

At 2:38 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 21st Legislative Day.

**22ND LEGISLATIVE DAY**  
**April 25, 1996**

The Senate convened at 2:38 p.m. with Senator Cordrey presiding.

A prayer was offered by Senator Sharp.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

**PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION**  
**April 25, 1996**

The following legislation was introduced and assigned to committee on April 25, 1996:

**SB 358** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FISHING EQUIPMENT. Sponsor: Voshell; & Still & Vaughn; Representative Wagner, Stone, B. Ennis. To: **Natural Resources.**

**SB 359** - AN ACT TO AMEND SECTION 701 AND 933 OF TITLE 5 OF THE DELAWARE CODE, RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS. Sponsor: Senator Cordrey and Representative D. Ennis. To: **Banking.**

**SB 360** - AN ACT TO IMPOSE A STATEWIDE MORATORIUM ON REZONING. Sponsor: Senator Sharp, Vaughn; Representative Oberle, Gilligan and Van Sant. To: **Judiciary.**

**SB 361** - AN ACT TO FURTHER AMEND "AN ACT TO INCORPORATE THE ARTISANS' SAVINGS BANK." Sponsor: Senator Cordrey and Representative D. Ennis. To: **Banking.**

**SSI to SB 281** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO WITHHOLDING TAXES. Sponsor: Senator Marshall and Representative Smith. To: **Adopted in lieu of the original.**

**SJR 23** - DIRECTING THE DELAWARE DEPARTMENT OF TRANSPORTATION TO TAKE IMMEDIATE STEPS TO REALLOCATE FUNDS EARMARKED FOR CONSTRUCTION OF THE PUNCHEON RUN CONNECTOR TO THE COMPLETION OF DELAWARE ROUTE ONE BETWEEN SMYRNA AND ST. GEORGES. Sponsor: Senator Vaughn and Representatives Ennis & Banning; Senators Adams, Cook, Voshell & Still; Representatives Ewing & Quillen. To: **Highways & Transportation.**

**SA 1 to SB 351** - Sponsor: Senator Connor- Placed with the bill.

**SA 2 to SB 309** - Sponsor: Senator Marshall - Placed with the bill.

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Senator McBride was marked present.

Senator McDowell requested the privilege of the floor for Bob Hall and Richard Donges, representing, "National Prevent Child Abuse Day".

The witnesses were excused after addressing the Senate.

**SR 26** was introduced and brought before the Senate for consideration on motion of Senator McDowell.

**SR 26** - RECOGNIZING APRIL 1996 AS CHILD ABUSE PREVENTION MONTH. Sponsor: Senators McDowell, Blevins on behalf of All Senators.

A roll call vote was taken and declared 18 Senators voting YES, 3 (Amick, Bair, McBride) ABSENT; therefore, **SR 26** was declared adopted.

Senators Hauge and Reed were marked present.

**SB 309 w/SA 1** was lifted from the table and brought before the Senate on motion of Senator Marshall.

**SB 309 w/SA 1** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO DISTRIBUTION, DELIVERY, OR POSSESSION OF CONTROLLED SUBSTANCES IN OR WITHIN 300 FEET OF A COMMUNITY CENTER OR DAY CARE CENTER.

**SA 2 to SB 309** was brought before the Senate for consideration on motion of Senator Marshall.

Senator Bonini questioned the sponsor, after which a roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, Sharp) ABSENT; therefore, **SA 2 to SB 309** was declared part of the bill.

Senator Amick was marked present during the above roll call.

**SB 309 w/SA 1 & 2** was now before the Senate.

Lt. Governor Minner presiding at 2:56 p.m.

Several Senators commented.

Senator Marshall requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 8 Senators voting YES, 7 (Amick, Cordrey, Hauge, McDowell, Reed, Sorenson, Venables) NO, 5 (Adams, Blevins, Connor, Still, Vaughn) NOT VOTING, 1 (Bair) ABSENT; therefore, **SB 309 w/SA 1 & 2** was declared defeated.

**HB 356** was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

**HB 356** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO ADD A NEW CHAPTER RELATING TO THE ESTABLISHMENT OF THE FIRST STATE QUALITY IMPROVEMENT FUND.

Senator Marshall immediately laid the bill on the table.

**SB 347** was brought before the Senate for consideration on motion of Senator Henry.

**SB 347** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SALE OF MOTOR VEHICLES. 2/3 VOTE.

**SA 1 to SB 347** was introduced and brought before the Senate for consideration on motion of Senator Henry.

Senator Reed commented.

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

The witness was excused after addressing the Senate.

Senator Henry then requested the privilege of the floor for John Cordrey, Senate Attorney.

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

A roll call vote was taken and revealed 18 Senators voting YES, 1 (Venables) NO, 2 (Bair, McDowell) ABSENT; therefore, **SA 1 to SB 347** was declared part of the bill.

**SB 347 w/SA 1** was laid on the table on motion of Senator Henry.

**SJR 20** was stricken on motion of Senator Sharp.

**SB 291** was stricken on motion of Senator Cordrey.

At 3:34 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

The Senate reconvened at 4:43 p.m. with the Lt. Governor Minner presiding.

**HB 356** was lifted from the table and brought before the Senate on motion of the floor manager, Senator Marshall.

**HB 356** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO ADD A NEW CHAPTER RELATING TO THE ESTABLISHMENT OF THE FIRST STATE QUALITY IMPROVEMENT FUND.

**SA 1 to HB 356** was introduced and brought before the Senate on motion of Senator Marshall.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, Sorenson) ABSENT; therefore, **SA 1 to HB 356** was declared part of the bill.

**HB 356 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 16 Senators voting YES, 4 (Amick, Bonini, Reed, Still) NO, 1 (Bair) ABSENT; therefore, **HB 356 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

**SB 335** was brought before the Senate for consideration on motion of Senator Venables.

**SB 335** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **SB 335** was declared passed the Senate and sent to the House for consideration.

**HB 391** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 391** - AN ACT TO AMEND TITLE 14, DELAWARE CODE, REGARDING THE FINANCIAL REPORTING REQUIREMENTS OF REORGANIZED SCHOOL DISTRICTS.

Senator McBride commented. Senator Sokola requested the privilege of the floor for Kent Cashell, representing Department of Public Instruction.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore,

**HB 391** was declared passed the Senate and returned to the House.

**SB 234** was brought before the Senate for consideration on motion of Senator Adams.

**SB 234** - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE BY ADDING THERETO A NEW SECTION GRANTING A SELF-ANALYSIS PRIVILEGE TO DEPOSITORY INSTITUTIONS AND THEIR AFFILIATES.

**SA 1 to SB 234** was stricken on motion of Senator Adams.

**SA 2 to SB 234** was introduced and brought before the Senate for consideration on motion of Senator Adams.

Senator Adams requested the privilege of the floor for David Swayze, representing CitiBank Delaware.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, Still) ABSENT; therefore, **SA 2 to SB 234** was declared part of the bill.

**SB 234 w/SA 2** was now before the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, Still) ABSENT; therefore, **SB 234 w/SA 2** was declared passed the Senate and sent to the House for consideration.

The Secretary announced a message from the House informing the Senate that it had passed **HB 525; SB 307 w/SA 1**.

**HB 525** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of the floor manager, Senator McDowell.

**HB 525** - AN ACT WAIVING THE STATUTORY PROVISIONS OF §107(a) OF CHAPTER 1, TITLE 13, DELAWARE CODE, AS IT RELATES TO THE MARRIAGE OF LEE FAUSTO, JR. AND CATHERINE ANN WILLIAMS, NON-RESIDENTS OF THE STATE OF DELAWARE. Sponsor: Rep. DiPinto; Sen. McDowell.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **HB 525** was declared passed the Senate and returned to the House.

Senator Voshell moved to lift the roll call on **SB 323 w/SA 1**.

**SB 323 w/SA 1** - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS.

The roll call was announced and revealed 10 Senators voting YES, 5 (Amick, Bonini, McDowell, Reed, Venables) NO, 6 (Blevins, Henry, Marshall, Sharp, Sorenson, Still) NOT VOTING; therefore, **SB 323 w/SA 1** was defeated.

Senator Sharp moved the roll call be rescinded. Senator Still objected.

A roll call on the motion was taken and revealed 11 Senators voting YES, 7 (Amick, Bonini, Hauge, Reed, Sokola, Sorenson, Still) NO, 1 (Connor) NOT VOTING, 2 (Bair, Cook) ABSENT; therefore, the motion to rescind the roll call prevailed.

Senator Still moved that **SR 22** be brought before the Senate for consideration under the suspension of the necessary rules. Lt. Governor Minner informed Senator Still that the resolution was still in committee.

Senator Still then moved that under the suspension of the necessary rules, the resolution be brought out of committee. Senator Sharp objected.

A roll call vote was taken on the motion and revealed 7 Senators (Amick, Bonini, Connor, Hauge, Reed, Sorenson, Still) voting YES, 13 NO, 1 (Bair) ABSENT; therefore, the motion did not carry and **SR 22** remained in committee.

At 5:23 p.m. on motion of Senator Sharp, the Senate recess until April 30, 1996 at 2:00 p.m.

The Senate reconvened at 2:28 p.m. April 30, 1996 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 443; HB 445; HB 467 w/HA 1; HB 513; HB 456**.

The following committee report was announced:

From Children, Youth & Families - **SB 353** - 5 Merits.

Senator Bair was marked present.

At 2:30 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 23rd Legislative Day.

**23RD LEGISLATIVE DAY**  
**April 30, 1996**

The Senate convened at 2:30 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

Senator Adams requested for the privilege of the floor for Alan Sokolow, representing Council of State Governments, Eastern Regional Conference and Senator John O. Bennett, representing New Jersey Senate Majority Leader.

The witnesses were excused after addressing the Senate.

A messenger from the Governor was announced and admitted.

Senator Henry made an introduction to the Chamber on behalf of Delta Sigma Beta Sorority, after which Senator Henry requested the privilege of the floor for Mary L. Hudson, representing the Delta Sigma Beta Sorority and Delaware State Council of Deltas.

The witness was excused after addressing the Senate.

Senator Reed moved that **SR 22** be brought before the Senate for consideration. Senator Sharp objected.

A roll call vote was taken on the motion and revealed 8 Senators (Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still) voting YES, 13 NO; therefore, the motion did not carry.

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

**PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION**  
**April 30, 1996**

The following legislation was introduced and assigned to committee on April 30, 1996:

**SB 362** - AN ACT TO AMEND AN ACT BEING CHAPTER 3, VOLUME 68 OF THE LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF ELSMERE, NEW CASTLE COUNTY," TO PERMIT A COUNCIL APPOINTMENT OF AN ALDERMAN. Sponsor: Senators Blevins, Marshall; Representatives Van Sant, Houghton. To: **Community/County Affairs**.

**SB 363** - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. Sponsor: Senator Sharp & Representative Roy; Senators Adams, Blevins, Cook, Cordrey, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson; Representatives Banning, Boulden, Brady, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, Di Pinto, B. Ennis, Ewing, Fallon, Gilligan, Houghton, Lee, Lofink, Jonkiert, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Schroeder, Scott, Smith, Spence, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams. To: **Judiciary**.

**SB 364** - AN ACT TO AMEND CHAPTER 3 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE DESIGNATION OF SOLIDAGO ODORA (SWEET GOLDEN ROD) AS THE OFFICIAL STATE HERB. Sponsor: Senator Voshell; Representative Schroeder. To: **Executive**.

**SB 365** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO SEXUALLY VIOLENT PREDATORS. Sponsor: Senator Bonini & Representative Buckworth; Senators Adams, Amick, Bair, Blevins, Connor, Cook, Hauge, Henry, Marshall, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Venables, Voshell; Representatives Caulk, D. Ennis, Gilligan, Lofink, Maier, Maroney, Oberle, Quillen, Reynolds, Smith, Spence, Stone, Ulbrich, Wagner, Welch. To: **Judiciary**.

**SB 366** - AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO GENERAL POWERS OF THE SECRETARY, DELAWARE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. Sponsor: Senator Blevins and Representative Gilligan; Senators Henry, Reed, Sokola, Sorenson, Marshall, McDowell, Voshell; Representatives Davis, Smith. To: **Health & Social Services**.



**SB 367** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTORIZED WHEELCHAIRS. Sponsor: Senator Bonini. To: **Public Safety**.

**SS 1 to SB 297** - ADOPTED IN LIEU OF THE ORIGINAL. Sponsor: Senator Sharp. To: **Judiciary**.

**HB 443** - AN ACT TO AMEND PART III, TITLE 12 OF THE DELAWARE CODE RELATING TO DESCENT AND DISTRIBUTION; AND PROVIDING FOR A UNIFORM TOD SECURITY REGISTRATION ACT. Sponsor: Representative Roy; Senator Sharp. To: **Judiciary**.

**HB 445** - AN ACT TO AMEND CHAPTER 51, TITLE 6 OF THE DELAWARE CODE RELATING TO WEIGHTS AND MEASURES. Sponsor: Representative Caulk & Senator Adams; Representatives Carey, Mack, Schroeder, West; Senators Cook, Venables, Vaughn, Bonini, Still. To: **Agriculture**.

**HB 456** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO GENERAL DEFINITIONS. Sponsor: Representative Roy, Senator Sharp. To: **Judiciary**.

**HB 467 w/HA 1** - AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. Sponsor: Representative B. Ennis, Senator Voshell; Representative Banning, Brady, Houghton, Van Sant, West, Spence, Welch; Senator Vaughn. To: **Public Safety**.

**HB 513** - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE RELATING TO SPECIAL LICENSES FOR RURITAN CLUBS. Sponsor: Representative Quillen. To: **Public Safety**.

**SA 2 to SB 347** - Sponsor Senator Henry - Placed with the bill.

**SA 1 to HB 512** - Sponsor Senator Sokola - Placed with the bill.

**SA 2 to SB 351** - Sponsor Senator Connor - Placed with the bill.

**SA 1 to SB 361** - Sponsor Senator Cordrey - Placed with the bill.

**SA 2 to SB 333** - Sponsor Senator Voshell - Placed with the bill.

Senator Sharp requested for the privilege of the floor for Maureen Kanka, representing Megan Nicole Kanka Foundation.

The witness was excused after addressing the Senate.

**SB 354** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 354** - AN ACT TO AMEND CHAPTER 43 OF TITLE 11 OF THE DELAWARE CODE RELATING TO SEX OFFENDERS.

**SA 1 to SB 354** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **SA 1 to SB 354** was declared part of the bill.

**SB 354 w/SA 1** was now before the Senate.

Senators Amick and Sorenson commented.

A roll call was taken and revealed 21 Senators voting YES; therefore, **SB 354 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 350** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 350** AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE, RELATING TO MORTGAGE LOAN BROKERS AND LICENSED LENDERS.

Senator Cordrey requested the privilege of the floor for Tim McTaggart, Bank Commissioner.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bonini) NOT VOTING; therefore, **SB 350** was declared passed the Senate and sent to the House for consideration.

Senator Bonini explain why he did not vote on the bill. He felt he had a conflict of interest on the bill.

**SB 361** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 361** - AN ACT TO FURTHER AMEND "AN ACT TO INCORPORATE THE ARTISANS' SAVINGS BANK". 2/3 VOTE.

**SA 1 to SB 361**, which was previously introduced was brought before the Senate for consideration on motion of Senator Cordrey.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) NOT VOTING; therefore, **SA 1 to SB 361** was declared part of the bill.

**SB 361 w/SA 1** was now before the Senate.

Senator Cordrey requested the privilege of the floor for Stephen C. Nelson, representing Artisans' Savings Bank.

Senators Bair and McDowell questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) NOT VOTING; therefore, **SB 361 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 359** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 359** - AN ACT TO AMEND SECTIONS 701 AND 933 OF TITLE 5 OF THE DELAWARE CODE, RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS. 2/3 VOTE.

Senator Cordrey again requested the privilege of the floor for Stephen C. Nelson, representing Artisans' Savings Bank.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) NOT VOTING; therefore, **SB 359** was declared passed the Senate and sent to the House for consideration.

At 3:23 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

The Senate reconvened at 4:22 p.m. with Lt. Governor Minner presiding.

On motion of Senator Adams and without objections, the necessary rules were suspended to consider the following nomination for appointment by the Governor.

**John J. Nold** - 16 Senators voting YES, 4 (Amick, Reed, Sorenson, Still) NOT VOTING, 1 (Marshall) ABSENT. Appointment confirmed.

**HB 512** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 512** - AN ACT TO AMEND THE LAWS OF DELAWARE BY REQUIRING THE SCHOOL DISTRICTS TO ESTABLISH ACCOUNTABILITY POLICIES REGARDING THE LOSS OR DESTRUCTION OF BOOKS PURCHASED WITH MONIES FROM THE PUBLIC EDUCATION TEXT BOOK FUND.

**SA 1 to HB 512**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Sokola.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 512** was declared part of the bill.

**HB 512 w/SA 1** was now before the Senate.

Several Senators commented.

A roll call vote was taken and revealed 9 Senators (Amick, Bair, Bonini, Connor, Hauge, Reed, Sokola, Sorenson, Still) voting YES, 12 NO; therefore, **HB 512 w/SA 1** was defeated by the Senate and returned to the House.

Senator Connor requested the privilege of the floor to make an introduction of 4 Legislators from Republic of Georgia with their translator, after which comments were made by Rostom Dolidze, one of the members of Georgian Parliament. Senator Connor presented tributes to each visitor.

The witnesses were excused.

**HS 1 to HB 37 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HS 1 to HB 37 w/HA 1 & 2** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 2, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO QUALIFICATIONS FOR VOTING AND FORFEITURE OF RIGHT. 2/3 VOTE.

Senators Bair and McBride questioned the floor manager, after which a roll call was taken and revealed 10 Senators voting YES, 9 (Adams, Bonini, Cook, Cordrey, Hauge, McBride, Sharp, Sokola, Vaughn) NO, 2 (Marshall, Still) NOT VOTING; therefore, **HS 1 to HB 37 w/HA 1 & 2** was declared defeated by the Senate and returned to the House.

Senator Cordrey requested **SB 309 w/SA 1 & 2** be brought before the Senate for reconsideration under the suspension of the necessary rules, for the purpose of rescinding the roll call.

**SB 309 w/SA 1 & 2** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO DISTRIBUTION, DELIVERY, OR POSSESSION OF CONTROLLED SUBSTANCES IN OR WITHIN 300 FEET OF A COMMUNITY CENTER OR DAY CARE CENTER.

After which, the bill was placed on the ready list.

**SJR 18** was stricken on motion of Senator Voshell.

**SJR 22** was stricken on motion of Senator Voshell.

At 4:55 p.m. on motion of Senator Sharp, the Senate recessed until May 1, 1996 at 4:00 p.m.

The Senate reconvened at 4:11 p.m. May 1, 1996 with Senator Cordrey presiding.

The following committee report were announced:

From Insurance and Elections: **HB 332 w/HA 1** - 5 Merits.

From Corrections: **HCR 46** - 5 Merits; **SJR 21** - 2 Favorable, 3 Merits.

From Labor: **SB 289** - 5 Merits; **SB 290** - 5 Merits; **SB 292** - 5 Merits; **SB 293** - 5 Merits.  
From Education: **SB 304** - 3 Merits; **SB 349** - 4 Merits.  
From Community/County Affairs - **SB 356** - 4 Merits.  
At 4:15 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 24th Legislative Day.

## **24TH LEGISLATIVE DAY MAY 1, 1996**

The Senate convened at 4:15 p.m. with Senator Cordrey presiding.  
A prayer was offered by Senator Bonini.  
The Pledge of Allegiance to the Flag.  
Lt. Governor Minner presiding at 4:16 p.m.  
The call of the roll for the Legislative Day revealed the following attendance:  
**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.  
The journal of the previous day was approved as read on motion of Senator Sharp. No objections.  
On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION May 1, 1996**

The following legislation was introduced and assigned to committee on April 30, 1996:

**SA 1 to SB 353** - Sponsor: Senator McDowell - Placed with the bill.  
**SA 1 to SB 355** - Sponsor: Senator Bonini - Placed with the bill.  
**SA 2 to SB 355** - Sponsor: Senator Sharp - Placed with the bill.

The following legislation was introduced and assigned to committee on May 1, 1996:

**SB 368** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PROHIBITED TRADE PRACTICES. Sponsor: Senator Sokola and Representative Oberle; Senators Blevins, Voshell and Hauge; Representatives Brady, B. Ennis, Gilligan, Schroeder and West. To: **Judiciary**.

**SB 369** - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES. Sponsor: Senators Marshall and Voshell; Representatives Spence, Jonkiert, Van Sant. To: **Public Safety**.

**SB 370** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STATE APPROPRIATIONS. Sponsor: Senator McDowell. To: **Education**.

**SB 371** - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, DIVISION OF FISH AND WILDLIFE, TO ISSUE A COMMERCIAL CRAB DREDGER'S LICENSE TO SAMUEL J. FOX, III OF 42 CHESTNUT STREET, LEIPSIC, DELAWARE, WHO IS PRESENTLY PROHIBITED FROM OBTAINING A PERMIT UNDER §1918(b), TITLE 7 OF THE DELAWARE CODE. Sponsor: Senator Still; Representatives Wagner, Stone. To: **Natural Resources**.

**SB 372** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE REPAIRS. Sponsor: Senator Blevins & Representative Oberle; Senators Henry, McBride, Marshall, Sokola, Vaughn, Voshell, Bair; Representatives Spence, Capano, Lee, Maier. To: **Public Safety**.

**SB 373** - AN ACT TO AMEND CHAPTER 68 OF TITLE 7 OF THE DELAWARE CODE RELATING TO THE BUILDING LINE IN REHOBOTH BEACH AND BETHANY BEACH. Sponsor: Senator Cordrey. To: **Natural Resources**.

**HJR 23** - HONORING AND REMEMBERING FORMER U.S. SECRETARY OF COMMERCE RONALD H. BROWN, DEVOTED PUBLIC SERVANT AND OUTSTANDING BLACK AMERICAN. Sponsor: Representative Jonkiert & Senator Marshall on behalf of all Representatives and Senators. To: **Executive**.

**HB 303 w/HA 1 & 2** - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO VEHICULAR HOMICIDES AND VEHICULAR

ASSAULTS. Sponsor: Representatives Roy, Welch, and Jonkiert; Representative Quillen; Senators Bair, Bonini, Connor, Hauge, Henry, Reed, Sorenson, Still. To: **Judiciary**.

**HB 436 w/HA 1** - AN ACT TO AMEND CHAPTER 98, TITLE 16, DELAWARE CODE, RELATING TO PARAMEDIC SERVICES. Sponsor: Representative B. Ennis & Senator Blevins; Representatives Banning, Houghton, Brady, D. Ennis, Wagner, Welch, Cloutier. To: **Health & Social Services**.

**HB 460** - AN ACT TO AMEND CHAPTER 13 AND 19 OF TITLE 2 OF THE DELAWARE CODE REPEALING THE EMPLOYEE COMMUTE OPTIONS ACT AND PROVIDING FOR THE CONFIDENTIALITY OF CERTAIN INFORMATION. Sponsor: Representative Di Pinto & Senator Voshell. To: **Highways & Transportation**.

**SA 3 to SB 355** - Sponsor: Senator Sharp - Placed with the bill.

The following letters of nomination was placed in the **Executive** Committee:

STATE OF DELAWARE  
Office of the Governor  
April 30, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:  
**Ernst Dannemann**, P.O. Box 836, Dover, Delaware 19903-0836, to be reappointed to the Board of Trustees of the University of Delaware for a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
April 30, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:  
**Vernon Taylor**, 4613 Big Rock Drive, Rockwood Woods, Wilmington, Delaware 19802-1001, to be appointed as a New Castle County Justice of the Peace for a four-year term to fill a vacancy.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

**SB 356** was brought before the Senate for consideration on motion of Senator Venables.  
**SB 356** - AN ACT TO AMEND AN ACT TO BEING CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF LAUREL," TO ALLOW THE MONITION METHOD TO BE USED AS AN ALTERNATE METHOD TO COLLECT DELINQUENT TAXES. 2/3 VOTE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 356** was declared passed the Senate and sent to the House for consideration.

Senator Hauge was marked present during the above roll call.

**SB 355** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 355** - AN ACT TO AMEND §4120 OF TITLE 11 OF THE DELAWARE CODE AND TITLE 21 OF THE DELAWARE CODE RELATING TO SEX OFFENDERS.

**SA 1 to SB 355**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Bonini.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 355** was declared part of the bill.

**SA 2 to SB 355**, which was previously placed with the bill, was stricken on motion of Senator Sharp.

**SA 3 to SB 355**, which was previously placed with the bill, was stricken on motion of Senator Sharp.

**SA 4 to SB 355**, was introduced and brought before the Senate on motion of Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 4 to SB 355** was declared part of the bill.

**SB 355 w/SA 1 & 4** was now before the Senate.

Senator Sharp requested the privilege of the floor for Thomas Gordon, representing New Castle County Police.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 355 w/SA 1 & 4** was declared passed the Senate and sent to the House for consideration.

**SB 353** was brought before the Senate for consideration on motion of Senator McDowell.

**SB 353** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO DEPENDENT OR NEGLECTED CHILDREN AS WARDS OF THE STATE, AND TITLE 31 OF THE DELAWARE CODE RELATING TO DELINQUENT YOUTH.

**SA 1 to SB 353**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator McDowell.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 353** was declared part of the bill.

**SB 353 w/SA 1** was now before the Senate.

Several Senators commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 353 w/SA 1** was declared passed the Senate and sent to the House for consideration.

At 4:53 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

The Senate reconvened at 5:12 p.m. with Lt. Governor Minner presiding.

**SB 349** was brought before the Senate for consideration on motion of Senator Venables.

**SB 349** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO UNIT COUNTS.

**SA 1 to SB 349** was introduced and brought before the Senate for consideration on motion of Senator Sokola.

Several Senators questioned the sponsor, after which the sponsor requested the amendment be laid on the table. No objection.

Senator Venables requested **SB 349** be laid on the table.

At 5:24 p.m. on motion of Senator Sharp, the Senate recess until 2:00 p.m. on May 2, 1996.

The Senate reconvened at 2:47 p.m. May 2, 1996 with Senator Cordrey presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 460; HB 436 w/HA 1; HB 303 w/HA 1 & 2; HJR 23; HCR 49; HCR 50; SS 1 to SB 72 w/HA 1, HA 8 w/HA 1 & 2, w/HA 10.**

At 2:49 p.m. Lt. Governor Minner presiding.

The following committee report were announced:

From Revenue and Taxation: **SS 1 to SB 281** - 3 Merits; **HB 446** - 3 Merits.

From Judiciary: **SS 1 to SB 297** - 3 Favorable, 3 Merits; **SB 324** - 3 Favorable, 2 Merits; **SB 325** - 5 Merits, 1 Unfavorable; **SS 1 for SB 332** - 5 Merits; **SB 339** - 5 Merits; **SB 340** - 5 Merits; **SB 343** - 6 Merits; **SB 363** - 5 Merits; **HB 443** - 6 Merits; **HB 456** - 5 Merits.

From Executive: **SB 338** - 6 Merits; **SB 364** - 6 Merits.

From Labor: **HB 293 w/HA 1** - 5 Merits.

From Agriculture: **HB 445** - 4 Merits.

**HCR 49** was brought before the Senate for consideration on motion of the floor manager, Senator Still.

**HCR 49** – COMMENDING BRIG. GEN. ROBERT BOOTS, COMMANDER OF THE 436<sup>TH</sup> AIRLIFT WING AND HIS COMMAND STAFF FOR THEIR EXPEDITIOUS, EFFICIENT AND RAPID PREPARATION AND EXECUTION OF ONE OF THE MOST

MOVING AND POIGNANT MILITARY MEMORIAL SERVICES, SEEN AROUND THE WORLD, FOR SECRETARY OF COMMERCE, RON BROWN AND HIS ENTOURAGE ON SATURDAY, APRIL 6, 1996 AT DOVER AIR FORCE BASE, DELAWARE. Sponsor: Rep. Buckworth on Behalf of All Representatives and Sen. Still on Behalf of All Senators.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore, **HCRR 49** was declared adopted by the Senate and returned to the House.

At 2:57 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 25th Legislative Day.

## **25TH LEGISLATIVE DAY MAY 2, 1996**

The Senate convened at 2:57 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Marshall.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION May 2, 1996**

The following legislation was introduced and assigned to committee on April 30, 1996:

**SA 1 to SS 2 to SB 223** - Sponsor: Senator Sharp - Placed with the bill.

The following legislation was introduced and assigned to committee on May 2, 1996:

**SB 374** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SALE AND DISTRIBUTION OF TOBACCO PRODUCTS. Sponsor: Senator Sokola, Sharp, Bair, Hauge, Reed and Sorenson; Representative Gilligan. To: **Community/County Affair**.

**SB 375** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUNSET ZONING. Sponsor: Senator Sharp and Representative Roy; Senators McBride and Vaughn; Representatives Spence, Oberle and Gilligan. To: **Judiciary**.

**SB 376** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO REQUIREMENTS FOR INMATES TO PAY FOR CERTAIN MEDICAL SERVICES AND MEDICATIONS. Sponsor: Senator Vaughn and Representative Lee; Senator Sharp and Representatives B. Ennis, Ewing and Capano. To: **Corrections**.

**SA 1 to SCR 55** - Sponsor Senator McDowell - Placed with the resolution.

**SA 1 to HB 435** - Sponsor Senator Voshell - Placed with the bill.

\* \* \*

Senator Reed requested the privilege of the floor for Terrie Chrzanowski, representing Cancer Awareness. Senator Reed presented a tribute to Mrs. Chrzanowski.

The witness was excused after addressing the Senate.

**SB 349** was lifted from the table and brought before the Senate for consideration on motion of Senator Venables.

**SB 349** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO UNIT COUNTS.

Senators Bair and Connor requested their names be added as co-sponsors of the bill.

**SA 1 to SB 349** was lifted from the table and brought before the Senate for consideration on motion of Senator Sokola.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Reed) ABSENT; therefore, **SA 1 to SB 349** was declared part of the bill.

Senators Amick and Bair was marked present during the above roll call.

**SB 349 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 349 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 458** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 458** - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES.

Several Senators questioned the floor manager.

A roll call vote was taken and revealed 13 Senators voting YES, 8 (Adams, Blevins, Cordrey, McBride, McDowell, Sharp, Vaughn, Venables) NO; therefore, **HB 458** was declared passed the Senate and returned to the House.

**SJR 21** was brought before the Senate for consideration on motion of Senator Vaughn.

**SJR 21** - RELATING TO THE ESTABLISHMENT OF THE CORRECTIONS FACILITIES CONSTRUCTION TASK FORCE.

Several Senators questioned the sponsor.

A roll call vote was taken and revealed 14 Senators voting YES, 6 (Amick, Bair, Bonini, Hauge, Reed, Sorenson) NO, 1 (McDowell) ABSENT; therefore, **SJR 21** was declared passed the Senate and sent to the House for consideration.

A messenger from the Governor was announced and admitted.

At 3:44 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

The Senate reconvened at 4:39 p.m. with Lt. Governor Minner presiding.

**HB 238** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 238** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Bonini, Venables) NO, 1 (Bair) ABSENT; therefore, **HB 238** was declared passed the Senate and returned to the House.

**HB 435 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 435 w/HA 1 & 2** - AN ACT TO AMEND SUBCHAPTER IIIA OF CHAPTER 41, TITLE 21, DELAWARE CODE RELATING TO CONTROLLED-ACCESS HIGHWAYS. 2/3 VOTE.

**SA 1 to HB 435**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Voshell.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 435** was declared part of the bill.

**HB 435 w/HA 1, 2 & SA 1** was now before the Senate.

Senator Hauge commented. Senator Bair requested the privilege of the floor for Rebecca Batson, Senate Attorney.

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

Senator Voshell requested the bill be laid on the table.

The Secretary announced a message from the House informing the Senate that it had passed **HB 551** and **HCR 51**.

**HB 551** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of the floor manager, Senator Cordrey.

**HB 551** - AN ACT DIRECTING THE INDIAN RIVER SCHOOL DISTRICT TO MAINTAIN A POLLING PLACE WITHIN THE AREA KNOWN AS GUMBORO, DELAWARE FOR THE SCHOOL BOARD ELECTION TO BE HELD ON SATURDAY, MAY 11, 1996. Sponsor: Rep. West.

Several Senators questioned the floor manager, after which a roll call was taken and revealed 19 Senators voting YES, 1 (McBride) NO, 1 (Sharp) NOT VOTING; therefore, **HB 551** was declared passed the Senate and returned to the House.

**SENATE CONSENT CALENDAR #11** was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**SR 27** - RELATING TO WHETHER THE STATE OF DELAWARE SHOULD SUE TOBACCO COMPANIES TO RECOVER STATE MEDICAID COSTS FROM SMOKING-RELATING ILLNESSES. Sponsor: Senator Sokola.

**SR 28** - COMMENDING THE STUDENTS, INSTRUCTORS, ADMINISTRATORS, SUPERINTENDENT AND THE NEW CASTLE COUNTY VOCATIONAL-TECHNICAL SCHOOL DISTRICT BOARD OF EDUCATION FOR THE SUCCESS OF THE DELCASTLE AND DELAWARE SKILLS CENTER PRACTICAL NURSING PROGRAMS. Sponsor: Senators Henry, McDowell & Marshall.

**SCR 57** - JOINING IN RECOGNITION OF NATIONAL TEACHER DAY, MAY 7, 1996, AND COMMENDING DELAWARE TEACHERS FOR THEIR DEDICATION IN PERFORMING THE SIGNIFICANT ROLE OF EDUCATING FUTURE GENERATIONS OF DELAWAREANS. Sponsor: Senator Sokola and Representative Reynolds, on behalf of all Senators and Representatives.

**SR 27** was removed on motion of Senator Bonini. No objection.

A roll call vote was taken on **SENATE CONSENT CALENDAR #11** and revealed 21 Senators voting YES; therefore, the **Senate Consent Calendar** was declared adopted by the Senate. The Senate Concurrent Resolution was sent to the House for consideration.

**HCR 50** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HCR 50** - COMMENDING THE STUDENTS SELECTED AS STATE SUPERINTENDENT'S SCHOLARS OF 1996. Sponsor: Representative Reynolds on behalf of all Representatives and Senator Sokola on behalf of all Senators.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore, **HCR 50** was declared adopted by the Senate and returned to the House.

**SR 27** was brought before the Senate for consideration on motion of Senator Sokola.

**SR 27** - RELATING TO WHETHER THE STATE OF DELAWARE SHOULD SUE TOBACCO COMPANIES TO RECOVER STATE MEDICAID COSTS FROM SMOKING-RELATING ILLNESSES. Sponsor: Senator Sokola.

Several Senators questioned the floor manager, after which a roll call was taken on the resolution and revealed 15 Senators voting YES, 5 (Adams, Bonini, Cordrey, Vaughn, Venables) NO, 1 (McDowell) NOT VOTING; therefore, **SR 27** was declared adopted.

At 5:29 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. on May 7, 1996.

The Senate reconvened at 2:34 p.m. on May 7, 1996 with the Lt. Governor Minner presiding.

**LEGISLATIVE ADVISORY #50** from the Office of Counsel to the Governor was announced for the record, partially read and copies were made available to the members upon request.

**LEGISLATIVE ADVISORY #50**, dated May 2, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #283** (5/2/96) - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO WASTE-END ASSESSMENTS. (Sponsor: Senator McBride and Representative Mack; Senators Venables, Voshell, Bair, Amick; Representatives Schroeder, Carey, Caulk, West) (Volume 70, Chapter 324, Laws of Delaware).

**SB #306** (5/2/96) - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO PLANT PESTS. (Sponsor: Senator Adams and Representative Caulk; Senators Cook, Vaughn, Venables, Still, Bonini; Representatives Carey, Mack, Bunting Schroeder) (Volume 70, Chapter 325, Laws of Delaware).

**SB #342 AAB SA 1** (5/2/96) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES. (Sponsor: Senator Venables and Representative Carey; Senators Adams and Voshell; Representatives Banning, Brady, Bunting, DiLiberto, B. Ennis, Ewing, Gilligan, Houghton, Jonkiert, Schroeder, Van Sant and West) (Volume 70, Chapter 326, Laws of Delaware).

**SB #336** (5/2/96) - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS, TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO ATTACHMENT, AND TO AMEND SECTION 1130 OF TITLE 12 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF THE TERM "BANKING ORGANIZATION". (Sponsor: Senator Cordrey; Representative D. Ennis) (Volume 70, Chapter 327, Laws of Delaware).

**HB #525** (5/2/96) - AN ACT WAIVING THE STATUTORY PROVISIONS OF §107(a) OF CHAPTER 1, TITLE 13, DELAWARE CODE, AS IT RELATES TO THE MARRIAGE OF LEE FAUSTO, JR. AND CATHERINE ANN WILLIAMS, NON-RESIDENTS OF THE STATE OF DELAWARE. (Sponsor: Representative Di Pinto & Senator McDowell) (Volume 70, Chapter 328, Laws of Delaware).

\* \* \*

The Secretary announced a message from the House informing the Senate that it had passed **HB 468 w/HA 1; HB 406 w/HA 2; HB 475; HB 477; HB 526; HB 535; HB 479; HCR 52; HCR 40 w/HA 1; SB 261 w/SA 1.**

At 2:37 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 26th Legislative Day.



**26TH LEGISLATIVE DAY  
MAY 7, 1996**

The Senate convened at 2:37 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Still.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

**PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
May 7, 1996**

The following legislation was introduced and assigned to committee on May 7, 1996:

**SB 346** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO UNLAWFUL SEXUAL INTERCOURSE. Sponsor: Senators Sharp and Blevins and Representative Spence; Senator Marshall and Representative Boulden, Buckworth, Capano, Cloutier, Davis, Ewing, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Roy, Stone, Ulbrich, Wagner & Welch. To: **Judiciary**.

**SB 377** - AN ACT TO AMEND TITLE 10, TITLE 29, AND TITLE 11 RELATING TO COURT COSTS, FILING FEES AND CREATING A MECHANISM FOR SANCTIONING FRIVOLOUS PRISONER LITIGATION. Sponsor: Senator Vaughn and Representative Lee; Senators Sharp and Blevins; Representatives Ewing, B. Ennis and Capano. To: **Corrections**.

**SB 378** - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO APPLICATION FOR AN OPERATOR'S LICENSE BY A MINOR. Sponsor: Senator Sharp. To: **Public Safety**.

**SB 379** - AN ACT TO AMEND CHAPTER 2, TITLE 14 OF THE DELAWARE CODE RELATING TO RESIDENCE FOR THE PURPOSE OF ATTENDING PUBLIC SCHOOL. Sponsor: Senator Sharp. To: **Education**.

**SB 380** - AN ACT TO PROVIDE THAT A NON-BINDING REFERENDUM BE HELD IN CONJUNCTION WITH THE NOVEMBER 1996 GENERAL ELECTION SO AS TO HELP DETERMINE HOW THE LOCAL SHARE OF DOLLARS TO SUPPORT PUBLIC EDUCATION OPERATING EXPENSES SHALL BE RAISED IN THE STATE OF DELAWARE. Sponsor: Senator Connor; Senators Bair, Still, Sorenson, Amick; Representatives Spence, Reynolds, Lofink, Mack. To: **Education**.

**HB 406 w/HA 1, SA 1, 2 & HA 2** - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES. Sponsor: Representative Banning. To: **Public Safety**.

**HB 475** - AN ACT TO AMEND CHAPTER 9 OF TITLE 7 OF THE DELAWARE CODE RELATING TO THE SALE OF FOOD FISH. Sponsor: Representative Schroeder; Representatives Bunting, Lofink. To: **Natural Resources**.

**HB 477** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATE POLICE ELIGIBILITY FOR DISABILITY PENSION. Sponsor: Representatives Oberle & Van Sant; Representatives Spence, Lofink, Mack, Reynolds, B. Ennis; Senators Sharp, Vaughn. To: **Finance**.

**HB 526** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE POLICE OFFICERS AND FIREFIGHTERS EMPLOYMENT RELATIONS ACT. Sponsor: Representative Oberle & Senator McBride; Representatives Spence, Di Pinto, Roy, Welch, Banning. To: **Judiciary**.

**HB 535** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL POLICE ELIGIBILITY FOR DISABILITY PENSION. Sponsor: Representative Oberle & Van Sant; Representatives Spence, Lofink, Mack, Reynolds, B. Ennis; Senators Sharp, Vaughn. To: **Finance**.

**SA 2 to HB 435** - Sponsor: Senator Voshell - Placed with the bill.

**SA 1 to SB 340** - Sponsor: Senator Sharp - Placed with the bill.

The following letters of nomination was assigned in the **Executive** Committee.

STATE OF DELAWARE  
Office of the Governor  
May 2, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Joshua Twilley, Esq.**, 124 Meadow Glen Drive, Dover, Delaware 19901, to be reappointed to the Public Service Commission for a five-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
May 2, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Arthur G. Connolly, Jr.**, 4615 Weldin Road, Wilmington, Delaware 19802, to be reappointed to the Public Integrity Commission for a seven-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
May 2, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Dr. Robert J. McMahon**, P.O. Box 612, Millsboro, Delaware 19966, to be reappointed Chairman of the Public Service Commission for a five-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
May 2, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Dwight Holden**, 2912 N. Monroe Street, Wilmington, Delaware 19802, to be appointed to the Board of Parole for a four-year term to fill a vacancy.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor  
\* \* \*

**HB 435 w/HA 1, 2 & SA 1** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 435 w/HA 1, 2 & SA 1** – AN ACT TO AMEND SUBCHAPTER IIIA OF CHAPTER 41, TITLE 21, DELAWARE CODE RELATING TO CONTROLLED-ACCESS HIGHWAYS. 2/3

**SA 2 to HB 435**, which was previously placed with the bill, was brought before the Senate for consideration on motion on motion of Senator Voshell.

Senator Bair questioned the sponsor. Senator Voshell requested the amendment be laid on the table.

On motion of Senator Voshell the roll call on **SA 1 to HB 435** was rescinded and then stricken. No objection.

**SA 2 to HB 435** was lifted from the table and brought before the Senate for consideration on motion of Senator Voshell.

Senator Bair questioned the sponsor. Senator Voshell requested the privilege of the floor for Rebecca Batson, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to HB 435** was declared part of the bill.

**HB 435 w/HA 1, 2 & SA 2** was now before the Senate.

Senator Venables commented. Senator Voshell requested the privilege of the floor for Rebecca Batson, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Amick) ABSENT; therefore, **HB 435 w/HA 1, 2 & SA 2** was declared passed the Senate and returned to the House for reconsideration.

**SB 324** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 324** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FALSELY REPORTING AN INCIDENT.

Senator Sharp requested the privilege of the floor for Sgt. Mark Seifert, representing Delaware State Police.

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

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Henry, Marshall, McDowell, Venables) NO; therefore, **SB 324** was declared passed the Senate and sent to the House for consideration.

**SB 363** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 363** - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. 2/3 VOTE.

Senator Sharp requested the privilege of the floor for John H. Small, representing the Delaware State Bar Association.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) NOT VOTING; therefore, **SB 363** was declared passed the Senate and sent to the House for consideration.

At 3:25 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

The Senate reconvened at 4:38 p.m. with Senator Cordrey presiding.

A messenger from the Governor was announced and admitted.

**SB 323 w/SA 1** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 323 w/SA 1** - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS.

**SA 2 to SB 323** was introduced and brought before the Senate for consideration on motion of Senator Voshell.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, Sorenson) ABSENT; therefore, **SA 2 to SB 323** was declared part of the bill.

**SB 323 w/SA 1 & 2** was now before the Senate.

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

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) NOT VOTING; therefore, **SB 323 w/SA 1 & 2** was declared passed the Senate and sent to the House for consideration.

**SB 339** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 339** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO WEARING DISGUISES DURING THE COMMISSION OF A FELONY.

**SA 1 to SB 339** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 339** was declared part of the bill.

**SB 339 w/SA 1** was now before the Senate.

Senator Sharp requested the privilege of the floor for Ralph H. Davis, III, representing Delaware State Police.

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

A roll call vote was taken and revealed 12 Senators voting YES, 9 (Amick, Bair, Bonini, Hauge, Henry, McDowell, Reed, Sorenson, Still) NO; therefore, **SB 339 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 340** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 340** - AN ACT TO AMEND TITLE 10 AND TITLE 11 OF THE DELAWARE CODE RELATING TO APPEALS BY THE STATE IN CRIMINAL CASES.

**SA 1 to SB 340**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 340** was declared part of the bill.

**SA 2 to SB 340** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to SB 340** was declared part of the bill.

**SB 340 w/SA 1 & 2** was now before the Senate.

Senator Sharp requested the privilege of the floor for Steve Wood, representing Attorney General's office.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 340 w/SA 1 & 2** was declared passed the Senate and sent to the House for consideration.

The Secretary announced a message from the House informing the Senate that it had passed **HB 560**.

**HB 560** was brought before the Senate for consideration under the suspension of the necessary rules of the floor manager, Senator Marshall.

**HB 560** - AN ACT DIRECTING THE RED CLAY SCHOOL DISTRICT TO MAINTAIN A POLLING PLACE WITHIN THE CITY OF WILMINGTON FOR THE SCHOOL BOARD ELECTION TO BE HELD ON, MAY 14, 1996. Sponsor: Rep. Jonkiert & Sen. Marshall; Sens. Blevins, Henry, Sorenson.

Senator McDowell requested to have his name added as a co-sponsor to **HB 560**.

Senator McBride commented.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (McBride) NO, 1 (Sharp) NOT VOTING; therefore, **HB 560** was declared passed the Senate and returned to the House.

At 5:33 p.m. on motion of Senator Sharp, the Senate recessed until May 9, 1996 at 4:00 p.m.

The Senate reconvened at 4:38 p.m. May 9, 1996 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HS 1 for HB 484 w/HA 1; HB 471; HB 473; HB 444; HB 478; HB 487; HB 490; HB 520; HB 495 w/HA 1; HB 438 w/HA 1; SB 359; SB 361 w/SA 1; SCR 57.**

The following committee report were announced:

From Public Safety: **SS 1 for SB 347** - 3 Merits; **SB 369** - 3 Merits; **SB 378** - 3 Merits; **HB 406 w/HA 1, SA 1, 2 & HA 2** - 5 Merits - **Correction** - 3 Merits; **HB 467 w/HA 1** - 3 Merits.

From Corrections: **SB 376** - 1 Favorable, 3 Merits; **SB 377** - 3 Merits.

From Education: **SB 379** - 5 Merits.

From Health & Social Services: **SB 366** - 4 Merits; **HB 436 w/HA 1** - 4 Merits.

From Executive: **Vernon Taylor** - 1 Merit, 5 Favorable; **Dwight Holden** - 1 Merit, 5 Favorable.

Representative Quillen requested his name be removed as a co-sponsor from **SJR 23**.

At 4:46 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 27th Legislative Day.

## **27TH LEGISLATIVE DAY MAY 8, 1996**

The Senate convened at 4:46 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Venables.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION May 8, 1996**

The following legislation was introduced and assigned to committee on May 7, 1996:

**SA 1 to SB 325** - Sponsor: Senator Sharp - Placed with the bill.

**HB 468 w/HA 1** - AN ACT TO AMEND CHAPTER 82, TITLE 29 OF THE DELAWARE CODE RELATING TO EXEMPTION FROM LIABILITY WHEN RENDERING ASSISTANCE OR ADVICE AT THE REQUEST OF ANY EMERGENCY SERVICE AGENCY. Sponsor: Representative B. Ennis and Senator Vaughn; Representatives Banning, Brady, Houghton, Van Sant, Lee, Wagner, Welch, West; Senators Adams, Voshell. To: **Insurance & Elections**.

The following legislation was introduced and assigned to committee on May 8, 1996:

**SS 2 to SB 297** - AN ACT TO AMEND CHAPTER 92, TITLE 10 OF THE DELAWARE CODE RELATING TO COMPENSATION OF JUSTICES OF THE PEACE. Sponsor: Senator Sharp; Representatives Roy and Spence; Senator Vaughn. **Adopted in lieu of the original.** To: **Judiciary**.

**SB 381** - AN ACT TO AMEND TITLES 7 AND 11 OF THE DELAWARE CODE AND CHAPTER 275, VOLUME 70 OF THE LAWS OF DELAWARE RELATING TO HUNTING AND TRAPPING DEVICES, ENVIRONMENTAL MISDEMEANORS AND CERTAIN TECHNICAL CORRECTIONS. Sponsor: Senators McBride, Voshell & Bair; Representative Carey. To: **Natural Resources**.

**SB 382** - AN ACT TO AMEND TITLE 14, DELAWARE CODE RELATING TO TAX RATES IN SCHOOL DISTRICTS WHOSE JURISDICTION TRAVERSES COUNTY BOUNDARY LINES. Sponsor: Senators Voshell, Adams; Representatives Ewing, Welch, B. Ennis, Quillen. To: **Education**.

**SB 383** - AN ACT MAKING AN APPROPRIATION FOR APPROVED CHARTER SCHOOLS FOR THE PURCHASE OF BOOKS AND SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH

FUNDS. Sponsor: Senators Sokola and Blevins; Representatives Di Pinto and Petrilli. To: **Finance.**

**HB 438 w/HA 1** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TRAFFIC SAFETY. 2/3 VOTE. Sponsor: DiLiberto. To: **Public Safety.**

**HB 444** - AN ACT TO AMEND PART V, TITLE 12 OF THE DELAWARE CODE RELATING TO FIDUCIARY RELATIONS; AND PROVIDING FOR A UNIFORM TRANSFERS TO MINORS ACT. Sponsor: Representative Roy; Senator Sharp. To: **Judiciary.**

**HB 471** - AN ACT TO AMEND CHAPTERS 27 AND 41, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS. Sponsor: Representative Roy and Senator Sharp. To: **Judiciary.**

**HB 473** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DEPARTMENT OF MOTOR VEHICLE RECORDS AND DRIVING DURING SUSPENSION OFFENDERS. Sponsor: Representative Roy; Senator Sharp. To: **Judiciary.**

**HB 478** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF THEFT. Sponsor: Representative Roy; Senator Sharp. To: **Judiciary.**

**HS 1 for HB 484 w/HA 1** - AN ACT TO AMEND CHAPTER 47, TITLE 15 OF THE DELAWARE CODE RELATING TO THE APPOINTMENT OF ELECTION OFFICERS. Sponsor: Representatives Maier & Boulden; Representatives Buckworth, Bunting, Capano, Carey, Cloutier, Di Pinto, Ewing, Fallon, Gilligan, Lee, Lofink, Reynolds, Stone, Ulbrich, Wagner, Welch, Williams; Senators Adams, Amick, Bair, Hauge, Reed, Sokola, Voshell. To: **Insurance & Elections.**

**HB 487** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO HABEAS CORPUS. Sponsor: Representative Roy and Senator Sharp. To: **Judiciary.**

**HB 490** - AN ACT AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF OFFICIAL MISCONDUCT. 2/3 VOTE. Sponsor: Representative Roy & Senator Sharp. To: **Judiciary.**

**HB 495 w/HA 1** - AN ACT PROPOSING AMENDMENT TO ARTICLE IV, § 11(1) OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE JURISDICTION OF THE DELAWARE SUPREME COURT IN CRIMINAL CASES. 2/3 VOTE. Sponsor: Representative Roy and Senator Sharp. To: **Judiciary.**

**HB 520** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE WITH RESPECT TO DEFENSES TO CRIMINAL LIABILITY AND EVIDENCE OF INTOXICATION. Sponsor: Representative Roy & Senator Sharp. To: **Judiciary.**

The following letters of nomination were assigned in the **Executive** Committee.

STATE OF DELAWARE  
Office of the Governor  
May 7, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Dr. Laurel Standley**, 205 Brighton Avenue, Wilmington, Delaware 19805, to be appointed to the Advisory Council for Natural Areas for a four-year term to replace Frederick Silva, who resigned.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
May 7, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Mary MaloneyHuss**, 2204 Regal Drive, Knightsbridge, Wilmington, Delaware 19810, to be appointed to the Advisory Council for Natural Areas for a four-year term to replace Joseph Tuckosh, who resigned.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor  
\* \* \*

**SB 325** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 325** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A VIDEOPHONE FUND.

**SA 1 to SB 325**, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 325** was declared part of the bill.

Senator McDowell was marked present during the above roll call.

**SB 325 w/SA 1** was now before the Senate.

Senator Sharp requested the privilege of the floor for Major J. Wayne Merritt, representing New Castle County Police Department.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 325 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 343** was brought before the Senate for consideration on motion of Senator McBride.

**SB 343** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO CRIMINAL PENALTIES.

Senator McBride requested the privilege of the floor for Darryl Tyler, representing Department of Natural Resources and Environmental Control.

Several Senators engaged in a discussion, after which Senator McBride requested the witness be excused. Senator McDowell objected. The witness retained. Senators Still and McDowell questioned the witness, after which the witness was excused.

Senator McBride requested the bill be laid on the table.

**SB 337** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 337** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE DOMESTIC VIOLENCE COORDINATING COUNCIL.

Several Senators commented.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Amick, Hauge) NO; therefore, **SB 337** was declared passed the Senate and sent to the House for consideration.

The Secretary announced the agenda for May 9, 1996.

Senator Cordrey made an announcement of the death of Norma Lea Rash - Head Page. A moment of silence was giving for Mrs. Rash.

At 5:34 p.m. on motion of Senator Sharp, the Senate recess until 2:00 p.m. on May 9, 1996,

The Senate reconvened at 2:32 p.m. on May 9, 1996 with the Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 53**.

**LEGISLATIVE ADVISORY #51** from the Office of Counsel to the Governor was announced for the record, partially read and copies were made available to the members upon request.

**LEGISLATIVE ADVISORY #51**, dated May 9, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HB #391** (5/8/96) - -AN ACT TO AMEND TITLE 14, DELAWARE CODE, REGARDING THE FINANCIAL REPORTING REQUIREMENTS OF REORGANIZED SCHOOL DISTRICTS. (Sponsor: Representative Davis & Senator Sokola & Representative Reynolds & Senator Cook & Representative Schroeder & Senator Connor; Representatives Buckworth, Capano, Carey, Cloutier, Di Pinto, Ewing, Lee, Mack, Maier, Ulbrich, Wagner, Senators

Blevins, Voshell, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still) (Volume 70, Chapter 329, Laws of Delaware.)

**HB #238** (5/8/96) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. (Sponsor: Representative Schroeder; Representatives Banning, Brady, Bunting, Davis, George, Gilligan, Houghton, Stone, Van Sant; Senators Adams, Blevins, Marshall) (Volume 70, Chapter 330, Laws of Delaware.)

**HB #551** (5/8/96) - AN ACT DIRECTING THE INDIAN RIVER SCHOOL DISTRICT TO MAINTAIN A POLLING PLACE WITHIN THE AREA KNOWN AS GUMBORO, DELAWARE FOR THE SCHOOL BOARD ELECTION TO BE HELD ON SATURDAY, MAY 11, 1996. (Sponsor: Representative West) (Volume 70, Chapter 331, Laws of Delaware.)

\* \* \*

The following committee report were announced:

From Administrative Services: **SB 287** - 4 Merits; **SB 333** - 4 Merits.

From Judiciary: **SS 2 for SB 297** - 2 Favorable, 3 Merits; **SB 326** - 4 Merits; **SB 346** - 5 Merits; **SB 365** - 5 Merits; **HB 444** - 5 Merits; **HB 471** - 5 Merits; **HB 473** - 5 Merits; **HB 478** - 5 Merits; **HB 487** - 5 Merits; **HB 490** - 5 Merits; **HB 495 w/HA 1** - 5 Merits; **HB 520** - 5 Merits.

From Natural Resources: **SB 373** - 5 Merits.

From Community/County Affairs: **SB 374** - 2 Favorable, 2 Merits, 1 Unfavorable.

At 2:38 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 28th Legislative Day.

## 28TH LEGISLATIVE DAY MAY 9, 1996

The Senate convened at 2:38 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Bair.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

## PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION May 9, 1996

The following legislation was introduced and assigned to committee on May 2, 1996:

**SS 1 for SB 347** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SALE OF MOTOR VEHICLES. **Adopted of lieu of the original.** To: **Public Safety.**

The following legislation was introduced and assigned to committee on May 9, 1996:

**SB 384** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO INTERPRETING OF SIGNIFICANT STATE EVENTS FOR THE HEARING IMPAIRED. Sponsor: Senator Reed & Representative Oberle; Senator Still; Representatives Ulbrich, Maier. To: **Health and Social Services.**

**SB 385** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL ANIMAL WELFARE LICENSE PLATES. Sponsor: Senators: Senators **McBride**, Voshell, Venables and Bair; Representatives Mack, Schroeder and Carey. To: **Natural Resources.**

**SB 386** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE AND UTILIZATION REVIEW ORGANIZATIONS. Sponsor: Senator Blevins and Representative Maroney; Senator Still. To: **Insurance and Elections.**

\* \* \*

**SS 1 for SB 347** was brought before the Senate for consideration on motion of Senator Henry.



**SS 1 for SB 347** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SALE OF MOTOR VEHICLES. 2/3 VOTE.

A roll call vote was taken and revealed 16 Senators voting YES, 3 (Bonini, Reed, Venables) NO, 1 (Still) NOT VOTING, 1 (Bair) ABSENT; therefore, **SS 1 for SB 347** was declared passed the Senate and sent to the House for consideration.

Senators Blevins, Marshall and McDowell were marked present during the above roll call.

**SB 376** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 376** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO REQUIREMENTS FOR INMATES TO PAY FOR CERTAIN MEDICAL SERVICES AND MEDICATIONS.

Senator Vaughn requested the privilege of the floor for Thomas McGonigle, representing the Governor's office.

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

Senator Vaughn requested the privilege of the floor for Carl Danberg, representing the Attorney General's office.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 9 Senators (Adams, Cook, Cordrey, Marshall, McBride, Sharp, Sokola, Vaughn, Voshell) voting YES, 11 NO, 1 (Bair) NOT VOTING; therefore, **SB 376** was declared defeated.

**SCR 58** was introduced and brought before the Senate for consideration on motion of Senator Blevins.

**SCR 58** - MOURNING THE DEATH AND CELEBRATING THE LIFE OF CHARLES H. DEBNAM, A DEDICATED AND SELFLESS PUBLIC SERVANT WHO MADE A REAL DIFFERENCE IN THE LIVES OF MANY DELAWAREANS. Sponsors Blevins and Henry For All Senators; Representatives Maroney and Capano For All Representatives.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 58** was declared adopted by the Senate and sent to the House for consideration.

Senator Bonini made a presentation by giving a tribute to Meg Schneider upon her leave from Delaware and the Delaware State News.

At 3:36 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

The Senate reconvened at 4:23 p.m. with the Lt. Governor presiding.

**HB 467 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 467 w/HA 1** - AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.

**SA 1 to HB 467** was introduced and brought before the Senate for consideration on motion of Senator Voshell.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 467** was declared part of the bill.

**HB 467 w/HA 1 & SA 1** was now before the Senate.

Several Senators commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Reed) NO; therefore, **HB 467 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**SB 377** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 377** - AN ACT TO AMEND TITLE 10, TITLE 29 AND TITLE 11 RELATING TO COURT COSTS, FILING FEES AND CREATING A MECHANISM FOR SANCTIONING FRIVOLOUS PRISONER LITIGATION.

Senator Vaughn requested the privilege of the floor for Carl Danberg, representing the Attorney General's office. The witness was excused to wait for **SA 1 to SB 377** to be introduced.

**SA 1 to SB 377** was introduced and brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 377** was declared part of the bill.

**SB 377 w/SA 1** was now before the Senate.

Senator Vaughn requested for the privilege of the floor for Carl Danberg, representing the Attorney General's office. Several Senators engaged in a discussion with the witness. Senator Bonini requested his name be added as a co-sponsor to the bill.

The witness was excused. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 377 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 366** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 366** - AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO GENERAL POWERS OF THE SECRETARY, DELAWARE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. 3/5 VOTE.

**SA 1 to SB 366** was introduced and brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 366** was declared part of the bill.

**SB 366 w/SA 1** was now before the Senate.

Senator McBride questioned the sponsor, after which Senator Blevins requested the privilege of the floor for Secretary Carmen Napario, Department of Health and Social Services.

Senators Still and Venables questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 366 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 387** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Marshall.

**SB 387** - AN ACT TO RELATING TO THE RED CLAY SCHOOL DISTRICT'S MAY 14, 1996 SCHOOL BOARD ELECTION. Sponsor: Sen. Marshall and Rep. Jonkiert.

Several Senators questioned the sponsor, after which a roll call vote was taken and revealed 16 Senators voting YES, 4 (Hauge, McBride, Reed, Still) NO, 1 (Sharp) NOT VOTING; therefore, **SB 387** was declared passed the Senate and sent to the House for consideration.

**HB 436 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 436 w/HA 1** - AN ACT TO AMEND CHAPTER 98, TITLE 16, DELAWARE CODE, RELATING TO PARAMEDIC SERVICES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 436 w/HA 1** was declared passed the Senate and returned to the House.

**SB 373** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 373** - AN ACT TO AMEND CHAPTER 68 OF TITLE 7 OF THE DELAWARE CODE RELATING TO THE BUILDING LINE IN REHOBOTH BEACH AND BETHANY BEACH.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 373** was declared passed the Senate and sent to the House for consideration.

Representative Schroeder requested his name be added as a co-sponsor to **SB 373**.

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

**Dwight Holden** - 21 Senators voting YES. Appointment confirmed.

**Vernon Taylor** - 21 Senators voting YES. Appointment confirmed.

**SS1 for SB 281** was brought before the Senate for consideration on motion of Senator Marshall.

**SS1 for SB 281** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO WITHHOLDING TAXES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SS1 for SB 281** was declared passed the Senate and sent to the House for consideration.

**SENATE CONSENT CALENDAR #12** was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**SCR 59** - APOLOGIZING TO THE RED CLAY SCHOOL DISTRICT BOARD OF EDUCATION FOR INCORRECTLY ALLEGING THAT RED CLAY HAD FAILED TO PROVIDE POLLING PLACES IN THE CITY OF WILMINGTON FOR THE MAY 14, 1996 SCHOOL BOARD ELECTIONS. Sponsor: Senator Marshall & Representative Jonkiert & Senator Blevins; Senators Henry & Sorenson.

**HCR 53** - COMMENDING THE RECIPIENTS AND NOMINEES OF THE 1996 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE. Sponsor: Representatives Petrilli, Spence, Quillen, Gilligan & Van Sant; Senators Sharp, Cordrey, Marshall, Bair, Connor on Behalf of All Representatives & All Senators.

**HCR 40 w/HA 1** - EXTENDING THE DUE DATE OF THE TASK FORCE ON TRUANCY'S RECOMMENDATIONS TO THE GOVERNOR, THE SPEAKER OF THE HOUSE, AND THE PRESIDENT PRO TEMPORE OF THE SENATE FROM MARCH 1, 1996, TO MAY 15, 1996. Sponsor: Representative Maier; Senator Sokola.

A roll call vote was taken on **SENATE CONSENT CALENDAR #12** and revealed 21 Senators voting YES; therefore, the **Senate Consent Calendar** was declared adopted by the Senate. The Senate Concurrent Resolution was sent to the House for consideration and the House Concurrent Resolutions were returned to the House.

**SR 29** was introduced and brought before the Senate for consideration on motion of Senator Connor.

**SR 29** - RECOGNIZING AND HONORING ALL MOTHERS IN DELAWARE. Sponsor: Senator Connor on behalf on all Senators.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SR 29** was declared adopted.

At 5:34 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. on May 14, 1996.

The Senate reconvened at 2:33 p.m. on May 14, 1996 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Administrative Services: **HB 359 w/HA 1** - 4 Merits; **HB 399** - 3 Merits.

**LEGISLATIVE ADVISORY #52 & #53** from the Office of Counsel to the Governor were announced for the record, partially read and copies were made available to the members upon request.

**LEGISLATIVE ADVISORY #52**, dated May 14, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #307 AAB SA 1** (5/9/96) - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO NURSERIES AND NURSERY STOCK. (Sponsor: Senator Adams and Representative Caulk; Senators Cook, Vaughn, Venables, Still, Bonini; Representatives Carey, Mack, Bunting, Schroeder) (Volume 70, Chapter 332, Laws of Delaware.)

**HB #458** (5/10/96) - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES. (Sponsor: Representative Quillen; Senator Voshell) (Volume 70, Chapter 333, Laws of Delaware.)

\* \* \*

**LEGISLATIVE ADVISORY #53**, dated May 14, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #387** (5/13/96) - AN ACT RELATING TO THE RED CLAY SCHOOL DISTRICT'S MAY 14, 1996 SCHOOL BOARD ELECTION. (Sponsor: Senator Marshall and Representative Jonkiert) (Volume 70, Chapter 334, Laws of Delaware.)

\* \* \*

A communication from Senator Blevins was read for the purposes of the Senate Journal and other related records, please add Senator Marshall as a co-sponsor of **SB 337**.

At 2:38 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 29th Legislative Day.

## **29TH LEGISLATIVE DAY MAY 14, 1996**

The Senate convened at 2:38 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

The Secretary announced a message from the House informing the Senate that it had passed **HB 451 w/HA 1 & 2; HB 550 w/HA 1; HB 528; HB 529; HB 530; HJR 24; SB 387; SB 363.**

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

## **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION May 14, 1996**

The following legislation was introduced and assigned to committee on May 2, 1996:

**SA 2 to SB 304** - Sponsor: Senator Sharp - Placed with the bill.

The following legislation was introduced and assigned to committee on May 9, 1996:

**SB 388** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO STOP LOSS INSURANCE. Sponsor: Senator Still. To: **Insurance and Elections**.

**SA 1 to SB 338** - Sponsor: Senator Voshell - Placed with the bill.

**SA 1 to SB 343** - Sponsor: Senator McDowell - Placed with the bill.

The following legislation was introduced and assigned to committee on May 14, 1996:

**SS 1 to SB 22** - AN ACT TO AMEND CHAPTERS 26, 49, AND 69 OF TITLE 9 OF THE DELAWARE CODE RELATING TO ZONING AND SUBDIVISION IN NEW CASTLE, KENT AND SUSSEX COUNTIES. Sponsor: Senator Sharp; Representative Davis. **Adopted in lieu of the original. Laid on the table.**

**HB 451 w/HA 1 & 2** - AN ACT TO AMEND CHAPTER 16, TITLE 19, DELAWARE CODE, RELATING TO FIREFIGHTING AND RESCUE SQUAD WORKERS FROM BEING PAID OVERTIME COMPENSATION WHEN THEY VOLUNTEER THEIR SERVICES WITHIN THE VARIOUS COMMUNITIES. Sponsor: Representative B. Ennis & Senator Blevins; Representatives Banning, Houghton, Brady, Van Sant, West, D. Ennis, Caulk; Senators Vaughn, Bonini. To: **Labor**.

**HB 528** - AN ACT TO AMEND CHAPTER 18, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES. 3/5 VOTE. Sponsor: Representative Roy & Senator Sharp; Senators Adams, Blevins, Cook, Cordrey, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson; Representatives Banning, Boulden, Brady, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, Di Pinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Lee, Lofink, Jonkiert, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Schroeder, Scott, Smith, Spence, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams. To: **Judiciary**.

**HB 529** - AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE REGISTRATION AND REGULATION OF FOREIGN REGISTERED LIMITED LIABILITY PARTNERSHIPS. 3/5 VOTE. Sponsor: Representative Roy & Senator Sharp; Senators Adams, Blevins, Cook, Cordrey, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson; Representatives Banning, Boulden, Brady, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, Di Pinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Lee, Lofink, Jonkiert, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Schroeder, Scott, Smith, Spence, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams. 3/5 VOTE. To: **Judiciary**.

**HB 530** - AN ACT TO AMEND CHAPTER 17, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. Sponsor: Representative Roy & Senator Sharp; Senators Adams, Blevins, Cook, Cordrey, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson; Representatives Banning, Boulden, Brady, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, Di Pinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Lee, Lofink, Jonkiert, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Schroeder, Scott, Smith, Spence, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams. 3/5 VOTE To: **Judiciary**.

**HB 550 w/HA 1** - AN ACT TO AMEND TITLE 6, DELAWARE CODE, RELATING TO NEW HOME CONSTRUCTION AND THE COMPLETION OF UNFINISHED WORK. Sponsor: Representatives Oberle & Wagner & Spence & Di Pinto; Senator Sokola; Representatives Capano, Lee, Maier, Stone; Senators Cook, Sharp, Sorenson, Reed, Amick, Bair, Blevins, Henry, Marshall, McBride, Vaughn, Voshell. To: **Community/County Affairs**.

**HJR 24** - REQUIRING THE DEPARTMENT OF TRANSPORTATION TO PROVIDE ACCOMMODATIONS FOR TOURISTS AND TRAVELERS. Sponsor: Representatives D. Ennis & Carey; Representatives Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Ewing, Lee, Lofink, Reynolds, Smith, Ulbrich, Wagner, Banning, Bunting, DiLiberto; Senators Voshell, Bonini and Sorenson. To: **Highways and Transportation**.

**SA 3 to SB 304** - Sponsor: Senator Sharp - Placed with the bill.

**SA 1 to SB 317** - Sponsor: Senator Blevins - Placed with the bill.

Senator Sharp deferred to Senator Vaughn.

**HB 434** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 434** - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OR RECKLESS BURNING OR EXPLODING.

Senator Vaughn requested the privilege of the floor for James L. Cabbage, Jr., representing State Fire Marshall's office.

Senators Adams, Venables, Bair and McDowell were marked present.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **HB 434** was declared passed the Senate and returned to the House.

Senators Amick, Blevins, Bonini and McBride were marked present during the above roll call.

**SB 343** was stricken on motion of Senator McBride.

Senator Sharp requested the privilege of the floor for Keith Johnson, President, representing Future Farmers of America Association. Mr. Johnson made a presentation and presented potted geraniums to each legislator. Several other students also, addressed the Senate after which the witnesses were excused.

A messenger from the Governor was announced and admitted.

**SB 364** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 364** - AN ACT TO AMEND CHAPTER 3 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE DESIGNATION OF SOLIDAGO ODORA (SWEET GOLDEN ROD) AS THE OFFICIAL STATE HERB.

Senator Voshell requested the privilege of the floor for Dr. Arthur Tucker, representing Delaware Herb Growers & Marketers Association.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **SB 364** was declared passed the Senate and sent to the House for consideration.

**HB 406 w/HA 1, SA 1, 2 & HA 2**, as further amended in the House was brought before the Senate for reconsideration on motion of the floor manager, Senator Voshell.

**HB 406 w/HA 1, SA 1, 2 & HA 2** - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES. 3/5 VOTE.

Senators Bonini and Bair commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **HB 406 w/HA 1, SA 1, 2 & HA 2** was declared passed the Senate and returned to the House.

**HB 359 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HB 359 w/HA 1** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.

**SA 1 to HB 359** was introduced and brought before the Senate for consideration on motion of Senator Connor.

Senator Marshall questioned the sponsor, after which a roll call was taken and revealed 19 Senators voting YES, 1 (Marshall) NO, 1 (Cordrey) ABSENT; therefore, **SA 1 to HB 359** was declared part of the bill.

**HB 359 w/HA 1 & SA 1** was now before the Senate.

A roll call vote was taken and revealed 16 Senators voting YES, 4 (Marshall, McDowell, Reed, Sokola) NO, 1 (Cordrey) ABSENT; therefore, **HB 359 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

At 3:40 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

The Senate reconvened at 4:31 p.m. with Lt. Governor Minner presiding.

**SB 317** was lifted from the table and brought before the Senate for consideration on motion of Senator Blevins.

**SB 317** - AN ACT TO AMEND TITLES 10, 11 AND 13 OF THE DELAWARE CODE RELATING TO CRIMINAL NON-SUPPORT. 2/3 VOTE.

**SA 1 to SB 317**, which was previously placed with the bill, was stricken on motion on Senator Blevins.

**SA 2 to SB 317** was introduced and brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **SA 2 to SB 317** was declared part of the bill.

**SB 317 w/SA 2** was now before the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Venables) NO, 1 (Cordrey) ABSENT; therefore, **SB 317 w/SA 2** was declared passed the Senate and sent to the House for consideration.

**SB 346** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 346** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO UNLAWFUL SEXUAL INTERCOURSE.

Senator Sharp requested the privilege of the floor for Kathryn Way, representing Division of Family Services.

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

Senator Sharp requested the privilege of the floor for Leo Strine, Jr., representing the Counsel of the Governor.

Senators Hauge and Sokola questioned the witness, after which the witness was excused.

Senator Sokola requested that his named be added as a co-sponsor to the bill.

**SA 1 to SB 346** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **SA 1 to SB 346** was declared part of the bill.

**SB 346 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **SB 346 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 577** was brought before the Senate for consideration on motion the floor manager, Senator Cook.

**HB 577** - AN ACT TO AUTHORIZE THE LAKE FOREST BOARD OF EDUCATION TO CONDUCT ITS 1996 ANNUAL ELECTIONS ON TUESDAY, MAY 28, 1996.

Senator Cook immediately laid the bill on the table.

**SCR 60** was introduced and brought before the Senate for consideration on motion of Senator McDowell.

**SCR 60** – ADVISING AND URGING THE U.S ENVIRONMENTAL PROTECTION AGENCY TO THOROUGHLY EVALUATE ANY CHANGE TO THE NATIONAL AMBIENT AIR QUALITY STANDARD FOR OZONE INCLUDING ANY POTENTIAL INCREMENTAL HEALTH IMPACTS, UTILIZE VALID RISK ASSESSMENT PROTOCOLS AND IDENTIFY ANY UNFUNDED MANDATES ON THE STATE OF DELAWARE.

Sponsor: Senator McDowell and Representative Di Pinto.

Senator Hauge commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **SCR 60** was declared adopted by the Senate and sent to the House for consideration.

The Secretary announced the agenda for May 15, 1996.

At 5:36 p.m. on motion of Senator Sharp, the Senate recessed until 4:00 p.m. on May 15, 1996.

The Senate reconvened at 4:28 p.m. on May 15, 1996 with Senator Cordrey presiding.

Senator Cordrey was marked present.

The following committee report were announced:

From Natural Resources: **SB 381** - 4 Merits; **SB 385** - 3 Merits; **HB 475** - 3 Merits.

From Education: **SB 382** - 4 Merits.

From Judiciary: **HB 468 w/HA 1** - 4 Merits.

From Community/County Affairs: **HB 550 w/HA 1** - 4 Favorable; **HB 540** - 3 Merits.

From Public Safety: **SB 372** - 4 Merits.

From Revenue and Taxation: **HB 216 w/HA 1** - 5 Merits.

From Administrative Services: **SB 312** - 3 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 577; HB 371 w/HA 1; HB 481 w/HA 1; HB 536 w/HA 1; HB 469 w/HA 1; HB 509 w/HA 1; HB 505; HB 519; HB 540; HB 501 w/HA 1 & 3; SB 294; SB 295; SB 296 w/SA 1; SB 313; SCR 60.**

Lt. Governor Minner presiding at 4:33 p.m.

The following committee reports were announced:

From the Executive - **John K. Welch** - 6 Favorable; **Dr. Robert J. McMahon** - 4 Favorable, 2 Merit; **Joshua Twilley, Esq.** - 4 Favorable, 2 Merits; **Arthur G. Connolly, Jr.** - 6 Merits.

At 4:36 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 30th Legislative Day.

**30TH LEGISLATIVE DAY  
MAY 15, 1996**

The Senate convened at 4:36 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Connor.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION May 15, 1996**

The following legislation was introduced and assigned to committee on May 14, 1996:

**SA 1 to SB 275** - Sponsor: Senator Sokola - Placed with the bill.

**SA 1 to SB 312** - Sponsor: Senator Blevins - Placed with the bill.

**SA 2 to SB 338** - Sponsor: Senator Voshell - Placed with the bill.

The following legislation was introduced and assigned to committee on May 15, 1996:

**SB 389** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES COMMITTED BY PERSONS IN CUSTODY. 2/3 VOTE. Sponsor: Senator Vaughn and Senator; Representatives Roy and Lee. To: **Corrections.**

**SB 390** - AN ACT TO AMEND CHAPTER 19, TITLE 11 OF THE DELAWARE CODE RELATING TO ARREST WITHOUT WARRANT. Sponsor: Senators Vaughn and Sharp; Representatives Roy and Lee. To: **Corrections.**

**SB 391** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO FRATERNAL BENEFIT SOCIETIES. Sponsor: Senator Vaughn and Representative Oberle. To: **Community/County Affairs.**

**SB 392** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MENTAL HEALTH PROCEDURES. Sponsor: Senator Blevins and Representative Maroney; Senators Reed, Sorenson and Henry; Representatives Roy and Van Sant. To: **Health and Social Services.**

**SB 393** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FEMALE GENITAL MUTILATION. Sponsor: Senators Henry, McBride, Adams, Blevins, Cook, Marshall, McDowell, Sokola, Venables, Voshell, Bonini, Connor and Sorenson; Representatives Banning, Brady, Bunting, B. Ennis, Jonkiert, Schroeder, Scott, Williams, Boulden, Capano, Cloutier, Di Pinto, Ewing, Lee, Maier, Maroney, Plant, Reynolds, Ulbrich, Wagner and West. To: **Judiciary.**

**HB 371 w/HA 1** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE USE OF VIDEO CAMERAS FOR SURVEILLANCE ON PUBLIC SCHOOL PROPERTY. Sponsor: Representative Spence & Senator Sharp; Representatives Petrilli, Quillen, Buckworth, Capano, Caulk, Cloutier, Davis, Di Pinto, Ewing, Fallon, Lee, Mack, Maier, Oberle, Reynolds, Roy, Smith, Stone, Ulbrich, Welch, Banning, Brady, B. Ennis, Houghton, Jonkiert, Gilligan, Plant, Schroeder, Scott, Van Sant; Senators McBride, Connor. To: **Education.**

**HB 469 w/HA 1** - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsor: Representatives West, Banning, Brady, Buckworth, Bunting, Caulk, DiLiberto, B. Ennis, D. Ennis, Ewing, Fallon, Jonkiert, Lee, Mack, Oberle, Plant, Quillen, Reynolds, Schroeder, Scott, Spence, Wagner, Welch, Williams, Senators Cordrey, Vaughn, Venables. To: **Insurance and Elections.**

**HB 481 w/HA 1** - AN ACT TO AMEND CHAPTER 31, TITLE 16, RELATING TO VITAL STATISTICS. 2/3 VOTE. Sponsor: Representatives Davis & Maroney; Senators Blevins & Bonini; Representatives Smith, Stone, Plant, Schroeder, Williams; Senators Henry, Amick, Bair, Reed. To: **Administrative Services.**

**HB 501 w/HA 1 & 3** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE REGARDING THE CANCER CONTROL ACT. Sponsor: Representative Maroney & Senator Blevins; Representatives Carey, Cloutier, Maier, Roy, Stone, Wagner, Bunting, Gilligan, Plant,

Van Sant, Williams; Senators Adams, Cook, Henry, McBride, Sharp, Sokola, Vaughn, Voshell, Amick, Bair, Connor, Sorenson. To: **Health and Social Services.**

**HB 505** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE WEARING OF HUNTER ORANGE. 2/3 VOTE. Sponsor: Representative Carey; Representatives Bunting and West, Senators Marshall, Venables, Voshell & Bonini. To: **Natural Resources.**

**HB 509 w/HA 1** - AN ACT TO AMEND CHAPTER 49, SUBCHAPTER II, TITLE 15, DELAWARE CODE, RELATING TO VOTING PROCEDURE. Sponsor: Representative DiLiberto, Representatives Banning, Boulden, Brady, Buckworth, Bunting, Capano, Di Pinto, B. Ennis, Ewing, Gilligan, Houghton, Jonkiert, Lee, Oberle, Plant, Schroeder, Scott, Stone, Van Sant, Williams. To: **Insurance and Elections.**

**HB 519** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO HOME CONSTRUCTION AND HOME IMPROVEMENT. Sponsor: Representative Petrilli & Senator Sokola. To: **Community/County Affairs.**

**HB 536 w/HA 1** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO BICYCLISTS. 2/3 VOTE. Sponsor: Representative Roy and Senator Sokola. To: **Public Safety.**

**HB 540** - AN ACT TO AMEND CHAPTER 515, VOLUME 60, LAWS OF DELAWARE ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF ARDENCROFT," AS AMENDED, TO PROVIDE FOR A QUORUM OF FOURTEEN (14) ELIGIBLE VOTERS OF THE TOWN MEETING. 2/3 VOTE. Sponsor: Representative Smith & Senator Bair. To: **Community/County Affairs.**

**SA 1 to SB 369** - Sponsor: Senator Marshall - Placed with the bill.

The following letters of nomination were placed in the **Executive** Committee:

STATE OF DELAWARE  
Office of the Governor  
May 14, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Ronald McCabe**, Route 1, Box 32, Millville, Delaware 19970, to be reappointed to the Solid Waste Authority for a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
May 14, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**John K. Welch, Esquire**, 805 West 28th Street, Wilmington, Delaware 19802, to be appointed as an Associate Judge to the Wilmington Municipal Court for a twelve year term to fill the vacancy arising from the appointment of William L. Chapman to Family Court.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*



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

**John K. Welch, Esquire** - 21 Senators voting YES. Appointment confirmed.

Senators Blevins and McDowell were marked present during the above roll call.

Senator Blevins moved that **SB 376** be reconsidered.

Senator Still objected. A roll call on the motion to reconsider **SB 376** was taken and revealed 13 Senators voting YES, 8 (Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still) NO; therefore, the motion carried.

Senator Vaughn requested to rescind the roll call for **SB 376**.

Senator Still objected. A roll call on the motion to rescind the roll call for **SB 376** was taken and revealed 13 Senators voting YES, 8 (Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still) NO; therefore, the motion carried.

**SB 376** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 376** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO REQUIREMENTS FOR INMATES TO PAY FOR CERTAIN MEDICAL SERVICES AND MEDICATIONS.

**SA 1 to SB 376** was introduced and brought before the Senate for consideration on motion of Senator Blevins.

Senator Still questioned the sponsor, after which a roll call vote was taken and revealed 16 Senators voting YES, 5 (Hauge, McBride, Reed, Sorenson, Still) NO; therefore, **SA 1 to SB 376** was declared part of the bill.

**SB 376 w/SA 1** was now before the Senate.

Senator Hauge commented. A roll call was taken and revealed 12 Senators voting YES, 9 (Amick, Bair, Bonini, Hauge, Henry, Marshall, Reed, Sorenson, Still) NO; therefore, **SB 376 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 326** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 326** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO TRANSPORTATION OF SPIRITS, WINES, OR BEER.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 326** was declared passed the Senate and sent to the House for consideration.

**SB 338** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 338** - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE BY CREATING A NEW CHAPTER 34 ESTABLISHING THE EMERGENCY MANAGEMENT ASSISTANCE COMPACT. 3/4 VOTE.

**SA 1 to SB 338** was stricken on motion Senator Voshell.

**SA 2 to SB 338**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Voshell.

Senator Voshell requested the privilege of the floor for Sean Mulhern, representing Delaware Emergency Management Agency.

Senators Bair and Still questioned the witness, after which the witness was excused.

Senator Voshell requested the privilege of the floor for Rebecca Batson, Senate Attorney.

The witness was excused. A roll call was taken and revealed 21 Senators voting YES; therefore, **SA 2 to SB 338** was declared part of the bill.

**SB 338 w/SA 2** was now before the Senate.

A roll call was taken and revealed 16 Senators voting YES, 1 (Reed) NO, 4 (Amick, Bair, Connor, Sorenson) NOT VOTING; therefore, **SB 338 w/SA 2** was declared passed the Senate and sent to the House for consideration.

**HB 577** was lifted from the table and brought before the Senate for consideration, under the suspension of necessary rules on motion of the floor manager, Senator Cook.

**HB 577** - AN ACT TO AUTHORIZE THE LAKE FOREST BOARD OF EDUCATION TO CONDUCT ITS 1996 ANNUAL ELECTIONS ON TUESDAY, MAY 28, 1996.

Senator Bair questioned the floor manager, after which a roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 577** was declared passed the Senate and returned to the House.

At 5:20 p.m. on motion of Senator Sharp, the Senate recessed at 2:00 p.m. on May 16, 1996.

The Senate reconvened at 2:40 p.m. on May 16, 1996, with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that the it had passed **HCR 54; HCR 55; SCR 59**.

Senator Blevins requested that her name be removed as a co-sponsor of **HB 555**.

The following committee report were announced:

From Judiciary: **SB 375** - 1 Favorable, 2 Merits; **HB 526** - 4 Merits; **HB 528** - 4 Merits; **HB 529** - 4 Merits; **HB 530** - 4 Merits.

At 2:45 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 31st Legislative Day.

**31ST LEGISLATIVE DAY  
MAY 16, 1996**

The Senate convened at 2:45 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Henry.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

**PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
May 16, 1996**

The following legislation was introduced and assigned to committee on May 15, 1996:

**SA 1 to SB 332** - Sponsor: Senator Vaughn - Placed with the bill.

**SA 3 to SB 333** - Sponsor: Senator Voshell - Placed with the bill.

**SA 1 to SB 378** - Sponsor: Senator Sharp - Placed with the bill.

**SA 1 to SB 302** - Sponsor: Senator Amick - Placed with the bill.

**SA 1 to SB 369** - Sponsor: Senator Marshall - Placed with the bill.

The following legislation was introduced and assigned to committee on May 16, 1996:

**SA 4 to SB 333** - Sponsor: Senator Voshell - Placed with the bill.

**SA 1 to SB 381** - Sponsor: Senator McBride - Placed with the bill.

\* \* \*

Senator Sokola made an introduction and then requested the privilege of the floor for the Teachers of the Years.

Comments were made by Senator Cordrey regarding the Teacher of the Year that passed away earlier this year, William E. Degnan. A Memorandum was read in its entirety and presented to Mr. Degnan's widow and parents.

Senators Reed and Connor commented.

The witnesses were excused.

Senators Cordrey and McBride were marked present.

**SB 333** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 333** - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES RELATING TO TELECOMMUNICATION SERVICES. 2/3 VOTE.

**SA 1 to SB 333** was stricken on motion of Senator Voshell.

**SA 2 to SB 333** was stricken on motion of Senator Voshell.

**SA 3 to SB 333** was brought before the Senate for consideration on motion of Senator Voshell.

A roll call was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SA 3 to SB 333** was declared part of the bill.

**SA 4 to SB 333**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Voshell.

A roll call was taken and revealed 21 Senators voting YES; therefore, **SA 4 to SB 333** was declared part of the bill.

**SB 333 w/SA 3 & 4** was now before the Senate.

Senator Voshell requested the privilege of the floor for Thomas C. Blum, representing Bell Atlantic NYNEX Mobile.

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

A roll call was taken and revealed 20 Senators voting YES, 1 (McDowell) NOT VOTING; therefore, **SB 333 w/SA 3 & 4** was declared passed the Senate and sent to the House for consideration.

**SB 369** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 369** - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES.

**SA 1 to SB 369** was brought before the Senate for consideration on motion of Senator Marshall.

A roll call was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SA 1 to SB 369** was declared part of the bill.

**SB 369 w/SA 1** was now before the Senate.

Senators Bonini and Cordrey commented.

A roll call vote was taken and revealed 7 Senators (Cook, Henry, Marshall, McBride, McDowell, Vaughn, Voshell) voting YES, 14 NO; therefore, **SB 369 w/SA 1** was defeated. At 4:02 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

The Senate reconvened at 5:05 p.m. with Senator Cordrey presiding.

Senator Blevins moved to reconsider **SB 369**. No objection.

The roll call on **SB 369** was rescinded and returned to the Ready List on motion of Senator Marshall. No objection.

Lt. Governor Minner presiding at 5:07 p.m.

**SB 381** was brought before the Senate for consideration on motion of Senator McBride.

**SB 381** - AN ACT TO AMEND TITLES 7 AND 11 OF THE DELAWARE CODE AND CHAPTER 275, VOLUME 70 OF THE LAWS OF DELAWARE RELATING TO HUNTING AND TRAPPING DEVICES, ENVIRONMENTAL MISDEMEANORS AND CERTAIN TECHNICAL CORRECTIONS. 2/3 VOTE.

**SA 1 to SB 381**, which was previously placed with the bill, was brought before the Senate on motion of Senator McBride.

A roll call was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **SA 1 to SB 381** was declared part of the bill.

**SB 381 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **SB 381 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 385** was brought before the Senate for consideration on motion of Senator McBride.

**SB 385** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL ANIMAL WELFARE LICENSE PLATES.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **SB 385** was declared passed the Senate and sent to the House for consideration.

**HB 475** was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

**HB 475** - AN ACT TO AMEND CHAPTER 9 OF TITLE 7 OF THE DELAWARE CODE RELATING TO THE SALE OF FOOD FISH. 2/3 VOTE.

Senator Still questioned the sponsor, after which Senator McBride requested the privilege of the floor for John Baker, representing Delaware Natural Resources and Environmental Control, Division of Fish & Wildlife.

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

Senator McBride requested the bill be laid of the table.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 56; SB 315 w/SA 1**.

**HCR 56** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HCR 56** - COMMENDING DARRYL J. HUDSON FOR BEING SELECTED DELAWARE TEACHER OF THE YEAR 1996. Sponsor: Representative Reynolds & Senator Sokola on behalf of All Representatives and Senators.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **HCR 56** was declared adopted by the Senate and returned to the House.

**SENATE CONSENT CALENDAR #13** was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**HCR 54** - HONORING MILFORD SCHOOL DISTRICT SUPERINTENDENT CHARLES E. (CHUCK) MOSES UPON HIS UPCOMING RETIREMENT. Sponsor: Representative Carey; Senator Voshell; Representatives Caulk, Ewing, Quillen; Senator Adams; On behalf of All Representatives and Senators.

**HCR 55** - EXTENDING "MANY THANKS" TO THE DELAWARE VOCATIONAL STUDENT ORGANIZATIONS OF DELAWARE FOR THE GERANIUMS GIVEN, AND EXTENDING BEST WISHES AND SUCCESS TO EACH OF YOU IN YOUR CHOSEN CAREERS. Sponsor: Representative Petrilli, Spence, Quillen, Gilligan and Van Sant on Behalf of All Representatives; Senators Cordrey, Sharp, Marshall, Bair and Connor on Behalf of All Senators.

A roll call vote was taken on **SENATE CONSENT CALENDAR #13** and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, the Senate Consent Calendar was declared adopted by the Senate. The House Concurrent Resolutions were returned to the House.

**SCR 64** was introduced and brought before the Senate for consideration on motion of Senator Bair.

**SCR 64** - EXPRESSING CONDOLENCES TO WILLIAM S. MONTGOMERY, DIRECTOR OF RESEARCH, LEGISLATIVE COUNCIL, AND HIS FAMILY UPON LEARNING OF THE DEATH OF HIS MOTHER, MRS. HELEN N. MONTGOMERY, OF MARSHALLTON, WHO PASSED AWAY ON TUESDAY, MAY 14, 1996, AT THE AGE OF SEVENTY-THREE. Sponsor: Senator Bair, Representative Spence, Senator Cordrey, Senator Sharp, Senator Connor, Representative Petrilli, Representative Quillen, Representative Gilligan, Representative Van Sant on Behalf of All Senators and All Representatives.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **SCR 64** was declared adopted by the Senate and sent to the House for consideration.

A travel report was read into the record at the request of Senator Sharp.

Senator Connor commented on future travel. Senator Cordrey questioned Senator Connor.

At 5:40 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. on May 28, 1996 or to the call of the President Pro Tempore.

The Senate reconvened on May 28, 1996 at 2:40 p.m., with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 552 w/HA 2; HB 553 w/HA 1 w/HA 1 aab HA 1; HB 511 w/HA 1, 2, 3 & 4; SCR 64.**

**SENATE CITATION ANNOUNCEMENT #1**, S138:1-100 inclusive was introduced and a copy made available to each Senator.

At 2:43 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 32nd Legislative Day.

## **32ND LEGISLATIVE DAY MAY 28, 1996**

The Senate convened at 2:43 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Hauge.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 20.

**ABSENT:** Senator Connor - 1

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

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

## **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION May 28, 1996**

The following legislation was introduced and assigned to committee on May 16, 1996:

**SB 393** - Reassigned from **Judiciary** to **Health and Social Services**.

The following legislation was introduced and assigned to committee on May 28, 1996:

**SB 394** - AN ACT TO AMEND CHAPTER 33, DELAWARE CODE, ALSO BEING CHAPTER 303, 70 LAWS OF DELAWARE RELATING TO WORKMEN'S COMPENSATION. Sponsor: Senator Marshall & Representative Oberle; Senators McBride, Connor; Senators Blevins, Cook, Voshell, Bonini, Sorenson, Still; Representatives Banning,

Brady, Bunting, Carey, Caulk, B. Ennis, Houghton, Lee, Plant, Reynolds, Schroeder, Smith, Spence, Stone, Van Sant Wagner, Welch, West. To: **Labor**.

**SB 395** - AN ACT TO AMEND THE CHARTER OF THE CITY OF NEWARK, AND TITLES 10, 11, 16 AND 21 OF THE DELAWARE CODE RELATING TO ALDERMEN AND THE CITY COURT OF NEWARK. 2/3 VOTE. Sponsor: Amick; Senators Reed, Sorenson; Representatives Ulbrich, DiLiberto, Petrilli. To: **Judiciary**.

**SB 396** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 21 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE OFFICE OF INSURANCE COMMISSIONER. 2/3 VOTE. Sponsor: Senator Vaughn. To: **Insurance and Elections**.

**SB 397** - AN ACT TO AMEND CHAPTER 13 OF TITLE 18 OF THE DELAWARE CODE RELATING TO DOMESTIC INSURANCE COMPANIES. Sponsor: Senator Vaughn & Representative D. Ennis, Senators Bonini, McDowell, Representatives Van Sant, Wagner, Lofink, Welch, Stone, B. Ennis, Spence, DiPinto, Buckworth, Roy, Cloutier. To: **Insurance and Elections**.

**HB 511 w/HA 1, 2, 3 & 4** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LICENSES TO CARRY CONCEALED DEADLY WEAPONS FOR PERSONAL PROTECTION. Sponsor: Representative Van Sant & Representative Spence; Senator Spence; Senator Cook & Senator Vaughn; Representatives Banning, Brady, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, Di Pinto, B. Ennis, Ewing, Gilligan, Houghton, Jonkiert, Lee, Lofink, Oberle, Plant, Quillen, Roy, Scott, Stone, Ulbrich, Wagner, Welch, West, Williams; Senators Adams, Blevins, Bonini, Still, Venables. To: **Public Safety**.

**HB 552 w/HA 2** - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO ACCESS TO STATE-MAINTAINED HIGHWAYS IN NEW CASTLE COUNTY. Sponsor: Representatives Lofink, Cloutier, Oberle, Smith, Roy & Maroney & Senators Amick & Connor; Representatives Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Davis, Di Pinto, D. Ennis, Ewing, Fallon, Lee, Mack, Maier, Reynolds, Ulbrich & Welch & Senators Bair, Hauge, Reed & Sorenson. To: **Highways and Transportation**.

**HB 553 w/HA 1 aab HA 1** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO REZONING, SUBDIVISIONS, USE VARIANCES AND DEED RESTRICTIONS AND TO CREATE LOCAL ZONING BOARDS. Sponsor: Representatives Smith, Cloutier, Oberle, Lofink, Roy & Maroney and Senators Amick, Connor, Hauge; Representatives Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Davis, Di Pinto, D. Ennis, Ewing, Fallon, Lee, Mack, Maier, Reynolds, Ulbrich, & Welch. To: **Highways and Transportation**.

**HB 554 w/HA 1, 2 & 3** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO REZONING AND SUBDIVISIONS AND TO CREATE THE NEW CASTLE COUNTY LAND DEVELOPMENT TASK FORCE. Sponsor: Representatives Cloutier, Oberle, Spence, Smith, Lofink, Roy and Maroney & Senators Connor and Amick; Representatives Petrilli, Quillen, Boulden, Buckworth, Carey, Davis, Di Pinto, D. Ennis, Ewing, Fallon, Lee, Mack, Maier, Reynolds & Welch and Senators Bair, Hauge, Reed and Sorenson. To: **Highways and Transportation**.

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**SCR 63** was introduced and brought before the Senate for consideration on motion of Senator Still.

**SCR 63** - EXPRESSING CONDOLENCES TO THE FAMILY OF ERNEST V. KEITH, A FORMER STATE SENATOR, WHO DIED ON MAY 13, 1996 AT THE AGE OF NINETY-THREE. Sponsor: Senator Still & Representative Wagner, Senators Vaughn, Cook, Bonini, Representatives B. Ennis, Welch, Quillen, Stone, Caulk, Buckworth.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Adams, Connor) ABSENT; therefore, **SCR 63** was declared adopted by the Senate and sent to the House for consideration.

Senators Bair and McBride were marked present during the above roll call.

**SB 292** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 292** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES AND TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE CLEAN INDOOR AIR ACT.

Senator Marshall requested the privilege of the floor for Karen Peterson, representing the Department of Labor.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Connor) ABSENT; therefore, **SB 292** was declared passed the Senate and sent to the House for consideration.

Senator Adams was marked present during the above roll call.

**HB 478** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 478** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF THEFT.

Senator Sharp requested the privilege of the floor for Keith Brady, representing the Attorney General's office.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Connor) ABSENT; therefore, **HB 478** was declared passed the Senate and returned to the House.

**HB 487** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 487** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO HABEAS CORPUS.

Senator Sharp requested the privilege of the floor for Keith Brady, representing the Attorney General's office.

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

A roll call vote was taken and revealed 18 Senators voting YES, 1 (Venables) NO, 1 (McDowell) NOT VOTING, 1 (Connor) ABSENT; therefore, **HB 487** was declared passed the Senate and returned to the House.

At 3:23 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus

The Senate reconvened at 4:24 p.m. with Lt. Governor Minner presiding.

**SCR 65** was introduced and brought before the Senate for consideration on motion of Senator Sokola.

**SCR 65** - CONGRATULATING DR. ORLANDO J. GEORGE, JR., UPON HIS INAUGURATION AS THE FOURTH PRESIDENT OF DELAWARE TECHNICAL AND COMMUNITY COLLEGE. Sponsor: Senator Sokola; Representative Reynolds.

Senator Bonini commented. A roll call vote was taken and revealed 18 Senators voting YES, 3 (Connor, McBride, Reed) ABSENT; therefore, **SCR 65** was declared adopted by the Senate and sent to the House for consideration.

**HB 540** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 540** - AN ACT TO AMEND CHAPTER 515, VOLUME 60, LAWS OF DELAWARE ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF ARDENCROFT," AS AMENDED, TO PROVIDE FOR A QUORUM OF FOURTEEN (14) ELIGIBLE VOTERS OF THE TOWN MEETING. 2/3 VOTE.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Connor) ABSENT; therefore, **HB 540** was declared passed the Senate and returned to the House.

**HB 399** was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HB 399** - AN ACT TO AMEND CHAPTER 21 OF TITLE 29 RELATING TO THE GOVERNOR'S AUTHORITY TO PROCLAIM SPECIAL DAYS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Connor) ABSENT; therefore, **HB 399** was declared passed the Senate and returned to the House.

Senator Cook requested that all female Senators be added as co-sponsors. No objection.

**SB 275** was brought before the Senate for consideration on motion of Senator Sokola.

**SB 275** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE REPORTING OF INFORMATION ABOUT PUBLIC EDUCATION.

**SA 1 to SB 275** was brought before the Senate for consideration on motion of Senator Sokola.

Senator McBride questioned the sponsor, after which Senator Sokola requested the privilege of the floor for Michael Ferguson, representing State Board of Education/Department of Public Instruction.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Connor) ABSENT; therefore, **SA 1 to SB 275** was declared part of the bill.

**SB 275 w/SA 1** was now before the Senate.

Several Senators commented. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Connor, Henry) ABSENT; therefore **SB 275 w/SA 1** was declared passed the Senate and sent to the House for consideration.

Senator Bair made her report on the NCSL meeting she attended in Alaska to the members in the Senate Chamber.

At 5:12 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 33rd Legislative Day.

### **33RD LEGISLATIVE DAY MAY 29, 1996**

The Senate convened at 4:10 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Sharp.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

The Secretary announced a message from the House informing the Senate that it had passed **HB 33; HB 518; HB 531; HB 431 w/HA 1, 2 & 3; HB 508; HB 538; HB 567; HB 516 w/HA 1; HB 556; SB 195 w/SA 2; SB 234 w/SA 2; SB 350; SB 354 w/SA 1 w/HA 1 & 2; SB 355 w/SA 1, 4, w/HA 1 & 2.**

A communication from the House Chief Clerk, JoAnn M. Hedrick was read informing that Representative Ulbrich signed **SB 354** and **SB 355** as an additional sponsor.

The following committee report were announced:

From Corrections: **SB 389** - 4 Merits; **SB 390** - 4 Merits.

From Community/County Affairs: **SB 391** - 5 Merits.

From Education: **HB 371 w/HA 1** - 3 Merits.

From Public Safety: **HB 438 w/HA 1** - 4 Merits; **HB 513** - 4 Merits.

From Highways & Transportation: **HB 460** - 4 Merits.

From Insurance & Elections: **HB 509 w/HA 1** - 4 Merits.

From Agriculture: **HB 395 w/HA 1** - 5 Merits.

From Executive: **HJR 23** - 5 Merits.

**LEGISLATIVE ADVISORY #54** from the Office of Counsel to the Governor was announced for the record, partially read and copies made available to members upon request.

**LEGISLATIVE ADVISORY #54**, dated May 29, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HB #577** (5/16/96) - AN ACT TO AUTHORIZE THE LAKE FOREST BOARD OF EDUCATION TO CONDUCT ITS 1996 ANNUAL ELECTIONS ON TUESDAY, MAY 28, 1996. (Sponsor: Representatives Quillen & Caulk and Senators Cook & Voshell) (Volume 70, Chapter 335, Laws of Delaware).

**SB #359** (5/17/96) - AN ACT TO AMEND SECTIONS 701 AND 933 OF TITLE 5 OF THE DELAWARE CODE, RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS. (Sponsor: Senator Cordrey and Representative D. Ennis) (Volume 70, Chapter 336, Laws of Delaware).

**SB #361 AAB SA #1** (5/17/96) - AN ACT TO FURTHER AMEND "AN ACT TO INCORPORATE THE ARTISANS' SAVINGS BANK" (Sponsor: Senator Cordrey and Representative D. Ennis) (Volume 70, Chapter 337, Laws of Delaware).

**HB #356 AAB SA #1** - (5/17/96) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO ADD A NEW CHAPTER RELATING TO THE ESTABLISHMENT OF THE FIRST STATE QUALITY IMPROVEMENT FUND. (Sponsor: Representative Petrilli; Representatives Banning, B. Ennis, Gilligan, Plant, Scott; Senators Bair, Connor, Sorenson) (Volume 70, Chapter 338, Laws of Delaware).

**SB #261 AAB SA #1** (5/17/96) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF HEAVY MOTOR VEHICLES. (Sponsor: Senator Voshell; Representative Carey; Senator Adams) (Volume 70, Chapter 339, Laws of Delaware).

**SB #311** (5/24/96) - AN ACT TO AMEND CHAPTER 89, TITLE 29, DELAWARE CODE RELATING TO MANDATORY SCREENING FOR ILLEGAL USE OF DRUGS. (Sponsor: Senator Vaughn, Representative Lee, Senator Adams, Senator Sharp, Representative Ewing, and Representative B. Ennis) (Volume 70, Chapter 340, Laws of Delaware).

**HB #436 AAB HA #1** (5/23/96) - AN ACT TO AMEND CHAPTER 98, TITLE 16, DELAWARE CODE, RELATING TO PARAMEDIC SERVICES. (Sponsor: Representative

B. Ennis & Senator Blevins; Representatives Banning, Houghton, Brady, D. Ennis, Wagner, Welch, Cloutier) (Volume 70, Chapter 341, Laws of Delaware).

**HB #435 AAB HA #1 & 2 AND SA #2** (5/23/96) - AN ACT TO AMEND SUBCHAPTER 111A OF CHAPTER 41, TITLE 21, DELAWARE CODE RELATING TO CONTROLLED-ACCESS HIGHWAYS. (Sponsor: Representative B. Ennis, & Senator Voshell; Representatives Banning, Brady, Bunting, DiLiberto, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Van Sant, West, Lofink, Ulbrich, Caulk, Cloutier, D. Ennis, Wagner, Senator Vaughn) (Volume 70, Chapter 342, Laws of Delaware).

**HB #406 AAB HA #1 & 2 AND SA #1 & 2** (5/23/96) - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES. (Sponsor: Representatives Banning, & Spence; Representative Banning & Spence; Representative Brady, Bunting, B. Ennis, Gilligan, Houghton, Jonkiert, Plant, Van Sant, West; Senators Vaughn, Venables) (Volume 70, Chapter 343, Laws of Delaware).

**HB #434** (5/23/96) - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF RECKLESS BURNING OR EXPLODING. (Sponsor: Representative B. Ennis and Senator Vaughn; Representatives Banning, Brady, Houghton, Van Sant, Cloutier, D. Ennis, Wagner, Welch; Senator Adams) (Volume 70, Chapter 344, Laws of Delaware).

**SB #294** (5/23/96) - AN ACT TO AMEND AN ACT BEING CHAPTER 504, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HENLOPEN ACRES" TO CLARIFY LONG-TERM BORROWING POWER. (Sponsor: Senator Cordrey; Representative Schroeder) (Volume 70, Chapter 345, Laws of Delaware).

**SB #295** (5/23/96) - AN ACT TO AMEND AN ACT BEING CHAPTER 504, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HENLOPEN ACRES" TO CHANGE THE TITLE OF THE TOWN CLERK TO TOWN MANGER. (Sponsor: Senator Cordrey; Representative Schroeder) (Volume 70, Chapter 346, Laws of Delaware).

**SB #296 AAB SA #1** (5/23/96) - AN ACT TO AMEND AN ACT BEING CHAPTER 504, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HENLOPEN ACRES" TO PROVIDE ALTERNATIVE METHODS FOR COLLECTION OF UNPAID TAXES, FEES AND OTHER CHARGES. (Sponsor: Senator Cordrey; Representative Schroeder) (Volume 70, Chapter 347, Laws of Delaware).

**SB #313** (5/23/96) - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO INCREASING THE POWER TO RAISE REVENUE. Sponsor: Senator Adams and Representative Ewing) (Volume 70, Chapter 348, Laws of Delaware).

**SB #363** (5/23/96) - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (Sponsor: Senator Sharp & Representative Roy; Senators Adams, Blevins, Cook, Cordrey, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Representatives Banning, Boulden, Brady, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, Di Pinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Lee, Lofink, Jonkiert, Mack, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Schroeder, Scott, Smith, Spence, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams) (Volume 70, Chapter 349, Laws of Delaware).

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

#### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION**

**May 29, 1996**

The following legislation was introduced and assigned to committee on May 29, 1996:

**SS 1 for SB 78** - AN ACT TO AMEND CHAPTER 55 AND 56, TITLE 29, DELAWARE CODE RELATING TO COMPUTATIONS OF JUDICIAL AND STATE EMPLOYEE PENSIONS. Sponsor: Senator Cook, Vaughn, McBride, Henry, Sorenson, Still, Cordrey, Sharp, Marshall, Adams, Blevins, McDowell, Sokola, Venables, Voshell, Amick, Bair, Bonini,



Connor, Hauge, Reed, Representatives Oberle, Ewing, Buckworth, DiPinto, Maroney, Bunting, Jonkiert, Spence, Petrilli, Quillen, Gilligan, Van Sant, Banning, Boulden, Brady, Capano, Carey, Caulk, Cloutier, DiLiberto, B. Ennis, D. Ennis, Fallon, Houghton, Lee, Lofink, Mack, Maier, Plant, Reynolds, Roy, Schroeder, Scott, Smith, Stone, Ulbrich, Wagner, Welch, West, Williams.

**Adopted in Lieu of the Original. To: Finance.**

**SB 398** - AN ACT TO REPEAL THE BULK TRANSFER PROVISIONS OF THE UNIFORM COMMERCIAL CODE OF THE DELAWARE CODE. Sponsor: Senator Cordrey and Representative Wagner. To: **Banking.**

**SB 399** - AN ACT TO AMEND AN ACT BEING 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 AND PROVIDING FOR THE ELECTION OF THEIR SUCCESSORS" TO CHANGE THE DATE FOR FILING NOTICE OF CANDIDACY FOR OFFICE OF MEMBER OF BOARD OF PUBLIC WORKS AND TO REQUIRE UNITED STATES AND DELAWARE CITIZENSHIP TO VOTE. 2/3 VOTE. Sponsor: Senator Voshell & Representative Schroeder. To: **Community/County Affairs.**

**SB 400** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE LEGISLATIVE PROCESS. Sponsor: Senator Reed; Senators Amick, Bair, Bonini, Hauge, Sorenson; Representative Maier. To: **Judiciary.**

**SB 401** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO PROVIDE FOR IMPACT INFORMATION ON CRIMINAL JUSTICE RELATED LEGISLATION. Sponsor: Senator Reed; Senators Amick, Bair, Bonini, Hauge, Sorenson; Representative Maier. To: **Judiciary.**

**SB 402** - AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN. Sponsor: Senator Vaughn. To: **Finance.**

**SJR 24** - DIRECTING THE DELAWARE DEPARTMENT OF TRANSPORTATION TO HONOR ITS AGREEMENT OF 1992 TO ABANDON PLANS TO UPGRADE U.S. ROUTE 13 SOUTH OF WEBBS LANE TO A LIMITED-ACCESS FACILITY WITH SERVICE ROADS. Sponsor: Senator Bonini; Representative Stone, Buckworth, Quillen. To: **Highways & Transportation.**

**HB 33** - AN ACT TO AMEND CHAPTER 3, TITLE 11 OF THE DELAWARE CODE RELATING TO PROVING AND DISPROVING CRIMINAL GUILT. Sponsor: Representative Oberle & Senator Sharp. To: **Judiciary.**

**HB 431 w/HA 1, 2 & 3** - AN ACT TO AMEND CHAPTER 10, TITLE 14, DELAWARE CODE, RELATING TO REORGANIZATION OF SCHOOL DISTRICTS. Sponsor: Representative Maier; Representatives Petrilli, Boulden, Capano, Cloutier, Davis, DiPinto, Maroney, Oberle, Smith, Ulbrich, Wagner, Bunting, DiLiberto, Gilligan, Schroeder, Van Sant; Senators Venables, Voshell, Reed, Still. To: **Education.**

**HB 516 w/HA 1** - AN ACT REQUIRING ANY STATE AGENCY WHO HAS THE AUTHORITY TO PROMULGATE RULES AND REGULATIONS THAT ONCE AN INDIVIDUAL, COMPANY, CORPORATION, INSTITUTION OR DISTINCT ENTITY HAS FULLY COMPLIED WITH THE EXISTING RULES AND REGULATIONS, THE AGENCY HAVING SUCH AUTHORITY SHALL NOT REIMPOSE NEW RULES AND REGULATIONS, PARTICULARLY IF THE PROJECT IS UNDERWAY BECAUSE OF NEW TECHNOLOGICAL CHANGES THAT MAY HAVE OCCURRED SINCE THE ISSUANCE OF THE ORIGINAL RULES AND REGULATIONS. Sponsor: Representative Ewing, Representatives Banning, Boulden, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, B. Ennis, D. Ennis, Fallon, Gilligan, Houghton, Lee, Mack, Reynolds, Smith, Spence, Stone, Ulbrich, Van Sant, Wagner, West, Williams; Senators Adams, Cordrey, Voshell. To: **Administrative Services.**

**HB 508** - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL REGISTRATION PLATES. Sponsor: Representative West; Representatives Banning, Brady, Buckworth, Bunting, Carey, Caulk, Cloutier, DiLiberto, B. Ennis, Ewing, Houghton, Jonkiert, Lee, Plant, Scott, Welch, Williams. To: **Public Safety.**

**HB 518** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CERTAIN MOTOR VEHICLE OFFENSES COMMITTED BY JUVENILES. 2/3 VOTE. Sponsor: Representative Ewing; Senator Voshell. To: **Public Safety.**

**HB 531** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SENTENCING FOR CERTAIN CRIMES. Sponsor: Representative Roy & Senator Sharp. To: **Judiciary**.

**HB 538** - AN ACT TO AMEND TITLE 18, DELAWARE CODE, RELATING TO INSURER SIGNATURE REQUIREMENTS. Sponsor: Representative D. Ennis & Senator Vaughn. To: **Insurance & Elections**.

**HB 556** - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO THE DELAWARE BICYCLE COUNCIL. Sponsor: Representative Roy and Senator Sokola. To: **Public Safety**.

**HB 567** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO DENTISTRY AND DENTAL HYGIENE. Sponsor: Representative Ulbrich and Senator Blevins; Representatives Capano, Maier, Houghton, Scott; Senators Sokola, Voshell, Bonini, Reed. To: **Sunset**.

**SA 1 to HB 409** - Sponsor: Senator Bair - Placed with the bill.

**SA 1 to SB 289** - Sponsor: Senator Marshall - Placed with the bill.

**SA 1 to SB 382** - Sponsor: Senator Voshell - Placed with the bill.

\* \* \*

Senator Amick was marked present.

Senator Connor gave a report on the NCSL Conference in Alaska that he attended.

Senators McDowell, Blevins, Sorenson and Still were marked present.

**HB 528** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 528** - AN ACT TO AMEND CHAPTER 18, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES. 3/5 VOTE.

Senator Sharp requested the privilege of the floor for John Small, representing Delaware State Bar Association.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 528** was declared passed the Senate and returned to the House.

Senators Hauge, McBride and Venables were marked present during the above roll call.

**HB 529** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 529** - AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE REGISTRATION AND REGULATION OF FOREIGN REGISTERED LIMITED LIABILITY PARTNERSHIPS. 3/5 VOTE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 529** was declared passed the Senate and returned to the House.

**HB 530** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 530** - 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. 3/5 VOTE

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 530** was declared passed the Senate and returned to the House.

**HB 550 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 550 w/HA 1** - AN ACT TO AMEND TITLE 6, DELAWARE CODE RELATING TO NEW HOME CONSTRUCTION AND THE COMPLETION OF UNFINISHED WORK.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cordrey, Venables) NO; therefore, **HB 550 w/HA 1** was declared passed the Senate and returned to the House.

**HB 252 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 252 w/HA 1 & 2** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE REGARDING DRIVING VEHICLES WHILE LICENSE IS SUSPENDED OR REVOKED.

**SA 1 to HB 252** was brought before the Senate for consideration on motion of Senator Voshell.

Senator Bair questioned the sponsor, after which Senator Voshell requested the privilege of the floor for Rebecca Batson, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 14 Senators voting YES, 3 (Cordrey, Henry, Vaughn) NO, 1 (McBride) NOT VOTING, 3 (Cook, Sorenson, Still) ABSENT; therefore, **SA 1 to HB 252** was declared part of the bill.

**SA 2 to HB 252** was brought before the Senate for consideration on motion of Senator Voshell.

A roll call vote was taken and revealed 15 Senators voting YES, 5 (Cordrey, Henry, McDowell, Vaughn, Venables) NO, 1 (McBride) NOT VOTING; therefore, **SA 2 to HB 252** was declared part of the bill.

**HB 252 w/HA 1, 2, SA 1 & 2** was now before the Senate.

Several Senators commented. A roll call vote was taken and revealed 11 Senators voting YES, 10 (Adams, Amick, Bonini, Cordrey, Henry, Marshall, McDowell, Reed, Vaughn, Venables) NO; therefore, **HB 252 w/HA 1, 2, SA 1 & 2** was declared passed the Senate and returned to the House for reconsideration.

At 5:09 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. on May 30, 1996.

The Senate reconvened at 2:18 p.m. on May 30, 1996 with Senator Cordrey presiding.

A communication from Senator Vaughn was read for the purpose of the Senate Journal and other related records, requesting the following be added as co-sponsors to **SB 391**.

Representatives D. Ennis, Spence, Petrilli, Stone, Brady, Wagner, Jonkiert, Houghton, Oberle; Senators Sharp, Marshall, McDowell, Blevins, Still.

A communication from the Chief Clerk, JoAnn M. Hedrick was read informing the Senate that Representative Buckworth signed **SCR 56** as an additional sponsor on May 29, 1996.

The following committee reports were announced:

From Health and Social Services: **SB 392** - 5 Merits; **SB 393** - 5 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **SCR 63; SCR 65**.

Lt. Governor Minner presiding at 2:23 p.m.

At 2:24 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 34th Legislative Day.

### **34TH LEGISLATIVE DAY MAY 30, 1996**

The Senate convened at 2: 24 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Reed.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

**SB 372** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 372** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE REPAIRS.

**SA 1 to SB 372** was introduced and brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cook) ABSENT; therefore, **SA 1 to SB 372** was declared part of the bill.

Senators Hauge and McBride were marked present during the above roll call.

**SB 372 w/SA 1** was now before the Senate.

Senator Blevins requested the privilege of the floor for Mary McDonough and Thomas Panoza, representing the Attorney General's Office/Consumer Protection Unit.

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

Several Senators questioned the sponsor, after which Senator Marshall requested the privilege of the floor for Mary McDonough, representing the Attorney General's Office/Consumer Protection Unit.

Senators Bair and Vaughn questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 14 Senators voting YES, 6 (Adams, Amick, Bonini, Cook, Cordrey, Venables) NO, 1 (Vaughn) NOT VOTING; therefore, **SB 372 w/SA 1** was declared passed the Senate and sent to the House for consideration.

Senator Cook was marked present during the above roll call.

**SS 1 for SB 72 w/HA 1, 2, 8 aab HA 1 & 10**, which was returned from the House with amendments, was brought before the Senate for reconsideration on motion of Senator McBride.

**SS 1 for SB 72 w/HA 1, 2, 8 aab HA 1 & 10** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH CARE DECISIONS.

**SA 1 to SS 1 for SB 72** was introduced and brought before the Senate for consideration on motion of Senator McBride.

Senator McBride requested the privilege of the floor for John Cordrey, Senate Attorney.

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

Senator Bair requested the privilege of the floor for Brenda Pierce, representing the Medical Center of Delaware.

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

Senator Still requested the privilege of the floor for Dr. Jorge A. Pereira-Ogan, M.D.

Senators Sorenson and Connor questioned the witness, after which the witness was excused.

Senator Marshall requested the privilege of the floor for Vicki Santoro, representing Nurses for Life.

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

Senator Bair again requested the privilege of the floor for Brenda Pierce, representing the Medical Center of Delaware.

Senators Marshall and McDowell questioned the witness, after which the witness was excused.

Senator Still requested the privilege of the floor for Teresa Allen, representing Christian Scientists of Delaware.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 6 Senators (Bonini, Marshall, McBride, McDowell, Reed, Venables) voting YES, 14 NO, 1 (Connor) NOT VOTING; therefore, **SA 1 to SS 1 for SB 72** was declared defeated.

**SA 2 to SS 1 for SB 72** was introduced and brought before the Senate for consideration on motion of Senator Connor.

Senator Connor requested the privilege of the floor for Bess McAneny, representing Delaware Nurses for Life.

The witness was excused after addressing the Senate.

Senator McBride requested that **SS 1 for SB 72** be stricken. No objection.

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

## **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION**

### **May 30, 1996**

The following legislation was introduced and assigned to committee on May 30, 1996:

**SS 1 to SB 358** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FISHING EQUIPMENT. Sponsor: Senators Voshell, Vaughn, Cook and Still; Representatives B. Ennis, Wagner and Stone. **Adopted in Lieu of the Original.** To: **Natural Resources.**

**SB 403** - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO THE INDUSTRIAL ACCIDENT BOARD. Sponsor: Senator Marshall & Representative Oberle. To: **Administrative Services.**

**SB 404** - AN ACT TO AMEND CHAPTER 83, TITLE 11, AND CHAPTERS 55 AND 56, TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS. Sponsor: Senator Cook; Senators Vaughn, McBride, Henry, Sorenson, Still, Cordrey, Sharp, Marshall, Adams, Blevins, McDowell, Sokola, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed; Representatives Davis, Oberle, Ewing, Buckworth, DiPinto, Maroney, Bunting, Jonkiert, Spence, Petrilli, Quillen, Gilligan, Van Sant, Banning, Boulden, Brady, Capano, Carey, Caulk, Cloutier, DiLiberto, B. Ennis, D. Ennis, Fallon, Houghton, Lee, Lofink, Mack, Maier, Plant, Reynolds, Roy, Schroeder, Scott, Smith, Stone, Ulbrich, Wagner, Welch, West, Williams. To: **Finance.**

**SB 405** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO BREAST CANCER. Sponsor: Senator Sorenson & Senator Marshall & Representative

Maroney; Senators Sharp, Bonini, Blevins, Amick, Reed, Voshell, Henry, McBride, Bair; Representatives Davis, Fallon, Wagner, Caulk, Boulden, Schroeder, Capano, Williams. To: **Health and Social Services**.

**SB 406** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO POST-SECONDARY EDUCATIONAL COSTS SUPPORT. Sponsor: Senator Sorenson & Representative Maroney; Senators Bair, Reed, Blevins, Henry, Voshell, Marshall; Representatives Williams, Caulk, Boulden. To: **Judiciary**.

**SB 407** - AN ACT TO AMEND TITLE 6, DELAWARE CODE, RELATING TO MOTOR VEHICLE FRANCHISING PRACTICES. Sponsor: Senator Sharp and Representative Roy. To: **Public Safety**.

**SA 1 to SB 390** - Sponsor: Senator Vaughn - Placed with the bill.

\* \* \*

**SENATE CONSENT CALENDAR #14**, was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**SR 30** - CONGRATULATING DELAWARE STATE POLICE OFFICERS PATRICK A. OGDEN, MARY ANN PAPILI AND TIMOTHY E. WINSTEAD FOR SUCCESSFULLY GRADUATING FROM THE SCHOOL OF POLICE STAFF AND COMMAND ON MAY 17, 1996. Sponsor: Senator McBride.

**SCR 62** - PROCLAIMING SUNDAY, JUNE 23, 1996 AS A DAY FOR DELAWAREANS TO CELEBRATE THE "70TH ANNIVERSARY OF SHRINERS HOSPITALS FOR CRIPPLED CHILDREN, PHILADELPHIA UNIT". Sponsor: Senators Connor & Adams & Vaughn & Representatives Ewing & Van Sant; All Senators; All Representatives.

**SCR 66** - CONGRATULATING THE DELAWARE SCHOOL BOARDS ASSOCIATION ON THE OCCASION OF ITS 50TH ANNIVERSARY. Sponsor: Senator Sokola and Representative Reynolds on behalf of all Senators and Representatives.

A roll call vote was taken on **SENATE CONSENT CALENDAR #14** and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, the **Senate Consent Calendar** was declared adopted by the Senate. The Senate Resolution was prepared and sent out, and the Senate Concurrent Resolutions were sent to the House for consideration.

At 5:35 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. on June 4, 1996.

At 2:35 p.m. on June 4, 1996 the Senate reconvened with Lt. Governor presiding.

The following committee reports were announced:

From Administrative Services: **SS 2 for SB 223** - 4 Merits.

From Highways and Transportation: **SJR 23** - 2 Merits, 2 Unfavorable.

The Secretary announced a message from the House informing the Senate that it had passed **HB 500; HB 515; HB 491 w/HA 1; HB 507 w/HA 1; HCR 48; SB 247 w/SA 1 & 2; SB 276 w/SA 1; SJR 21 w/HA 1; SJR 19**.

At 2:37 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 35th Legislative Day.

### **35TH LEGISLATIVE DAY JUNE 4, 1996**

The Senate convened at 2:37 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Bonini.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION June 4, 1996**

The following legislation was introduced and assigned to committee on May 07, 1996:

**HB 479** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE SYMBOLS. Sponsor: Representative Reynolds. To: **Executive**.

The following legislation was introduced and assigned to committee on May 30, 1996:

**SB 408** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH CARE DECISIONS. Sponsor: Senators Sharp & Bair; Senators Blevins, Voshell, Amick and Sorenson; Representatives Maroney, Brady, Cloutier. **Laid on the Table**.

The following legislation was introduced and assigned to committee on June 4, 1996:

**HB 491 w/HA 1** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PUBLIC SWIMMING AND BATHING PLACES. Sponsor: Representative Schroeder; Representatives Bunting, Carey; Senator Cordrey. To: **Health and Social Services**.

**HB 500** - AN ACT TO AMEND § 1782 OF TITLE 24 OF THE DELAWARE CODE RELATING TO THE PARENTAL NOTIFICATION OF ABORTION ACT. Sponsor: Representative Welch; Senator Venables; Representatives Spence, Buckworth, Caulk, Davis, Lee, Banning, B. Ennis; Senator Bonini. To: **Health and Social Services**.

**HB 507 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HABITUAL CRIMINALS AND DEFINING VIOLENT FELONIES. Sponsor: Representative Welch; Representatives Spence, Boulden, Capano, Caulk, Ewing, Lee, Mack, Oberle, Smith, Stone, Wagner, Banning, Brady, B. Ennis, Gilligan, Jonkiert, West; Senator Vaughn & Sharp. To: **Judiciary**.

**HB 515** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ARREST AND COMMITMENT AND THE POWERS OF THE CAPITOL POLICE. Sponsor: Representatives Ewing & Oberle & Welch. To: **Public Safety**.

**HCR 48** - REQUESTING THE SECRETARY OF THE DELAWARE DEPARTMENT OF TRANSPORTATION TO UNDERTAKE A STUDY TO PRESERVE A CORRIDOR FOR A CONNECTOR BETWEEN ROUTE 1 AND THE PROPOSED ROUTE 301 SOUTH OF THE CHESAPEAKE AND DELAWARE CANAL. Sponsor: Representative Ulbrich & Senator Amick. To: **Highways & Transportation**.

**SA 1 to SB 341** – Sponsor: Senator Connor – Placed with the bill.

**SA 1 to SB 408** – Sponsor: Senator McBride – Placed with the bill.

**SA 2 to SB 408** – Sponsor: Senator McBride – Placed with the bill.

**SA 3 to SB 408** – Sponsor: Senator Connor – Placed with the bill.

**SA 4 to SB 408** – Sponsor: Senator Bonini – Placed with the bill.

\* \* \*

**SB 408** was lifted from the table under the suspension of the necessary rules and brought before the Senate for consideration on motion of Senator Sharp.

**SB 408** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH CARE DECISIONS.

Senator McBride objected to the motion.

A roll call vote was taken on the motion to lift and to suspend the necessary rules and revealed 18 Senators voting YES, 3 (McBride, McDowell, Venables) NO; therefore, the motion carried.

Senator Marshall was marked present during the above roll call.

Senator Sharp requested the privilege of the floor for Dr. John Goodill, M.D., representing himself and the Medical Center of Delaware.

Several Senators questioned the witness.

Senator Sharp raised a point of order.

Senators McBride and Still questioned the witness, after which the witness was excused.

Senator Sharp requested the privilege of the floor for Selma Hayman, representing herself.

The witness was excused after addressing the Senate.

Senator Still requested the privilege of the floor for Michael J. Bradley, D. O., representing Medical Society of Delaware.

The witness was excused after addressing the Senate.

**SA 1 to SB 408**, which was previously placed with the bill, was brought before the Senate on motion of Senator McBride.

Senator McBride requested the privilege of the floor for John Cordrey, Senate Attorney.

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

A roll call vote was taken and revealed 8 Senators (Adams, Bonini, Connor, Marshall, McBride, McDowell, Still, Venables) voting YES, 13 NO; therefore, **SA 1 to SB 408** was declared defeated. **SA 2 to SB 408**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator McBride.

Senator McBride requested the privilege of the floor for Eric Jester, M. A., representing St. Thomas Aquinas Association.

The witness was excused after addressing the Senate.

Senators Bonini and Sharp commented.

A roll call vote was taken and revealed 2 Senators (McBride, Venables) voting YES, 17 NO, 2 (Marshall, McDowell) NOT VOTING; therefore, **SA 2 to SB 408** was declared defeated.

**SA 3 to SB 408**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Connor.

Senator McBride commented.

A roll call vote was taken and revealed 8 Senators (Bonini, Connor, Marshall, McBride, McDowell, Reed, Still, Venables) voting YES, 13 NO; therefore, **SA 3 to SB 408** was declared defeated.

On motion of Senator Bonini **SA 4 to SB 408** was stricken.

**SA 5 to SB 408** was introduced and brought before the Senate for consideration on motion of Senator McBride.

Senator McBride requested the privilege of the floor for Dr. Thomas A. Sweeney, representing himself.

Several Senators questioned the witness.

Rules were suspended to allow Senator Bair to be floor manager in Senator Sharp's temporary absence.

Senator Bair deferred the floor management back to Senator Sharp.

The witness was excused.

Senator Bair requested the privilege of the floor for Dr. John Goodill, M. D., representing himself and the Medical Center of Delaware.

A roll call vote was taken and revealed 5 Senators (Bonini, Marshall, McBride, McDowell, Venables) voting YES, 15 NO, 1 (Sorenson) ABSENT; therefore, **SA 5 to SB 408** was declared defeated.

**SA 6 to SB 408** was introduced and brought before the Senate for consideration on motion of Senator McDowell.

Senator Cordrey presiding at 4:54 p.m.

Senator Sokola commented.

Lt. Governor Minner presiding at 4:57 p.m.

Senator Bair requested the privilege of the floor for Brenda Pierce, representing the Medical Center of Delaware.

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

A roll call vote was taken and revealed 4 Senators (Connor, Marshall, McBride, McDowell) voting YES, 13 NO, 3 (Blevins, Sokola, Still) NOT VOTING, 1 (Sorenson) ABSENT; therefore, **SA 6 to SB 408** was declared defeated.

**SA 7 to SB 408** was introduced and brought before the Senate for consideration on motion of Senator Bonini.

Senator Bonini requested the privilege of the floor for Brenda Pierce, representing the Medical Center of Delaware.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 13 Senators voting YES, 7 (Adams, Amick, Cook, Cordrey, Henry, Sharp, Vaughn) NO, 1 (Sorenson) ABSENT; therefore, **SA 7 to SB 408** was declared part of the bill.

**SA 8 to SB 408** was introduced and brought before the Senate for consideration on motion of Senator Marshall.

A roll call vote was taken and revealed 6 Senators (Bonini, Connor, Marshall, McBride, McDowell, Venables) voting YES, 13 NO, 1 (Bair) NOT VOTING, 1 (Sorenson) ABSENT; therefore, **SA 8 to SB 408** was declared defeated.

**SB 408 w/SA 7** was now before the Senate.

Senator McBride commented.

A roll call vote was taken and revealed 15 Senators voting YES, 5 (Bonini, Marshall, McBride, McDowell, Venables) NO, 1 (Sorenson) ABSENT; therefore, **SB 408 w/SA 7** was declared passed the Senate and sent to the House for consideration.

**SB 287** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 287** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TERMINAL RENTAL ADJUSTMENT CLAUSE LEASES.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sorenson) ABSENT; therefore, **SB 287** was declared passed the Senate and sent to the House for consideration.

**HB 216 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

**HB 216 w/HA 1** - AN ACT TO AMEND CHAPTER 14 OF TITLE 30 OF THE DELAWARE CODE RELATING TO TAX RETURNS FOR GIFTS TAXES.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sorenson) ABSENT; therefore, **HB 216 w/HA 1** was declared passed the Senate and returned to the House.

**HB 293 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

**HB 293 w/HA 1** - AN ACT TO AMEND CHAPTER 7, TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES; AND PROVIDING FOR A QUALITY IN HIRING ACT.

Senator Marshall requested the privilege of the floor for Stephen Zalik, representing the State Chamber of Commerce.

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

A roll call vote was taken and revealed 19 Senators voting YES, 2 (McBride, Sorenson) ABSENT; therefore, **HB 293 w/HA 1** was declared passed the Senate and returned to the House.

**SB 354 w/SA 1, HA 1 & 2**, which was returned from the House with amendments, was brought before the Senate for reconsideration on motion of Senator Sharp.

**SB 354 w/SA 1, HA 1 & 2** - AN ACT TO AMEND CHAPTER 43 OF TITLE 11 OF THE DELAWARE CODE RELATING TO SEX OFFENDERS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sorenson) ABSENT; therefore, **SB 354 w/SA 1, HA 1 & 2** was declared passed the Senate and sent to the Governor.

**SB 355 w/SA 1, 4, HA 1 & 2**, which was returned from the House with amendments, was brought before the Senate for reconsideration on motion of Senator Sharp.

**SB 355 w/SA 1, 4, HA 1 & 2** - AN ACT TO AMEND §4120 OF TITLE 11 OF THE DELAWARE CODE AND TITLE 21 OF THE DELAWARE CODE RELATING TO SEX OFFENDERS.

**SA 5 to SB 355** was introduced and before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sorenson) ABSENT; therefore, **SA 5 to SB 355** was declared part of the bill.

**SB 355 w/SA 1, 4, HA 1, 2 & SA 5** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sorenson) ABSENT; therefore, **SB 355 w/SA 1, 4, HA 1, 2 & SA 5** was declared passed the Senate and returned to the House for reconsideration.

On motion of Senator Adams and without objection, the following nominations for appointment by the Governor were consider.

**Arthur G. Connolly, Jr.** - 20 Senators voting YES, 1 (Sorenson) ABSENT. Appointment confirmed.

**Dr. Robert J. McMahon** - 20 Senators voting YES, 1 (Sorenson) ABSENT. Appointment confirmed.

**Joshua Twilley, Esq.** - 20 Senators voting YES, 1 (Sorenson) ABSENT. Appointment confirmed.

**HB 445** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HB 445** - AN ACT TO AMEND CHAPTER 51, TITLE 6 OF THE DELAWARE CODE RELATING TO WEIGHTS AND MEASURES.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sorenson) ABSENT; therefore, **HB 445** was declared passed the Senate and returned to the House.

**SB 390** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 390** - AN ACT TO AMEND CHAPTER 19, TITLE 11 OF THE DELAWARE CODE RELATING TO ARREST WITHOUT WARRANT.

**SA 1 to SB 390**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sorenson) ABSENT; therefore, **SA 1 to SB 390** was declared part of the bill.

**SB 390 w/SA 1** was now before the Senate.



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

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sorenson) ABSENT; therefore, **SB 390 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 389** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 389** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES COMMITTED BY PERSONS IN CUSTODY. 2/3 VOTE.

A roll call vote was taken and revealed 16 Senators voting YES, 4 (Bonini, Henry, McDowell, Venables) NO, 1 (Sorenson) ABSENT; therefore, **SB 389** was declared passed the Senate and sent to the House for consideration.

**SCR 67** was introduced and brought before the Senate for consideration on motion of Senator Henry.

**SCR 67** - EXTENDING A WARM WELCOME TO THE DELEGATION OF JAPANESE EDUCATORS WHO ARE VISITING THE FIRST STATE UNDER THE AUSPICES OF THE JAPANESE MINISTRY OF EDUCATION. Sponsor: Senator Margaret Rose Henry on behalf of the Senate; Representative Dennis Williams on behalf of the House of Representatives.

Senator Cordrey commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sorenson) ABSENT; therefore, **SCR 67** was declared adopted by the Senate and sent to the House for consideration.

The Secretary read announced the agenda for June 5, 1996.

At 5:40 p.m. on motion of Senator Sharp, the Senate recessed until June 5, 1996, at 4:00 p.m.

The Senate reconvened at 4:12 p.m. on June 5, 1996 with Lt. Governor Minner presiding.

**LEGISLATIVE ADVISORY # 55** from the Office of Counsel to the Governor was announced for the record, partially read and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #55**, dated June 4, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #315 AAB SA #1** (5/30/96) - AN ACT TO AMEND CHAPTER 45, TITLE 6, DELAWARE CODE, RELATING TO EQUAL ACCOMMODATIONS; AND CHAPTER 30, TITLE 31, DELAWARE CODE, RELATING TO THE STATE HUMAN RELATIONS COMMISSION. (Sponsor: Senator McDowell; Representative Di Pinto; Senators Marshall, Henry, Sokola, Blevins; Representatives Scott, Plant, Williams, Jonkiert, Gilligan, Maroney, Houghton) (Volume 70, Chapter 350, Laws of Delaware).

\* \* \*

The Secretary announced a message from the House informing the Senate that it had passed **HB 539; HB 447 w/HA 1; HB 466 w/HA 1; HB 524 w/HA 2; HB 494; HB 557 w/HA 1; HB 496 w/HA 1 & 2; HB 564 w/HA 1; SS 1 for SB 281**.

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

#### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION June 5, 1996**

The following legislation was introduced and assigned to committee on June 5, 1996:

**SS 1 to SB 273** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO GIFTS. Sponsor: Senator Bair; Senators Sokola, Blevins, Amick, Connor, Reed, Sorenson, Still, Bonini; Representatives Ulbrich, Smith, Cloutier. **Adopted in Lieu of the Original.** To: **Ethics.**

**SB 409** - AN ACT TO APPROPRIATE GENERAL FUNDS TO REDUCE GENERAL OBLIGATIONS OF THE STATE. Sponsor: Senator Cordrey. To: **Finance.**

**SB 410** - AN ACT TO AMEND VOLUME 27, CHAPTER 216, LAWS OF DELAWARE AS AMENDED, TO CHANGE RESIDENCY REQUIREMENTS AND ALLOW A SUBSTITUTE DATE FOR MUNICIPAL ELECTIONS IN THE CITY OF NEW CASTLE. 2/3 VOTE. Sponsor: Senator Connor & Representative Mack. To: **Insurance and Elections.**

**SB 411** - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO CORRIDOR CAPACITY PRESERVATION. Sponsor: Senators Voshell; Sharp and Hauge; Representatives Lofink, Roy, Fallon, Cloutier, Oberle and Bunting. To: **Highways and Transportation.**

**SB 412** - AN ACT TO AMEND CHAPTER 9 OF TITLE 3 OF THE DELAWARE CODE TO FURTHER DEFINE ALLOWABLE RESIDENTIAL USE OF LANDS LOCATED IN

AGRICULTURAL PRESERVATION DISTRICTS AND TO ENABLE THE AGRICULTURAL PRESERVATION FOUNDATION TO MAKE INSTALLMENT PAYMENTS IN THE PURCHASE OF AGRICULTURAL PRESERVATION EASEMENTS. Sponsor: Senator Adams and Representative Caulk. To: **Agriculture**.

**SB 413** - AN ACT TO AMEND CHAPTER 25, TITLE 6 OF THE DELAWARE CODE RELATING TO PROHIBITED TRADE PRACTICES. Sponsor: Senator Adams. To: **Judiciary**.

**SB 414** - AN ACT TO AMEND TITLE 15, DELAWARE CODE RELATING TO THE FREQUENCY OF FILING CAMPAIGN FINANCE REPORTS. Sponsor: Senator Sokola and Representatives Petrilli. To: **Insurance and Elections**.

**SB 415** - AN ACT TO AMEND CHAPTER 5, OF TITLE 25 OF THE DELAWARE CODE RELATING TO THE RULE AGAINST PERPETUITIES. Sponsor: Senator Cordrey, Representative Smith. To: **Banking**.

**HB 447 w/HA 1** - AN ACT TO AMEND CHAPTER 16, TITLE 14 OF THE DELAWARE CODE RELATING TO ALTERNATIVE EDUCATION. Sponsor: Representative Wagner and Senator Voshell; Representatives Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, Di Pinto, D. Ennis, Ewing, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Smith, Spence, Stone, Ulbrich, Welch, Banning, DiLiberto, B. Ennis, Jonkiert, Plant, Scott, Van Sant, West, Williams. To: **Education**.

**HB 466 w/HA 1** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL DISTRICT ENROLLMENT CHOICE PROGRAM. Sponsor: Representative Mack. To: **Education**.

**HB 494** - AN ACT TO AMEND TITLE 7, DELAWARE CODE RELATING TO THE DELAWARE POLLUTION PREVENTION PROGRAM. Sponsor: Representative Mack & Senator McBride; Representatives Carey, Schroeder; Senators Venables, Voshell, Bair, Amick. To: **Natural Resources**.

**HB 496 w/HA 1 & 2** - AN ACT TO AMEND TITLES 13, 29, 21, 18 AND 30 OF THE DELAWARE CODE, RELATING TO CHILD SUPPORT OBLIGATION. Sponsor: Representatives Maroney & Quillen & Senator Blevins; Representatives Capano, Davis, DiLiberto; Senators Adams, Bair, Sorenson. To: **Health and Social Services**.

**HB 524 w/HA 2** - AN ACT TO AMEND TITLE 30, DELAWARE CODE RELATING TO TAX CREDITS TO EMPLOYERS WHO CREATE SUMMER POSITIONS AS PART OF THE SUMMER EMPLOYMENT EXPERIENCES PROGRAM. Sponsor: Representative Fallon & Senator Adams. To: **Labor**.

**HB 539** - AN ACT TO AMEND CHAPTER 75, TITLE 29, DELAWARE CODE, RELATING TO GUARANTEED ENERGY COST SAVINGS CONTRACTS. Sponsor: Representative Smith; Representative Davis and Senators Vaughn, Connor. To: **Education**.

**HB 564 w/HA 1** - AN ACT TO AMEND TITLE 6, DELAWARE CODE, RELATING TO THE DELAWARE WORKERS COOPERATIVE ACT. 3/5 VOTE. Sponsor: Representative Smith & Senator Venables; Representatives Spence, Petrilli, Quillen, D. Ennis, Gilligan, Van Sant & Senators Cordrey, Sharp, Bair and Connor. To: **Small Business**.

**HB 557 w/HA 1** - AN ACT TO AMEND CHAPTER 26, TITLE 21, DELAWARE CODE TO ESTABLISH OUT-OF-SERVICE PENALTIES FOR COMMERCIAL DRIVERS. Sponsor: Representative Ewing & Senator Voshell. To: **Public Safety**.

**SA 1 to SB 380** – Senator Connor – Placed with the bill.

**SA 1 to SB 403** – Senator Marshall – Placed with the bill.

\* \* \*

The following committee reports were announced:

From Finance: **SS 1 for SB 78** - 6 Merits; **SB 404** - 6 Merits; **HB 477** - 6 Merits.

From Natural Resources: **SS 1 to SB 358** – 5 Merits.

From Insurance and Elections: **SB 396** - 3 Merits, 2 Unfavorable; **SB 397** - 1 Favorable, 4 Merits; **HB 468 w/HA 1** - 4 Merits; **HB 469 w/HA 1** - 5 Merits; **HS 1 for HB 484 w/HA 1** - 5 Merits; **HB 538** - 5 Merits.

From Community/County Affairs: **SB 399** - 5 Merits; **SJR 14** - 3 Unfavorable; **HB 519** - 3 Merits.

From Public Safety: **SB 407** - 1 Favorable, 3 Merits; **HB 508** - 4 Merits; **HB 518** - 3 Merits, 1 Unfavorable; **HB 536 w/HA 1** - 4 Merits; **HB 556** - 4 Merits; **HB 557 w/HA 1** - 1 Favorable, 3 Merits.

From Labor: **SB 394** - 4 Merits; **HB 424** - 3 Merits.

From Health and Social Services: **SB 405** - 5 Merits.

From Administrative Services: **HB 481 w/HA 1** - 4 Merits.

**SENATE CITATION ANNOUNCEMENT #2**, S138:101-235 inclusive was introduced and a copy made available to each Senator.

At 4:20 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 36th Legislative Day.

**36TH LEGISLATIVE DAY  
JUNE 5, 1996**

The Senate convened at 4:20 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Reed by using sign language.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

**SJR 14** was brought before the Senate for consideration on motion of Senator McBride.

**SJR 14** - FINDING THAT A CERTAIN TAX PARCEL LOCATED IN NEW CASTLE HUNDRED MEETS THE REQUIREMENTS OF CHAPTER 45, TITLE 31 OF THE DELAWARE CODE RELATING TO SLUM CLEARANCE AND REDEVELOPMENT, AND DIRECTING CERTAIN STATE AGENCIES TO ASSIST THE NEW CASTLE COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT AND HOUSING'S AD HOC COMMITTEE REGARDING ITS EFFORTS TO ELIMINATE A SLUM AREA.

Senator McBride requested the privilege of the floor for John Mancus, representing Office of Complaints, New Castle County Government.

Senators Cordrey and Marshall questioned the witness, after which the witness was excused.

Senator McBride requested the privilege of the floor for Raymond Hancock, representing Delaware State Police.

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

Senator McBride requested the privilege of the floor for Rebecca Batson, Senate Attorney.

Senator Amick raised a point of order.

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

Senator McBride requested the privilege of the floor for Sandra Johnson, representing New Castle County Department of Community Development and Housing.

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

Senator Bair commented. A roll call vote was taken and revealed 2 Senators (Henry, McBride) voting YES, 19 NO; therefore, **SJR 14** was declared defeated.

**SB 312** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 312** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSES FOR BREWERY-PUBS.

Senator Bonini was added as an additional co-sponsor to **SB 312**.

**SA 1 to SB 312** was brought before the Senate for consideration on motion of Senator Blevins.

Senators Adams and Marshall questioned the sponsor, after which Senator Blevins requested the privilege of the floor for Sam Calagione, representing himself.

The witness was excused after addressing the Senate. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 312** was declared part of the bill.

**SB 312 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 312 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 393** was brought before the Senate for consideration on motion of Senator Henry.

**SB 393** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FEMALE GENITAL MUTILATION.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 393** was declared passed the Senate and sent to the House for consideration.

Senator Cordrey made comments on possible tax cut.

At 5:57 p.m. on motion of Senator Sharp, the Senate recessed until June 6, 1996 at 2:00 p.m.

The Senate reconvened at 2:45 p.m. on June 6, 1996 with Senator Cordrey presiding.

The Secretary announced a message from the House informing the Senate that it had passed **SCR 62; SCR 66; SCR 67**.

The following committee report were announced:

From Sunset: **SB 192** - 4 Merits; **HB 567** - 4 Merits.

From Health and Social Services: **HB 491 w/HA 1** - 4 Merits; **HB 501 w/HA 1 & 3** - 5 Merits.

From Education: **HB 539** - 5 Merits.

Senator Blevins requested that her name be removed as co-sponsor of **HB 511**.

At 2:47 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 37th Legislative Day.

### **37TH LEGISLATIVE DAY JUNE 6, 1996**

The Senate convened at 2:47 p.m. with Senator Cordrey presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION June 6, 1996**

The following legislation was introduced and assigned to committee on June 5, 1996:

**SB 416** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUNSETTING OF RECORD MAJOR SUBDIVISION AND LAND DEVELOPMENT PLANS. Sponsor: Senator Sharp and Representative Roy; Senators McBride and Vaughn; Representatives Spence, Oberle and Gilligan. **Laid on the table.**

The following legislation was introduced and assigned to committee on June 6, 1996:

**SB 417** - AN ACT TO PROPOSE AN AMENDMENT TO ARTICLE IV OF THE DELAWARE CONSTITUTION OF 1897 TO INCLUDE THE FAMILY COURT AND COURT OF COMMON PLEAS AS COURTS ESTABLISHED BY THE CONSTITUTION OF THE STATE OF DELAWARE AND STATE OF DELAWARE TO DELETE REFERENCES TO THE ORPHANS' COURT. 2/3 VOTE. Sponsor: Senator Sharp and Representative Roy. To: **Judiciary.**

**SB 418** - AN ACT TO AMEND TITLE 14 AND TITLE 16 OF THE DELAWARE CODE RELATING TO THE HEALTH CARE COMMISSION AND THE DELAWARE INSTITUTE FOR MEDICAL EDUCATION AND RESEARCH. Sponsor: Senator Blevins and Representative Di Pinto and Representative Maroney and Representative Ulbrich; Senators Sokola, Voshell; Representative Capano, Maier, Houghton, Scott. To: **Health and Social Services.**

**SA 1 to SS 1 for SB 22** – Senator Bair – Placed with the bill

**SA 1 to HB 519** – Senator Sokola – Placed with the bill.

**SA 1 to SB 416** – Senator Sharp – Placed with the bill.

**SA 2 to SB 416** – Senator Sharp – Placed with the bill.

**SA 3 to SB 416** – Senator Bair – Placed with the bill.

**SA 4 to SB 416** – Senator Bair – Placed with the bill.

\* \* \*

Senator Blevins made an introduction of the delegation from Japan.

Senators Still, Connor, Amick, Bonini and McBride were marked present.

Senator Blevins requested the privilege of the floor for Ted Blunt, representing Red Clay School District and for the member of the delegation and interpreter.

The witnesses were excused.

Senator McDowell was marked present.

**SB 416** was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Sharp.

**SB 416** - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

Senator Sharp requested the privilege of the floor for Brian Schuler, New Castle County Director of Planning.

At 3:07 p.m. Lt. Governor Minner presiding.

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

**SA 1 to SB 416**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Sharp.

Senator Connor commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SA 1 to SB 416** was declared part of the bill.

**SA 2 to SB 416**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SA 2 to SB 416** was declared part of the bill.

**SA 3 to SB 416**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Bair.

Senator Bair requested the privilege of the floor for Beverly Baxter, representing the Committee of 108.

Several Senators questioned the witness.

Senator Bair raised a point of order.

The witness was excused.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SA 3 to SB 416** was declared part of the bill.

**SA 4 to SB 416**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Bair.

Senator Bair requested the privilege of the floor for Beverly Baxter, representing the Committee of 108.

Senators Sharp and Sokola questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 9 Senators (Bair, Bonini, Cordrey, Hauge, Reed, Sorenson, Still, Venables, Voshell) voting YES, 10 NO, 2 (Amick, Henry) ABSENT; therefore, **SA 4 to SB 416** was declared defeated.

**SA 5 to SB 416** was introduced and brought before the Senate for consideration on motion of Senator Marshall.

Senator Marshall requested the privilege of the floor for Brian Schuler, New Castle County Director of Planning.

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

A roll call vote was taken and revealed 8 Senators (Bair, Blevins, Bonini, Connor, Cook, Marshall, Sorenson, Venables) voting YES, 12 NO, 1 (Henry) ABSENT; therefore, **SA 5 to SB 416** was declared defeated.

**SA 6 to SB 416** was introduced and brought before the Senate for consideration on motion of Senator Still.

Senator Sharp questioned the sponsor, after which a roll call vote was taken and revealed 8 Senators (Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still) voting YES, 12 NO, 1 (Henry) ABSENT; therefore, **SA 6 to SB 416** was declared defeated.

**SA 7 to SB 416** was introduced and brought before the Senate for consideration on motion of Senator Vaughn.

Senator Vaughn requested the privilege of the floor for Bill Powers, representing himself.

Senators Bair and Hauge questioned the witness, after which the witness was excused.

Senator Bair requested the privilege of the floor for Brain Shuler, representing New Castle County.

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

Senator Vaughn requested that **SA 7 to SB 416** be laid on the table.

Senator Sharp requested that **SB 416 w/SA 1, 2 & 3** be laid on the table.

At 5:32 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

The Senate reconvened at 6:02 p.m. with Senator Cordrey presiding.

Senator McDowell made a travel report to the Senate for the permanent record, partially read and copies were made available.

Lt. Governor presiding at 6:06 p.m.

Secretary read the agenda for June 11, 1996.

At 6:08 p.m. on motion of Senator Sharp, the Senate recessed until 1:30 p.m. on June 11, 1996.

The Senate reconvened at 2:00 p.m. on June 11, 1996 with Senator Cordrey presiding.

Senator Henry was marked present.

**LEGISLATIVE ADVISORY # 56** from the Office of Counsel to the Governor was announced for the record, partially read and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #56**, dated June 6, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #195 AAB SA 2** (6/5/96) - AN ACT TO AMEND TITLE 18 OF THE DELAWARE INSURANCE CODE RELATING TO LONG-TERM CARE INSURANCE. (Sponsor: Senator Blevins and Representative Stone) (Volume 70, Chapter 351, Laws of Delaware).

**HB #399** (6/5/96) - AN ACT TO AMEND CHAPTER 21 OF TITLE 29 RELATING TO THE GOVERNOR'S AUTHORITY TO PROCLAIM SPECIAL DAYS. (Sponsor: Representative DiLiberto; Representatives Banning, Brady, Buckworth, Bunting, Davis, Fallon, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Scott, Spence, Van Sant, Wagner, West, Williams; Senator Still) (Volume 70, Chapter 352, Laws of Delaware).

**HB #359 AAB HA 1 AND SA 1** (6/5/96) - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (Sponsor: Representative Di Pinto; Representatives Quillen, Oberle, Van Sant; Senator Connor) (Volume 70, Chapter 353, Laws of Delaware).

**HB #487** (6/5/96) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO HABEAS CORPUS. (Sponsor: Representative Roy and Senator Sharp) (Volume 70, Chapter 354, Laws of Delaware).

\* \* \*

The Secretary announced a message from the House informing the Senate that it had passed **HB 355 w/HA 1 & 4; HB 572 w/HA 1; HB 574 w/HA; HB 590; HB 579; HB 589 w/HA 3 & 4; HCR 60; SB 372 w/SA 1**.

The following committee report was announced:

From Finance: **HB 535** - 4 Merits.

At 2:02 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 38th Legislative Day.

### **38TH LEGISLATIVE DAY JUNE 11, 1996**

The Senate convened at 2:02 p.m. with Senator Cordrey presiding.

A prayer was offered by Senator Still.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Sharp. No objections. On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION June 11, 1996**

The following legislation was introduced and assigned to committee on June 6, 1996:

**SA 2 to SS 1 for SB 22** – Senator Sharp – Placed with the bill.

**SA 3 to SS 1 for SB 22** – Senator Still – Placed with the bill.

**SA 4 to SS 1 for SB 22** – Senator Still – Placed with the bill.

**SA 5 to SS 1 for SB 22** – Senator Sharp – Placed with the bill.

**SA 1 to SB 192** – Senator Still – Placed with the bill.

**SA 2 to SB 382** – Senator Voshell – Placed with the bill.

**SA 1 to HJR 9** – Senator Adams – Placed with the bill.

**SA 1 to HB 342** – Senator Cook – Placed with the bill.

The following legislation was introduced and assigned to committee on June 11, 1996:

**SB 419** - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO ROAD AND STREET VACATION. Sponsor: Senator Cordrey and Representative Quillen. To: **Highways and Transportation**.

**SB 420** - AN ACT TO CREATE AN EDUCATION ENDOWMENT ACCOUNT AND TO AMEND TITLE 14 OF THE DELAWARE CODE TO PROVIDE FOR A COMMISSION TO OVERSEE ITS DISTRIBUTION. Sponsor: Senator Connor; Representatives Mack, Spence, Reynolds. To: **Finance**.

**SB 421** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO VIATICAL SETTLEMENTS. 3/5 VOTE. Sponsor: Senator Still; Senators Reed, Sorenson, Hauge, Bonini, Vaughn; Representatives Davis, D. Ennis. To: **Insurance and Elections.**

**SB 422** - AN ACT TO AMEND CHAPTER 16, TITLE 14 OF THE DELAWARE CODE RELATING TO THE COMPREHENSIVE SCHOOL DISCIPLINE IMPROVEMENT PROGRAM. Sponsor: Senator Sokola and Representative Reynolds; Senators Voshell and Blevins. To: **Education.**

**SB 423** - AN ACT TO AMEND CHAPTER 1 OF TITLE 26 OF THE DELAWARE CODE IN ORDER TO ALLOW THE PUBLIC SERVICE COMMISSION TO DETERMINE THE APPROPRIATE MANNER FOR GIVING PUBLIC NOTICE OF MATTERS BEFORE IT. Sponsor: Senator Cook and Representative Roy. To: **Administrative Services.**

**SB 424** - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES INVOLVING CHILDREN. Sponsor: Senators Sharp and Vaughn; Representative Roy. To: **Judiciary.**

**SB 425** - AN ACT AMENDING THE BEACH PRESERVATION ACT, TITLE 7 OF THE DELAWARE CODE. Sponsor: Senators Cordrey and Adams; Representatives Spence and Carey. To: **Natural Resources.**

**SB 426** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT INFORMATION. Sponsor: Senators Marshall & Hauge; Representatives D. Ennis, Cloutier. To: **Labor.**

**SB 427** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ALTERNATIVE ROUTES FOR TEACHER CERTIFICATION. Sponsor: Senators Bonini & Sokola, Senator Hauge; Representative Oberle, Reynolds. To: **Education.**

**HB 355 w/HA 1 & 4** - AN ACT TO AMEND SUBCHAPTER III OF CHAPTER 43 OF TITLE 21 OF THE DELAWARE CODE RELATING TO SCHOOL BUSES. Sponsor: Representatives Ulbrich & Schroeder; Representative Spence, Petrilli, Capano, Cloutier, Davis, Di Pinto, D. Ennis, Fallon, Lofink, Maier, Maroney, Reynolds, Stone, Wagner, Welch, Bunting, Gilligan, Houghton, Plant; Senators Blevins, Amick, Hauge, Henry, Reed. To: **Public Safety.**

**HB 572 w/HA 1** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS, CIDER, AND TAXES. 3/5 VOTE. Sponsor: Representatives Di Pinto & Van Sant; Senator Cordrey. To: **Administrative Services.**

**HB 574 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE LAW-ENFORCEMENT OFFICERS' BILL OF RIGHTS. Sponsor: Representative Oberle & Senator McBride; Representatives Spence, Di Pinto, Roy, Welch and Banning. To: **Judiciary.**

**HB 579 w/HA 1** - AN ACT TO AMEND SECTION 1405, TITLE 11 OF THE DELAWARE CODE, RELATING TO THE EXCEPTIONS TO THE OFFENSE OF POSSESSING A GAMBLING DEVICE. Sponsor: Representative Roy & Senator Sharp. To: **Judiciary.**

**HB 589 w/HA 3 & HA 4** - AN ACT TO AMEND TITLE 8, 9 AND 29 OF THE DELAWARE CODE RELATING TO ELIMINATING THE REQUIREMENT FOR THE RECORDATION OF, AND ENHANCING PUBLIC ACCESS TO, CORPORATION DOCUMENTS IN THE OFFICES OF THE RECORDERS OF DEEDS. Sponsor: Representatives Roy & Spence & Gilligan and Senator Sharp; Representatives DiLiberto, Van Sant. To: **Judiciary.**

**HB 590** - AN ACT TO AMEND CHAPTER 7, TITLE 18, DELAWARE CODE RELATING TO THE DISTRIBUTION OF INSURANCE PREMIUM TAXES AND FEES. Sponsor: Representative Spence & Senator McBride & Senator Marshall; Representatives Buckworth, Capano, Carey, Caulk, Di Pinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Oberle, Smith, Ulbrich, Wagner, Welch, Banning, B. Ennis, Gilligan, Houghton, Jonkiert, Schroeder, Scott, Van Sant, West, Williams; Senators Adams, Henry, McDowell, Vaughn, Sokola, Bair, Connor. To: **Insurance and Elections.**

**SA 6 to SS 1 for SB 22** – Senator Still – Placed with the bill.

**SA 2 to SS 2 to SB 223** – Senator Henry – Placed with the bill.

**SA 3 to SB 382** – Senator Voshell – Placed with the bill.

\* \* \*

Senator Sokola was marked present.

At 2:07 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

The Senate reconvened at 2:29 p.m. with Senator Cordrey presiding.

**SR 31** was introduced and brought before the Senate for consideration on motion of Senator Cook.

**SR 31** - HONORING THE TWENTY RECIPIENTS OF THE DELAWARE STATE BAR ASSOCIATION'S REDDING FELLOWSHIPS FOR 1996, UPON THE OCCASION OF THEIR VISIT TO THE DELAWARE STATE SENATE. Sponsor: Senator Cook on behalf of All Senators.

Senator McDowell was marked present.

Senator Cook requested the privilege of the floor for William Johnston, representing Delaware Bar Association.

Mr. Johnston made comments and an introduction of the Redding Fellows which were present in the Chamber and a presentation was giving and each fellow received a tribute by each Senator.

Lt. Governor Minner presiding at 2:35 p.m.

Witnesses were excused.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bonini) ABSENT; therefore, **SR 31** was declared adopted.

Senators Amick and McBride were marked present.

**SB 416 w/SA 1, 2 & 3** was lifted from the table and brought before the Senate for consideration, under the suspension of the necessary rules on motion of Senator Sharp.

**SB 416 w/SA 1, 2 & 3** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUNSETTING OF RECORD MAJOR SUBDIVISION AND LAND DEVELOPMENT PLANS.

Senator Sharp deferred to Senator Vaughn.

**SA 7 to SB 416** was lifted from the table and brought before the Senate for consideration on motion of Senator Vaughn.

Several Senators questioned the sponsor, after which a roll call vote was taken and revealed 11 Senators voting YES, 10 (Amick, Bair, Connor, Hauge, Marshall, McBride, Reed, Sokola, Sorenson, Still) NO; therefore, **SA 7 to SB 416** was declared part of the bill.

Senator Marshall requested the privilege of the floor for Bryan Shuler, representing New Castle County Planning.

Mr. Shuler made comments. The witness was excused.

**SA 8 to SB 416** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (McBride, Sokola) NO, 1 (Sorenson) ABSENT; therefore, **SA 8 to SB 416** was declared part of the bill.

**SB 416 w/SA 1, 2, 3, 7 & 8** was now before the Senate.

Senator Bonini commented. A roll call vote was taken and revealed 7 Senators voting (Blevins, Connor, McBride, Reed, Sharp, Sokola, Vaughn) YES, 14 NO; therefore, **SB 416 w/SA 1, 2, 3, 7 & 8** was declared defeated.

A messenger from the Governor was announced and admitted.

**SS 1 for SB 22** was lifted from the table and brought before the Senate for consideration, under the suspension of the necessary rules on motion of Senator Sharp.

**SS 1 for SB 22** - AN ACT TO AMEND CHAPTERS 26, 49, AND 69 OF TITLE 9 OF THE DELAWARE CODE RELATING TO ZONING AND SUBDIVISION IN THE NEW CASTLE, KENT AND SUSSEX COUNTIES.

**SA 1 to SB 22** was brought before the Senate for consideration on motion of Senator Bair.

Senator Bair requested the privilege of the floor for Beverly Baxter, representing The Committee of 100.

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

Senator Bair requested the privilege of the floor Brian Shuler, representing New Castle County Planning.

Senators Sharp and McBride questioned the witness, after which the witness was excused.

Senator Sharp requested the privilege of the floor Pamela Scott, representing the Department of Transportation.

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

Senator Bair requested that **SA 1 to SB 22** be laid on the table.

**SA 2 to SB 22**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Sharp.

**SA 2 to SB 22** was stricken on motion of Senator Sharp.

**SA 3 to SB 22**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Still.

Senator Still requested the privilege of the floor Anthony J. Prima, Planner, representing the City of Dover.

Senator Sharp raised a point of order.

Senators Sharp and Bair questioned the witness, after the witness was excused.



Senator Still requested the privilege of the floor Constance Holland, representing Kent County Planning.

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

Senator Sharp requested the privilege of the floor Secretary Anne Canby, representing Department of Transportation.

The witness was excused.

A roll call vote was taken and revealed 11 Senators voting YES, 10 (Amick, Blevins, Cordrey, Henry, Marshall, McBride, McDowell, Sharp, Sokola, Voshell) NO; therefore, **SA 3 to SB 22** was declared part of the bill.

**SA 4 to SB 22** was stricken on motion of Senator Still.

**SA 5 to SB 22**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Sharp.

Senator Bair requested the privilege of the floor for Brian Shuler, however, Mr. Shuler was not present in the Chamber.

Senator Sharp requested the privilege of the floor for Kathy Karsnitz, representing Department of Transportation.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, Vaughn) NO; therefore, **SA 5 to SB 22** was declared part of the bill.

**SA 6 to SB 22** was stricken on motion of Senator Still.

**SA 7 to SB 22** was introduced and brought before the Senate for consideration on motion of Senator Vaughn.

Senators Sharp and McDowell questioned the sponsor, after which a roll call vote was taken and revealed 7 Senators (Adams, Bonini, Cook, Hauge, Still, Vaughn, Venables) voting YES, 14 NO; therefore, **SA 7 to SB 22** was declared defeated.

Senator Sharp requested the privilege of the floor for John Carney, representing Office of the Governor.

At 5:11 p.m. Senator Cordrey presiding.

Senator Hauge questioned the witness.

Lt. Governor presiding at 5:26 p.m.

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

Senator Sharp requested the privilege of the floor for Secretary Anne Canby, representing Department of Transportation.

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

**SA 8 to SB 22** was introduced and brought before the Senate for consideration on motion of Senator Venables.

A roll call vote was taken and revealed 8 Senators (Bonini, Cook, Cordrey, Hauge, Sorenson, Still, Vaughn, Venables) voting YES, 12 NO, 1 (Adams) ABSENT; therefore, **SA 8 to SB 22** was declared defeated.

**SS 1 for SB 22 w/SA 3 & 5** was now before the Senate.

Senator McDowell requested the privilege of the floor for Leon Wiener, representing himself.

Senator Sharp raised a point of order.

At 6:17 p.m. on motion of Senator Sharp, the Senate recessed for a short recess for changing of the tape.

Witness was still before the Senate.

The Senate reconvened at 6:20 p.m. with Lt. Governor presiding.

Senator McDowell excused the witness.

A roll call vote was taken and revealed 8 Senators (Blevins, Connor, Cook, Henry, McBride, Sharp, Sokola, Voshell) voting YES, 12 NO, 1 (Adams) ABSENT; therefore, **SS 1 for SB 22 w/SA 3 & 5** was declared defeated.

Senator Bair reported the outcome of her travel report to the members of the Senate for the permanent record, partially read and copies were made available.

The Secretary announced the agenda for June 12, 1996.

At 6:26 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. on June 12, 1996.

The Senate reconvened on June 12, 1996 at 2:19 p.m. with Lt. Governor Minner presiding.

**LEGISLATIVE ADVISORY #57 - 59** from the Office of Counsel to the Governor were announced for the record, partially read and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #57**, dated June 10, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HB #550 AAB HA 1** (6/7/96) - AN ACT TO AMEND TITLE 6, DELAWARE CODE, RELATING TO NEW HOME CONSTRUCTION AND THE COMPLETION OF UNFINISHED WORK. (Sponsor: Representatives Oberle & Wagner & Spence & Di Pinto; Senator Sokola; Representatives Capano, Lee, Maier, Stone; Senators Cook, Sharp, Sorenson, Reed, Amick, Bair,

Blevins, Henry, Marshall, McBride, Vaughn, Voshell) (Volume 70, Chapter 355, Laws of Delaware).

**SB #350** (6/7/96) - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE, RELATING TO MORTGAGE LOAN BROKERS AND LICENSE LENDERS. (Sponsor: Senator Cordrey and Representative D. Ennis; Senators Adams, Sokola, Sorenson and Still; Representatives Di Pinto, Capano, Smith, Stone, Wagner, Brady and Jonkiert) (Volume 70, Chapter 356, Laws of Delaware).

\* \* \*

**LEGISLATIVE ADVISORY #58**, dated June 11, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HB #560** (5/16/96) - AN ACT DIRECTING THE RED CLAY SCHOOL DISTRICT TO MAINTAIN A POLLING PLACE WITHIN THE CITY OF WILMINGTON FOR THE SCHOOL BOARD ELECTION TO BE HELD ON MAY 14, 1996. (Sponsor: Representative Jonkiert & Senator Marshall; Senators Blevins, Henry, Sorenson).

\* \* \*

**LEGISLATIVE ADVISORY #59**, dated June 11, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HB #467 AAB HA 1 AND SA 1** (6/10/96) - AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. (Sponsor: Representative B. Ennis, Senator Voshell; Representatives Banning, Brady, Houghton, Van Sant, West, Spence, Welch; Senator Vaughn) (Volume 70, Chapter 357, Laws of Delaware).

**SB #247 AAB SA 1 AND SA 2** (6/10/96) - AN ACT TO AMEND TITLE 29 DELAWARE CODE RELATING TO THE DELAWARE COMMISSION ON VETERANS AFFAIRS. (Sponsor: Senator Vaughn and Representative Quillen) (Volume 70, Chapter 359, Laws of Delaware).

**SB #234 AAB SA 2** (6/10/96) - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE BY ADDING THERETO A NEW SECTION GRANTING A SELF-ANALYSIS PRIVILEGE TO DEPOSITORY INSTITUTIONS AND THEIR AFFILIATES. (Sponsor: Senator Adams; Representative Di Pinto) (Volume 70, Chapter 359, Laws of Delaware).

**HB #528** (6/10/96) - AN ACT TO AMEND CHAPTER 18, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES. (Sponsor: Representative Roy & Senator Sharp; Senators Adams, Blevins, Cook, Cordrey, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed Sorenson; Representatives Banning, Boulden, Brady, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, Di Pinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Lee, Lofink, Jonkiert, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Schroeder, Scott, Smith, Spence, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams) (Volume 70, Chapter 360, Laws of Delaware).

**HB #529** (6/10/96) - AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE REGISTRATION AND REGULATION OF FOREIGN REGISTERED LIMITED LIABILITY PARTNERSHIPS. (Sponsor: Representative Roy & Senator Sharp; Senators Adams, Blevins, Cook, Cordrey, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson; Representative Banning, Boulden, Brady, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, Di Pinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Lee, Lofink, Jonkiert, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Schroeder, Scott, Smith, Spence, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams) (Volume 70, Chapter 361, Laws of Delaware).

**HB #530** (6/10/96) - AN ACT TO AMEND CHAPTER 17, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. (Sponsor: Representative Roy & Senator Sharp; Senators Adams, Blevins, Cook, Cordrey, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson; Representative Banning, Boulden, Brady, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, Di Pinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Lee, Lofink, Jonkiert, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Schroeder, Scott, Smith, Spence, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams) (Volume 70, Chapter 362, Laws of Delaware).

**HB #540** (6/10/96) - AN ACT TO AMEND CHAPTER 515, VOLUME 60, LAWS OF DELAWARE ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF ARDENCROFT," AS AMENDED, TO PROVIDE FOR A QUORUM OF FOURTEEN (14) ELIGIBLE VOTERS OF

THE TOWN MEETING. (Sponsor: Representative Smith & Senator Bair) (Volume 70, Chapter 363, Laws of Delaware).

**HB #478** (6/10/96) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF THEFT. (Sponsor: Representative Roy and Senator Sharp) (Volume 70, Chapter 364, Laws of Delaware).

**SJR #19** (6/10/96) - REQUIRING THE DEPARTMENT OF PUBLIC INSTRUCTION AND THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO PREPARE A PLAN AND AN ESTIMATE OF ASSOCIATED COSTS TO HELP THE POPULATION BETTER UNDERSTAND THEIR HEALTH RISKS ASSOCIATED WITH CANCER THROUGH COMPREHENSIVE SCHOOL HEALTH EDUCATION PROGRAMS, SCHOOL-BASED HEALTH CENTERS, AND PUBLIC EDUCATION PROGRAMS. (Sponsor: Senators McBride, Sharp; Representative Spence; Senators Bair, Blevins, Connor, Cordrey, Hauge, Henry, Marshall, McDowell, Reed, Sokola, Sorenson, Still, Vaughn, Venables, Voshell; Representatives Boulden, Brady, Buckworth, Bunting, Capano, Carey, Davis, DiLiberto, Fallon, Gilligan, Mack, Maier, Maroney, Oberle, Reynolds, Roy, Schroeder, Scott, Spence, Stone, Quillen, Wagner, West, Petrilli, Welch, Jonkiert).

\* \* \*

The Secretary announced a message from the House informing the Senate that it had passed **HB 522 w/HA 1, 2 & 3; HB 455; HS 1 FOR HB 437; HS 2 FOR HB 276; HB 571; HB 430; HB 474; HB 339 w/HA 2; SB 201 w/SA 1, HA 1 & 2; SB 376 w/SA 1; SB 377 w/SA 1; SB 353 w/SA 1; SS 1 for 347; SB 324; SB 326; SB 339 w/SA 1.**

**SENATE CITATION ANNOUNCEMENT #3**, S138:236 - 300 inclusive was introduced and a copy made available.

The following committee reports were announced:

From Highways and Transportation: **SB 411** - 4 Merits.

From Education: **SB 422** - 4 Merits; **HB 466 w/HA 1** - 4 Merits.

From Community/County Affairs: **SB 431** - 3 Merits; **SB 432** - 3 Merits.

From Public Safety: **HB 355 w/HA 1 & 4** - 4 Merits; **HB 515** - 4 Merits.

From Insurance and Elections: **HB 590** - 4 Merits.

From Small Business: **HB 453 w/HA 1** - 4 Merits.

At 2:24 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 39th Legislative Day.

### 39TH LEGISLATIVE DAY JUNE 12, 1996

The Senate convened at 2:24 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Venables.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

### PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION June 12, 1996

The following legislation was introduced and assigned to committee on June 11, 1996:

**SB 428** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO LICENSURE REQUIREMENTS FOR PROFESSIONAL COUNSELORS. Sponsor: Senator Cordrey; Senator Blevins. To: **Sunset**.

**SB 429** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE QUALIFICATIONS. Sponsor: Senator Voshell. To: **Public Safety**.

**SB 430** - AN ACT TO AMEND CHAPTER 9, TITLE 13 OF THE DELAWARE CODE RELATING TO ADOPTION AND ACCESS TO IDENTIFYING INFORMATION. Sponsor: Senator Sokola and Representative Maroney. To: **Health and Social Services**.

**SB 431** - AN ACT TO AMEND AN ACT, BEING CHAPTER 276, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF

GEORGETOWN” TO INCREASE THE TOWN COUNSEL’S POWER TO LEVY AND COLLECT TAXES. 2/3 VOTE Sponsor: Senator Adams and Representative West. To: Community/County Affairs.

**SB 432** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLSBORO, CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, ENTITLED “AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO”, TO CHANGE FROM TOWN CLERK TO TOWN MANAGER, CHANGE THE HOURS OF MUNICIPAL ELECTIONS, PROVIDE FOR ABSENTEE BALLOTING, AUTHORIZE THE MAYOR TO ACT IN CERTAIN EMERGENCIES, EXPAND THE POWERS OF THE MUNICIPALITY IN THE COLLECTION OF TAXES, INCREASE THE MAXIMUM FINE WHICH MAY BE IMPOSED, AND AUTHORIZE CONTRIBUTION TO AN AMBULANCE/EMERGENCY TREATMENT SERVICE. 2/3 VOTE. To: Community/County Affairs.

**SA 1 to HB 491** – Senator Blevins – Placed with the bill.

**SA 2 to HB 491** – Senator Marshall – Placed with the bill.

**SA 2 to SB 193** – Senator Still – Placed with the bill.

**SA 1 to SB 399** – Senator Voshell – Placed with the bill.

The following letters of nomination was placed in the Executive Committee:

STATE OF DELAWARE  
Office of the Governor  
June 11, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**James F. Maher**, 158 E. Third Street, New Castle, Delaware 19720, to be appointed to the Public Employee Relations Board to expire June 29, 2001, to succeed Arthur Sloane, who resigned.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 11, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Mary C. Boudart**, 943 Centre Road, Wilmington, Delaware 19807, to be appointed as Chairwoman of the Commission on Adult Entertainment Establishments to serve during the pleasure of the Governor, to replace Al Stango, who resigned.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 11, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Ms. Maria V. Barriocanal**, 64 North Shore Drive, Seaford, Delaware 19973, to be reappointed as a member of the Board of Trustees of the University of Delaware for a term to expire May 21, 1997.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 11, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Joan Hayes Donoho**, 2400 Grant Avenue, Wilmington, Delaware 19806, to be reappointed to the Environmental Appeals Board for a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

The following legislation was introduced and assigned to committee on June 12, 1996:

**SB 433** - AN ACT TO AMEND CHAPTER 23, TITLE 18 OF THE DELAWARE CODE RELATING TO UNFAIR INSURANCE PRACTICES OF DISCRIMINATION BY INSURANCE COMPANIES BASED ON AN INDIVIDUAL'S STATUS AS A VICTIM OF DOMESTIC VIOLENCE. Sponsor: Senators Blevins and Sorenson and Representative Capano; Senators Sokola, Voshell, Still, Reed; Representatives Spence, Stone, Maier and DiLiberto. To: **Insurance and Elections**.

**HS 2 for HB 276** - AN ACT TO AMEND SECTION 2708, TITLE 18 OF THE DELAWARE CODE, RELATING TO CONSENT OR INSURED IN LIFE, HEALTH INSURANCE. Representative Capano & Senator Blevins. To: **Insurance and Elections**.

**HB 339 w/HA 1** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO EXPERT WITNESSES. Sponsor: Representatives Oberle & Spence; Senators McBride & Sharp. To: **Judiciary**.

**HB 430** - AN ACT TO AMEND CHAPTER 11, TITLE 24 OF THE DELAWARE CODE RELATING TO DENTISTRY AND DENTAL HYGIENE. Sponsor: Representative Ulbrich and Senator Blevins; Representatives Capano, Maier, Houghton, Scott; Senators Sokola, Voshell, Bonini, Reed. To: **Health and Social Services**.

**HS 1 to HB 437** - AN ACT TO AMEND CHAPTER 9, TITLE 7, DELAWARE CODE, RELATING TO COMMERCIAL FOOD FISHING LICENSE. Sponsor: Representative B. Ennis; Senator Vaughn; Representatives Houghton, West, Banning, Brady, Gilligan, Jonkiert, Plant, Van Sant, Caulk, Carey, Mack, Wagner, Buckworth, Welch, D. Ennis, Senator Voshell. To: **Natural Resources**.

**HB 455** - AN ACT TO AMEND CHAPTER 28, TITLE 21 OF THE DELAWARE CODE RELATING TO HABITUAL MOTOR VEHICLE OFFENDERS. Sponsor: Representative Roy & Senator Sharp. To: **Public Safety**.

**HB 474** - AN ACT TO AMEND CHAPTER 53, TITLE 24 OF THE DELAWARE CODE RELATING TO THE MESSAGE/BODYWORK PRACTITIONER ACT. Sponsor: Representative Ulbrich and Senator Blevins; Representatives Capano, Maier, Scott; Senators Bonini, Reed, Sokola, Voshell. To: **Health and Social Services**.

**HB 522 w/HA 1, 2 & 3** - AN ACT TO AMEND TITLE 10 AND TITLE 25 OF THE DELAWARE CODE RELATING TO LANDLORD-TENANT RELATIONSHIPS; AND PROVIDING FOR A RESIDENTIAL LANDLORD-TENANT CODE. Sponsor: Representative Di Pinto; Representatives Spence, Quillen, Carey, Davis, Mack, Maroney, Smith, Banning, Brady, B. Ennis, Gilligan; Senators Voshell, Bair. To: **Community/County Affairs**.

**HB 571** - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE NUMBER OF PLATES FOR MANUFACTURERS AND DEALERS. Sponsor: Representative Ewing. To: **Public Safety**.

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**SB 382** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 382** - AN ACT TO AMEND TITLE 14, DELAWARE CODE RELATING TO TAX RATES IN SCHOOL DISTRICTS WHOSE JURISDICTION TRAVERSES COUNTY BOUNDARY LINES.

**SA 1 to SB 382** was stricken on motion of Senator Voshell.

**SA 2 to SB 382** was stricken on motion of Senator Voshell.

**SA 3 to SB 382** was brought before the Senate for consideration on motion of Senator Voshell.

Senator Still questioned the sponsor, after which a roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 3 to SB 382** was declared part of the bill.

Senators McBride and Cordrey were marked present during the above roll call.

Senator Voshell requested the privilege of the floor for Michael Ferguson, representing Department of Public Instruction.

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

On motion of Senator Voshell **SB 382 w/SA 3** was laid on the table. No objection.

**SJR 21 w/HA 1**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator Voshell.

**SJR 21 w/HA 1** - RELATING TO THE ESTABLISHMENT OF THE CORRECTIONS FACILITIES CONSTRUCTION TASK FORCE.

Senators Connor and Bair questioned the sponsor, after which a roll call vote was taken and revealed 15 Senators voting YES, 6 (Amick, Bair, Bonini, Hauge, Reed, Sorenson) NO; therefore, **SJR 21 w/HA 1** was declared passed the Senate and sent to the Governor.

**HB 468 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 468 w/HA 1** - AN ACT TO AMEND CHAPTER 82, TITLE 29 OF THE DELAWARE CODE RELATING TO EXEMPTION FROM LIABILITY WHEN RENDERING ASSISTANCE OR ADVICE AT THE REQUEST OF ANY EMERGENCY SERVICE AGENCY.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 468 w/HA 1** was declared passed the Senate and returned to the House.

**SB 391** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 391** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO FRATERNAL BENEFIT SOCIETIES.

Senator Vaughn requested the privilege of the floor for Bill Balaban, representing National Fraternal Congress of America.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SB 391** was declared passed the Senate and sent to the House for consideration.

**HB 371 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 371 w/HA 1** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE USE OF VIDEO CAMERAS FOR SURVEILLANCE ON PUBLIC SCHOOL PROPERTY.

Several Senators questioned the floor manager, after which a roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **HB 371 w/HA 1** was declared passed the Senate and returned to the House.

**HJR 9 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HJR 9 w/HA 1** - URGING THE ESTABLISHMENT OF A STATE ATHLETIC COMMISSION, AND PROVIDING FOR AN ATHLETIC COMMISSION STUDY COMMITTEE.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SA 1 to HJR 9** was declared part of the resolution.

**HJR 9 w/HA 1 & SA 1** was before the Senate.

Senators Bonini and Sorenson commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore,

**HJR 9 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HJR 23** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HJR 23** - HONORING AND REMEMBERING FORMER U.S. SECRETARY OF COMMERCE RONALD H. BROWN DEVOTED PUBLIC SERVANT AND OUTSTANDING BLACK AMERICAN.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **HJR 23** was declared passed the Senate and returned to the House.

**HB 477** was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HB 477** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATE POLICE ELIGIBILITY FOR DISABILITY PENSION.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **HB 477** was declared passed the Senate and returned to the House.

**HB 535** was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HB 535** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL POLICE ELIGIBILITY FOR DISABILITY PENSION.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Henry, Venables) ABSENT; therefore, **HB 535** was declared passed the Senate and returned to the House.

**SS 1 for SB 358** was brought before the Senate for consideration on motion of Senator Voshell.

**SS 1 for SB 358** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FISHING EQUIPMENT.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SS 1 for SB 358** was declared passed the Senate and sent to the House for consideration.

**HB 481 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HB 481 w/HA 1** - AN ACT TO AMEND CHAPTER 31, TITLE 16, RELATING TO VITAL STATISTICS. 2/3 VOTE.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **HB 481 w/HA 1** was declared passed the Senate and returned to the House.

**SB 399** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 399** - AN ACT TO AMEND AN ACT BEING 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 AND PROVIDING FOR THE ELECTION OF THEIR SUCCESSORS” TO CHANGE THE DATE FOR FILING NOTICE OF CANDIDACY FOR OFFICE OF MEMBER OF BOARD OF PUBLIC WORKS AND TO REQUIRE UNITED STATES AND DELAWARE CITIZENSHIP TO VOTE. 2/3 VOTE.

**SA 1 to SB 399** was brought before the Senate for consideration on motion of Senator Voshell.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 399** was declared part of the bill.

**SB 399 w/SA 1** was now before the Senate.

Senator McDowell commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 399 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 501 w/HA 1 & 3** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 501 w/HA 1 & 3** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE REGARDING THE CANCER CONTROL ACT.

Senator Still commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 501 w/HA 1 & 3** was declared passed the Senate and returned to the House.

**HB 491 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 491 w/HA 1** - AN ACT TO AMEND TITLE 16, OF THE DELAWARE CODE RELATING TO PUBLIC SWIMMING AND BATHING PLACES.

**SA 1 to HB 491** was brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Reed) NO; therefore, **SA 1 to HB 491** was declared part of the bill.

**SA 2 to HB 491** was stricken on motion of Senator Marshall.

**HB 491 w/HA 1 & SA 1** was now before the Senate.

Senators McBride and Cordrey commented.

A roll call vote was taken and revealed 16 Senators voting YES, 5 (Marshall, McBride, McDowell, Sharp, Sokola) NO; therefore, **HB 491 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**SB 192** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 192** - AN ACT TO AMEND CHAPTER 178, VOLUME 69, LAWS OF DELAWARE AND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF COSMETOLOGY AND BARBERING.

**SA 1 to SB 192** was brought before the Senate for consideration on motion of Senator Still.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cook) ABSENT; therefore, **SA 1 to SB 192** was declared part of the bill.

**SB 192 w/SA 1** was before the Senate.

Senator Amick commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, **SB 192 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 509 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 509 w/HA 1** - AN ACT TO AMEND CHAPTER 49, SUBCHAPTER II, TITLE 15, DELAWARE CODE, RELATING TO VOTING PROCEDURE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 509 w/HA 1** was declared passed the Senate and returned to the House.

At 4:14 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

The Senate reconvened at 5:10 p.m. with Lt. Governor Minner presiding.

**SB 382 w/SA 3** was lifted from the table and brought before the Senate for consideration on motion of Senator Voshell.

**SB 382 w/SA 3** - AN ACT TO AMEND TITLE 14, DELAWARE CODE RELATING TO TAX RATES IN SCHOOL DISTRICTS WHOSE JURISDICTION TRAVERSES COUNTY BOUNDARY LINES.

Several Senator questioned the sponsor, after which a roll call vote was taken and revealed 13 Senators voting YES, 8 (Adams, Bonini, Cordrey, Henry, McBride, McDowell, Vaughn, Venables) NO; therefore, **SB 382 w/SA 3** was declared passed the Senate and sent to the House for consideration.

**SB 193** was brought before the Senate for consideration on motion of Senator Still.

**SB 193** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CASUALTY INSURANCE CONTRACTS.

**SA 1 to SB 193** was stricken on motion of Senator Still.

Senator Sharp objected.

A roll call vote was taken on the motion and revealed 10 Senators voting YES, 3 (Adams, Sharp, Vaughn) NO, 8 (Blevins, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell) NOT VOTING; therefore, the motion did not carry.

**SA 2 to SB 193** was brought before the Senate for consideration on motion of Senator Still.

Senators Sharp and Hauge questioned the sponsor, after which a roll call vote was taken and revealed 19 Senators voting YES, 1 (Hauge) NO, 1 (Sharp) ABSENT; therefore, **SA 2 to SB 193** was declared part of the bill.

**SA 3 to SB 193** was introduced and brought before the Senate for consideration on motion of Senator Still.

Several Senators questioned the sponsor, after which Senator Sharp requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused after addressing the Senate.



Senator Still requested the privilege of the floor for Laird Stabler, representing State Farm Insurance.

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

Senator Still requested the privilege of the floor for Doug Bennetti, representing himself.

Senator Sharp raised a point of order.

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

A roll call vote was taken and revealed 13 Senators voting YES, 7 (Blevins, Henry, Marshall, McBride, Sharp, Sokola, Vaughn) NO, 1 (McDowell) NOT VOTING; therefore, **SA 3 to SB 193** was declared defeated.

**SA 4 to SB 193** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

Several Senators questioned the sponsor, after which a roll call vote was taken and revealed 7 Senators (Blevins, Cook, Henry, Marshall, Sharp, Sokola, Vaughn,) voting YES, 14 NO; therefore, **SA 4 to SB 193** was declared defeated.

**SA 5 to SB 193** was introduced and brought before the Senate for consideration on motion of Senator Sokola.

Senators Sharp and McBride questioned the sponsor, after which **SA 5 to SB 193** was stricken on motion of Senator Sokola.

Senator Sharp requested **SB 193** be reassign to committee.

Senator Still objected.

A roll call on the motion to reassign **SB 193** to committee was taken and revealed 6 Senators (Blevins, Henry, Marshall, Sharp, Sokola, Vaughn) voting YES, 14 NO, 1 (Cook) NOT VOTING; therefore, the motion to reassign **SB 193** to committee did not carry.

**SB 193 w/SA 2 & 3** was now before the Senate.

A roll call vote was taken and revealed 12 Senators voting YES, 9 (Blevins, Cook, Henry, Marshall, McBride, McDowell, Sharp, Sokola, Vaughn) NO; therefore, **SB 193 w/SA 2 & 3** was declared passed the Senate and sent to the House for consideration.

**SB 405** was brought before the Senate for consideration on motion of Senator Sorenson.

**SB 405** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO BREAST CANCER.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 405** was declared passed the Senate and sent to the House for consideration.

**SB 397** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 397** - AN ACT TO AMEND CHAPTER 13 OF TITLE 18 OF THE DELAWARE CODE RELATING TO DOMESTIC INSURANCE COMPANIES.

Senator Vaughn requested the privilege of the floor for Francis O'Neal.

A roll call was taken and revealed 21 Senators voting YES; therefore, **SB 397** was declared passed the Senate and sent to the House for consideration.

**HB 538** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 538** - AN ACT TO AMEND TITLE 18, DELAWARE CODE, RELATING TO INSURER SIGNATURE REQUIREMENTS.

A roll call on the bill was taken and revealed 20 Senators voting YES, 1 (Still) NOT VOTING; therefore, **HB 538** was declared passed the Senate and returned to the House.

**SB 289** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 289** - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION.

**SA 1 to SB 289** was brought before the Senate for consideration on motion of Senator Marshall.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 289** was declared part of the bill.

**SB 289 w/SA 1** was now before the Senate.

A roll call was taken and revealed 21 Senators voting YES; therefore, **SB 289 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 403** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Marshall.

**SB 403** - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO THE INDUSTRIAL ACCIDENT BOARD.

**SA 1 to SB 403** was brought before the Senate for consideration on motion of Senator Marshall.

A roll call was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 403** was declared part of the bill.

**SB 403 w/SA 1** was now before the Senate.

Senator Bair commented.

Senator Marshall requested **SB 403 w/SA 1** be laid on the table. No objections.

The Secretary announced the agenda June 13, 1996.

At 6:34 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. on June 13, 1996.

The Senate reconvened at 2:35 p.m. on June 13, 1996 with Lt. Governor Minner presiding.

The following committee reports were announced.

From Health and Social Services: **SB 310** - 4 Merits; **SB 418** - 4 Merits; **SB 430** - 4 Merits; **HB 430** - 4 Merits; **HB 474** - 5 Merits; **HB 496** - 4 Merits.

From Banking: **SB 398** - 4 Merits; **SB 415** - 4 Merits.

From Insurance and Elections: **SB 410** - 6 Merits.

From Agriculture: **SB 412** - 4 Merits.

From Natural Resources: **SB 425** - 3 Merits.

From Labor: **SB 426** - 3 Merits.

From Education: **SB 427** - 5 Merits.

From Sunset: **SB 428** - 4 Merits.

From Public Safety: **SB 435** - 4 Merits.

From Executive: **HB 479** - 4 Merits.

From Small Business: **HB 564** - 4 Merits.

A communication from the Chief Clerk, JoAnn M. Hedrick was read informing the Senate that Representatives Plant and Scott signed **SB 372** as additional co-sponsors.

A communication from Senator Still was read requesting that Representative David H. Ennis be added as a co-sponsor of **SB 193**.

The following committee reports were announced:

From Judiciary: **SB 368** - 4 Merits; **SB 413** - 4 Merits; **SB 417** - 4 Merits; **SB 424** - 4 Merits; **SB 434** - 4 Merits; **SB 436** - 4 Merits; **HB 399 w/HA 2** - 4 Merits; **HB 574 w/HA 1** - 4 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 62**; **HCR 63**; **HCR 64**; **HCR 67**.

At 2:42 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 40th Legislative Day.

#### 40TH LEGISLATIVE DAY

JUNE 13, 1996

The Senate convened at 2:42 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Henry.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

#### PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

June 13, 1996

The following legislation was introduced and assigned to committee on June 12, 1996:

**SB 201 w/SA 1, HA 1 & 2** - Senator Vaughn - **REASSIGNED TO INSURANCE AND ELECTION UPON ITS RETURN FROM THE HOUSE.**

**SA 1 to SB 418** - Senator Blevins - Placed with the bill.

**SB 434** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUNSETTING OF RECORD MAJOR SUBDIVISION AND LAND DEVELOPMENT PLANS. Sponsor: Senator Sharp. To: **Judiciary**.

**SB 435** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE QUALIFICATIONS. Sponsor: Senator Voshell. To: **Public Safety**.

**SB 436** - AN ACT TO AMEND CHAPTER 26, TITLE 9 OF THE DELAWARE CODE RELATING TO ZONING AND SUBDIVISION. Sponsor: Senator Sharp. To: **Judiciary**.

**SJR 25** -DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DEVELOP A FISHERY MANAGEMENT PLAN FOR THE BLUE CRAB IN THE DELAWARE ESTUARY. Sponsor: Senator McBride & Representative Carey; Senators McDowell, Venables, Voshell, Amick, & Bair; Representatives Schroeder & Buckworth. To: Natural Resources.

The following legislation was introduced and assigned to committee on June 13, 1996:

**SB 437** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DETENTION AND CONFINEMENT OF YOUTH. Sponsor: Senators McDowell and Blevins and Representatives Van Sant and Capano; Representative Lee, Senators Sorenson, Vaughn. To:

Community/County Affairs.

**SB 438** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES COMMITTED BY JUVENILES. Sponsor: Senator Sharp and Representative Smith; Senator Blevins. To: Community/County Affairs.

**SB 439** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ISSUING A BAD CHECK. Sponsor: Senator Voshell and Representative Ewing. To: Judiciary.

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**HB 453 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Venables.

**HB 453 w/HA 1** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO CONTRACTORS AND DEVELOPERS. 3/5 VOTE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 453 w/HA 1** was declared passed the Senate and returned to the House.

Senators Marshall and McBride were marked present during the above roll call.

**HB 567** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 567** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO DENTISTRY AND DENTAL HYGIENE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 567** was declared passed the Senate and returned to the House.

Senator Cordrey presiding at 2:52 p.m.

**HB 469 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 469 w/HA 1** - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

Senator Vaughn requested the privilege of the floor for Tom MacPherson, representing Delaware Department of Labor.

Lt. Governor presiding at 3:13 p.m.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 9 Senators (Adams, Connor, Cook, Cordrey, Henry, McDowell, Vaughn, Venables, Voshell) voting YES, 12 NO; therefore, **HB 469 w/HA 1** was defeated by the Senate and returned to the House.

**SS 2 for SB 223** was brought before the Senate for consideration on motion of Senator Voshell.

**SS 2 for SB 223** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC PROCUREMENT OF GOODS, MATERIALS AND SERVICES AND THE DEPARTMENT OF ADMINISTRATIVE SERVICES.

**SA 1 to SB 223** was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 223** was part of the bill.

**SA 2 to SB 223** was brought before the Senate for consideration on motion of Senator Henry.

Senator Marshall requested to be added as a co-sponsor to **SA 2 to SB 223**.

Several Senators questioned the sponsor, after which Senator Voshell requested the privilege of the floor for Bob McWilliams, representing the State of Delaware.

Senators McDowell and Still commented.

Senator Voshell raised a point of order.

Senator McBride commented. The witness was excused.

Senators Sharp and Cook commented.

A roll call vote was taken and revealed 6 Senators (Bonini, Connor, Henry, Marshall, McBride, McDowell) voting YES, 15 NO; therefore, **SA 2 to SB 223** was declared defeated.

**SA 3 to SB 223** was introduced and brought before the Senate for consideration on motion of Senator Venables.

Senator Venables requested the privilege of the floor for Charlie Weymouth.

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

Senator Voshell requested the privilege of the floor for Terance Martin.

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

Senator Venables requested that the policy memo be read in its entirety for the record.

Senator Voshell requested the privilege of the floor for Vince Meconi, representing the Department of Administrative Services.

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

Senator Venables requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 8 Senators (Adams, Cook, Cordrey, McDowell, Sharp, Still, Vaughn, Venables) voting YES, 13 NO; therefore, **SA 3 to SB 223** was declared defeated.

**SA 4 to SB 223** was introduced and brought before the Senate for consideration on motion of Senator Voshell.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 4 to SB 223** was declared part of the bill.

**SA 5 to SB 223** was introduced and brought before the Senate for consideration on motion of Senator McBride.

Senator McBride requested the privilege of the floor for Mr. Bob McWilliams, representing the State of Delaware.

Senators Bair and McDowell questioned the witness, after which the witness was excused.

Senator Amick requested the privilege of the floor for Richard Armitage, representing University of Delaware of Delaware.

Senators Connor and McBride questioned the witness, after which the witness was excused.

Senator Amick requested the privilege of the floor for Rebecca Batson, Senate Attorney.

The witness was excused after addressing the Senate.

Senator McBride requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 6 Senators (Cook, Henry, Marshall, McBride, McDowell, Still) voting YES, 14 NO, 1 (Sharp) ABSENT; therefore, **SA 5 to SB 223** was declared defeated.

**SS 2 for SB 223 w/SA 1 & 4** was now before the Senate.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Adams, Vaughn, Venables) NO; therefore, **SS 2 for SB 223 w/SA 1 & 4** was declared passed the Senate and sent to the House for consideration.

**SB 398** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 398** - AN ACT TO REPEAL THE BULK TRANSFER PROVISIONS ON THE UNIFORM COMMERCIAL CODE OF THE DELAWARE CODE.

**SA 1 to SB 398** was introduced and brought before the Senate for consideration on motion of Senator Cordrey.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 398** was declared part of the bill.

**SB 398 w/SA 1** was now before the Senate.

Senator Cordrey requested the privilege of the floor for John Cordrey, Senate Attorney.

Senators Connor and Amick questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 21 Senator voting YES; therefore, **SB 398 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 415** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 415** - AN ACT TO AMEND CHAPTER 5, OF TITLE 25 OF THE DELAWARE CODE RELATING TO THE RULE AGAINST PERPETUITIES.

Senator Cordrey requested the privilege of the floor for John Cordrey, Senate Attorney.

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

A roll call vote was taken and revealed 21 Senator voting YES; therefore, **SB 415** was declared passed the Senate and sent to the House for consideration.

**SB 425** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 425** - AN ACT AMENDING THE BEACH PRESERVATION ACT, TITLE 7 OF THE DELAWARE CODE.

A roll call vote was taken and revealed 20 Senator voting YES, 1 (Henry) ABSENT; therefore, **SB 425** was declared passed the Senate and sent to the House for consideration

**SB 428** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 428** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO LICENSURE REQUIREMENTS FOR PROFESSIONAL COUNSELORS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SB 428** was declared passed the Senate and sent to the House for consideration

**SB 432** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 432** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLSBORO, CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO", TO CHANGE FROM TOWN CLERK TO TOWN MANAGER, CHANGE THE HOURS OF MUNICIPAL ELECTIONS, PROVIDE FOR ABSENTEE BALLOTING, AUTHORIZE THE MAYOR TO ACT IN CERTAIN EMERGENCIES, EXPAND THE POWERS OF THE MUNICIPALITY IN THE COLLECTION OF TAXES, INCREASE THE MAXIMUM FINE WHICH MAY BE IMPOSED, AND AUTHORIZE CONTRIBUTION TO AN AMBULANCE/EMERGENCY TREATMENT SERVICE. 2/3 VOTE.

**SA 1 to SB 432** was introduced and brought before the Senate for consideration on motion of Senator Cordrey.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Henry, Sorenson) ABSENT; therefore, **SA 1 to SB 432** was declared part of the bill.

**SB 432 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 432 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 411** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 411** - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO CORRIDOR CAPACITY PRESERVATION.

**SA 1 to SB 411** was introduced and brought before the Senate for consideration on motion of Senator Voshell.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cook) ABSENT; therefore, **SA 1 to SB 411** was declared part of the bill.

**SB 411 w/SA 1** was now before the Senate.

Senator Voshell requested for the privilege of the floor for Pamela Scott, representing Department of Transportation.

Senators McDowell and Still questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Vaughn) NO; therefore, **SB 411 w/SA 1** was declared passed the Senate and sent to the House for consideration.

The Secretary announced a message from the House informing the Senate that it had passed **HB 546 w/HA 1; HB 584 w/HA 1; HB 561 w/HA 1; HS 1 for HB 159 w/HA 1; HB 599; HB 598; HB 503; HCR 65; HCR 66; SB 408 w/SA 7; SB 338 w/SA 2; SB 355 w/SA 1 & 2, w/HA 1 & 2, w/SA 5; SB 327 w/SA 1; SB 243 w/HA 1; SB 269; SB 356.**

**SENATE CONSENT CALENDAR #15** was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**HCR 60** - EXTENDING MANY, MANY THANKS TO RAYMOND S. PUSEY, DIRECTOR OF HIGHWAY OPERATIONS, WHO RETIRED ON MARCH 1, 1996, AFTER A FORTY (40) YEAR CAREER WITH THE DEPARTMENT OF TRANSPORTATION. Sponsor: Rep. Buckworth & Sen. Bonini, Representatives Carey, Quillen, Lee, D. Ennis, Welch, Spence, Ewing, Petrilli, Reynolds, Oberle, Fallon, Di Pinto, Wagner, Bunting, Schroeder, Brady, Houghton, Gilligan, Van Sant, West, Sens. Bair, Connor, Hauge, Amick, Reed, Still, Sorenson, McDowell, Henry, Marshall, Blevins, Sokola, Sharp, McBride, Vaughn, Cook, Voshell, Adams, Cordrey, Venables.

**HCR 62** - HONORING MR. DANIEL TJADEN FOR HIS MANY YEARS OF DEDICATED PUBLIC SERVICE AS A MEMBER OF THE NEW CASTLE COUNTY POLICE DEPARTMENT. Sponsor: Rep. Houghton; Rep. Mack, Sen. Vaughn

**HCR 63** - COMMENDING NEWARK HIGH SCHOOL'S BASEBALL TEAM ON THEIR STATE CHAMPIONSHIP SEASON. Sponsor: Rep. DiLiberto & Sen. Sharp; Reps. Boulden, Davis, Maier, Petrilli, Spence, Ulbrich; Sens. Amick, Reed.

**HCR 64** - COMMENDING NEWARK HIGH SCHOOL'S BOYS' TENNIS TEAM ON THEIR STATE CHAMPIONSHIP SEASON. Sponsor: Rep. DiLiberto & Sen. Sharp; Reps. Boulden, Davis, Maier, Petrilli, Spence, Ulbrich; Sens. Amick, Reed

**HCR 67** - JOINING IN RECOGNITION OF EARLENE GILLAN-SMITH; OUTGOING PRESIDENT OF THE DELAWARE STATE EDUCATION ASSOCIATION, FOR HER SIGNIFICANT ROLE IN ADVANCING THE STATUS OF PUBLIC SCHOOL EMPLOYEES AND THE QUALITY OF PUBLIC EDUCATION IN OUR STATE. Sponsor: Rep. Spence & Sen. Sharp; On Behalf of All Representatives & All Senators.

A roll call vote was taken on **SENATE CONSENT CALENDAR #15** and revealed 21 Senators voting YES; therefore, the **Senate Consent Calendar** was declared adopted by the Senate and the House Concurrent Resolutions were returned to the House.

**SCR 68** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

**SCR 68** - REQUESTING NEW CASTLE COUNTY AND THE CITY OF WILMINGTON TO DEFER ANY ACTION CONCERNING PRIVATIZATION OF THE WILMINGTON SEWAGE TREATMENT SYSTEM UNTIL JANUARY, 1997. Sponsor: Senator Sharp; Representatives Roy, Oberle.

Senator McDowell commented.

Senator Bair requested to be added as a co-sponsor of **SCR 68**.

Senator Marshall commented.

A roll call vote was taken and revealed 16 Senators voting YES, 3 (Amick, Henry, McDowell) NO, 2 (Cook, Marshall) NOT VOTING; therefore, **SCR 68** was declared adopted by the Senate and sent to the House for consideration.

**HCR 66** was introduced and brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HCR 66** - COMMEMORATING JUNE 18TH AS WOMEN'S DAY, CELEBRATING THE MANY CONTRIBUTIONS WOMEN HAVE MADE IN POLITICS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HCR 66** was declared adopted by the Senate and returned to the House.

**HCR 65** was introduced and brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HCR 65** - RECOGNIZING SUNDAY, JUNE 16, 1996 AS FATHER'S DAY IN DELAWARE. Sponsor: Representatives Maroney, Fallon, Capano, Maier, Ulbrich, Wagner & Stone on behalf of all Representatives; Senators Bair, Cook, Blevins, Sorenson, Henry & Reed on behalf of all Senators.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HCR 65** was declared adopted by the Senate and returned to the House.

**SB 429** was stricken on motion of Senator Voshell.

The Secretary announced the agenda for June 18, 1996.

At 6:29 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. on June 18, 1996.

The Senate reconvened at 2:22 p.m. on June 18, 1996 with Senator Cordrey presiding.

The following committee report was announced:

From Administrative Services: **HB 572 w/HA 1** - 4 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 593; HB 544 w/HA 1 aab HA 1; HB 605 w/HA 2; HB 462 w/HA 1; HB 570 w/HA 1; SB 303 w/HA 1**.

**SB 445** was stricken on motion of Senator Adams.

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

#### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION June 18, 1996**

The following legislation was introduced and assigned to committee on June 13, 1996:

**SA 1 to SB 395** – Senator Amick – Placed with the bill.

**SA 1 to HB 495** – Senator Sharp – Placed with the bill.

**SA 1 to HB 518** – Senator Voshell – Placed with the bill.

**SA 1 to HB 556** – Senator Sokola – Placed with the bill.

**SB 445** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO PESTICIDE REGULATION. Sponsor: Senators Adams, Venables, Vaughn, Cook, Still and Bonini. To: **Agriculture**.

The following legislation was introduced and assigned to committee on June 18, 1996:

**SB 440** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS COMPENSATION. Sponsor: Senator Bonini & Representative Welch. To: **Labor**.

**SB 441** - AN ACT TO AMEND CHAPTER 215 OF VOLUME 70 OF THE LAWS OF DELAWARE RELATING TO THE OVERSIGHT COMMITTEE FOR THE COMPREHENSIVE SCHOOL DISCIPLINE OVERSIGHT PROGRAM. Sponsor: Senator Bonini. To: **Education**.

**SB 442** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO POLICIES OF SCHOOL BOARDS. Sponsor: Senator Bonini, Senator Hauge. To: **Education**.

**SB 443** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO WOLVES AND WOLF HYBRIDS. Sponsor: Senator Amick. To: **Community/County Affairs**.

**SB 444** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. Sponsor: Senator Adams and Representative Wagner; Senators Vaughn and Bonini; Representatives Carey, Caulk, Ewing, Fallon, Lee, Banning, Bunting, B. Ennis and West. To: **Insurance and Elections**.

**SJR 26** - URGING THE ENACTMENT OF S. 1629, THE TENTH AMENDMENT ENFORCEMENT ACT OF 1996 AND FURTHER URGING THE DELAWARE CONGRESSIONAL DELEGATION TO CO-SPONSOR S. 1629. Sponsor: Senator Bair, Senator Venables; Representatives Cloutier, Smith, Di Pinto. To: **Executive**.

**HS 1 for HB 159 w/HA 1** - AN ACT TO AMEND CHAPTER 43, TITLE 21, DELAWARE CODE, RELATING TO EQUIPMENT AND CONSTRUCTION OF VEHICLES. Sponsor: Representatives B. Ennis, Wagner, Senator Voshell; Representatives Banning, Brady, Houghton, Van Sant, DiLiberto, Bunting, Schroeder, West, Scott, Gilligan, Quillen, D. Ennis, Lee, Ewing, Capano, Spence, Welch, Boulden, Senators Vaughn, McBride. To: **Public Safety**.

**HB 462 w/HA 1** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE; AND PROVIDING GUIDELINES FOR WARRANTY AGREEMENTS BETWEEN CERTAIN MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS AND DEALERS. Representative B. Ennis and Senator Vaughn; Representatives Banning, Brady, Houghton, Van Sant, D. Ennis. To: **Small Business**.

**HB 503** - AN ACT TO AMEND TITLE 13, DELAWARE CODE, RELATING TO MARRIAGE. Sponsor: Representatives Buckworth & Davis & Senator Adams; Representatives Spence, Quillen, Carey, Caulk, Cloutier, Di Pinto, D. Ennis, Ewing, Mack, Maier, Reynolds, Smith, Brady, Bunting, B. Ennis, Gilligan, Jonkiert; Senators Bonini, Hauge, Reed. To: **Judiciary**.

**HB 544 w/HA 1 aab HA 1** - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO THE REMOVAL OF SNOW ON PUBLIC ROADS AND HIGHWAYS. 3/4 VOTE. Sponsor: Representative Gilligan & Representative Roy & Representative Lofink & Senator Sharp & Senator McBride & Senator Connor; Representatives Banning, Boulden, Brady, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, Di Pinto, D. Ennis, Ewing, Houghton, Jonkiert, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Scott, Smith, Stone, Ulbrich, Van Sant, Wagner, West, Williams, Spence; Senators Amick, Bair, Blevins, Marshall, Sokola, Sorenson, Vaughn. To: **Highways and Transportation**.

**HB 546 w/HA 1** - AN ACT TO AMEND CHAPTER 5 OF TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF ROBBERY. Sponsor: Representative Van Sant & Senator Vaughn; Representatives Banning, Brady, Bunting, Capano, Caulk, Davis, DiLiberto, B. Ennis, Ewing, Gilligan, Houghton, Jonkiert, Lee, Plant, Schroeder, Scott, Stone, Spence, Ulbrich, Wagner, Welch, West, Williams. To: **Judiciary**.

**HB 570 w/HA 1** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO FAIR SHARE FEES AND THE PUBLIC EMPLOYMENT RELATIONS ACT. Sponsor: Representative Oberle & Senators Marshall, McDowell & McBride; Representatives Davis, Lofink, B. Ennis, Houghton, Scott, Van Sant; Senators Blevins, Henry, Vaughn, Connor. To: **Labor**.

**HB 584 w/HA 1** - AN ACT TO AMEND TITLE 18 RELATING TO THE DELAWARE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION. Sponsor: Representative D. Ennis. To: **Insurance and Elections**.

**HB 593** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE FRAUD PREVENTION BUREAU OF THE OFFICE OF THE INSURANCE COMMISSIONER. Sponsor: Representative Capano; Senator Vaughn; Representatives Spence, Boulden, Di Pinto, Lee, Lofink, Reynolds, Stone, Ulbrich, Brady, Banning, Bunting, B. Ennis, Scott, Van Sant, Williams; Senator Connor. To: **Insurance and Elections**.

**HB 598** - AN ACT TO REINCORPORATE THE TOWN OF TOWNSEND. Sponsor: Representative Banning & Senator Vaughn. To: **Community/County Affairs**.

**HB 561 w/HA 1** - AN ACT TO AMEND CHAPTER 4, TITLE 17, DELAWARE CODE, RELATING TO THE POWER OF THE DEPARTMENT OF TRANSPORTATION OR ITS AGENTS TO IMPOSE TOLLS. Sponsor: Representatives Banning & B. Ennis; Senators Vaughn & Voshell. To: **Highways and Transportation**.

**HB 599** - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES COMMITTED BY JUVENILES. Sponsor: Representative Smith & Senator Sharp. To: **Judiciary**.

**HB 605 w/HA 2** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD, THE IGNITION INTERLOCK DEVICE AND PROGRAM, AND DRIVING UNDER THE INFLUENCE. Sponsor: Representative Ewing. To: **Public Safety**.

\* \* \*

Lt. Governor presiding at 2:25 p.m.

At 2:25 p.m. on motion of Senator Sharp, the Senate adjourned immediately convene for the 41st Legislative Day.

#### **41ST LEGISLATIVE DAY JUNE 18, 1996**

The Senate convened at 2:25 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Bair.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

**SENATE CITATION ANNOUNCEMENT #4**, S138:301 - 413 inclusive was introduced and a copy made available to each Senator.

Senator Cordrey requested the privilege of the floor for the introductions of the family of Richard Norwood, retired Head Sgt.-at-Arms. A Chair with a plaque was presented to Mr. Norwood.

Several Senators made comments on behalf of Mr. Norwood.

Lt. Governor made comments on behalf of Mr. Norwood.

**SB 412** was brought before the Senate for consideration on motion of Senator Adams.

**SB 412** - AN ACT TO AMEND CHAPTER 9 OF TITLE 3 OF THE DELAWARE CODE TO FURTHER DEFINE ALLOWABLE RESIDENTIAL USE OF LANDS LOCATED IN AGRICULTURAL PRESERVATION DISTRICT AND TO ENABLE THE AGRICULTURAL PRESERVATION FOUNDATION TO MAKE INSTALLMENT PAYMENTS IN THE PURCHASE OF AGRICULTURAL PRESERVATION EASEMENTS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cook) ABSENT; therefore, **SB 412** was declared passed the Senate and sent to the House for consideration.

Senators Blevins, Henry, Marshall, McBride and McDowell were marked present during the above roll call.

**SB 431** was brought before the Senate for consideration on motion of Senator Adams.

**SB 431** - AN ACT TO AMEND AN ACT, BEING CHAPTER 276, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF GEORGETOWN" TO INCREASE THE TOWN COUNSEL'S POWER TO LEVY AND COLLECT TAXES. 2/3 VOTE.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cook) ABSENT; therefore, **SB 431** was declared passed the Senate and sent to the House for consideration.

**HB 479** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HB 479** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE SYMBOLS.

Senator Sharp commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cook) ABSENT; therefore, **HB 479** was declared passed the Senate and returned to the House.

**SB 418** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 418** - AN ACT TO AMEND TITLE 14 AND TITLE 16 OF THE DELAWARE CODE RELATING TO THE HEALTH CARE COMMISSION AND THE DELAWARE INSTITUTE FOR MEDICAL EDUCATION AND RESEARCH.

**SA 1 to SB 418** was laid on the table on motion of Senator Blevins.

Several Senators questioned the sponsor, after which Senator Blevins requested the bill also be laid on the table.

**HB 460** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.



**HB 460** - AN ACT TO AMEND CHAPTERS 13 AND 19 OF TITLE 2 OF THE DELAWARE CODE REPEALING THE EMPLOYEE COMMUTE OPTIONS ACT AND PROVIDING FOR THE CONFIDENTIALITY OF CERTAIN INFORMATION.

Senator McBride commented.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cook, Sharp) ABSENT; therefore, **HB 460** was declared passed the Senate and returned to the House.

**HB 557 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 557 w/HA 1** - AN ACT TO AMEND CHAPTER 26, TITLE 21, DELAWARE CODE TO ESTABLISH OUT-OF-SERVICE PENALTIES FOR COMMERCIAL DRIVERS. 2/3 VOTE.

Senator Venables questioned the floor manager, after which Senator Voshell requested the privilege of the floor for Jerome A. Emerson, representing Division of Motor Vehicles.

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

A roll call vote was taken and revealed 7 Senators (Amick, Bair, Connor, Sharp, Sokola, Sorenson, Voshell) voting YES, 13 NO, 1 (Cook) ABSENT; therefore, **HB 557 w/HA 1** was declared defeated by the Senate and returned to the House.

**HB 518** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 518** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CERTAIN MOTOR VEHICLE OFFENSES COMMITTED BY JUVENILES.

**SA 1 to HB 518** was brought before the Senate for consideration on motion of Senator Voshell.

A roll call vote was taken and revealed 18 Senators voting YES, 1 (Cordrey) NOT VOTING, 2 (Cook, Hauge) ABSENT; therefore, **SA 1 to HB 518** was declared part of the bill.

**HB 518 w/SA 1** was now before the Senate.

Several Senators commented.

A roll call vote was taken and revealed 14 Senators voting YES, 6 (Adams, Connor, Cordrey, Marshall, Sharp, Vaughn) NO, 1 (Cook) ABSENT; therefore, **HB 518 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HB 536 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 536 w/HA 1** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO BICYCLISTS. 2/3 VOTE.

Senators Bonini and Sokola commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cook) ABSENT; therefore, **HB 536 w/HA 1** was declared passed the Senate and returned to the House.

**HB 556** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 556** - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO THE DELAWARE BICYCLE COUNCIL.

**SA 1 to HB 556** was brought before the Senate for consideration on motion of Senator Sokola.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 556** was declared part of the bill.

Senator Cook was marked present during the above roll call.

**HB 556 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 556 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

**SB 410** was brought before the Senate for consideration on motion of Senator Connor.

**SB 410** - AN ACT TO AMEND VOLUME 27, CHAPTER 216, LAWS OF DELAWARE AS AMENDED, TO CHANGE RESIDENCY REQUIREMENTS AND ALLOW A SUBSTITUTE DATE FOR MUNICIPAL ELECTIONS IN THE CITY OF NEW CASTLE. 2/3 VOTE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 410** was declared passed the Senate and sent to the House for consideration.

A messenger from the Governor was announced and admitted.

**HB 564 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Venables.

**HB 564 w/HA 1** - AN ACT TO AMEND TITLE 6, DELAWARE CODE, RELATING TO THE DELAWARE WORKERS COOPERATIVE ACT. 3/5 VOTE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 564 w/HA 1** was declared passed the Senate and returned to the House.

**HB 474** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 474** - AN ACT TO AMEND CHAPTER 53, TITLE 24 OF THE DELAWARE CODE RELATING TO THE MASSAGE/BODYWORK PRACTITIONER ACT.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 474** was declared passed the Senate and returned to the House.

**HB 430** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 430** - AN ACT TO AMEND CHAPTER 11, TITLE 24 OF THE DELAWARE CODE RELATING TO DENTISTRY AND DENTAL HYGIENE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 430** was declared passed the Senate and returned to the House.

**HB 519** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 519** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO HOME CONSTRUCTION AND HOME IMPROVEMENT.

**SA 1 to HB 519** was brought before the Senate for consideration on motion of Senator Venables.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 519** was declared part of the bill.

Senator Venables commented.

**HB 519 w/SA 1** was now before the Senate.

**HB 519 w/SA 1** was laid on the table on motion of Senator Sokola.

**SB 422** was brought before the Senate for consideration on motion of Senator Sokola.

**SB 422** - AN ACT TO AMEND CHAPTER 16, TITLE 14 OF THE DELAWARE CODE RELATING TO THE COMPREHENSIVE SCHOOL DISCIPLINE IMPROVEMENT PROGRAM.

Senator Venables commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 422** was declared passed the Senate and sent to the House for consideration.

**HB 539** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 539** - AN ACT TO AMEND CHAPTER 75, TITLE 29, DELAWARE CODE, RELATING TO GUARANTEED ENERGY COST SAVINGS CONTRACTS.

Several Senators commented.

A roll call vote was taken and revealed 18 Senators voting YES, 1 (Henry) NO, 2 (McDowell, Sharp) NOT VOTING; therefore, **HB 539** was declared passed the Senate and returned to the House.

**HB 466 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 466 w/HA 1** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL DISTRICT ENROLLMENT CHOICE PROGRAM.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 466 w/HA 1** was declared passed the Senate and returned to the House.

**SB 403 w/SA 1** was lifted from the table and brought before the Senate for consideration on motion of Senator Marshall.

**SB 403 w/SA 1** - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO THE INDUSTRIAL ACCIDENT BOARD.

Senator Marshall requested the privilege of the floor for Karen Peterson, representing Department of Labor.

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

Senator Marshall requested the privilege of the floor for John Kirk, representing Department of Labor.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Hauge) ABSENT; therefore, **SB 403 w/SA 1** was declared passed the Senate and sent to the House for consideration.

At 4:37 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

The Senate reconvened at 5:15 p.m. with Lt. Governor Minner presiding.

**SB 407** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 407** - AN ACT TO AMEND TITLE 6, DELAWARE CODE, RELATING TO MOTOR VEHICLE FRANCHISING PRACTICES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 407** was declared passed the Senate and sent to the House for consideration.

**HB 456** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 456** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO GENERAL DEFINITIONS.

Senator Amick questioned the floor manager, after which Senator Sharp requested the privilege of the floor for Keith Brady, representing Attorney General's office.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **HB 456** was declared passed the Senate and returned to the House.

**HB 444** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 444** - AN ACT TO AMEND PART V, TITLE 12 OF THE DELAWARE CODE RELATING TO FIDUCIARY RELATIONS; AND PROVIDING FOR A UNIFORM TRANSFERS TO MINORS ACT.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 444** was declared passed the Senate and returned to the House.

**HB 443** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 443** - AN ACT TO AMEND PART III, TITLE 12 OF THE DELAWARE CODE RELATING TO DESCENT AND DISTRIBUTION; AND PROVIDING FOR A UNIFORM TOD SECURITY REGISTRATION ACT.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 443** was declared passed the Senate and returned to the House.

Senator Hauge requested the personal privilege of the floor for an introduction of his wife, Rhonda, son Drew, son's friend, Ryan and other friends.

**HB 473** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 473** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DEPARTMENT OF MOTOR VEHICLE RECORDS AND DRIVING DURING SUSPENSION OFFENDERS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 473** was declared passed the Senate and returned to the House.

**HB 495 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 495 w/HA 1** - AN ACT PROPOSING AMENDMENT TO ARTICLE IV, SUB SECTION 11(1) OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE JURISDICTION OF THE DELAWARE SUPREME COURT IN CRIMINAL CASES. 2/3 VOTE.

**SA 1 to HB 495** was brought before the Senate for consideration on motion of Senator Sharp.

Senator Bair questioned the sponsor, after which Senator Sharp requested the privilege of the floor for Keith Brady, representing Attorney General's office.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SA 1 to HB 495** was declared part of the bill.

**HB 495 w/HA 1 & SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 495 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**SB 413** was brought before the Senate for consideration on motion of Senator Adams.

**SB 413** - AN ACT TO AMEND CHAPTER 25, TITLE 6 OF THE DELAWARE CODE RELATING TO PROHIBITED TRADE PRACTICES.

**SA 1 to SB 413** was introduced and brought before the Senate for consideration on motion of Senator Adams.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SA 1 to SB 413** was declared part of the bill.

**SB 413 w/SA 1** was now before the Senate.

Senator Sokola commented.

Senator Still requested that his name be added as a co-sponsor to **SB 413 w/SA 1**.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 413 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 395 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HB 395 w/HA 1** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE, RELATING TO GRAIN CONTRACTS OF SALE, DISCOUNT RATES, AND TEST WEIGHT RATES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 395 w/HA 1** was declared passed the Senate and returned to the House.

The Secretary announced the agenda for June 19, 1996.

At 5:53 p.m. on motion of Senator Sharp, the Senate recessed until June 19, 1996 at 2:00 p.m.

The Senate reconvened at 2:42 p.m. on June 19, 1996 with Senator Adams presiding.

A messenger from the Governor was announced and admitted.

The following committee reports were announced:

From Labor: **SB 105** - 1 Favorable, 3 Merits; **HB 369** - 5 Merits; **HB 570 w/HA 1** - 4 Merits; **HB 451 w/HA 1 & 2** - 5 Merits.

From Judiciary: **SB 439** - 4 Merits; **HB 33** - 4 Merits; **HB 255 w/HA 1** - 4 Merits; **HB 303 w/HA 1 & 2** - 4 Merits; **HB 314 w/HA 1** - 4 Merits; **HB 503** - 4 Merits; **HB 507 w/HA 1** - 4 Merits; **HB 531** - 4 Merits; **HB 546 w/HA 1** - 4 Merits; **HB 589 w/HA 3 & 4** - 4 Merits; **HB 599** - 4 Merits.

From Highways and Transportation: **SB 419** - 4 Merits.

From Insurance and Elections: **SB 444** - 1 Favorable, 3 Merits; **HS 2 for HB 276** - 4 Merits; **HB 584 w/HA 1** - 4 Merits; **HB 593** - 3 Merits.

From Revenue and Taxation: **SB 452** - 4 Merits.

From Public Safety: **HS 1 for HB 159 w/HA 1** - 3 Merits; **HB 455** - 3 Merits; **HB 571** - 3 Merits; **HB 605 w/HA 2** - 3 Merits.

From Children, Youth, and their Families: **HB 598** - 5 Merits; **SB 438** - 4 Merits; **SB 437** - 4 Merits.

From Education: **HB 431 w/HA 1, 2 & 3** - 3 Merits.

Lt. Governor Minner presiding at 2:45 p.m.

The Secretary announced a message from the House informing the Senate that it had passed **HB 583**; **HB 640**; **HB 576**; **HB 429 w/HA 1**; **HB 565 w/HA 1**; **HB 566 w/HA 1**; **HCR 58**; **HJR 26**; **HJR 27**; **HJR 28**; **HB 476 w/HA 1 & 2**; **HB 568 w/HA 1 & 2**; **HB 604**; **HB 392 w/HA 1**; **HB 582 w/HA 1**; **SB 364**; **SB 238 w/SA 1 & HA 1**; **SB 373**.

At 2:51 p.m. on motion of Senator Sharp, the Senate adjourned immediately convene for the 42nd Legislative Day.

#### **42ND LEGISLATIVE DAY JUNE 19, 1996**

The Senate convened at 2:51 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Connor.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

#### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION June 19, 1996**

The following legislation was introduced and assigned to committee on June 18, 1996:

**SA 1 to SB 310** – Senator Cook – Placed with the bill.

**SA 1 to SB 434** – Senator Connor – Placed with the bill.

**SA 1 to SB 435** – Senator Voshell – Placed with the bill.

**SA 1 to SB 436** – Senator Connor – Placed with the bill.

**SA 1 to SJR 23** – Senator Bonini – Placed with the bill.

**SA 2 to SJR 23** – Senator Bonini – Placed with the bill.

**SA 3 to SJR 23** – Senator Bonini – Placed with the bill.

**SA 4 to SJR 23** – Senator Bonini – Placed with the bill.

**SA 2 to HB 519** – Senator Venables – Placed with the bill.

**SA 1 to HB 572** – Senator Cook – Placed with the bill.

**SA 1 to HB 589** – Senator Sharp – Placed with the bill.

**SA 1 to HB 590** – Senator Cook – Placed with the bill.

**SB 446** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CERTAIN DRIVER'S LICENSES. 2/3 VOTE. Sponsor: Senator Hauge; Representative Maier. To: **Public Safety**.

**SB 447** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE AND CHAPTER 93, VOLUME 35, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO PROVIDE

FOR THE COLLECTION OF TAXES AND ASSESSMENTS FOR THE CITY OF WILMINGTON," REGARDING LIENS FOR CHARGES LEVIED OR IMPOSED BY THE STATE OR ANY POLITICAL SUBDIVISION THEREOF, OR ANY INCORPORATED TOWN OR CITY IN THIS STATE. 2/3 VOTE. Sponsor: Senators Henry, Marshall & McDowell; Representatives Jonkiert & Di Pinto. To: Community/County Affairs.

**SB 448** - AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO GENERAL POWERS OF THE SECRETARY, DELAWARE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. Sponsor: Senator Blevins and Representatives Maroney; Senators Marshall, Sokola, Bair, and Reed; Representatives Plant, Stone, Cloutier, Scott & Williams. To: Health and Social Services.

**SB 449** - AN ACT TO AMEND TITLE 18 RELATING TO HEALTH INSURANCE CONTRACTS. Sponsor: Senator Blevins & Representative Maroney; Senators McDowell, Henry, Sokola, Voshell, Marshall, Cook, Sorenson & Vaughn; Representatives Cloutier, Reynolds, Maier & Ulbrich. To: Insurance and Elections.

**SB 450** - AN ACT TO AMEND TITLE 24 RELATING TO PROFESSIONAL ENGINEERS. Sponsor: Senator McBride and Representative Cloutier. To: Administrative Services.

**SB 451** - AN ACT TO AMEND CHAPTER 5, OF TITLE 25, RELATING TO THE RULE AGAINST PERPETUITIES. Sponsor: Senator Cordrey, Representative Smith. To: Banking.

**SB 452** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE LAWS, CHAPTER 460, AS AMENDED; AND 70 DELAWARE LAWS, CHAPTER 219, RELATING TO DELAWARE TAXES. Sponsor: Senator Marshall & Representative Oberle. To: Revenue and Taxation.

**SS 1 to SB 279** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOBBYING AND EXPENDITURE OF STATE FUNDS. Sponsor: Senators Hauge & Sokola, Senators Blevins, Bonini, Reed; Representatives Bunting, Capano, Cloutier, Maier, Smith. Adopted in Lieu of the Original. To: Executive.

The following letters of nomination were placed in the Executive Committee:

STATE OF DELAWARE  
Office of the Governor  
June 18, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Robert A. Armstrong**, 6 Granbury Drive, New Castle, Delaware 19720, to be reappointed as a Justice of the Peace for New Castle County to serve a four-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 18, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Mary Dudek**, 3815 Valleybrook Road, Wilmington, Delaware 19808, to be reappointed to the Board of Trustees of the Delaware Technical & Community College to serve a three-year term.

Your consideration of this nomination is appreciated.

Sincerely,

(Signed) Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 18, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Arnetta McRae**, 400 W. Matson Run Parkway, Wilmington, Delaware 19802, to be appointed to the Public Service Commission for a five-year term to succeed Nancy Norling, who resigned.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 18, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**William L. Witham, Jr.**, 425 Greenhill Road, Dover, Delaware 19901, to be reappointed to the Board of Trustees of the Delaware Technical & Community College to serve a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 18, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Ray K. Woodward**, 4501 Summit Bridge Road, Middletown, Delaware 19709, to be reappointed to the Environmental Appeals Board to serve a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor

June 18, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**James C. Holloway, Jr.**, 4302-101 Miller Road, Wilmington, Delaware 19802, to be reappointed to the Board of Trustees of the Delaware Technical & Community College to serve a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

The following legislation was introduced and assigned to committee on June 19, 1996:

**SA 2 to SB 418** – Senator Bair – Placed with the bill.

**HB 392 w/HA 1** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION REGULATIONS AND LEGISLATION. Sponsor: Representative Reynolds & Senator Sokola & Representative Davis & Senator Cook & Representative Schroeder & Senator Connor; Representatives Buckworth, Capano, Carey, Di Pinto, Ewing, Mack, Maier, Lee, Ulbrich, Wagner; Senators Blevins, Voshell, Bair, Bonini, Hauge, Reed, Sorenson, Still. To: **Education**.

**HB 429 w/HA 1** - AN ACT TO AMEND CHAPTER 19, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF NURSING. Sponsor: Representative Ulbrich and Senator Blevins; Representatives Capano, Maier, Houghton, Scott; Senators Sokola, Voshell, Bonini, Reed. To: **Sunset**.

**HB 476 w/HA 1 & 2** - AN ACT TO AMEND TITLE 14, DELAWARE CODE, RELATING TO THE STATE BOARD OF EDUCATION; A STATE SUPERINTENDENT OF PUBLIC INSTRUCTION; APPOINTMENT; CONFIRMATION; TERM; QUALIFICATIONS; REMOVAL AND SUSPENSION. Sponsor: Representatives Smith & Oberle & Senator Sharp; Representatives Brady, Houghton; Senators Vaughn, Bair, Reed. To: **Education**.

**HB 565 w/HA 1** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC. Sponsor: Representative Ulbrich and Senator Blevins; Representative Capano, Maier, Houghton, Scott; Senators Sokola, Voshell, Bonini, Reed. To: **Sunset**.

**HB 566 w/HA 1** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO OPTOMETRY. Sponsor: Representative Ulbrich and Senator Blevins; Representatives Capano, Maier, Houghton, Scott; Senators Sokola, Voshell, Bonini, Reed. To: **Sunset**.

**HB 568 w/HA 1, 2** - AN ACT TO AMEND CHAPTER 35, TITLE 6 OF THE DELAWARE CODE RELATING TO BUILDING CONSTRUCTION PAYMENTS. Sponsor: Representative Banning. To: **Small Business**.

**HB 576** - AN ACT TO AMEND CHAPTER 23, TITLE 7, DELAWARE CODE, ALSO BEING CHAPTER 216, 70 LAWS OF DELAWARE OR SENATE BILL NO. 204, RELATING TO SHELLFISH LICENSES. Sponsor: Representative Schroeder; Representative Carey. To: **Natural Resources**.

**HB 582 w/HA 1** - AN ACT TO AMEND SECTION 107 OF TITLE 14 RELATING TO THE QUALIFICATIONS FOR THE STATE SUPERINTENDENT OF SCHOOLS. Sponsor: Representative Scott; Representatives Banning, Brady, Buckworth, Carey, B. Ennis, Houghton, Jonkiert, Plant, Smith, Stone, Welch, West, Williams; Senators Bonini, Cook, Hauge, Henry, Reed, Still, Vaughn. To: **Education**.

**HB 583** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL EMPLOYEES. Representatives Quillen and Wagner. To: **Education**.

**HB 604** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SHARED DECISION-MAKING AND SCHOOL IMPROVEMENT. Sponsor: Representative Davis & Senator Sokola & Representative Reynolds & Senator Cook & Representative Schroeder & Senator Connor; Representatives Buckworth, Capano, Carey, Cloutier, Di Pinto, Ewing, Mack,

Maier, Ulbrich, Wagner; Senators Voshell, Blevins, Bair, Bonini, Hauge, Reed, Sorenson, Still. To: **Education**.

**HB 640** - AN ACT TO AMEND CHAPTER 93, TITLE 16, DELAWARE CODE, RELATING TO HEALTH PLANNING AND RESOURCES MANAGEMENT. Sponsor: Representative Maroney & Senator Blevins; Representatives Capano, Maier, Ulbrich, Houghton, Scott; Senators McDowell, Sokola, Voshell, Amick, Bonini, Bair, Reed, Sorenson. To: **Health and Social Services**.

**HJR 26** - DIRECTING THE ATTORNEY GENERAL OF THE STATE OF DELAWARE TO PREPARE A REPORT ADVISING WHAT PERCENTAGE OF INDIVIDUALS CONVICTED OF CRIMES INVOLVING A CONCEALED DEADLY WEAPON HAD A LICENSE FOR THAT WEAPON AT THE TIME OF THE OFFENSE. Sponsor: Representative Capano & Senator Bair; Representatives Spence, Petrilli, Quillen, Boulden, Buckworth, Carey, Caulk, Cloutier, Davis, Di Pinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Roy, Smith, Stone, Ulbrich, Wagner, Welch. To: **Judiciary**.

**HJR 27** - CREATING A BINGO TASK FORCE TO STUDY DELAWARE'S BINGO RULES AND REGULATIONS AND THE REASONS FOR DECLINING BINGO REVENUES AND TO MAKE RECOMMENDATIONS THEREON TO THE GENERAL ASSEMBLY. Sponsor: Representatives Welch & Caulk & Senators Bair & Bonini; Representatives Ewing, Lee, Stone, Wagner, B. Ennis, Banning, Schroeder; Senators Cook, Still. To: **Administrative Services**.

**HJR 28** - REQUESTING VARIOUS PUBLIC AGENCIES AND OFFICERS INCLUDING THE ATTORNEY GENERAL, THE PUBLIC DEFENDER, CHIEF JUDGE OF THE FAMILY COURT, SUPERINTENDENT OF THE DEPARTMENT OF PUBLIC INSTRUCTION, CHAIR OF THE CHIEFS OF POLICE COUNCIL AND THE DELAWARE STATE POLICE TO ASSIST IN FACILITATING THE PROMPT AND FAIR DISPOSITION OF COMPLAINTS RELATING TO STUDENT OFFENSES OCCURRING IN PUBLIC SCHOOLS. Sponsor: Representative Wagner and Senator Blevins; Representatives Banning, Brady, Capano, Cloutier, DiLiberto, D. Ennis, Gilligan, Houghton, Jonkiert, Lofink, Maier, Schroeder, Stone, Ulbrich, Van Sant; Senators Amick, Bair, Bonini, Connor, Cook, Hauge, Reed, Sorenson, Still. To: **Education**.

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**SENATE CITATION ANNOUNCEMENT #5**, S138:414 - 476 inclusive was introduced and a copy made available to each Senator.

**LEGISLATIVE ADVISORY #60**, dated June 18, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #276 AAB SA 1** (6/14/96) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL CALENDARS. (Sponsor: Senator Sokola & Representative Reynolds & Senator Cook & Representative Davis & Senator Connor & Representative Schroeder; Representative Maier; Senator Blevins, Voshell, Bair, Bonini, Hauge, Reed, Sorenson, Still; Representatives Cloutier, Mack, Ewing, Buckworth, Carey, Lee, Wagner, Di Pinto, Ulbrich, Capano) (Volume 70, Chapter 365, Laws of Delaware).

**SB #277 AAB SA 1** (6/14/96) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SATELLITE SCHOOLS. (Sponsor: Senator Sokola & Representative Davis & Senator Connor & Representative Reynolds; Representative Maier, Senators Bair, Bonini, Hauge, Reed, Sorenson, Still; Representatives Cloutier, Mack, Ewing, Buckworth, Carey, Wagner, Di Pinto, Ulbrich, Capano) (Volume 70, Chapter 366, Laws of Delaware).

**HB #293 AAB HA 1** (6/17/96) - AN ACT TO AMEND CHAPTER 7, TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES; AND PROVIDING FOR A QUALITY IN HIRING ACT. (Sponsor: Representative Smith; Representatives Boulden, Capano, D. Ennis, Lofink) (Volume 70, Chapter 367, Laws of Delaware).

**HB #216 AAB HA 1** (6/17/96) - AN ACT TO AMEND CHAPTER 14 OF TITLE 30 OF THE DELAWARE CODE RELATING TO TAX REFUNDS FOR GIFT TAXES. (Sponsor: Representative Capano; Representative Smith) (Volume 70, Chapter 368, Laws of Delaware).

**HB #252 AAB HA 1 AND 2, SA 1 AND 2** (6/17/96) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE REGARDING DRIVING VEHICLES WHILE LICENSE IS SUSPENDED OR REVOKED. (Sponsor: Representative Oberle & Jonkiert; Representatives Van Sant, DiLiberto) (Volume 70, Chapter 369, Laws of Delaware).

**HB #445** (6/17/96) - AN ACT TO AMEND CHAPTER 51, TITLE 6 OF THE DELAWARE CODE RELATING TO WEIGHTS AND MEASURES. (Sponsor: Representative Caulk & Senator Adams; Representative Carey, Mack, Schroeder, West; Senators Cook, Venables, Vaughn, Bonini, Still) (Volume 70, Chapter 370, Laws of Delaware).

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Lt. Governor Minner introduces members of Girl's State.  
**HB 572 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HB 572 w/HA 1** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS, CIDER, AND TAXES. 3/5 VOTE.

**SA 1 to HB 572** was stricken on motion of Senator Cook.

**SA 2 to HB 572** was introduced and brought before the Senate for consideration on motion of Senator Cook.

Senators Bonini and Adams questioned the sponsor, after which Senator Voshell requested the privilege of the floor for Rebecca Batson, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cordrey, Henry) ABSENT; therefore, **SA 2 to HB 572** was declared part of the bill.

**HB 572 w/HA & SA 2** was now before the Senate.

Senators Venables questioned the floor manager, after which Senator Cook requested the privilege of the floor for Rebecca Batson, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 12 Senators voting YES, 8 (Adams, Blevins, McBride, Sharp, Sokola, Still, Venables, Voshell) NO, 1 (Cordrey) ABSENT; therefore, **HB 572 w/HA & SA 2** was declared defeated by the Senate and returned to the House.

**SB 426** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 426** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT INFORMATION.

Senator Marshall deferred to Senator Hauge.

Several Senators questioned the sponsor, after which Senator Marshall requested the privilege of the floor for Andrew Stayton, representing Delaware State Chamber of Commerce.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 14 Senators voting YES, 6 (Amick, McBride, McDowell, Sharp, Sokola, Venables) NO, 1 (Cordrey) ABSENT; therefore, **SB 426** was declared passed in the Senate and sent to the House for consideration.

**HB 590** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 590** - AN ACT TO AMEND CHAPTER 7, TITLE 18, DELAWARE CODE RELATING TO THE DISTRIBUTION OF INSURANCE PREMIUM TAXES AND FEES.

**SA 1 to HB 590** was brought before the Senate for consideration on motion of Senator Cook.

Several Senators questioned the sponsor, after which a roll call vote was taken and revealed 15 Senators voting YES, 1 (McBride) NO, 3 (Amick, Bonini, Henry) NOT VOTING, 2 (Cordrey, McDowell) ABSENT; therefore, **SA 1 to HB 590** was declared part of the bill.

**HB 590 w/SA 1** was now before the Senate.

Senator Vaughn requested the privilege of the floor for Steven Kubico, representing Controller General's office.

Senators Still and Cook questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 18 Senators voting YES, 1 (Hauge) NO, 1 (Sharp) NOT VOTING, 1 (Cordrey) ABSENT; therefore, **HB 590 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

Senator Bonini requested for the privilege of the floor for an introduction of the former Senator, William C. Torbert.

**SCR 71** was introduced and brought before the Senate for consideration on motion of Senator Voshell.

**SCR 71** - COMMENDING THE 1996 GIRLS STATE PARTICIPANTS, HELD UNDER THE AUSPICES OF THE LADIES AUXILIARY OF THE AMERICAN LEGION, FOR THEIR DEVOTION AND PROFOUND INTEREST IN STATE GOVERNMENT, AND THE INTELLIGENT DISCUSSION AND DEBATE OF THE MAJOR ISSUES THAT FACE STATE GOVERNMENT, AND FURTHER EXTENDING TO THE LADIES AUXILIARY OF THE AMERICAN LEGION, CONGRATULATIONS ON A VERY SUCCESSFUL PROGRAM.

Sponsor: Senator Voshell & Representative Fallon.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **SCR 71** was declared adopted by the Senate and sent to the House for consideration.

**SB 456** was brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Marshall.

**SB 456** - AN ACT TO AMEND CHAPTER 23, TITLE 19, DELAWARE CODE, ALSO BEING CHAPTER 303, 70 LAWS OF DELAWARE RELATING TO WORKERS' COMPENSATION.

Sponsor: Sen. Marshall & Rep. Oberle; Sens. McBride, Connor; Sens. Blevins, Cook, Voshell, Bonini, Sorenson, Still; Reps. Banning, Brady, Bunting, Carey, Caulk, B. Ennis, Houghton, Lee, Plant, Reynolds, Schroeder, Smith, Spence, Stone, Van Sant, Wagner, Welch and West.

Senator Hauge questioned the sponsor, after which Senator Marshall requested the bill be laid on the table.

**HB 519 w/SA 1** was lifted from the table and brought before the Senate for consideration on motion of Senator Sokola.

**HB 519 w/SA 1** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO HOME CONSTRUCTION AND HOME IMPROVEMENT.

**SA 2 to HB 519** was brought before the Senate for consideration on motion of Senator Venables. Senator Sokola requested the privilege of the floor for John Newcomer.

The witness was excused after addressing the Senate.

Senator Marshall commented.

A roll call vote was taken and revealed 10 Senators voting YES, 10 (Amick, Bair, Blevins, Connor, Cook, Hauge, Henry, Reed, Sokola, Sorenson,) NO, 1 (Cordrey) ABSENT; therefore, the Lt. Governor Minner needed to vote. Lt. Governor Minner voting NO; therefore, **SA 2 to HB 519** was declared defeated.

**HB 519 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 17 Senators voting YES, 3 (Adams, Vaughn, Venables) NO, 1 (Cordrey) ABSENT; therefore, **HB 519 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

**SB 456** was lifted from the table and brought before the Senate for consideration on motion of Senator Marshall.

**SB 456** - AN ACT TO AMEND CHAPTER 23, TITLE 19, DELAWARE CODE, ALSO BEING CHAPTER 303, 70 LAWS OF DELAWARE RELATING TO WORKERS' COMPENSATION.

Senator Marshall requested the privilege of the floor for John Mitchell, Sr., representing Delaware Volunteer Firemen Association.

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

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cordrey, Venables) ABSENT; therefore, **SB 456** was declared passed the Senate and sent to the House for consideration.

**SB 418** was lifted from the table and brought before the Senate for consideration on motion of Senator Blevins.

**SB 418** - AN ACT TO AMEND TITLE 14 AND TITLE 16 OF THE DELAWARE CODE RELATING TO THE HEALTH CARE COMMISSION AND THE DELAWARE INSTITUTE FOR MEDICAL EDUCATION AND RESEARCH.

**SA 1 to SB 418** was stricken on motion of Senator Blevins.

**SA 2 to SB 418** was stricken on motion of Senator Bair.

**SB 418** was now before the Senate.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Cordrey, McDowell, Venables) ABSENT; therefore, **SB 418** was declared passed the Senate and sent to the House for consideration.

At 4:42 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

The Senate reconvened at 5:21 p.m. with Lt. Governor Minner presiding.

**SB 435** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 435** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE QUALIFICATIONS.

**SA 1 to SB 435** was brought before the Senate for consideration on motion of Senator Voshell.

Senator Still questioned the sponsor, after which a roll call vote was taken and revealed 18 Senators voting YES, 3 (Amick, Cordrey, McDowell) ABSENT; therefore, **SA 1 to SB 435** was declared part of the bill.

**SB 435 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **SB 435 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 374** was brought before the Senate for consideration on motion of Senator Sokola.

**SB 374** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SALE AND DISTRIBUTION OF TOBACCO PRODUCTS.

Several Senators questioned the sponsor, after which a roll call vote was taken and revealed 9 Senators voting YES, 9 (Adams, Bonini, Marshall, McBride, McDowell, Still, Vaughn, Venables, Voshell) NO, 1 (Cook) NOT VOTING, 2 (Cordrey, Sharp) ABSENT; therefore, **SB 374** was declared defeated.

**SB 369 w/SA 1** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 369 w/SA 1** - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES. 3/5 VOTE.

Senator Marshall requested the privilege of the floor for Rebecca Batson, Senate Attorney. The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 12 Senators voting YES, 2 (Adams, Venables) NO, 5 (Bair, Connor, Hauge, Sharp, Still) NOT VOTING, 2 (Reed, Sorenson) ABSENT; therefore, **SB 369 w/SA 1** was declared defeated.

Senator Cordrey was marked present during the above roll call.

**SB 310** was brought before the Senate for consideration on motion of Senator Cook.

**SB 310** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CONTAGIOUS DISEASE GENERALLY.

**SA 1 to SB 310** was stricken on motion of Senator Cook.

**SA 2 to SB 310** was introduced and brought before the Senate for consideration on motion of Senator Cook.

Senator McBride questioned the sponsor, after which a roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to SB 310** was declared part of the bill.

**SB 310 w/SA 2** was before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 310 w/SA 2** was declared passed the Senate and sent to the House for consideration.

**SB 369 w/SA 1** was reconsidered on motion of Senator Sharp.

Senator Sharp requested the roll call be rescinded. No objection.

A roll call vote was taken on the bill and revealed 14 Senators voting YES, 2 (Adams, Venables) NO, 4 (Bair, Connor, Hauge, Reed, Still) NOT VOTING, 2 (Reed, Sorenson) ABSENT; therefore, **SB 369 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 503** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sharp.

**HB 503** - AN ACT TO AMEND TITLE 13, DELAWARE CODE, RELATING TO MARRIAGE.

Senator Bair questioned the floor manager, after which Senate McDowell requested the privilege of the floor for John Cordrey, Senate Attorney.

Senators Bonini and Amick questioned the witness, after which the witness was excused.

**SA 1 to HB 503** was introduced and brought before the Senate for consideration on motion of Senator Amick.

Senators Sharp and Still questioned the sponsor, after which a roll call vote was taken and revealed 7 Senators (Amick, Bair, Blevins, Bonini, Connor, Marshall, Sokola) voting YES, 12 NO, 2 (McDowell, Sorenson) NOT VOTING; therefore, **SA 1 to HB 503** was declared defeated.

**HB 503** was now before the Senate.

Senator Sorenson commented. Senator Henry requested the privilege of the floor for Jane T. Monahan, Esq., representing Eleanor's Voice, Delaware Coalition for Human Rights.

Senators Bair and Connor questioned the witness, after which the witness was excused.

Senator Henry commented.

A roll call vote was taken and revealed 17 Senators voting YES, 3 (Henry, McDowell, Sorenson) NO, 1 (Bair) NOT VOTING; therefore, **HB 503** was declared passed the Senate and returned to the House.

The Secretary announced the agenda for the next day, June 20, 1996.

The Secretary announced the Must List for June 20, 1996.

At 6:42 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. on June 20, 1996.

The Senate reconvened 2:32 p.m. on June 20, 1996 with Senator Cordrey presiding.

The following committee reports were announced:

From Community/County Affairs: **SB 447** - 3 Merits.

From Health and Social Services: **SB 448** - 4 Merits; **HB 640** - 4 Merits.

From Revenue and Taxation: **HB 325** - 5 Merits.

From Education: **HB 392 w/HA 1** - 4 Merits; **HB 604** - 4 Merits.

From Sunset: **HB 429 w/HA 1** - 3 Merits; **HB 565 w/HA 1** - 3 Merits; **HB 566 w/HA 1** - 3 Merits.

From Highways and Transportation: **HB 544 w/HA 1 aab HA 1** - 1 Favorable, 3 Merits; **HB 561 w/HA 1** - 4 Merits.

From Small Business: **HB 568 w/HA 1 & 2** - 5 Merits.

A communication from the Office of the President Pro Tempore, Senator Cordrey was read requesting that **SB 415** be returned to the Senate from the House.

A communication from the Chief Clerk of the House, JoAnn M. Hedrick was read informing that **SB 415** is being returned, per Senator Cordrey's request.

**LEGISLATIVE ADVISORY #61**, dated June 20, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SS 1 FOR SB #281** (6/19/96) - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO WITHHOLDING TAXES. (Sponsor: Senator Marshall and Representative Smith) (Volume 70, Chapter 371, Laws of Delaware).

**SJR #21 AAB HA 1** (6/19/96) - RELATING TO THE ESTABLISHMENT OF THE CORRECTIONS FACILITIES CONSTRUCTION TASK FORCE. (Sponsor: Senator Vaughn; Senators Adams, Sharp, Cook, Still; Representatives Ewing, Lee, Buckworth, Davis).

**HJR #23** (6/19/96) - HONORING AND REMEMBERING U.S. SECRETARY OF COMMERCE RONALD H. BROWN, DEVOTED PUBLIC SERVANT AND OUTSTANDING BLACK AMERICAN. (Sponsor: Representative Jonkiert & Senator Marshall on behalf of all Representatives and Senators).

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**SCR 70** was introduced and brought before the Senate for consideration on motion of Senator Sorenson.

**SCR 70** - COMMENDING THE 1995-96 EAGLE SCOUTS FOR HAVING ATTAINED THE HIGHEST ADVANCEMENT RANK ONE CAN ACHIEVE IN THE BOY SCOUTS OF AMERICA, WISHING EACH OF THEM A SUCCESSFUL FUTURE, AND HOPING THAT THEY CONTINUE TO LIVE BY THE IDEALS OF SCOUTING. Sponsor: Senator Sorenson & Senator Reed & Representative Ulbrich & Representative Maier.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 70** was declared adopted by the Senate and sent to the House for consideration.

Comments were made by various Senators to the Eagle Scouts.

All Senators were added as co-sponsors.

The following committee reports were announced:

From Finance: **SB 458** - 6 Merits.

From Banking: **SB 451** - 2 Favorable, 2 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HS 1 for HB 514 w/HA 1; HB 628; HB 624; HB 527; HB 580; HB 344; HB 421 w/HA 1; HB 591; HB 449 w/HA 1, 2 & 3; HB 585; HCR 71; SB 312 w/SA 1; SB 366 w/SA 1; SB 298; SB 381 w/SA 1; SB 333 w/SA 3, 4 & HA 1; SB 256; SB 389; SB 377 w/SA 2; SJR 17 w/SA 1 & HA 2.**

The following committee report was announced:

From Administrative Services: **SB 423** - 4 Merits.

At 2:47 p.m. on motion of Senator Sharp, the Senate adjourned immediately convene for the 43rd Legislative Day.

#### **43RD LEGISLATIVE DAY JUNE 20, 1996**

The Senate convened at 2:47 p.m. with Senator Cordrey presiding.

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

#### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION June 20, 1996**

The following legislation was introduced and assigned to committee on June 19, 1996:

**SA 1 to HS 1 for HB 159** - Senator Voshell - Placed with the bill.

**SA 1 to SB 423** - Senator Cook - Placed with the bill.

**SA 4 to SB 304** - Senator Amick - Placed with the bill.

**SA 5 to SB 304** - Senator Amick - Placed with the bill.

**SA 6 to SB 304** - Senator Hauge - Placed with the bill.

**SA 1 to SB 444** – Senator Adams – Placed with the bill.  
**SA 1 to SB 427** – Senator Hauge – Placed with the bill.  
**SA 1 to HB 339** – Senator Bair – Placed with the bill.  
**SA 1 to HB 431** - Senator – Placed with the bill.  
**SA 1 to HS 1 for HB 484** - Senator Vaughn – Placed with the bill.  
**SA 1 to HB 565** – Senator Blevins – Placed with the bill.

**SB 453** - AN ACT TO AMEND CHAPTER 282 OF VOLUME 21 OF THE LAWS OF DELAWARE AS AMENDED ENTITLED “AN ACT TO RE-INCORPORATE THE TOWN OF LEIPSIC” BY PROVIDING FOR AN INCREASE IN THE LIMIT OF TAXATION. 2/3 VOTE. Sponsor: Senator Still & Representative B. Ennis; Representatives Wagner, Stone. To: **Community/County Affairs**.

**SB 454** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO COUNTY OR MUNICIPAL BUILDING, PLUMBING, ELECTRICAL AND OTHER CODES. Sponsor: Senators Venables & McDowell. To: **Community/County Affairs**.

**SB 455** - AN ACT TO AMEND CHAPTER 25, TITLE 11 OF THE DELAWARE CODE RELATING TO EXTRADITION PROCEDURES. Sponsor: Senators Sharp and Vaughn; Representative Roy. To: **Judiciary**.

**SB 457** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES COMMITTED BY JUVENILES. Sponsor: Senator Sharp and Representative Smith; Senator Blevins. To: **Judiciary**.

**SB 458** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE BUDGET, ACCOUNTING AND PAYROLL POLICIES AND PROCEDURES. Sponsor: Senator Cook and Representative Davis. To: **Finance**.

**SB 459** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO RULES AND REGULATIONS OF THE STATE BOARD OF EDUCATION. Sponsor: Senator Hauge & Representative Ulbrich; Senators Bonini, Sokola, Reed; Representatives Reynolds, Wagner. To: **Education**.

**HB 344** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE. Sponsor: Representative Roy; Representatives Quillen, Buckworth, Lofink, Mack, Maier, Banning, Brady, B. Ennis, Houghton, Plant, Scott; Senators Cook, Marshall, McDowell, Voshell, Connor. To: **Insurance and Elections**.

**HB 643 w/HA 1, 2** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO VOTER REGISTRATION. Sponsor: Representative Capano & Senator Blevins; Representatives Spence, Quillen, Buckworth, Di Pinto, Maier, Maroney, Reynolds, Smith, Stone, Gilligan, Van Sant, Banning; Senators Henry, Marshall, McBride, Sokola, Voshell, Bair, Bonini, Connor, Hauge, Sorenson. To: **Insurance and Elections**.

The following letters of nomination were placed in the **Executive** Committee:

STATE OF DELAWARE  
Office of the Governor  
June 19, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:  
**Richard F. Stokes, Esquire**, 36 Sycamore Drive, Edgewater Estates, Lewes, Delaware 19958, to be appointed as Associate Judge of the Court of Common Pleas to serve a 12-year term to fill a vacancy.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

The following legislation was introduced and assigned to committee on June 20, 1996:

**SA 2 to SB 436** – Senator Connor – Placed with the bill.

**SA 2 to SB 434** – Senator Connor – Placed with the bill.

**HB 421 w/HA 1** - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION. Sponsor: Representative Oberle & Senator Marshall. To: **Labor**.

**HB 449 w/HA 1, 2 & 3** - AN ACT TO AMEND TITLE 14 AND TITLE 21 OF THE DELAWARE CODE RELATING TO PUBLIC SCHOOLS; AND PROVIDING FOR THE SUSPENSION OF, NON-RENEWAL OF, OR REFUSAL TO ISSUE A DRIVER'S LICENSE TO A PERSON WHO HAS BEEN EXPELLED FROM SCHOOL. Sponsor: Representative Wagner and Senator Voshell; Representatives Boulden, Capano, Caulk, Cloutier, Davis, D. Ennis, Ewing, Lee, Maier, Smith, Ulbrich, Welch, Brady, DiLiberto, Houghton, Jonkiert, Scott, West, Williams, Senator Still. To: **Public Safety**.

**HS 1 for HB 514 w/HA 1 aab HA 1** - AN ACT TO AMEND TITLE 23 OF THE DELAWARE CODE RELATING TO THE OPERATION OF A VESSEL OR BOAT WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR AND/OR DRUGS. 2/3 VOTE. Sponsor: Representatives Buckworth, Oberle, Bunting & Schroeder. To: **Natural Resources**.

**HB 527** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. 2/3 VOTE. Sponsor: Representatives Oberle & Spence & Senators Sharp & McBride. To: **Judiciary**.

**HB 580** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES AND THE DEFINITION OF "SWEARS FALSELY." 2/3 VOTE. Sponsor: Representatives Welch, Cloutier, & Senator Amick; Representatives Caulk; Davis, Ewing, Lee, Stone, Wagner, Banning; Senators Bonini, Hauge. To: **Judiciary**.

**HB 585** - AN ACT TO AMEND CHAPTER 59 OF THE TITLE 10 OF THE DELAWARE CODE REGARDING LEGAL NAME CHANGES. Sponsor: Representatives Lee & Banning; Senators Vaughn & Sharp. To: **Judiciary**.

**HB 591** - AN ACT TO AMEND CHAPTER 47 OF TITLE 9 OF THE DELAWARE CODE RELATING TO GARBAGE COLLECTION DISTRICTS. Sponsor: Representatives Di Pinto & Caulk; Representatives Buckworth, Capano, Lofink, Maier, Maroney, Ulbrich, Wagner, Welch; Senators Cook, Bonini. To: **Natural Resources**.

**HB 624** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO THE LICENSING OF PARTICIPANTS, OFFICIALS, AND OTHERS IN HARNESS RACING MEETS. 3/5 VOTE. Sponsor: Representative Davis & Senator Cook; Representatives Di Pinto, Buckworth, Maroney, Bunting, Jonkiert; Senators Henry, McBride, Vaughn, Sorenson, Still. To: **Finance**.

**HB 628** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO THE LICENSING OF PARTICIPANTS IN THOROUGHbred RACING MEETS. 3/5 VOTE. To: **Finance**.

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Senator Cook requested the privilege of the floor for Peter Williams and guest from Germany, representing People to People.

The witnesses were excused after addressing the Senate.

Senator Marshall requested the personal privilege of the floor for an introduction of John Monica whom is retiring from State Service. Senator Marshall presented a tribute to Mr. Monica, after which the witness was excused.

**HB 508** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 508** - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL REGISTRATION PLATES.

Senator Sharp commented.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Amick, McDowell, Reed, Sharp) NO; therefore, **HB 508** was declared passed the Senate and returned to the House.

**HS 1 for HB 159 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HS 1 for HB 159 w/HA 1** - AN ACT TO AMEND CHAPTER 43, TITLE 21, DELAWARE CODE, RELATING TO EQUIPMENT AND CONSTRUCTION OF VEHICLES.

**SA 1 to HS 1 for HB 159** was brought before the Senate for consideration on motion of Senator Voshell.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HS 1 for HB 159** was declared part of the bill.

**HS 1 for HB 159 w/HA 1 & SA 1** was now before the Senate.

Senator Sharp requested the privilege of the floor for John Mitchell, representing Delaware Volunteer Firemen Association.

Senators Bonini and Sokola questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HS 1 for HB 159 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HB 332 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 332 w/HA 1** - AN ACT TO AMEND CHAPTER 17, TITLE 18, DELAWARE CODE RELATING TO INSURANCE AGENTS, BROKERS, AND OTHER LICENSEES OF THE INSURANCE DEPARTMENT.

**SA 1 to HB 332** was brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 332** was declared part of the bill.

**HB 332 w/HA 1 & SA 1** was now before the Senate.

Senator Vaughn requested the privilege of the floor for Gene Reed, Jr., representing Delaware Insurance Department.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 332 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

Lt. Governor Minner presiding at 3:17 p.m.

**HB 589 w/HA 3 & 4** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 589 w/HA 3 & 4** - AN ACT TO AMEND TITLE 8, 9 AND 29 OF THE DELAWARE CODE RELATING TO ELIMINATING TO ELIMINATING THE REQUIREMENT FOR THE RECORDATION OF, AND ENHANCING PUBLIC ASSESS TO, CORPORATION DOCUMENTS IN THE OFFICES OF THE RECORDERS OF DEEDS.

**SA 1 to HB 589** was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 589** was declared part of the bill.

**HB 589 w/HA 3, 4 & SA 1** was now before the Senate.

Senator Bonini commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 589 w/HA 3, 4 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**SS 1 for SB 332** was brought before the Senate for consideration on motion of Senator Sharp.

**SS 1 for SB 332** - AN ACT TO AMEND CHAPTER 38, TITLE 12 OF THE DELAWARE CODE RELATING TO BUSINESS TRUSTS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SS 1 for SB 332** was declared passed the Senate and sent to the House for consideration.

**SB 444** was brought before the Senate for consideration on motion of Senator Adams.

**SB 444** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

**SA 1 to SB 444** was brought before the Senate for consideration on motion of Senator Adams.

Senator Marshall questioned the sponsor, after which Senator Adams requested the privilege of the floor for Kenneth McDowell, representing Sussex Department of Elections.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (McBride, Sharp) ABSENT; therefore, **SA 1 to SB 444** was declared part of the bill.

**SB 444 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 15 Senators voting YES, 4 (Amick, Bair, Reed, Sorenson) NO, 2 (Marshall, Sharp) NOT VOTING; therefore, **SB 444 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 451** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 451** - AN ACT TO AMEND CHAPTER 5, OF TITLE 25, RELATING TO THE RULE AGAINST PERPETUITIES.

Senator Cordrey requested the privilege of the floor for Richard Bacon, representing Delaware Bar Association.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 451** was declared passed the Senate and sent to the House for consideration.

**HB 579 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 579 w/HA 1** - AN ACT TO AMEND SECTION 1405, TITLE 11 OF THE DELAWARE CODE, RELATING TO THE EXCEPTIONS TO THE OFFENSE OF POSSESSING A GAMBLING DEVICE.

Senator Bair commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 579 w/HA 1** was declared passed the Senate and returned to the House.

**SB 427** was brought before the Senate for consideration on motion of Senator Bonini.

**SB 427** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ALTERNATIVE ROUTES FOR TEACHER CERTIFICATION.

**SA 1 to SB 427** was brought before the Senate for consideration on motion of Senator Hauge.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SA 1 to SB 427** was declared part of the bill.

**SA 2 to SB 427** was introduced and brought before the Senate for consideration on motion of Senator Hauge.

Senator Blevins questioned the sponsor, after which a roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SA 2 to SB 427** was declared part of the bill.

**SB 427 w/SA 1 & 2** was now before the Senate.

Senators Henry, Sokola and Connor commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Amick) ABSENT; therefore, **SB 427 w/SA 1 & 2** was declared passed the Senate and sent to the House for consideration.

**SB 19** was brought before the Senate for consideration on motion of Senator McDowell.

**SB 19** - AN ACT TO AMEND TITLE 14, DELAWARE CODE ESTABLISHING A TUITION ACCOUNT PROGRAM.

**SA 1 to SB 19** was brought before the Senate for consideration on motion of Senator McDowell.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (McBride, Still) ABSENT; therefore, **SA 1 to SB 19** was declared part of the bill.

**SB 19 w/SA 1** was now before the Senate.

Several Senators commented.

Senator McDowell requested to lay the bill on the table. No objection.

**SB 238 w/SA 1 & HA 1**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator Voshell.

**SB 238 w/SA 1 & HA 1** - AN ACT TO GRANT A VETERANS MILITARY PAY BONUS TO CERTAIN MERCHANT MARINES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 238 w/SA 1 & HA 1** was declared passed the Senate and sent to the Governor.

**HB 598** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 598** - AN ACT TO REINCORPORATE THE TOWN OF TOWNSEND. 2/3 VOTE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 598** was declared passed the Senate and returned to the House.

**SB 19 w/SA 1** was lifted from the table and brought before the Senate for consideration on motion of Senator McDowell.

**SB 19 w/SA 1** - AN ACT TO AMEND TITLE 14, DELAWARE CODE ESTABLISHING A TUITION ACCOUNT PROGRAM.

Senator McDowell requested the privilege of the floor for Russ Larson, representing Controller General's office.

The witness was excused after addressing the Senate.

Senator McDowell requested the bill be laid on the table. No objection.

At 4:25 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

The Senate reconvened at 4:57 p.m. with Lt. Governor Minner presiding.

**SENATE CITATION ANNOUNCEMENT #6**, S138:477 – 529 inclusive was introduced and a copy made available to each Senator.

A communication was read requesting Representative Williams name be removed as co-sponsor of **SB 459**. No objection.

A communication was read from Senator Hauge requesting Representatives Maier and Boulden be added to **SB 459** as additional co-sponsors. No objection.

**SB 448** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 448** - AN ACT TO AMEND TITLE 16, DELAWARE CODE RELATING TO GENERAL POWERS OF THE SECRETARY, DELAWARE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. 3/5 VOTE.



A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **SB 448** was declared passed the Senate and sent to the House for consideration.

**SB 424** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 424** - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES INVOLVING CHILDREN.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore, **SB 424** was declared passed the Senate and sent to the House for consideration.

**SB 439** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 439** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ISSUING A BAD CHECK.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 439** was declared passed the Senate and sent to the House for consideration.

**SB 449** was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Blevins.

**SB 449** - AN ACT TO AMEND TITLE 18 RELATING TO HEALTH INSURANCE CONTRACTS.

Senator Still questioned the sponsor, after which Senator Blevins requested the privilege of the floor for Sherri Schaeffer, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 449** was declared passed the Senate and sent to the House for consideration.

**SB 417** was brought before the Senate for consideration on the motion of Senator Sharp.

**SB 417** - AN ACT TO AMEND PROPOSE AND AMENDMENT TO ARTICLE IV OF THE DELAWARE CONSTITUTION OF 1897 TO INCLUDE THE FAMILY COURT AND COURT OF COMMON PLEAS AS COURTS ESTABLISHED BY THE CONSTITUTION OF THE STATE OF DELAWARE AND ARTICLES III AND IV OF THE DELAWARE CONSTITUTION OF THE STATE OF DELAWARE TO DELETE REFERENCES TO THE ORPHANS' COURT.

**SA 1 to SB 417** was introduced and brought before the Senate for consideration on the motion of Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 417** was declared part of the bill.

**SB 417 w/SA 1** was now before the Senate.

Senator Bair commented.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Still) NOT VOTING, 1 (Reed) ABSENT; therefore, **SB 417 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 447** was brought before the Senate for consideration on the motion of Senator Henry.

**SB 447** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE AND CHAPTER 93, VOLUME 35, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO PROVIDE FOR THE COLLECTION OF TAXES AND ASSESSMENTS FOR THE CITY OF WILMINGTON," REGARDING LIENS FOR CHARGES LEVIED OR IMPOSED BY THE STATE OR ANY POLITICAL SUBDIVISION THEREOF, OR ANY INCORPORATED TOWN OR CITY IN THIS STATE.

Senators McBride and Amick questioned the sponsor, after which Senator Henry requested the privilege of the floor for Sherri Schaeffer, Senate Attorney. Jason Sauers was at the podium in place of Mrs. Schaeffer.

The witness was excused after addressing the Senate.

Senator Henry requested the bill be laid on the table. No objection.

**SJR 25** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator McBride.

**SJR 25** - DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DEVELOP A FISHERY MANAGEMENT PLAN FOR THE BLUE CRAB IN THE DELAWARE ESTUARY.

Senator McBride requested a letter from Department of Natural Resources and Environmental Control be read in its entirety. This communication is on file for this legislative day.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SJR 25** was declared passed the Senate and sent to the House for consideration.

**SB 423** was brought before the Senate for consideration on motion of Senator Cook.

**SB 423** - AN ACT TO AMEND CHAPTER 1 OF TITLE 26 OF THE DELAWARE CODE IN ORDER TO ALLOW THE PUBLIC SERVICE COMMISSION TO DETERMINE THE APPROPRIATE MANNER FOR GIVING NOTICE OF MATTERS BEFORE IT.

**SA 1 to SB 423** was brought before the Senate for consideration on the motion of Senator Cook.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 423** was declared part of the bill.

**SB 423 w/SA 1** was now before the Senate.

Senator McDowell questioned the sponsor, after which Senator Cook requested the privilege of the floor for Bruce H. Burcat, representing Public Service Commission.

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

A roll call vote was taken and revealed 17 Senators voting YES, 4 (McBride, McDowell, Reed, Still) NO; therefore, **SB 423 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SENATE CONSENT CALENDAR #16** was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**HCR 58** - URGING DELAWARE'S CONGRESSIONAL DELEGATION TO SUPPORT THE RETAINING OF THE MORTGAGE INTEREST DEDUCTION. Sponsor: Representative Stone; Senator Cook; Representatives Buckworth, Caulk, Davis, Di Pinto, Lee, Lofink, Maier, Oberle, Ulbrich, Wagner, Welch, Brady, Bunting, DiLiberto, Gilligan, Jonkiert, Schroeder, West; Senators Cordrey, Adams, Blevins, Henry, Marshall, McBride, Sharp, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Reed, Sorenson, Still.

**HCR 71** - HONORING RETIRING RED LION PASTOR IRVIN R. PUSEY. Sponsor: Representatives Spence, Lofink, Reynolds, Davis & Senators Connor & McBride.

A roll call vote was taken on **SENATE CONSENT CALENDAR # 16** and revealed 21 Senators voting YES; therefore, the **Senate Consent Calendar** was declared adopted by the Senate and the House Concurrent Resolutions were returned to the House.

**HB 572 w/HA 1 & SA 2** was reconsidered on motion of Senator Adams.

**HB 572 w/HA 1 & SA 2** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS, CIDER, AND TAXES. 3/5 VOTE.

Senator Cook requested the roll call be rescinded, after which a roll call vote was taken and revealed 15 Senators voting YES, 6 (Adams, Blevins, McDowell, Reed, Sharp, Venables) NO; therefore, **HB 572 w/HA 1 & SA 2** was declared passed the Senate and returned to the House for reconsideration.

The Secretary announced the agenda for June 24, 1996.

At 6:01 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. on June 24, 1996

The Senate reconvened at 2:36 p.m. on June 24, 1996 with Senator Cordrey presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HS 1 for HB 313 w/HA 1; HB 657; HCR 73; HB 423; HB 573; HB 614; HB 621; HCR 61; HB 633; HB 636; HB 641; HB 671; HB 664; HB 665; HB 590 w/SA 1 & HA 1; HB 417 w/HA 2; HB 428 w/HA 1 & 3; HB 592; HB 472; HB 543; HB 600; HB 549; HB 617; HB 613; HB 420; SB 346 w/SA 1; SCR 70; SCR 71; SB 275 w/SA 1; SB 390 w/SA 1; SB 393; SB 292; SB 425; SB 391; SB 192 w/SA 1; SCR 68; SB 334; SB 318; SB 287; SB 308; SB 215.**

At 2:38 p.m. Lt. Governor Minner presiding.

The following committee reports were announced:

From Community/County Affairs: **SB 453** - 3 Merits; **SB 454** - 3 Merits.

From Finance: **SB 458** - 6 Merits.

At 2:40 p.m. on motion of Senator Sharp, the Senate adjourned immediately convene for the 44th Legislative Day.

#### **44TH LEGISLATIVE DAY JUNE 24, 1996**

The Senate convened at 2:40 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Bonini.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

#### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION June 24, 1996**

The following legislation was introduced and assigned to committee on June 20, 1996:

**SA 1 to SB 414** – Senator Sokola – Placed with the bill.  
**SA 1 to SB 433** – Senator Blevins – Placed with the bill.  
**SA 3 to SB 434** – Senator Sokola – Placed with the bill.  
**SA 4 to SB 434** – Senator McBride – Placed with the bill.  
**SA 3 to SB 436** – Senator Sokola – Placed with the bill.  
**SA 4 to SB 436** – Senator McBride – Placed with the bill.  
**SA 1 to HB 507** – Senator Sorenson – Placed with the bill.  
**SA 1 to HB 643** – Senator Blevins – Placed with the bill.

**SS 1 to SB 392** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MENTAL HEALTH PROCEDURES. Sponsor: Senator Blevins and Representative Maroney; Senators Sorenson, Reed and Henry; Representatives Roy and Van Sant. **Adopted in Lieu of the Original.** To: **Health and Social Services.**

**SJR 27** - SALUTING WITH GREAT PRIDE, A TEAM OF FOUR UNIVERSITY OF DELAWARE STUDENTS, SARAH GUGLIELMI, RYAN SMITH, TANYA SWIDERSKI, AND MIKE YOUNG, AND THEIR COACH, MARK GRUBER, FOR WINNING THE CHAMPIONSHIP IN THEIR DIVISION IN THE ODYSSEY OF THE MIND WORLD FINALS. Sponsor: Senator Amick & Representative Boulden & Representative Ulbrich. To: **Executive.**

**SB 461** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ELIGIBILITY FOR FULL LICENSURE VIA RECIPROCITY AND TO CLARIFY MISCELLANEOUS ITEMS RELATING TO FUNERAL SERVICE PRACTITIONERS. Sponsor: Senator Cordrey and Representative Quillen. To: **Banking.**

**SB 462** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION AND GROUP SELF-INSURANCE POOLS. Sponsor: Senators Blevins and Cordrey; Representatives D. Ennis, Spence and Smith. To: **Insurance and Elections.**

The following legislation was introduced and assigned to committee on June 24, 1996:

**SB 460** - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1997; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sponsor: Senator Cook; Senators Henry, McBride, Vaughn, Sorenson, Still; Representatives Davis, Buckworth, Di Pinto, Maroney, Bunting, Jonkiert. To: **Finance.**

**SB 463** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. Sponsor: Senator Cordrey. To: **Insurance and Elections.**

**HS 1 for HB 313 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE FORFEITURE OF GOOD TIME. Sponsor: Representative Roy, Senator Sharp. To: **Judiciary.**

**HB 417 w/HA 2** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO LIMITATIONS UPON TAXING POWER. Sponsor: Representative Oberle and Senators Connor and Reed. To: **Revenue and Taxation.**

**HB 420** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO HANDICAPPED PERSONS EMPLOYMENT PROTECTION. Sponsor: Representative Oberle & Senator Marshall. To: **Labor.**

**HB 423** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM THE STATE CLASSIFIED SERVICE. Sponsor: Representative Oberle & Senator Marshall. To: **Labor.**

**HB 428 w/HA 1 & 3** - AN ACT TO AMEND TITLE 10 AND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION; AND PROVIDING FOR PARENTAL INVOLVEMENT IN ENFORCING SCHOOL STANDARDS FOR STUDENT CONDUCT AND ATTENDANCE. Sponsor: Representative Wagner and Senator Sokola; Representatives Buckworth, Capano, Carey, Cloutier, Davis, Di Pinto, D. Ennis, Ewing, Lee, Lofink, Mack, Maier, Petrilli, Reynolds, Smith, Spence, Stone, Ulbrich; Banning, Brady, Bunting, B. Ennis, Gilligan; Senators Amick, Bair, Hauge, McBride, Reed, Sorenson, Still, Vaughn, Venables. To: **Education.**

**HB 472** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF NEW HOME CONSTRUCTION FRAUD. 2/3 VOTE. To: **Judiciary.**

**HB 543** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsor: Representatives Welch & Davis; Representatives Spence, Petrilli, Cloutier, Lee, Maier, Oberle; Senator Marshall. To: **Labor.**

**HB 549** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE BOARD OF PENSION TRUSTEES AND INVESTMENT POOLS. Sponsor: Representative Bunting & Senator Cook; Representatives Banning, Brady, Davis, DiLiberto, B. Ennis, Gilligan, Houghton, Jonkiert, Oberle, Plant, Schroeder, Scott, Smith, Van Sant, West, Williams; Senators Blevins, Bonini, Cordrey, Hauge, Sokola, Sorenson, Vaughn, Venables, Voshell. To: **Finance**.

**HB 573** - AN ACT AUTHORIZING AND DIRECTING THE DELAWARE COMMISSION OF VETERANS AFFAIRS TO ESTABLISH, MAINTAIN AND OPERATE A SECOND DELAWARE VETERANS MEMORIAL CEMETERY TO BE LOCATED IN SUSSEX COUNTY ON LAND OWNED BY THE STATE OF DELAWARE, SAID LAND TO BE DEEDED TO THE COMMISSION BY THE DEPARTMENT OF HEALTH & SOCIAL SERVICES ON LAND PRESENTLY A PART OF THE STOCKLEY CENTER, LOCATED NEAR MILLSBORO, DELAWARE. Sponsor: Representative West & Senator Cordrey, Representatives Banning, Brady, Bunting, DiLiberto, B. Ennis, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Scott, Van Sant, Williams, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, Di Pinto, D. Ennis, Ewing, Lee, Lofink, Maier, Oberle, Quillen, Reynolds, Roy, Spence, Stone, Ulbrich, Wagner, Welch; Senators Adams, Blevins, Marshall, McBride, McDowell, Vaughn, Venables, Voshell. To: **Executive**.

**HB 590 w/SA 1 aab HA 1** - AN ACT TO AMEND CHAPTER 7, TITLE 18, DELAWARE CODE RELATING TO THE DISTRIBUTION OF INSURANCE PREMIUM TAXES AND FEES. Sponsor: Representative Spence & Senator McBride & Senator Marshall; Representatives Buckworth, Capano, Carey, Caulk, Di Pinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Oberle, Smith, Ulbrich, Wagner, Welch, Banning, B. Ennis, Gilligan, Houghton, Jonkiert, Schroeder, Scott, Van Sant, West, Williams; Senators Adams, Henry, McDowell, Vaughn, Sokola, Bair, Connor. To: **Insurance and Elections**.

**HB 592** - AN ACT TO AMEND CHAPTER 43, TITLE 11 OF THE DELAWARE CODE RELATING TO GOOD TIME CREDIT FOR PRISONERS. Sponsor: Representatives Lee & Spence & Senator Vaughn; Representatives Buckworth, Wagner, Banning, Scott; Senator Amick. To: **Corrections**.

**HB 600** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CREDIT INSURANCE. Sponsor: Representative Di Pinto & Senator Cordrey; Representatives Boulden, Buckworth, Capano, Carey, Cloutier, Ewing, Fallon, Lee, Reynolds, Stone, Wagner, Banning, Brady, Houghton, Scott, Williams; Senators Adams, Blevins, Cook, Henry, McBride, Sokola, Venables, Voshell, Bair, Connor, Amick, Hauge, Sorenson. To: **Insurance and Elections**.

**HB 613** - AN ACT TO AMEND TITLE 14 RELATING TO THE QUALIFICATIONS OF CERTAIN SCHOOL PERSONNEL. Sponsor: Representatives Cloutier and Gilligan; Representatives Petrilli, Spence. To: **Education**.

**HB 614** - AN ACT TO AMEND TITLE 19, DELAWARE CODE, CHAPTER 13 CREATING A STATUTE OF LIMITATIONS FOR THE FILING OF UNFAIR LABOR PRACTICE CHARGES UNDER THE PUBLIC EMPLOYMENT RELATIONS ACT. Sponsor: Representative Oberle and Senator Marshall. To: **Labor**.

**HB 617** - AN ACT TO AMEND CHAPTER 101 OF TITLE 3 OF THE DELAWARE CODE TO REQUIRE THE THOROUGHbred RACING COMMISSION TO FINGERPRINT ALL LICENSE APPLICANTS. Sponsor: Representative Davis & Senator Cook; Representatives Di Pinto, Buckworth, Maroney, Bunting, Jonkiert; Senators Henry, McBride, Vaughn, Sorenson, Still. To: **Judiciary**.

**HB 621** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO SHELLFISH AND THE REGULATORY AUTHORITY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. Sponsor: Representative Schroeder; Representative Bunting; Senators Amick, Cordrey, Voshell. To: **Natural Resources**.

**HB 633** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE CHILDREN'S TRUST FUND BOARD OF DIRECTORS. Sponsor: Representative Maroney; Representatives Buckworth, Capano, Cloutier, Di Pinto, Ewing, Mack, Maier, Banning, Brady, Houghton, Scott; Senators McDowell, Sorenson. To: **Children, Youth and their Families**.

**HB 636** - AN ACT TO AMEND TITLE 29, CHAPTER 58 OF THE DELAWARE CODE RELATING TO THE REQUIREMENTS IMPOSED UPON STATE EMPLOYEES. Sponsor: Representative Jonkiert & Senator Sharp; Representatives Banning, Bunting, Boulden, Brady, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, Di Pinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Roy, Schroeder, Scott, Spence, Smith, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams; Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sokola, Sorenson, Still, Vaughn, Venables, Voshell. To: **Judiciary**.

**HB 641** - AN ACT TO AMEND TITLE 13, DELAWARE CODE RELATING TO MARRIAGE LICENSES. Sponsor: Representative Di Pinto; Representative Capano. To: Executive.

**HB 657** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS FOR CHILD CARE PROVIDERS. Sponsor: Representative Spence & Senator Sharp; Representatives Petrilii, Boulden, Buckworth, Capano, Caulk, Cloutier, Davis, Di Pinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Smith, Stone, Ulbrich, Banning, Brady, Bunting, DiLiberto, B. Ennis, Gilligan, Houghton, Jonkiert, Van Sant, West, Williams; Senators Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson, Still. To: Judiciary.

**HB 664** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO DEADLY WEAPONS DEALERS. Sponsor: Representative Van Sant; Representatives Banning, Boulden, Brady, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, B. Ennis, Ewing, Fallon, Gilligan, Houghton, Jonkiert, Lofink, Maier, Scott, Ulbrich, Williams; Senators Adams, Amick, Blevins, Cook, Hauge, Sokola, Sorenson, Still, Vaughn, Voshell. To: Judiciary.

**HB 665** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LICENSES TO CARRY CONCEALED DEADLY WEAPONS. Sponsor: Representative Van Sant; Representative Banning, Boulden, Brady, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, B. Ennis, Ewing, Fallon, Gilligan, Houghton, Jonkiert, Lofink, Maier, Scott, Ulbrich, Welch, Williams; Senators Adams, Amick, Blevins, Bonini, Cook, Hauge, Sokola, Sorenson, Still, Vaughn, Voshell. To: Judiciary.

**HB 671** - AN ACT TO AMEND CHAPTER 13, TITLE 24, DELAWARE CODE RELATING TO PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES. 3/5 VOTE. Sponsor: Representative Van Sant & Senator Adams. To: Judiciary.

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**SB 434** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 434** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO UNSUPPLYING OF RECORD MAJOR SUBDIVISION AND LAND DEVELOPMENT PLANS.

**SA 1 to SB 434** was brought before the Senate for consideration on motion of Senator Connor. Senator Sharp commented.

**SA 1 to SB 434** was stricken on the motion of Senator Connor.

**SA 2 to SB 434** was brought before the Senate for consideration on motion of Senator Connor. Senator Sharp questioned the sponsor.

Senator Blevins was marked present.

A roll call vote was taken and revealed 9 Senators (Bair, Connor, Cook, McBride, Reed, Sharp, Sokola, Sorenson, Vaughn) voting YES, 12 NO; therefore, **SB 2 to SB 434** was declared defeated.

Senators Hauge, McBride and Still were marked present during the above roll call.

**SA 3 to SB 434** was stricken on motion of Senator Sokola.

**SA 4 to SB 434** was brought before the Senate for consideration on motion of Senator McBride.

A roll call vote was taken and revealed 7 Senators (Connor, Cook, Henry, McBride, Reed, Sharp, Sokola) voting YES, 13 NO, 1 (Sorenson) NOT VOTING; therefore, **SA 4 to SB 434** was declared defeated.

**SB 434** was now before the Senate.

Several Senators commented.

Senator Bair raised a point of order.

The discussion continued.

Senator Sharp requested the bill be laid on the table. No objection.

**SB 458** was brought before the Senate for consideration on motion of Senator Cook.

**SB 458** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE BUDGET, ACCOUNTING AND PAYROLL POLICIES AND PROCEDURES. Senator Venables commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 458** was declared passed the Senate and sent to the House for consideration.

At 3:25 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

The Senate reconvened at 4:20 p.m. with Lt. Governor Minner presiding.

The following committee reports were announced:

From Health and Social Service: **SS 1 for SB 392** - 4 Merits; **SB 384** - 6 Merits.

From Banking: **SB 461** - 5 Merits; **HB 342 w/HA 1** - 5 Merits.

From Public Safety: **HB 449 w/HA 1, 2 & 3** - 4 Merits.

**SB 447** was lifted from the table and brought before the Senate for consideration on motion of Senator Henry.

**SB 447** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE AND CHAPTER 93, VOLUME 35, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO PROVIDE FOR THE COLLECTION OF TAXES AND ASSESSMENTS FOR THE CITY OF WILMINGTON," REGARDING LIENS FOR CHARGES LEVIED OR IMPOSED BY THE STATE OR ANY POLITICAL SUBDIVISION THEREOF, OR ANY INCORPORATED TOWN OR CITY IN THIS STATE. 2/3 VOTE.

**SA 1 to SB 447**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Henry.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 447** was declared part of the bill.

**SB 447 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **SB 447 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 339 w/HA 2** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 339 w/HA 2** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO EXPERT WITNESSES.

**SA 1 to HB 339** was brought before the Senate for consideration on motion of Senator Bair.

**SA 1 to HB 339** was stricken on motion of Senator Bair.

**HB 339 w/HA 2** was now before the Senate.

Senator Bair commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Voshell) ABSENT; therefore, **HB 339 w/HA 2** was declared passed the Senate and returned to the House.

**SB 304** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 304** - AN ACT TO AMEND TITLE 14, DELAWARE CODE RELATING TO MANDATORY ATTENDANCE REQUIREMENTS FOR PUBLIC SCHOOL STUDENTS AND MANDATING SCHOOL REPONSES TO STUDENT NON ATTENDANCE.

**SA 1 to SB 304** was stricken on motion of Senator Sharp.

**SA 2 to SB 304** was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **SA 2 to SB 304** was declared part of the bill.

**SA 3 to SB 304** was stricken on motion of Senator Sharp.

**SA 4 to SB 304** was brought before the Senate for consideration on motion of Senator Amick.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **SA 4 to SB 304** was declared part of the bill.

**SA 5 to SB 304** was brought before the Senate for consideration on motion of Senator Amick.

Senators Sharp and Connor commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 5 to SB 304** was part of the bill.

**SA 6 to SB 304** was stricken on motion of Senator Hauge.

**SB 304 w/SA 2, 4 & 5** was now before the Senate.

Senator Sharp requested the privilege of the floor for Asha Iyengar, representing Delaware State Education Association.

The witness was excused after addressing the Senate.

Senators Venables and McDowell commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **SB 304 w/SA 2, 4 & 5** was declared passed the Senate and sent to the House for consideration.

**HB 496 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 496 w/HA 1 & 2** - AN ACT TO AMEND TITLES 13, 29, 21, 18 AND 30 OF THE DELAWARE CODE, RELATING TO CHILD SUPPORT OBLIGATIONS.

Senator Blevins requested the privilege of the floor for Peter Feliceangeli, representing the Attorney General's office.

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

A roll call vote was taken and revealed 15 Senators voting YES, 4 (Cordrey, Sharp, Vaughn, Venables) NO, 2 (Henry, McDowell) NOT VOTING; therefore, **HB 496 w/HA 1 & 2** was declared passed the Senate and returned to the House.

**HB 604** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 604** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SHARED DECISION-MAKING AND SCHOOL IMPROVEMENT.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 604** was declared passed the Senate and returned to the House.

**HB 392 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 392 w/HA 1** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION REGULATIONS AND LEGISLATION.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Amick) NO; therefore, **HB 392 w/HA 1** was declared passed the Senate and returned to the House.

**HB 568 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Venables.

**HB 568 w/HA 1 & 2** - AN ACT TO AMEND CHAPTER 35, TITLE 6 OF THE DELAWARE CODE RELATING TO BUILDING CONSTRUCTION PAYMENTS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) NO; therefore, **HB 568 w/HA 1 & 2** was declared passed the Senate and returned to the House.

**HB 593** was brought before the Senate for consideration on motion of the floor manger, Senator Vaughn.

**HB 593** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE FRAUD PREVENTION BUREAU OF THE OFFICE OF THE INSURANCE COMMISSIONER.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 593** was declared passed the Senate and returned to the House.

**SB 453** was brought before the Senate for consideration on motion of Senator Still.

**SB 453** - AN ACT TO AMEND CHAPTER 282 OF VOLUME 21 OF THE LAWS OF DELAWARE AS AMENDED ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF LEIPSIC" BY PROVIDING FOR AN INCREASE IN THE LIMIT OF TAXATION. 2/3 VOTE.

Senators Sharp and Sokola questioned the sponsor, after which Senator Still requested a communication from Gay Goodfellow be read in its entirety. This communication is on file for this legislative day.

Senator Marshall questioned the sponsor, after which Senator Still requested a communication from Norma Mohler, President of the Town of Leipsic, be read in its entirety. This communication is on file for this legislative day.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Vaughn) NOT VOTING; therefore, **SB 453** was declared passed the Senate and sent to the House for consideration.

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

**SB 105** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES.

**SA 1 to SB 105** was introduced and brought before the Senate for consideration on motion of Senator Bonini.

Senator Voshell questioned the sponsor, after which Senator Bonini requested the privilege of the floor for Jason Sowers, Senate Attorney.

The witness was excused after addressing the Senate.

Senator Bonini requested the privilege of the floor for Richard Dillard, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SA 1 to SB 105** was declared part of the bill.

**SA 2 to SB 105** was introduced and brought before the Senate for consideration on motion of Senator Amick.

A roll call was taken and revealed 18 Senators voting YES, 3 (Cordrey, McBride, Vaughn) NO; therefore, **SA 2 to SB 105** was declared part of the bill.

**SB 105 w/SA 1 & 2** was now before the Senate.

Several Senators commented.

Senator McBride requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Adams, Cordrey, Still, Vaughn) NO; therefore, **SB 105 w/SA 1 & 2** was declared passed the Senate and sent to the House for consideration.

At 6:03 p.m. on motion of Senator Sharp, the Senate recessed until June 25, 1996 at 2:00 p.m.

The Senate reconvened at 3:28 p.m. on June 25, 1996 with Senator Cordrey presiding.

The following committee reports were announced:

From Education: **SB 370** - 4 Merits; **HB 582 w/HA 1** - 3 Merits; **HB 638 w/HA 1** - 4 Merits; **HB 651** - 4 Merits.

Lt. Governor Minner presiding 3:29 p.m.

From Public Safety: **HB 647** - 4 Merits.  
From Labor: **HB 543** - 3 Merits; **HB 420** - 3 Merits; **HB 423** - 3 Merits; **HB 421 w/HA 1** - 3 Merits.

From Banking: **SB 466** - 4 Merits.

**LEGISLATIVE ADVISORYS #62 AND #63**, from the Office of Counsel to the Governor was announced for the record, partially read and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #62**, dated June 24, 1996.

**SB #339 AAB SA 1** (6/21/96) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO WEARING DISGUISES DURING THE COMMISSION OF A FELONY:

(Sponsor: Senators Sharp and Vaughn; Representatives Spence and Oberle) (Volume 70, Chapter 372, Laws of Delaware).

**SB #354 AAB SA 1 AND HA 1, 2** (6/21/96) - AN ACT TO AMEND CHAPTER 43 OF TITLE 11 OF THE DELAWARE CODE RELATING TO SEX OFFENDERS. (Sponsor: Senators Sharp and Sokola, Representatives Buckworth and Roy; Senators Blevins, Cook, McBride, Vaughn, Bonini, and Sorenson, Representatives Capano, Ewing, Lofink, Maier, and Spence) (Volume 70, Chapter 373, Laws of Delaware).

**HB #477** (6/21/96) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATE POLICE ELIGIBILITY FOR DISABILITY PENSION. (Sponsor: Representatives Oberle & Van Sant; Representatives Spence, Lofink, Mack, Reynolds, B. Ennis; Senators Sharp, Vaughn) (Volume 70, Chapter 374, Laws of Delaware).

**HB #503** (6/21/96) - AN ACT TO AMEND TITLE 13, DELAWARE CODE, RELATING TO MARRIAGE. (Sponsor: Representatives Buckworth & Davis & Senator Adams; Representatives Spence, Quillen, Carey, Caulk, Cloutier, DiPinto, D. Ennis, Ewing, Mack, Maier, Reynolds, Smith, Brady, Bunting, B. Ennis, Gilligan, Jonkiert; Senators Bonini, Hauge, Reed) (Volume 70, Chapter 375, Laws of Delaware).

**HB #538** (6/21/96) - AN ACT TO AMEND TITLE 18, DELAWARE CODE, RELATING TO INSURER SIGNATURE REQUIREMENTS. (Sponsor: Representative D. Ennis & Senator Vaughn) (Volume 70, Chapter 376, Laws of Delaware).

**HB #371 AAB HA 1** (6/24/96) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE USE OF VIDEO CAMERAS FOR SURVEILLANCE ON PUBLIC SCHOOL PROPERTY. (Sponsor: Representative Spence & Senator Sharp; Representatives Petrilli, Quillen, Buckworth, Capano, Caulk, Cloutier, Davis, Di Pinto, Ewing, Fallon, Lee, Mack, Maier, Oberle, Reynolds, Roy, Smith, Stone, Ulbrich, Welch, Banning, Brady, B. Ennis, Houghton, Jonkiert, Gilligan, Plant, Schroeder, Scott, Van Sant; Senators McBride, Connor) (Volume 70, Chapter 377, Laws of Delaware).

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**LEGISLATIVE ADVISORY #63**, dated June 25, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HB #481 AAB HA 1** (6/20/96) - AN ACT TO AMEND CHAPTER 31, TITLE 16, RELATING TO VITAL STATISTICS. (Sponsor: Representatives Davis & Maroney; Senators Blevins & Bonini; Representatives Smith, Stone, Plant, Schroeder, Williams; Senators Henry, Amick, Bair, Reed) (Volume 70, Chapter 378, Laws of Delaware).

**HB #468 AAB HA 1** (6/24/96) - AN ACT TO AMEND CHAPTER 82, TITLE 29 OF THE DELAWARE CODE RELATING TO EXEMPTION FROM LIABILITY WHEN RENDERING ASSISTANCE OR ADVICE AT THE REQUEST OF ANY EMERGENCY SERVICE AGENCY. (Sponsor: Representative B. Ennis and Senator Vaughn; Representatives Banning, Brady, Houghton, Van Sant, Lee, Wagner, Welch, West; Senators Adams, Voshell) (Volume 70, Chapter 379, Laws of Delaware).

**SB #373** (6/24/96) - AN ACT TO AMEND CHAPTER 68 OF TITLE 7 OF THE DELAWARE CODE RELATING TO THE BUILDING LINE IN REHOBOTH BEACH AND BETHANY BEACH. (Sponsor: Senator Cordrey) (Volume 70, Chapter 380, Laws of Delaware).

**SENATE CITATION ANNOUNCEMENT #7**, S138:530 – 635 inclusive was introduced and a copy made available to each Senator.

A messenger from the Governor was announced and admitted.

The following committee report was announced:

From Highways and Transportation: **HB 506** - 4 Merits.

At 3:34 p.m. on motion of Senator Sharp, the Senate adjourned immediately convene for the 45th Legislative Day.

**45TH LEGISLATIVE DAY  
JUNE 25, 1996**



The Senate convened at 3:34 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Marshall.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

## **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION**

**June 25, 1996**

The following legislation was introduced and assigned to committee on June 20, 1996:

**SA 4 to SB 436** – Senator McBride – Placed with the bill.

The following legislation was introduced and assigned to committee on June 24, 1996:

**SA 2 to SB 433** – Senator Blevins – Placed with the bill.

**SA 5 to SB 434** – Senator Sokola – Placed with the bill.

**SA 6 to SB 434** – Senator Bair & Sorenson – Placed with the bill.

**SA 7 to SB 434** – Senators Bair & Sorenson – Placed with the bill.

**SA 8 to SB 434** – Senators Bair & Sorenson – Placed with the bill.

**SA 9 to SB 434** – Senator Sokola – Placed with the bill.

**SA 5 to SB 436** – Senator Sokola – Placed with the bill.

**SA 1 to SB 438** – Senator Sharp – Placed with the bill.

**SB 464** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE. Sponsor: Senator Blevins. To: **Health and Social Services**.

**SB 465** - AN ACT TO AMEND CHAPTER 29, TITLE 30, DELAWARE CODE, RELATING TO WHOLESALERS. Sponsor: Senator Vaughn & Representative Boulden, Senator McDowell, Representatives Mack, Smith. To: **Insurance and Elections**.

**SB 466** - AN ACT TO AMEND TITLE 5 RELATING TO THE BANK FRANCHISE TAX. Sponsor: Senator Cordrey and Representative Petrilli. To: **Banking**.

The following legislation was introduced and assigned to committee on June 25, 1996:

**HB 78** - AN ACT TO AMEND CHAPTER 101, TITLE 29 OF THE DELAWARE CODE RELATING TO GENERAL PROVISIONS FOR PUBLIC ACCESS TO STATE AGENCIES. Sponsor: Representative Scott. To: **Administrative Services**.

**HB 426 w/HA 1** - AN ACT TO AMEND CHAPTER 31 AND CHAPTER 48, TITLE 25 OF THE DELAWARE CODE RELATING TO FEDERAL LIENS; AND PROVIDING FOR A UNIFORM FEDERAL LIEN REGISTRATION ACT. Sponsor: Representatives Lee, Roy; Senator Sharp. To: **Finance**.

**HS 2 for HB 433** - AN ACT TO AMEND CHAPTER 97, TITLE 16, DELAWARE CODE RELATING TO A STATEWIDE TRAUMA CARE SYSTEM. Sponsor: Representative B. Ennis, Senators Blevins & McBride; Representatives Banning, Brady, Bunting, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Van Sant, West, Spence, Fallon, Maier. To: **Health and Social Services**.

**HB 482 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LICENSES TO CARRY CONCEALED DEADLY WEAPONS. Sponsor: Representative Smith. To: **Public Safety**.

**HB 506** - AN ACT TO AMEND CHAPTER 91 AND CHAPTER 92 OF TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PLANNING AND LAND USE PLANNING COORDINATION. Sponsor: Representative Lofink; Senators Sokola; Representatives Gilligan, Oberle, Petrilli, Roy; Senators Amick, Blevins, McBride, Sorenson. To: **Highways and Transportation**.

**HB 533 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ABUSE OF ANIMALS. Sponsor: Representative Banning; Representatives Boulden, Brady, Bunting, Capano, Carey, Davis, DiLiberto, B. Ennis, Ewing, Fallon, Gilligan, Houghton, Jonkiert,

Lee, Mack, Maier, Plant, Quillen, Reynolds, Schroeder, Scott, Smith, Spence, Van Sant, West, Williams; Senators McBride, Vaughn, Voshell. To: **Natural Resources**.

**HB 559 w/HA 1** - AN ACT TO AMEND TITLES 29 AND 14, DELAWARE CODE, RELATING TO ADOPTION LEAVE FOR STATE EMPLOYEES, TEACHERS, AND SCHOOL EMPLOYEES. Sponsor: Representative Wagner; Representatives Spence, Petrilli, Quillen, Buckworth, Carey, Caulk, Cloutier, Davis, D. Ennis, Ewing, Lee, Lofink, Maier, Maroney, Oberle, Reynolds, Roy, Smith, Stone, Ulbrich, Welch, Banning, Brady, Bunting, DiLiberto, B. Ennis, Gilligan, Houghton, Scott, Van Sant, West, Williams; Senators Blevins, Venables, Amick, Bonini, Connor, Still. To: **Education**.

**HB 563 w/HA 1** - AN ACT TO AMEND CHAPTER 50, TITLE 25 OF THE DELAWARE CODE, RELATING TO LIENS AND ESTATE RECOVERIES. Sponsor: Representative Maroney & Senator Blevins; Representative Davis, Senators Henry, Reed and Sorenson. To: **Health and Social Services**.

**HB 615 w/HA 1** - AN ACT TO AMEND TITLE 19, DELAWARE CODE, CHAPTER 16 CREATING A STATUTE OF LIMITATIONS FOR THE FILING OF UNFAIR LABOR PRACTICE CHARGES UNDER THE POLICE OFFICERS' AND FIREFIGHTERS' EMPLOYMENT RELATIONS ACT. Sponsor: Representative Oberle and Senator Marshall. To: **Judiciary**.

**HB 616 w/HA 1** - AN ACT TO AMEND TITLE 14, DELAWARE CODE, CHAPTER 40 CREATING A STATUTE OF LIMITATIONS FOR THE FILING OF UNFAIR LABOR PRACTICE CHARGES UNDER THE PUBLIC SCHOOL EMPLOYMENT RELATIONS ACT. Sponsor: Representative Oberle and Senator Marshall. To: **Judiciary**.

**HB 626 w/HA 1** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HIV TESTING. Sponsor: Representatives Maier, Davis, and Smith; Representatives Spence, Quillen, Lee, Ulbrich, Banning, Brady, B. Ennis, Plant; Senators Adams, McDowell, Vaughn, Sorenson. To: **Health and Social Services**.

**HB 638 w/HA 1** - AN ACT TO AMEND CHAPTER 2 OF TITLE 14 OF THE DELAWARE CODE RELATING TO ATTENDANCE WITHIN SCHOOL DISTRICTS. Sponsor: Representative Brady; Representatives Banning, Boulden, Buckworth, Bunting, Capano, Carey, Caulk, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Jonkiert, Lee, Lofink, Mack, Oberle, Petrilli, Plant, Reynolds, Scott, Smith, Van Sant, Wagner, West, Williams. To: **Education**.

**HB 644** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PROTECTION FROM ABUSE PROCEEDINGS. Sponsor: Representatives Welch, Maroney, Schroeder, & Senator Blevins; Representative Capano & Senators Venables, Sorenson. To: **Judiciary**.

**HB 647** - AN ACT TO AMEND CHAPTER 70, TITLE 21 OF THE DELAWARE CODE RELATING TO FIRE LANES. Sponsor: Representative B. Ennis & Representative Banning; Senator Vaughn & Senator Voshell. To: **Public Safety**.

**HB 651** - AN ACT TO AMEND § 4112 OF TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT CRIMINAL VIOLATIONS. Sponsor: Representatives Spence & Oberle & Senator Sharp. To: **Education**.

**HB 653** - AN ACT TO AMEND CHAPTER 295, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BETHANY BEACH" RELATING TO THE QUALIFICATIONS FOR NON-RESIDENT PROPERTY OWNERS TO HOLD PUBLIC OFFICE. Sponsor: Representative Bunting & Senator Cordrey. To: **Community/County Affairs**.

**HB 659** - AN ACT TO AMEND TITLE 29, CHAPTER 88 OF THE DELAWARE CODE RELATING TO THE DIVISION OF PROFESSIONAL REGULATION. Sponsor: Representative Maroney & Senator Blevins. To: **Sunset**.

**HB 661** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION AND THE LOSS OR DESTRUCTION OF BOOKS AND OTHER SCHOOL PROPERTY. Sponsor: Representative Ulbrich & Senator Bair; Representatives Spence, Quillen, Boulden, Buckworth, Carey, Caulk, Cloutier, Davis, Di Pinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Roy, Smith, Stone, Wagner, Welch, Gilligan, Brady, Bunting, Plant, Van Sant, Williams; Senators Sharp, Sokola, Connor, Amick, Hauge, Reed, Sorenson, Still. To: **Education**.

**HB 663** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO TAPROOMS AND TAVERNS. Sponsor: Representative Schroeder & Senator Cordrey. To: **Community/County Affairs**.

**HB 666** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE NUMBER AND TERM OF OFFICE OF NEW CASTLE COUNTY COUNCIL MEMBERS; AND VOTE REQUIREMENTS FOR CERTAIN ORDINANCES. Sponsor: Representatives Petrilli &

Spence; Representatives Bouden, Capano, Carey, Di Pinto, D. Ennis, Ewing, Fallon, Lofink, Maier, Oberle, Roy, Ulbrich, Wagner; Senators Sharp, Blevins, Bair. To: **Administrative Services**.

**HB 672** - AN ACT TO AMEND CHAPTER 166, VOLUME 37, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF SELBYVILLE", TO PROVIDE FURTHER FOR THE SUPPLYING OF WATER, TO PROVIDE LIMITATIONS ON TAXES, TO PROVIDE FOR USE OF TOWN MONIES, TO PROVIDE FOR LONG-TERM BORROWING AND PROCEDURES THEREFOR AND TO REPEAL ANY ACT TO THE EXTENT ITS PROVISIONS ARE INCONSISTENT WITH THIS AMENDMENT. 2/3 VOTE. Sponsor: Representative Bunting & Senator Cordrey. To: **Community/County Affairs**.

\* \* \*

Senator Cordrey requested the privilege of the floor for John Murray, representing White Clay Watershed Association.

Mr. Murray made a presentation to the Senate by presenting a plaque. Senator Cordrey accepted the plaque on behalf of all the members of the Senate.

The witness was excused.

**SR 32** was introduced and brought before the Senate for consideration on motion of Senator Reed.

**SR 32** - MOURNING THE LOSS OF DORA CHIRTEL DUKART, HOMEMAKER, BUSINESSWOMAN, AND COMMUNITY VOLUNTEER. Sponsor: Senators Reed, Connor, Sorenson.

Senators Amick and Bair requested to be added as co-sponsors.

All Senators were added as co-sponsors.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SR 32** was declared adopted.

Senators Henry, McBride and Sorenson were marked present during the above roll call.

**SB 243 w/HA 1**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator McBride.

**SB 243 w/HA 1** - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL OFFENSES; AND MAKING THE POSSESSION OF OR DEALING IN CERTAIN DEVICES DESIGNED, FASHIONED OR OTHERWISE ADAPTED FOR THEFT OR BURGLARY A CRIMINAL OFFENSE.

Senator McBride immediately laid the bill on the table.

**SB 303 w/HA 1**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator Venables.

**SB 303 w/HA 1** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PREMARITAL AGREEMENTS; AND PROVIDING FOR A UNIFORM PREMARITAL AGREEMENT ACT.

Senator McBride questioned the sponsor, after which Senator Venables requested the privilege of the floor for Chandlee Johnson Kuhn, representing Family Law Section, Delaware State Bar Association.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 303 w/HA 1** was declared passed the Senate and sent to the Governor.

**SB 333 w/SA 3, 4 & HA 1**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator Voshell.

**SB 333 w/SA 3, 4 & HA 1** - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES RELATING TO TELECOMMUNICATION SERVICES.

Senator McDowell commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 333 w/SA 3, 4 & HA 1** was declared passed the Senate and sent to the Governor.

**SB 243 w/HA 1** was lifted from the table and brought before the Senate for consideration on motion of Senator McBride.

**SA 1 to SB 243** was introduced and brought before the Senate for consideration on motion of Senator McBride.

Senator Sokola questioned the sponsor, after which Senator McBride requested the privilege of the floor for Sherri Schaeffer, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 243** was declared part of the bill.

**SB 243 w/HA 1 & SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 243 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**SB 385 w/HA 2**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator McBride.

**SB 385 w/HA 2** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL ANIMAL WELFARE LICENSE PLATES.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sorenson) ABSENT; therefore, **SB 385 w/HA 2** was declared passed the Senate and sent to the Governor.

**SB 340 w/SA 1, 2 & HA 1**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator Sharp.

**SB 340 w/SA 1, 2 & HA 1** - AN ACT TO AMEND TITLE 10 AND TITLE 11 OF THE DELAWARE CODE RELATING TO APPEALS BY THE STATE IN CRIMINAL CASES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 340 w/SA 1, 2 & HA 1** was declared passed the Senate and sent to the Governor.

**SJR 17 w/SA 1 & HA 2**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator Sharp.

**SJR 17 w/SA 1 & HA 2** - DIRECTING THE DEPARTMENT OF CORRECTION TO DEVELOP RULES AND REGULATIONS PROVIDING FOR ALTERNATIVE HOUSING TO ADDRESS PRISON OVERCROWDING PROBLEMS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SJR 17 w/SA 1 & HA 2** was declared passed the Senate and sent to the Governor.

**SB 437** was brought before the Senate for consideration on motion of Senator McDowell.

**SB 437** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DETENTION AND CONFINEMENT OF YOUTH.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 437** was declared passed the Senate and sent to the House for consideration.

**SB 438** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 438** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES COMMITTED BY JUVENILES.

Senator Amick commented.

**SA 1 to SB 438** was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SA 1 to SB 438** was declared part of the bill.

**SB 438 w/SA 1** was now before the Senate.

Senator Sharp requested the privilege of the floor for Steve Wood, representing the Attorney General's office.

Senators Amick and McDowell questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) NOT VOTING; therefore, **SB 438 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 544 w/HA 1 aab HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 544 w/HA 1 aab HA 1** - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO THE REMOVAL OF SNOW ON PUBLIC ROADS AND HIGHWAYS.

Several Senators questioned the floor manager, after which a roll call vote was taken and revealed 19 Senators voting YES, 1 (Hauge) NO, 1 (Reed) ABSENT; therefore, **HB 544 w/HA 1 aab HA 1** was declared passed the Senate and returned to the House.

**HB 561 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 561 w/HA 1** - AN ACT TO AMEND CHAPTER 4, TITLE 17, DELAWARE CODE, RELATING TO THE POWER OF THE DEPARTMENT OF TRANSPORTATION OR ITS AGENTS TO IMPOSE TOLLS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 561 w/HA 1** was declared passed the Senate and returned to the House.

**SB 454** was brought before the Senate for consideration on motion of Senator Venables.

**SB 454** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO COUNTY OR MUNICIPAL BUILDING, PLUMBING, ELECTRICAL AND OTHER CODES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 454** was declared passed the Senate and sent to the House for consideration.

**SB 461** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 461** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ELIGIBILITY FOR FULL LICENSURE VIA RECIPROCITY AND TO CLARIFY MISCELLANEOUS ITEMS RELATING TO FUNERAL SERVICE PRACTITIONERS.

**SA 1 to SB 461** was introduced and brought before the Senate for consideration on motion of Senator Cordrey.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 461** was declared part of the bill.

**SB 461 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 461 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SS 1 for SB 18** was adopted in lieu of the original and brought before the Senate for consideration, under the suspension of the necessary rules on motion of Senator McDowell.

**SS 1 for SB 18** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION. Sponsor: Sen. McDowell and Rep. Oberle; Sens. Blevins, Marshall; Reps. DiPinto, Fallon, Buckworth and DiLiberto.

Senator McDowell requested the privilege of the floor for Patrick Taylor, representing the school children of Delaware.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SS1 for SB 18** was declared passed the Senate and sent to the House for consideration.

At 5:23 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

The Senate reconvened at 6:16 p.m. with Senator Cordrey presiding.

**HB 190 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HB 190 w/HA 1** - AN ACT TO AMEND CHAPTER 83, TITLE 9 OF THE DELAWARE CODE RELATING TO VALUATION OF LAND DEVOTED TO AGRICULTURE, HORTICULTURAL OR FOREST USE.

Lt. Governor Minner presiding at 6:17 p.m.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bonini, McBride) ABSENT; therefore, **HB 190 w/HA 1** was declared passed the Senate and returned to the House.

**HB 207 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 207 w/HA 1 & 2** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VICTIM-OFFENDER MEDIATION.

Senator Blevins questioned the floor manager, after which Senator Sokola requested the bill be laid on the table.

**HB 640** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 640** - AN ACT TO AMEND CHAPTER 93, TITLE 16, DELAWARE CODE, RELATING TO HEALTH PLANNING AND RESOURCES MANAGEMENT.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 640** was declared passed the Senate and returned to the House.

**HB 295 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 295 w/HA 1** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO FAMILY COURT AND JUVENILES DRIVING WITHOUT LICENSES.

Senators Cordrey and Venables questioned the floor manager.

A roll call vote was taken and revealed 14 Senators voting YES, 7 (Adams, Cordrey, Henry, Marshall, McDowell, Vaughn, Venables) NO; therefore, **HB 295 w/HA 1** was declared passed the Senate and returned to the House.

**HB 85 w/HA 3** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator McBride.

**HB 85 w/HA 3** - AN ACT TO AMEND CHAPTER 17, TITLE 7, DELAWARE CODE, RELATING TO BITING DOGS.

Senator Bonini questioned the floor manager, after which Senator McBride requested the privilege of the floor for Phil Cherry, representing Department of Natural Resources and Environmental Control.

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

Senator Amick questioned the floor manager, after which Senator McBride requested a portion of a communication from Senator McBride be read. No objection.

A roll call vote was taken and revealed 8 Senators (Adams, Blevins, Bonini, Connor, Cook, Marshall, Sharp, Sokola) voting YES, 13 NO; therefore, **HB 85 w/HA 3** was declared defeated by the Senate and returned to the House.

**HB 207 w/HA 1 & 2** was lifted from the table and brought before the Senate for consideration on motion of Senator Sharp.

**HB 207 w/HA 1 & 2** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VICTIM-OFFENDER MEDIATION.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) NOT VOTING; therefore, **HB 207 w/HA 1 & 2** was declared passed in the Senate and returned to the House.

**HB 309 w/HA 2** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 309 w/HA 2** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT AND RESTITUTION.

Senator Blevins requested the privilege of the floor for Sherri Schaeffer, Senate Attorney.

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

Senator Sharp requested the bill be laid on the table.

**HB 544 w/HA 1 aab HA 1** was reconsidered and the roll call was rescinded on motion of Senator Voshell.

**HB 544 w/HA 1 aab HA 1** - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO THE REMOVAL OF SNOW ON PUBLIC ROADS AND HIGHWAYS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Hauge) NO; therefore, **HB 544 w/HA 1 aab HA 1** was declared passed in the Senate and returned to the House.

**SCR 73** was introduced and brought before the Senate for consideration on motion of Senator Sokola.

**SCR 73** - RELATING TO HEALTH INSURANCE COVERAGE OF PRESCRIPTION STRENGTH PRENATAL VITAMINS. Sponsor: Senator Sokola and Representative Maroney.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 73** was declared adopted by the Senate and sent to the House for consideration.

At 6:58 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. on June 26, 1996.

The Senate reconvened at 2:30 p.m. on June 26, 1996 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Finance: **SB 467** - 4 Merits.

From Executive: **SJR 26** - 6 Merits; **SJR 27** - 6 Merits.

From Small Business: **HB 462 w/HA 1** - 5 Merits.

From Health and Social Services: **HS 2 for HB 433** - 4 Merits; **HB 563 w/HA 1** - 4 Merits; **HB 626 w/HA 1** - 4 Merits.

From Sunset: **HB 659** - 4 Merits.

From Community/County Affairs: **HB 672** - 4 Merits; **HB 653** - 4 Merits; **HB 663** - 4 Merits; **HB 522 w/HA 1, 2 & 3** - 4 Merits.

From Highways and Transportation: **HCR 48** - 4 Merits.

From Judiciary: **HS 1 for HB 313 w/HA 1** - 4 Merits; **HB 341** - 4 Merits; **HB 671** - 4 Merits; **HB 665** - 4 Merits; **HB 664** - 4 Merits; **HB 657** - 4 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 426 w/HA 1**; **HS 2 for HB 433**; **HB 615**; **HB 616 w/HA 1**; **HB 638 w/HA 1**; **HB 644**; **HB 647**; **HB 651**; **HB 559 w/HA 1**; **HB 666 w/HA 1**; **HB 563 w/HA 1**; **HB 506**; **HB 482 w/HA 1**; **HB 663**; **HB 659**; **HB 661**; **HB 533 w/HA 1**; **HB 626 w/HA 1**; **HB 672**; **HB 653**; **HB 78**; **SB 325 w/SA 1**; **SB 385 w/HA 2**; **SB 340 w/SA 1, 2 & HA 1**; **SS 1 for SB 358**; **SB 289 w/SA 1**; **SB 397**; **SB 405**; **SB 410**; **SB 431**; **SB 432 w/SA 1**; **SB 399 w/SA 1**.

The following committee reports were announced:

From Community/County Affairs: **HB 667** - 1 Favorable, 2 Merits.

From Judiciary: **HB 644** - 4 Merits; **HB 636** - 4 Merits; **HB 617** - 4 Merits; **HB 580** - 4 Merits; **HB 585** - 4 Merits; **HB 527** - 4 Merits; **HB 472** - 4 Merits; **SB 455** - 4 Merits.

From Corrections: **HB 592** - 1 Favorable, 3 Merits.

From Insurance and Elections: **HB 643 w/HA 1 & 2** - 4 Merits; **HB 600** - 4 Merits; **SB 462** - 4 Merits.

From Education: **SB 463** - 1 Favorable, 3 Merits.

At 2:40 p.m. on motion of Senator Sharp, the Senate adjourned immediately convene for the 46th Legislative Day.

#### 46TH LEGISLATIVE DAY JUNE 26, 1996

The Senate convened at 2:40 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Sharp.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

**PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION**  
**June 26, 1996**

The following legislation was introduced and assigned to committee on June 25, 1996:

**SA 1 to SS 1 for SB 78** – Senator Cook – Placed with the bill.

**SA 1 to HB 325** – Senator Vaughn – Placed with the bill.

**SA 1 to HB 417** – Senator Amick – Placed with the bill.

**SA 2 to HS 1 for HB 484** – Senator Vaughn – Placed with the bill.

**SA 1 to HB 494** – Senator McBride – Placed with the bill.

**SA 1 to HB 522** – Senator Sokola – Placed with the bill.

**SA 1 to HB 638** – Senator Sokola – Placed with the bill.

**SA 1 to HB 651** – Senator Sokola – Placed with the bill.

**SB 467** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO A PROFESSIONAL LIBRARIAN AND ARCHIVIST INCENTIVE PROGRAM. Sponsor: Senators Cook, Henry, McBride, Vaughn, Sorenson, Still; Representatives Davis, Buckworth, Di Pinto, Maroney, Bunting, Jonkiert. To: **Finance**.

The following letters of nomination were placed in the **Executive** Committee:

STATE OF DELAWARE  
Office of the Governor  
June 25, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Abigayle E. Truitt**, 114 Kingsbridge Road, Rehoboth Beach, Delaware 19971, to be reappointed as a Justice of the Peace for Sussex County for a four-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 25, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Robert G. Medd, Jr.**, 11 Michigan, Avenue, Lewes, Delaware 19958, to be appointed to the Alcoholic Beverage Control Commission to serve a term expiring January 31, 1998, filling a vacancy.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 25, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Leah W. Betts**, 113 Magnolia Street, Milton, Delaware 19968, to be reappointed to the Violent Crimes Compensation Board for a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 25, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**William Patrick Wood**, 116 Hearn Avenue, Laurel, Delaware 19956, to be appointed as a Justice of the Peace for Sussex County for a four-year term to succeed William Plack.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 25, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Howard W. Mulvaney**, 740 Rosetree Lane, Seaford, Delaware 19973, to be reappointed as a Justice of the Peace for Sussex County for a four-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*



STATE OF DELAWARE  
Office of the Governor  
June 25, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Sheila Gagen Blakely**, 301 Kings Highway, Milford, Delaware 19963, to be reappointed as a Justice of the Peace for Sussex County for a four-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 25, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Vera Lynn Gregory**, 401 W. 22nd Street, Wilmington, Delaware 19802, to be appointed to the Violent Crimes Compensation Board for a three-year term to fill a vacancy.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 25, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Mitchell M. Fisher, Sr.**, 17629 S. DuPont Highway, Harrington, Delaware 19952, to be appointed to the Council on Tidal Finfisheries to a five-year term, to succeed Robert Carson.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 25, 1996

To the Senate of the 138th General Assembly

of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:  
**David R. Anderson**, P.O. Box 164, Townsend, Delaware 19734, to be reappointed as a Justice of the Peace for Sussex County for a four-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor  
\* \* \*  
STATE OF DELAWARE  
Office of the Governor  
June 25, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:  
**Agnes E. Pennella**, 101 Candlewicke Drive, Dover, Delaware 19901, to be reappointed as a Justice of the Peace for Kent County for a four-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor  
\* \* \*  
STATE OF DELAWARE  
Office of the Governor  
June 25, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:  
**Edward G. Davis**, 605 West Street, Laurel, Delaware 19956, to be reappointed as a Justice of the Peace for Sussex County for a four-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor  
\* \* \*  
STATE OF DELAWARE  
Office of the Governor  
June 25, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Verdie West**, R.D. #1, Box 55, Frankford, Delaware 19945, to be reappointed to the Board of Elections of Sussex County to serve a four-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

The following legislation was introduced and assigned to committee on June 26, 1996:

**SA 2 to HB 409** – Senator Cook – Placed with the bill.

**HB 186** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SALES OF FIREARMS. Sponsor: Representative Van Sant To: **Public Safety**.

**HB 378 w/HA 1 & 2** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. Sponsor: Representative Maroney To: **Education**.

**HB 413 w/HA 1** - AN ACT TO AMEND CHAPTER 69, TITLE 7 OF THE DELAWARE CODE RELATING TO CONSERVATION; AND PROVIDING FOR A UNIFORM CONSERVATION EASEMENT ACT. Sponsor: Representative Jonkiert & Representatives Banning, B. Ennis, Gilligan, Van Sant, Williams. To: **Natural Resources**.

**HB 607** - ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION, THE ENROLLMENT CHOICE PROGRAM CHARTER SCHOOLS, AND TRANSPORTATION. Sponsor Representative Oberle and Senator Hauge; Representatives Spence, Petrilli, Boulden, Lofink, Roy, Smith, Ulbrich, Brady, Van Sant; Senators Sharp, Blevins, Sokola and Bair. To: **Finance**.

**HS 1 to HB 619** - AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO ENVIRONMENTAL CONTROL. Sponsor: Representatives Welch & Caulk; Representatives Carey, Ewing, Lee, Bunting & West; Senators Cordrey, Adams, Cook, Venables, Bonini. To: **Natural Resources**.

**HB 629 w/HA 1** - AN ACT TO AMEND SECTION 114, CHAPTER 1 OF TITLE 26 OF THE DELAWARE CODE RELATING TO THE FEES TO BE CHARGED BY THE PUBLIC SERVICE COMMISSION AND TO SET A NEW, INCREASED SCHEDULE FOR SUCH FEES AND CHARGES. 3/5 VOTE. Sponsor: Representative Roy & Senator Cook. To: **Finance**.

**HB 637 w/HA 1 & 2** - AN ACT TO AMEND SUBCHAPTER VI, CHAPTER 7, TITLE 7, DELAWARE CODE RELATING TO THE BAITING AND HUNTING OF DEER. Sponsor: To: **Natural Resources**.

**HB 639** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 26 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE POWERS AND DUTIES OF THE PROTHONOTARY AND THE ENTRY OF TESTATUM FIERI FACIAS. 2/3 VOTE. Sponsor: Representative Roy & Senator Sharp; Representative DiLiberto, Senator Amick. To: **Judiciary**.

**HB 645** - AN ACT TO AMEND CHAPTER 23, TITLE 19, OF THE DELAWARE CODE RELATING TO PAYMENT OF EXPENSES AND LOSS OF WAGES OF EMPLOYEES DUE TO MEDICAL EXAMINATIONS BY INSURANCE COMPANY OR EMPLOYER-SELECTED PHYSICIANS. Sponsor: Representative Jonkiert & Senator Marshall. To: **Labor**.

**HB 648** - AN ACT TO AMEND CHAPTER 63, TITLE 16, DELAWARE CODE RELATING TO EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW. Sponsor: Representatives B. Ennis & Di Pinto & D. Ennis & Senator Voshell; Representatives Banning, Brady, Buckworth, Bunting, Carey, Cloutier, DiLiberto, Gilligan, Houghton, Lee, Lofink, Oberle, Plant, Quillen, Reynolds, Scott, Spence, Ulbrich, Van Sant, Welch, West, Williams, Senator Vaughn. To: **Judiciary**.

**HB 652** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE TO GRANT TO THE PUBLIC SERVICE COMMISSION JURISDICTION AND AUTHORITY TO CONDUCT PROCEEDINGS AS PRESCRIBED BY THE FEDERAL TELECOMMUNICATIONS ACT OF 1996 WITHOUT STRICT ADHERENCE TO THE PROCEDURAL REQUIREMENTS SET FORTH IN THE PUBLIC UTILITIES ACT AND THE STATE ADMINISTRATIVE PROCEDURES ACT. Sponsor: Representative Roy & Senator Cook. To: **Administrative Services**.

**HB 667** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY GOVERNMENT TERMS OF OFFICE. Sponsor: Representative Roy & Senator Sharp; Representatives Spence, Petrilli, Di Pinto, Lofink, Oberle, Smith, Gilligan; Senators Sokola, Amick. To: Community/County Affairs.

**HCR 57** - REQUESTING EMPLOYERS IN THE STATE OF DELAWARE TO ALLOW THEIR EMPLOYEES REASONABLE OPPORTUNITY TO ATTEND SCHOOL CONFERENCES SCHEDULED TO DISCUSS STUDENT DISCIPLINARY PROBLEMS. Sponsor: Representative Wagner. To: Education.

\* \* \*

**HB 314 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 314 w/HA 1** - AN ACT TO AMEND PART VII, TITLE 16 OF THE DELAWARE CODE RELATING TO ELEVATORS, PENALTIES. 2/3 VOTE

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bonini) NO; therefore, **HB 314 w/HA 1** was declared passed the Senate and returned to the House.

Senator Blevins was marked present during the above roll call.

**SR 33** was introduced and brought before the Senate for consideration on motion of Senator Venables.

**SR 33** - CALLING UPON THE GOVERNOR, THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE STATE PERSONNEL OFFICE TO UPGRADE SALARIES FOR FISH AND WILDLIFE ENFORCEMENT OFFICERS. Sponsor: Senator Venables.

The resolution was read in its entirety.

Several Senators commented.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Bair, Cook, Still) NOT VOTING; therefore, **SR 33** was declared adopted.

**SJR 27** was brought before the Senate for consideration on motion of Senator Amick.

**SJR 27** - SALUTING WITH GREAT PRIDE, A TEAM OF FOUR UNIVERSITY OF DELAWARE STUDENTS, SARAH GUGLIELMI, RYAN SMITH, TANYA SWIDERSKI, AND MIKE YOUNG, AND THEIR COACH, MARK GRUBER, FOR WINNING THE CHAPIONSHIP IN THEIR DIVISION IN THE ODYSSEY OF THE MIND WORLD FINALS

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SJR 27** was declared passed the Senate and sent to the House for consideration.

**HB 505** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator McBride.

**HB 505** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE WEARING OF HUNTER ORANGE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 505** was declared passed the Senate and returned to the House.

**HB 571** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 571** - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE NUMBER OF PLATES FOR MANUFACTURERS AND DEALERS.

Senator Connor questioned the floor manager, after which Senator Voshell requested the privilege of the floor for Jack Evans, representing Department of Motor Vehicles.

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

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Cordrey) NO, 1 (Vaughn) NOT VOTING; therefore, **HB 571** was declared passed the Senate and returned to the House.

**HCR 51** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HCR 51** - DIRECTING THE SECRETARIES OF STATE AND ADMINISTRATIVE SERVICES TO IMMEDIATELY BEGIN NECESSARY REPAIRS AND PAINTING OF THE STATE MUSEUM BUILDINGS AT THE MEETING HOUSE SQUARE IN DOVER. Sponsor: Representative Quillen.

Senators Sokola and Amick questioned the floor manager, after which Senator Sharp requested **HCR 51** be laid on the table. No objections.

**HB 605 w/HA 2** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 605 w/HA 2** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD, THE IGNITION INTERLOCK DEVICE AND PROGRAM, AND DRIVING UNDER THE INFLUENCE.

Senator Voshell requested the privilege of the floor for Kathy English, representing the Department of Public Safety.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 605 w/HA 2** was declared passed the Senate and returned to the House.

**HB 494** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator McBride.

**HB 494** - AN ACT TO AMEND TITLE 7, DELAWARE CODE RELATING TO THE DELAWARE POLLUTION PREVENTION PROGRAM.

**SA 1 to HB 494** was brought before the Senate for consideration on motion of Senator McBride.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 494** was declared part of the bill.

**HB 494 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 494 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HB 355 w/HA 1 & 4** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 355 w/HA 1 & 4** - AN ACT TO AMEND SUBCHAPTER III OF CHAPTER 43 OF TITLE 21 OF THE DELAWARE CODE RELATING TO SCHOOL BUSES.

Senator Voshell requested the privilege of the floor for Michael Morton, representing the Office of the Controller General.

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

Senator Sorenson commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 355 w/HA 1 & 4** was declared passed the Senate and returned to the House.

**HS 1 for HB 484 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HS 1 for HB 484 w/HA 1** - AN ACT TO AMEND CHAPTER 47, TITLE 15 OF THE DELAWARE CODE RELATING TO THE APPOINTMENT OF ELECTION OFFICERS.

**SA 1 to HS 1 for HB 484** was stricken on motion of Senator Vaughn.

**SA 2 to HS 1 for HB 484** was brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) NO; therefore, **SA 2 to HS 1 for HB 484** was declared part of the bill.

**HS 1 for HB 484 w/HA 1 & SA 2** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HS 1 for HB 484 w/HA 1 & SA 2** was declared passed the Senate and returned to the House for reconsideration.

**SB 19 w/SA 1** was lifted from the table and brought before the Senate for consideration on motion of Senator McDowell.

**SB 19 w/SA 1** - AN ACT TO AMEND TITLE 14, DELAWARE CODE ESTABLISHING A TUITION ACCOUNT PROGRAM.

Senator McDowell immediately laid the bill on the table.

**SB 466** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 466** - AN ACT TO AMEND TITLE 5 RELATING TO THE BANK FRANCHISE TAX.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 466** was declared passed the Senate and sent to the House for consideration.

**SS 1 for SB 392** was brought before the Senate for consideration on motion of Senator Blevins.

**SS 1 for SB 392** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MENTAL HEALTH PROCEDURES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SS 1 for SB 392** was declared passed the Senate and sent to the House for consideration.

**SB 462** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 462** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION AND GROUP SELF-INSURANCE POOLS.

Senator Blevins requested the privilege of the floor for Catherine Mulholland, representing, Department of Insurance.

Senators Still and Vaughn questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 462** was declared passed the Senate and sent to the House for consideration.

**SB 290** was stricken on motion of Senator Marshall.

**SB 452** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 452** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE; 64 DELAWARE LAWS, CHAPTER 460, AS AMENDED; AND 70 DELAWARE LAWS, CHAPTER 219, RELATING TO DELAWARE TAXES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 452** was declared passed the Senate and sent to the House for consideration.

**SJR 26** was brought before the Senate for consideration on motion of Senator Bair.

**SJR 26** - URGING THE ENACTMENT OF S. 1629, THE TENTH AMENDMENT ENFORCEMENT ACT OF 1996 AND FURTHER URGING THE DELAWARE CONGRESSIONAL DELEGATION TO CO-SPONSOR S.1629.

Senator Connor requested his name be added as a co-sponsor to **SJR 26**. No objection.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SJR 26** was declared passed the Senate and sent to the House for consideration.

**SB 465** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 465** - AN ACT TO AMEND CHAPTER 29, TITLE 30, DELAWARE CODE, RELATING TO WHOLESALERS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 465** was declared passed the Senate and sent to the House for consideration.

**SB 467** was brought before the Senate for consideration on motion of Senator Cook.

**SB 467** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO A PROFESSIONAL LIBRARIAN AND ARCHIVIST INCENTIVE PROGRAM.

**SA 1 to SB 467** was introduced and brought before the Senate for consideration on motion of Senator Cook.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 467** was declared part of the bill.

**SB 467 w/SA 1** was now before the Senate.

Senator Sokola requested his name be added as co-sponsor the bill. No objection.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 467 w/SA 1** was declared passed the Senate and sent to the House for consideration.

A messenger from the Governor was announced and admitted.

**HCR 51** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HCR 51** - DIRECTING THE SECRETARIES OF STATE AND ADMINISTRATIVE SERVICES TO IMMEDIATELY BEGIN NECESSARY REPAIRS AND PAINTING OF THE STATE MUSEUM BUILDINGS AT THE MEETING HOUSE SQUARE IN DOVER

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **HCR 51** was declared adopted by the Senate and returned to the House.

At 4:24 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

The Senate reconvened at 5:01 p.m. with Senator Cordrey presiding.

**LEGISLATIVE ADVISORY #64**, from the Office of Counsel to the Governor was announced for the record, partially read and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #64**, dated June 26, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #353 AAB SA 1** (6/24/96) - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO DEPENDENT OR NEGLECTED CHILDREN AS WARDS OF THE STATE, AND TITLE 31 OF THE DELAWARE CODE RELATING TO DELINQUENT YOUTH.

(Sponsor: Senator McDowell and Representative Maroney, Senators Blevins, Henry, Sorenson, Representatives DiLiberto, Reynolds, Schroeder) (Volume 70, Chapter 381, Laws of Delaware).

**SB #269** (6/24/96) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HOMICIDES OF CHILDREN WHICH OCCUR THROUGH ABUSE OR NEGLECT. (Sponsor: Senator Cordrey) (Volume 70, Chapter 382, Laws of Delaware).

**HB #456** (6/24/96) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO GENERAL DEFINITIONS. (Sponsor: Representative Roy and Senator Sharp) (Volume 70, Chapter 383, Laws of Delaware).

**HB #536 AAB HA 1** (6/24/96) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO BICYCLISTS. (Sponsor: Representative Roy and Senator Sokola) (Volume 70, Chapter 384, Laws of Delaware).

**SB #356** (6/24/96) - AN ACT TO AMEND AN ACT BEING CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF LAUREL," TO ALLOW THE MONITION METHOD TO BE USED AS AN ALTERNATE METHOD TO COLLECT DELINQUENT TAXES. (Sponsor: Senator Venables, Representative Lee) (Volume 70, Chapter 385, Laws of Delaware).

**SB #364** (6/24/96) - AN ACT TO AMEND CHAPTER 3 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE DESIGNATION OF SOLIDAGO ODORA (SWEET GOLDEN ROD) AS THE OFFICIAL STATE HERB. (Sponsor: Senator Voshell, Representative Schroeder) (Volume 70, Chapter 386, Laws of Delaware).

**HB #466 AAB HA 1** (6/24/96) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL DISTRICT ENROLLMENT CHOICE PROGRAM. (Sponsor: Representative Mack) (Volume 70, Chapter 387, Laws of Delaware).

**HB #509 AAB HA 1** (6/24/96) - AN ACT TO AMEND CHAPTER 49, SUBCHAPTER II, TITLE 15, DELAWARE CODE RELATING TO VOTING PROCEDURE. (Sponsor: Representative DiLiberto, Representatives Banning, Boulden, Brady, Buckworth, Bunting, Capano, Di Pinto, B. Ennis, Ewing, Gilligan, Houghton, Jonkiert, Lee, Oberle, Plant, Schroeder, Scott, Stone, Van Sant, Williams) (Volume 70, Chapter 388, Laws of Delaware).

**HB #535** (6/24/96) - AN ACT TO AMEND TITLE II OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL POLICE ELIGIBILITY FOR DISABILITY PENSION. (Sponsor: Representatives Oberle and Van Sant; Representatives Spence, Lofink, Mack, Reynolds, B. Ennis; Senators Sharp, Vaughn) (Volume 70, Chapter 389, Laws of Delaware).

**HB #539** (6/24/96) - AN ACT TO AMEND CHAPTER 75, TITLE 29, DELAWARE CODE RELATING TO GUARANTEED ENERGY COST SAVINGS CONTRACTS. (Sponsor: Representative Smith; Representative Davis and Senators Vaughn, Connor) (Volume 70, Chapter 390, Laws of Delaware).

**HB #501 AAB HA 1 AND 3** (6/25/96) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE REGARDING THE CANCER CONTROL ACT. (Sponsor: Representative Maroney & Senators Blevins; Representatives Carey, Cloutier, Maier, Roy, Stone, Wagner, Bunting, Gilligan, Plant, Van Sant, Williams; Senators Adams, Cook, Henry, McBride, Sharp, Sokola, Vaughn, Voshell, Amick, Bair, Connor, Sorenson) (Volume 70, Chapter 391, Laws of Delaware).

**HJR #9 AAB HA 1, SA 1** (6/24/96) - URGING THE ESTABLISHMENT OF A STATE ATHLETIC COMMISSION, AND PROVIDING FOR AN ATHLETIC COMMISSION STUDY COMMITTEE. (Sponsor: Representatives Spence, Petrilli; Senators Sorenson, McBride).

\* \* \*

The following committee reports were announced:

From Children, Youth and Their Families: **SB 331** - 4 Merits.

From Labor: **HB 614** - 4 Merits; **HB 645** - 4 Merits.

**SB 433** was brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Blevins.

**SB 433** - AN ACT TO AMEND CHAPTER 23, TITLE 18 OF THE DELAWARE CODE RELATING TO UNFAIR INSURANCE PRACTICES OF DISCRIMINATION BY INSURANCE COMPANIES BASED ON AN INDIVIDUAL'S STATUS AS A VICTIM OF DOMESTIC VIOLENCE.

Lt. Governor Minner presiding at 5:03 p.m.

**SA 1 to SB 433** was stricken on motion of Senator Blevins.

**SA 2 to SB 433** was brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, McDowell) ABSENT; therefore, **SA 2 to SB 433** was declared part of the bill.

**SB 433 w/SA 2** was now before the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, McDowell) ABSENT; therefore, **SB 433 w/SA 2** was declared passed the Senate and sent to the House for consideration.

**HB 397 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 397 w/HA 1** - AN ACT TO AMEND SUBCHAPTER VI, CHAPTER 5 OF TITLE 11, DELAWARE CODE, RELATING TO CRIMES.

Several Senators questioned the floor manager, after which a roll call vote was taken and revealed 12 Senators voting YES, 7 (Bonini, Cook, Cordrey, Marshall, Sokola, Venables, Voshell) NO, 2 (Bair, McDowell) ABSENT; therefore, **HB 397 w/HA 1** was declared passed the Senate and returned to the House.

**HB 398 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 398 w/HA 1** - AN ACT TO AMEND SUBCHAPTER VI, TITLE 11 OF THE DELAWARE CODE RELATING TO ASSULT.

**SA 1 to HB 398** was brought before the Senate for consideration on motion of Senator Still.

A roll call vote was taken and revealed 17 Senators voting YES, 1 (Venables) NO, 1 (Cordrey) NOT VOTING, 2 (Bair, McDowell) ABSENT; therefore, **SA 1 to HB 398** was declared part of the bill.

**HB 398 w/HA 1 & SA 2** was now before the Senate.

Several Senators commented. A roll call vote was taken and revealed 8 Senators (Amick, Blevins, Connor, Hauge, Reed, Sharp, Sorenson, Still) voting YES, 11 NO, 2 (Bair, McDowell) ABSENT; therefore, **HB 398 w/HA 1 & SA 2** was declared defeated by the Senate and returned to the House.

**HS 1 for HB 437** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator McBride.

**HS 1 for HB 437** - AN ACT TO AMEND CHAPTER 9, TITLE 7, DELAWARE CODE, RELATING TO COMMERCIAL FOOD FISHING LICENSE.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, Henry) ABSENT; therefore, **HS 1 for HB 437** was declared passed the Senate and returned to the House.

**HB 451 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

**HB 451 w/HA 1 & 2** - AN ACT TO AMEND CHAPTER 16, TITLE 19, DELAWARE CODE, RELATING TO FIREFIGHTING AND RESCUE SQUAD WORKERS FROM BEING PAID OVERTIME COMPENSATION WHEN THEY VOLUNTEER THEIR SERVICES WITHIN THE VARIOUS COMMUNITIES.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, Henry) ABSENT; therefore, **HB 451 w/HA 1 & 2** was declared passed the Senate and returned to the House.

**HB 462 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Venables.

**HB 462 w/HA 1** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE REALTING TO COMMERCE; AND PROVIDING GUIDELINES FOR WARRANTY AGREEMENTS BETWEEN CERTAIN MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS AND DEALERS.

A roll call vote was taken and revealed 9 Senators voting YES, 9 (Amick, Bonini, Cordrey, Hauge, McBride, McDowell, Reed, Still, Venables) NO, 2 (Henry, Sharp) NOT VOTING, 1 (Bair) ABSENT; therefore, **HB 462 w/HA 1** was declared defeated by the Senate and returned to the House.

**HB 475** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator McBride.

**HB 475** - AN ACT TO AMEND CHAPTER 9 OF TITLE 7 OF THE DELAWARE CODE RELATING TO THE SALE OF FOOD FISH. 2/3 VOTE.

Senator Sharp questioned the floor manager, after which Senator McBride requested the privilege of the floor for Charles Lesser, representing Division of Fish and Wildlife.

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

Senator Still commented.

A roll call vote was taken and revealed 16 Senators voting YES, 4 (Bonini, McBride, Reed, Still) NO, 1 (Bair) ABSENT; therefore, **HB 475** was declared passed the Senate and returned to the House.

**HB 582 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 582 w/HA 1** - AN ACT TO AMEND SECTION 107 OF TITLE 14 RELATING TO THE QUALIFICATIONS FOR THE STATE SUPERINTENDENT OF SCHOOLS.

Senator McBride questioned the floor manager, after which Senator Sokola requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused after addressing the Senate.

Senators Sorenson and Connor commented.

A roll call vote was taken and revealed 16 Senators voting YES, 5 (Amick, Bair, Hauge, Sorenson, Venables) NO; therefore, **HB 582 w/HA 1** was declared passed the Senate and returned to the House.

**HB 667** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 667** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY GOVERNMENT TERMS OF OFFICE.

Senator Sorenson commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **HB 667** was declared passed the Senate and returned to the House.



**HB 637 w/HA 1 & 2** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator McBride.

**HB 637 w/HA 1 & 2** - AN ACT TO AMEND SUBCHAPTER VI, CHAPTER 7, TITLE 7, DELAWARE CODE RELATING TO THE BAITING AND HUNTING OF DEER.

Several Senators questioned the floor manager, after which a roll call vote was taken and revealed 7 Senators (Adams, Connor, Cook, Cordrey, Sharp, Vaughn, Voshell) voting YES, 13 NO, 1 (Bair) ABSENT; therefore, **HB 637 w/HA 1 & 2** was declared defeated by the Senate and returned to the House.

**SB 362** was stricken on motion of Senator Blevins. No objection.

At 6:08 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. on June 27, 1996.

The Senate reconvened at 2:43 p.m. on June 27, 1996 with Senator Cordrey presiding.

A messenger from the Governor was announced and admitted.

The Secretary announced a message from the House informing the Senate that it had passed **HB 186; HB 607; HB 378 w/HA 1 & 2; HB 637 w/HA 1 & 2; HB 667; HB 639; HS 1 for HB 619; HB 629 w/HA 1; HB 652; HB 648; HCR 57; HB 572 w/HA 1, SA 1 & HA 2; HB 413 w/HA 1; HB 645; SB 435 w/SA 1; SB 411 w/SA 1; SB 323 w/SA 1 & 2; SB 407; SB 412 w/HA 1.**

Lt. Governor Minner presiding at 2:45 p.m.

A communication from Sally A. Baker, Assistant Clerk of the House was read informing that Representative Wagner requests the return of **SB 382 w/SA 3**.

A communication from Bernard J. Brady, Secretary of the Senate was read informing that with Senator Cordrey, President Pro Tempore's concurrence, that **SB 382 w/SA 3** be returned to the House, per the request of Representative Wagner.

The following committee reports were announced:

From Children, Youth and Their Families: **HB 633** - 4 Merits; **SB 473** - 4 Merits.

**SENATE CITATION ANNOUNCEMENT #8**, S138:636 – 708 inclusive was introduced and a copy made available to each Senator.

At 2:48 p.m. on motion of Senator Sharp, the Senate adjourned immediately convene for the 47th Legislative Day.

#### **47TH LEGISLATIVE DAY JUNE 27, 1996**

The Senate convened at 2:48 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Cordrey.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

#### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION June 27, 1996**

The following legislation was introduced and assigned to committee on June 26, 1996:

#### **HB 576 - REASSIGNED TO JUDICIARY FROM NATURAL RESOURCES.**

**SA 2 to SB 414** – Senator Sokola – Placed with the bill.

**SA 2 to HB 522** – Senator Henry – Placed with the bill.

**SA 2 to HB 643** – Senator Blevins – Placed with the bill.

**SA 1 to HB 657** – Senator Sharp – Placed with the bill.

**SB 468** - AN ACT TO AMEND CHAPTERS 31, 45 AND 49, TITLE 15, DELAWARE CODE, RELATING TO ELECTRONIC VOTING MACHINES. Sponsor: Senator Vaughn, Representative Petrilli. To: **Insurance and Elections**.

**SB 469** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION. Sponsor: Senators Hauge & Sokola. To: **Education**.

**SB 471** - AN ACT AWARDING SPECIAL PENSION BENEFITS AND MILITARY SERVICE CREDIT TO WILLIAM M. MOORE, TRANSFERRING MONIES TO THE STATE EMPLOYEES' PENSION FUND, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT PROVIDED BY THIS ACT AS IF THE PAYMENT WERE PURSUANT TO CHAPTER 55, TITLE 29, OF THE DELAWARE CODE. Sponsor: Senator Sokola. To: **Executive**.

**SB 472** - AN ACT TO AMEND THE DELAWARE CODE RELATING TO THE ABOLISHMENT OF THE STATE BOARD OF EDUCATION AND THE DEPARTMENT OF PUBLIC INSTRUCTION AND THE CREATION OF A STATE DEPARTMENT OF EDUCATION WITH AN ELECTED HEAD. Sponsor: Senator Bonini. To: **Education**.

**SB 473** - AN ACT TO AMEND TITLE 10, OF THE DELAWARE CODE RELATING TO CONCURRENT JURISDICTION IN JUSTICE OF THE PEACE COURTS FOR VIOLATIONS OF MUNICIPAL JUVENILE CURFEW ORDINANCES'. Sponsor: Senator Voshell and Representative Quillen. To: **Children, Youth and their Families**.

The following letter of nomination was placed in the **Executive** Committee:

STATE OF DELAWARE  
Office of the Governor  
June 26, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Rosalind Toulson**, 2410 Washington Street, Wilmington, Delaware 19802, to be reappointed as Justice of the Peace for New Castle County for a four-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

The following legislation was introduced and assigned to committee on June 27, 1996:

**SS 1 for SB 368** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PROHIBITED TRADE PRACTICES. Sponsor: Senator Sokola and Representative Oberle; Senators Blevins, Voshell and Hauge; Representatives Brady, B. Ennis, Gilligan, Schroeder and West. Adopted in Lieu of the Original. To: **Judiciary**.

**HS 1 for HB 603** - AN ACT TO AMEND CHAPTER 5 OF TITLE 17 OF THE DELAWARE CODE RELATING TO THE COMPLETION AND DEDICATION OF NEW ROADS AND STREETS. Sponsor: Representative Welch; Representatives Lofink; Senator Voshell. To: **Highways and Transportation**.

**HB 642 w/HA 1 & 2** - AN ACT TO AMEND TITLE 21, SECTION 305 OF THE DELAWARE CODE RELATING TO REGISTRATION, LICENSE AND DRIVER'S PERFORMANCE RECORDS. 2/3 VOTE. Sponsor: Representative Capano & Senator Blevins; Representatives Boulden, Buckworth, Cloutier, Di Pinto, D. Ennis, Ewing, Lee, Maier, Maroney, Reynolds, Smith, Stone, Ulbrich, Wagner, Banning, Brady, Houghton, Plant, Schroeder, Scott, Williams; Senators Henry, Marshall, McBride, Sokola, Voshell, Bair, Connor, Bonini, Hauge, Sorenson. To: **Public Safety**.

**HB 662 w/HA 1** - AN ACT TO AMEND SUBCHAPTER I, CHAPTER 7, TITLE 7, DELAWARE CODE, RELATING TO THE BAITING AND HUNTING OF DEER. Sponsor: Representative West; Representatives B. Ennis, Banning, Brady, DiLiberto, Williams, Caulk, Ewing, Quillen, Lee, Carey, Senators Adams, Cordrey. To: **Natural Resources**.

**HB 670** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ACCOUNTANCY. Sponsor: Representative Ulbrich and Senator Blevins; Representatives Capano, Maier, Houghton, Scott; Senators Sokola, Voshell, Bonini, Reed. To: **Sunset**.

**HB 679** - AN ACT TO AMEND TITLE 21, SECTION 2608 OF THE DELAWARE CODE RELATING TO QUALIFICATION FOR COMMERCIAL DRIVERS LICENSES. Sponsor: Representative Wagner; Senator Sokola. To: **Public Safety**.

**HB 682** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO DENTISTRY AND DENTAL HYGIENE. Sponsor: Representative Ulbrich and Senator Blevins; Representatives Capano, Maier, Houghton, Scott; Senators Sokola Voshell, Bonini, Reed. To: **Sunset**.

**HB 696** - AN ACT TO AMEND CHAPTER 18, TITLE 7, DELAWARE CODE RELATING TO EEL FISHING. 2/3 VOTE. Sponsor: Representatives Carey & Schroeder & Senator McBride. To: **Natural Resources**.

**HB 702** - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF ELECTIONS FOR NEW CASTLE COUNTY TO CONDUCT A REFERENDUM IN CONNECTION WITH THE NOVEMBER 1996 GENERAL ELECTION CONCERNING PUBLIC SCHOOLS IN NEW CASTLE COUNTY. Sponsor: Representatives Oberle & Smith & Brady; Representatives Spence, Petrilli, Boulden, Lofink, Roy, Van Sant; Senators Sharp, Bair, Hauge. To: **Finance**.

**HJR 30 w/HA 1** - CALLING FOR A COLLABORATIVE EFFORT ON THE PART OF DIVISION OF MOTOR VEHICLES (DMV) MANAGEMENT AND EMPLOYEES, THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) AND OTHERS AS DESIGNATED BY THE GOVERNOR AND THE SECRETARY OF PUBLIC SAFETY TO UNDERTAKE A STUDY TO DETERMINE THE OPERATING HOURS OF DMV THAT WILL OPTIMIZE PRODUCTIVITY, COST-EFFECTIVENESS AND THE TIMELY DELIVERY OF QUALITY CUSTOMER SERVICE. Sponsor: Representative Boulden; Representatives Buckworth, Capano, Cloutier, Davis, Di Pinto, Ewing, Lee, Maier, Reynolds, Stone, Ulbrich, Wagner, Banning, Brady, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Scott, West, Williams. To: **Public Safety**.

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**SB 412 w/HA 1**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator Adams.

**SB 412 w/HA 1** - AN ACT TO AMEND CHAPTER 9 OF TITLE 3 OF THE DELAWARE CODE TO FURTHER DEFINE ALLOWABLE RESIDENTIAL USE OF LANDS LOCATED IN AGRICULTURAL PRESERVATION DISTRICT AND TO ENABLE THE AGRICULTURAL PRESERVATION FOUNDATION TO MAKE INSTALLMENT PAYMENTS IN THE PURCHASE OF AGRICULTURAL PRESERVATION EASEMENTS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bonini) ABSENT; therefore, **SB 412 w/HA 1** was declared passed the Senate and sent to the Governor.

Senators Hauge, McBride, Sorenson and McDowell were marked present during the above roll call.

**SB 259 w/HA 1**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator McDowell.

**SB 259 w/HA 1** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COMPENSATION OF THE NEW CASTLE COUNTY EXECUTIVE.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Bonini, Reed) NO, 1 (Henry) ABSENT; therefore, **SB 259 w/HA 1** was declared passed the Senate and sent to the Governor.

Senator Bonini was marked present during the above roll call.

**HB 572 w/HA 1, SA 2 & HA 2** was brought before the Senate for reconsideration on motion of the floor manager, Senator Cook.

**HB 572 w/HA 1, SA 2 & HA 2** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS, CIDER, AND TAXES.

Senator Cook immediately requested the bill be laid on the table. No objection.

**HB 590 w/SA 1 & HA 1** was brought before the Senate for reconsideration, under the suspension of the necessary rules on motion of the floor manager, Senator Vaughn.

**HB 590 w/SA 1 & HA 1** - AN ACT TO AMEND CHAPTER 7, TITLE 18, DELAWARE CODE RELATING TO THE DISTRIBUTION OF INSURANCE PREMIUM TAXES AND FEES.

Several Senators commented.

A roll call vote was taken and revealed 17 Senators voting YES, 3 (Cook, Cordrey, Hauge) NO, 1 (Sharp) NOT VOTING; therefore, **HB 590 w/SA 1 & HA 1** was declared passed the Senate and returned to the House.

**SB 444 w/SA 1 & HA 1**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator Adams.

**SB 444 w/SA 1 & HA 1** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

Senator Adams immediately requested **SB 444 w/SA 1 & HA 1** be laid on the table.

**SS 1 for SB 368** was brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Sokola.

**SS 1 for SB 368** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PROHIBITED TRADE PRACTICES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SS 1 for SB 368** was declared passed the Senate and sent to the House for consideration.

**HB 572 w/HA 1, SA 2 & HA 2**, was lifted from the table and brought before the Senate for reconsideration on motion of the floor manager, Senator Cook.

**HB 572 w/HA 1, SA 2 & HA 2** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS, CIDER, AND TAXES.

Senators Bair and Still questioned the floor manager, after which a roll call vote was taken and revealed 17 Senators voting YES, 4 (Adams, Connor, Sharp, Venables) NO; therefore, **HB 572 w/HA 1, SA 2 & HA 2** was declared passed the Senate and returned to the House.

**SB 444 w/SA 1 & HA 1** was lifted from the table and brought before the Senate for reconsideration on motion of Senator Adams.

**SB 444 w/SA 1 & HA 1** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Amick, Marshall, Sharp) NO; therefore, **SB 444 w/SA 1 & HA 1** was declared passed the Senate and sent to the Governor.

**HB 565 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 565 w/HA 1** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC.

**SA 1 to HB 565** was stricken on motion of Senator Blevins.

**SA 2 to HB 565** was introduced and brought before the Senator for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sorenson) ABSENT; therefore, **SA 2 to HB 565** was declared part of the bill.

**HB 565 w/HA 1 & SA 2** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 565 w/HA 1 & SA 2** was declared passed the Senate and returned to the House for reconsideration.

**HB 566 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 566 w/HA 1** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO OPTOMETRY.

Senator Amick commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 566 w/HA 1** was declared passed the Senate and returned to the House.

**HB 431 w/HA 1, 2 & 3** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 431 w/HA 1, 2 & 3** - AN ACT TO AMEND CHAPTER 10, TITLE 14, DELAWARE CODE, RELATING TO REORGANIZATION OF SCHOOL DISTRICTS.

**SA 1 to HB 431** was brought before the Senator for consideration on motion of Senator Sokola.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) NO; therefore, **SA 1 to HB 431** was declared part of the bill.

**HB 431 w/HA 1, 2, 3 & SA 1** was now before the Senate.

Senators Connor and Vaughn commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 431 w/HA 1, 2, 3 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HB 342 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Cordrey.

**HB 342 w/HA 1** - AN ACT TO AMEND CHAPTER 73, TITLE 6, OF THE DELAWARE CODE RELATING TO THE REGULATION OF SECURITIES, BROKER-DEALERS, INVESTMENT ADVISERS AND AGENTS.

Senator Cordrey requested the bill be laid on the table. No objection.

**HB 633** was brought before the Senate for consideration on motion of the floor manager, Senator McDowell.

**HB 633** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE CHILDREN'S TRUST FUND BOARD OF DIRECTORS.

Senator McDowell requested the bill be laid on the table. No objection.

**HB 420** was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

**HB 420** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO HANDICAPPED PERSONS EMPLOYMENT PROTECTION.

Senator Bonini commented.

A roll call vote was taken and revealed 11 Senators voting YES, 10 (Adams, Amick, Bair, Bonini, Cordrey, Hauge, Reed, Sharp, Still, Venables) NO; therefore, **HB 420** was declared passed the Senate and returned to the House.

**HB 369** was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

**HB 369** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO WORKMEN'S COMPENSATION RATING, EXPERIENCE RATING PLANS, AND EMPLOYER CLASSIFICATIONS.

Senator Still commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 369** was declared passed the Senate and returned to the House.

**HB 421 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

**HB 421 w/HA 1** - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION.

Senator Cordrey commented.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Adams, Bonini) NO; therefore, **HB 421 w/HA 1** was declared passed the Senate and returned to the House.

**HB 423** was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

**HB 423** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM THE STATE CLASSIFIED SERVICE.

Senators Bair and Hauge questioned the floor manager, after which Senator Marshall requested the privilege of the floor for Secretary Darrell J. Minott, representing Department of Labor.

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

A roll call vote was taken and revealed 15 Senators voting YES, 6 (Amick, Reed, Sharp, Sorenson, Still, Vaughn) NO; therefore, **HB 423** was declared passed the Senate and returned to the House.

**HB 342 w/HA 1** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Cordrey.

**HB 342 w/HA 1** - AN ACT TO AMEND CHAPTER 73, TITLE 6, OF THE DELAWARE CODE RELATING TO THE REGULATION OF SECURITIES, BROKER-DEALERS, INVESTMENT ADVISERS AND AGENTS. 3/5 VOTE

**SA 1 to HB 342** was brought before the Senate for consideration on motion of Senator Cook.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Bonini, McDowell, Sorenson) ABSENT; therefore, **SA 1 to HB 342** was declared part of the bill.

**HB 342 w/HA 1 & SA 1** was now before the Senate.

Senator Cordrey requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bonini) ABSENT; therefore, **HB 342 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HB 633** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator McDowell.

**HB 633** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE CHILDREN'S TRUST FUND BOARD OF DIRECTORS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Amick) NO; therefore, **HB 633** was declared passed the Senate and returned to the House.

**HB 666** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cook.

**HB 666** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE NUMBER AND TERM OF OFFICE OF NEW CASTLE COUNTY COUNCIL MEMBERS; AND VOTE REQUIREMENTS FOR CERTAIN ORDINANCES.

The following committee report was announced:

From Administrative Services: **HB 666** - 4 Merits.

**SA 1 to HB 666** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SA 1 to HB 666** was declared part of the bill.

**HB 666 w/SA 1** was now before the Senate.

Senator Cook requested that Senate Sharp be the floor manager of the bill. No objection.

Senators Reed and Sokola questioned the floor manager, after which a roll call vote was taken and revealed 20 Senators voting YES, 1 (Sokola) NO; therefore, **HB 666 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HB 426 w/HA 1** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cook.

**HB 426 w/HA 1** - AN ACT TO AMEND CHAPTER 31 AND CHAPTER 48, TITLE 25 OF THE DELAWARE CODE RELATING TO FEDERAL LIENS; AND PROVIDING FOR A UNIFORM FEDERAL LIEN REGISTRATION ACT. 3/5 VOTE

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 426 w/HA 1** was declared passed the Senate and returned to the House.

**HB 526** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 526** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE POLICE OFFICERS AND FIREFIGHTERS EMPLOYMENT RELATIONS ACT.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Amick) ABSENT; therefore, **HB 526** was declared passed the Senate and returned to the House.

**HB 515** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 515** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ARREST AND COMMITMENT AND THE POWERS OF THE CAPITOL POLICE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 515** was declared passed the Senate and returned to the House.

**HB 574 w/HA 1** was brought before the Senate for consideration on motion of floor manager, Senator Sharp.

**HB 574 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE LAW-ENFORCEMENT OFFICERS' BILL OF RIGHTS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 574 w/HA 1** was declared passed the Senate and returned to the House.

**HB 663** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 663** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO TAPROOMS AND TAVERNS.

Senator Still questioned the floor manager, after which a roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 663** was declared passed the Senate and returned to the House.

**HB 600** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 600** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CREDIT INSURANCE.

Senator Vaughn requested the privilege of the floor for Commissioner Donna Lee H. Williams, representing the Department of Insurance.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 600** was declared passed the Senate and returned to the House.

**HB 570 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

**HB 570 w/HA 1** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO FAIR SHARE FEES AND THE PUBLIC EMPLOYMENT RELATIONS ACT.

Several Senators questioned the floor manager, after which Senator Marshall requested the bill be laid on the table. No objection.

**HB 653** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 653** - AN ACT TO AMEND CHAPTER 295, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BETHANY BEACH" RELATING TO THE QUALIFICATIONS FOR NONRESIDENT PROPERTY OWNERS TO HOLD PUBLIC OFFICE. 2/3 VOTE.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bonini, Venables) ABSENT; therefore, **HB 653** was declared passed the Senate and returned to the House.

**HB 672** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 672** - AN ACT TO AMEND CHAPTER 166, VOLUME 37, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF SELBYVILLE", TO PROVIDE FURTHER FOR THE SUPPLYING OF WATER, TO PROVIDE LIMITATIONS ON TAXES, TO PROVIDE FOR USE OF TOWN MONIES, TO PROVIDE FOR LONG-TERM BORROWING AND PROCEDURES THEREFOR AND TO REPEAL ANY ACT TO THE EXTENT ITS PROVISIONS ARE INCONSISTENT WITH THIS AMENDMENT. 2/3 VOTE.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bonini, Venables) ABSENT; therefore, **HB 672** was declared passed the Senate and returned to the House.

**SS 1 for SB 78** was brought before the Senate for consideration on motion of Senator Cook.

**SS 1 for SB 78** - AN ACT TO AMEND CHAPTERS 55 AND 56, TITLE 29, DELAWARE CODE RELATING TO COMPUTATIONS OF JUDICIAL AND STATE EMPLOYEE PENSIONS.

**SA 1 to SS 1 for SB 78** was brought before the Senate for consideration on motion of Senator Cook.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **SA 1 to SS 1 for SB 78** was declared part of the bill.

**SS 1 for SB 78 w/SA 1** was now before the Senate.

Senators McBride and Still questioned the sponsor.

At 4:56 p.m. on motion of Senator Sharp, the Senate recessed for 5 minutes for the purpose of changing the tape.

The Senate reconvened at 5:00 p.m. with Lt. Governor Minner presiding.

A roll call was taken and revealed 21 Senators voting YES; therefore, **SS 1 for SB 78 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 404** was brought before the Senate for consideration on motion of Senator Cook.

**SB 404** - AN ACT TO AMEND CHAPTER 83, TITLE 11, AND CHAPTERS 55 AND 56, TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS.

A roll call was taken and revealed 21 Senators voting YES; therefore, **SB 404** was declared passed the Senate and sent to the House for consideration.

**HB 78** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cook.

**HB 78** - AN ACT TO AMEND CHAPTER 101, TITLE 29 OF THE DELAWARE CODE RELATING TO GENERAL PROVISIONS FOR PUBLIC ACCESS TO STATE AGENCIES.

Senator Bair questioned the floor manager, after which Senator Cook requested the bill be laid on the table. No objection.

**HB 413 w/HA 3** was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

**HB 413 w/HA 3** - AN ACT TO AMEND CHAPTER 69, TITLE 7 OF THE DELAWARE CODE RELATING TO CONSERVATION; AND PROVIDING FOR A UNIFORM CONSERVATION EASEMENT ACT.

A roll call was taken and revealed 21 Senators voting YES; therefore, **HB 413 w/HA 3** was declared passed the Senate and returned to the House.

**HB 78** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Cook.

Senator Cook requested the privilege of the floor for Representative Arthur Scott.

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

Senator Cook requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call was taken and revealed 9 Senators (Adams, Cook, Henry, Marshall, McBride, McDowell, Sharp, Vaughn, Voshell) voting YES, 11 NO, 1 (Connor) NOT VOTING; therefore, **HB 78** was declared defeated by the Senate and returned to the House.

**HB 573** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Adams.

**HB 573** - AN ACT AUTHORIZING AND DIRECTING THE DELAWARE COMMISSION OF VETERANS AFFAIRS TO ESTABLISH, MAINTAIN AND OPERATE A SECOND DELAWARE VETERANS MEMORIAL CEMETERY TO BE LOCATED IN SUSSEX COUNTY ON LAND OWNED BY THE STATE OF DELAWARE, SAID LAND TO BE DEEDED TO THE COMMISSION BY THE DEPARTMENT OF HEALTH & SOCIAL SERVICES ON LAND PRESENTLY A PART OF THE STOCKLEY CENTER, LOCATED NEAR MILLSBORO, DELAWARE.

A roll call was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **HB 573** was declared passed the Senate and returned to the House.

**HB 621** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator McBride.

**HB 621** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO SHELLFISH AND THE REGULATORY AUTHORITY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.

Senator Still questioned the floor manager, after which Senator McBride requested the privilege of the floor for Charles Lesser, representing the Division of Fish and Wildlife, Natural Resources and Environmental Control.

The witness was excused after addressing the Senate.

A roll call was taken and revealed 21 Senators voting YES; therefore, **HB 621** was declared passed the Senate and returned to the House.

**HB 378 w/HA 1 & 2** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sokola.

**HB 378 w/HA 1 & 2** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.

Senator Sokola requested the privilege of the floor for Thomas Cook, Commissioner of Elections. Senator Connor questioned the witness, after which the witness was excused.

Senator Cordrey requested his name be added as a co-sponsor to **HB 378 w/HA 1 & 2**.

Senator Connor commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 378 w/HA 1 & 2** was declared passed the Senate and returned to the House.

**SB 473** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 473** - AN ACT TO AMEND TITLE 10, OF THE DELAWARE CODE RELATING TO CONCURRENT JURISDICTION IN JUSTICE OF THE PEACE COURTS FOR VIOLATIONS OF MUNICIPAL JUVENILE CURFEW ORDINANCES'. 2/3 VOTE.

A roll call was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SB 473** was declared passed the Senate and sent to the House for consideration.

**HB 591** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator McBride.

**HB 591** - AN ACT TO AMEND CHAPTER 47 OF TITLE 9 OF THE DELAWARE CODE RELATING TO GARBAGE COLLECTION DISTRICTS.

On motion of Senator Bonini, his name was removed as a co-sponsor of the bill.

Senator McDowell questioned the floor manager, after which Senator Reed requested the privilege of the floor for Sherri Schaeffer, Senate Attorney.

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

Senator Venables requested the privilege of the floor for William Davidson, representing All-Rite Rubbish Removal.

The witness was excused after addressing the Senate.

A roll call was taken and revealed 17 Senators voting YES, 3 (Bonini, Hauge, Sokola) NO, 1 (Still) NOT VOTING, therefore, **HB 591** was declared passed the Senate and returned to the House.

**HB 585** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 585** - AN ACT TO AMEND CHAPTER 59 OF TITLE 10 OF THE DELAWARE CODE REGARDING LEGAL NAME CHANGES.

A roll call was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **HB 585** was declared passed the Senate and returned to the House.

**HB 400** was lifted from the table and brought before the Senate for consideration, under the suspension of the necessary rules on motion of the floor manager, Senator Sharp.

**HB 400** - AN ACT TO AMEND SUBCHAPTER V, CHAPTER 19, TITLE 10, DELAWARE CODE, RELATING TO JUDICIAL RECORDS AND INDICES, NEW CASTLE COUNTY.

Senator Amick commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 400** was declared passed the Senate and returned to the House.

**HB 401 w/HA 1** was lifted from the table and brought before the Senate for consideration, under the suspension of the necessary rules on motion of the floor manager, Senator Sharp.

**HB 401 w/HA 1** - AN ACT TO AMEND CHAPTER 21, TITLE 25, OF THE DELAWARE CODE RELATING TO THE SATISFACTION OF MORTGAGES.

Senator Still commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 401 w/HA 1** was declared passed the Senate and returned to the House.



**HB 657** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 657** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS FOR CHILD CARE PROVIDERS.

**SA 1 to HB 657** was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sorenson) ABSENT; therefore, **SA 1 to HB 657** was declared part of the bill.

**HB 657 w/SA 1** was now before the Senate.

Senator Still commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 657 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HB 636** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 636** - AN ACT TO AMEND TITLE 29, CHAPTER 58 OF THE DELAWARE CODE RELATING TO THE REQUIREMENTS IMPOSED UPON STATE EMPLOYEES.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) NO; therefore, **HB 636** was declared passed the Senate and returned to the House.

**HB 647** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 647** - AN ACT TO AMEND CHAPTER 70, TITLE 21 OF THE DELAWARE CODE RELATING TO FIRE LANES.

Several Senators questioned the floor manager, after which a roll call vote was taken and revealed 17 Senators voting YES, 4 (Adams, Bonini, McDowell, Venables) NO; therefore, **HB 647** was declared passed the Senate and returned to the House.

**SCR 75** was introduced and brought before the Senate for consideration on motion of Senator Henry.

**SCR 75** - CREATING A TASK FORCE TO CONDUCT A STUDY AND MAKE RECOMMENDATIONS CONCERNING DELAWARE'S JUVENILE JUSTICE SYSTEM.

Sponsor: Senator Henry & Representative Maroney; Senators McDowell & Amick; Representatives Capano & Di Pinto.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Reed) NO; therefore, **SCR 75** was declared adopted by the Senate and sent to the House for consideration.

At 5:28 p.m. on motion of Senator Sharp, the Senate recessed until 4:00 p.m. on June 30, 1996.

The Senate reconvened at 5:57 p.m. on June 30, 1996 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 596 w/HA 1; HB 690; SB 310 w/HA 2; SB 403 w/SA 1; SB 422; SB 437; SB 438 w/SA 1; SB 424; SB 418; SB 288; SB 456; SB 115 w/HA 1; SCR 73; HB 660 w/HA 1 & 2; SB 413 w/SA 1; SB 427 w/SA 1 & 2; HB 404; HB 677; HS 1 for HB 461; HB 632 w/HA 1; HS 1 for HB 581 w/HA 1; HS 1 for HB 625; SS 1 for SB 332; HJR 29; HB 662; HB 702; HB 696; HB 682; HB 670; HCR 72; HB 642 w/HA 1 & 2; HJR 30 w/HA 1; HB 679; HS 1 for HB 603; SB 243 w/HA 1 & SA 1; SS 2 to SB 223 w/SA 1, 4 & HA 1; SB 417 w/SA 1; SB 398 w/SA 1; SB 444 w/SA 1 & HA 1. SB 382 w/SA 3 & HA 1** was defeated in the House and is returning same to the Senate.

The following committee reports were announced:

From Insurance and Elections: **SB 414** - 4 Merits.

From Public Safety: **SB 474** - 4 Merits; **HS 1 for HB 625** - 4 Merits; **HB 642 w/HA 1 & 2** - 4 Merits; **HB 679** - 4 Merits; **HJR 30 w/HA 1** - 4 Merits.

From Highways and Transportation: **HS 1 for HB 581 w/HA 1** - 4 Merits; **HS 1 for HB 603** - 4 Merits.

From Education: **HB 613** - 4 Merits; **HB 661** - 4 Merits.

From Sunset: **HB 670** - 3 Merits; **HB 682** - 3 Merits.

From Community/County Affairs: **HB 596 w/HA 1** - 5 Merits.

A messenger from the Governor was announced and admitted.

The following letters of nomination for appointment from the Governor were read and assigned to the **Executive** Committee:

STATE OF DELAWARE  
Office of the Governor  
June 30, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Mr. S. Lee Frankel**, 15 West Side Drive, Rehoboth Beach, Delaware 19971, to be appointed to the Board of Trustees of the University of Delaware to serve a six-year term, to succeed Rachel Grier.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

This nomination was **laid on the table** on motion of Senator Adams.

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 30, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Mary Jane Willis**, 677 Lake Drive West, Smyrna, Delaware 19977, to be appointed to the Public Integrity Commission for a term to expire April 2, 1997.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

This nomination was **laid on the table** on motion of Senator Adams.

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 30, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**R. Howard Seward**, 591 Carriage Lane, Dover, Delaware 19901, to be reappointed to the Industrial Accident Board for a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

**LEGISLATIVE ADVISORY NO. #65 & #66**, from the Office of Counsel to the Governor were announced for the record, partially read and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #65**, dated June 27, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #408 AAB SA 7** (6/26/96) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH CARE DECISIONS. (Sponsor: Senators Sharp & Bair, Senators

Blevins, Voshell, Amick and Sorenson; Representatives Maroney, Brady, Cloutier) (Volume 70, Chapter 392, Laws of Delaware).

**HB #444** (6/26/96) - AN ACT TO AMEND PART V, TITLE 12 OF THE DELAWARE CODE RELATING TO FIDUCIARY RELATIONS; AND PROVIDING FOR A UNIFORM TRANSFERS TO MINORS ACT. (Sponsor: Representative Roy & Senator Sharp) (Volume 70, Chapter 393, Laws of Delaware).

**HB #443** (6/26/96) - AN ACT TO AMEND PART III, TITLE 12 OF THE DELAWARE CODE RELATING TO DESCENT AND DISTRIBUTION; AND PROVIDING FOR A UNIFORM TOD SECURITY REGISTRATION ACT. (Sponsor: Representative Roy; Senator Sharp) (Volume 70, Chapter 394, Laws of Delaware).

**HB #564 AAB HA 1** (6/26/96) - AN ACT TO AMEND TITLE 6, DELAWARE CODE, RELATING TO THE DELAWARE WORKERS COOPERATIVE ACT. (Sponsor: Representative Smith & Senator Venables; Representatives Spence, Petrilli, Quillen, D. Ennis, Gilligan, Van Sant & Senators Cordrey, Sharp, Bair and Connor) (Volume 70, Chapter 395, Laws of Delaware).

The following is a Constitutional Amendment and does not require the signature of the Governor.

**HB #495 AAB HA 1 AND SA 1** - AN ACT PROPOSING AMENDMENT TO ARTICLE IV § 11(1) OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE JURISDICTION OF THE DELAWARE SUPREME COURT IN CRIMINAL CASES. (Sponsor: Representative Roy and Senator Sharp) (Volume 70, Chapter 396, Laws of Delaware).

\* \* \*

**LEGISLATIVE ADVISORY #66**, dated June 30, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #355 AAB SA 1, 4, 5 AND HA 1, 2** (6/27/96) - AN ACT TO AMEND §4120 OF TITLE 11 OF THE DELAWARE CODE AND TITLE 21 OF THE DELAWARE CODE RELATING TO SEX OFFENDERS. (Sponsor: Senators Cordrey and Adams, Representatives Spence and Carey) (Volume 70, Chapter 398, Laws of Delaware).

**SB #425** (6/27/96) - AN ACT AMENDING THE BEACH PRESERVATION ACT, TITLE 7 OF THE DELAWARE CODE. (Sponsor: Senators Cordrey and Adams, Representatives Spence and Carey) (Volume 70, Chapter 398, Laws of Delaware).

**HB #395 AAB HA 1** (6/27/96) - AN ACT TO AMEND TITLE 3, DELAWARE CODE, RELATING TO GRAIN CONTRACTS OF SALE, DISCOUNT RATES, AND TEST WEIGHT RATES. (Sponsor: Representative Caulk; Representatives Quillen, Buckworth, Carey, Ewing, Fallon, Lee, Lofink, Welch, Banning, Bunting, B. Ennis, Schroeder, West; Senators Cook, Cordrey, Vaughn, Venables, Voshell, Bonini, Still) (Volume 70, Chapter 399, Laws of Delaware).

**HB #430** (6/27/96) - AN ACT TO AMEND 11, TITLE 24 OF THE DELAWARE CODE RELATING TO DENTISTRY AND DENTAL HYGIENE. (Sponsor: Representative Ulbrich and Senator Blevins; Representatives Capano, Maier, Houghton, Scott; Senators Sokola, Voshell, Bonini, Reed) (Volume 70, Chapter 400, Laws of Delaware).

**HB #453 AAB HA 1** (6/27/96) - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO CONTRACTORS AND DEVELOPERS. (Sponsor: Representative Smith & Senator Venables) (Volume 70, Chapter 401, Laws of Delaware).

**HB #460** (6/27/96) - AN ACT TO AMEND CHAPTERS 13 AND 19 OF TITLE 2 OF THE DELAWARE CODE REPEALING THE EMPLOYEE COMMUTE OPTIONS ACT AND PROVIDING FOR THE CONFIDENTIALITY OF CERTAIN INFORMATION. (Sponsor: Representative Di Pinto & Senator Voshell) (Volume 70, Chapter 402, Laws of Delaware).

**HB #556 AAB SA 1** (6/27/96) - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO THE DELAWARE BICYCLE COUNCIL. (Sponsor: Representative Roy and Senator Sokola) (Volume 70, Chapter 403, Laws of Delaware).

**HB #474** (6/27/96) - AN ACT TO AMEND CHAPTER 53, TITLE 24 OF THE DELAWARE CODE RELATING TO THE MASSAGE/BODYWORK PRACTITIONER ACT. (Sponsor: Representative Ulbrich and Senator Blevins; Representatives Capano, Maier, Scott; Senators Bonini, Reed, Sokola, Voshell) (Volume 70, Chapter 404, Laws of Delaware).

**HB #491 AAB HA 1 AND SA 1** (6/27/96) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PUBLIC SWIMMING AND BATHING PLACES. (Sponsor: Representative Schroeder; Representatives Bunting, Carey; Senator Cordrey) (Volume 70, Chapter 405, Laws of Delaware).

**HB #567** (6/27/96) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO DENTISTRY AND DENTAL HYGIENE. (Sponsor: Representative Ulbrich and Senator Blevins; Representatives Capano, Maier, Houghton, Scott; Senators Sokola, Voshell, Bonini, Reed) (Volume 70, Chapter 406, Laws of Delaware).

**SB #326** (6/27/96) - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO TRANSPORTATION OF SPIRITS, WINES OR BEER. (Sponsor: Senator Voshell; Representative Ewing) (Volume 70, Chapter 407, Laws of Delaware).

**SB #327 AAB SA 1** (6/27/96) - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO SUPPLIER AND SALES REPRESENTATIVE LICENSE FEES. (Sponsor: Senator Voshell; Representative Ewing) (Volume 70, Chapter 408, Laws of Delaware).

**SB #337** (6/28/96) - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE DOMESTIC VIOLENCE COORDINATING COUNCIL. (Sponsor: Senator Blevins and Representative Capano and Senator Sorenson; Senators Vaughn, Sokola, Bair and Henry; Representatives Wagner, Maier, Banning, Jonkiert, Spence and Schroeder) (Volume 70, Chapter 409, Laws of Delaware).

**SB #376 AAB SA 1** (6/28/96) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO REQUIREMENTS FOR INMATES TO PAY FOR CERTAIN MEDICAL SERVICES AND MEDICATIONS. (Sponsor: Senator Vaughn and Representative Lee; Senator Sharp and Representatives B. Ennis, Ewing and Capano) (Volume 70, Chapter 410, Laws of Delaware).

**SB #377 AAB SA 1** (6/28/96) - AN ACT TO AMEND TITLE 10, TITLE 29 AND TITLE 11 RELATING TO COURT COSTS, FILING FEES AND CREATING A MECHANISM FOR SANCTIONING FRIVOLOUS PRISONER LITIGATION. (Sponsor: Senator Vaughn and Representative Lee; Senators Sharp and Blevins; Representatives Ewing, B. Ennis and Capano) (Volume 70, Chapter 411, Laws of Delaware).

\* \* \*

At 6:07 p.m. on motion of Senator Sharp, the Senate adjourned immediately convene for the 48th Legislative Day.

#### **48TH LEGISLATIVE DAY JUNE 30, 1996**

The Senate convened at 6:07 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Sharp.

The Pledge of Allegiance to the Flag.

The call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

#### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION June 30, 1996**

The following letter of nomination was placed in the **Executive** Committee on June 25, 1996:

STATE OF DELAWARE  
Office of the Governor  
June 25, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Lewis Trivits**, 203 Tulip Drive, Seaford, Delaware 19973, to be reappointed as a Justice of the Peace for Sussex County for a four-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

The following legislation was introduced and assigned to committee on June 27, 1996:

**SA 1 to HB 338** – Senator Marshall – Placed with the bill.

**SA 3 to HB 522** – Senator Voshell – Placed with the bill.

**SA 4 to HB 522** – Senator Sokola – Placed with the bill.

**SA 5 to HB 522** – Senator McDowell – Placed with the bill.

**SA 6 to HB 522** – Senator Voshell – Placed with the bill.

**SB 474** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES REGISTRATION PLATES FOR CERTAIN OFFICERS OF THE STATE OF DELAWARE. Sponsor: Senator Henry. To: **Public Safety**.

**SB 475** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOBBYING AND EXPENDITURE OF STATE FUNDS. Sponsor: Senators Sokola & Hauge, Senators Blevins, Bonini, Reed; Representatives Bunting, Capano, Cloutier, Maier, Smith. To: **Ethics**.

**HB 404** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE. Sponsor: Representatives Smith, Welch & Spence. To: **Insurance and Elections**.

**HS 1 to HB 461** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE FORMER STATE BOARD OF HEALTH. Sponsor: Representative Lee; Senator Amick. To: **Health and Social Services**.

**HS 1 to HB 581 w/HA 1** - AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO THE LIABILITY OF THE DELAWARE TRANSPORTATION AUTHORITY. Sponsor: Representative Brady. To: **Highways and Transportation**.

**HB 632 w/HA 1** - AN ACT TO AMEND TITLE 11 AND TITLE 16 OF THE DELAWARE CODE RELATING TO THE STATE BUREAU OF IDENTIFICATION AND BACKGROUND CHECKS FOR EMPLOYEES OF SANATORIA, REST HOMES, NURSING HOMES, BOARDING HOMES, AND RELATED INSTITUTIONS. Sponsor: Representatives Spence & Oberle & Senators Sharp & McBride; Representatives Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, Di Pinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Reynolds, Roy, Smith, Stone, Ulbrich, Wagner, Welch, Banning, Brady, B. Ennis, Gilligan, Houghton, Jonkiert, Plant, Van Sant & West; Senators Adams, Bonini, Connor. To: **Judiciary**.

**HB 677** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A SPECIAL FUND TO FUND THE LIQUIDATION OF INSOLVENT INSURERS FROM THE UNEXPENDED ASSETS OF OTHER INSOLVENT INSURERS. Sponsor: Representative Smith. To: **Insurance and Elections**.

The following letter of nomination was placed in the **Executive** Committee:

STATE OF DELAWARE  
Office of the Governor  
June 27, 1996

To the Senate of the 138th General Assembly  
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

**Orval Foraker**, 12 Daylilly Court, Wilmington, Delaware 19808, to be reappointed to the Board of Elections of New Castle County to serve a four-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Tom Carper  
Thomas R. Carper  
Governor

\* \* \*

The following legislation was introduced and assigned to committee on June 30, 1996:

**HB 596 w/HA 1** - AN ACT TO AMEND CHAPTER 47 OF TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES. Sponsor: Representative Scott; Representatives Banning, Boulden, Brady, Bunting, Capano, Carey, Caulk, Cloutier, B. Ennis, Ewing, Gilligan, Houghton, Jonkiert, Lee, Lofink, Oberle, Plant, Schroeder, Smith, Ulbrich, Van Sant, West, Williams; Senators Henry, Marshall, Still, Voshell. To: **Community/County Affairs**.

**HS 1 to HB 625** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES. Sponsor: Representatives Maier & Davis. To: **Public Safety**.

**HB 660 w/HA 1** - AN ACT TO AMEND TITLES 2, 9 AND 30 OF THE DELAWARE CODE RELATING TO AERONAUTICS AND COUNTY BUILDING CODES. 2/3 VOTE. Sponsor: Representatives Caulk & Roy; Representatives Boulden, Buckworth, Carey, Cloutier, Davis, Ewing, Lee, Lofink, Mack, Ulbrich, Wagner, Banning, Brady, B. Ennis, Gilligan, Schroeder; Senator Voshell. To: **Community/County Affairs**.

**HB 690** - AN ACT TO WAIVE CERTAIN STATUTORY PROVISIONS OF CHAPTER 1, TITLE 13 OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF LINDA J. LOPUSKI-RICKARDS AND MURRAY KENRIC BUTLER. Sponsor: Representative Schroeder & Senator Cordrey. To: **Executive**.

**HJR 29** - AUTHORIZING AND DIRECTING THE DELAWARE FIRE PREVENTION COMMISSION TO NAME THE FIRE SERVICE TRAINING CENTER (ONLY) LOCATED AT 1461 CHESTNUT GROVE ROAD AS THE "LOUIS J. AMABILI FIRE SERVICE TRAINING CENTER" FOR HIS LONG TENURE AND DEDICATED FIRE SERVICE IN THE STATE OF DELAWARE AND THE RECOGNITION HE HAS BROUGHT TO OUR STATE. Sponsor: Representatives B. Ennis, Banning, Boulden, Brady, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, Di Pinto, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Jonkiert, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Roy, Schroeder, Scott, Smith, Spence, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams, Senators Cook, Vaughn, Voshell, Adams, Blevins, Venables, Still. To: **Laid on the table**.

\* \* \*

On motion of Senator Adams and without objection, the necessary rules were suspended to consider the following nominations for appointment by the Governor:

**Maria V. Barriocanal** - 17 Senators voting YES, 3 (Amick, Bair, Reed) NO, 1 (Still) Absent. Appointment confirmed.

**Leah W. Betts** - 21 Senators voting YES. Appointment confirmed.

**Mary C. Boudart** - 21 Senators voting YES. Appointment confirmed.

**Regina Dudzic** - 21 Senators voting YES. Appointment confirmed.

**Mitchell M. Fisher, Sr.** - 21 Senators voting YES. Appointment confirmed.

**Vera Lynn Gregory** - 21 Senators voting YES. Appointment confirmed.

**Mary M. MaloneyHuss** - 21 Senators voting YES. Appointment confirmed.

**Thomas Lodge** - 21 Senators voting YES. Appointment confirmed.

**James F. Maher** - 21 Senators voting YES. Appointment confirmed.

**Arnetta McRae** - 21 Senators voting YES. Appointment confirmed.

**Robert G. Medd, Jr.** - 21 Senators voting YES. Appointment confirmed.

**Robert Moore** - 21 Senators voting YES. Appointment confirmed.

**Dorothy Pritchett** - 21 Senators voting YES. Appointment confirmed.

**Gwynne Smith** - 21 Senators voting YES. Appointment confirmed.

**Dr. Laurel Standley** - 21 Senators voting YES. Appointment confirmed.

**Lewis Trivits** - 21 Senators voting YES. Appointment confirmed.

**Verdie West** - 21 Senators voting YES. Appointment confirmed.

**William Patrick Wood** - 21 Senators voting YES. Appointment confirmed.

**Mrs. S. Lee Frankel** - 17 Senators voting YES, 4 (Amick, Bair, Bonini, Reed) NO. Appointment confirmed.

**Mary Jane Willis** - 21 Senators voting YES. Appointment confirmed.

At 7:00 p.m. on motion of Senator Sharp the Senate recessed for 15 minutes.

The Senate reconvened at 7:08 p.m. with Lt. Governor Minner presiding.

**HB 639** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sharp.

**HB 639** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 26 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE POWERS AND DUTIES OF THE PROTHONOTARY AND THE ENTRY OF TESTATUM FIERI FACIAS. 2/3 VOTE.

Senator Amick questioned the floor manager, after which a roll call vote was taken and revealed 20 Senators voting YES, 1 (Bonini) ABSENT; therefore, **HB 639** was declared passed the Senate and returned to the House.

**HS 2 for HB 433** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Blevins.

**HS 2 for HB 433** - AN ACT TO AMEND CHAPTER 97, TITLE 16, DELAWARE CODE RELATING TO A STATEWIDE TRAUMA CARE SYSTEM.

Senator McBride commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HS 2 for HB 433** was declared passed the Senate and returned to the House.

**SENATE CONSENT CALENDAR #17** was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**SCR 74** - COMMENDING STEPHAN P. AUSTIN OF NEWARK, DELAWARE, WHO WAS RECENTLY HONORED AS THE 1996 CONGRESSIONAL FIRE SERVICES INSTITUTE PERSON OF THE YEAR, AND FURTHER WISHING MR. AUSTIN CONTINUED SUCCESS IN HIS EFFORTS TO PURVEY UNBIASED INFORMATION ON FIRE SERVICE ISSUES TO CONGRESSIONAL DELEGATES. Sponsor: Senator Amick on behalf of All Senators and Representative DiLiberto on behalf of All Representatives.

**SCR 76** - CREATING A CANINE CONTROL TASK FORCE TO STUDY WAYS OF IMPROVING DOG CONTROL IN DELAWARE AND TO PRESENT THEIR RECOMMENDATIONS TO THE GENERAL ASSEMBLY. Sponsor: Senator Reed; Senator Still; Representatives Ulbrich and Maier

**SCR 77** - EXTENDING SINCERE BEST WISHES AND COMMENDATIONS TO THE MEN AND WOMEN OF THE DELAWARE AIR NATIONAL GUARD AS THE UNIT PREPARES TO CELEBRATE 50 YEARS OF SERVICE TO THE STATE OF DELAWARE AND NATION. Sponsor: Senators Sharp & McBride on behalf of the Senate; Representatives Spence, Reynolds & B. Ennis on behalf of the House.

**HCR 61** - REQUESTING AND URGING THE VOLUNTARY ADOPTION OF GUIDELINES REGARDING POST-PARTUM HOSPITAL STAYS BY ALL DELAWARE HEALTH CARE PROVIDERS, INSURERS, HEALTH MAINTENANCE ORGANIZATIONS, AND HEALTH BENEFIT PLANS; REQUESTING THE DELAWARE HEALTH CARE COMMISSION TO MONITOR CERTAIN READMISSIONS. Sponsor: Representative Maroney & Senator Blevins; Representatives Spence, Buckworth, Capano, Cloutier, Di Pinto, Davis, Fallon, Lee, Maier, Roy, Smith, Wagner, Welch, Banning, Brady, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Van Sant, West, Williams; Senators Adams, Henry, Marshall, Sokola, Amick, Bonini, Sorenson, Still.

**HCR 72** - CREATING A CLEAN INDOOR AIR TASK FORCE AND REQUESTING THE ASSISTANCE OF DELAWARE SCHOOL DISTRICTS AND PRIVATE EMPLOYERS TO ASSESS AND ADDRESS CLEAN INDOOR AIR EFFICIENTLY. Sponsor: Representative Maroney; Representatives Di Pinto, Cloutier, Reynolds.

A roll call vote was taken on **SENATE CONSENT CALENDAR #17** and revealed 20 Senators voting YES, 1 (Venables) NO; therefore the **Senate Consent Calendar** was declared adopted by the Senate. The Senate Concurrent Resolutions were sent to the House for consideration and the House Concurrent Resolutions were returned to the House.

**SCR 78** was introduced and brought before the Senate for consideration on motion of Senator Bair.

**SCR 78** - CONGRATULATING DELAWAREAN VICKI HUBER OF BRANDYWINE HUNDRED ON MAKING THE 1996 U.S OLYMPIC TRACK AND FIELD TEAM. Sponsor: Senator Bair & Representative Smith.

Senator Sokola commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 78** was declared adopted by the Senate and sent to the House for consideration.

**HJR 29** was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Voshell.

**HJR 29** - AUTHORIZING AND DIRECTING THE DELAWARE FIRE PREVENTION COMMISSION TO NAME THE FIRE SERVICE TRAINING CENTER (ONLY) LOCATED AT 1461 CHESTNUT GROVE ROAD AS THE "LOUIS J. AMABILI FIRE SERVICE TRAINING CENTER" FOR HIS LONG TENURE AND DEDICATED FIRE SERVICE IN THE STATE OF DELAWARE AND THE RECOGNITION HE HAS BROUGHT TO OUR STATE. Sponsor: Representatives B. Ennis, Banning, Boulden, Brady, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, Di Pinto, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Jonkiert, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Roy, Schroeder, Scott,

Smith, Spence, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams, Senators Cook, Vaughn, Voshell, Adams, Blevins, Venables, Still.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HJR 29** was declared passed the Senate and returned to the House.

**SCR 79** was introduced and brought before the Senate for consideration on motion of Senator Sokola.

**SCR 79** - CONGRATULATING DELAWARE ATHLETES DIONNA HARRIS, VICKY HUBER, ROB SMITH AND OTTO STEFFERS FOR EARNING SPOTS ON THE UNITED STATES SUMMER OLYMPICS TEAM. Sponsor: Senator Sokola, for All Senators; Representative Reynolds, for All Representatives.

Senator Bair commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 79** was declared adopted by the Senate and sent to the House for consideration.

**SB 468** was brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Vaughn.

**SB 468** - AN ACT TO AMEND CHAPTERS 31, 45 AND 49, TITLE 15, DELAWARE CODE, RELATING TO ELECTRONIC VOTING MACHINES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 468** was declared passed the Senate and sent to the House for consideration.

**HB 410** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cook.

**HB 410** - AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO STATE GOVERNMENT ACCOUNTABILITY.

**SA 1 to HB 410** was introduced and before the Senate for consideration on motion of Senator Cook.

Senator Still questioned the sponsor, after which a roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 410** was declared part of the bill.

**HB 410 w/SA 1** was now before the Senate.

Senator Sharp questioned the floor manager, after which Senator Cook requested the privilege of the floor for Pete Ross, Budget Director.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 410 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HS 1 for HB 514 w/HA 1 aab HA 1** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator McBride.

**HS 1 for HB 514 w/HA 1 aab HA 1** - AN ACT TO AMEND TITLE 23 OF THE DELAWARE CODE RELATING TO THE OPERATION OF A VESSEL OR BOAT WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR AND/OR DRUGS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HS 1 for HB 514 w/HA 1 aab HA 1** was declared passed the Senate and returned to the House.

**HB 599** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sharp.

**HB 599** - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES COMMITTED BY JUVENILES.

Senators Henry and McDowell questioned the floor manager, after which Senator Sharp requested the privilege of the floor for Steven Wood, representing the Attorney General's office.

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

Senator Marshall questioned the floor manager, after which Senator Henry requested the privilege of the floor for Reverend Brown, representing NAACP.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 16 Senators voting YES, 4 (Amick, Henry, McDowell, Venables) NO, 1 (McBride) ABSENT; therefore, **HB 599** was declared passed the Senate and returned to the House.

**HB 570 w/HA 1** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

**HB 570 w/HA 1** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE RELATING TO FAIR SHARE FEES AND THE PUBLIC EMPLOYMENT RELATIONS ACT.

Senators Venables and Cordrey commented.

A roll call vote was taken and revealed 8 Senators (Blevins, Connor, Cook, Henry, Marshall, McBride, McDowell, Vaughn) voting YES, 10 NO, 2 (Sharp, Sokola) NOT VOTING, 1 (Still) ABSENT; therefore, **HB 570 w/HA 1** was declared defeated by the Senate and returned to the House.



**SB 479** was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Marshall.

**SB 479** - AN ACT TO AMEND CHAPTER 406, VOLUME 69, LAWS OF DELAWARE, ENTITLED "AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN THE CITY OF WILMINGTON, KNOWN AS THE BRIDGE HOUSE". Sponsor: Senator Marshall; Representatives Scott and Jonkiert.

Several Senators questioned the sponsor, after which a roll call vote was taken and revealed 11 Senators voting YES, 8 (Amick, Bonini, Connor, Cordrey, Hauge, Reed, Sorenson, Still) NO, 2 (Adams, Bair) NOT VOTING; therefore, **SB 479** was declared passed the Senate and sent to the House for consideration.

**HB 522 w/HA 1, 2 & 3** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 522 w/HA 1, 2 & 3** - AN ACT TO AMEND TITLE 10 AND TITLE 25 OF THE DELAWARE CODE RELATING TO LANDLORD-TENANT RELATIONSHIPS; AND PROVIDING FOR A RESIDENTIAL LANDLORD-TENANT CODE.

**SA 1 to HB 522** was stricken on motion of Senator Sokola. No objection.

**SA 4 to HB 522** was brought before the Senate for consideration on motion of Senator Sokola.

A roll call vote was taken and revealed 17 Senators voting YES, 2 (Adams, Vaughn) NO, 2 (Sharp, Sorenson) ABSENT; therefore, **SA 4 to HB 522** was declared part of the bill.

**SA 2 to HB 522** was brought before the Senate for consideration on motion of Senator Henry.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to HB 522** was declared part of the bill.

**SA 3 to HB 522** was brought before the Senate for consideration on motion of Senator Voshell.

Senator Voshell requested the privilege of the floor for Rebecca Batson, Senate Attorney.

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

Senator Sokola requested the privilege of the floor for Michael Morton, Esquire, representing Landlord Tenant Review Commission.

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

Senator Voshell requested the privilege of the floor for H. W. Hannon, representing Delaware Housing Coalition and Delaware Mobile Home Tenants Association.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 6 Senators (Blevins, Cordrey, McBride, Sharp, Venables, Voshell) voting YES, 14 NO, 1 (Henry) NOT VOTING; therefore, **SA 3 to HB 522** was declared defeated.

**SA 5 to HB 522** was brought before the Senate for consideration on motion of Senator McDowell.

Senator Voshell requested the privilege of the floor for Dennis Norwood, representing Sussex County Mobile Homes Tenants Association.

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

Senator McDowell requested the privilege of the floor for Michael Morton, Esquire, representing Landlord Tenant Review Commission.

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

Senator Voshell requested the privilege of the floor for H. W. Hannon, representing Delaware Housing Coalition and Delaware Mobile Home Tenants Association.

At 8:40 p.m. on motion of Senator Sharp, the Senate recessed for the changing of the tape.

The Senate reconvened at 9:57 p.m. with Lt. Governor Minner presiding.

**SA 5 to HB 522** is still before the Senate for consideration. Senator Bair continued questioning the witness, after which the witness was excused.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cordrey, Voshell) NO; therefore, **SA 5 to HB 522** was declared part of the bill.

**SA 6 to HB 522** was stricken on motion of Senator Voshell. No objection.

**HB 522 w/HA 1, 2, 3, w/SA 4, 2 & 5** was now before the Senate.

Senator Sokola requested the privilege of the floor for Michael Morton, Esquire, representing Landlord Tenant Review Commission.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **HB 522 w/HA 1, 2, 3, w/SA 4, 2 & 5** was declared passed the Senate and returned to the House for reconsideration.

**HJR 30 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HJR 30 w/HA 1** - CALLING FOR A COLLABORATIVE EFFORT ON THE PART OF DIVISION OF MOTOR VEHICLES (DMV) MANAGEMENT AND EMPLOYEES, THE

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) AND OTHERS AS DESIGNATED BY THE GOVERNOR AND THE SECRETARY OF PUBLIC SAFETY TO UNDERTAKE A STUDY TO DETERMINE THE OPERATING HOURS OF DMV THAT WILL OPTIMIZE PRODUCTIVITY, COST-EFFECTIVENESS AND THE TIMELY DELIVERY OF QUALITY CUSTOMER SERVICE. Sponsor: Representative Boulden; Representatives Buckworth, Capano, Cloutier, Davis, Di Pinto, Ewing, Lee, Maier, Reynolds, Stone, Ulbrich, Wagner, Banning, Brady, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Scott, West, Williams.

Senator Still commented.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Still) NOT VOTING, 1 (Cordrey) ABSENT; therefore, **HJR 30 w/HA 1** was declared passed the Senate and returned to the House.

**HB 424** was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

**HB 424** - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 424** was declared passed the Senate and returned to the House.

**HB 455** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 455** - AN ACT TO AMEND CHAPTER 28, TITLE 21 OF THE DELAWARE CODE RELATING TO HABITUAL MOTOR VEHICLE OFFENDERS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **HB 455** was declared passed the Senate and returned to the House.

**HB 506** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Voshell.

**HB 506** - AN ACT TO AMEND CHAPTER 91 AND CHAPTER 92 OF TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PLANNING AND LAND USE PLANNING COORDINATION.

**SA 1 to HB 506** was stricken on motion Senator Voshell.

**SA 2 to HB 506** was introduced and brought before the Senate for consideration on motion of Senator Voshell.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to HB 506** was declared part of the bill.

**HB 506 w/SA 2** was now before the Senate.

Senator Voshell requested the privilege of the floor for David Hugg, State Planning Coordinator. The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 506 w/SA 2** was declared passed the Senate and sent to the House for reconsideration.

**HJR 27** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cook.

**HJR 27** - CREATING A BINGO TASK FORCE TO STUDY DELAWARE'S BINGO RULES AND REGULATIONS AND THE REASONS FOR DECLINING BINGO REVENUES AND TO MAKE RECOMMENDATIONS THEREON TO THE GENERAL ASSEMBLY

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HJR 27** was declared passed the Senate and returned to the House.

**HB 592** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 592** - AN ACT TO AMEND CHAPTER 43, TITLE 11 OF THE DELAWARE CODE RELATING TO GOOD TIME CREDIT FOR PRISONERS.

Senators Venables and Henry questioned the floor manager, after which a roll call vote was taken and revealed 18 Senators voting YES, 1 (Venables) NO, 2 (Henry, McDowell) NOT VOTING; therefore, **HB 592** was declared passed the Senate and returned to the House.

**HB 651** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 651** - AN ACT TO AMEND SECTION 4112 OF TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT CRIMINAL VIOLATIONS.

**SA 1 to HB 651** was brought before the Senate for consideration on motion of Senator Sokola. Senator Sharp commented.

A roll call vote was taken and revealed 13 Senators voting YES, 7 (Blevins, Bonini, Cook, Cordrey, Reed, Sharp, Vaughn) NO, 1 (Still) NOT VOTING; therefore, **SA 1 to HB 651** was declared part of the bill.

**HB 651 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 651 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HB 167 w/HA 1** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Marshall.

**HB 167 w/HA 1** - AN ACT TO AMEND CHAPTER 59 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 167 w/HA 1** was declared passed the Senate and returned to the House.

**HB 325** was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

**HB 325** - AN ACT TO AMEND CHAPTER 7, TITLE 18 OF THE DELAWARE CODE RELATING TO CHANGE THE DATES ON WHICH QUARTERLY TAX PAYMENTS ARE DUE AND HOW UNDERPAYMENTS ARE DETERMINED.

**SA 1 to HB 325** was brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 325** was declared part of the bill.

**HB 325 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **HB 325 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

Senator Cook requested the release of **HB 511 w/HA 1, 2, 3 & 4** from the Public Safety Committee and for its consideration by the Senate.

Senator Sharp objected.

A roll call vote was taken on the motion and revealed 9 Senators (Bair, Bonini, Connor, Cook, Hauge, Reed, Still, Vaughn, Venables) voting YES, 11 NO, 1 (Henry) ABSENT; therefore, the motion did not carry.

**SCR 80** was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Marshall.

**SCR 80** - RESPECTFULLY URGING THE CITY OF WILMINGTON POLICE DEPARTMENT TO REINSTATE ALFRED "IZZY" IZQUIERDO TO HIS POSITION ON THE POLICE FORCE. Sponsor: Senator Marshall & Representative Jonkiert; Senators McDowell, Vaughn; Representatives B. Ennis, Scott.

Senators Bair and Blevins commented.

A roll call vote was taken and revealed 5 Senators (Marshall, McBride, McDowell, Sharp, Vaughn) voting YES, 14 NO, 2 (Henry, Still) NOT VOTING; therefore, **SCR 80** was declared defeated.

**HB 507 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 507 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HABITUAL CRIMINALS AND DEFINING VIOLENT FELONIES.

**SA 1 to HB 507** was brought before the Senate for consideration on motion of Senator Sorenson.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) NOT VOTING; therefore, **SA 1 to HB 507** was declared part of the bill.

**HB 507 w/HA 1 & SA 1** was now before the Senate.

Senator Venables questioned the floor manager, after which Senator Sharp requested the privilege of the floor for Keith Brady, Chief Deputy, Attorney General's office.

Senator McDowell questioned the witness, after which Senator Sharp requested the bill be laid on the table. No objection.

The witness was excused.

At 11:24 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

The Senate reconvened at 11:52 p.m. with Lt. Governor Minner presiding.

**HB 507 w/HA 1 & SA 1** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

A roll call vote was taken and revealed 17 Senators voting YES, 2 (McDowell, Venables) NO, 2 (Henry, Still) NOT VOTING; therefore, **HB 507 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

Senator Still explained his reasons for voting the way he did.

At 11:54 p.m. on motion of Senator Sharp, the Senate adjourned the 2nd Session of the 138th General Assembly.

\* \* \*

Pursuant to the following communication, the Senate was called to order into Session at 12:00 midnight, July 1, 1996 with Lt. Governor Minner presiding:

**SECOND SPECIAL SESSION**

**July 1, 1996**

STATE OF DELAWARE  
OFFICE OF THE LIEUTENANT GOVERNOR

TO: Members of the 138th General Assembly

FROM: Ruth Ann Minner, Lt. Governor, State of Delaware  
Terry R. Spence, Speaker of the House of Representatives

SUBJECT: Special Session

DATE: June 30, 1996

Pursuant to the provisions of Article II, Section 4 of the Constitution of the State of Delaware of 1897, as amended, we hereby declared the 138th General Assembly of the State of Delaware in Special Session.

(Signed) Ruth Ann Minner, Lt. Governor and  
President of the State

(Signed) Terry R. Spence,  
Speaker of the House of Representatives  
\* \* \*

A prayer was offered by Senator Cordrey.

Pledge of Allegiance to the Flag.

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Cordrey, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Sharp. No objections. Senator Sharp requests that a tribute honoring Senator Cordrey upon his retirement be read in its entirety. No objection.

Senator Sharp presents Senator Cordrey with the tribute and a gift from the Caucus.

Remarks were made by Senator Cordrey.

A gift was presented to Senator Cordrey from Senator Marshall.

A gift was presented to Senator Cordrey from Senator Bair and the Minority Caucus.

Senator Cordrey commented.

A presentation followed by Senator Cordrey.

**HB 543** was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

**HB 543** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 543** was declared passed the Senate and returned to the House.

**HB 584 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 584 w/HA 1** - AN ACT TO AMEND TITLE 18 RELATING TO THE DELAWARE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 584 w/HA 1** was declared passed the Senate and returned to the House.

**HB 626 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 626 w/HA 1** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HIV TESTING.

Senator Henry questioned the floor manager, after which a roll call vote was taken and revealed 19 Senators voting YES, 1 (Reed) NO, 1 (Henry) NOT VOTING; therefore, **HB 626 w/HA 1** was declared passed the Senate and returned to the House.

**SJR 28** was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Cordrey.

**SJR 28 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1996.** Sponsor: Senator Cordrey; Senators Cook and Amick; Representatives Petrilli, Davis and Gilligan.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SJR 28** was declared passed the Senate and sent to the House for consideration.

**SJR 29** was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Cordrey.

**SJR 29 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1997.** Sponsor Senator Cordrey; Senators Cook, Amick; Representatives Petrilli, Davis and Gilligan.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SJR 29** was declared passed the Senate and sent to the House for consideration.

**SB 460** was brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Cook.

**SB 460 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1997; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.**

Senator Still commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bonini) NO; therefore, **SB 460** was declared passed the Senate and sent to the House for consideration.

**SB 470** was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Cook.

**SB 470 - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANT-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 1997; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. 3/4 VOTE.** Sponsor: Senators Cook, Henry, McBride, Sorenson, Still; Representatives Davis, Buckworth, DiPinto, Maroney, Bunting, Jonkiert.

Several Senators questioned the sponsor, after which Senator Cook requested the bill be laid on the table. No objection.

**SB 480** was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Cordrey.

**SB 480 - AN ACT TO APPROPRIATE GENERAL FUNDS TO REDUCE GENERAL OBLIGATIONS OF THE STATE.** Sponsor: Senator Cordrey; Senators Adams, Blevins, Cook, Henry, Marshall, McBride, McDowell, Sharp, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still, Petrilli, Oberle, Ewing, Buckworth, DiPinto, Maroney, Bunting, Jonkiert, Spence, Davis, Quillen, Gilligan, VanSant, Banning, Boulden, Brady, Capano, Carey, Caulk, Cloutier, DiLiberto, B. Ennis, D. Ennis, Fallon, Houghton, Lee, Lofink, Mack, Maier, Plant, Reynolds, Roy, Schroeder, Scott, Smith, Stone, Ulbrich, Wagner, Welch, West, Williams.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 480** was declared passed the Senate and sent to the House for consideration.

**SB 482** was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Sharp.

**SB 482 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX.** Sponsor: Senator Sharp; Representatives Smith; Senators Cordrey, Marshall, Adams, Cook, Blevins, Henry, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Bair, Connor, Amick, Bonini, Hauge, Reed, Sorenson, Still; Representatives Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Roy, Stone, Ulbrich, Wagner, Welch, Gilligan, VanSant, Banning, Brady, Bunting, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Schroeder, Scott, West, Williams.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 482** was declared passed the Senate and sent to the House for consideration.

**SB 481** was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Adams.

**SB 481** - AN ACT TO AMEND TITLE 30, DELAWARE CODE, RELATING TO LICENSE FEES AND GROSS RECEIPTS TAX. Sponsor: Senator Adams & Representatives Smith & Wagner; Senators Cordrey, Sharp, Marshall, Cook, Blevins, Henry, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Bair, Connor, Amick, Hauge, Reed, Sorenson, Still; Representatives Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Reynolds, Roy, Stone, Ulbrich, Welch, Gilligan, VanSant, Banning, Brady, Bunting, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Schroeder, Scott, West, Williams.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 481** was declared passed the Senate and sent to the House for consideration.

**SB 483** was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Cordrey.

**SB 483** - AN ACT TO AMEND TITLE 5 RELATING TO THE BANK FRANCHISE TAX.

Sponsor: Senator Cordrey & Representative Petrilli; Senators Sharp, Marshall, Adams, Cook, Blevins, Henry, McBride, Sokola, Vaughn, Venables, Voshell, Bair, Connor, Amick, Hauge, Reed, Sorenson, Still, Representatives Spence, Quillen, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maroney, Reynolds, Roy, Smith, Stone, Ulbrich, Wagner, Welch, Gilligan, VanSant, Banning, Brady, Bunting, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Schroeder, Scott, West, Williams.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 483** was declared passed the Senate and sent to the House for consideration.

**SB 484** was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Marshall.

**SB 484** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE; 64 DELAWARE LAWS, CHAPTER 460, AS AMENDED; AND 70 DELAWARE LAWS, CHAPTER 219, RELATING TO DELAWARE TAXES. Sponsor: Senator Marshall & Representative Oberle; Senators Cordrey, Sharp, Adams, Cook, Blevins, Henry, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Bair, Connor, Amick, Reed, Sorenson, Still; Representatives Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Reynolds, Roy, Smith, Stone, Ulbrich, Wagner, Welch, Gilligan, VanSant, Banning, Brady, Bunting, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Schroeder, Scott, West, Williams.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 484** was declared passed the Senate and sent to the House for consideration.

The Secretary announced a message from the House informing the Senate that it had passed **HB 683 w/HA 1, 2 & 4; HB 712; HB 713; HB 714; HB 715; HB 716; HB 678; HB 700; HCR 75; HB 668; HB 669; HB 698; HB 620; HB 708; HB 703; HB 675; HB 706; HB 674 w/HA 1; HB 692; HB 630 w/HA 1; HB 547; HB 666 w/SA 1 & HA 1; SB 70 w/SA 1 & HA 1; SB 335; SB 458; SB 439; SCR 78; SB 467 w/SA 1; SB 465; SB 428; SS 1 for SB 368; SB 454; SJR 27; SJR 25; SB 423 w/SA 1; SB 462; SB 451; SB 304 w/SA 2, 4 & 5; SB 193 w/SA 2, 3 & HA 2.**

**HB 713, HB 678, HB 714, HB 716, HB 715** and **HB 712** were considered under the suspension of the necessary rules, on motion of the floor manager, Senator Cordrey. No objections.

**HB 713** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. Sponsor: Representative Smith; Senator Sharp; Representatives Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Roy, Stone, Ulbrich, Wagner, Welch, Gilligan, VanSant, Banning, Brady, Bunting, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Schroeder, Scott, West, Williams; Senators Cordrey, Marshall, Adams, Cook, Blevins, McDowell, Sokola, Vaughn, Venables, Voshell, Bair, Connor, Amick, Bonini, Hauge, Reed, Sorenson, Still.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 713** was declared passed the Senate and returned to the House.

**HB 678** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE, RELATING TO GROSS RECEIPTS AND USE TAXES. Sponsor: Representative DiPinto; Representative Houghton; Senators Adams, McBride.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 678** was declared passed the Senate and returned to the House.

**HB 714** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITY TAXES. Sponsor: Representative Ewing; Senator Sharp; Representative Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Roy, Smith, Stone, Ulbrich, Wagner, Welch, Gilligan, VanSant, Banning, Brady, Bunting, DiLiberto, B. Ennis, Houghton,

Jonkiert, Plant, Schroeder, Scott, West, Williams, Venables, Cordrey, Marshall, Adams, Blevins, Cook, Henry, McBride, McDowell, Sokola, Vaughn, Voshell, Bair, Connor, Amick, Reed, Sorenson, Still.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 714** was declared passed the Senate and returned to the House.

**HB 716** - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO TAXES ON SPIRITS. Sponsor: Representative Petrilli; Senator Bair; Representatives Spence, Quillen, Boulden, Buckworth, Capano, Carey, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Mack, Maroney, Reynolds, Roy, Smith, Stone, Ulbrich, Wagner, Gilligan, VanSant, Banning, Brady, Bunting, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Schroeder, Scott, West, Williams; Senators Marshall, Amick, Bonini.

Senator Connor questioned the floor manager, after which a roll call vote was taken and revealed 15 Senators voting YES, 6 (Bonini, Hauge, Reed, Sokola, Sorenson, Voshell) NO; therefore, **HB 716** was declared passed the Senate and returned to the House.

**HB 715** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE, RELATING TO PERSONAL INCOME TAX. Sponsor: Representative Oberle; Senator Blevins; Representatives Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Reynolds, Roy, Smith, Stone, Ulbrich, Wagner, Welch, Gilligan, VanSant, Banning, Brady, Bunting, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Schroeder, Scott, West, Williams, Senators Cordrey, Sharp, Marshall, Adams, Cook, Henry, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Bair, Connor, Amick, Bonini, Hauge, Reed, Sorenson, Still.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore, **HB 715** was declared passed the Senate and returned to the House.

**HB 712** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITY TAX ON CABLE TELEVISION SERVICES. Sponsor: Representative Smith; Representative Gilligan; Senator Bair; Representatives Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Mack, Maroney, Reynolds, Roy, Stone, Wagner, Welch, VanSant, Banning, Brady, Bunting, DiLiberto, B. Ennis; Senator Henry; Representatives Houghton, Jonkiert, Plant, Schroeder, Scott, West, Williams; Senators Cook, Marshall, Blevins, McBride, McDowell, Sokola, Venables, Voshell, Amick, Hauge.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 712** was declared passed the Senate and returned to the House.

**HB 700** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Venables.

**HB 700** - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 1997; DEAUTHORIZING STATE GUARANTEED BOND AUTHORIZATIONS AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; DEAUTHORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; APPROPRIATING MONIES FROM THE TWENTY-FIRST EXPENDITURE OF SUCH FUND SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. 3/4 VOTE.

A debt statement was partially read, on motion of Senate Venables and copies were made available.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 700** was declared passed the Senate and returned to the House.

**SB 470** was lifted from the table and brought before the Senate for consideration on motion of Senator Cook.

**SB 470** - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 1997; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. 3/4 VOTE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 470** was declared passed the Senate and sent to the House for consideration.

**HCR 75** was brought before the Senate for consideration on motion of the floor manager, Senator Cordrey.

**HCR 75** - ESTABLISHING A TASK FORCE TO STUDY THE FORMULA TO COMPENSATE THE INDEPENDENT SCHOOL BUS CONTRACTORS. Sponsor: Representative Buckworth.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HCR 75** was declared adopted by the Senate and returned to the House.

**HB 643 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 643 w/HA 1 & 2** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO VOTER REGISTRATION.

**SA 1 to HB 643** was stricken on motion of Senator Blevins.

**SA 2 to HB 643** was brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sorenson) ABSENT; therefore, **SA 2 to HB 643** was declared part of the bill.

**HB 643 w/HA 1, 2 & SA 2** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 643 w/HA 1, 2 & SA 2** was declared passed the Senate and returned to the House for reconsideration.

**HB 642 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 642 w/HA 1 & 2** - AN ACT TO AMEND TITLE 21, SECTION 305 OF THE DELAWARE CODE RELATING TO REGISTRATION, LICENSE AND DRIVER'S PERFORMANCE RECORDS.

A roll call vote was taken and revealed 20 Senators voting YES, 1(Sorenson) ABSENT; therefore, **HB 642 w/HA 1 & 2** was declared passed the Senate and returned to the House.

**HB 683 w/HA 1, 2 & 4** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 683 w/HA 1, 2 & 4** - AN ACT TO AMEND CHAPTER 53, TITLE 24 OF THE DELAWARE CODE AND CHAPTERS 88 AND 101, TITLE 29 OF THE DELAWARE CODE RELATING TO MASSAGE.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Reed, Sharp) NO, 1 (Hauge) ABSENT; therefore, **HB 683 w/HA 1, 2 & 4** was declared passed the Senate and returned to the House.

**HB 429 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 429 w/HA 1** - AN ACT TO AMEND CHAPTER 19, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF NURSING.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 429 w/HA 1** was declared passed the Senate and returned to the House.

**SB 70 w/SA 1 & HA 2**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator Cook.

**SB 70 w/SA 1 & HA 2** - AN ACT TO AMEND CHAPTER 29, TITLE 24, DELAWARE CODE RELATING TO REAL ESTATE BROKERS, SALESPERSONS AND APPRAISERS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 70 w/SA 1 & HA 2** was declared passed the Senate and sent to the Governor.

**SB 115 w/HA 2**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator Voshell.

**SB 115 w/HA 2** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO THE APPLICABILITY OF RESPONSIBLE ALCOHOLIC BEVERAGE SERVER TRAINING PROGRAM.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 115 w/HA 2** was declared passed the Senate and sent to the Governor.

**HB 666 w/SA 1 & HA 2** was brought before the Senate for reconsideration on motion of the floor manager, Senator Cook.

**HB 666 w/SA 1 & HA 2** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE NUMBER AND TERM OF OFFICE OF NEW CASTLE COUNTY COUNCIL MEMBERS; AND VOTE REQUIREMENTS FOR CERTAIN ORDINANCES.

**SA 2 to HB 666** was stricken on motion of Senator Sokola.

Several Senators questioned the floor manager, after which a roll call vote was taken and revealed 16 Senators voting YES, 5 (Connor, McDowell, Reed, Sokola, Sorenson) NO; therefore, **HB 666 w/SA 1 & HA 2** was declared passed the Senate and returned to the House.



**SB 449 w/HA 1**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator Blevins.

**SB 449 w/HA 1** - AN ACT TO AMEND TITLE 18 RELATING TO HEALTH INSURANCE CONTRACTS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 449 w/HA 1** was declared passed the Senate and sent to the Governor.

**SB 193 w/SA 2, 3 & HA 2**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator Still.

**SB 193 w/SA 2, 3 & HA 2** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CASUALTY INSURANCE CONTRACTS.

Senator Reed questioned the sponsor, after which a roll call vote was taken and revealed 18 Senators voting YES, 3 (Marshall, McBride, Sharp) NO; therefore, **SB 193 w/SA 2, 3 & HA 2** was declared passed the Senate and sent to the Governor.

On motion of Senator Adams and without objection, the necessary rules were suspended to consider the following nominations for appointment by the Governor:

**Orval Foraker** - 21 Senators voting YES. Appointment confirmed.

**Richard F. Stokes, Esquire** - Senator Bair commented on the nomination, after which a roll vote was taken and revealed 16 Senators voting YES, 1 (Bonini) NO, 4 (Bair, Reed, Sharp, Still) NOT VOTING. Appointment confirmed.

**HB 661** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 661** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION AND THE LOSS OR DESTRUCTION OF BOOKS AND OTHER SCHOOL PROPERTY.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 661** was declared passed the Senate and returned to the House.

**SB 474** was brought before the Senate for consideration on motion of Senator Henry.

**SB 474** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE REGISTRATION PLATES FOR CERTAIN OFFICERS OF THE STATE OF DELAWARE.

A roll call vote was taken and revealed 15 Senators voting YES, 6 (Adams, Cordrey, Reed, Sharp, Still, Vaughn) NO; therefore, **SB 474** was declared passed the Senate and sent to the House for consideration.

**HB 617** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 617** - AN ACT TO AMEND CHAPTER 101 OF TITLE 3 OF THE DELAWARE CODE TO REQUIRE THE THOROUGHbred RACING COMMISSION TO FINGERPRINT ALL LICENSE APPLICANTS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 617** was declared passed the Senate and returned to the House.

**HB 624** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cook.

**HB 624** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO THE LICENSING OF PARTICIPANTS, OFFICIALS, AND OTHERS IN HARNESS RACING MEETS. 3/5 VOTE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 624** was declared passed the Senate and returned to the House.

**SB 384** was brought before the Senate for consideration on motion of Senator Reed.

**SB 384** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO INTERPRETING OF SIGNIFICANT STATE EVENTS FOR THE HEARING IMPAIRED.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 384** was declared passed the Senate and sent to the House for consideration.

**HB 628** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cook.

**HB 628** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO THE LICENSING OF PARTICIPANTS IN THOROUGHbred RACING MEETS. 3/5 VOTE.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **HB 628** was declared passed the Senate and returned to the House.

**HB 652** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cook.

**HB 652** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE TO GRANT TO THE PUBLIC SERVICE COMMISSION JURISDICTION AND AUTHORITY TO CONDUCT PROCEEDINGS AS PRESCRIBED BY THE FEDERAL TELECOMMUNICATIONS ACT OF 1996 WITHOUT STRICT ADHERENCE TO THE PROCEDURAL REQUIREMENTS SET FORTH IN THE PUBLIC UTILITIES ACT AND THE STATE ADMINISTRATIVE PROCEDURES ACT.

Senator McDowell questioned the floor manager, after which a roll call vote was taken and revealed 18 Senators voting YES, 3 (Bonini, McBride, McDowell) NO; therefore, **HB 652** was declared passed the Senate and returned to the House.

**HB 549** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cook.

**HB 549** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE BOARD OF PENSION TRUSTEES AND INVESTMENT POOLS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) NOT VOTING; therefore, **HB 549** was declared passed the Senate and returned to the House.

**HS 1 for HB 461** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Blevins.

**HS 1 for HB 461** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE FORMER STATE BOARD OF HEALTH. Sponsor: Representative Lee; Senator Amick

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HS 1 for HB 461** was declared passed the Senate and returned to the House.

**HB 563 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 563 w/HA 1** - AN ACT TO AMEND CHAPTER 50, TITLE 25 OF THE DELAWARE CODE, RELATING TO LIENS AND ESTATE RECOVERIES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 563 w/HA 1** was declared passed the Senate and returned to the House.

**HB 660 w/HA 1 & 2** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Voshell.

**HB 660 w/HA 1 & 2** - AN ACT TO AMEND TITLE 2, 9 AND 30 OF THE DELAWARE CODE RELATING TO AERONAUTICS AND COUNTY BUILDING CODES. 2/3 VOTE.

Senators Still and McDowell questioned the floor manager, after which a roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 660 w/HA 1 & 2** was declared passed the Senate and returned to the House.

**HB 671** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 671** - AN ACT TO AMEND CHAPTER 13, TITLE 24, DELAWARE CODE RELATING TO PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES. 3/5 VOTE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 671** was declared passed the Senate and returned to the House.

At 2:56 a.m. on motion of Senator Sharp, the Senate recessed to the call of the President Pro Tempore.

## **COMMUNICATIONS RECEIVED AFTER JULY 1, 1996**

**LEGISLATIVE ADVISORIES #67**, dated July 1, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #234** (6/30/96) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FALSELY REPORTING AN INCIDENT. (Sponsor: Sens. Sharp and Vaughn, Reps. Spence and Oberle) (Volume 70, Chapter 412, Laws of Delaware).

**SB #338 AAB SA 2** (6/30/96) – AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE BY CREATING A NEW CHAPTER 34 ESTABLISHING THE EMERGENCY MANAGEMENT ASSISTANCE COMPACT. (Sponsor: Sen. Voshell and Rep. Ewing) (Volume 70, Chapter 413, Laws of Delaware).

**HS 1 FOR HB #159 AAB HA 1 AND SA 1** (6/30/96) – AN ACT TO AMEND CHAPTER 43, TITLE 21, DELAWARE CODE, RELATING TO EQUIPMENT AND CONSTRUCTION VEHICLES. (Sponsor: Reps. B. Ennis, Wagner, Sen. Voshell; Reps. Banning, Brady, Houghton, Van Sant, DiLiberto, Bunting, Schroeder, West, Scott, Gilligan, Quillen, D. Ennis, Lee, Ewing, Capano, Spence, Welch, Boulden, Sens. Vaughn, McBride) (Volume 70, Chapter 414, Laws of Delaware).

**HB #339 AAB HA 2** (6/30/96) – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO EXPERT WITNESSES. (Sponsor: Reps. Oberle & Spence; Sens. McBride & Sharp) (Volume 70, Chapter 415, Laws of Delaware).

**HB #473** (6/30/96) – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DEPARTMENT OF MOTOR VEHICLE RECORDS AND DRIVING DURING SUSPENSION OFFENDERS. (Sponsor: Rep. Roy and Sen. Sharp) (Volume 70, Chapter 416, Laws of Delaware).

**HB #508** (6/30/96) – AN ACT TO AMEND SUBCHAPTER II, CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL REGISTRATION PLATES. (Sponsor: Rep. West, Reps. Banning, Brady, Buckworth, Bunting, Carey, Caulk, Cloutier, DiLiberto, B. Ennis, Ewing, Houghton, Jonkier, Lee, Plant, Scott, Welch, Williams) (Volume 70, Chapter 418, Laws of Delaware).

**HB #518 AAB SA 1** (6/30/96) – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CERTAIN MOTOR VEHICLE OFFENSES COMMITTED BY JUVENILES. (Sponsor: Rep. Ewing; Sen. Voshell) (Volume 70, Chapter 418, Laws of Delaware).

**HB #519 AAB SA 1** (6/30/96) – AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO HOME CONSTRUCTION AND HOME IMPROVEMENT. (Sponsor: Rep. Petrilli & Sen. Sokola) (Volume 70, Chapter 419, Laws of Delaware).

**HB #568 AAB HA 1** (6/30/96) – AN ACT TO AMEND CHAPTER 35, TITLE 6 OF THE DELAWARE CODE RELATING TO BUILDING CONSTRUCTION PAYMENTS. (Sponsor: Rep. Banning) (Volume 70, Chapter 420, Laws of Delaware).

**HB #579 AAB HA 1** (6/30/96) – AN ACT TO AMEND SECTION 1405, TITLE 11 OF THE DELAWARE CODE, RELATING TO THE EXCEPTIONS TO THE OFFENSE OF POSSESSING A GAMBLING DEVICE. (Sponsor: Rep. Roy & Sen. Sharp) (Volume 70, Chapter 421, Laws of Delaware).

**HB #593** (6/30/96) – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE FRAUD PREVENTION BUREAU OF THE OFFICE OF THE INSURANCE COMMISSIONER. (Sponsor: Rep. Capano; Sen. Vaughn; Reps. Spence, Boulden, Di Pinto, Lee, Lofink, Reynolds, Stone, Ulbrich, Brady, Banning, Bunting, B. Ennis, Scott, Van Sant, Williams; Sen. Connor) (Volume 70, Chapter 422, Laws of Delaware).

**HB #598** (6/30/96) – AN ACT TO REINCORPORATE THE TOWN OF TOWNSEND. (Sponsor: Rep. Banning & Sen. Vaughn) (Volume 70, Chapter 423, Laws of Delaware).

**HB #332 AAB HA 1 AND SA 1** (7/1/96) – AN ACT TO AMEND CHAPTER 17, TITLE 18, DELAWARE CODE RELATING TO INSURANCE AGENTS, BROKERS, AND OTHER LICENSEES OF THE INSURANCE DEPARTMENT. (Sponsor: Rep. Capano; Rep. Bunting) (Volume 70, Chapter 424, Laws of Delaware).

**SJR #28** (7/1/96) – THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1996. (Sponsor: Sens. Cordrey, Cook and Amick; Reps. Petrilli, Davis and Gilligan).

**SJR #29** (7/1/96) – THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1997. (Sponsor: Sens. Cordrey, Cook, Amick; Reps. Petrilli, Davis and Gilligan).

**SB #460** (7/1/96) – AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1997; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Sponsor: Sens. Cook, Henry, McBride, Vaughn, Sorenson, Still; Reps. Davis, Buckworth, Di Pinto, Maroney, Bunting, Jonkiert) (Volume 70, Chapter 425, Laws of Delaware).

**SB #470** (7/1/96) – AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANT-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 1997; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Sponsor: Sen. Cook, Henry, McBride, Vaughn, Sorenson, Still; Rep. Davis, Buckworth, Di Pinto, Maroney, Bunting, Jonkiert) (Volume 70, Chapter 426, Laws of Delaware).

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**LEGISLATIVE ADVISORY #68**, dated July 5, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HB #479** (7/2/96) – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE SYMBOLS. (Sponsor: Rep. Reynolds) (Volume 70, Chapter 427, Laws of Delaware).

**SB #372 AAB SA 1** (7/2/96) – AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE REPAIRS. (Sponsor: Sens. Blevins & Rep. Oberle; Sens. Henry, McBride, Marshall, Sokola, Vaughn, Voshell, Bair; Reps. Spence, Capano, Lee, Maier) (Volume 70, Chapter 428, Laws of Delaware).

**SS #1 FOR SB #347** (7/2/96) – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SALE OF MOTOR VEHICLES. (Sponsor: Sen. Henry; Sens. Sokola, Voshell, and Hauge, Reps. Ewing and Williams) (Volume 70, Chapter 429, Laws of Delaware).

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**LEGISLATIVE ADVISORY #69**, dated July 9, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #192 AAB SA 1** (7/3/96) – AN ACT TO AMEND CHAPTER 178, VOLUME 69, LAWS OF DELAWARE AND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF COSMETOLOGY AND BARBERING. (Sponsor: Sens. Blevins & Still; Rep. Stone) (Volume 70, Chapter 430, Laws of Delaware).

**SB #215** (7/3/96) – AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO LIEN OF TAXES AND OTHER CHARGES. (Sponsor: Sen. Marshall and Rep. Jonkiert; Sens. McDowell, Henry; Reps. George, Plant, Scott) (Volume 70, Chapter 431, Laws of Delaware).

**SB #238 AAB SA 1 AND HA 1** (7/3/96) – AN ACT TO GRANT A VETERANS MILITARY PAY BONUS TO CERTAIN MERCHANT MARINES. (Sponsors: Sens. Voshell & Still; Sens. Marshall, Vaughn, McBride, Cook; Reps. Quillen, Ewing, Buckworth, Carey, Bunting) (Volume 70, Chapter 432, Laws of Delaware).

**SB #287** (7/3/96) – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TERMINAL RENTAL ADJUSTMENT CLAUSE LEASES. (Sponsor: Sen. Voshell and Rep. Roy; Sen. Amick) (Volume 70, Chapter 433, Laws of Delaware).

**SB #308** (7/3/96) – AN ACT TO AMEND SUBTITLE II, TITLE 6 OF THE DELAWARE CODE RELATING TO OTHER LAWS RELATING TO COMMERCE AND TRADE; AND PROVIDING FOR A UNIFORM FRAUDULENT TRANSFER ACT. (Sponsor: Sen. Sharp) (Volume 70, Chapter 434, Laws of Delaware).

**SB #334** (7/3/96) – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO EXEMPTIONS OF FARM TRUCKS FROM MOTOR FUEL TAX. (Sponsor: Sens. Adams, Voshell, Venables, Cook, Cordrey, Vaughn and Rep. Ewing) (Volume 70, Chapter 435, Laws of Delaware).

**SB #381 AAB SA 1** (7/3/96) – AN ACT TO AMEND TITLES 7 AND 11 OF THE DELAWARE CODE AND CHAPTER 275, VOLUME 70 OF THE LAWS OF DELAWARE RELATING TO HUNTING AND TRAPPING DEVICES, ENVIRONMENTAL MISDEMEANORS AND CERTAIN TECHNICAL

CORRECTIONS. (Sponsors: Sen. McBride, Voshell & Bair; Rep. Carey) (Volume 70, Chapter 436, Laws of Delaware).

**SB #390 AAB SA 1** (7/3/96) – AN ACT TO AMEND CHAPTER 19, TITLE 11 OF THE DELAWARE CODE RELATING TO ARREST WITHOUT WARRANT. (Sponsor: Sens. Vaughn and Sharp; Reps. Roy and Lee) (Volume 70, Chapter 437, Laws of Delaware).

**SB #393** (7/3/96) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FEMALE GENITAL MUTILATION. (Sponsor: Sens. Henry, McBride, Adams, Blevins, Cook, Marshall, McDowell, Sokola, Venables, Voshell, Bonini, Connor, and Sorenson; Reps. Banning, Brady, Bunting, B. Ennis, Jonkiert, Schroeder, Scott, Williams, Boulden, Capano, Cloutier, Di Pinto, Ewing, Lee, Maier, Maroney, Plant, Reynolds, Ulbrich, Wagner and West) (Volume 70, Chapter 438, Laws of Delaware).

**SB #398 AAB SA 1** (7/3/96) – AN ACT TO REPEAL THE BULK TRANSFER PROVISIONS OF THE UNIFORM COMMERCIAL CODE OF THE DELAWARE CODE. (Sponsors: Sen. Cordrey and Rep. Wagner) (Volume 70, Chapter 329, Laws of Delaware).

**SB #399 AAB SA 1** (7/3/96) – AN ACT TO AMEND AN ACT BEING 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 AND PROVIDING FOR THE ELECTION OF THEIR SUCCESSORS” TO CHANGE THE DATE FOR FILING NOTICE OF CANDIDACY FOR OFFICE OF MEMBER OF BOARD OF PUBLIC WORKS AND TO REQUIRE UNITED STATES AND DELAWARE CITIZENSHIP TO VOTE. (Sponsor: Sen. Voshell & Rep. Schroeder) (Volume 70, Chapter 440, Laws of Delaware).

**SB #410** (7/3/96) – AN ACT TO AMEND VOLUME 27, CHAPTER 216, LAWS OF DELAWARE AS AMENDED, TO CHANGE RESIDENCY REQUIREMENTS AND ALLOW A SUBSTITUTE DATE FOR MUNICIPAL ELECTIONS IN THE CITY OF NEW CASTLE. (Sponsors: Sen. Connor & Rep. Mack) (Volume 70, Chapter 441, Laws of Delaware).

**SB #431** (7/3/96) – AN ACT TO AMEND AN ACT, BEING CHAPTER 276, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, ENTITLED “AN ACT TO REINCORPORATE THE TOWN OF GEORGETOWN” TO INCREASE THE TOWN COUNSEL’S POWER TO LEVY AND COLLECT TAXES. (Sponsors: Sen. Adams and Rep. West) (Volume 70, Chapter 442, Laws of Delaware).

**SB #432 AAB SA 1** (7/3/96) – AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLSBORO, CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, ENTITLED “AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO”, TO CHANGE FROM TOWN CLERK TO TOWN MANAGER, CHANGE THE HOURS OF MUNICIPAL ELECTIONS, PROVIDE FOR ABSENTEE BALLOTING, AUTHORIZE THE MAYOR TO ACT IN CERTAIN EMERGENCIES, EXPAND THE POWERS OF THE MUNICIPALITY IN THE COLLECTION OF TAXES, INCREASE THE MAXIMUM FINE WHICH MAY BE IMPOSED, AND AUTHORIZE CONTRIBUTION TO AN AMBULANCE/EMERGENCY TREATMENT SERVICE. (Sponsor: Sen. Cordrey & Rep. West) (Volume 70, Chapter 443, Laws of Delaware).

**HB #207 AAB HA 1 & 2** (7/3/96) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VICTIM-OFFENDER MEDIATION. (Sponsor: Rep. Davis) (Volume 70, Chapter 444, Laws of Delaware).

**HB #295 AAB HA 1** (7/3/96) – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO FAMILY COURT AND JUVENILES DRIVING WITHOUT LICENSES. (Sponsor: Rep. Wagner; Reps. Spence, Boulden, Caulk, Cloutier, Ewing, Lee, Maier, Smith, Welch, Banning, Houghton, West) (Volume 70, Chapter 445, Laws of Delaware).

**HB #640** (7/3/96) – AN ACT TO AMEND CHAPTER 93, TITLE 16, DELAWARE CODE, RELATING TO HEALTH PLANNING AND RESOURCES MANAGEMENT. (Sponsors: Rep. Maroney & Sen. Blevins; Reps. Capano, Maier, Ulbrich, Houghton, Scott; Sens. Blevins, McDowell, Sokola, Voshell, Amick, Bonini, Bair, Reed, Sorenson) (Volume 70, Chapter 446, Laws of Delaware).

The following is a constitutional amendment and does not require the signature of the Governor:

**SB #298** – AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 29 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE TERM OF OFFICE OF JUSTICES OF THE PEACE. (Sponsors: Sen. Sharp; Reps. Roy, Spence; Sen. Vaughn) (Volume 70, Chapter 447, Laws of Delaware).

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**LEGISLATIVE ADVISORY #70**, dated July 9, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #317 AAB SA 2** (7/5/96) – AN ACT TO AMEND TITLES 10, 11 AND 13 OF THE DELAWARE CODE RELATING TO CRIMINAL NON-SUPPORT. (Sponsors: Sen. Blevins and Rep. Maroney; Sen. Bair) (Volume 70, Chapter 448, Laws of Delaware).

**SB #318** (7/5/96) – AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO BOND FORFEITURE IN CHILD SUPPORT PROCEEDINGS. (Sponsor: Sen. Blevins and Rep. Maroney; Sen. Bair; Rep. DiLiberto) (Volume 70, Chapter 449, Laws of Delaware).

**SB #413 AAB SA 1** (7/5/96) – AN ACT TO AMEND CHAPTER 25, TITLE 6 OF THE DELAWARE CODE RELATING TO PROHIBITED TRADE PRACTICES. (Sponsor: Sen. Adams; Sen. J. Still) (Volume 70, Chapter 450, Laws of Delaware).

**SB #424** (7/5/96) – AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES INVOLVING CHILDREN. (Sponsors: Sens. Sharp and Vaughn; Rep. Roy) (Volume 70, Chapter 451, Laws of Delaware).

**HB #496 AAB HA 1 AND HA 2** (7/5/96) – AN ACT TO AMEND TITLES 13, 29, 21, 18 AND 30 OF THE DELAWARE CODE, RELATING TO CHILD SUPPORT OBLIGATIONS. (Sponsors: Reps. Maroney & Quillen & Sen. Blevins; Reps. Capano, Davis, Di Liberto; Sens. Adams, Bair, Sorenson) (Volume 70, Chapter 452, Laws of Delaware).

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**LEGISLATIVE ADVISORY #71**, dated July 11, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HS 2 FOR HB #433** (7/8/96) – AN ACT TO AMEND CHAPTER 97, TITLE 16, DELAWARE CODE RELATING TO A STATEWIDE TRAUMA CARE SYSTEM. (Sponsor: Rep. B. Ennis, Sens. Blevins & McBride; Reps. Banning, Brady, Bunting, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Van Sant, West, Spence, Fallon, Maier) (Volume 70, Chapter 453, Laws of Delaware).

**SB #482** (7/8/96) – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Sponsor: Sen. Sharp & Rep. Smith; Sens. Cordrey, Marshall, Adams, Cook, Blevins, Henry, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Bair, Connor, Amick, Bonini, Hauge, Reed, Sorenson, Still; Reps. Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Roy, Stone, Ulbrich, Wagner, Welch, Gilligan, VanSant, Banning, Brady, Bunting, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Schroeder, Scott, West, Williams) (Volume 70, Chapter 454, Laws of Delaware).

**HB #713** (7/8/96) – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Sponsor: Rep. Smith & Sen. Sharp; Reps. Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Roy, Stone, Ulbrich, Wagner, Welch, Gilligan, VanSant, Banning, Brady, Bunting, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Schroeder, Scott, West, Williams; Sens. Cordrey, Marshall, Adams, Cook, Blevins, Henry, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Bair, Connor, Amick, Bonini, Hauge, Reed, Sorenson, Still) (Volume 70, Chapter 455, Laws of Delaware).

**HB #392 AAB HA 1** (7/9/96) – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION REGULATIONS AND LEGISLATION. (Sponsor: Rep. Reynolds & Sen. Sokola & Rep. Davis & Sen. Cook & Rep. Schroeder & Sen. Connor; Reps. Buckworth, Capano, Carey, Di Pinto, Ewing, Mack, Maier, Lee, Ulbrich, Wagner; Sens. Blevins, Voshell, Bair, Bonini, Hauge, Reed, Sorenson, Still) (Volume 70, Chapter 456, Laws of Delaware).

**HB #604 (7/9/96)** – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SHARED DECISION-MAKING AND SCHOOL IMPROVEMENT. (Sponsor: Rep. Davis & Sen. Sokola & Rep. Reynolds & Sen. Cook & Rep. Schroeder & Sen. Connor; Reps. Buckworth, Capano, Carey, Cloutier, Di Pinto, Ewing, Mack, Maier, Ulbrich, Wagner; Sens. Voshell, Blevins, Bair, Bonini, Hauge, Reed, Sorenson, Still) (Volume 70, Chapter 457, Laws of Delaware).

**SB #275 AAB SA 1 (7/9/96)** – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE REPORTING OF INFORMATION ABOUT PUBLIC EDUCATION. (Sponsor: Sen. Sokola & Rep. Reynolds & Sen. Cook & Rep. Davis & Sen. Connor & Rep. Schroeder; Rep. Maier; Sens. Sharp, Blevins, Henry, Voshell, Bair, Bonini, Hauge, Reed, Sorenson, Still; Reps. Cloutier, Lee, Wagner, DiPinto, Ulbrich, Capano, Ewing, Buckworth, Carey, Mack) (Volume 70, Chapter 458, Laws of Delaware).

**SB #427 AAB SA 1 & 2 (7/9/96)** – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ALTERNATIVE ROUTES FOR TEACHER CERTIFICATION. (Sponsor: Sens. Bonini & Sokola; Sen. Hauge; Reps. Oberle, Reynolds) (Volume 70, Chapter 459, Laws of Delaware).

**SB #292 (7/9/96)** – AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES AND TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE CLEAN INDOOR AIR ACT. (Sponsor: Sen. Marshall & Rep. Oberle) (Volume 70, Chapter 460, Laws of Delaware).

**SB #325 AAB SA 1 (7/9/96)** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A VIDEOPHONE FUND. (Sponsor: Sen. Sharp; Reps. Spence, Roy, and Oberle) (Volume 70, Chapter 461, Laws of Delaware).

**SB #303 AAB HA 1 (7/9/96)** – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PREMARITAL AGREEMENTS; AND PROVIDING FOR A UNIFORM PREMARITAL AGREEMENT ACT. (Sponsor: Sens. Venables and Sharp; Rep. Roy) (Volume 70, Chapter 462, Laws of Delaware).

**SB #256 (7/9/96)** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CORPUS DELICTI RULE. (Sponsor: Sen. Sharp and Rep. Spence; Sen. Vaughn; Rep. Roy) (Volume 70, Chapter 463, Laws of Delaware).

**HB #590 AAB SA 1 AND HA 1 (7/9/96)** – AN ACT TO AMEND CHAPTER 7, TITLE 18, DELAWARE CODE RELATING TO THE DISTRIBUTION OF INSURANCE PREMIUM TAXES AND FEES. (Sponsor: Rep. Spence & Sen. McBride & Sen. Marshall; Reps. Buckworth, Capano, Carey, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Oberle, Smith, Ulbrich, Wagner, Welch, Banning, B. Ennis, Gilligan, Houghton, Jonkiert, Schroeder, Scott, Van Sant, West, Williams; Sens. Adams, Henry, McDowell, Vaughn, Sokola, Bair, Connor) (Volume 70, Chapter 464, Laws of Delaware).

**HB #515 (7/9/96)** – TO ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ARREST AND COMMITMENT AND THE POWERS OF THE CAPITOL POLICE. (Sponsor: Reps. Ewing & Oberle & Welch) (Volume 70, Chapter 465, Laws of Delaware).

**HB #526 (7/9/96)** – AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE POLICE OFFICERS AND FIREFIGHTERS EMPLOYMENT RELATIONS ACT. (Sponsor: Rep. Oberle & Sen. McBride; Reps. Spence, Di Pinto, Roy, Welch, Banning) (Volume 70, Chapter 466, Laws of Delaware).

**HB #574 AAB HA 1 (7/9/96)** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE LAW-ENFORCEMENT OFFICERS' BILL OF RIGHTS. (Prime Sponsor: Rep. Oberle & Sen. McBride; Reps. Spence, Di Pinto, Roy, Welch, and Banning) (Volume 70, Chapter 467, Laws of Delaware).

**HB #561 AAB HA 1 (7/9/96)** – AN ACT TO AMEND CHAPTER 4, TITLE 17, DELAWARE CODE, RELATING TO THE POWER OF THE DEPARTMENT OF TRANSPORTATION OR ITS AGENTS TO IMPOSE TOLLS. (Sponsor: Reps. Banning & B. Ennis; Sens. Vaughn & Voshell) (Volume 70, Chapter 468, Laws of Delaware).

**SB #312 AAB SA 1 (7/9/96)** – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSES FOR BREWERY-PUBS. (Sponsor: Sen. Blevins and Rep. Capano; Sen. Sorenson; Reps. Roy & Smith, Sen. Bonini) (Volume 70, Chapter 469, Laws of Delaware).

**SB #366 AAB SA 1 (7/9/96)** – AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO GENERAL POWERS OF THE SECRETARY, DELAWARE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (Sponsor: Sen. Blevins and Rep. Gilligan; Sens. Henry, Reed, Sokola, Sorenson, Marshall, McDowell, Voshell; Reps. Davis Smith) (Volume 70, Chapter 470, Laws of Delaware).

**SB #435 AAB SA 1** (7/9/96) – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE QUALIFICATIONS. (Sponsor: Sen. Voshell) (Volume 70, Chapter 471, Laws of Delaware).

**SB #405** (7/9/96) – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO BREAST CANCER. (Sponsor: Sen. Sorenson & Sen. Marshall & Rep. Maroney; Sens. Sharp, Bonini, Blevins, Amick, Reed, Voshell, Henry, McBride, Bair; Reps. Davis, Fallon, Wagner, Caulk, Boulden, Schroeder, Capano, Williams) (Volume 70, Chapter 472, Laws of Delaware).

**SJR #17 AAB SA 1 AND HA 2** (7/9/96) – DIRECTING THE DEPARTMENT OF CORRECTION TO DEVELOP RULES AND REGULATIONS PROVIDING FOR ALTERNATIVE HOUSING TO ADDRESS PRISON OVERCROWDING PROBLEMS. (Sponsor: Sen. Sharp & Rep. Spence)

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**LEGISLATIVE ADVISORY #72**, dated July 12, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HB #700** (7/10/96) – A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 1997; DEAUTHORIZING STATE GUARANTEED BOND AUTHORIZATIONS AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; DEAUTHORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; APPROPRIATING MONIES FROM THE TWENTY-FIRST CENTURY FUND; SPECIFYING CERTAIN PROCEDURES CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Sponsor: Rep. Roy; Sen. Venables; Reps. Carey, Lofink, Oberle, Schroeder, Scott, Mack; Sens. Blevins, Cook, McBride, Amick, Hauge) (Volume 70, Chapter 473, Laws of Delaware).

**SB #323 AAB SA 1 AND SA 2** (7/10/96) – AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS. (Sponsor: Sen. Voshell; Rep. Ewing) (Volume 70, Chapter 474, Laws of Delaware).

**SB #333 AAB SA 3, SA 4, AND HA 1** (7/10/96) – AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES RELATING TO TELECOMMUNICATION SERVICES. (Sponsor: Sen. Voshell; Rep. Ewing; Sens. Sharp, Adams, Cook, Blevins, Henry, Hauge, Bair, Bonini, Amick; Reps. Spence, D. Ennis, Smith, Oberle, Caulk, Roy, Plant, DiLiberto, Davis, Lee, Wagner, Banning, Welch) (Volume 70, Chapter 475, Laws of Delaware).

**SB #385 AAB HA 2** (7/10/96) – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL ANIMAL WELFARE LICENSE PLATES. (Sponsor: Sens. McBride, Voshell, Venables and Bair; Reps. Mack, Schroeder and Carey) (Volume 70, Chapter 476, Laws of Delaware).

**HB #507 AAB HA 1 AND SA 1** (7/10/96) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HABITUAL CRIMINALS AND DEFINING VIOLENT FELONIES. (Sponsor: Rep. Welch; Reps. Spence, Boulden, Capano, Caulk, Ewing, Lee, Mack, Oberle, Smith, Stone, Wagner, Banning, Brady, B. Ennis, Gilligan, Jonkiert, West; Sen. Vaughn & Sharp) (Volume 70, Chapter 477, Laws of Delaware).

**SB #243 AAB HA 1 AND SA 1** (7/10/96) – AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL OFFENSES; AND MAKING THE POSSESSION OF OR DEALING IN CERTAIN DEVICES DESIGNED, FASHIONED OR OTHERWISE ADAPTED FOR THEFT OR BURGLARY A CRIMINAL OFFENSE. (Sponsor: Sens. McBride, Venables, Amick; Reps. DiLiberto, B. Ennis, Jonkiert, Banning, Bunting, Lee, Welch, Cloutier, Buckworth) (Volume 70, Chapter 478, Laws of Delaware).

**HB #585** (7/10/96) – AN ACT TO AMEND CHAPTER 59 OF TITLE 10 OF THE DELAWARE CODE REGARDING LEGAL NAME CHANGES. (Sponsor: Reps. Lee & Banning; Sens. Vaughn & Sharp) (Volume 70, Chapter 479, Laws of Delaware).

**SB #389** (7/10/96) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES COMMITTED BY PERSONS IN CUSTODY. (Sponsor: Sens. Vaughn and Sharp; Reps. Roy and Lee) (Volume 70, Chapter 480, Laws of Delaware).



**SB #340 AAB SA 1, SA 2, AND HA 1** (7/10/96) – AN ACT TO AMEND TITLE 10 AND TITLE 11 OF THE DELAWARE CODE RELATING TO APPEALS BY THE STATE IN CRIMINAL CASES. (Sponsor: Sen. Sharp and Rep. Roy) (Volume 70, Chapter 481, Laws of Delaware).

**HB #429 AAB HA 1** (7/10/96) – AN ACT TO AMEND CHAPTER 19, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF NURSING. (Sponsor: Rep. Ulbrich and Sen. Blevins; Reps. Capano, Maier, Houghton, Scott; Sens. Sokola, Voshell, Bonini, Reed) (Volume 70, Chapter 482, Laws of Delaware).

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**LEGISLATIVE ADVISORY #73**, dated July 12, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #335** (7/11/96) – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Sponsor: Sens. Venables and Marshall; Reps. Smith and West: Sens. Adams, Blevins, Cook, Cordrey, Henry, McBride, McDowell, Sharp, Sokola, Vaughn, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson and Still; Reps. Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Spence, Stone, Ulbrich, Wagner, Welch, Banning, Brady, Bunting, DiLiberto, B. Ennis, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Scott, Van Sant and Williams) (Volume 70, Chapter 483, Laws of Delaware).

**SB #481** (7/11/96) – AN ACT TO AMEND TITLE 30, DELAWARE CODE, RELATING TO LICENSE FEES AND GROSS RECEIPTS TAX. (Sponsor: Sen. Adams & Reps. Smith & Wagner; Sens. Cordrey, Sharp, Marshall, Cook, Blevins, Henry, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Bair, Connor, Amick, Hauge, Reed, Sorenson, Still; Reps. Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Reynolds, Roy, Stone, Ulbrich, Welch, Gilligan, Van Sant, Banning, Brady, Bunting, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Schroeder, Scott, West, Williams) (Volume 70, Chapter 484, Laws of Delaware).

**HB #712** (7/11/96) – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITY TAX ON CABLE TELEVISION SERVICES. (Sponsor: Reps. Smith and Gilligan & Sen. Bair; Reps. Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Mack, Maroney, Reynolds, Roy, Stone, Wagner, Welch, Van Sant, Banning, Brady, Bunting, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Schroeder, Scott, West, Williams; Sens. Cook, Marshall, Blevins, McBride, McDowell, Sokola, Venables, Voshell, Amick, Hauge) (Volume 70, Chapter 485, Laws of Delaware).

**SB #483** (7/11/96) – AN ACT TO AMEND TITLE 5 RELATING TO THE BANK FRANCHISE TAX. (Sponsor: Sen. Cordrey & Rep. Petrilli; Sens. Sharp, Marshall, Adams, Cook, Blevins, Henry, McBride, Sokola, Vaughn, Venables, Voshell, Bair, Connor, Amick, Hauge, Reed, Sorenson, Still; Reps. Spence, Quillen, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maroney, Reynolds, Roy, Smith, Stone, Ulbrich, Wagner, Welch, Gilligan, Van Sant, Banning, Brady, Bunting, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Schroeder, Scott, West, Williams) (Volume 70, Chapter 486, Laws of Delaware).

**SB #484** (7/11/96) – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE; 64 DELAWARE LAWS, CHAPTER 460, AS AMENDED; AND 70 DELAWARE LAWS, CHAPTER 219, RELATING TO DELAWARE TAXES. (Sponsor: Sen. Marshall & Rep. Oberle; Sens. Cordrey, Sharp, Adams, Cook, Blevins, Henry, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Bair, Connor, Amick, Reed, Sorenson, Still; Reps. Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Reynolds, Roy, Smith, Stone, Ulbrich, Wagner, Welch, Gilligan, Van Sant, Banning, Brady, Bunting, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Schroeder, Scott, West, Williams) (Volume 70, Chapter 487, Laws of Delaware).

**HB #716** (7/11/96) – AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO TAXES ON SPIRITS. (Sponsor: Rep. Petrilli & Sen. Bair; Reps. Spence, Quillen, Boulden, Buckworth, Capano, Carey, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Mack, Maroney, Reynolds, Roy, Smith, Stone, Ulbrich, Wagner, Gilligan, Van Sant, Banning, Brady, Bunting, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Schroeder, Scott, West, Williams; Sens. Marshall, Amick, Bonini) (Volume 70, Chapter 488, Laws of Delaware).

**HB #678** (7/11/96) – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE, RELATING TO GROSS RECEIPTS AND USE TAXES. (Sponsor: Reps. DiPinto & Houghton and Sens. Adams & McBride) (Volume 70, Chapter 489, Laws of Delaware).

**SJR #27** (7/11/96) – SALUTING WITH GREAT PRIDE, A TEAM OF FOUR UNIVERSITY OF DELAWARE STUDENTS, SARAH GUGLIELMI, RYAN SMITH, TANYA SWIDERSKI, AND MIKE YOUNG, AND THEIR COACH, MARK GRUBER, FOR WINNING THE CHAMPIONSHIP IN THEIR DIVISION IN THE ODYSSEY OF THE MIND WORLD FINALS. (Sponsor: Sen. Amick & Rep. Boulden & Rep. Ulbrich).

**HS 1 FOR HB #484 AAB HA 1 AND SA 2** (7/11/96) – AN ACT TO AMEND CHAPTER 47, TITLE 15 OF THE DELAWARE CODE RELATING TO THE APPOINTMENT OF ELECTION OFFICERS. (Sponsor: Reps. Maier & Boulden; Reps. Buckworth, Bunting, Capano, Carey, Cloutier, DiPinto, Ewing, Fallon, Gilligan, Lee, Lofink, Reynolds, Stone, Ulbrich, Wagner, Welch, Williams; Sens. Adams, Amick, Bair, Hauge, Reed, Sokola, Voshell) (Volume 70, Chapter 490, Laws of Delaware).

**HB #431 AAB HA 1, 2, AND 3 AND SA 1** (7/11/96) – AN ACT TO AMEND CHAPTER 10, TITLE 14, DELAWARE CODE, RELATING TO REORGANIZATION OF SCHOOL DISTRICTS. (Sponsor: Rep. Maier; Reps. Petrilli, Boulden, Capano, Cloutier, David, DiPinto, Maroney, Oberle, Smith, Ulbrich, Wagner, Bunting, DiLiberto, Gilligan, Schroeder, Van Sant; Sens. Venables, Voshell, Reed Still) (Volume 70, Chapter 491, Laws of Delaware).

**HB #410 AAB SA 1** (7/11/96) – AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO STATE GOVERNMENT ACCOUNTABILITY. (Sponsor: Reps. Wagner & Davis & Sen. Cook; Reps. Boulden, Buckworth, Bunting, Capano, Carey, Cloutier, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Houghton, Jonkiert, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Smith, Spence, Stone, Ulbrich, Welch, West, Williams; Sens. Bair, Blevins, Bonini, Connor, Hauge, Henry, McDowell, Sokola, Sorenson, Still, Vaughn, Venables, Voshell) (Volume 70, Chapter 492, Laws of Delaware).

**SB #259 AAB HA 1** (7/11/96) – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COMPENSATION OF THE NEW CASTLE COUNTY EXECUTIVE. (Sponsor: Sen. McDowell; Rep. DiPinto) (Volume 70, Chapter 493, Laws of Delaware).

**SB #397** (7/11/96) – AN ACT TO AMEND CHAPTER 13 OF TITLE 18 OF THE DELAWARE CODE RELATING TO DOMESTIC INSURANCE COMPANIES. (Sponsor: Sen. Vaughn & Rep. D. Ennis, Sens. Bonini, McDowell, Reps. Van Sant, Wagner, Lofink, Welch, Stone, B. Ennis, Spence, DiPinto, Buckworth, Roy, Cloutier) (Volume 70, Chapter 494, Laws of Delaware).

**HB #715** (7/11/96) – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE, RELATING TO PERSONAL INCOME TAX. (Sponsor: Rep. Oberle & Sen. Blevins; Reps. Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Reynolds, Roy, Smith, Stone, Ulbrich, Wagner, Welch, Gilligan, Van Sant, Banning, Brady, Bunting, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Schroeder, Scott, West, Williams; Sens. Cordrey, Sharp, Marshall, Adams, Cook, Henry, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Bair, Connor, Amick, Bonini, Hauge, Reed, Sorenson, Still) (Volume 70, Chapter 495, Laws of Delaware).

**HS 1 TO HB #437** (7/11/96) – AN ACT TO AMEND CHAPTER 9, TITLE 7, DELAWARE CODE, RELATING TO COMMERCIAL FOOD FISHING LICENSE. (Sponsor: Rep. B. Ennis & Sen. Vaughn; Reps. Houghton, West, Banning, Brady, Gilligan, Jonkiert, Plant, Van Sant, Caulk, Carey, Mack, Wagner, Buckworth, Welch, D. Ennis; Sen. Voshell) (Volume 70, Chapter 496, Laws of Delaware).

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**LEGISLATIVE ADVISORY #74**, dated July 15, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #407** (7/12/96) – AN ACT TO AMEND TITLE 6, DELAWARE CODE, RELATING TO MOTOR VEHICLE FRANCHISING PRACTICES. (Sponsor: Sen. Sharp and Rep. Roy) (Volume 70, Chapter 497, Laws of Delaware).

**HB #451 AAB HA 1 AND 2** (7/12/96) – AN ACT TO AMEND CHAPTER 16, TITLE 19, DELAWARE CODE, RELATING TO FIREFIGHTING AND RESCUE SQUAD WORKERS FROM BEING PAID OVERTIME COMPENSATION WHEN THEY VOLUNTEER THEIR SERVICES WITHING THE VARIOUS COMMUNITIES. (Sponsor: Rep. B. Ennis & Sen. Blevins; Reps. Banning, Houghton, Brady, Van Sant, West, D. Ennis, Caulk; Sens. Vaughn, Bonini) (Volume 70, Chapter 498, Laws of Delaware).

**HB #494 AAB SA 1** (7/12/96) – AN ACT TO AMEND TITLE 7, DELAWARE CODE RELATING TO THE DELAWARE POLLUTION PREVENTION PROGRAM. (Sponsor: Rep. Mack & Sen. McBride; Reps. Carey, Schroeder; Sens. Venables, Voshell, Bair, Amick) (Volume 70, Chapter 499, Laws of Delaware).

**SS 1 TO SB #358** (7/12/96) – AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FISHING EQUIPMENT. (Sponsor: Sens. Voshell, Vaughn, Cook and Still; Reps. B. Ennis, Wagner and Stone) (Volume 70, Chapter 500, Laws of Delaware).

**SB #439** (7/12/96) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ISSUING A BAD CHECK. (Sponsor: Sen. Voshell and Rep. Ewing) (Volume 70, Chapter 501, Laws of Delaware).

**HJR #30 AAB HA 1** (7/12/96) – CALLING FOR A COLLABORATIVE EFFORT ON THE PART OF DIVISION OF MOTOR VEHICLES (DMV) MANAGEMENT AND EMPLOYEES, THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES \*AFSCME) AND OTHERS AS DESIGNATED BY THE GOVERNOR AND THE SECRETARY OF PUBLIC SAFETY OF UNDERTAKE A STUDY TO DETERMINE THE OPERATING HOURS OF DMV THAT WILL OPTIMIZE PRODUCTIVITY, COST-EFFECTIVENESS AND THE TIMELY DELIVERY OF QUALITY CUSTOMER SERVICE. (Sponsor: Rep. Boulden; Reps. Buckworth, Capano, Cloutier, Davis, DiPinto, Ewing, Lee, Maier, Reynolds, Stone, Ulbrich, Wagner, Banning, Brady, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Scott, West, Williams).

**HB #505** (7/12/96) – AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE WEARING OF HUNTER ORANGE. (Sponsor: Rep. B. Ennis & Rep. Banning and West; Sens. Marshall, Venables, Voshell & Bonini) (Volume 70, Chapter 502, Laws of Delaware).

**HB #647** (7/12/96) – AN ACT TO AMEND CHAPTER 70, TITLE 21 OF THE DELAWARE CODE RELATING TO FIRE LANES. (Sponsor: Rep. B. Ennis & Rep. Banning; Sen. Vaughn & Sen. Voshell) (Volume 70, Chapter 503, Laws of Delaware).

**HB #426 AAB HA 1** (7/12/96) – AN ACT TO AMEND CHAPTER 31 AND CHAPTER 48, TITLE 25 OF THE DELAWARE CODE RELATING TO FEDERAL LIENS; AND PROVIDING FOR A UNIFORM FEDERAL LIEN REGISTRATION ACT. (Sponsor: Reps. Lee, Roy; Sen. Sharp) (Volume 70, Chapter 504, Laws of Delaware).

**SB #444 AAB SA 1 AND HA 1** (7/12/96) – AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. (Sponsor: Sen. Adams and Rep. Wagner; Sens. Vaughn and Bonini; Reps. Carey, Caulk, Ewing, Fallon, Lee, Banning, Bunting, B. Ennis and West) (Volume 70, Chapter 505, Laws of Delaware).

**SB #468** (7/12/96) – AN ACT TO AMEND CHAPTER 31, 45 AND 49, TITLE 15, DELAWARE CODE, RELATING TO ELECTRONIC VOTING MACHINES. (Sponsor: Sen. Vaughn, Rep. Petrilli) (Volume 70, Chapter 506, Laws of Delaware).

**HB #714** (7/12/96) – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITY TAXES. (Sponsor: Rep. Ewing & Sen. Sharp; Reps. Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Roy, Smith, Stone, Ulbrich, Wagner, Welch, Gilligan, Van Sant, Banning, Brady, Bunting, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, Schroeder, Scott, West, Williams; Sens. Venables, Cordrey, Marshall, Adams, Blevins, Cook, Henry, McBride, McDowell, Sokola, Vaughn, Voshell, Bair, Connor, Amick, Reed, Sorenson, Still) (Volume 70, Chapter 507, Laws of Delaware).

**HB #355 AAB HA 1 AND HA 4** (7/12/96) – AN ACT TO AMEND SUBCHAPTER III OF CHAPTER 43 OF TITLE 21 OF THE DELAWARE CODE RELATING TO SCHOOL BUSES. (Sponsor: Reps. Ulbrich & Schroeder; Reps. Spence, Petrilli, Capano, Cloutier, Davis, DiPinto, D. Ennis, Fallon, Lofink, Maier, Maroney, Reynolds, Stone, Wagner, Welch, Bunting, Gilligan, Houghton, Plant; Sens. Blevins, Amick, Hauge, Henry, Reed) (Volume 70, Chapter 508, Laws of Delaware).

**SB #458** (7/12/96) – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE BUDGET, ACCOUNTING AND PAYROLL POLICIES AND PROCEDURES. (Sponsor: Sen. Cook and Rep. Davis) (Volume 70, Chapter 509, Laws of Delaware).

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**LEGISLATIVE ADVISORY #75**, dated July 22, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #433 AAB SA 2** (7/17/96) – AN ACT TO AMEND CHAPTER 23, TITLE 18 OF THE DELAWARE CODE RELATING TO UNFAIR INSURANCE PRACTICES OR DISCRIMINATION BY INSURANCE COMPANIES BASED ON AN INDIVIDUAL'S STATUS AS A VICTIM OF DOMESTIC VIOLENCE. (Sponsor: Sens. Blevins and Sorenson and Rep. Capano; Sens. Sokola, Voshell, Still, Reed; Reps. Spence, Stone, Maier and DiLiberto) (Volume 70, Chapter 510, Laws of Delaware).

**HB #642 AAB HA 1 AND 2** (7/17/96) – AN ACT TO AMEND TITLE 21, SECTION 305 OF THE DELAWARE CODE RELATING TO REGISTRATION, LICENSE AND DRIVER'S PERFORMANCE RECORDS. (Sponsor: Rep. Capano & Sen. Blevins; Reps. Boulden, Buckworth, Cloutier, DiPinto, D. Ennis, Ewing, Lee, Maier, Maroney, Reynolds, Smith, Stone, Ulbrich, Wagner, Banning, Brady, Houghton, Plant, Schroeder, Scott, Williams; Sens. Henry, Marshall, McBride, Sokola, Voshell, Bair, Connor, Bonini, Hauge, Sorenson) (Volume 70, Chapter 511, Laws of Delaware).

**HB #643 AAB HA 1 AND 2 AND SA 2** (7/17/96) – AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO VOTER REGISTRATION. (Sponsor: Rep. Capano & Sen. Blevins; Reps. Spence, Quillen, Buckworth, DiPinto, Maier, Maroney, Reynolds, Smith, Stone, Gilligan, Van Sant, Banning; Sens. Henry, Marshall, McBride, Sokola, Voshell, Bair, Bonini, Connor, Hauge, Sorenson) (Volume 70, Chapter 512, Laws of Delaware).

**HB #522 AAB SA 1, 2, AND 3 AND SA 2, 4, AND 5** (7/17/96) – AN ACT TO AMEND TITLE 10 AND TITLE 25 OF THE DELAWARE CODE RELATING TO LANDLORD-TENANT RELATIONSHIPS; AND PROVIDING FOR A RESIDENTIAL LANDLORD-TENANT CODE. (Sponsor: Rep. DiPinto; Reps. Spence, Quillen, Carey, Davis, Mack, Maroney, Smith, Banning, Brady, B. Ennis, Gilligan; Sen. Bair) (Volume 70, Chapter 513, Laws of Delaware).

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**LEGISLATIVE ADVISORY #76**, dated July 22, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #467 AAB SA 1** (7/18/96) – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO A PROFESSIONAL LIBRARIAN AND ARCHIVIST INCENTIVE PROGRAM. (Sponsor: Sen. Cook & Rep. Davis; Sens. Henry, McBride, Vaughn, Sorenson, Still; Sen. Sokola; Reps. Gilligan, Oberle, Petrilli, Roy; Sens. Amick, Blevins, McBride, Sorenson) (Volume 70, Chapter 522, Laws of Delaware).

**SB #411 AAB SA 1** (7/18/96) – AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO CORRIDOR CAPACITY PRESERVATION. (Sens. Voshell, Sharp and Hauge; Reps. Lofink, Roy, Fallon, Cloutier, Oberle and Bunting) (Volume 70, Chapter 523, Laws of Delaware).

**SS 1 TO SB #78 AAB SA 1** (7/18/96) – AN ACT TO AMEND CHAPTERS 55 AND 56, TITLE 29, DELAWARE CODE RELATING TO COMPUTATIONS OF JUDICIAL AND STATE EMPLOYEE PENSIONS. (Sponsor: Sen. Cook & Rep. Davis; Sens. Vaughn, McBride, Henry, Sorenson, Still, Cordrey, Sharp, Marshall, Adams, Blevins, McDowell, Sokola, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed; Reps. Oberle, Ewing, Buckworth, DiPinto, Maroney, Bunting, Jonkiert, Spence, Petrilli, Quillen, Gilligan, Van Sant, Banning, Boulden, Brady, Capano, Carey, Caulk, Cloutier, DiLiberto, B. Ennis, D. Ennis, Fallon, Houghton, Lee, Lofink, Mack, Maier, Plant, Reynolds, Roy, Schroeder, Scott, Smith, Stone, Ulbrich, Wagner, Welch, West, Williams) (Volume 70, Chapter 524, Laws of Delaware).

**SB #404** (7/18/96) – AN ACT TO AMEND CHAPTER 83, TITLE 11, AND CHAPTERS 55 AND 56, TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS. (Sponsor: Sen. Cook and Rep. Davis; Sens. Vaughn, McBride, Henry, Sorenson, Still, Cordrey, Sharp, Marshall, Adams, Blevins, McDowell, Sokola, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed; Reps. Oberle, Ewing, Buckworth, DiPinto, Maroney, Bunting, Jonkiert, Spence, Petrilli, Quillen, Gilligan, Van Sant, Banning, Boulden, Brady, Capano, Carey, Caulk, Cloutier, DiLiberto, B. Ennis, D. Ennis, Fallon, Fallon, Houghton, Lee, Lofink, Mack, Maier, Plant, Reynolds, Roy, Schroeder, Scott, Smith, Stone, Ulbrich, Wagner, Welch, West, Williams) (Volume 70, Chapter 525, Laws of Delaware).

**HJR #27** (7/18/96) – CREATING A BINGO TASK FORCE TO STUDY DELAWARE'S BINGO RULES AND REGULATIONS AND THE REASONS FOR DECLINING BINGO REVENUES AND TO MAKE RECOMMENDATIONS THEREON TO THE GENERAL ASSEMBLY. (Sponsor: Rep. Welch & Caulk & Sens. Bair & Bonini; Reps. Ewing, Lee, Stone, Wagner, B. Ennis, Banning, Schroeder; Sens. Cook, Still).

**HB #400** (7/18/96) – AN ACT TO AMEND SUBCHAPTER V, CHAPTER 19, TITLE 10, DELAWARE CODE, RELATING TO JUDICIAL RECORDS AND INDICES, NEW CASTLE COUNTY. (Sponsor: Reps. Petrilli & Spence; Sens. Blevins, Connor) (Volume 70, Chapter 526, Laws of Delaware).

**HB #423** (7/18/96) – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM THE STATE CLASSIFIED SERVICE. (Sponsor: Rep. Oberle & Sen. Marshall) (Volume 70, Chapter 527, Laws of Delaware).

**HB #455** (7/18/96) – AN ACT TO AMEND CHAPTER 28, TITLE 21 OF THE DELAWARE CODE RELATING TO HABITUAL MOTOR VEHICLE OFFENDERS. (Sponsor: Rep. Roy & Sen. Sharp) (Volume 70, Chapter 528, Laws of Delaware).

**HB #582 AAB HA 1** (7/18/96) – AN ACT TO AMEND SECTION 107 OF TITLE 14 RELATING TO THE QUALIFICATIONS FOR THE STATE SUPERINTENDENT OF SCHOOLS. (Sponsor: Rep. Scott; Reps. Banning, Brady, Buckworth, Carey, B. Ennis, Houghton, Jonkiert, Plant, Smith, Stone, Welch, West, Williams; Sens. Bonini, Cook, Hauge, Henry, Reed, Still, Vaughn) (Volume 70, Chapter 529, Laws of Delaware).

**HB #325 AAB SA 1** (7/18/96) – AN ACT TO AMEND CHAPTER 7, TITLE 18 OF THE DELAWARE CODE TO CHANGE THE DATES ON WHICH QUARTERLY TAX PAYMENTS ARE DUE AND HOW UNDERPAYMENTS ARE DETERMINED. (Sponsor: Rep. Stone & Sen. Vaughn) (Volume 70, Chapter 530, Laws of Delaware).

**SB #288** (7/18/96) – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTING EDUCATION COURSES. (Sponsor: Sen. McDowell and Rep. Spence; Sens. Cordrey and Sharp, Rep. Cloutier, Maier) (Volume 70, Chapter 531, Laws of Delaware).

**SB #289 AAB SA 1** (7/18/96) – AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION. (Sponsor: Sen. Marshall & Reps. Oberle & Scott) (Volume 70, Chapter 532, Laws of Delaware).

**SB #391** (7/18/96) – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO FRATERNAL BENEFIT SOCIETIES. (Sponsor: Sen. Vaughn and Rep. D. Ennis; Sens. Sharp, Marshall, McDowell, Blevins and Still; Reps. Spence, Petrilli, Stone, Brady, Wagner, Jonkiert, Houghton and Oberle) (Volume 70, Chapter 533, Laws of Delaware).

**SB #403 AAB SA 1** (7/18/96) – AN ACT TO AMEND CHAPTER 233, TITLE 19 OF THE DELAWARE CODE RELATING TO THE INDUSTRIAL ACCIDENT BOARD. (Sponsor: Sen. Marshall & Rep. Oberle) (Volume 70, Chapter 534, Laws of Delaware).

**SB #428** (7/18/96) – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO LICENSURE REQUIREMENTS FOR PROFESSIONAL COUNSELORS. (Sponsor: Sen. Cordrey; Sen. Blevins) (Volume 70, Chapter 535, Laws of Delaware).

**SB #448** (7/18/96) – AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO GENERAL POWERS OF THE SECRETARY, DELAWARE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (Sponsor: Sen. Blevins and Rep. Maroney; Sens. Marshall, Sokola, Bair and Reed; Reps. Plant, Stone, Cloutier, Scott & Williams) (Volume 70, Chapter 537, Laws of Delaware).

**SB #449 AAB HA 1** (7/18/96) – AN ACT TO AMEND TITLE 18 RELATING TO HEALTH INSURANCE CONTRACTS. (Sponsor: Sen. Blevins & Rep. Maroney; Sens. McDowell, Henry, Sokola, Voshell, Marshall, Cook, Sorenson & Vaughn; Reps. Cloutier, Reynolds, Maier & Ulbrich) (Volume 70, Chapter 537, Laws of Delaware).

**SB #451** (7/18/96) – AN ACT TO AMEND CHAPTER 5, OF TITLE 25, RELATING TO THE RULE AGAINST PERPETUITIES. (Sponsor: Sen. Cordrey, Rep. Smith) (Volume 70, Chapter 538, Laws of Delaware).

**SB #454** (7/18/96) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO COUNTY OR MUNICIPAL BUILDING, PLUMBING, ELECTRICAL AND OTHER CODES. (Sponsor: Sens. Venables & McDowell) (Volume 70, Chapter 539, Laws of Delaware).

**SB #462** (7/18/96) – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION AND GROUP SELF-INSURANCE POOLS. (Sponsor: Sens. Blevins and Cordrey; Reps. D. Ennis, Spence and Smith) (Volume 70, Chapter 540, Laws of Delaware).

**HB #167 AAB HA 1** (7/16/96) – AN ACT TO AMEND CHAPTER 59 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION. (Sponsor: Rep. Wagner; Reps. Spence, Petrilli, Boulden, Davis, D. Ennis, Lee, Maier, Oberle, Stone, Ulbrich) (Volume 70, Chapter 541, Laws of Delaware).

**HB #421 AAB HA 1** (7/18/96) – AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION. (Sponsor: Rep. Oberle & Sen. Marshall) (Volume 70, Chapter 542, Laws of Delaware).

**HB #401 AAB HA 1** (7/18/96) – AN ACT TO AMEND CHAPTER 21, TITLE 25, OF THE DELAWARE CODE RELATING TO THE SATISFACTION OF MORTGAGES. (Sponsor: Reps. Petrilli & Spence; Sens. Blevins, Connor) (Volume 70, Chapter 543, Laws of Delaware).

**HS 1 TO HB #461** (7/18/96) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE FORMER STATE BOARD OF HEALTH. (Sponsor: Rep. Lee; Sen. Amick) (Volume 70, Chapter 544, Laws of Delaware).

**HB #563 AAB HA 1** (7/18/96) – AN ACT TO AMEND CHAPTER 50, TITLE 25 OF THE DELAWARE CODE, RELATING TO LIENS AND ESTATE RECOVERIES. (Sponsor: Rep.

Maroney & Sen. Blevins; Rep. Davis, Sens. Henry, Reed and Sorenson) (Volume 70, Chapter 545, Laws of Delaware).

**HB #566 AAB HA 2** (7/18/96) – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO OPTOMETRY. (Rep. Ulbrich and Sen. Blevins; Reps. Capano, Maier, Houghton, Scott; Sens. Sokola, Voshell, Bonini, Reed) (Volume 70, Chapter 546, Laws of Delaware).

**HB #584 AAB HA 1** (7/18/96) – AN ACT TO AMEND TITLE 18 RELATING TO THE DELAWARE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION. (Sponsor: Rep. D. Ennis) (Volume 70, Chapter 547, Laws of Delaware).

**SJR #26** (7/18/96) – URGING THE ENACTMENT OF S. 1629, THE TENTH AMENDMENT ENFORCEMENT ACT OF 1996 AND FURTHER URGING THE DELAWARE CONGRESSIONAL DELEGATION TO CO-SPONSOR S. 1629. (Sponsor: Sen. Bair, Sen. Venables; Reps. Cloutier, Smith, DiPinto; Sen. Connor).

**SS 1 TO SB #332** (7/18/96) – AN ACT TO AMEND CHAPTER 38, TITLE 12 OF THE DELAWARE CODE RELATING TO BUSINESS TRUSTS. (Sponsor: Sens. Sharp, Vaughn, Amick, Hauge; Reps. Roy, Cloutier, DiLiberto, Welch) (Volume 70, Chapter 548, Laws of Delaware).

**SB #384** (7/18/96) – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO INTERPRETING OF SIGNIFICANT STATE EVENTS FOR THE HEARING IMPAIRED. (Sponsor: Sen. Reed & Rep. Oberle; Sen. Still; Reps. Ulbrich, Maier) (Volume 70, Chapter 549, Laws of Delaware).

**SS 1 TO SB #392** (7/18/96) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MENTAL HEALTH PROCEDURES. (Sponsor: Sen. Blevins and Rep. Maroney; Sens. Sorenson, Reed and Henry; Reps. Roy and Van Sant) (Volume 70, Chapter 550, Laws of Delaware).

**HB #397 AAB HA 1** (7/18/96) – AN ACT TO AMEND SUBCHAPTER VI, CHAPTER 5 OF TITLE 11, DELAWARE CODE, RELATING TO CRIMES. (Sponsor: Sen. DiLiberto; Reps. Banning, Brady, Buckworth, Bunting, Davis, B. Ennis, Gilligan, Jonkiert, Lee, Plant, Schroeder, Scott, Spence, Van Sant, Wagner, West, Williams; Sens. Amick, Still) (Volume 70, Chapter 551, Laws of Delaware).

**HB #413 AAB HA 3** (7/18/96) – AN ACT TO AMEND CHAPTER 69, TITLE 7 OF THE DELAWARE CODE RELATING TO CONSERVATION; AND PROVIDING FOR A UNIFORM CONSERVATION EASEMENT ACT. (Sponsor: Rep. Jonkiert & Reps. Banning, B. Ennis, Gilligan, Van Sant, Williams) (Volume 70, Chapter 552, Laws of Delaware).

**HB #605 AAB HA 2** (7/18/96) – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD, THE IGNITION INTERLOCK DEVICE AND PROGRAM, AND DRIVING UNDER THE INFLUENCE. (Sponsor: Rep. Ewing) (Volume 70, Chapter 553, Laws of Delaware).

**HB #617** (7/18/96) – AN ACT TO AMEND CHAPTER 101 OF THE TITLE 3 OF THE DELAWARE CODE TO REQUIRE THE THOROUGHbred RACING COMMISSION TO FINGERPRINT ALL LICENSE APPLICANTS. (Sponsor: Rep. Davis & Sen. Cook; Reps. DiPinto, Buckworth, Maroney, Bunting, Jonkiert; Sens. Henry, McBride, Vaughn, Sorenson, Still) (Volume 70, Chapter 554, Laws of Delaware).

**HB #628** (7/18/96) – AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO THE LICENSING OF PARTICIPANTS IN THOROUGHbred RACING MEETS. (Sponsor: Rep. Davis & Sen. Cook; Reps. DiPinto, Buckworth, Maroney, Bunting, Jonkiert; Sens. Henry, McBride, Vaughn, Sorenson, Still) (Volume 70, Chapter 555, Laws of Delaware).

**HB #652** (7/18/96) – AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE TO GRANT TO THE PUBLIC SERVICE COMMISSION JURISDICTION AND AUTHORITY TO CONDUCT PROCEEDINGS AS PRESCRIBED BY THE FEDERAL TELECOMMUNICATIONS ACT OF 1996 WITHOUT STRICT ADHERENCE TO THE PROCEDURAL REQUIREMENTS SET FORTH IN THE PUBLIC UTILITIES ACT AND THE STATE ADMINISTRATIVE PROCEDURES ACT. (Sponsor: Rep. Roy & Sen. Cook) (Volume 70, Chapter 556, Laws of Delaware).

**HB #653** (7/18/96) – AN ACT TO AMEND CHAPTER 295, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, ENTITLED “AN ACT TO REINCORPORATE THE TOWN OF BETHANY BEACH “ RELATING TO THE QUALIFICATIONS FOR NON-RESIDENT PROPERTY OWNERS TO HOLD PUBLIC OFFICE. (Sponsor: Rep. Bunting & Sen. Cordrey) (Volume 70, Chapter 557, Laws of Delaware).

**HB #663** (7/18/96) – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO TAPROOMS AND TAVERNS. (Sponsor: Rep. Schroeder & Sen. Cordrey) (Volume 70, Chapter 558, Laws of Delaware).

**HB #572 AAB HA 1 AND 2 AND SA 2** (7/18/96) – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS, CIDER, AND TAXES. (Sponsor: Reps. DiPinto & Van Sant; Sen. Cordrey) (Volume 70, Chapter 559, Laws of Delaware).

**HB #342 AAB HA 1 AND SA 1** (7/18/96) – AN ACT TO AMEND CHAPTER 73, TITLE 6, OF THE DELAWARE CODE RELATING TO THE REGULATION OF SECURITIES, BROKER-DEALERS, INVESTMENT ADVISERS AND AGENTS. (Sponsor: Rep. DiPinto) (Volume 70, Chapter 560, Laws of Delaware).

**SB #456** (7/18/96) – AN ACT TO AMEND CHAPTER 23, TITLE 19, DELAWARE CODE, ALSO BEING CHAPTER 303, 70 LAWS OF DELAWARE RELATING TO WORKERS' COMPENSATION. (Sponsor: Sen. Marshall & Rep. Oberle; Sens. McBride, Connor; Sens. Blevins, Cook, Voshell, Bonini, Sorenson, Still; Reps. Banning, Brady, Bunting, Carey, Caulk, B. Ennis, Houghton, Lee, Plant, Reynolds, Schroeder, Smith, Spence, Stone, Van Sant, Wagner, Welch and West) (Volume 70, Chapter 561, Laws of Delaware).

**HJR #29** (7/18/96) – AUTHORIZING AND DIRECTING THE DELAWARE FIRE PREVENTION COMMISSION TO NAME TO FIRE SERVICE TRAINING CENTER (ONLY) LOCATED AT 1461 CHESTNUT GROVE ROAD AS THE "LOUIS J. AMABILI FIRE SERVICE TRAINING CENTER" FOR HIS LONG TENURE AND DEDICATED FIRE SERVICE IN THE STATE OF THE DELAWARE AND THE RECOGNITION HE HAS BROUGHT TO OUR STATE. (Sponsor: Reps. B. Ennis, Banning, Boulden, Brady, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, DiPinto, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Jonkiert, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Roy, Schroeder, Scott, Smith, Spence, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams; Sens. Cook, Vaughn, Voshell, Adams, Blevins, Venables, Still).

**SB #310 AAB SA 2** (7/18/96) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CONTAGIOUS DISEASE GENERALLY. (Sponsor: Sens. Cook and McBride; Rep. Davis; Sens. Vaughn, McDowell, Still and Sorenson; Reps. Buckworth, DiPinto, Maroney, Bunting and Jonkiert) (Volume 70, Chapter 562, Laws of Delaware).

The following is a constitutional amendment and does not require the signature of the Governor.

**SB #417 AAB SA 1** – AN ACT TO PROPOSE AN AMENDMENT TO ARTICLE IV OF THE DELAWARE CONSTITUTION OF 1897 TO INCLUDE THE FAMILY COURT AND COURT OF COMMON PLEAS AS COURTS ESTABLISHED BY THE CONSTITUTION OF THE STATE OF DELAWARE AND ARTICLES III AND IV OF THE DELAWARE CONSTITUTION OF THE STATE OF DELAWARE TO DELETE REFERENCES TO THE ORPHANS' COURT. (Sponsor: Sen. Sharp and Rep. Roy) (Volume 70, Chapter 563, Laws of Delaware).

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**LEGISLATIVE ADVISORY #77**, dated July 23, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #480** (7/19/96) – AN ACT TO APPROPRIATE GENERAL FUNDS TO REDUCE GENERAL OBLIGATIONS OF THE STATE. (Sponsor: Sen. Cordrey, Rep. Petrilli; Sens. Adams, Blevins, Cook, Henry, Marshall, McBride, McDowell, Sharp, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still; Reps. Oberle, Ewing, Buckworth, DiPinto, Maroney, Bunting, Jonkiert, Spence, Davis, Quillen, Gilligan, Van Sant, Banning, Boulden, Brady, Capano, Carey, Caulk, Cloutier, DiLiberto, B. Ennis, D. Ennis, Fallon, Houghton, Lee, Lofink, Maier, Plant, Reynolds, Roy, Schroeder, Scott, Smith, Stone, Ulbrich, Wagner, Welch, West, Williams) (Volume 70, Chapter 564, Laws of Delaware).

**HS 1 FOR HB #514 AAB HA 1 AND HA 1 TO HA 1** (7/19/96) – AN ACT TO AMEND TITLE 23 OF THE DELAWARE CODE RELATING TO THE OPERATION OF A VESSEL OR BOAT WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR AND/OR DRUGS. (Sponsor: Reps. Buckworth, Oberle, Bunting & Schroeder) (Volume 70, Chapter 565, Laws of Delaware).

**HB #543** (7/19/96) – AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (Sponsor: Reps. Welch & Davis;

Reps. Spence, Petrilli, Cloutier, Lee, Maier, Oberle; Sen. Marshall) (Volume 70, Chapter 566, Laws of Delaware).

**HB #636 (7/19/96)** – AN ACT TO AMEND TITLE 29, CHAPTER 58 OF THE DELAWARE CODE RELATING TO THE REQUIREMENTS IMPOSED UPON STATE EMPLOYEES. (Sponsor: Rep. Jonkiert & Sen. Sharp; Reps. Banning, Bunting, Boulden, Brady, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Roy, Schroeder, Scott, Spence, Smith, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams; Sens. Adams, Amick, Bair, Blevins, Bonini, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sokola, Sorenson, Still, Vaughn, Venables, Voshell) (Volume 70, Chapter 567, Laws of Delaware).

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**LEGISLATIVE ADVISORY #78**, dated July 26, 1996. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HB #667 AAB SA 1 AND HA 2 (7/25/96)** – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY GOVERNMENT TERMS OF OFFICE. (Sponsor: Rep. Roy & Sen. Sharp; Reps. Spence, Petrilli, DiPinto, Lofink, Oberle, Smith, Gilligan; Sens. Sokola, Amick) (Volume 70, Chapter 568, Laws of Delaware).

**HB #666 AAB SA 1 AND HA 2 (7/25/96)** – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE NUMBER AND TERM OF OFFICE OF NEW CASTLE COUNTY COUNCIL MEMBERS; AND VOTE REQUIREMENTS FOR CERTAIN ORDINANCES. (Sponsor: Reps. Petrilli & Spence; Reps. Boulden, Capano, Carey, DiPinto, D. Ennis, Ewing, Fallon, Lofink, Maier, Oberle, Roy, Ulbrich, Wagner; Sens. Sharp, Blevins, Bair) (Volume 70, Chapter 569, Laws of Delaware).

**SB #412 AAB HA 1 (7/25/96)** – AN ACT TO AMEND CHAPTER 9 OF TITLE 3 OF THE DELAWARE CODE TO FURTHER DEFINE ALLOWABLE RESIDENTIAL USE OF LANDS LOCATED IN AGRICULTURAL PRESERVATION DISTRICTS AND TO ENABLE THE AGRICULTURAL PRESERVATION FOUNDATION TO MAKE INSTALLMENT PAYMENTS IN THE PURCHASE OF AGRICULTURAL PRESERVATION EASEMENTS. (Sponsor: Sen. Adams) (Volume 70, Chapter 570, Laws of Delaware).

**HB #661 (7/25/96)** – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION AND THE LOSS OR DESTRUCTION OF BOOKS AND OTHER SCHOOL PROPERTY. (Sponsor: Rep. Ulbrich & Sen. Bair; Reps. Spence, Quillen, Boulden, Buckworth, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Roy, Smith, Stone, Wagner, Welch, Gilligan, Brady, Bunting, Plant, Van Sant, Williams; Sens. Sharp, Sokola, Connor, Amick, Hauge, Reed, Sorenson, Still) (Volume 70, Chapter 571, Laws of Delaware).

**HB #420 (7/25/96)** – AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO HANDICAPPED PERSONS EMPLOYMENT PROTECTION. (Sponsor: Rep. Oberle & Sen. Marshall) (Volume 70, Chapter 572, Laws of Delaware).

**HB #369 (7/25/96)** – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO WORKMEN'S COMPENSATION RATING, EXPERIENCE RATING PLANS, AND EMPLOYER CLASSIFICATIONS. (Sponsor: Rep. Oberle & Sen. Cook) (Volume 70, Chapter 573, Laws of Delaware).

**HB #424 (7/25/96)** – AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (Sponsor: Rep. Oberle & Sen. Marshall) (Volume 70, Chapter 574, Laws of Delaware).

**HB #660 AAB HA 1 AND HA 2 (7/25/96)** – AN ACT TO AMEND TITLES 2, 9 AND 30 OF THE DELAWARE CODE RELATING TO AERONAUTICS AND COUNTY BUILDING CODES. (Sponsor: Reps. Caulk & Roy; Reps. Boulden, Buckworth, Carey, Cloutier, Davis, Ewing, Lee, Lofink, Mack, Ulbrich, Wagner, Banning, Brady, B. Ennis, Gilligan, Schroeder; Sen. Voshell) (Volume 70, Chapter 575, Laws of Delaware).

**HB #600 (7/25/96)** – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CREDIT INSURANCE. (Sponsor: Rep. DiPinto & Sen. Cordrey; Reps. Boulden, Buckworth, Capano, Carey, Cloutier, Ewing, Fallon, Lee, Reynolds, Stone, Wagner, Banning, Brady, Houghton, Scott, Williams; Sens. Adams, Blevins, Cook, Henry, McBride, Sokola, Venables, Voshell, Bair, Connor, Amick, Hauge, Sorenson) (Volume 70, Chapter 576, Laws of Delaware).

**HB #657 AAB SA 1 (7/25/96)** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS FOR CHILD CARE PROVIDERS. (Sponsor: Rep. Spence & Sen. Sharp; Reps. Petrilli, Boulden, Buckworth, Capano, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier,



Maroney, Oberle, Reynolds, Smith, Stone, Ulbrich, Banning, Brady, Bunting, DiLiberto, B. Ennis, Gilligan, Houghton, Jonkiert, Van Sant, West, Williams; Sens. Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson, Still) (Volume 70, Chapter 577, Laws of Delaware).

**HB #314 AAB HA 1** (7/25/96) – AN ACT TO AMEND PART VII, TITLE 16 OF THE DELAWARE CODE RELATING TO ELEVATORS, PENALTIES. (Sponsor: Rep. Quillen) (Volume 70, Chapter 578, Laws of Delaware).

**HB #475** (7/25/96) – AN ACT TO AMEND CHAPTER 9 OF TITLE 7 OF THE DELAWARE CODE RELATING TO THE SALE OF FOOD FISH. (Sponsor: Rep. Schroeder; Reps. Bunting, Lofink) (Volume 70, Chapter 579, Laws of Delaware).

**HB #571** (7/25/96) – AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE NUMBER OF PLATES FOR MANUFACTURERS AND DEALERS. (Sponsor: Rep. Ewing) (Volume 70, Chapter 580, Laws of Delaware).

**HB #592** (7/25/96) – AN ACT TO AMEND CHAPTER 43, TITLE 11 OF THE DELAWARE CODE RELATING TO GOOD TIME CREDIT FOR PRISONERS. (Sponsor: Reps. Lee & Spence & Sen. Vaughn; Reps. Buckworth, Wagner, Banning, Scott; Sen. Amick) (Volume 70, Chapter 581, Laws of Delaware).

**HB #683 AAB HA 1, HA 2, AND HB 4** (7/25/96) – AN ACT TO AMEND CHAPTER 53, TITLE 24 OF THE DELAWARE CODE AND CHAPTERS 88 AND 101, TITLE 29 OF THE DELAWARE CODE RELATING TO MASSAGE. (Sponsor: Rep. Ulbrich and Sen. Blevins; Reps. Capano, Maier, Houghton, Scott; Sens. Sokola, Voshell, Amick, Bonini, Reed) (Volume 70, Chapter 582, Laws of Delaware).

**SB #193 AAB SA 2, SA 3 AND HA 2** (7/25/96) – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CASUALTY INSURANCE CONTRACTS. (Sponsor: Sen. Still) (Volume 70, Chapter 583, Laws of Delaware).

**SS 1 FOR SB #368** (7/25/96) – AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PROHIBITED TRADE PRACTICES. (Sponsor: Sen. Sokola and Rep. Oberle; Sens. Blevins, Voshell and Hauge; Reps. Brady, B. Ennis, Gilligan, Schroeder and West) (Volume 70, Chapter 584, Laws of Delaware).

**SB #423 AAB SA 1** (7/25/96) – AN ACT TO AMEND CHAPTER 1 OF TITLE 26 OF THE DELAWARE CODE IN ORDER TO ALLOW THE PUBLIC SERVICE COMMISSION TO DETERMINE THE APPROPRIATE MANNER FOR GIVING PUBLIC NOTICE OF MATTERS BEFORE IT. (Sponsor: Sen. Cook and Rep. Roy) (Volume 70, Chapter 585, Laws of Delaware).

**SJR #25** (7/25/96) – DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DEVELOP A FISHERY MANAGEMENT PLAN FOR THE BLUE CRAB IN THE DELAWARE ESTUARY. (Sponsor: Sen. McBride & Rep. Carey; Sens. McDowell, Venables, Voshell, Amick & Bair; Reps. Schroeder & Buckworth)

**HB #190 AAB HA 1** (7/25/96) – AN ACT TO AMEND CHAPTER 83, TITLE 9 OF THE DELAWARE CODE RELATING TO VALUATION OF LAND DEVOTED TO AGRICULTURE, HORTICULTURE OR FOREST USE. (Sponsor: Rep. Caulk and Sen. Adams; Reps. Carey, Mack, Bunting, Schroeder; Sens. Cook, Vaughn, Venables, Still, Bonini) (Volume 70, Chapter 586, Laws of Delaware).

**HB #589 AAB HA 3 AND HA 4 AND SA 1** (7/25/96) – AN ACT TO AMEND TITLE 8, 9 AND 29 OF THE DELAWARE CODE RELATING TO ELIMINATING THE REQUIREMENT FOR THE RECORDATION OF, AND ENHANCING PUBLIC ACCESS TO, CORPORATION DOCUMENTS IN THE OFFICES OF THE RECORDERS OF DEEDS. (Sponsor: Reps. Roy & Spence & Gilligan and Sen. Sharp; Reps. DiLiberto, Van Sant) (Volume 70, Chapter 587, Laws of Delaware).

**HB #621** (7/25/96) – AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO SHELLFISH AND THE REGULATORY AUTHORITY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. (Sponsor: Rep. Schroeder; Rep. Bunting; Sens. Amick, Cordrey, Voshell) (Volume 70, Chapter 588, Laws of Delaware).

**HB #624** (7/25/96) – AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO THE LICENSING OF PARTICIPANTS, OFFICIALS, AND OTHERS IN HARNESS RACING MEETS. (Sponsor: Rep. Davis & Sen. Cook; Reps. DiPinto, Buckworth, Maroney, Bunting, Jonkiert; Sens. Henry, McBride, Vaughn, Sorenson, Still) (Volume 70, Chapter 589, Laws of Delaware).

**HB #633** (7/25/96) – AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE CHILDREN'S TRUST FUND BOARD OF DIRECTORS. (Sponsor: Rep. Maroney; Reps. Buckworth, Capano, Cloutier, DiPinto, Ewing, Mack, Maier, Banning,

Brady, Houghton, Scott; Sens. McDowell, Sorenson) (Volume 70, Chapter 590, Laws of Delaware).

**HB #671** (7/25/96) – AN ACT TO AMEND CHAPTER 13, TITLE 24, DELAWARE CODE RELATING TO PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES. (Sponsor: Rep. Van Sant & Sen. Adams) (Volume 70, Chapter 591, Laws of Delaware).

**HB #672** (7/25/96) – AN ACT TO AMEND CHAPTER 166, VOLUME 37, LAWS OF DELAWARE, AS AMENDED, ENTITLED “AN ACT TO REINCORPORATE THE TOWN OF SELBYVILLE”, TO PROVIDE FURTHER FOR THE SUPPLYING OF WATER, TO PROVIDE LIMITATIONS ON TAXES, TO PROVIDE FOR USE OF TOWN MONIES, TO PROVIDE FOR LONG-TERM BORROWING AND PROCEDURES THEREFOR AND TO REPEAL ANY ACT TO THE EXTENT ITS PROVISIONS ARE INCONSISTENT WITH THIS AMENDMENT. (Sponsor: Rep. Banning & Sen. Cordrey) (Volume 70, Chapter 592, Laws of Delaware).

The following legislation is a constitutional amendment and does not require the signature of the Governor.

**HB #639** – AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 26 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE POWERS AND DUTIES OF THE PROTHONOTARY AND THE ENTRY OF TESTATUM FIERI FACIAS. (Sponsor: Rep. Roy & Sen. Sharp; Rep. DiLiberto, Sen. Amick) (Volume 70, Chapter 593, Laws of Delaware).

The following legislation was vetoed by Governor Thomas R. Carper on the date indicated:

**SB #465** (7/25/96) – AN ACT TO AMEND CHAPTER 29, TITLE 30, DELAWARE CODE, RELATING TO WHOLESALERS. (Sponsor: Sen. Vaughn; Rep. Boulden; Sen. McDowell; Reps. Mack, Smith)

**HB #591** (7/25/96) – AN ACT TO AMEND CHAPTER 47 OF TITLE 9 OF THE DELAWARE CODE RELATING TO GARBAGE COLLECTION DISTRICTS. (Sponsor: Rep. DiPinto; Reps. Caulk, Buckworth, Capano, Lofink, Maier, Maroney, Ulbrich, Wagner, Welch; Sen. Cook.

TO THE MEMBERS OF THE DELAWARE STATE SENATE OF THE 138<sup>TH</sup> GENERAL ASSEMBLY:

On July 16, 1996, I received **Senate Bill 465**, entitled:  
“AN ACT TO AMEND CHAPTER 29, TITLE 30, DELAWARE CODE,  
RELATING TO WHOLESALERS.”

I am returning S.B. 465 to the Senate without my signature. This bill eliminates the gross receipts tax on the “exchange or barter between or among wholesalers of goods when the goods so received by such wholesaler are received for the purpose of resale by such wholesaler.” By its terms, the bill would be effective July 1, 1996.

Senate Bill 465 was brought forth and promoted by a party presently in litigation with the State with regard to its own taxes. In its normal course of business, this party often exchanges fungible commodities with several other businesses. Liability for the State’s gross receipts tax on the value of such commodity exchanges in Delaware is part of what is at issue in the litigation.

Believing settlement of this litigation was achievable, the State suggested mediation as a means of resolving the issues, and mediation was planned for June 19 and 20, 1996. However, the mediation was postponed past the close of the legislative session and then legislation came forward in the form of S.B. 465.

Tax settlement negotiations often contemplate the resolution of both past liabilities and the prospective application of tax law to similar transactions in the future. Such negotiations could also conceivably result in an agreement to vary the tax outcome of such transactions through an agreement jointly to pursue remedial legislation. Senate Bill 465, if enacted, would preclude such a result. In my view, further negotiations and the mediation now scheduled for August should continue with a positive and open attitude on the part of both the State and the taxpayer, and should be unfettered by a pre-ordained outcome with regard to future liabilities. It is possible that such negotiations could result in a proposal similar in concept to S.B. 465. If that were to occur, I would not second-guess that outcome. On the other hand, in consideration of resolving the past liability, if any, the resolution as to the tax status of future transactions could