing & Stagnant Water/Clarify                     | Longhurst    | HB     | 312 |
| Tenant                                                |              |        |     |
| Disclosure/Terms of Agreement                         | Longhurst    | HB     | 200 |
| Utilities                                             | Longhurst    | HB     | 208 |
| Trees/Care & Removal                                  | Atkins       | HB     | 105 |
| <b><u>MARRIAGE</u></b>                                |              |        |     |
| Fee Exemption/Military                                | Jaques       | HB     | 114 |
| Marriage Certificate/Increase Time/Return to Clerk    | Q. Johnson   | HB     | 154 |
| Mayor/Solemnize Marriages                             | Brady        | HB     | 344 |
| Registration/Clergy & Ministers                       | Jaques       | HB     | 370 |
| <b><u>MEDICAL PRACTICE ACT</u></b>                    |              |        |     |
| Additional Training & Reporting/Medical &             |              |        |     |
| Law Enforcement                                       | Schwartzkopf | HB     | 457 |
| Division of Professional Regulation/Criminal Justice  |              |        |     |
| Agency                                                | Schwartzkopf | HB     | 485 |
| Board of Medical Practice/Reporting Process           | Keeley       | HB     | 459 |
| Physicians/Licensure & Renewal Requirements           | Schwartzkopf | HB     | 458 |
| Treatment of Minors/Require Adult                     | Schwartzkopf | HB     | 456 |
| <b><u>MILITARY</u></b>                                |              |        |     |
| Also see “Veterans” & “National Guard”                |              |        |     |
| DNREC License/Resident/Active Military                | Briggs King  | HB     | 437 |
| Income Tax/Active Military Pay/DE Resident            | Hudson       | HB     | 8   |
| Last Remains/DD Form 93                               | Brady        | HB     | 323 |
| Marriage Fee Exemption                                | Jaques       | HB     | 114 |
| Military Parents’ Rights Act                          | Brady        | HB     | 418 |
| Military Spouse Appreciation Day                      | Scott        | HB     | 187 |
| National Guard/Education Benefits/Changes             | Jaques       | HB     | 73  |
| Vietnam Veterans Day/Annual Commemoration             | Outten       | HB     | 472 |
| <b><u>MORTGAGE</u></b>                                |              |        |     |
| Debt Management Services Act/Clarification            | Keeley       | HB     | 232 |
| Kent County/Mortgage Commissioner/Eliminate           | Bennett      | HB     | 96  |

|                                                                          |               |        |     |
|--------------------------------------------------------------------------|---------------|--------|-----|
| Mortgage Loan Modification/Limit Compensation                            | B. Short      | HB     | 149 |
| Mortgaging of Leasehold Interests/Allows for Certainty                   | B. Short      | HB     | 256 |
| <b><u>MOTOR VEHICLES</u></b>                                             |               |        |     |
| Axle Load Limits/Reinstate                                               | Walls         | HB     | 127 |
| CDL/Federal Regulations                                                  | Mitchell      | HB     | 368 |
| Cell Phone                                                               |               |        |     |
| Texting/Prohibit                                                         | Miro          | HS1/HB | 40  |
| Use/Prohibit                                                             | Miro          | HB     | 298 |
|                                                                          | Scott         | HB     | 229 |
| DUI                                                                      |               |        |     |
| Alcohol Monitoring/Felony/Device                                         | Keeley        | HB     | 281 |
| Fines & Penalties/Increase                                               | B. Short      | HB     | 152 |
| Driver's License                                                         |               |        |     |
| Medical Conditions/Reporting                                             | Miro          | HB     | 28  |
| Failure to Answer a Summons                                              | Mitchell      | HB     | 61  |
| Fraudulent Documents/Apply/Driver's License                              | Mitchell      | HB     | 160 |
| Ignition Interlock Device(IID)/Housekeeping                              | Mitchell      | HB     | 111 |
| Ignition Interlock Devices/Mandatory Use                                 | Keeley        | HB     | 315 |
| Insurance/Violation/Fines                                                | Oberle        | HB     | 462 |
| Number Plates/Lights/Prohibit                                            | Jaques        | HB     | 122 |
| Left Lane/Prohibit Slower Vehicles                                       | Carson        | HB     | 434 |
| Littering/Clarify Meaning                                                | Oberle        | HB     | 217 |
| Minor Traffic Offenses/Violations                                        | Mitchell      | HB     | 21  |
| Move On Over/Tow Trucks                                                  | Carson        | HB     | 71  |
| Red Light Camera/Increase Assessment                                     | Mitchell      | HB     | 189 |
| Revocation/Suspension Period                                             | Mitchell      | HB     | 68  |
| School Buses/Code Correction                                             | Schooley      | HB     | 379 |
| Sex Offender/Suspend License                                             | Cathcart      | HB     | 72  |
| Special Plates                                                           |               |        |     |
| Flyers Charities                                                         | Kovach        | HB     | 489 |
| Law Enforcement Memorial                                                 | Schwartzkopf  | HB     | 450 |
| Operation Enduring Freedom/Veterans                                      | Q. Johnson    | HB     | 383 |
| Paramedics                                                               | Booth         | HB     | 57  |
| Safe Haven No Kill Animal Sanctuary                                      | Schwartzkopf  | HB     | 397 |
| Three Year Moratorium                                                    | Cathcart      | HB     | 429 |
| Speed Monitoring/Pilot Program                                           | Brady         | HB     | 197 |
| Speeding/Loss of License                                                 | Oberle        | HB     | 58  |
| Two-Way Communication Device                                             | Schwartzkopf  | HB     | 493 |
|                                                                          | Briggs King   | HB     | 494 |
|                                                                          | Hudson        | HB     | 388 |
| Vehicle Registration/Failure/Penalties                                   |               |        |     |
| <b><u>MUNICIPALITIES</u></b> - also see "Counties"                       |               |        |     |
| Municipal Street Aid/Supplemental/Use Escheat Monies                     | D. Short      | HB     | 414 |
| Standard for Accessible Design/Adopt                                     | Schwartzkopf  | HB     | 460 |
| <b><u>N</u></b>                                                          |               |        |     |
| <b><u>NATIONAL GUARD</u></b>                                             |               |        |     |
| Also see "Military" & "National Guard"                                   |               |        |     |
| Education Benefits/Changes                                               | Jaques        | HB     | 73  |
| Licenses/Late Fees                                                       | Carson        | HB     | 483 |
| <b><u>NATURAL RESOURCES &amp; ENVIRONMENT CONTROL, DEPARTMENT OF</u></b> |               |        |     |
| Bottle Bill/Repeal                                                       | Viola         | HB     | 201 |
| Clean Air Act/Petroleum Transfers                                        | Mulrooney     | HB     | 162 |
| Conservation Trust Fund/Project Oversight                                | Brady         | HB     | 106 |
| Crude Oil Lightering/License & Fee                                       | Barbieri      | HB     | 287 |
| Department Reorganization                                                | D.E. Williams | HB     | 480 |
| Dog Control/Transfer to Counties                                         | M. Marshall   | HB     | 233 |
| Finfishing/Regulation/Artificial Reefs                                   | Walls         | HB     | 270 |
| Hazardous Waste/Disposal                                                 | Kowalko       | HB     | 24  |
| Hunting                                                                  |               |        |     |
| Wild Turkeys/Penalty                                                     | Walls         | HB     | 67  |
| License/Eliminate Need to Display                                        | Walls         | HB     | 216 |
| License/Military/Resident                                                | Briggs King   | HB     | 437 |
| License Information/Research/Surveys                                     | Walls         | HB     | 409 |
| Muskrat Open Season/Extend                                               | Outten        | HB     | 398 |
| Recycling                                                                |               |        |     |

|                                                            |             |    |     |
|------------------------------------------------------------|-------------|----|-----|
| Plastic Bags                                               | Longhurst   | HB | 15  |
| Bottle Bill/Repeal                                         | Viola       | HB | 201 |
| Replacement/Docks/Expedited Authorization                  | Hocker      | HB | 355 |
| <b><u>P</u></b>                                            |             |    |     |
| <b><u>PAWNBROKERS AND JUNK DEALERS</u></b>                 |             |    |     |
| Report Transactions/Certain Metals                         | Wilson      | HB | 430 |
| Statute Revisions                                          | Mitchell    | HB | 164 |
| <b><u>PENSION</u></b>                                      |             |    |     |
| Pension Exclusion/\$37,500                                 | Hocker      | HB | 97  |
| Police/Firefighter Pension Plan/Final Average Compensation | Bennett     | HB | 218 |
| Petroleum Transfers/Vessel to Vessel                       | Mulrooney   | HB | 162 |
| <b><u>POLICE</u></b>                                       |             |    |     |
| See “Law Enforcement”                                      |             |    |     |
| <b><u>PROBATE</u></b>                                      |             |    |     |
| Small Estate Affidavit                                     | B. Short    | HB | 296 |
| <b><u>PROPERTY, REAL</u></b>                               |             |    |     |
| Delaware Uniform Common Interest Ownership Act (DUCIOA)    |             |    |     |
| Amendments to Act                                          | M. Marshall | HB | 156 |
| Amendments to Act                                          | George      | HB | 475 |
| Condominium/Reserve Fund                                   | M. Marshall | HB | 183 |
| Technical Amendments                                       | M. Marshall | HB | 45  |
| Fee Obligations/New Home Sales                             | Cathcart    | HB | 320 |
| Fees/Amenity/Community Development                         | Cathcart    | HB | 321 |
| Freedom of Contract/Commercial Loan                        | B. Short    | HB | 371 |
| Landlord - Tenant Code                                     |             |    |     |
| Appeals                                                    | M. Marshall | HB | 292 |
| Clarification/Notices                                      | Q. Johnson  | HB | 280 |
| Limit Realty Transfer Tax Exemption                        | Viola       | HB | 327 |
| Real Estate Sale/Nonresidents                              | Gilligan    | HB | 349 |
| <b><u>PUBLIC SERVICE COMMISSION</u></b>                    |             |    |     |
| Utility Property/Return/Transferred without Approval       | Schooley    | HB | 271 |
| Salaries                                                   | Schooley    | HB | 272 |
| <b><u>PUBLIC UTILITIES</u></b>                             |             |    |     |
| Certificates of Public Convenience/Government Entity       | Walls       | HB | 442 |
| Ratemaking/Prudence Standard                               | Schooley    | HB | 277 |
| Satellite Service/Increase Tax Rates                       | Gilligan    | HB | 261 |
|                                                            | Gilligan    | HB | 288 |
| Utility Property/Return                                    | Schooley    | HB | 271 |
| Purchase of Care/Reimbursement Based on Quality            | M. Marshall | HB | 331 |
| <b><u>R</u></b>                                            |             |    |     |
| <b><u>RECYCLING</u></b>                                    |             |    |     |
| Bottle Bill/Repeal                                         | Viola       | HB | 201 |
| Plastic Bags                                               | Longhurst   | HB | 15  |
| <b><u>RELIGION</u></b>                                     |             |    |     |
| Religious Camp Meetings/Delete Code Provisions             | Walls       | HB | 352 |
| <b><u>S</u></b>                                            |             |    |     |
| <b><u>SCHOOLS</u></b>                                      |             |    |     |
| Also see “Education”                                       |             |    |     |
| American Sign Language/World Language                      | Q. Johnson  | HB | 345 |
| Board Members/Oath                                         | Manolakos   | HB | 76  |
| Checking Account/Activity/Public                           | Lavelle     | HB | 87  |
| Commodore MacDonough/Transfer/Del. City Fire Co.           | Cathcart    | HB | 282 |
| Contracts/Publish on Web                                   | Lavelle     | HB | 88  |
| Deaf/Hard of Hearing/Rights                                | Schooley    | HB | 283 |
| Disabled Children/Free and Appropriate Education           | Q. Johnson  | HB | 328 |
| District Finances/More Discretion                          | Schooley    | HB | 119 |
| Due Process Hearings/Children with Disabilities            | Q. Johnson  | HB | 387 |
| Elections/Notice Requirements                              | Jaques      | HB | 244 |
| Exceptional Persons/Grammatical Revisions                  | Schooley    | HB | 254 |
| Family Medical Leave Act/Colonial School District          | Longhurst   | HB | 275 |
| Family & Medical Leave Act/Teachers                        | Longhurst   | HB | 157 |

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| Food Served/Hot Meal/Meal Account                                            | D.P. Williams | HB      | 223 |
| Food Served/Limit Trans Fat                                                  | Kowalko       | HB      | 60  |
| History of Organized Labor/Instruction                                       | Oberle        | HB      | 363 |
| IDEA/Align Delaware Law                                                      | Schooley      | HB      | 396 |
| Needs Based Funding Structure                                                | Schooley      | HB      | 436 |
| Parental Involvement/Signature                                               | Schooley      | HB      | 350 |
| Parents/School Meetings                                                      | Scott         | HB      | 231 |
| Prevailing Wage/Exempt                                                       | D. Short      | HB      | 110 |
| Professional Development/Conduct                                             | Miro          | HB      | 224 |
| School Boards                                                                |               |         |     |
| Elections                                                                    | Longhurst     | HB      | 117 |
| Training/Special Education Due Process                                       |               |         |     |
| Hearings                                                                     | Q. Johnson    | HB      | 386 |
| Zero Tolerance/Amend                                                         | Schooley      | HB      | 120 |
| School Breakfast Program                                                     | Oberle        | HB      | 441 |
| School Crimes/Mandatory Reporting                                            | Barbieri      | HB      | 347 |
| School Discipline/Regulations                                                | Scott         | HB      | 486 |
| Tax Deferred Savings Plan/Establishment                                      |               |         |     |
| & Administration                                                             | Schooley      | HB      | 186 |
| Teach for America/Allow                                                      | Schooley      | HB      | 102 |
| Voluntary School Assessment/Increase                                         | Jaques        | HB      | 30  |
| <b><u>SEXUAL ORIENTATION</u></b>                                             |               |         |     |
| Prohibit Discrimination                                                      | Schwartzkopf  | HB      | 5   |
| <b><u>SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES, DEPARTMENT OF</u></b> |               |         |     |
| Constable Powers/Probation & Parole                                          | D.P. Williams | HB      | 452 |
| Custody and Third Party Visitation of                                        |               |         |     |
| Children/Modifications                                                       | M. Marshall   | HB      | 104 |
| Employee/Drug Testing                                                        | Barbieri      | HB      | 190 |
| <b><u>SPORTS</u></b>                                                         |               |         |     |
| Combative Sports/First Responders                                            | Q. Johnson    | HB      | 332 |
|                                                                              | Q. Johnson    | HB      | 427 |
| <b><u>SPORTS BETTING</u></b>                                                 |               |         |     |
| Also see “Lottery,” “Video Lottery” & “Gaming”                               |               |         |     |
| Equalize State Share                                                         | Hudson        | HB      | 11  |
| Purse Distribution/Adjust                                                    | Gilligan      | HB      | 257 |
| Reporting Date/Amend                                                         | Schwartzkopf  | HB      | 319 |
| Sports Betting/Allow                                                         | Schwartzkopf  | HS 1/HB | 100 |
| Winnings/Eliminate Tax Exemption                                             | Gilligan      | HB      | 260 |
| <b><u>STATE</u></b>                                                          |               |         |     |
| 800 MHZ Radio/Codify Agreement                                               | Mitchell      | HB      | 415 |
| Actions/Childhood Sexual Assaults/                                           |               |         |     |
| Public Sector Employees                                                      | Lavelle       | HB      | 155 |
| Agencies                                                                     |               |         |     |
| Checking Account Activity/Public                                             | Lavelle       | HB      | 86  |
| Private Attorneys Prohibited                                                 | Booth         | HB      | 63  |
| Business License/Part of Advertising                                         | Manolakos     | HB      | 213 |
| Compensation Commission/Name Change                                          | Lavelle       | HB      | 55  |
| Councils/Inactive/Eliminates                                                 | Kowalko       | HB      | 454 |
| DEFAC Projections/Move Date                                                  | Lavelle       | HB      | 411 |
| Delaware Disaster Relief Fund/Create                                         | Briggs King   | HB      | 417 |
| Delaware Film Finance Incentive Program                                      | Keeley        | HB      | 250 |
| Document Fees/Increase                                                       | Gilligan      | HB      | 262 |
| DNREC/Conservation Trust Fund                                                | Brady         | HB      | 106 |
| DNREC/Department Reorganization                                              | D.E. Williams | HB      | 480 |
| Elected Officials/Disclosure/Council or                                      |               |         |     |
| Board Membership                                                             | Ramone        | HB      | 172 |
| Employee                                                                     |               |         |     |
| Benefits/Termination                                                         | Booth         | HB      | 158 |
| Benefits Committee/Add Member                                                | M. Marshall   | HB      | 220 |
|                                                                              | Keeley        | HB      | 329 |
| Benefits/Same-Sex Partner                                                    | Schooley      | HB      | 10  |
| Felons/Waiting Period                                                        | Booth         | HB      | 66  |
| Pension                                                                      |               |         |     |
| Final Average/Alternative Method                                             | Oberle        | HB      | 91  |

|                                                         |              |         |     |
|---------------------------------------------------------|--------------|---------|-----|
| Judge                                                   | Oberle       | HB      | 101 |
| Law Enforcement/Retirement/25 Years                     | Gilligan     | HB      | 126 |
| Leave of Absence/Prohibit for Prison Sentence           | J. Johnson   | HB      | 128 |
|                                                         | Bennett      | HB      | 43  |
| Film Incentive Program                                  | Bennett      | HB      | 53  |
|                                                         | Keeley       | HB      | 250 |
| Financial Disclosure Reports/Move Report Date           | Kovach       | HB      | 490 |
| Fire Marshall/Increase Fees                             | D. Short     | HB      | 360 |
| Fiscal Transparency                                     | Schwartzkopf | HB      | 263 |
| Health Care Freedom Act                                 | Lavelle      | HB      | 90  |
| Inspector General/Create                                | Hudson       | HB      | 353 |
| Insurance Department/Procurement Laws                   | Oberle       | HB      | 134 |
| Judge David P. Buckson/Name Court House                 | Lavelle      | HB      | 413 |
| Libraries/Wireless/ Internet Protection Act             | Blakey       | HB      | 467 |
| Licensing                                               | Atkins       | HB      | 340 |
| Direct Care Workers                                     | Hudson       | HB      | 92  |
| Social Work                                             | Barbieri     | HB      | 125 |
|                                                         | Q. Johnson   | HB      | 184 |
| Military Spouse Appreciation Day/Annual Commemoration   | Scott        | HB      | 187 |
| OMB/Disclose Consultants & Contractors                  | Hudson       | HB      | 366 |
| Procurement                                             |              |         |     |
| Electronic/Legal Notices/Publish                        | Atkins       | HB      | 215 |
| Legal Processing Fee                                    | Brady        | HB      | 144 |
| Public Assistance/Chiropractic Reimbursement            | Q. Johnson   | HB      | 219 |
| Public Housing/Right to Bear Arms                       | Atkins       | HS 1/HB | 357 |
| Public Officers                                         |              |         |     |
| Disclose Family Employees                               | Keeley       | HB      | 20  |
|                                                         | Lavelle      | HB      | 12  |
| Public Works Contracting/Bid Process                    | Scott        | HB      | 424 |
| Regulatory Flexibility Act                              | B. Short     | HS 1/HB | 390 |
| Reports/Electronic Format                               | B. Short     | HB      | 222 |
| Revenue Estimate/ Due Date                              | Lavelle      | HB      | 279 |
| Secretary of State/Increase Fees & Taxes                | Gilligan     | HS1/HB  | 267 |
| State Dessert/Peach Pie                                 | Scott        | HB      | 99  |
| State Council for Adult Offender Supervision/ Establish | J. Johnson   | HB      | 225 |
| State Fruit/Strawberry                                  | Hocker       | HB      | 203 |
| State Wildlife Animal/Red Fox                           | Kowalko      | HB      | 316 |
| State Wildlife Animal/Grey Fox                          | Kowalko      | HB      | 354 |
| Strategic Fund/Distributions/Public                     | Lavelle      | HB      | 89  |
| Vietnam Veterans Day/Annual Commemoration               | Outten       | HB      | 472 |
| Stormwater Discharge                                    | B. Short     | HB      | 476 |

## **T**

### **TAXES**

|                                         |              |    |     |
|-----------------------------------------|--------------|----|-----|
| Accommodations/Expansion                | Brady        | HB | 188 |
| Alcoholic Beverage/Increase Taxes       | Schwartzkopf | HB | 212 |
| Cigarette/Increase Tax                  | Schwartzkopf | HB | 211 |
| Commercial Lightering/Petroleum         | Barbieri     | HB | 234 |
| Corporate Franchise/Increase            | Kowalko      | HB | 240 |
| Credits                                 |              |    |     |
| Business Finder's Fee Tax Credit        | Bennett      | HB | 380 |
| Historic Preservation/Extends           | Hudson       | HB | 138 |
| Investment Funds                        | Viola        | HB | 496 |
| Motor Vehicle Document Fee              | Oberle       | HB | 48  |
| Children's Trust Fund/Remove            |              |    |     |
| Tax Check-off                           | Hudson       | HB | 334 |
| College Investment Plan/ Deposit Income |              |    |     |
| Tax Refund                              | Schooley     | HB | 335 |
| Destruction/Untaxed Tobacco             | Mitchell     | HB | 408 |
| Estate/Out of State Homes               | Hudson       | HB | 492 |
| Estate/Reinstate                        | Longhurst    | HB | 265 |
|                                         | Longhurst    | HB | 291 |

|                                                             |              |         |     |
|-------------------------------------------------------------|--------------|---------|-----|
| Estate/Sunset/Remove                                        | Ramone       | HB      | 497 |
| Gross Receipts/Decrease Rates                               | Kovach       | HB      | 495 |
| Gross Receipts/Exempt Pharmaceuticals   Wholesaler          | Viola        | HB      | 477 |
| Gross Receipts/Increase Rates                               | Longhurst    | HB      | 266 |
|                                                             | Longhurst    | HB      | 289 |
| <b>Income</b>                                               |              |         |     |
| Active Military Pay/DE Resident                             | Hudson       | HB      | 8   |
| Multiple Sclerosis Society Check off                        | Hudson       | HB      | 191 |
| Ovarian Cancer Check off                                    | Oberle       | HB      | 228 |
| Increase                                                    | Kowalko      | HB      | 238 |
|                                                             | Kowalko      | HB      | 242 |
|                                                             | Longhurst    | HS1/HB  | 264 |
| Lottery Winnings/Eliminate Tax Exemption                    | Gilligan     | HB      | 260 |
| Pension Exclusion/\$37,500                                  | Hocker       | HB      | 97  |
| Secretary of State/Increase Fees & Taxes                    | Gilligan     | HS1/HB  | 267 |
| LLC/Tax Increase                                            | Kowalko      | HB      | 239 |
|                                                             | Kowalko      | HB      | 241 |
| Limit Realty Transfer Tax Exemption                         | Viola        | HB      | 327 |
| Predatory Lending Prevention/Tax Refunds                    | Keeley       | HB      | 303 |
| Real Estate Sale/Nonresident                                | Gilligan     | HB      | 349 |
| Satellite Service/Add                                       | Gilligan     | HB      | 261 |
|                                                             | Gilligan     | HB      | 288 |
| Voluntary Tax Compliance/Establish                          | Gilligan     | HS1/HB  | 268 |
| Third-Party Visitation/Amends                               | George       | HB      | 423 |
| <b><u>TOBACCO</u></b>                                       |              |         |     |
| Cigarette/Tax Increase                                      | Schwartzkopf | HB      | 211 |
| Destruction/Untaxed Tobacco                                 | Mitchell     | HB      | 408 |
| Sale/Proof of Age Under 27                                  | Mitchell     | HB      | 269 |
| <b><u>TRANSPORTATION</u></b>                                |              |         |     |
| Public Carriers/Updates                                     | Mitchell     | HB      | 161 |
| Public Carriers/Violations/Cease Enforcement/Not Guilty     | Hudson       | HB      | 318 |
| <b><u>TRANSPORTATION, DEPARTMENT OF</u></b>                 |              |         |     |
| Scenic and Historic Highway/Graffiti                        | Hudson       | HB      | 276 |
| Tree Replacement/DelDOT Projects                            | Carson       | HB      | 421 |
| <b><u>U</u></b>                                             |              |         |     |
| <b><u>UNEMPLOYMENT</u></b>                                  |              |         |     |
| Seasonal Employer/Fund Contributions                        | Cathcart     | HB      | 130 |
| <b><u>V</u></b>                                             |              |         |     |
| <b><u>VETERANS</u></b>                                      |              |         |     |
| Also see “Military” & “National Guard”                      |              |         |     |
| Operation Enduring Freedom                                  |              |         |     |
| Special Plates                                              | Q. Johnson   | HB      | 383 |
| <b><u>VIDEO LOTTERY</u></b> - Also see “Gaming” & “Lottery” |              |         |     |
| Authorize Table Games                                       | Schwartzkopf | HB      | 310 |
| Equalize State Share                                        | Hudson       | HB      | 11  |
| Harness Racing Venues/Video Lottery Agent                   | Schwartzkopf | HB      | 194 |
| Private Club/Establish                                      | Viola        | HB      | 389 |
| Purse Distribution/Adjust                                   | Gilligan     | HB      | 257 |
| Reporting Date/Amend                                        | Schwartzkopf | HB      | 319 |
| Sports Betting/Allow                                        | Schwartzkopf | HS 1/HB | 100 |
| Winnings/Eliminate Tax Exemption                            | Gilligan     | HB      | 260 |
| <b><u>W</u></b>                                             |              |         |     |
| <b><u>WEAPONS</u></b>                                       |              |         |     |
| Deadly Weapon/Brandishing/                                  |              |         |     |
| Law Enforcement                                             | Oberle       | HB      | 62  |
| Concealed/Adjustments                                       | Atkins       | HB      | 258 |
| Concealed/Increase Penalties                                | Mitchell     | HB      | 115 |
|                                                             | Mitchell     | HB      | 226 |
| Public Housing/Right to Bear Arms                           | Atkins       | HS 1/HB | 357 |
| <b><u>WILMINGTON</u></b>                                    |              |         |     |
| Charter Change                                              | J. Johnson   | HB      | 98  |



**HOUSE SESSION DATES**  
**2009**

**JANUARY**

|         |      |
|---------|------|
| 1st Day | 13th |
| 2nd Day | 14th |
| 3rd Day | 15th |
| 4th Day | 21st |
| 5th Day | 22nd |
| 6th Day | 27th |
| 7th Day | 28th |
| 8th Day | 29th |

**MARCH**

|          |      |
|----------|------|
| 9th Day  | 17th |
| 10th Day | 18th |
| 11th Day | 19th |
| 12th Day | 24th |
| 13th Day | 25th |
| 14th Day | 26th |
| 15th Day | 31st |

**APRIL**

|          |      |
|----------|------|
| 16th Day | 1st  |
| 17th Day | 2nd  |
| 18th Day | 7th  |
| 19th Day | 8th  |
| 20th Day | 9th  |
| 21st Day | 28th |
| 22nd Day | 29th |
| 23rd Day | 30th |

**MAY**

|          |      |
|----------|------|
| 24th Day | 5th  |
| 25th Day | 6th  |
| 26th Day | 7th  |
| 27th Day | 12th |
| 28th Day | 13th |
| 29th Day | 14th |

**JUNE**

|          |      |
|----------|------|
| 30th Day | 2nd  |
| 31st Day | 3rd  |
| 32nd Day | 4th  |
| 33rd Day | 9th  |
| 34th Day | 10th |
| 35th Day | 11th |
| 36th Day | 16th |
| 37th Day | 17th |
| 38th Day | 18th |
| 39th Day | 23rd |
| 40th Day | 24th |
| 41st Day | 25th |
| 42nd Day | 29th |
| 43rd Day | 30th |

**1st SPECIAL SESSION**

**JULY**

|         |     |
|---------|-----|
| 1st Day | 1st |
|---------|-----|

**HOUSE SESSION DATES**  
**2010**

**JANUARY**

|         |      |
|---------|------|
| 1st Day | 12th |
| 2nd Day | 13th |
| 3rd Day | 14th |
| 4th Day | 19th |
| 5th Day | 20th |
| 6th Day | 21st |
| 7th Day | 26th |
| 8th Day | 27th |
| 9th Day | 28th |

**MARCH**

|          |      |
|----------|------|
| 10th Day | 16th |
| 11th Day | 17th |
| 12th Day | 18th |
| 13th Day | 23rd |
| 14th Day | 24th |
| 15th Day | 25th |
| 16th Day | 30th |
| 17th Day | 31st |

**APRIL**

|          |      |
|----------|------|
| 18th Day | 1st  |
| 19th Day | 20th |
| 20th Day | 21st |
| 21st Day | 22nd |
| 22nd Day | 27th |
| 23rd Day | 28th |
| 24th Day | 29th |

**MAY**

|          |      |
|----------|------|
| 25th Day | 4th  |
| 26th Day | 5th  |
| 27th Day | 6th  |
| 28th Day | 11th |
| 29th Day | 12th |
| 30th Day | 13th |

**JUNE**

|          |      |
|----------|------|
| 31st Day | 1st  |
| 32nd Day | 2nd  |
| 33rd Day | 3rd  |
| 34th Day | 8th  |
| 35th Day | 9th  |
| 36th Day | 10th |
| 37th Day | 15th |
| 38th Day | 16th |
| 39th Day | 17th |
| 40th Day | 22nd |
| 41st Day | 23rd |
| 42nd Day | 24th |
| 43rd Day | 29th |
| 44th Day | 30th |

**1st SPECIAL SESSION**

**JULY**

|         |     |
|---------|-----|
| 1st Day | 1st |
|---------|-----|