

**SA 2 to SB 288** was brought before the Senate for consideration on motion of Senator Sokola.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SA 2 to SB 288** was declared part of the bill.

**SB 288 w/SA 1 & SA 2** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SB 288 w/SA 1 & SA 2** was declared passed the Senate and sent to the House for consideration.

**HB 524** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 524** - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE", AND PROVIDING FOR THE LEVY OF A REAL ESTATE TRANSFER TAX NOT TO EXCEED ONE PERCENT OF THE PURCHASE PRICE. (2/3 vote)

Senator Bonini commented.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Connor, Still) ABSENT; therefore, **HB 524** was declared passed the Senate and returned to the House.

**SR 23** was introduced and brought before the Senate for consideration on motion of Senator Henry.

**SR 23** - HONORING THE KALMAR NYCKEL AS DELAWARE'S "AMBASSADOR OF GOOD WILL" SHIP. Sponsor: Senator Henry; Senators McDowell & Marshall.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SR 23** was declared adopted by the Senate.

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

At 6:24 p.m. on motion of Senator Voshell, the Senate recessed until March 31, 1998 at 2:00 p.m.

The Senate reconvened at 2:20 p.m. on March 31, 1998 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed

**HB 476 w/HA 1; HB 453; HB 326; HB 525 w/HA 1 & 2; SB 255.**

**LEGISLATIVE ADVISORY #32** 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 #32**, dated March 27, 1998, the Governor the Governor signed the following legislation on the dates indicated:

**HB #463 AAB SA 8 (3/26/98)** - AN ACT TO AMEND TITLES 3 AND 29 OF THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO THE VIDEO LOTTERY AND HARNESS RACING. (Sponsor: Rep. Oberle) (Volume 71, Chapter 253, Laws of Delaware.)

\* \* \*

At 2:22 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 16th Legislative Day.

**16TH LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
MARCH 31, 1998**

The Senate convened at 2:22 p.m. with Lt. Governor Minner 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, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Vaughn, Venables, Voshell - 20.

**ABSENT:** Senator Still - 1.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION**

March 31, 1998

The following legislation was introduced and assigned on March 26, 1998:

**SS 1 for SB 233** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES. Sponsor: Senator Bunting; Senators Sokola & Amick; Representatives Boulden, Buckworth, Carey, Ewing, Spence, Stone, Wagner, Welch, Brady, DiLiberto, Gilligan, Keeley & West. To: Adopted in Lieu of the original.

**SB 292** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE TO REDUCE CLASS SIZE, EMPLOY INSTRUCTIONAL AIDES, AND CREATE A 100% GUARANTEED UNIT COUNT. Sponsor: Senator Sharp & Representative Spence; Senator Sokola, Representatives Schroeder & Boulden; Senators Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, McDowell, Vaughn, Venables & Voshell; Representative Reynolds. To: Education.

**SB 293** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DEFINITIONS AND CLASSIFICATIONS OF DRIVERS LICENSES AND PERMITS. Sponsor: Senator Henry & Representative Ewing. To: Public Safety.

The following legislation was introduced and assigned on March 31, 1998:

**SB 294** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL PROPERTY. Sponsor: Senator Vaughn. To: Education.

**HB 326** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. Sponsor: Representatives Roy, Spence and Van Sant and Senators Blevins and Sokola. To: Judiciary.

**HB 453** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE UNIFORM COMMERCIAL CODE. Sponsor: Representative DiLiberto. To: Judiciary.

**HB 476 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE LAW ENFORCEMENT OFFICER BILL OF RIGHTS. (2/3 vote) Sponsor: Representatives Spence, Oberle, & Senator Sharp; Representatives Welch, Boulden, Buckworth, Capano, Carey, Cathcart, Caulk, Davis, DiPinto, Ewing, Fallon, Lee, Lofink, Mack, Petrilli, Quillen, Reynolds, Roy, Wagner, Gilligan, Van Sant, B. Ennis, Houghton, Keeley, Price, Scott, West, Williams. To: Public Safety.

**HB 525 w/HA 1 & 2** - AN ACT TO AMEND TITLES 9, 22 AND 30 RELATING TO THE TAXATION OF REAL PROPERTY AND THE USES OF THE PROCEEDS THEREFROM. (2/3 vote) Sponsor: Representatives Stone, Oberle & Petrilli & Senator Sharp; Representatives Spence, Welch, Boulden, Cathcart, Cloutier, Davis, DiPinto, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Roy, Ulbrich, Wagner, Gilligan, Van Sant, Brady, B. Ennis, Price, Schroeder, West; Senator Still. To: Finance.

\* \* \*

A messenger from the Governor was announced and admitted.

Senators Marshall, Bonini and Hauge were marked present.

**SB 61** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 61** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION REGULATIONS AND LEGISLATION.

Senators Sorenson and Hauge commented.

Senator Bair was marked present.

Senator Bair commented.

**SB 61** was laid on the table on motion of Senator Sharp.

**SB 178** was returned to the ready list on motion of Senator Sharp.

Senator Marshall requested a letter to Governor Carper be read into the record regarding the Millsboro Nursing and Rehabilitation Center.

Senator Marshall commented.

**SB 61** was lifted from the table and brought before the Senate for consideration on motion of Senator Sharp.

Senator Sharp requested the privilege of the floor for Russell Larson, Controller General.

Senators Bonini and McBride questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 11 Senators voting YES, 7 (Bonini, Connor, Hauge, McBride, McDowell, Reed, Sorenson) NO, 3 (Amick, Bair, Still) ABSENT; therefore, **SB 61** was declared passed the Senate and sent to the House for consideration.

At 2:50 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 4:00 p.m. with Senator Sharp presiding.

**SB 285** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 285** - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REINCORPORATE THE CITY OF HARRINGTON" BEING CHAPTER 115, VOLUME 69, LAWS OF DELAWARE, AS AMENDED, RELATING TO CONTRACTS, MEETINGS AND ELECTIONS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SB 285** was declared passed the Senate and sent to the House for consideration.

Lt. Governor Minner presiding at 4:03 p.m.

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

The Secretary announced the agenda for April 1, 1998.

At 4:05 p.m. on motion of Senator Voshell, the Senate adjourned until April 1, 1998 at 4:00 p.m.

**17TH LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
APRIL 1, 1998**

The Senate convened at 4:35 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 this Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell.  
No objections.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
April 1, 1998**

The following legislation was introduced and assigned on March 31, 1998:

**SB 295** - AN ACT DIRECTING THE DIVISION OF PROFESSIONAL REGULATION TO DEDICATE ONE OF ITS EMPLOYEES EXCLUSIVELY TO THE BOARD OF COSMETOLOGY AND BARBERING AND THE BOARD OF NURSING. Sponsor: Senator McBride; Representative Wagner; Senators Blevins, Henry. To: **Health and Social Services**.

The following letter of nomination from the Governor was assigned to the **Executive** Committee on March 31, 1998:

**STATE OF DELAWARE  
Office of the Governor  
March 31, 1998**

To the Senate of the 139th 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. Brannon, Jr.**, 2111 Willow Way, Wilmington, Delaware 19810, to be appointed a member of the Commission on Adult Entertainment Establishments to serve a three-year term to replace Deborah Parkowski.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor

\* \* \*

The following legislation was introduced and assigned on April 1, 1998:

**SB 297** - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN SUSSEX COUNTY, FORMERLY KNOWN AS THE BROADKILL SCHOOL. Sponsor: Senator Voshell & Representative Carey. To: **Highways and Transportation**.

**SB 298** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES AGAINST PERSONS. Sponsor: Senator Henry & Representative Ewing. To: **Public Safety**.

**HB 464** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO SALES OF GOODS. Sponsor: Representative Oberle & Representative Van Sant. To: **Judiciary**.

**HB 484** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACY. Sponsor: Representatives Maroney, DiPinto, Stone, Houghton, West; Senators Cook, McBride, Vaughn, Sorenson. To: **Health and Social Services**.

**HB 507** - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE", TO CHANGE THE DATE FOR THE FILING FOR CANDIDACY IN THE TOWN AND TO CHANGE THE DATE FOR THE GENERAL ELECTION. (2/3 vote)  
Sponsor: Representative Ewing & Senator Adams. To: **Community/County Affairs**.

**HB 511** - AN ACT TO AMEND CHAPTER 5, TITLE 7, OF THE DELAWARE CODE RELATING TO HUNTING LICENSES FOR NONRESIDENTS. Sponsor: Representative Carey; Representatives Boulden, Buckworth, Capano, Caulk, Cloutier, B. Ennis, Lofink, Schroeder, West & Senator Bunting & Voshell. To: **Natural Resources**.

\* \* \*

A communication from Senator Sokola to the Secretary of the Senate, Bernard J. Brady was read requesting Representative Ulbrich's name be added as a co-sponsor to **SB 288**.

A communication from Senator Venables to the Secretary of the Senate, Bernard J. Brady was read requesting Representative Fallon's name be added as a co-sponsor to **SB 179**.

A communication from the Chief Clerk of the House to the Secretary of the Senate, Bernard J. Brady was read requesting that Representatives Spence, Brady, Buckworth, Cathcart & Van Sant be added as a co-sponsors to **SJR 3**.

A communication from Senator Connor to Senator Sharp was read requesting her name be added as a co-sponsor to **SB 292**.

These communications are in the activity file of this legislative day.

The following committee reports were announced:

From Health and Social Services: **SB 286** - 3 Favorable, 1 Merit; **SB 173** - 4 Merits.

From Public Safety: **SB 298** - 4 Merits; **SB 293** - 4 Merits.

From Judiciary: **SB 289** - 3 Merits; **HB 479** - 3 Merits.

A messenger from the Governor was announced and admitted.

Senators McBride, Blevins and Bonini were marked present.

Senator Bunting requested a letter from the Millsboro Nursing & Rehabilitation Center be read and be made part of the record.

This communication is in the activity file for this legislative day.

Senator Marshall was marked present.

Senator Marshall commented.

**HB 37 w/HA 2** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 37 w/HA 2** - 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.

**SA 1 to HB 37** was stricken on motion of Senator Voshell.

**SA 2 to HB 37** 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 37** was declared part of the bill.

Senators Bair and Cook commented.



**HB 37 w/HA 2 & SA 2** was now before the Senate.

Several Senators commented.

A roll call vote was taken and revealed 13 Senators voting YES, 8 (Adams, Blevins, Bunting, Cook, Henry, McDowell, Vaughn, Venables) NO; therefore, **HB 37 w/HA 2 & SA 2** was declared passed the Senate and returned to the House for reconsideration.

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

The Secretary announced the agenda for April 2, 1998.

At 5:25 p.m. on motion of Senator Voshell, the Senate recessed until April 2, 1998 at 2:00 p.m.

The Senate reconvened at 2:25 p.m. on April 2, 1998 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 477; HB 486; HB 488; HB 492; HJR 24; SB 224.**

The following committee report was announced:

From Education: **SB 294** - 3 Merits.

At 2:27 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 18th Legislative Day.

**18TH LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
APRIL 2, 1998**

The Senate convened at 2:27 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 this Legislative Day revealed the following attendance:

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

**ABSENT:** Senator Amick - 1.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
April 2, 1998**

The following amendments were placed with the bill on April 1, 1998:

**SA 1 to SB 260** - Sponsor: Senator McBride.

**SA 1 to SB 262** - Sponsor: Senator McBride.

**SA 1 to SB 263** - Sponsor: Senator McBride.

**SA 1 to SB 264** - Sponsor: Senator McBride.

**SA 1 to SB 265** - Sponsor: Senator McBride.

**SA 1 to SB 270** - Sponsor: Senator McBride.

The following legislation was introduced and assigned on April 1, 1998:

**SB 296** - AN ACT TO AMEND TITLES 9, 22, AND 30 OF THE DELAWARE CODE RELATING TO THE ALLOCATION OF FUNDS TO COUNTIES AND INCORPORATE CITIES AND TOWNS AND TO MAKE A SUPPLEMENTAL APPROPRIATION TO THE STATE TREASURER FOR THE FISCAL YEAR ENDING JUNE 30, 1998 TO DEFEASE LAND AND WATER CONSERVATION TRUST FUND REVENUE BONDS AT THE DIRECTION OF THE SECRETARY OF FINANCE. 3/4 VOTE. Sponsor: Senator Marshall & Representative DiPinto; Senators Henry, McDowell, Venables; Representatives Keeley, Plant, Scott & Williams. To: **Revenue and Taxation.**

**SB 299** - AN ACT TO AMEND CHAPTER 51, TITLE 24, DELAWARE CODE RELATING TO QUALIFICATIONS OF AESTHETICIANS. Sponsor: Senator McBride. To: **Health and Social Services.**

**SB 300** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LIBRARIES. Sponsor: Senator Cook & Representative Davis. To: **Administrative Services.**

**SB 301** - AN ACT TO AMEND TITLE 11, CHAPTER 65, SECTION 6535 RELATING TO DISCIPLINE. Sponsor: Senator Vaughn; Representative Lee. To: **Corrections.**

The following letter of nomination from the Governor was assigned to the **Executive** Committee on April 2, 1998:

STATE OF DELAWARE  
Office of the Governor  
April 1, 1998

To the Senate of the 139th 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 A. Murray**, 51 Webbs Lane, Dover, DE 19904, to be appointed a Justice of the Peace for Kent County to serve a four-year term to replace James Koehring.

Your consideration of this nomination is appreciated.

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

The following legislation was introduced and assigned on April 2, 1998:

**HB 477** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO RESIDENCY REQUIREMENTS FOR CABINET SECRETARIES. Sponsor: Representative Stone; Representatives Welch, Buckworth, Capano, Carey, Caulk, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maier, Petrilli, Quillen, Ulbrich, Wagner, Gilligan, Van Sant, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Scott, West, Williams; Senators Adams, Bunting, Henry, Vaughn, Bair, Amick, Connor, Reed. To: **Executive.**

**HB 486** - AN ACT TO AMEND CHAPTER 98, TITLE 16 OF THE DELAWARE CODE, RELATING TO INITIAL TRAINING OF PARAMEDICS EMPLOYED BY A COUNTY PURSUANT TO THIS CHAPTER. Sponsor: Representative B. Ennis & Senator Cook; Representatives Brady, Buckworth, Cathcart, Caulk, Davis, Ewing, D. Ennis, Gilligan, Houghton, Keeley, Lee, Maier, Maroney, Plant, Price, Quillen, Scott, Van Sant, Wagner, West, Williams, Spence; Senators Vaughn, Blevins. To: **Health and Social Services.**

**HB 488** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF SEARCH WARRANTS TO CODE ENFORCEMENT CONSTABLES. Sponsor: Representative West & Representative Ewing; Representatives Carey, Caulk, Fallon, Lee, Price, Quillen, Schroeder; Senators Adams, Bunting, Voshell. To: **Community/County Affairs.**

**HB 492** - 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 DELETE THE LIMITATION ON THE ANNUAL APPROPRIATION FOR A PENSION AND HEALTH AND WELFARE PLAN FROM SECTION 30(41). (2/3 vote) To: **Community/County Affairs.**

**HJR 24** - ENCOURAGING DELAWARE'S UNITED STATES CONGRESSIONAL DELEGATION TO COMPEL THE U.S. ARMY CORPS OF ENGINEERS TO DEVELOP A PLAN AND TIMELINE FOR THE PRESERVATION AND REHABILITATION OF THE "ICE PIERS" IN NEW CASTLE HARBOR OF THE DELAWARE RIVER. Sponsor: Representative Mack & Senator Connor. To: **Community/County Affairs.**

\* \* \*

**SCR 52** was introduced and brought before the Senate for consideration on motion of Senator Bair.

**SCR 52** - EXTENDING SINCERE CONGRATULATIONS TO TWO RESPECTED FORMER STATE LAWMAKERS, THE HONORABLE REPRESENTATIVE ADA LEIGH SOLES AND THE HONORABLE SENATOR JAMES P. NEAL, IN RECOGNITION OF THE DEDICATION OF THE NEW DELAWARE LIBRARY CONFERENCE AND TECHNOLOGY EDUCATION CENTER IN THEIR HONOR. Sponsor: Senators Bair, Sharp, Amick, Voshell, McDowell on Behalf of All Senators; Representatives Spence, Gilligan, Smith, Welch, Van Sant, Boulden, Petrilli on Behalf of All Representatives.

Senator Bair requested the privilege of the floor for James P. Neal and Ada Leigh Soles.

The witnesses were excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Amick) ABSENT; therefore, **SCR 52** was declared adopted by the Senate and sent to the House for consideration.

Senator Hauge was marked present during the above roll call.

Senator Marshall requested the personal privilege of the floor to introduce the members of the Nursing Home Review Board and tributes were presented to each of them.

A copy of the State Legislative & Citizens Investigative Panel Report on Nursing Home Reform is in the activity file for this legislative day.

Senator Voshell commented and presented a tribute to Senator Adams referencing his days of youth playing LaCrosse.

**SB 173** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 173** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FLUORIDATION OF WATER SUPPLIES. 2/3 VOTE

**SA 1 to SB 173** was introduced and brought before the Senate for consideration on motion of Senator Voshell.

Senator Blevins commented.

Senator Still requested the privilege of the floor for Mary Ann Kelly, Senate Attorney.

The witness was excused after addressing the Senate.

Several Senators commented.

Senator Voshell requested the privilege of the floor for Mary Ann Kelly, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Cook) NO, 1 (Amick) ABSENT; therefore, **SA 1 to SB 173** was declared part of the bill.

**SA 2 to SB 173** was introduced and brought before the Senate for consideration on motion of Senator Blevins.

Senator Still commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Amick) ABSENT; therefore, **SA 2 to SB 173** was declared part of the bill.

**SA 3 to SB 173** 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 (Amick) ABSENT; therefore, **SA 3 to SB 173** was declared part of the bill.

**SB 173 w/SA 1, 2 & 3** was now before the Senate.

Several Senators commented.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Cook, Still) NO, 1 (Amick) ABSENT; therefore, **SB 173 w/SA 1, 2 & 3** was declared passed the Senate and sent to the House for consideration.

**SB 286** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 286** - AN ACT TO AMEND 71 LAWS OF DELAWARE, CHAPTER 12 RELATING TO SUNSETTING PROVISIONS OF THE PHARMACY ACCESS ACT.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Amick) ABSENT; therefore, **SB 286** was declared passed the Senate and sent to the House for consideration.

**SB 293** was brought before the Senate for consideration on motion of Senator Henry.

**SB 293** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DEFINITIONS AND CLASSIFICATIONS OF DRIVERS LICENSES AND PERMITS.

**SA 1 to SB 293** was introduced and brought before the Senate for consideration on motion of Senator Henry.

A roll call was taken and revealed 20 Senators voting YES, 1 (Amick) ABSENT; therefore, **SA 1 to SB 293** was declared part of the bill.

**SB 293 w/SA 1** was now before the Senate.

Senator Adams commented.

Senator Henry requested the privilege of the floor for Jerome Emerson, representing Division of Motor Vehicles.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Amick) ABSENT; therefore, **SB 293 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 298** was brought before the Senate for consideration on motion of Senator Henry.

**SB 298** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES AGAINST PERSONS.

Senators Bonini and Sharp questioned the sponsor, after which Senator Henry requested the privilege of the floor for Sgt. David W. Thomas, representing Delaware State Police.

The witness was excused after addressing the Senate.

Senator Henry requested the privilege of the floor for Mary Ann Kelly, Senate Attorney.

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

Senator McBride commented.

A roll call vote was taken and revealed 11 Senators voting YES, 9 (Adams, Bair, Bonini, Connor, Hauge, McDowell, Reed, Sorenson, Venables) NO, 1 (Amick) ABSENT; therefore, **SB 298** was declared passed the Senate and sent to the House for consideration.

**HB 188 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 188 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES.

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

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Amick) ABSENT; therefore, **HB 188 w/HA 1** was declared passed the Senate and was returned to the House.

**HB 235** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 235** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TIME LIMITATIONS APPLYING TO CERTAIN CRIMINAL PROSECUTIONS.

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

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

Senator McBride commented.

A roll call vote was taken and revealed 17 Senators voting YES, 3 (Hauge, McDowell, Venables) NO, 1 (Amick) ABSENT; therefore, **HB 235** was declared passed the Senate and was returned to the House.

**HB 341 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 341 w/HA 1** - AN ACT TO AMEND TITLE 21, DELAWARE CODE REGARDING INFORMATION ON DRIVERS LICENSES.

Senator Bair requested the privilege of the floor once again, for Steven Wood.

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

Several Senators commented.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (McDowell) NOT VOTING, 1 (Amick) ABSENT; therefore, **HB 341 w/HA 1** was declared passed the Senate and was returned to the House.

**SR 24** was introduced and brought before the Senate for consideration on motion of Senator Henry.

**SR 24** - RECOGNIZING APRIL 1998 AS CHILD ABUSE PREVENTION MONTH.  
Sponsor: Senator Henry.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Amick) ABSENT; therefore, **SR 24** was declared adopted.

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

**SB 305** was reassigned to **Health and Social Services**.

**SB 305** - AN ACT TO AMEND TITLE 16, OF THE DELAWARE CODE RELATING TO THE OFFICE OF LONG-TERM CARE OMBUDSPERSON. Sponsor: Senator Marshall, Senator Blevins, Representatives Maier, Lofink, Scott; Senators McDowell & Connor; Representative Spence.

At 4:51 p.m. on motion of Senator Voshell, the Senate recessed until April 7, 1998 at 2:00 p.m.

The Senate reconvened at 2:20 p.m. on April 7, 1998 with Senator Sharp presiding.

The following committee reports were announced:

From Community/County Affairs: **HJR 24** - 3 Merits; **HB 488** - 3 Merits; **HB 492** - 3 Merits; **HB 507** - 3 Merits.

**LEGISLATIVE ADVISORY #33**, 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 #33**, dated April 1, 1998, the Governor signed the following legislation on the dates indicated:

**SB #255** (3/30/98) - AN ACT TO AMEND TITLES 5, 6, 8 AND 12 OF THE DELAWARE CODE RELATING TO THE DEFINITIONS, POWERS, SUPERVISION, REGULATION AND FIDUCIARY OBLIGATIONS OF BANKS AND OTHER FINANCIAL INSTITUTIONS. (Sponsor: Sen. Adams) (Volume 71, Chapter 254, Laws of Delaware.)

**SB #203** (4/1/98) - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO PUBLIC HEARINGS ON PETITIONS TO ESTABLISH GARBAGE COLLECTION DISTRICTS. (Sponsor: Sen. Cook) (Volume 71, Chapter 255, Laws of Delaware.)

**HB #532** (4/1/98) - AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF ADMINISTRATIVE SERVICES AND AUTHORIZING THE SECRETARY OF ADMINISTRATIVE SERVICES TO ENTER INTO A CONTRACT FOR THE PURCHASE OF PROPERTY TO BECOME THE SITE OF THE NEW CASTLE COUNTY COURTHOUSE. (Sponsor: Rep. Roy) (Volume 71, Chapter 256, Laws of Delaware.)

**HB #372** (4/1/98) - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO AGRICULTURAL LANDS PRESERVATION. (Sponsor: Rep. Caulk) (Volume 71, Chapter 257, Laws of Delaware.)

**HB #524** (4/1/98) - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE", AND PROVIDING FOR THE LEVY OF A REAL ESTATE TRANSFER TAX NOT TO EXCEED ONE PERCENT OF THE PURCHASE PRICE. (Sponsor: Rep. Ewing) (Volume 71, Chapter 258, Laws of Delaware.)

\* \* \*

At 2:22 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 19th Legislative Day.

**19TH LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
APRIL 7, 1998**

The Senate convened at 2:22 p.m. with Senator Sharp presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

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

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

Lt. Governor Minner presiding at 2:25 p.m.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
April 7, 1998**

The following legislation was introduced and assigned on April 2, 1998:

**SB 302** - AN ACT TO AMEND AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO ESTABLISH THE DIVISION OF LONG-TERM CARE CONSUMER PROTECTION. Sponsor: Senator Marshall, Senator Blevins; Representatives Maier, Lofink, Scott; Senators McDowell, Henry & Connor; Representative Spence. To: **Health and Social Services**.

**SB 303** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO QUALITY IN HIRING OF EMPLOYEES OF NURSING HOMES AND SIMILAR FACILITIES. Sponsor: Senator Marshall, Senator Blevins, Representatives Maier, Lofink, Scott; Senators Henry, McDowell & Connor; Representative Spence. To: **Health and Social Services**.

**SB 304** - AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO PATIENT'S RIGHTS. Sponsor: Senators Marshall & Blevins, Representatives Maier, Lofink, Scott; Senators Henry, McDowell, Connor; Representative Spence. To: **Health and Social Services**.

**SB 305** - AN ACT TO AMEND TITLE 16, OF THE DELAWARE CODE RELATING TO THE OFFICE OF LONG-TERM CARE OMBUDSPERSON. Sponsor: Senator Marshall, Senator Blevins, Representatives Maier, Lofink, Scott; Senators McDowell & Connor; Representative Spence. To: **Executive - Reassigned to Health and Social Services**.

**SB 306** - AN ACT TO AMEND TITLE 16 RELATING TO MEDICAID RECIPIENTS. Sponsor: Senator Marshall, Senator Blevins, Representatives Maier, Lofink, Scott; Senators McDowell & Connor; Representative Spence. To: **Health and Social Services**.

**SB 307** - AN ACT TO AMEND AN ACT TO AMEND TITLE 29, CHAPTER 79 OF THE DELAWARE CODE TO ESTABLISH THE DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION. Sponsor: Senator Marshall, Senator Blevins, Representatives Maier, Lofink, Scott; Senators McDowell & Connor; Representative Spence. To: **Health and Social Services**.

**SB 308** - AN ACT TO AMEND CHAPTER 38, TITLE 12 OF THE DELAWARE CODE RELATING TO BUSINESS TRUSTS. (3/5 vote) Sponsor: Senator Sharp. To: **Judiciary**.

\* \* \*

Senator Bunting requested the privilege of the floor for Alison Catherine White, Miss Delaware 1997.

The witness was excused after addressing the Senate.

At 2:28 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 3:07 p.m. with Senator Sharp presiding.

**SB 309** was introduced and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Vaughn.

**SB 309** - AN ACT RELATING TO AUTHORIZING, EMPOWERING AND DIRECTING THE SECRETARY OF ADMINISTRATIVE SERVICES TO PROMPTLY ENTER INTO A CONTRACT OR CONTRACTS FOR THE CONSTRUCTION AND EXPANSION OF CORRECTIONAL FACILITIES AT THE DELAWARE CORRECTIONAL CENTER.

Sponsor: Senators Vaughn & Sharp; Representatives Lee & Spence.

Senator Still commented.

Senator Vaughn requested the privilege of the floor for Vincent Meconi, Secretary of Administrative Service.

Senators Hauge, Reed and Bair questioned the witness.

Senator Bonini marked present.

Several Senators questioned the witness.

Senators McDowell, Venables and McBride marked present.

The witness was excused.

Senator Sharp requested the privilege of the floor for Stan Taylor, Commissioner of Department of Corrections.

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

Senator Vaughn requested the privilege of the floor once again for Vincent Meconi, Secretary of Administrative Services.

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) NO; therefore, **SB 309** was declared passed the Senate and sent to the House for consideration.

**HB 156 w/HA 2, HA 1 aab HA 2, 3, 4 & 6** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 156 w/HA 2, HA 1 aab HA 2, 3, 4 & 6** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE.

**SA 1 to HB 156** was brought before the Senate for consideration on motion of Senator Blevins.

Senator Blevins requested the privilege of the floor for Dr. Peter Zorach, representing Allied Mental Health.

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

Senator Blevins requested the privilege of the floor for Mark Pacilio, representing Alliance for the Mentally Ill in Delaware.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bonini) ABSENT; therefore, **SA 1 to HB 156** was declared part of the bill.

**SA 2 & SA 3 to HB 156** were stricken on motion of Senator McDowell.

**HB 156 w/HA 2, HA 1 aab HA 2, 3, 4, 6 & SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 156 w/HA 2, HA 1 aab HA 2, 3, 4, 6 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**SB 294** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 294** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL PROPERTY.

**SA 1 to SB 294** was introduced and brought before the Senate for consideration on motion of Senator Hauge.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) NO; therefore, **SA 1 to SB 294** was declared part of the bill.

**SB 294 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) NO; therefore, **SB 294 w/SA 1** was declared passed the Senate and sent to the House for consideration.

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

The Secretary announced the agenda for April 8, 1998.

At 5:21 p.m. on motion of Senator Voshell, the Senate recessed until April 8, 1998 at 4:00 p.m.

The Senate reconvened at 4:08 p.m. on April 8, 1998 with Senator Sharp presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 394; HB 428; HB 501; SB 234; SB 237.**

A communication from the President Pro Tempore, Thomas B. Sharp to the Secretary of the Senate, Bernard J. Brady was read regarding **SB 260.**

The following committee reports were announced:

From Executive: **James A. Murray** - 2 Favorable, 3 Merits.

From Highways: **SB 297** - 1 Favorable, 3 Merits.

At 4:10 p.m. Lt. Governor Minner presiding.

At 4:10 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 20th Legislative Day.

**20TH LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
APRIL 8, 1998**

The Senate convened at 4:10 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 this Legislative Day revealed the following attendance:

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

**ABSENT:** Senator Hauge - 1.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
April 8, 1998**

The following legislation was introduced and assigned on April 7, 1998:

**SB 310** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE REGARDING UNFAIR TRADE PRACTICES. Sponsor: Senator Sokola; Senator Blevins; Representatives Roy, Van Sant. To: **Judiciary**.

The following amendment was placed with the bill on April 8, 1998:

**SA 1 to HB 288** - Sponsor: Senator Amick

The following legislation was introduced and assigned on April 8, 1998:

**SCR 58** - ESTABLISHING A TASK FORCE TO INVESTIGATE, STUDY AND MAKE RECOMMENDATIONS CONCERNING THE POTENTIAL EDUCATIONAL AND FISCAL IMPACT OF OFFERING AN EARLY RETIREMENT OPTION TO DELAWARE'S PUBLIC SCHOOL TEACHERS WHO ARE UNABLE TO MEET THE NEW REQUIREMENTS SET FORTH IN RECENT EDUCATION LEGISLATION. Sponsor: Senator Reed; Representatives Maier, Ulbrich. To: **Finance**.

**SB 311** - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 vote) Sponsor: Senator Sharp. To: **Judiciary**.

**SB 312** - AN ACT TO AMEND AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. (3/5 VOTE) Sponsor: Senator Sharp & Representative Wagner. To: **Judiciary**.

**SB 313** - AN ACT TO AMEND CHAPTER 41, TITLE 9 OF THE DELAWARE CODE RELATING TO THE GOVERNMENT OF KENT COUNTY. Sponsor: Senator Still; Representatives Stone, Wagner, Buckworth, Quillen, B. Ennis. To: **Finance**.

**HB 394** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ADVISORY PANEL ON INTERGOVERNMENTAL PLANNING AND COORDINATION. Sponsor: Representative Cloutier; Senator Sokola; Representatives Spence, Gilligan; Senators Bair, Sorenson, Amick, Connor. To: **Community/County Affairs**.

**HB 428** - AN ACT TO AMEND CHAPTER 36, TITLE 24 OF THE DELAWARE CODE RELATING TO GEOLOGY AND TITLE 29 OF THE DELAWARE CODE. Sponsor: Representative Ulbrich & Senator Blevins; Representatives Capano, Maier, Keeley & Price; Senators Bunting, Sokola, Reed & Still. To: **Natural Resources**.

**HB 501** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE FRAUD. Sponsor: Representative Capano & Senator McBride; Representatives Van Sant, Mack, Houghton, Davis, DiPinto, B. Ennis; Senator Connor. To: **Insurance**.

\* \* \*

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

**James A. Murray.**

Senator Bonini commented.

Senator Bair marked present.

Several Senators commented.

A roll call vote was taken and revealed 15 Senators voting YES, 4 (Amick, Bonini, Connor, Reed) NOT VOTING, 2 (Hauge, McDowell) ABSENT. Appointment confirmed.

Senators Marshall, Reed, Sokola and Venables were marked present during the above roll call.

A messenger from the Governor was announced and admitted.

Senator Bonini congratulated Mr. Murray on his appointment.

**SB 289** was brought before the Senate for consideration on motion of Senator Sharp.



**SB 289** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM EXECUTION.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Hauge, McDowell) ABSENT; therefore, **SB 289** 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 Sharp.

**HB 479** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO WRONGFUL DEATH ACTIONS.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Hauge, McDowell) ABSENT; therefore, **HB 479** was declared passed the Senate and returned to the House.

**HB 277** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 277** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE REPEAL OF CERTAIN CRIMINAL STATUTES.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Hauge, McDowell) ABSENT; therefore, **HB 277** was declared passed the Senate and returned to the House.

**HB 288** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 288** - AN ACT TO AMEND CHAPTER 25, TITLE 11 OF THE DELAWARE CODE RELATING TO EXTRADITION PROCEDURES.

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

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

Senator Venables requested the privilege of the floor for Edward G. Davis, representing himself.

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

Senator Sharp requested privilege of the floor once again for Loren Meyers, representing the Attorney General's office.

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

**SA 1 to HB 288**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Amick.

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

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

**HB 288** was laid on the table on motion of Senator Sharp.

**SA 1 to HB 288** was laid on the table on motion of Senator Amick.

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

At 5:36 p.m. on motion of Senator Voshell, the Senate recessed until April 9, 1998 at 2:00 p.m.

The Senate reconvened at 2:07 p.m. on April 9, 1998 with Senator Sharp presiding. Senator McDowell was marked present.

The following committee reports were announced:

From Health and Social Services: **SB 260** - 3 Merits; **SB 263** - 3 Merits; **SB 264** - 3 Merits; **SB 267** - 3 Merits; **SB 271** - 3 Merits; **HB 486** - 3 Merits.

From Revenue and Taxation: **SB 296** - 3 Merits.

From Natural Resources: **HB 511** - 3 Merits; **HJR 23** - 4 Merits.

At 2:10 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 21st Legislative Day.

**21ST LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
APRIL 9, 1998**

The Senate convened at 2:10 p.m. with Senator Sharp presiding.

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

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

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

**ABSENT:** Senator Reed – 1.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
April 9, 1998**

The following legislation was introduced and assigned on April 9, 1998:

**SB 314** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE. Sponsor: Senator Voshell; Senators Sharp, Adams, Vaughn. To: **Insurance**.

The following letter of nomination from the Governor was assigned to the **Executive** Committee:

STATE OF DELAWARE  
Office of the Governor  
April 8, 1998

To the Senate of the 139th 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: **John R. Malloy**, 196 Brecks Lane, Wilmington, Delaware 19807, to be reappointed a member of the Board of Pension Trustees to serve a four-year term.

Your consideration of this nomination is appreciated.

Sincerely,  
Thomas R. Carper  
Governor  
\* \* \*

(Signed)

The Secretary announced a message from the House informing the Senate that it had passed **SCR 52**.

Senator Adams commented on the deaths of Michael Ferguson and the Police Chief of Georgetown.

Senators Bonini, Bair and Connor were marked present.

**HB 492** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 492** - 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 DELETE THE LIMITATION ON THE ANNUAL APPROPRIATION FOR A PENSION AND HEALTH AND WELFARE PLAN FROM SECTION 30(41). (2/3 VOTE)

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Cook, McBride, Reed) ABSENT; therefore, **HB 492** was declared passed the Senate and returned to the House.

Senators Marshall and Hauge were marked present during the above the above roll call.

**HB 488** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 488** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF SEARCH WARRANTS TO CODE ENFORCEMENT CONSTABLES.

Senator Henry commented.

Lt. Governor Minner presiding at 2:18 p.m.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Cook, McBride, Reed) ABSENT; therefore, **HB 488** was declared passed the Senate and returned to the House.

**HB 507** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 507** - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE", TO CHANGE THE DATE FOR THE FILING FOR CANDIDACY IN THE TOWN AND TO CHANGE THE DATE FOR THE GENERAL ELECTION. 2/3 VOTE

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Cook, McBride, Reed) ABSENT; therefore, **HB 507** was declared passed the Senate and returned to the House.

**SB 297** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 297** - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN SUSSEX COUNTY, FORMERLY KNOWN AS THE BROADKILL SCHOOL.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cook, Reed) ABSENT; therefore, **SB 297** was declared passed the Senate and sent to the House for consideration.

Senator McBride was marked present during the above roll call.

**HB 511** was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

**HB 511** - AN ACT TO AMEND CHAPTER 5, TITLE 7, OF THE DELAWARE CODE RELATING TO HUNTING LICENSES FOR NONRESIDENTS.

Senator McBride requested the privilege of the floor for H. Lloyd Alexander, representing DNREC.

Senators Sorenson and Adams questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Cook, Reed) ABSENT; therefore, **HB 511** was declared passed the Senate and returned to the House.

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

**SCR 60** - REQUESTING THE DELAWARE STADIUM CORPORATION TO COMMISSION SUITABLE PERMANENT MEMORIALS TO COMMEMORATE THE ACCOMPLISHMENTS OF VICTOR GAZAWAY "VIC" WILLIS AND WILLIAM ALOYSIUS "BILL" MCGOWAN, TWO DELAWAREANS WHO HAVE RECENTLY BEEN INDUCTED INTO THE NATIONAL BASEBALL HALL OF FAME. Sponsor: Senator Marshall & Representative Scott; Senators Amick, Reed & Sorenson; Representatives Boulden, Oberle, Ulbrich & DiLiberto.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cook, Reed) ABSENT; therefore, **SCR 60** was declared adopted by the Senate and sent to the House for consideration.

At 2:38 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 3:52 p.m. with Senator Sharp presiding.

**SCR 61** was introduced and brought before the Senate for consideration on motion of Senator McDowell.

**SCR 61** - URGENTLY REQUESTING THE RED CLAY SCHOOL DISTRICT TO DISCONTINUE USE OF THE BUS STOP AT MONROE STREET AND CONCORD AVENUE IN WILMINGTON AND TO EITHER RESTORE THE BUS STOP AT 24TH AND MONROE STREETS OR DEVELOP A SAFE ALTERNATIVE LOCATION. Sponsor: Senator McDowell & Representative Williams.

At 3:55 p.m. Lt. Governor Minner presiding.

Senators Sokola, McBride and Blevins commented.

A roll call vote was taken and revealed 12 Senators voting YES, 4 (Bair, Bonini, Hauge, Still) NO, 2 (Amick, Connor) NOT VOTING, 3 (Cook, McBride, Reed) ABSENT; therefore, **SCR 61** was declared adopted by the Senate and sent to the House for consideration.

**HJR 23** was placed back into the **Natural Resources** committee on motion of Senator McBride.

**SCR 59** was introduced and brought before the Senate for consideration on motion of Senator Sorenson.

**SCR 59** - COMMENDING THE DESERVING RECIPIENTS OF THE 1998 GOVERNOR'S AWARD FOR THE ARTS. Sponsor: Senator Sorenson & Representative Capano; Senators Bair, Blevins, Cook, Henry, McDowell on Behalf of All Senators; Representatives Cloutier, Plant, Roy, Williams on Behalf of All Representatives.

Senators Sharp and Bonini commented.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cook, Reed) ABSENT; therefore, **SCR 59** was declared adopted by the Senate and sent to the House for consideration.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 61**.

**HCR 61** was introduced and brought before the Senate for consideration on motion of the floor manager, Senator McDowell.

**HCR 61** - COMMENDING DOROTHY M. MORRIS OF NEW CASTLE COUNTY, DELAWARE, ON HER FIFTY YEARS OF DEDICATED SERVICE AS A MEMBER OF THE LADIES AUXILIARY OF BRANDYWINE HUNDRED FIRE COMPANY NUMBER 1. Sponsor: Representative D. Ennis and Senator McDowell.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cook, Reed) ABSENT; therefore, **HCR 61** was declared adopted by the Senate and returned to the House.

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

At 4:15 p.m. on motion of Senator Voshell, the Senate recessed until April 28, 1998 at 2:00 p.m.

The Senate reconvened at 2:26 p.m. on April 28, 1998 with Senator Sharp presiding.

Senator Cook marked present.

At 2:27 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 22nd Legislative Day.

**22ND LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
APRIL 28, 1998**

The Senate convened at 2:27 p.m. with Senator Sharp presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell. No objections.

The following committee reports were announced:

From Small Business: **HB 317 w/HA 1** - 4 Merits; **SB 209** - 1 Favorable, 3 Merits.

From Executive: **James C. Brannon, Jr.** - 4 Merits; **John R. Malloy** - 4 Favorable; **SB 280** - 4 Merits.

Lt. Governor Minner presiding at 2:33 p.m.

**HJR 24** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HJR 24** - ENCOURAGING DELAWARE'S UNITED STATES CONGRESSIONAL DELEGATION TO COMPEL THE U.S. ARMY CORPS OF ENGINEERS TO DEVELOP A PLAN AND TIMELINE FOR THE PRESERVATION AND REHABILITATION OF THE "ICE PIERS" IN NEW CASTLE HARBOR OF THE DELAWARE RIVER.

Senator Sokola deferred to Senator Connor.

Senator Connor requested the privilege of the floor for Bob Martin, Mayor and Councilman of New Castle.

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

Senator McBride marked present.

A roll call vote was taken and revealed 21 Senators voting YES; therefore **HJR 24** was declared passed the Senate and returned to the House.

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

**HB 317 w/HA 1** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of the floor manager, Senator Venables.

**HB 317 w/HA 1** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO PURCHASES OF ALCOHOLIC BEVERAGES BY RETAIL LICENSE HOLDERS.

Several Senators commented.

A roll call vote was taken and revealed 14 Senators voting YES, 7 (Blevins, Cook, Marshall, McBride, McDowell, Sharp, Still) NO; therefore **HB 317 w/HA 1** was declared passed the Senate and returned to the House.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
April 28, 1998**

The following legislation was introduced and assigned on April 9, 1998:

**SB 315** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF FALCONRY. Sponsor: Senator Venables & Representative Capano; Senators Adams, Bunting, Vaughn, Voshell & Bonini; Representatives Buckworth, Carey, Ewing & Stone. To: **Small Business**.

The following legislation was introduced and assigned on April 28 1998:

**SB 309 w/HA 1 aab HA 1** - Assigned to **Corrections**.

**HCR 60** - URGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION ALLOWING WAIVERS FOR STATES TO DESIGN AND IMPLEMENT ALTERNATIVES TO SOCIAL SECURITY. Sponsor: Representative Petrilli & Senator Sokola. To: **Finance**.

\* \* \*

At 2:56 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 4:27 p.m. with Senator Sharp presiding.

**SB 209** was brought before the Senate for consideration under the suspension of the necessary, on motion of Senator Venables.

**SB 209** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PROHIBITED TRADE PRACTICES.

Senator Venables deferred to Senator Amick.

At 4:31 p.m. Lt. Governor Minner presiding.

Several Senators commented.

Senator Still requested his name be added as an additional co-sponsor. No objection.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bonini) NO; therefore **SB 209** was declared passed the Senate and sent to the House for consideration.

**SCR 62** was introduced and brought before the Senate for consideration on motion of Senator Connor.

**SCR 62** - RECOGNIZING THE WEEK OF APRIL 20 THROUGH APRIL 24, 1998, AS PROFESSIONAL SECRETARIES' WEEK IN DELAWARE, AND PAYING TRIBUTE TO THESE INVALUABLE HEROES OF THE WORKPLACE. Sponsor: Senators Connor & Voshell on behalf of all Senators & Representative Spence on behalf of all Representatives.

A roll call vote was taken and revealed 21 Senators voting YES; therefore **SCR 62** was declared adopted by the Senate and sent to the House for consideration.

Senator Voshell requested the personal privilege of the floor to introduce a group representing State Farm Bureau Women's Commission.

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

At 4:42 p.m. on motion of Senator Voshell, the Senate recessed until April 29, 1998 at 4:00 p.m.

The Senate reconvened at 4:30 p.m. on April 29, 1998 with Senator Sharp presiding.

The following committee report was announced:

From Natural Resources: **SB 98** - 3 Merits.

**LEGISLATIVE ADVISORY #34 & #35**, 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 #34**, dated April 13, 1998, the Governor signed the following legislation on the date indicated:

**SJR #3** (4/9/98) - DESIGNATING U.S. ROUTE 13 FROM DOVER TO THE PENNSYLVANIA STATE LINE AS A BLUE STAR MEMORIAL HIGHWAY. (Sponsor: Sen. Connor)

**SB #224** (4/9/98) - AN ACT TO AMEND CHAPTER 28, TITLE 24, DELAWARE CODE, RELATING TO PROFESSIONAL ENGINEERS. (Sponsor: Sen. McBride) (Volume 71, Chapter 259, Laws of Delaware.)

**HB #188 AAB HA 1** (4/9/98) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES. (Sponsor: Rep. Wagner) (Volume 71, Chapter 260, Laws of Delaware.)

\* \* \*

**LEGISLATIVE ADVISORY #35**, dated April 21, 1998, the Governor signed the following legislation on the date indicated:

**HB #341 AAB HA 1** (4/20/98) - AN ACT TO AMEND TITLE 21, DELAWARE CODE REGARDING INFORMATION ON DRIVERS LICENSES. (Sponsor: Rep. Roy) (Volume 71, Chapter 261, Laws of Delaware.)

**HB #488** (4/20/98) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF SEARCH WARRANTS TO CODE ENFORCEMENT CONSTABLES. (Sponsor: Rep. West) (Volume 71, Chapter 262, Laws of Delaware.)

**HB #277** (4/20/98) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE REPEAL OF CERTAIN CRIMINAL STATUTES. (Sponsor: Rep. Wagner) (Volume 71, Chapter 263, Laws of Delaware.)

**HB #235** (4/20/98) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TIME LIMITATIONS APPLYING TO CERTAIN CRIMINAL PROSECUTIONS. (Sponsor: Rep. Wagner) (Volume 71, Chapter 264, Laws of Delaware.)

**HB #479** (4/20/98) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO WRONGFUL DEATH ACTIONS. (Sponsor: Rep. Roy) (Volume 71, Chapter 265, Laws of Delaware.)

**SB #234** (4/20/98) - AN ACT TO AMEND CHAPTER 302, VOLUME 49, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF FENWICK ISLAND, DELAWARE" TO CLARIFY WHEN APPEALS OF TAX ASSESSMENTS MAY BE MADE. (Sponsor: Sen. Bunting) (Volume 71, Chapter 266, Laws of Delaware.)

**SB #237** (4/20/98) - AN ACT TO AMEND CHAPTER 42, VOLUME 53, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD." (Sponsor: Sen. Venables) (Volume 71, Chapter 267, Laws of Delaware.)

**HB #492** (4/20/98) - 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 DELETE THE LIMITATION OF THE ANNUAL APPROPRIATION FOR A PENSION AND HEALTH AND WELFARE PLAN FROM SECTION 30(41). (Sponsor: Rep. West) (Volume 71, Chapter 268, Laws of Delaware.)

**HB #507** (4/20/98) - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE", TO CHANGE THE DATE FOR THE FILING FOR CANDIDACY IN THE TOWN AND TO CHANGE THE DATE FOR THE GENERAL ELECTION. (Sponsor: Rep. Ewing) (Volume 71, Chapter 269, Laws of Delaware.)

**HB #511** (4/20/98) - AN ACT TO AMEND CHAPTER 5, TITLE 7, OF THE DELAWARE CODE RELATING TO HUNTING LICENSES FOR NONRESIDENTS. (Sponsor: Rep. Carey) (Volume 71, Chapter 270, Laws of Delaware.)

\* \* \*

At 4:31 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 23rd Legislative Day.

**23RD LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY**

**2ND SESSION  
APRIL 29, 1998**

The Senate convened at 4:31 p.m. with Senator Sharp presiding.

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

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

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

At 4:32 p.m. Lt. Governor Minner presiding.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
April 29, 1998**

The following legislation was introduced and assigned on April 28, 1998:

**SB 316** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE POWER OF RECALL. 2/3 VOTE. Sponsor: Senator Still; Senators Bair, Connor, Hauge, Bunting. To: **Insurance and Elections**.

**SB 317** - AN ACT TO AMEND TITLE 21, OF THE DELAWARE CODE RELATING TO LIENS ON MOTOR VEHICLES. Sponsor: Senator Henry & Representative Ewing. To: **Public Safety**.

**SB 318** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO RECALL. Sponsor: Senator Still; Senators Bair, Connor, Hauge, Bunting. To: **Insurance and Elections**.

**SB 319** - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE", BY REPEALING A PREVISION RELATING TO SPECIAL ELECTIONS UPON THE DEATH OR RESIGNATION OF A TOWN COMMISSIONER. 2/3 VOTE. Sponsor: Senator Adams & Representative Ewing. To: **Insurance and Elections**.

**SB 320** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES. 3/5 VOTE. Sponsor: Senator Sharp. To: **Judiciary**.

The following letters of nominations from the Governor were assigned to the **Executive** Committee on April 28, 1998:

STATE OF DELAWARE  
Office of the Governor  
April 28, 1998

To the Senate of the 139th 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:

**Arnold E. Huff**, 216 South Heald Street, Wilmington, Delaware 19801, to be appointed a Justice of the Peace for New Castle County for a four-year term.

Your consideration of this nomination is appreciated.

Sincerely,  
(Signed) Thomas R. Carper

Governor  
\* \* \*  
STATE OF DELAWARE  
Office of the Governor  
April 28, 1998

To the Senate of the 139th 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 O. Douglas**, 702 Woodsdale Road, Wilmington, Delaware 19809, to be appointed a Justice of the Peace for New Castle County for a four-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor  
\* \* \*  
STATE OF DELAWARE  
Office of the Governor  
April 28, 1998

To the Senate of the 139th 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:  
**Thomas R. Barton**, 12 Harvest Trail, Four Seasons, Newark, Delaware 19702, to be appointed a Justice of the Peace for New Castle County for a four-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor  
\* \* \*  
STATE OF DELAWARE  
Office of the Governor  
April 28, 1998

To the Senate of the 139th 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. John D. McKenzie**, 206 Grier Lane, Milford, Delaware 19963, to be appointed a Justice of the Peace for Sussex County for a four-year term, to replace Walter Godwin who resigned.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor  
\* \* \*  
STATE OF DELAWARE  
Office of the Governor  
April 28, 1998

To the Senate of the 139th 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:  
**The Honorable Thomas M. Kenney**, 216 Atkins Avenue, Wilmington, Delaware 19805, to be reappointed a Justice of the Peace for New Castle County for a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor  
\* \* \*  
STATE OF DELAWARE  
Office of the Governor  
April 28, 1998

To the Senate of the 139th 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. John V. Flynn, Jr.**, 1020 Kent Road, Wilmington, Delaware 19807, to be reappointed as Chairperson of the Cash Management Policy Board for a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor  
\* \* \*  
STATE OF DELAWARE  
Office of the Governor  
April 28, 1998

To the Senate of the 139th 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:  
**The Honorable Robert A. Armstrong**, 6 Granbury Drive, New Castle, Delaware 19720, to be reappointed a Justice of the Peace for New Castle County for a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor  
\* \* \*  
STATE OF DELAWARE  
Office of the Governor  
April 28, 1998

To the Senate of the 139th 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. Lynn W. Williams**, 202 Brecks Lane, Wilmington, Delaware 19807, to be reappointed to the Delaware Advisory Council on Natural Areas for a four-year term.

Your consideration of this nomination is appreciated.

Sincerely,

(Signed) Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
April 28, 1998

To the Senate of the 139th 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. George M. Records, Jr.**, 133 Walker Road, Dover, Delaware 19901, to be reappointed to the Delaware Advisory Council on Natural Areas for a four-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor

\* \* \*

The following legislation was introduced and assigned on April 29, 1998:

**HB 376** - AN ACT TO AMEND CHAPTER 5, SUBCHAPTER 1, TITLE 7, DELAWARE CODE RELATING TO THE PERMIT FEE FOR KILLING DEER. Sponsor: Representatives West, Keeley, Banning, Plant, Van Sant. To: **Natural Resources**.

**HB 531 w/HA 1** - AN ACT TO AMEND CHAPTER 2 OF TITLE 16 OF THE DELAWARE CODE RELATING TO EARLY INTERVENTION SERVICES FOR INFANTS AND TODDLERS. Sponsor: Representative Maroney; Representatives Spence, Davis, D. Ennis, Ewing, Lee, Lofink, Petrilli, Roy, Ulbrich, Gilligan, Plant, Schroeder, West, Williams; Senators Blevins, Henry, McDowell, Bair, Connor, Reed, Sorenson. To: **Health and Social Services**.

\* \* \*

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

**John R. Malloy** - 20 Senators voting YES, 1 (Bair) ABSENT. Appointment confirmed. Senators Blevins, Cook and McBride were marked present during the above roll call.

**James C. Brannon, Jr.** - 19 Senators voting YES, 2 (Bair, Sharp) ABSENT. Appointment confirmed.

**SB 280** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 280** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, § 4 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO TIME AND FREQUENCY OF SESSIONS. 2/3 VOTE

Several Senators commented.

A roll call vote was taken and revealed 12 Senators voting YES, 8 (Amick, Blevins, Bonini, Cook, Henry, Marshall, McDowell, Reed) NO, 1 (Bair) ABSENT; therefore **SB 280** was declared passed the Senate and sent to the House for consideration.

At 4:58 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 5:34 p.m. with Lt. Governor Minner presiding.

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

At 5:38 p.m. on motion of Senator Voshell, the Senate recessed until April 30, 1998 at 2:00 p.m.

The Senate reconvened at 2:39 p.m. on April 30, 1998 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed

**HCR 64; HCR 63; HCR 66; HCR 67; SCR 59; SCR 62; HB 376; HB 531 w/HA 1.**

The following committee reports were announced:

From Judiciary: **SB 283** - 3 Merits; **SB 308** - 3 Merits.

From Insurance & Elections: **SB 319** - 3 Merits.

From Community/County Affair: **SB 323** - 4 Merits; **SB 324** - 4 Merits.

From Executive: **Thomas R. Barton** - 2 Favorable, 4 Merits; **Richard O. Douglas** - 1 Favorable, 5 Merits.

A communication from the Chief Clerk of the House, JoAnn Hedrick to the Secretary of the Senate, Bernard J. Brady was read informing the Senate that Representative Scott signed **SB 242, SB 243, SB 244** and **SB 245** as an additional co-sponsor.

Senator Bair was marked present.

At 2:43 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 24th Legislative Day.

**24TH LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
APRIL 30, 1998**

The Senate convened at 2:43 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 this Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
April 30, 1998**

The following legislation was introduced and assigned on April 29, 1998:

**SB 323** - AN ACT TO AMEND CHAPTER 288, VOLUME 64 LAWS OF DELAWARE AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, WITH REGARD TO THE PROCEDURES AND LIMITS FOR AUTHORIZING GENERAL OBLIGATION BONDS, CERTIFICATES OF INDEBTEDNESS, NOTES, BONDS OR OTHER OBLIGATIONS. 2/3 VOTE. Sponsor: Senator Venables & Representative Lee. To: **Community/County Affairs**.

**SB 324** - AN ACT TO AMEND CHAPTER 137, VOLUME 61 LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DELMAR, AS AMENDED, WITH REGARD TO THE PROCEDURES AND LIMITS FOR AUTHORIZING GENERAL OBLIGATION BONDS. 2/3 VOTE. Sponsor: Senator Venables & Representative Lee. To: **Community/County Affairs**.

**SB 325** - AN ACT TO AMEND CHAPTER 17, SUBCHAPTER III, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF MEDICAL PRACTICE. Sponsor: Senator Blevins & Representative Maier; Senators Henry, Sokola & Bair; Representatives Keeley, & Maroney. To: **Health and Social Services**.

**SB 327** - AN ACT TO AMEND TITLE 23 OF THE DELAWARE CODE RELATING TO SILVER LAKE IN NEW CASTLE COUNTY. Sponsor: Senators Vaughn & Voshell; Representative Buckworth. To: **Natural Resources**.

The following amendments were placed with the bill on April 30, 1998:

**SA 1 to SB 310** - Sponsor: Senator Sokola.

**SA 2 to SB 279** - Sponsor: Senator McBride.

The following legislation was introduced and assigned on April 30, 1998:

**SB 326** - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, DIVISION OF FISH AND WILDLIFE, TO ISSUE A COMMERCIAL CRAB DREDGERS LICENSE TO SAMUEL J. FOX, III OF 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: **Finance**.

\* \* \*

Senator Vaughn requested the privilege of the floor for Robert Gravell, representing Boy Scout Troop #204.

The witness introduced several Boy Scouts and the Assistant Scoutmaster, after which the witness was excused.

**SB 323** was brought before the Senate for consideration on motion of Senator Venables.

**SB 323** - AN ACT TO AMEND CHAPTER 288, VOLUME 64 LAWS OF DELAWARE AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, WITH REGARD TO THE PROCEDURES AND LIMITS FOR AUTHORIZING GENERAL OBLIGATION BONDS, CERTIFICATES OF INDEBTEDNESS, NOTES, BONDS OR OTHER OBLIGATIONS. 2/3 VOTE

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bonini) ABSENT; therefore, **SB 323** was declared passed the Senate and sent to the House for consideration.

Senators Blevins, Henry, Marshall, McBride, McDowell and Still marked present during the above the roll call.

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

**SB 324** - AN ACT TO AMEND CHAPTER 137, VOLUME 61 LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DELMAR, AS AMENDED, WITH REGARD TO THE PROCEDURES AND LIMITS FOR AUTHORIZING GENERAL OBLIGATION BONDS. 2/3 VOTE

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 324** was declared passed the Senate and sent to the House for consideration.

Senator Bonini was marked present during the above roll call.

**SB 319** was brought before the Senate for consideration on motion of Senator Adams.

**SB 319** - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE", BY REPEALING A PREVISION RELATING TO SPECIAL ELECTIONS UPON THE DEATH OR RESIGNATION OF A TOWN COMMISSIONER. 2/3 VOTE

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 319** was declared passed the Senate and sent to the House for consideration.

**SB 141** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 141** - AN ACT TO AMEND CHAPTER 88, TITLE 10 OF THE DELAWARE CODE RELATING TO IN FORMA PAUPERIS ACTIONS.

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

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

Senator Venables commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 141** was declared passed the Senate and sent to the House for consideration.

Senator Henry moved to reconsider **SB 280**. Senator Voshell moved to rescind the roll call and lay the bill on the table. No objections.

At 3:08 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 4:44 p.m. with Lt. Governor Minner presiding.

A communication from Governor Carper was read regarding the nomination of **Mr. Arnold E. Huff**.

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

**Richard O. Douglas** - 20 Senators voting YES, 1 (Sorenson) ABSENT. Appointment confirmed.

**Thomas R. Barton** - 20 Senators voting YES, 1 (Sorenson) ABSENT. Appointment confirmed.

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

**SCR 63** - REAFFIRMING DELAWARE'S COMMITMENT TO MANAGING AND PROVIDING RENEWABLE RECREATION, WITH SIGNIFICANT ECONOMIC BENEFITS, THROUGH SPORT HUNTING AND FISHING. Sponsor: Senators Sharp, Blevins, Cook, Marshall, McDowell, Venables, Voshell, Bair & Bonini; Representatives Spence, Smith, Welch, Boulden, Buckworth, Capano, Carey, Caulk, Davis, DiPinto, Ewing, Fallon, Lofink, Maroney, Petrilli, Quillen, Reynolds, Gilligan, B. Ennis, Plant, Schroeder, Scott, Van Sant, West & Williams.

**SCR 65** - RECOGNIZING DELAWARE TECHNICAL AND COMMUNITY COLLEGE IN CELEBRATING NATIONAL COMMUNITY COLLEGE MONTH. Sponsor: Senator Sokola, on behalf of all Senators and Representative Reynolds, on behalf of all Representatives.

**SCR 66** - COMMENDING BERTHA PUSEY OF THE DOMESTIC ADVOCACY CENTER, WORTHY RECIPIENT OF THE 1998 OUTSTANDING VOLUNTEER AWARD FOR VICTIMS' RIGHTS WEEK. Sponsor: Senators McBride and Bonini, on behalf of all Senators and Representative Buckworth, on behalf of all Representatives.

**HCR 63** - ENDORSING THE DELAWARE PARENT TEACHER ASSOCIATION AND ITS MAY 1-2, 1998 CONVENTION AND URGING COMMUNITY INVOLVEMENT THEREIN. Sponsor: Representative Roy and Senator Sokola.

**HCR 66** - RECOGNIZING NATIONAL TEACHER DAY, MAY 5, 1998, AND COMMENDING DELAWARE TEACHERS FOR THEIR DEDICATION IN PERFORMING THE SIGNIFICANT ROLE OF EDUCATING GENERATIONS OF DELAWAREANS. Sponsor: Representative Reynolds & Senator Sokola on behalf of all Representatives and Senators.

**HCR 67** - COMMENDING THE RECIPIENTS AND NOMINEES OF THE 1998 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE. Sponsor: Representatives Roy, Wagner & West and Senators Still, Sokola & Bunting on behalf of all Representatives and Senators.

A roll call vote was taken on **SENATE CONSENT CALENDAR #13** and revealed 20 Senators voting YES, 1 (Sorenson) ABSENT; 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.

Senator Sharp requested the personal privilege of the floor to comment on the Presidential visit on May 8, 1998.

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

At 4:57 p.m. on motion of Senator Voshell, the Senate recessed until May 5, 1998 at 2:00 p.m.

The Senate reconvened at 2:15 p.m. on May 5, 1998 with Senator Sharp presiding.

The following committee report was announced:

From Public Safety: **SB 317** - 4 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 588; HB 520 w/HA 1; HB 547; SB 288 w/SA 1, 2 & HA 3 & 4; HCR 65**.

A communication from the President Pro Tempore, Thomas B. Sharp to the Secretary of the Senate, Bernard J. Brady was read pursuant to **HB 463**.

At 2:17 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 25th Legislative Day.

## **25TH LEGISLATIVE DAY 139TH GENERAL ASSEMBLY 2ND SESSION MAY 5, 1998**

The Senate convened at 2:17 p.m. with Senator Sharp presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

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

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

Lt. Governor Minner presiding at 3:19 p.m.

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

A messenger from the Governor was announced and admitted.

**SB 283** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 283** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO A REGISTERED NURSE'S AUTHORITY TO MAKE A PRONOUNCEMENT OF DEATH.

Senator Sharp requested the privilege of the floor Elaine Gilgenast, representing herself.

Senators Marshall and Still questioned the witness.

Senator Reed was marked present.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 283** was declared passed the Senate and sent to the House for consideration.

Senators Bair, Blevins, Cook, Hauge, McBride and Sorenson were marked present during the above roll call.

**SB 308** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 308** - AN ACT TO AMEND CHAPTER 38, TITLE 12 OF THE DELAWARE CODE RELATING TO BUSINESS TRUSTS. 3/5 VOTE

**SA 1 to SB 308** 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 308** was declared part of the bill.

**SB 308 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 308 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 288 w/SA 1, 2 & HA 3 & 4**, which was returned from the House with amendments, was brought before the Senate for reconsideration under the suspension of the necessary rules on motion of Senator Sokola.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 288 w/SA 1, 2 & HA 3 & 4** was declared passed the Senate and was sent to the Governor.

At 2:48 on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 4:02 p.m. with Lt. Governor Minner presiding.

**SB 317** was brought before the Senate for consideration on motion of Senator Henry.

**SB 317** - AN ACT TO AMEND TITLE 21, OF THE DELAWARE CODE RELATING TO LIENS ON MOTOR VEHICLES.

**SA 1 to SB 317** was introduced and brought before the Senate for consideration on motion of Senator Henry.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Bair, Bunting, Connor) ABSENT; therefore, **SA 1 to SB 317** was declared part of the bill.

**SB 317 w/SA 1** was now before the Senate.

Senator Hauge commented.

Senator Henry requested the privilege of the floor for Linda D. Loller, representing the Division of Motor Vehicles.

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

Senator Voshell commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bunting) ABSENT; therefore, **SB 317 w/SA 1** was declared passed the Senate and sent to the House for consideration.

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

The Secretary announced the agenda for May 6, 1998.

At 4:16 p.m. on motion of Senator Voshell, the Senate recessed until May 6, 1998 at 4:00 p.m.

The Senate reconvened at 4:33 p.m. on May 6, 1998 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Community/County Affairs: **HB 588** - 4 Merits.

From Highways and Transportation: **HB 357** - 4 Merits.

From Insurance and Elections: **SB 273** - 3 Merits; **SB 314** - 3 Merits.

From Corrections: **SB 301** - 1 Favorable, 2 Merits; **SB 330** - 1 Favorable, 2 Merits; **SB 331** - 1 Favorable, 2 Merits; **SB 332** - 1 Favorable, 2 Merits; **SB 333** - 1 Favorable, 2 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 521 w/HA 1; HB 427 w/HA 1; HB 543; HB 360 w/HA 2; SB 253; SB 278; SB 285; SB 226 w/SA 1, 2, 3, 4, 5 & HA 2; HB 429 w/HA 1; HB 373; HB 516; HB 293 w/HA 1 & 2; HB 494 w/HA 1.**

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
May 5, 1998**

The following legislation was introduced and assigned:

**SB 321** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ABUSE, NEGLECT, MISTREATMENT OR FINANCIAL EXPLOITATION OF PATIENTS

OR RESIDENTS. Sponsor: Senator Marshall, Senator Blevins, Representatives Maier, Lofink, Scott; Senators McDowell & Connor; Representative Spence. To: Health and Social Services.

**SB 328** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO JURISDICTION OF CRIMINAL CASES IN THE JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE. Sponsor: Senator Voshell & Representative Quillen; Representatives Carey & Wagner. To: Judiciary.

**SB 329** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF ROBBERY. Sponsor: Senator Vaughn; Representative Wagner. To: Corrections.

**SB 330** - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO PROTECTION OF RECORDS. Sponsor: Senator Vaughn; Representative Lee. To: Corrections.

**SB 331** - AN ACT TO AMEND TITLE 29, DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. Sponsor: Senator Vaughn; Representative Lee. To: Corrections.

**SB 332** - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO OUTSIDE EDUCATION OF INMATES. Sponsor: Senator Vaughn; Representative Lee. To: Corrections.

**SB 333** - AN ACT TO AMEND CHAPTER 65, TITLE 11, DELAWARE CODE RELATING TO INMATE MEDICAL RECORDS. Sponsor: Senator Vaughn; Representative Lee. To: Corrections.

**SB 334** - AN ACT TO AMEND SECTION 7504 OF TITLE 29 OF THE DELAWARE CODE TO PROVIDE FOR ONE HUNDRED PERCENT (100%) STATE FUNDING OF THE COST OF CONSTRUCTING ADDITIONAL CLASSROOMS NEEDED BECAUSE OF REDUCED CLASS SIZE AT GRADES K-3. Sponsor: Senator Sharp. To: Education.

**HB 520 w/HA 1** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO NONRESIDENT PHARMACIES. Sponsor: Representative Wagner & Senator Blevins; Representatives Smith, Capano, DiPinto, Maier, Petrilli, Stone, Ulbrich; Gilligan, Van Sant, Brady, DiLiberto, Houghton, Keeley, Plant, Schroeder, Scott, West, Williams; Senators Cook, McDowell. To: Health and Social Service.

**HB 547** - AN ACT TO AMEND TITLE 13, DELAWARE CODE, RELATING TO MARRIAGE LICENSES. Sponsor: Representatives Wagner & Spence & Senator Sharp; Representatives Smith, Welch, Boulden, Buckworth, Capano, Cathcart, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Petrilli, Reynolds, Stone, Ulbrich, Wagner, Gilligan, Van Sant, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Schroeder, West, Williams. To: Health and Social Services.

**HB 588** - AN ACT TO AMEND TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN THE CITY OF WILMINGTON. 3/4 VOTE. Sponsor: Representatives Roy & Wagner; Senators Blevins & Sharp. To: Community/County Affairs.

\* \* \*

The following committee reports were announced:

From Executive: **Richard H. Derrickson** - 2 Favorable, 4 Merits; **Michael D. Sprague** - 6 Merits; **Gary F. Dalton, Esq.** - 5 Merits; **Joseph J. Corrado** - 6 Merits; **Laurence L. Fitchett, Jr.** - 6 Merits.

At 4:40 p.m. motion of Senator Voshell, the Senate adjourned to immediately convene for the 26th Legislative Day.

**26TH LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
MAY 6, 1998**

The Senate convened at 4:40 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 this Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell. No objections.

Senator Voshell requested the privilege of the floor for Patricia Rodriguez and Bethel Chang, representing Delaware Association American Mothers, Inc.

Mrs. Chang was presented a tribute from the Senate.

The witnesses were excused.

Senator Sokola requested the privilege of the floor for Miss Delaware National Teenager, Carrie Aiken.

The witness was excused after addressing the Senate.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
May 6, 1998**

The following legislation was introduced and assigned on May 5, 1998:

**SB 322** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE REGULATION OF NURSING FACILITIES AND SIMILAR FACILITIES. 3/5 VOTE. Sponsor: Senator Marshall, Senator Blevins, Representatives Maier, Lofink, Scott; Senators McDowell & Connor, Representative Spence. To: Health and Social Services.

**SB 335** - AN ACT TO AMEND CHAPTER 14, TITLE 24 OF THE DELAWARE CODE RELATING TO ELECTRICAL CONTRACTORS. Sponsor: Senator McDowell. To: Energy.

The following legislation was introduced and assigned on May 6, 1998:

**SB 336** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO SUPERIOR COURT. Sponsor: Senator Adams & Representative Wagner; Senators Sharp, Venables, Bunting, Voshell, Cook & Vaughn. To: Judiciary.

**SB 338** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION. Sponsor: Senator Marshall & Representative Welch. To: Labor.

**SB 339** - AN ACT TO AMEND CHAPTER 25, TITLE 24, DELAWARE CODE RELATING TO PHARMACY. Sponsor: Senators McDowell, Bonini, Bair, Bunting, Cook, Reed, Sokola, Still; Representatives Buckworth, Carey, Caulk, B. Ennis, Houghton, Keeley, Maier, Price, Quillen, Scott, Stone, Wagner. To: Health and Social Services.

**SB 340** - AN ACT TO AMEND CHAPTER 45, TITLE 6, DELAWARE CODE RELATING TO EQUAL ACCOMMODATION. Sponsor: Senator McDowell; Representative B. Ennis; Senator Voshell; Representatives Spence, Brady, Ewing, Quillen. To: Executive.

**HB 293 w/HA 1 & 2** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE ACQUISITION OF AGRICULTURAL LANDS PRESERVATION EASEMENTS. Sponsor: Representative West; Representatives Banning, Buckworth, Brady, B. Ennis, Caulk, Lofink, Plant, Reynolds, Scott, Spence, Van Sant, Welch, Williams. To: Agriculture.

**HB 360 w/HA 2** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO THE SALE OF ALCOHOLIC LIQUORS. Sponsor: Representative Plant. To: Judiciary.

**HB 373** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO COLLECTION OF DEBTS OWED TO CERTAIN STATE AGENCIES. Sponsor: Representative Ulbrich & Senator Bunting. To: Administrative Services.

**HB 427 w/HA 1** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO WATER UTILITIES, WATER SYSTEMS, WATER QUALITY, PENALTIES, AND ENFORCEMENT. Sponsor: Representative Cathcart; Representatives Spence, Smith, Capano, Buckworth, Mack, Maier, DiPinto, Price, Roy, Brady, Van Sant; Senators Blevins, Sorenson. To: Natural Resources.

**HB 429 w/HA 1** - AN ACT TO AMEND CHAPTER 20, TITLE 24 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL THERAPY. 2/3 VOTE Sponsor: Representative Ulbrich & Senator Blevins; Representatives Capano, Maier, Keeley & Price; Senators Bunting, Sokola, Reed & Still. To: Sunset.

**HB 494 w/HA 1** - AN ACT TO AMEND TITLE 21, DELAWARE CODE RELATING TO STREET RODS. Sponsor: Representatives Oberle & Roy; Senators Voshell & Sharp. To: Public Safety.



**HB 516** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE RULES OF THE ROAD. Sponsor: Representative Davis & Senator Henry. To: **Public Safety**.

**HB 521 w/HA 1** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES. 2/3 VOTE. Sponsor: Representatives Spence & Scott & Senators Blevins and Bair; Representatives Boulden, Cathcart, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Oberle, Reynolds, Roy, Stone, Wagner, Gilligan, Van Sant, Brady, Houghton, Keeley, Plant, Schroeder, Scott, West, Williams; Senators Amick, Bonini, Reed, Sorenson, Still. To: **Committee to Combat Drug Abuse**.

**HB 543** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PUBLIC NOTICE OF TIER THREE SEX OFFENDERS. Sponsor: Representative DiLiberto & Representative Roy; Representatives Boulden, Brady, Capano, Carey, Cathcart, Caulk, DiPinto, B. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lofink, Maier, Maroney, Oberle, Price, Schroeder, Scott, Ulbrich, Van Sant, Wagner, Welch, West, Williams, Spence; Senators Bonini, Still. To: **Judiciary**.

The following letter of nomination from the Governor were assigned to the **Executive** Committee on May 5, 1998:

STATE OF DELAWARE  
Office of the Governor  
May 5, 1998

To the Senate of the 139th 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. Gary F. Dalton, Esq.**, 412 East Loockerman Street, Dover, Delaware 19901, to be reappointed to the Board of Directors of the Diamond State Port Corporation for a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
May 5, 1998

To the Senate of the 139th 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. Richard H. Derrickson**, 54 Rolling Road, Rehoboth Beach, Delaware 19971, to be reappointed to the Board of Directors of the Diamond State Port Corporation for a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
May 5, 1998

To the Senate of the 139th 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. Michael D. Sprague**, 4403 Channing Road, Wilmington, Delaware 19802, to be reappointed a member of the Wastewater Facilities Advisory Council for a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor  
\* \* \*  
STATE OF DELAWARE  
Office of the Governor  
May 5, 1998

To the Senate of the 139th 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. Joseph J. Corrado**, 490 Stamford Drive, Apt. 212, Newark, Delaware 19711, to be appointed Chairperson of the Wastewater Facilities Advisory Council for a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor  
\* \* \*  
STATE OF DELAWARE  
Office of the Governor  
May 5, 1998

To the Senate of the 139th 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:

**Laurence L. Fitchett, Jr.**, 1913 West 9th Street, Wilmington, Delaware 19805, to be appointed a Justice of the Peace for New Castle County for a four-year term.

Your consideration of this nomination is appreciated.

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

**SCR 68** was introduced and brought before the Senate for consideration on motion of Senator McDowell.

**SCR 68** - HONORING DELAWARE'S NONPROFIT ORGANIZATIONS AND OBSERVING MAY 6, 1998, AS "DELAWARE NONPROFIT DAY." Sponsor: Senator McDowell & Representative Spence on behalf of all senators & all representatives.

Senator McDowell requested the privilege of the floor for Andrew W. Hastings, representing Delaware Association of Nonprofit Agencies.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 68** was declared adopted by the Senate and sent to the House for consideration.

Senators Henry, Marshall and McBride were marked present during the above roll call.

**HB 588** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 588** - AN ACT TO AMEND TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN THE CITY OF WILMINGTON. 3/4 VOTE

Several Senators commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 588** was declared passed the Senate and returned to the House.

At 5:05 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 5:23 p.m. with Senator Sharp presiding.

The Secretary announced a message from the House informing the Senate that it had passed

**HCR 68.**

**HCR 68** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HCR 68** - COMMENDING THE STUDENTS SELECTED AS THE SECRETARY OF EDUCATION'S SCHOLARS OF 1998. Sponsor: Representative Reynolds & Senator Sokola.

At 5:25 p.m. Lt. Governor Minner presiding.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **HCR 68** was declared adopted by the Senate and returned to the House.

**SB 226 w/SA 1, 2, 3, 4, 5 & HA 2**, which was returned from the House with an amendment, was brought before the Senate for reconsideration under the suspension of the necessary rules, on motion of Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) NOT VOTING; therefore, **SB 226 w/SA 1, 2, 3, 4, 5 & HA 2** was declared passed the Senate and was sent to the Governor.

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

The Secretary announced the agenda for May 7, 1998.

At 5:33 p.m. on motion of Senator Voshell, the Senate recessed until May 7, 1998 at 2:00 p.m.

The Senate reconvened at 1:55 p.m. on May 7, 1998 with Lt. Governor Minner presiding.

Senator Voshell deferred to Senator Bair for comments regarding the visiting German Students.

Senator Bair requested the privilege of the floor for Mr. Wolf-Ruadiger Heschke, representing the Students' Exchange Program.

The witness was excused after addressing the Senate.

At 2:03 p.m. on motion of Senator Voshell, the Senate recessed to join the House members in the House Chamber to hear the State Judiciary Speech giving by Chief Judge Veasey.

At 3:17 p.m. the Senate reconvened with Lt. Governor Minner presiding.

The following committee reports were announced:

From Administrative Services: **SB 300** - 3 Merits.

From Small Business: **SB 315** - 3 Merits.

From Health and Social Services: **SB 302** - 3 Merits; **SB 304** - 3 Merits; **SB 305** - 3 Merits; **SB 307** - 3 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 69; HCR 70; SCR 63; SCR 65; SCR 66; SCR 68.**

At 3:20 p.m. motion of Senator Voshell, the Senate adjourned to immediately convene for the 27th Legislative Day.

**27TH LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
MAY 7, 1998**

The Senate convened at 3:20 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Reed.

The Pledge of Allegiance to the Flag.

The roll call vote for attendance was taken and revealed:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell. No objections.

Senator Henry requested the personal privilege of the floor to comment on the Public Allies.

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

**SCR 64** - PROVIDING THAT A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES BE CONVENED ON THE EIGHTH DAY OF MAY, 1998, FOR THE PURPOSE OF RECEIVING AN ADDRESS BY THE HONORABLE WILLIAM JEFFERSON CLINTON, PRESIDENT OF THE UNITED STATES. Sponsor: Senator Sharp & Representative Spence; Senators Voshell, McDowell, Bair, Amick; Representatives Smith, Welch, Gilligan, Van Sant.

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

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

On motion of Senator Adams and without objection, the following nominations by the Governor were brought before the Senate for consideration.

**Laurence L. Fitchett, Jr.** - 20 Senators voting YES, 1 (Blevins) ABSENT. Appointment confirmed.

**Joseph J. Corrado** - 18 Senators voting YES, 3 (Blevins, McBride, Sharp) ABSENT. Appointment confirmed.

**Michael D. Sprague** - 20 Senators voting YES, 1 (Blevins) ABSENT. Appointment confirmed.

**Gary F. Dalton, Esq.** - 18 Senators voting YES, 1 (Still) NO, 2 (Blevins, Sorenson) ABSENT. Appointment confirmed.

**Richard H. Derrickson** - 20 Senators voting YES, 1 (Blevins) ABSENT. Appointment confirmed.

**SB 300** was brought before the Senate for consideration on motion of Senator Cook.

**SB 300** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LIBRARIES.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Blevins) ABSENT; therefore, **SB 300** was declared passed the Senate and sent to the House for consideration.

At 3:45 p.m. on motion of Senator Voshell, the Senate recessed for Party Caucus.

The Senate reconvened at 4:17 p.m. with Lt. Governor Minner presiding.

Senator Blevins was marked present.

**SB 238** was brought before the Senate for consideration on motion of Senator Sokola.

**SB 238** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO SMOKING RESTRICTIONS.

Senator Venables commented.

A roll call vote was taken and revealed 15 Senators voting YES, 6 (Adams, Amick, McBride, Still, Vaughn, Venables) NO; therefore, **SB 238** was declared passed the Senate and sent to the House for consideration.

**SB 301** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 301** - AN ACT TO AMEND TITLE 11, CHAPTER 65, SECTION 6535 RELATING TO DISCIPLINE.

Several Senators commented.

**SB 301** was laid on the table on motion of Senator Vaughn. No objection.

**SENATE CONSENT CALENDAR #14**, was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**SCR 67** - EXTENDING A WARM WELCOME TO THE STUDENTS FROM JOE POLOWSKI HIGH SCHOOL OF TORGAU, GERMANY. Sponsor: Senator Bair & Representative Smith; Senators Hauge, Sorenson, Connor, Venables; Representatives Maroney, Cloutier, Brady, D. Ennis, Roy, Scott.

**HCR 65** - RECOGNIZING DELAWARE TECHNICAL AND COMMUNITY COLLEGE IN CELEBRATING NATIONAL COMMUNITY COLLEGE MONTH. Sponsor: Representative Reynolds on behalf of all Representatives; Senator Sokola on behalf of all Senators.

**HCR 70** - PROCLAIMING THE MONTH OF MAY 1998 AS "MOTORCYCLE AWARENESS MONTH" AND REQUESTING THE GOVERNOR TO ISSUE A PROCLAMATION DECLARING SAME. Sponsor: Representative B. Ennis & Senator Blevins, Representatives Buckworth, Carey, D. Ennis, Ewing, Oberle, Quillen, Houghton, West, Senators McDowell, Sokola, Amick, Connor, Reed.

A roll call vote was taken on **SENATE CONSENT CALENDAR #14** 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.

Senator Bonini requested the personal privilege of the floor to comment on Senator Hauge's decision to retire from the Senate.

Several Senators commented.

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

SA 1 to SB 264 was stricken on motion of Senator McBride.

SB 269 was stricken on motion of Senator McBride.

SA 2 to SB 295 was stricken on motion of Senator McBride.

The Secretary announced the agenda for May 12, 1998.

At 4:48 p.m. on motion of Senator Voshell, the Senate recessed.

Senator Voshell announced that a Joint Session would convene on May 8, 1998 at 12:00 noon to hear a speech delivered by the President of the United States, William Jefferson Clinton.

**Joint Session  
Senate Chamber  
May 8, 1998**

Pursuant to SCR 64, the Lieutenant Governor called the Joint Session to order at 12:32 p.m. General Assembly Members and their guest had been seated before the Joint Session was convened.

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

Senator Voshell moved that Bernard J. Brady, the Secretary of the Senate, and JoAnn Hedrick, the Chief Clerk of the House act as secretaries of the Joint Session. There was no objection.

Senator Voshell moved that two committees of four be appointed to escort the Governor of the State of Delaware and the President of the United States to the Joint Session. There was no objection.

The Lieutenant Governor appointed Senator Harris B. McDowell, III, (spokesperson) and Senator Myrna L. Bair; Representative Robert F. Gilligan & Representative Charles W. Welch to escort the Governor to the Senate Chamber.

The Lieutenant Governor introduced the Honorable E. Norman Veasey, Chief Justice of the Supreme Court of Delaware and the members of the Delaware Judiciary, statewide elected officials and members of the Governor's Cabinet. They were admitted.

The Sergeant-at-Arms announced the arrival of the escort party with Thomas R. Carper, Governor of Delaware. They were admitted.

At 12:35 p.m. Senator McDowell introduced the Honorable Governor Thomas R. Carper to the Joint Session.

The Lieutenant Governor welcomed the Governor and invited him to take his place on the rostrum.

The Sergeant-at-Arms announced the arrival of the escort party with William Jefferson Clinton, 42<sup>nd</sup> President of the United States. They were announced.

Senator Sharp introduced President Clinton and made welcoming remarks.

The Lieutenant Governor invited the President to join her on the podium and recognized Governor Carper for purposes of introducing President Clinton.

The Governor introduced President Clinton.

Thank you, Governor. I took good notes -- no children on a child care waiting list, all poor four-year-olds in Head Start, every classroom wired. I'll be saying that now every time I go to another city or another state -- I'll be saying, if Delaware can do it, why can't you. And I thank you.

I want to thank the Governor, and Senator Sharp, Speaker Spence, Lt. Governor Minner, the members of the legislature, the judiciary, the state officials who are here; former governors Peterson and Tribbitt, and other distinguished citizens of this state; Mr. Mayor. I'm delighted to be joined today by the Secretary of Defense, who is going with me to Dover Air Base when we finish here to thank our airmen and women there for their distinguished service, and who has also been a leader in education, because the Department of Defense-run schools all over the world for American children -- by our wonderful Secretary of Education, Dick Riley; by Mickey Ibarra, the Director of our Office of Inter-governmental Affairs; and others. We are all delighted to be here.

And I'd like to say a special word of appreciation to Congressman Castle for coming up here with me. He's an old friend of mine. We worked together on welfare reform more than a decade ago now. I have been trying to decide, when Mike and Tom changed jobs, which one really got the promotion.

I am delighted to be the first President ever to speak here. The others did not know what they were missing. I love your Capitol Building. I like the feel of your legislature. I like the size of your legislature. I wonder if it would take a constitutional amendment to reduce Congress to this size. It's a wonderful idea.

And I like the fact that the first state in the nation is leading in doing the nation's first business of educating our children. I've come here to talk about that work, why it is -- in the states and in many communities around the country, and must be in Washington the work of both Republicans and Democrats -- why it must be a national crusade to give our children the world's best education.

We have a history of putting nation above party when the nation's security and future are at issue. We did it for 50 years, which is why the Cold War turned out the way it did. The tradition was deeply honored by Secretary Cohen, who left a distinguished career in the United States Senate as a Republican Senator from Maine to join our administration, and he is performing well for the American people as Secretary of Defense.

It is a tradition embodied by your Senators, Bill Roth and Joe Biden, who led the recent stunningly successful effort to expand NATO to include Hungary, Poland and the Czech Republic. And you should be very proud of both of them.

And I have seen it, having had the opportunity to work for years now with Mike Castle and Tom Carper when they were in those in succession, on welfare reform, on child care, on the education of our children. And you can be very proud of both of them.

And Delaware, maybe because it's a small state and maybe because I came from a small state and was often ridiculed for it in national politics -- my experience is that maybe because we're smaller, people learn to treat each other as people. They learn to listen to people on opposite sides of the aisle. They learn that they don't have all the answers and that everybody's got a valuable perspective, and that in the end, we all have to get together and do something that moves our country or our state or our community forward. And for all of that, I am very grateful to the State of Delaware.

Thomas Jefferson once said of your state that, "Delaware is like a diamond; small, but having within it inherent value." If he were today, here, giving this speech, he might say, being as he was a modern thinker, Delaware is like a silicon chip -- small, but having within it enormous inherent value; namely, the power to shape the future.

You have always looked to the future, from the time you did become the first state to ratify the Constitution. It was the beginning of many firsts: Delaware was the first state to produce a transatlantic iron steamship. Then there was the first commercial telephone call between an airplane and a moving car, 100 years later. Some of us would probably like it if telephone calls on airplanes and cars were not possible. All the way to the remarkable innovations now being dreamed up in the Dupont Labs.

All of this is dramatically changing the world. The Chairman of the Federal Reserve, Alan Greenspan, came by the White House for one of our periodic meetings a few days ago, and we were talking about this incredible economy. And he said, you know, we really are living in an economy of ideas. He said, there is a measure of a nation's output in wealth compared to its physical output, the literal physical density of all the goods that are produced. He said, the measure is more skewed now than ever before. There is hardly any increase in the mass of what we're producing, but the wealth of what we're producing is exploding. Why? Because ideas are driving the increase in the wealth of the nation.

Today we learned that our unemployment rate has dropped to 4.3 percent, the lowest since 1970. That is particularly impressive in light of the fact that inflation now is the lowest in more than 30 years, home ownership is at an all-time high, the welfare rolls are the lowest in 27 years, the crime rate is the lowest in 24 years.

Our social fabric is mending. We saw that teen pregnancy had had a substantial drop for the second years in a row, something I know that the Governor has been passionately committed to. Our leadership in the world is still unrivaled, although we seem sometimes to be in some doubt about it here at home.

In Delaware your unemployment is all the way down to 3.4 percent. You've had tens of thousands of new jobs, twice the rate of new business growth as five years ago.

The thing I would like to say about all this is, no one can claim full responsibility for it. There was not a totally coordinated strategy, but it did not happen by accident. America has been on the same page, from our strategy in Washington to balance the budget, invest in our people, and expand trade -- to the entrepreneurs, to the scientists and technicians, to the teachers in our schools and the people who run our business, and the folks who work in our factories. We have been on the same page. Good things don't happen by accident, even when millions -- even hundreds of millions of people are responsible.

And we must be on the same page when it comes to education. Before I get into what I want to say about education, I want to make a point I tried to make in the State of the Union. I've had a lot of people -- people who are primarily political people, good people, but people who normally think about things in political terms -- say to me, well, you know, why don't you just relax and start playing golf three times a week. I mean, you've got low unemployment, low inflation, people are suspicious of government, why don't -- just don't do much and everybody will be happy. There is an answer to that. And the answer is that might be a decent prescription for a static time, but in a dynamic time, where things are changing very rapidly, the fact that things are good in the moment does not guarantee they will be good five months or five years from now, because they're changing. So you have to keep working to stay ahead of the curve. And those of us in public life have to work no less than entrepreneurs do.

If you go to Silicon Valley, you don't see anybody out there sort of laying down on the job just because the stock prices are high, because they know how dynamic the world is. And there is a second answer, which is that we still have some very profound challenges that, if left unmet, will come back to haunt us in the 21st century. What are they? I can only tell you what I think they are. I think, first of all, in Washington we have to reform our major programs of social cohesion -- Social Security and Medicare -- for the needs of the 21st century and for the reality that the baby boomers are going to retire and when they do, there will only be about two people working for every one person drawing Social Security. The present systems are unsustainable as they are. We have to change them, consistent with our values and the real facts.

Two, we have to prove that you can grow the economy without destroying the environment. And we have to convince people in developing countries that they can and to embrace new technologies to do that.

Just a few days ago I was out in California at a low-income/moderate-income housing development which is cutting by 40 percent the energy usage on low-income housing, using solar panels that are now those big, heavy things you've seen on the roof, but that look just like ordinary shingles -- using windows that keep over half the heat in the wintertime and over half the heat out in the summertime and still let more light in, and other basic things like that. We have to prove that we can make environmental preservation and economic growth go hand in hand.

The third thing we've got to do is to bring the spark of enterprise to poor inner-city communities and rural communities, including Native American ones that haven't felt it. The fourth thing we have to do is to prove that we can live together as one America in an increasingly diverse society. The fifth thing we have to do, I would argue, is to prove that we can lead the world after the Cold War in a consistent, firm way toward peace and prosperity and freedom and democracy.

But none of that will matter if we don't save our children. And that's what I want to talk about today -- only one aspect of it, but in some ways the most important one. And Delaware, again, is leading the nation. So I may be preaching to the choir, but that's not all bad. I'll polish the sermon and see if I do better in other places.

The condition of education in America and the importance of it and the impact it's going to have on all our futures, as well as all our children, demands action from all of us, in Washington, in state capitals, in communities all across the country. Many of our greatest challenges don't fall under the authority of Washington, nor should they. I have supported giving states more authority in the area of welfare reform and in many other areas. Secretary Riley has cut by two-thirds the burden of regulations coming out of federal education aid.

We started two new programs, Goals 2000 and School-to-Work, without a single new federal regulation.

The federal government can't do all this. Some of our major challenges don't even fall primarily under state government, nor should they. The power and the responsibility of America to meet the challenges of the 21st century rests with all levels of government and with all sectors of society. Sometimes more with the private sector; sometimes more with its most fundamental unit, the American family. And that is as it should be.

But just because responsibility and power are dispersed doesn't mean that we don't all have to ask ourselves, what power do we have to have a positive impact; what is our responsibility? And then we have to move, because a revolution in education will not occur by accident anymore than the revolution in the American economy has occurred by accident, even though there will be millions of people working on it and we may not all be calling each other on the phone every day.

Yesterday I talked to mayors from all over the country, I received their report on what they think should be done. Their agenda is very much like yours and very much like mine.

I suppose that I've spent more time on education than any other thing in my 20 years and more in public life now. Nearly 10 years ago, when I was a governor of my state, I stayed up almost all night down at the University of Virginia at President Bush's Education Summit, working with

Republican governors to write goals for education for the year 2000. It was clear then, it was clear way back in 1983, when the Nation At Risk report was issued, and it is certainly clear today, that if we are going to prepare our children for the 21st century we cannot hope to do it unless we can say with a straight face, we are giving them the best education in the world. Not just a few of them, but all of them.

And we can all say, well, we can't be responsible for every teacher, we can't be responsible for every principal, we can't be responsible for every home, we can't be responsible for every unmotivated child. That's all true, but we can play the odds. Secretary Cohen runs, arguably, the most effective organization in the entire United States -- not every soldier, not every airman, not every Marine, not every sailor is a stunning success, but they've got a pretty good system. And it didn't happen by accident. And we should take that as our responsibility.

It seems to me the keys are high expectations, high standards, and high performance, fueled by more opportunity, more accountability, and more choice. Secretary Riley and I have worked at this for more than five years. In one area, we have been especially successful and widely supportive across partisan lines and in states and local communities. We've opened the doors to higher education wider than ever before.

The Balanced Budget Act I signed last year represented the greatest expansion of college opportunity since the G.I. Bill was passed 50 years ago, with college tuition tax credits, including the \$1500 a year HOPE Scholarship for the first two years of college, education IRAs, expanded Pell Grants, deductibility of interest on student loans, 300,000 more work-study slots, another 100,000 young people earning education credits by serving in the national service program, AmeriCorps, and lifetime learning credits for adults who have to go back to school.

All of these things together mean that any American who is willing to study and work hard can get an education in college, and that is very important. It will change the face and the future of America. We learned in the 1990 Census that Americans, younger American workers who were high school dropouts, high school graduates or who had less than two years of post-high school education, were likely to get jobs where their incomes went down over time compared to inflation. Those that had at least two years of post-high school training were likely to get and keep jobs where their incomes went up. So that was fundamentally important, and we can all be proud of it. And many states have done more to try to give scholarships and make college more affordable, and that's important.

The Senate just this week -- and I want to compliment them -- passed 91-7 what I have called "the G.I. Bill for Workers -- it basically consolidates this incredible tangle of federal training programs into a skills grant, so that if a person is unemployed or underemployed and eligible, you just get basically the skills grant and then you decide where to take it. Since nearly every American lives within driving distance of a community college or some other very efficient institution, we no longer need the federal government micromanaging the definition of all these training programs, and we don't need anybody in the way of it.

Now, we have some provision, particularly that the governors wanted who live in rural areas -- who have lots of people in rural areas that may not have readily available services, but this is very important. And we've got to resolve the differences now in the House and the Senate bill and pass it. This is a huge thing. And the Congress can be proud of it and the country can be proud of it.

But with all that said and done, I don't think there is a person here who would dispute the following two statements: We have the best system of higher education in the world. We do not have the best system of elementary and secondary education in the world. You don't have to criticize your favorite teacher, you can honor the PTA leaders and the school board members -- no one believes it's the best in the world. And until it is, we can't rest. That is the bottom line.

The budget that I have presented, which is a balanced budget, has the biggest commitment in history from the federal government to K through 12 education. But we all know that's less than 10 percent of the total. Still, I think it's important that the national government focus on results, because things don't happen by accident. I think we should focus on high standards, real accountability, more choice, and, finally, I'd like to say a word about safe schools, because that is a problem in some parts of our country.

First, there's no substitute for standards. I want to compliment Delaware for what you're doing. This week, 3rd, 5th, 8th and 10th graders all over the state are participating in your new assessment process to see how well they're doing in reading, writing, and math. And you're going to add other subjects, the Governor told me, in the next couple of years. You also have done something that may give us a key to how to solve the national issue, which is that about a quarter of your exam questions are apparently taken from the National Assessment of Education Progress, which is a national test most states participate in, but by definition, it's only given to a representative sample of students, not all students. I compliment you on that. I think that is a brilliant reform.



And I think it's important that we find a way to have national standards and exams at least in the basics. It is very important -- Secretary Riley and I were talking on the way out, he was talking about South Carolina still have quite an old state test. We had some old state tests when I was Governor of Arkansas. Our kids just knocked the top off of them -- the same test we'd been giving for years. And then when we took a national test that was current, we didn't do so well. So without in any way undermining local control of the schools or the constitutional responsibility of the states for education, we need to have a set of national standards, and an accountability system which tell us all honestly how we're doing.

We're working hard now with an independent nonpartisan board -- the acronym known to all the education experts in the audience is the NAGB Board. We've got Republicans and Democrats on the board and people -- I don't even have any idea what their political affiliation is -- all of whom are simply committed to educational excellence. And we want to find ways to coordinate with the states and the state tests to avoid unnecessary costs and burdens. You may have found a way to do it in Delaware, by having a test that is both rooted in your state standards and encompassing national questions. But it's a very good start.

The second thing we have to do, and I understand the Governor said you were debating that, that may be tougher, is figure out what the accountability system is. Now, a lot of these questions should definitely be decided by people at the state and the local level. But let me, first of all, say that no test is worth a flip unless there is some consequences -- not just negative ones, but positive ones; not just what you do to the students, but what the rest of us have to do for the education system based on the consequences of the test.

We have to start by demanding accountability from the students, and I strongly believe that we should end the practice of so-called social promotion everywhere in the country. For many years there was a current theory in America that, well, it hurt a child's self-esteem too much to be held back and the child could maybe pick it up next year. And besides that, children do learn at different paces. That is absolutely true, especially in the early years, the dramatically different learning patterns of children in the early years.

Then sooner or later, somehow, parents figured out that one reason kids dropped out of school in the 9th or 10th grade is because the material was going over their heads, it didn't mean anything to them, so why should they sit around, because they weren't able to do the work. And then even the kids figured out that being 20 years old and not being able to fill out an employment application and not being able to even read your high school diploma was far more destructive of self-esteem than spending another year in some grade along the way.

Then, school districts began to figure out that they didn't necessarily have to hold people back if they had proper after-school help and a little help in the summer -- where a lot of kids having learning problems forget huge chunks of what they learned the year before.

So we're now kind of coming to grips with this. I have often talked about the Chicago system; probably had the most widely-condemned school system in the country because they had a strike every year whether they needed it or not, for one thing, and because they weren't producing results. Now, the Chicago summer school system -- they've ended social promotion, you have to go to summer school if you fail the test and you want to go on to the next grade -- their summer school is the fifth biggest school district in America. The summer school. They have thousands of children going to school after school so many hours that thousands of them actually take three hot meals a day in the schools, in an inner-city environment where they're safe, they're not getting in trouble and nobody's hurting them.

Now, if a place that has those kinds of challenges can take them on, everywhere in America can take them on. I've asked Congress to pass what we call education opportunity zone legislation, that will basically give extra resources to schools in poor communities if they will insist on high standards in social promotion, demand performance from students and teachers, and actually support the kids that are in trouble and give them the extra help they need. I hope Congress will pass it.

Again, I say, in many ways we're following your lead. And I urge you to have a big, vigorous debate on this -- what are the consequences of this exam. And I wouldn't presume to tell you what to do, but I can make two observations based on 20 years of working, and hours and hours and hours spent in classrooms listening to teachers and watching things unfold.

One is, nobody will take your system seriously unless there are consequences. Two is, if there are consequences, whatever you decide they are, they cannot be exclusively negative ones, they must also be positive ones, because you have to believe that -- in order to believe in democracy, you have to believe that almost everybody can learn almost everything they need to know to make this country run right, which means almost everybody in the world can succeed in school. And if they're not, it's probably not entirely their fault. So there should be consequences -- some

of them should be negative, but there must be positive ones as well. And I wish you well and I can assure you the rest of us are going to be watching.

The next thing I think we have to do is to develop and demand accountability and performance from teachers, but also support them. I had the great pleasure this week -- or last week -- of hosting the Teachers of the Year at the White House. And that's one of the happiest days of the year. You'll never find 50 more upbeat people than the teachers that are selected Teachers of the Year. And you talk to these people, and you can't imagine that there's ever been a problem in American education.

The man who was named National Teacher of the Year is a teacher from Virginia who teaches history and social studies and who makes his kids role-play. So they play ancient Athenians and Spartans debating the Greek wars. They play Jefferson and Adams debating each other about fundamental questions of what the real nation of the Union that we all belong to is. I mean, it was exhilarating.

Those are the kind of teachers that we wish all our children had all the time. And I think we need to do more to reward teachers who strive for excellence. One of the things that we can do at the national level that I hope you will support, that Tom and Mike's former colleague, Governor Jim Hunt, has worked his whole career on, is to support the master teacher program, the National Board for Professional Teacher Certification. It's a completely voluntary thing which qualifies teachers based on, number one, their complete academic preparation for the course they're teaching; and, number two, their success in teaching; and thirdly, I might add, their ability to help other teachers improve their teaching skills.

Now, today there are only a few hundred master teachers in America. My balanced budget contains enough funds to certify 100,000 master teachers. When we get one of these teachers in every school building in America -- every school building in America -- going to the teachers' lounge, going to the faculty meetings, talking to the principals, it will change the culture of education in America. Every other profession in the country just about has national board certification. And believe me, this is a good thing that is a worthy investment.

Finally, let me say, I because that if teachers don't measure up after getting all the support and help they need, there ought to be a swift process -- fair, but swift; it should not be endless -- to resolve the matter in a satisfactory way. Because you're not doing anybody any favors -- no one -- fundamentally, nobody is happy doing something they're not good at. You can never make me believe anybody is really happy when they know deep down inside they're not doing the job. So there has to be some system that is perfectly fair to every teacher, but doesn't take from now to kingdom come to resolve the matter in a way that allows the education system to go forward.

Now, I also think as we demand responsibility for results from the schools, we have to give the tools they need to the students and the teachers. I've said that, and I will say it again. Let me just mention one or two things. First, smaller class sizes. Children in some classes in America are in classes that are so big and crowded, there is no way any teacher I don't care how good he or she is -- can deal with all the challenges that are presented where classes are so big where the students are barely known by name to the teacher, much less the particular circumstances of their lives. Given the fact that so many kids have so many troubles today, it's very, very important. In classrooms like this, teachers are often forced to teach to the middle, leaving both the best kids and the most troubled kids behind.

The Department of Education and Secretary Riley today are releasing a report on class size and learning, basically reaffirming what Hillary and I have long believed. We adopted very rigorous class sizes for our state 15 years ago. When class sizes go down enough, learning goes up -- that's what the report shows -- especially in the early years. And when children come from disadvantaged backgrounds, small classes can make an even greater difference.

Let me just give you a few examples from the study. In Tennessee, test scores were consistently higher among students that were in classes of fewer than 20 students. These children kept the edge even when they moved into larger classes in their later years of schooling. From Wisconsin, North Carolina, and classrooms across the country, other studies confirmed the same findings.

Governor Carper and many of you here today are trying to reduce class size. I just want to encourage you and tell you that I have presented to the Congress a plan to do the same thing, which would not in any way conflict with what you're doing, but will enable you to get some funds to support it.

Today, I'm sending legislation to Congress cosponsored by Senators Murray and Kennedy and Congressman Clay that will make class size reduction a national goal and if enacted, would help school districts to hire another 100,000 teachers, which is about the number necessary, properly distributed across the country, to give us average class size of 18 in the first three grades.

It would also require the new teachers to pass competency exams to make sure they have the training and preparation they need. Many states now require this anyway.

The second thing I'd like to say is Delaware may be the only state now where every classroom is wired -- but every classroom should be wired. You remember, I'm sure, a few years ago, the Vice President and I went to San Francisco and got with a lot of people from the big computer companies and said that we wanted to try to wire every classroom and library by the Year 2000. And we are making great headway. We've got more than twice as many classrooms and libraries wired today as we did just three and half years ago when we did that. We have in the budget now funds to continue this urgent national priority. I hope that will pass.

But, finally, let me say, believe it or not, we've got an enormous percentage of the school buildings in this country are ill-equipped to take the wiring because they're so old. We have cities in this country with average school buildings -- average school buildings -- over 65 years old and in terrible shape. I was in a small, growing district in Florida the other day where there were not one, not five, but 17 trailers outside the main school building there for the kids.

Now, when you come to work here every day in this Capitol it makes you feel good, doesn't it? It's a beautiful building and you've obviously put a lot of funds into restoring it, and it makes you feel good. It says you're important -- it matters to be a member of the Delaware legislature. One of the ways you know without anybody telling you is you come into this nice building and it's important. And if grown-ups are affected by their surroundings, children are even more so.

What does it say to an inner-city kid from a poor family if they go to a school building every day and one of the whole floors is closed because for want of repair? What does it say about how important those children are if every day they walk through the front door and they look up and see three or four broken windows? What does it say if the blackboard is only half there because it's been cracked? What about the kids in the crowded school districts?

You know, the first year or two, if you show up and there are a lot of house trailers, it's kind of exciting because it means you've got a growing district and a lot of stuff going on. After five or six years, it means things aren't getting better. It's a very different message. And the important thing is not whether the buildings are old or not; it is whether they are safe, clean, light, whether they send the message that this is a place where learning can occur and this is a place where children are important.

Now, I think education is a part of the national infrastructure. That's why I wanted the federal government to help places who need it. Wire all the classrooms and libraries. And I have proposed for the first time that we help with the infrastructure needs of school districts -- again, not in any way that would conflict with what any state or local school district is doing, but instead to reinforce it.

This budget contains funds that would help us to modernize 5,000 schools and build 1,000 new ones. It would be a very good start on the incredible infrastructure needs of America's schools. And for people who say it doesn't matter, just think how you feel when you come through these doors every day. It does matter, and I hope we can pass it.

The third thing I'd like to emphasize very briefly is that we need greater choice in our schools. We do need more competition. You mentioned the Charter School of Wilmington, Governor, and other charter schools in your state. When I was elected President in 1992, there was only one charter school in the entire country -- public schools that tailor their programs to meet the needs and demands of their customers -- the students and their parents. Since then, I've done everything I could to support them.

Today, there are 800 charter schools, 32 of our 50 states authorize them. Just last week in an overwhelming bipartisan vote, California voted in the legislature to create another 100 charter schools a year in our largest state. That's great, great news -- 100 a year. They had 150 cap, I think, on the whole state. They blew off the cap and said, this working -- and I've been in some of them out there, they are working -- we want 100 a year.

Now, my goal is to have 3,000 by the year 2000 in the whole country, and I have presented a budget to Congress which would give communities around the country any start-up funds they need to do this. It's not so easy to do if you've never thought about it and never done the work and if you come from a place with limited resources. So I did present some money in the budget to do that. But I hope you will support that.

Delaware has been at the forefront of the charter school movement. It is a good, good thing to do, along with having statewide public school choice plans. And I applaud you for yours.

The fourth thing I'd like to talk just a little about is school safety. You know, it's pretty hard to learn if you feel insecure. One of the main reasons that I supported the school uniform movement, not as a mandatory thing but when people needed it, was that I thought it would make our schools safer. And I've been around the country and seen a lot of schools that had terrible discipline problems. And we're worried about the safety of the kids going to and from school.

And in every case where they had a terrible problem and adopted a uniform policy, it made a big difference. We want to do more to ensure our children's safety. We want to make sure that our children are exposed to teachers and team leaders, not drug dealers and gang leaders.

There are a lot of things we can do. Let me just mention one thing. We are trying in this budget to give states and communities more funds to support even wider and more extensive after-school programs, not only because they're important educationally – which they are, and that's their primary mission – but because almost all kids get in trouble after school lets out and before the folks get home from work. A huge percentage of juvenile crime is committed between 3:00 p.m. and 6:00 p.m. or 7:00 p.m. And if we can have extensive after school programs, we can make our children safer and our schools safer. Let me also (applause)—even one hand is good on that.

Today, the Department of Education is releasing a report which also shows we're doing a better job as a country in detecting guns in the schools. That's really good – that's the good news. The bad news is there are a lot of guns in the schools – and other weapons. In 1997, more than 6,000 students were expelled for bringing firearms to school. But I think that means we must continue and bear down on this policy of zero tolerance for guns in our schools.

And again, it works to prevent problems. The Superintendent of the Alexandria, Virginia, schools – which, by the way, is now the most diverse school district in America – Fairfax County has kids from 180 different racial and ethnic groups, speaking over 100 native languages. But because they have a rigorous zero tolerance program, they have cut suspendable offenses over the past couple of years by more than 40 percent. It works. And we can have those results all over the country.

But let me say, going back to an issue you're debating, Secretary Riley asked all these school security experts what they thought we could do as a people, not just the federal government, to make the schools safer. And they said, interestingly enough, one of the most important things we could do is to create the smallest possible classes in the early grades, because the kids with problems would be found by the teachers. And then the teachers and the families and the counselors could work together to try to prevent these kids from getting in trouble in the first place. I thought it was stunning thing, amazing.

So Delaware is leading the nation, and the nation must follow. And we must, Republicans and Democrats together, all Americans, make a commitment to revolution in standards and accountability, in choice and safety, based on high expectations, accountability, and performance. It will take all of our commitment to do the job, but the challenge must be met because America can't become what it ought to be if we don't.

We can do this. This is not rocket science. This is an affair of the mind which most of us can comprehend. Fundamentally, it is also an affair of the heart. We know – we know – that the best days of this country are still ahead. You may be the oldest state, but you still want to have the longest future. And the only way we can do it is with this.

Thank you very much.

The Lieutenant Governor thanked the Governor and President.

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

The Secretary of the Senate announced that he and the Chief Clerk of the House had compared their respective Journals and found that they agree.

Senator Voshell moved that the Joint Session be adjourned and the two House separate to reconvene in their respective Chambers on Tuesday, May 12, 1998.

The Joint Session was adjourned at 1:40 p.m.

**The Senate reconvened the 27<sup>th</sup> Legislative Day at 2:20 p.m. on May 12, 1998 with Senator Sharp presiding.**

The Secretary announced a message from the House informing the Senate that it had passed **HB 515; HB 517; HB 518; HB 519 w/HA 1; HB 527 w/HA 1; HCR 71; HCR 72; SB 319; SB 323; SB 324; SCR 64; HB 545; HB 478 w/HA 1.**

**LEGISLATIVE ADVISORY #36**, 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 #36**, dated May 6, 1998. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HJR #24 (5/6/98) - ENCOURAGING DELAWARE'S UNITED STATES CONGRESSIONAL DELEGATION TO COMPEL THE U.S. ARMY CORPS OF ENGINEERS TO DEVELOP A PLAN AND TIMELINE FOR THE PRESERVATION AND REHABILITATION OF THE "ICE PIERS" IN NEW CASTLE HARBOR OF THE DELAWARE RIVER. (Sponsor: Rep. Mack)**

**HB #317 AAB HA 1** (5/6/98) - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO PURCHASES OF ALCOHOLIC BEVERAGES BY RETAIL LICENSE HOLDERS. (Sponsor: Rep. Keeley) (Volume 71, Chapter 271, Laws of Delaware.)

**HB #37 AAB HA 2 AND SA 2** (5/6/98) - 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: Rep. Wagner) (Volume 71, Chapter 272, Laws of Delaware.)

\* \* \*

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
May 12, 1998**

The following amendments were introduced and placed with the bill on May 6, 1998:

**SA 1 to SB 280** - Sponsor: Senator Still.

**SA 1 to SB 256** - Sponsor: Senator Marshall.

The following amendments were introduced and placed with the bill on May 7, 1998:

**SA 1 to SB 315** - Sponsor: Senator Sorenson.

The following legislation was introduced and assigned on May 7, 1998:

**SS 1 for SB 277** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 6 OF THE DELAWARE CONSTITUTION OF 1897 RELATING TO CERTIFICATES OF ELECTION AND BALLOTS. 2/3 VOTE. Sponsor: Senator Vaughn & Representative Smith. To: **Adopted in Lieu of the Original. Insurance and Elections.**

**SB 341** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO ADULT PROTECTIVE SERVICES. 2/3 VOTE. Sponsor: Senator Marshall & Representative Maier, Senator Blevins, Representatives Lofink, Scott; Senators McDowell & Connor; Representative Spence. To: **Health and Social Services.**

**SB 342** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ABUSE, NEGLECT OR MISTREATMENT OF PATIENTS AND RESIDENTS OF NURSING HOMES AND SIMILAR FACILITIES. 2/3 VOTE. Sponsor: Senator Marshall & Representative Scott, Senator Blevins, Representatives Maier, Lofink; Senators Henry, McDowell & Connor; Representative Spence. To: **Health and Social Services.**

**SB 343** - AN ACT PROVIDING FOR THE HIRING OF AN ADDITIONAL INVESTIGATOR TO BE ASSIGNED TO THE DEPARTMENT OF PROFESSIONAL REGULATION. Sponsor: Senator McBride. To: **Administrative Services.**

**SB 344** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO ANNUAL FINANCIAL STATEMENTS FILED BY INSURERS. Sponsor: Senator Vaughn & Representative D. Ennis. To: **Insurance and Elections.**

**SB 345** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES. Sponsor: Senator Vaughn & Representative Wagner. To: **Corrections.**

**SB 346** - AN ACT TO AMEND TITLES 3 AND 30 OF THE DELAWARE CODE RELATING TO REFERENCES TO GIFT TAXES. Sponsor: Senator Cook & Representative Capano. To: **Finance.**

**SB 347** - AN ACT TO AMEND TITLE 30, DELAWARE CODE, RELATING TO RECIPROCAL COLLECTION OF TAX CLAIMS. Sponsor: Senator Cook & Representative Capano. To: **Revenue and Taxation.**

**SB 348** - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF THE DELAWARE CAREPLAN TRUST ACT. Sponsor: Senator Sharp & Representative Petrilli; Senator Vaughn; Representatives Capano, Wagner, Spence, Plant, Ewing & Roy. To: **Judiciary.**

The following amendments were introduced and placed with the bill on May 8, 1998:

**SA 1 to SB 268** - Sponsor: Senator McBride.

**SA 2 to SB 262** - Sponsor: Senator McBride.

The following legislation was introduced and assigned on May 12, 1998:

**SB 349** - AN ACT TO AMEND TITLE 6, OF THE DELAWARE CODE RELATING TO BUILDING CONSTRUCTION PAYMENTS. Sponsor: Senators Marshall & Blevins; Representative Lofink. To: **Labor**.

**SB 337** - AN ACT TO AMEND TITLES 18 AND 19 OF THE DELAWARE CODE RELATING TO INSURANCE, EMPLOYMENT AND GENETIC INFORMATION. Sponsor: Senator Blevins & Senator Sorenson & Representative DiPinto; Senators Adams, Bunting, Cook, Henry, Marshall, McDowell, Sharp, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge & Reed, Representatives Capano, Davis, D. Ennis, Ewing, Fallon, Maier, Oberle, Petrilli, Quillen, Reynolds, Stone, Wagner, Keeley, Plant, Scott & Williams. To: **Insurance**.

**HB 478 w/HA 1** - AN ACT TO AMEND CHAPTER 41 AND CHAPTER 70 OF TITLE 21 OF THE DELAWARE CODE RELATING TO THE ENFORCEMENT OF HANDICAPPED PERSONS' PARKING AREAS AND FIRE LANES. Sponsor: Representative Gilligan & Representative Buckworth; Representatives Boulden, Brady, Capano, Carey, Cathcart, Caulk, Cloutier, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Keeley, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Price, Quillen, Reynolds, Roy, Schroeder, Scott, Smith, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams, Spence; Senators Adams, Amick, Bair, Blevins, Bunting, Connor, Cook, Marshall, Reed, Sokola, Sorenson, Voshell. To: **Public Safety**.

**HB 515** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT. Sponsor: Representatives Roy, Maier, Oberle, Senators Blevins, Sokola. To: **Committee to Combat Drug Abuse**.

**HB 517** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO ESTABLISHING THE DIVISION OF STATE SERVICE CENTERS AND AN ADVISORY COUNCIL ON STATE SERVICE CENTERS. Sponsor: Representative Maier & Senator Blevins. To: **Health and Social Services**.

**HB 518** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO EMERGENCY AND DISASTER ASSISTANCE. Sponsor: Representative Maier & Senator Blevins. To: **Public Safety**.

**HB 519 w/HA 1** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE COUNCIL ON VOLUNTEER SERVICES. Sponsor: Representative Maier & Senator Blevins. To: **Administrative Services**.

**HB 527 w/HA 1** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REQUIREMENT OF INSURANCE FOR MOTOR VEHICLES AND PENALTIES. Sponsor: Representative Welch; Representatives Spence, Buckworth, Capano, Carey, Maier, Stone, Brady, B. Ennis, Price, West; Senators McDowell, Venables, Sokola. To: **Insurance**.

**HB 545** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCUREMENT. Sponsor: Representative B. Ennis & Senator Bunting; Representatives Brady, Carey, Cathcart, DiLiberto, D. Ennis, Fallon, Gilligan, Houghton, Keeley, Lee, Plant, Price, Schroeder, Wagner, Williams, Spence; Senator Vaughn. To: **Administrative Services**.

\* \* \*

At 2:22 p.m. Lt. Governor Minner presiding.

At 2:22 p.m. motion of Senator Voshell, the Senate adjourned to immediately convene for the 28th Legislative Day.

**28TH LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
MAY 12, 1998**

The Senate convened at 2:22 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

The roll call vote for attendance was taken and revealed:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell. No objections.

A messenger from the Governor was announced and admitted.

Senator Voshell requested the privilege of the floor to comment regarding the visit of the President of the United States.

Senator Sharp commented.

Lt. Governor Minner commented.

Senators Bonini and Hauge were marked present.

**SB 315** was brought before the Senate for consideration on motion of Senator Venables.

**SB 315** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF FALCONRY.

**SA 1 to SB 315**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Sorenson.

A communication from Senator Sorenson to Mr. H. Lloyd Alexandra, Jr. was read in its entirety for the permanent record. A copy of this communication is on file for this legislative day.

**SA 1 to SB 315** was laid on the table on motion of Senator Sorenson.

**SB 315** was now before the Senate.

Senator Venables requested the privilege of the floor for Christopher Asay, representing the Delaware Falconry Heritage Association.

The witness was excused after addressing the Senate.

Senator Venables requested the privilege Lynn McDowell, representing Delmarva Ornithological Society.

The witness was excused after addressing the Senate.

Senator Venables requested the privilege of the floor Andrew Bullen, representing the Delaware Falconry Heritage Association.

The witness was excused after addressing the Senate.

Senator Venables requested the privilege of the floor for Grace Pierce-Beck, representing Delaware Audubon Society.

The witness was excused after addressing the Senate.

Senator Venables requested the privilege of the floor for Dorothy Miller, representing Delaware Audubon Society.

The witness was excused after addressing the Senate.

Senator Venables requested the privilege of the floor for Neal Garrett, representing himself.

The witness was excused after addressing the Senate.

**SB 315** was laid on the table on motion of Senator Venables.

At 3:22 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

The Senate reconvened at 4:30 p.m. with Lt. Governor Minner presiding.

**SB 315** was lifted from the table and brought before the Senate for consideration on motion of Senator Venables.

Senator Venables requested the privilege Lynn McDowell, representing Delmarva Ornithological Society.

The witness was excused after addressing the Senate.

Senator Venables requested the privilege of the floor for Camden Asay, representing himself.

The witness was excused after addressing the Senate.

Senator Venables requested the privilege of the floor for Paul F. Burns.

The witness was excused after addressing the Senate.

Senator Venables requested the privilege of the floor for H. Lloyd Alexander, representing Delaware Division of Fish and Wildlife.

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

A roll call vote was taken and revealed 11 Senators voting YES, 9 (Amick, Blevins, Connor, Cook, Henry, Marshall, McBride, McDowell, Sokola) NO, 1 (Sorenson) NOT VOTING; therefore, **SB 315** was declared passed the Senate and sent to the House for consideration.

Senator Marshall marked present during the above roll call.

Senator Marshall commented regarding the next four bills on nursing homes.

After comments on the whole issue of Nursing Home Reform Senator Marshall requested the privilege of the floor for Phyllis Peavy, representing Nursing Home Reform, and Beth Collins, representing Patient Advocate.

The witnesses were excused after addressing the Senate.

Senator Marshall requested the privilege of the floor for Sennie Wiggins, representing Patient Advocate.

The witness was excused after addressing the Senate.

Senator Bair requested the privilege of the floor for Yrene E. Waldron, representing Delaware Health Care Facilities.

The witness was excused after addressing the Senate.

**SB 302** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 302** - AN ACT TO AMEND AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO ESTABLISH THE DIVISION OF LONG-TERM CARE CONSUMER PROTECTION.

**SA 1 to SB 302** was introduced and brought before the Senate for consideration on motion of Senator Connor.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Reed, Sharp, Still) ABSENT; therefore, **SA 1 to SB 302** was declared part of the bill.

Senator Bonini requested his name be added as a co-sponsor to **SB 302 w/SA 1**.

**SB 302 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Amick, Reed) NO, 1 (Still) ABSENT; therefore, **SB 302 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 304** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 304** - AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO PATIENT'S RIGHTS.

**SA 1 to SB 304** was introduced and brought before the Senate for consideration on motion of Senator Blevins.

At 6:05 p.m. Senator Sharp presiding.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 304** was declared part of the bill.

**SB 304 w/SA 1** was now before the Senate.

Senator Marshall requested the privilege of the floor for Carolee B. King, representing Legislative/Citizens Panel on Nursing Home Reform.

The witness was excused after addressing the Senate.

Senators Hauge and Bonini commented.

At 6:13 p.m. Lt. Governor Minner presiding.

Senator Marshall requested the privilege of the floor for Mary McDonough, representing Delaware Health and Social Services.

The witness was excused after addressing the Senate.

Senator Marshall requested the privilege of the floor for Gregg C. Sylvester, M.D., representing Delaware Health and Social Services.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Adams) NO, 1 (Vaughn) NOT VOTING; therefore, **SB 304 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 305** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 305** - AN ACT TO AMEND TITLE 16, OF THE DELAWARE CODE RELATING TO THE OFFICE OF LONG-TERM CARE OMBUDSPERSON.

**SA 1 to SB 305** was introduced and brought before the Senate for consideration on motion of Senator Marshall.

Senator Sokola commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **SA 1 to SB 305** was declared part of the bill.

**SB 305 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 305 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 307** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 307** - AN ACT TO AMEND AN ACT TO AMEND TITLE 29, CHAPTER 79 OF THE DELAWARE CODE TO ESTABLISH THE DELAWARE NURSING HOME RESIDENT'S QUALITY ASSURANCE COMMISSION.

**SA 1 to SB 307** was introduced and 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 307** was declared part of the bill.

**SB 307 w/SA 1** was now before the Senate.



A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 307 w/SA 1** was declared passed the Senate and sent to the House for consideration.

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

At 6:40 p.m. on motion of Senator Voshell, the Senate recessed until 4:00 p.m. on May 13, 1998.

The Senate reconvened at 4:14 p.m. on May 13, 1998 with Senator Sharp presiding.

The following committee reports were announced:

From Judiciary: **SB 195** - 3 Merits; **SB 328** - 3 Merits; **SB 336** - 3 Merits.

From Natural Resources: **SB 290** - 3 Merits; **SB 327** - 3 Merits.

From Executive: **Loretta M. Young** - 5 Merits; **John D. McKenzie** - 2 Favorable, 3 Merits; **George M. Records, Jr.** - 5 Merits; **Thomas Novak, Jr.** - 5 Merits; **Delores A. Washam** - 5 Merits; **Lynn W. Williams** - 5 Merits.

From Insurance and Elections: **SB 344** - 3 Merits; **SS 1 to SB 277** - 3 Merits.

From Corrections: **SB 345** - 3 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 548; HB 503; HB 574; HB 567; HB 552; HB 215 w/HA 2; SB 289; HB 534 w/HA 1; HB 505 w/HA 1 & 2.**

At 4:26 p.m. motion of Senator Voshell, the Senate adjourned to immediately convene for the 29th Legislative Day.

**29TH LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
MAY 13, 1998**

The Senate convened at 4:26 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

The roll call vote for attendance was taken and revealed:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell. No objections.

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

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

**May 13, 1998**

The following amendments were introduced and placed with the bill on May 12, 1998:

**SA 1 to SB 271** - Sponsor: Senator McBride.

**SA 1 to HB 390** - Sponsor: Senator Blevins.

**SA 1 to HB 428** - Sponsor: Senator Blevins.

The following amendments were introduced and placed with the bill on May 13, 1998:

**SA 1 to SA 1 to SB 98** - Sponsor: Senator Bair.

**PLEASE NOTE: HB 428 - REASSIGNED FROM NATURAL RESOURCES TO SUNSET**

The following legislation was introduced and assigned on May 13, 1998:

**SS 1 for SB 314** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE. Sponsor: Senators Voshell, Sharp, Adams & Vaughn. To: **Adopted in Lieu of the Original.**

**SB 350** - AN ACT TO REINCORPORATE THE TOWN OF MILTON. Sponsor: Senator Adams & Representative Carey. To: Community/County Affairs.

**HB 215 w/HA 2** - AN ACT TO AMEND CHAPTER 48, TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD RESTRAINT IN MOTOR VEHICLES. 2/3 VOTE. Sponsor: Representative Keeley; Representatives Banning, Buckworth, D. Ennis, Houghton, Maier, Maroney, Price, Wagner, West, Spence; Senators Blevins, Marshall, McDowell. To: Public Safety.

**HB 503** - AN ACT TO AMEND CHAPTER 38, TITLE 31 OF THE DELAWARE CODE REGARDING THE FOSTER CHILD REVIEW ACT AND CHAPTER 101, TITLE 29 OF THE DELAWARE CODE REGARDING THE ADMINISTRATIVE PROCEDURES ACT. 2/3 VOTE. Sponsor: Representative Ulbrich & Senator Blevins; Representatives Capano, Maier, Keeley & Price; Senators Bunting, Sokola, Reed & Still. To: Sunset.

**HB 505** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE OCCUPANT PROTECTION SYSTEM SAFETY ACT. 2/3 VOTE. Sponsor: Representative Oberle & Senator Henry. To: Judiciary.

**HB 534 w/HA 1** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JURY COMPENSATION AND REIMBURSEMENT. Sponsor: Representative Welch; Representative DiLiberto & Senator Amick. To: Executive.

**HB 548** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO CONVEYANCE OF REAL ESTATE BETWEEN SPOUSES. Sponsor: Representative Wagner & Senator Vaughn. To: Executive.

**HB 567** - AN ACT TO AMEND CHAPTER 26, TITLE 24 OF THE DELAWARE CODE RELATING TO PHYSICAL THERAPY. Sponsor: Representative Ulbrich & Senator Blevins; Representatives Maier, Keeley and Scott. To: Sunset.

**HB 552** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKER'S COMPENSATION. Sponsor: Representative Ulbrich & Senator Blevins; Representatives Capano, Maier, Keeley, Price, Scott; Senators Bunting, Sokola, Reed & Still. To: Labor.

**HB 574** - AN ACT TO AMEND SECTION 927 OF TITLE 10 RELATING TO THE JURISDICTION OF FAMILY COURT. Sponsor: Representative Wagner. To: Insurance.

\* \* \*

On motion of Senator Adams and without objection, the following nominations by the Governor were brought before the Senate for consideration.

**John D. McKenzie** - 19 Senators voting YES, 2 (Hauge, Sokola) ABSENT. Appointment confirmed.

Senators Marshall and Cook marked present during the above roll call.

**Loretta M. Young** - 20 Senators voting YES, 1 (Hauge) ABSENT. Appointment confirmed.

Senator Sokola marked present during the above roll call.

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

**SB 98** - AN ACT TO AMEND CHAPTER 70, TITLE 7 OF THE DELAWARE CODE RELATING TO THE COASTAL ZONE ACT.

**SA 1 to SB 98** was brought before the Senate for consideration on motion of Senator Venables.

**SA 1 to SA 1 to SB 98**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Bair.

Senator McBride commented.

Senator Bair requested the privilege of the floor for Pat Ganzano, representing Delaware Solid Waste Authority.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (McDowell) NOT VOTING, 1 (Sorenson) ABSENT; therefore, **SA 1 to SA 1 to SB 98** was declared part of the bill.

Senator Hauge marked present during the above roll call.

**SA 1 to SB 98** was now before the Senate.

Senator McBride requested the privilege of the floor for Alan Muller, representing Green Delaware.

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

Senator McBride requesting the privilege of the floor for Patricia Todd, representing League of Women Voters of Delaware.

Senator Amick raised a point of order.

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

Senator Venables requesting the privilege of the floor for Pat Canzano, representing Delaware Solid Waste Authority.

Senator Bair requested a portion of a letter from the Delaware Solid Waste Authority to be read. No objection.

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

Several Senators commented.

A roll call vote was taken and revealed 11 Senators voting YES, 10 (Amick, Blevins, Bonini, Bunting, Connor, Henry, McBride, Sokola, Sorenson, Voshell) NO; therefore, SA 1 to SB 98 was declared part of the bill.

SB 98 was laid on the table on motion of Senator McBride.

SB 336 was brought before the Senate for consideration on motion of Senator Adams.

SB 336 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO SUPERIOR COURT.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, SB 336 was declared passed the Senate and sent to the House for consideration.

SB 301 was brought before the Senate for consideration on motion of Senator Adams.

SB 301 - AN ACT TO AMEND TITLE 11, CHAPTER 65, SECTION 6525 RELATING TO DISCIPLINE.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, SB 301 was declared passed the Senate and sent to the House for consideration.

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

SB 270; SB 295; SB 272; SB 259; SB 343; SA 1 to SB 264 were stricken on motion of Senator McBride.

At 6:33 p.m. on motion of Senator Voshell the Senate recessed until 2:30 p.m. on May 14, 1998.

The Senate reconvened at 3:05 p.m. on May 14, 1998 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Health and Social Services: SB 261 - 3 Merits; SB 262 - 3 Merits; SB 265 - 3 Merits; SB 266 - 3 Merits; SB 268 - 4 Merits; SB 299 - 4 Merits; SB 303 - 3 Merits; SB 321 - 3 Merits; SB 322 - 3 Merits; SB 341 - 3 Merits; SB 342 - 3 Merits; HB 390 w/HA 1 - 4 Merits; HB 517 - 4 Merits; HB 520 w/HA 1 - 4 Merits; HB 531 w/HA 1 - 4 Merits; HB 547 - 4 Merits.

From Agriculture: HB 293 w/HA 1 & 2 - 6 Merits.

From Public Safety: HB 435 - 3 Merits; HB 476 w/HA 1 - 3 Merits; HB 516 - 3 Merits; HB 518 - 3 Merits; HB 478 - 2 Favorable, 1 Merit; HB 494 w/HA 1 - 3 Merits.

From Insurance and Elections: HB 501 - 3 Merits.

From Committee to Combat Drug Abuse: HB 515 - 4 Merits; HB 521 w/HA 1 - 4 Merits.

From Education: HB 178 - 3 Merits; HB 269 - 3 Merits.

From Corrections: HB 480 - 3 Merits.

The Secretary announced a message from the House informing the Senate that it had passed HCR 76; SCR 67.

At 3:10 p.m. motion of Senator Voshell the Senate adjourned to immediately convene for the 30th Legislative Day.

**30TH LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
MAY 14, 1998**

The Senate convened at 3:10 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

The roll call vote for attendance was taken and revealed:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell. No objections.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION**

**READ TO THE SENATE RECORD**  
**May 14, 1998**

The following letters of nomination from the Governor were assigned to the Executive Committee on May 13, 1998:

STATE OF DELAWARE  
Office of the Governor  
May 12, 1998

To the Senate of the 139th 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. Delores A. Washam**, 1315 North Walnut Street, Wilmington, Delaware 19801, to be reappointed to the Delaware Advisory Council on Natural Areas for a four-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
May 12, 1998

To the Senate of the 139th 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. Thomas Novak, Jr.**, 240 Tamarack Avenue, Elsmere, Delaware 19805, to be reappointed a member of the Wastewater Facilities Advisory Council for a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
May 12, 1998

To the Senate of the 139th 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. Brian J. Bushweller**, 7 Liberty Drive, Dover, Delaware 19904, to be appointed Secretary of the Department of Public Safety to serve a term during the pleasure of the Governor.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor

May 12, 1998

To the Senate of the 139th 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. Loretta M. Young**, 1159 Bunker Hill Road, Middletown, Delaware 19709, to be appointed a Commissioner of the Family Court for a four-year term, to replace Ellen Marie Cooper who resigned.

Your consideration of this nomination is appreciated.

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

The following amendments were introduced and placed with the bill on May 14, 1998:

**SA 1 to SB 321** - Sponsor: Senator Connor.

The following legislation was introduced and assigned on May 14, 1998:

**SS 1 for SB 36** - AN ACT TO AMEND CHAPTERS 55 AND 56, TITLE 29, DELAWARE CODE RELATING TO COMPUTATIONS OF JUDICIAL AND STATE EMPLOYEE PENSIONS. Sponsor: Senators Cook & Vaughn; Representative Davis & Oberle. To: **Adopted in Lieu of the Original - Finance.**

**SB 351** - AN ACT TO AMEND TITLES 11, 14, 16 AND 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SERVICES FOR CHILDREN YOUTH AND THEIR FAMILIES AND THE PROTECTION OF CHILDREN FROM ABUSE OR NEGLECT. Sponsor: Senator McDowell & Representative Maier; Senators Bonini, Marshall, Blevins, Sorenson; Representative Maroney. To: **Children, Youth and their Families.**

**SB 352** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE HERITAGE COMMISSION. Sponsor: Senator Cook & Representative Davis. To: **Administrative Services.**

\* \* \*

**SB 341** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 341** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO ADULT PROTECTIVE SERVICES. 2/3 VOTE

Senator Marshall requested the privilege of the floor for Tim Barron, representing Attorney General's office.

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

Senator Bair requested the privilege of the floor for Laird Stabler, representing Delaware Healthcare Facilities Association.

Senator Marshall questioned the witness.

Senator Bair marked present.

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

Senator Marshall requested the privilege of the floor for Tim Barron, representing Attorney General's office.

The witness was excused after addressing the Senate.

Senator Sorenson commented.

A roll call vote was taken and revealed 17 Senators voting YES, 3 (Adams, Vaughn, Venables) NO, 1 (Still) ABSENT; therefore, **SB 341** was declared passed the Senate and sent to the House for consideration.

Senators Hauge and McBride marked present during the above roll call.

The Secretary announced a message from the House informing the Senate that it had passed

**SB 74.**

**HCR 74** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HCR 74** - COMMENDING HARRY KUTCH FOR BEING SELECTED DELAWARE STATE TEACHER OF THE YEAR FOR 1998. Sponsor: Representative Reynolds and Mack and Senator Sokola on behalf of all Representatives and Senators.

Senator Sokola requested the personal privilege of the floor for Harry Kutch, Teacher of the Year.

The witness was excused after addressing the Senate.

District Teachers of the Year were introduced and tributes were presented.

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

**HCR 74** was declared adopted by the Senate and returned to the House.

At 4:12 p.m. on motion of Senator Voshell, the Senate recessed for Party Caucus.

The Senate reconvened at 5:10 p.m. with Lt. Governor Minner presiding.

**SCR 70** was introduced and brought before the Senate for consideration on motion of Senator McDowell.

**SCR 70** - URGING DELAWARE'S ATTORNEY GENERAL TO FILE A NOTICE OF ITS INTENT TO FILE A BRIEF AMICUS CURIAE IN SUPPORT OF THE ENVIRONMENTAL PROTECTION AGENCY'S (EPA) NATIONAL LOW EMISSION VEHICLE (NLEV) PROGRAM. Sponsor: Senator McDowell & Representative DiPinto & Quillen.

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.

**SCR 69** was introduced and brought before the Senate for consideration on motion of Senator Bair.

**SCR 69** - EXTENDING CONGRATULATIONS TO THOMAS EICHLER, SECRETARY OF THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES, WINNER OF ONE OF THE PRESTIGIOUS 1998 NATIONAL PUBLIC SERVICE AWARDS SPONSORED ANNUALLY BY THE AMERICAN SOCIETY FOR PUBLIC ADMINISTRATION. Sponsor: Senators Bair, Blevins, McDowell & Representatives Maier, Maroney; Senators Henry, Marshall, Reed, Sorenson; Representatives Boulden, Cloutier, Oberle, Reynolds, Ulbrich, DiLiberto, Keeley, Price, Schroeder.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 69** was declared adopted by the Senate and sent to the House for consideration.

**SB 321** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 321** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ABUSE, NEGLECT, MISTREATMENT OR FINANCIAL EXPLOITATION OF PATIENTS OR RESIDENTS.

**SA 1 to SB 321**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Connor.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 321** was declared part of the bill.

**SA 2 to SB 321** was introduced and brought before the Senate for consideration on motion of Senator Marshall.

Senator Bair requested the privilege of the floor for Laird Stabler, representing Delaware Healthcare Facilities Association.

The witness was excused after addressing the Senate.

Senator Marshall requested the privilege of the floor for Dr. Gregg Sylvester, Secretary of the Department of Health and Social Services.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to SB 321** was declared part of the bill.

**SB 321 w/SA 1 & 2** was now before the Senate.

Senator Bair requested the privilege of the floor for Dr. Gregg Sylvester, Secretary of the Department of Health and Social Services.

Senator Still questioned the witness.

Senator Bair requested the privilege of the floor for Mary McDonough.

Senator Reed questioned the witnesses.

The witnesses were excused.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 321 w/SA 1 & 2** was declared passed the Senate and sent to the House for consideration.

**SB 322** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 322** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE REGULATION OF NURSING FACILITIES AND SIMILAR FACILITIES. 3/4 VOTE.

**SA 1 to SB 322** was introduced and brought before the Senate for consideration on motion of Senator Marshall.

Senator Marshall requested the privilege of the floor for Dr. Gregg Sylvester, Secretary of the Department of Health and Social Services.

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

Senator Bair requested the privilege of the Laird Stabler, representing Delaware Healthcare Facilities Association.

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

Senator Marshall requested the privilege of the floor for Laird Stabler, Delaware Healthcare Facilities Association.

The witness was excused after addressing the Senate.

Senator Marshall requested to lay **SA 1 to SB 322** and **SB 322** on the table. No objections.

The Secretary announced a message from the House informing the Senate that it had passed

**HCR 77.**

**HCR 77** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HCR 77** - COMMENDING THE SUCCESS OF THE JOB CORPS PROGRAM AND ENCOURAGING THE UNITED STATES DEPARTMENT OF LABOR TO ESTABLISH A JOB CORPS FACILITY IN WILMINGTON, DELAWARE. Sponsor: Representatives Spence & D. Ennis & Senator McDowell; Representatives Welch, DiPinto, Oberle, Van Sant, Keeley, Plant, Scott, Williams; Senators Voshell, Marshall, Henry, Bair, Amick.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HCR 77** was declared adopted by the Senate and returned to the House.

**SENATE CONSENT CALENDAR #15**, was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**HCR 71** - PROCLAIMING MAY 12, 1998, AS CHRONIC FATIGUE SYNDROME AWARENESS DAY IN THE STATE OF DELAWARE. Sponsor: Representative Roy & Senator Sorenson.

**HCR 72** - RECOGNIZING SATURDAY, MAY 9, 1998, AS "STAMP OUT HUNGER" DAY, AND HONORING THE DOVER POST OFFICE FOR ITS PARTICIPATION IN THE ONE DAY FOOD DRIVE. Sponsor: Representatives Stone & Wagner & Senator Still.

**HCR 76** - WELCOMING CHRISTIANA CARE ON ITS INAUGURAL YEAR AS SPONSOR OF THE CHRISTIANA CARE PRO CYCLING EVENT. Sponsor: Representative Roy & Senator Sokola.

A roll call vote was taken on **SENATE CONSENT CALENDAR #15** and revealed 19 Senators voting YES, 2 (Bunting, Sharp) ABSENT; therefore, the **Senate Consent Calendar** was declared adopted by the Senate. The House Concurrent Resolutions were returned to the House.

**SA 1 to SB 303** was stricken on motion of Senator Marshall.

**SA 2 to SB 303** was placed with the bill on motion of Senator Marshall.

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

**SB 189** was stricken on motion of Senator Vaughn.

At 6:34 p.m. on motion of Senator Voshell the Senate recessed until June 2, 1998 at 2:00 p.m. The Senate reconvened at 2:34 p.m. on June 2, 1998 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed

**HB 529 w/HA 1; HB 544; HB 569; HB 563 w/HA 1; HCR 75; SCR 70; HB 559; HB 596 w/HA 1; HB 506; SB 283.**

At 2:35 p.m. motion of Senator Voshell, the Senate adjourned to immediately convene for the 31st Legislative Day.

**31ST LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
JUNE 2, 1998**

The Senate convened at 2:35 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

The roll call vote for attendance was taken and revealed:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell. No objections.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
June 2, 1998**

The following amendments were introduced and placed with the bill on May 14, 1998:

**SA 1 to SB 333** - Sponsor: Senator Vaughn.

**SA 1 to SB 342** - Sponsor: Senator Marshall.

**SA 2 to SB 342** - Sponsor: Senator Connor.

The following legislation was introduced and assigned on May 14, 1998:

**SB 353** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PENSION PLANS. Sponsor: Senator Cook, Representative Davis, Senator Vaughn, Representative Oberle. To: **Judiciary**.

**SB 354** - AN ACT TO AMEND TITLE 24 REGARDING NURSING. Sponsor: Senator Blevins & Representative Maier; Senators Henry & Bair; Representatives Henry & Bair; Representatives Maroney, Spence, Plant & Scott. To: **Health and Social Services**.

**SB 355** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATED TO PENSIONS FOR MEMBERS OF THE STATE JUDICIARY. Sponsor: Senator Cook, Representative Davis, Senator Vaughn, Representative Oberle. To: **Judiciary**.

**SB 356** - AN ACT TO AMEND TITLES 11, 29 AND 16, DELAWARE CODE, RELATING TO ATTACHMENT AND ASSIGNMENT OF PENSION PLAN BENEFITS: Sponsor: Senator Cook, Representative Davis, Senator Vaughn, Representative Oberle, Senator Sorenson. To: **Judiciary**.

The following legislation was introduced and assigned on May 20, 1998:

**SB 357** - AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES FOR THE PURPOSE OF PROVIDING SCHOOL NURSING SERVICES TO NON-PUBLIC SCHOOLS. Sponsor: Senators McDowell, Henry, Bunting, Marshall, Connor, Still; Representatives Spence, DiPinto, Lofink, Houghton & Keeley. To: **Finance**.

**SB 358** - AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR NON-PUBLIC SCHOOL TRANSPORTATION REIMBURSEMENTS FOR THE FISCAL YEAR ENDING JUNE 30, 1999; SPECIFYING CERTAIN PROCEDURES CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sponsor: Senators McDowell, Bunting, Marshall, Connor & Still; Representatives Welch, DiPinto, Lofink, Houghton & Keeley. To: **Finance**.

The following legislation was introduced and assigned on June 2, 1998:

**SB 359** - AN ACT TO AMEND CHAPTER 17 OF TITLE 18 OF THE DELAWARE CODE RELATING TO THE LICENSING OF INSURANCE AGENTS. Sponsor: Senator Vaughn and Representative D. Ennis. To: **Insurance**.

**SB 360** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE, RELATING TO AGENTS, BROKERS, CONSULTANTS AND ADJUSTERS. Sponsor: Senator Vaughn and Representative D. Ennis. To: **Insurance**.

**SB 361** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE, RELATING TO FEES AND TAXES. Sponsor: Senator Vaughn and D. Ennis. To: **Insurance**.

**HB 506** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT VOLUNTEERISM. Sponsor: Representative Smith & Senator Sokola; Representatives Spence, Welch, Capano, DiPinto, D. Ennis, Fallon, Carey, Cathcart, Lofink, Maier, Maroney, Quillen, Reynolds, Wagner, Ulbrich, Brady, DiLiberto, B. Ennis, Gilligan, Keeley, Price, Schroeder; Senators Blevins, Henry, McDowell, Venables, Bair, Connor, Sorenson, Still. To: **Education**.



**HB 529 w/HA 1** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ADMINISTRATIVE PENALTIES FOR SPEEDING. Sponsor: Representative Wagner and Senator Voshell; Representatives Spence, Smith, Welch, Capano, Cloutier, DiPinto, D. Ennis, Fallon, Lofink, Mack, Maroney, Reynolds, Roy, Ulbrich, Houghton, Price; Senators Bonini, Amick, Connor, Hauge, Still. To: **Public Safety**.

**HB 544** - AN ACT CONCERNING 3 DELAWARE LAWS, CHAPTER 78 AND THE CHESAPEAKE AND DELAWARE CANAL, AUTHORIZING THE UNITED STATES OF AMERICA TO TRANSFER THE OLD ST. GEORGES BRIDGE TO AN APPROPRIATE PRIVATE ENTITY FOR ITS REHABILITATION AND OPERATION, UNDER TERMS AND CONDITIONS ACCEPTABLE TO THE STATE. Sponsor: Representative Cathcart; Representative Spence, Smith, Welch, Boulden, Buckworth, Capano, Carey, Davis, DiPinto, D. Ennis, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Roy, Stone, Ulbrich, Wagner, B. Ennis, Houghton, Price; Senators McDowell, Vaughn, Voshell, Connor, Still. To: **Insurance and Elections**.

**HB 559** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO REPORTING OF ABUSE OR NEGLECT IN NURSING HOMES AND SIMILAR FACILITIES. 2/3 VOTE. Sponsor: Representative Maier, Senator Marshall, Senator Blevins, Representatives Lofink, Scott; Senators McDowell & Connor; Representative Spence. To: **Health and Social Services**.

**HB 563 w/HA 1** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO DOMESTIC VIOLENCE. Sponsor: Representative Scott; Representatives Buckworth, Carey, B. Ennis, Ewing, Fallon, Houghton, Plant, Price, Ulbrich, Van Sant, West, Spence; Senators Bunting, Henry, Marshall. To: **Health and Social Services**.

**HB 569** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO EXTREMELY HAZARDOUS SUBSTANCES RISK MANAGEMENT ACT. Sponsor: Representative Mack & Senator McBride; Representatives DiPinto, D. Ennis, & B. Ennis. To: **Public Safety**.

**HB 596 w/HA 1** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. Sponsor: Representative Petrilli; Representative Price & Senators Bunting and Sokola. To: **Administrative Services**.

**HCR 64** - REQUESTING THE DEPARTMENT OF TRANSPORTATION AND THE WILMINGTON METROPOLITAN PLANNING AUTHORITY SCHEDULE PUBLIC MEETINGS AND WORKSHOPS ON DATES WHEN THE GENERAL ASSEMBLY IS NOT IN SESSION. Sponsor: Representative Roy and Senator Sokola. To: **Laid on the Table**.

**HCR 69** - RECOGNIZING AND MEMORIALIZING THE TEN COMMANDMENTS AS THE MORAL UNDERPINNING OF OUR STATE GOVERNMENT, ITS LAW AND OUR AUTHORITY AS REPRESENTATIVES OF THE PEOPLE OF DELAWARE. Sponsor: Representative Ewing & Senator Venables; Representatives Spence, Welch, Buckworth, Caulk, Davis, Fallon Lee, Lofink, Brady, B. Ennis, Plant, Price, West. To: **Laid on the Table**.

**SCR 56** - RELATING TO INSTRUCTIONS TO THE NEW CASTLE COUNTY COURTHOUSE EXECUTIVE COMMITTEE TO EXPLORE OTHER SITES FOR THE NEW COURTHOUSE. Sponsor: Senators Sharp, Blevins, Cook, McBride & Venables; Representatives Spence, Smith & Welch. To: **Stricken**.

\* \* \*

**SB 303** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 303** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO QUALITY IN HIRING OF EMPLOYEES OF NURSING HOMES AND SIMILAR FACILITIES.

**SA 2 to SB 303** was stricken on motion of Senator Marshall.

**SA 3 to SB 303** was introduced and brought before the Senate for consideration on motion of Senator Marshall.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SA 3 to SB 303** was declared part of the bill.

Senators Bair, Blevins, Bunting, McBride, McDowell and Venables marked present during the above roll call.

**SB 303 w/SA 3** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SB 303 w/SA 3** was declared passed the Senate and sent to the House for consideration.

A messenger from the Governor was announced and admitted.

**SB 322** was lifted from the table and brought before the Senate for consideration on motion of Senator Marshall.

**SB 322** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE REGULATION OF NURSING FACILITIES AND SIMILAR FACILITIES. 3/5 VOTE

Senator Marshall requested the privilege of the floor for Dr. Gregg Sylvester, Secretary of Health and Social Services.

The witness was excused after addressing the Senate.

**SA 1 to SB 322** was lifted from the table and brought before the Senate for consideration on motion of Senator Marshall.

Senator Marshall requested the privilege of the floor for Dr. Gregg Sylvester, Secretary of Health and Social Services.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore **SA 1 to SB 322** was declared part of the bill.

**SA 2 to SB 322** was brought before the Senate for consideration on motion of Senator Marshall.

Senator Marshall requested the privilege of the floor for Dr. Gregg Sylvester, Secretary of Health and Social Services.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **SA 2 to SB 322** was declared part of the bill.

**SA 1 to SA 1 to SB 322** was introduced and stricken on motion of Senator Still.

**SB 342 w/SA 2 & 3** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 322 w/SA 1 & 2** was declared passed the Senate and sent to the House for consideration.

**SB 342** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 342** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ABUSE, NEGLECT OR MISTREATMENT OF PATIENTS AND RESIDENTS OF NURSING HOMES AND SIMILAR FACILITIES. 2/3 VOTE

**SA 1 to SB 342** was stricken on motion of Senator Marshall.

**SA 2 to SB 342** was brought before the Senate for consideration on motion of Senator Connor.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to SB 342** was declared part of the bill.

**SA 3 to SB 342** was introduced and brought before the Senate for consideration on motion of Senator Marshall.

Senator Marshall requested the privilege of the floor for Timothy Barron, representing the Attorney General's office.

Senators Adams and Reed questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 17 Senators voting YES, 1 (Reed) NO, 3 (Blevins, Cook, McBride) ABSENT; therefore, **SA 3 to SB 342** was declared part of the bill.

**SB 342 w/SA 2 & 3** was now before the Senate.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Adams, Vaughn, Venables) NO; therefore, **SB 342 w/SA 2 & 3** was declared passed the Senate and sent to the House for consideration.

**HB 478 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 478 w/HA 1** - AN ACT TO AMEND CHAPTER 41 AND CHAPTER 70 OF TITLE 21 OF THE DELAWARE CODE RELATING TO THE ENFORCEMENT OF HANDICAPPED PERSONS' PARKING AREAS AND FIRE LANES.

Senators Adams and Bonini questioned the floor manager, after which Senator Henry requested the privilege of the floor for Sgt. David Thomas, representing the Delaware State Police.

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

Senators McDowell and Voshell commented.

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

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

Senator Voshell commented.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Amick, Bonini, McDowell, Venables) NO; therefore **HB 478 w/HA 1** was declared passed the Senate and returned to the House.

At 4:26 p.m. on motion of Senator Voshell, the Senate recessed for Party Caucus.

The Senate reconvened at 6:02 p.m. with Lt. Governor Minner presiding.

**SB 195** was laid on the table on motion of Senator McDowell.

**SB 195** - AN ACT TO AMEND TITLE 11 AND 25 OF THE DELAWARE CODE RELATING TO TRANSFER OF JUDGMENTS TO APPROPRIATE COURTS.

**SB 362** was introduced and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator McDowell.

**SB 362** - AN ACT TO AMEND TITLE 11 AND 25 OF THE DELAWARE CODE RELATING TO PROPERTY LIENS. Sponsor: Senators McDowell, Marshall & Henry; Representatives Scott, Williams, Keeley, Plant, DiPinto & Houghton.

Senator Sokola questioned the sponsor, after which Senator McDowell requested the privilege of the floor for Mary Ann Kelly, Senate Attorney.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore **SB 362** was declared passed the Senate and sent to the House for consideration.

**SB 328** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 328** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO JURISDICTION OF CRIMINAL CASES IN THE JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore **SB 328** was declared passed the Senate and sent to the House for consideration.

**SS 1 to SB 314** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Voshell.

**SS 1 to SB 314** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE.

Senator Still commented.

Senator Voshell requested the privilege of the floor for Jon McDowell, representing State Personnel office.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 15 Senators voting YES, 6 (Amick, Bair, Connor, Reed, Sorenson, Still) NO; therefore, **SS 1 to SB 314** was declared passed the Senate and sent to the House for consideration.

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

At 6:28 p.m. on motion of Senator Voshell, the Senate recessed until June 3, 1998 at 4:00 p.m.

The Senate reconvened at 4:22 p.m. on June 3, 1998 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Sunset: **HB 428** - 5 Merits; **HB 503** - 5 Merits; **HB 567** - 5 Merits; **HB 429** - 5 Merits.

From Corrections: **SB 329** - 3 Merits.

From Insurance and Elections: **SB 337** - 3 Merits; **SB 359** - 3 Merits; **SB 361** - 3 Merits; **SB 360** - 3 Merits.

From Education: **HB 506** - 4 Merits; **SS 1 for SB 250** - 4 Favorable.

From Executive: **Brian Bushweller** - 3 Merits, 3 Favorable.

From Natural Resources: **HB 442 w/HA 1 & 2** - 1 Favorable, 2 Merits.

From Energy: **SB 335** - 3 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 442 w/HA 1 & 2**; **HB 609 w/HA 1**; **HB 566**; **HB 460 w/HA 1**.

A communication from Thomas J. Cook was read into the record regarding the tribute that was given congratulating his newborn daughter, Morgan Elizabeth Cook.

At 4:30 p.m. motion of Senator Voshell, the Senate adjourned to immediately convene for the 32nd Legislative Day.

**32ND LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
JUNE 3, 1998**

The Senate convened at 4:30 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

The roll call vote for attendance was taken and revealed:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
June 3, 1998**

The following amendments were introduced and placed with the bill on June 2, 1998:

**SA 1 to SB 330** - Sponsor: Senator Vaughn.

**SA 1 to HB 429** - Sponsor: Senator Blevins.

**SA 1 to HB 505** - Sponsor: Senator Reed.

The following legislation was introduced and assigned on June 2, 1998:

**SS 1 for SB 250** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC EDUCATION. Sponsor: Senator Sokola & Representative Gilligan & Senator Hauge; Senators Blevins, Bunting, Cook, McDowell, Vaughn, Voshell, Bonini, Reed & Sorenson; Representatives Spence, Reynolds, Boulden, Davis, Ewing, Maier, Stone, Schroeder & Van Sant. To: **Adopted in Lieu of the Original - Education.**

**SB 363** - AN ACT PROPOSING AN AMENDMENT TO THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO MAKING THE CONSTITUTION GENDER NEUTRAL. Sponsor: Senators Voshell and Bair; Senators Blevins, Bunting, Cook, Henry, McDowell, Marshall, Sokola, Amick, Bonini, Connor, Hauge, Reed, Sorenson, and Still; Representatives Capano, Carey, Fallon, Maier, Maroney, Stone, Ulbrich, Wagner, Gilligan, Keeley, Price, Schroeder and West. To: **Judiciary.**

**SB 364** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CHILD VICTIMS OF CERTAIN CRIMES. 2/3 VOTE. Sponsor: Senator Blevins & Connor; Representative Maier; Senators Cook, Henry, Marshall, Voshell and Amick. To: **Judiciary.**

**HB 442 w/HA 1 & 2** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF COSMETOLOGY AND BARBERING, AND COMPLAINTS REGARDING NAIL SALONS. Sponsor: Representatives Wagner & Scott & Senator Blevins; Representatives Stone, Keeley, Houghton. To: **Natural Resources.**

The following amendments were introduced and placed with the bill on June 3, 1998:

**SA 1 to SB 290** - Sponsor: Senator McBride.

**SA 1 to HJR 19** - Sponsor: Senator Sokola.

The following legislation was introduced and assigned on June 3, 1998:

**HB 460 w/HA 1** - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO LEGAL HOLIDAYS. Sponsor: Representative Brady; Representatives Capano, Carey, Cathcart, Caulk, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Keeley, Mack, Plant, Price, Quillen, Schroeder, Scott, Van Sant, Wagner, West, Williams, Spence; Senators Bunting, Vaughn, Venables. To: **Executive.**

**HB 566** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MANDATORY TESTING AND COUNSELING OF PREGNANT WOMEN FOR HUMAN IMMUNODEFICIENCY VIRUS (HIV)

INFECTION. Sponsor: Representative Maier & Senator Blevins; Representatives Spence, Smith, Welch, Cloutier, Davis, D. Ennis, Fallon, Maroney, Reynolds, Ulbrich, Keeley, Price; Senators McDowell, Connor, Sorenson. To: **Health and Social Services**.

**HB 609 w/HA 1** - AN ACT TO AMEND CHAPTER 81, TITLE 10, DELAWARE CODE RELATING TO NUISANCE ACTIONS RESULTING FROM AGRICULTURAL OPERATIONS. Sponsor: Representative Caulk & Senator Bunting; Representatives Carey, Mack, Quillen, Price, Schroeder, West; Senators Adams, Bunting, Cook, Venables, Reed & Still. To: **Agriculture**.

The following letters of nominations from the Governor were assigned to the Executive Committee on June 3, 1998:

STATE OF DELAWARE  
Office of the Governor  
June 3, 1998

To the Senate of the 139th 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. Theodore W. Ryan**, 128 Lake Valley Road, Lake Valley Estates, Townsend, Delaware 19734, to be reappointed a Director of the Solid Waste Authority for a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 3, 1998

To the Senate of the 139th 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. Lowell L. Groundland**, 217 Dakota Avenue, Wilmington, Delaware 19803, to be appointed a member of the Industrial Accident Board for a six-year term, to replace Armand Cocco.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor

\* \* \*

Senator Sharp requested the privilege of the floor for Alan Sokolow, representing Council of State of Government.

The witness was excused after addressing the Senate.

**HB 515** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 515** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT.

Senator Still commented.

Senator Henry requested the privilege of the floor for David Dryden, representing Office of Narcotics and Dangerous Drugs, Health and Social Services.

The witness was excused after addressing the Senate.

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.

Senator Blevins was marked present during above roll call.

**HB 518** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 518** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO EMERGENCY AND DISASTER ASSISTANCE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 518** was declared passed the Senate and returned to the House.

**SB 330** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 330** - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO PROTECTION OF RECORDS.

**SA 1 to SB 330** was brought before the Senate for consideration on motion of Senator Vaughn.

Senators Bair and Amick commented.

Senator Vaughn requested the privilege of the floor for Thomas Gulledge, Deputy Warden, Delaware Correctional Center.

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

Senator Vaughn requested the privilege of the floor for Mr. Carl Danberg, representing the Department of Corrections.

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

A roll call vote was taken and revealed 13 Senators voting YES, 6 (Amick, Bair, Henry, Marshall, McDowell, Venables) NO, 1 (Still) NOT VOTING, 1 (McBride) ABSENT; therefore, **SA 1 to SB 330** was declared part of the bill.

**SB 330 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 11 Senators voting YES, 10 (Amick, Bair, Bunting, Henry, Marshall, McBride, McDowell, Sorenson, Still, Venables) NO; therefore, **SB 330 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 331** was stricken on motion of Senator Vaughn.

On motion of Senator Adams and without objection, the following nomination by the Governor was brought before the Senate for consideration.

**Brian J. Bushweller** - 21 Senators voting YES. Appointment confirmed.

Senator Adams requested the privilege of the floor for Brian Bushweller to make comments on his appointment.

The witness was excused after addressing the Senate.

**SB 332** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 332** - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO OUTSIDE EDUCATION OF INMATES.

Senator Vaughn requested the privilege of the floor for Thomas Gulledge, Deputy Warden, Delaware Correctional Center.

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

A roll call vote was taken and revealed 16 Senators voting YES, 2 (Henry, McDowell) NO, 3 (Bair, McBride, Venables) ABSENT; therefore, **SB 332** was declared passed the Senate and sent to the House for consideration.

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

**SB 333** - AN ACT TO AMEND CHAPTER 65, TITLE 11, DELAWARE CODE RELATING TO INMATE MEDICAL RECORDS.

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

**SA 2 to SB 333** was introduced and brought before the Senate for consideration on motion of Senator Vaughn.

Senator Vaughn requested the privilege of the floor for Thomas Gulledge, Deputy Warden, Delaware Correctional Center.

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

Senator Vaughn requested the privilege of the floor for Mr. Carl Danberg, representing Department of Corrections.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 6 Senators (Adams, Bonini, Cook, Reed, Sharp, Vaughn) voting YES, 14 NO, 1 (McBride) ABSENT; therefore, **SB 333 w/SA 2** was declared defeated.

**HB 517** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 517** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO ESTABLISHING THE DIVISION OF STATE SERVICE CENTERS AND AN ADVISORY COUNCIL ON STATE SERVICE CENTERS.

**SA 1 to HB 517** was introduced and brought before the Senate for consideration on motion of Senator Connor.

Senators Cook and Blevins commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT, therefore, **SA 1 to HB 517** was declared part of the bill.

**HB 517 w/SA 1** was now before the Senate.

Senator Amick commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 517 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HB 531 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 531 w/HA 1** - AN ACT TO AMEND CHAPTER 2 OF TITLE 16 OF THE DELAWARE CODE RELATING TO EARLY INTERVENTION SERVICES FOR INFANTS AND TODDLERS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 531 w/HA 1** was declared passed the Senate and returned to the House.

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

At 5:48 p.m. on motion of Senator Voshell, the Senate recessed until June 4, 1998 at 2:00 p.m.

The Senate reconvened at 2:04 p.m. on June 4, 1998 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 78; HCR 79; HCR 81; SCR 54; SCR 60; SCR 69.**

At 2:05 p.m. motion of Senator Voshell, the Senate adjourned to immediately convene for the 33rd Legislative Day.

### **33RD LEGISLATIVE DAY 139TH GENERAL ASSEMBLY 2ND SESSION JUNE 4, 1998**

The Senate convened at 2:05 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Still.

The Pledge of Allegiance to the Flag.

The roll call vote for attendance was taken and revealed:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell. No objections.

**SCR 72** was introduced and brought before the Senate for consideration on motion of Senator Reed.

**SCR 72** - COMMENDING THE 1997-98 EAGLE SCOUTS FOR HAVING ATTAINED THE HIGHEST RANK ONE CAN EARN 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 Reed & Senator Sorenson & Representative Ulbrich & Representative Maier.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Marshall, McDowell) ABSENT; therefore, **SCR 72** was declared adopted by the Senate and sent to the House for consideration.

Several Senators commented.

Senator Blevins marked present during above roll call.

**SCR 71** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

**SCR 71** - EXTENDING SINCERE THANKS TO THE VOCATIONAL STUDENT ORGANIZATIONS OF DELAWARE FOR THE PRESENTATION OF THE BEAUTIFUL GERANIUMS AND EXTENDING BEST WISHES FOR MUCH SUCCESS TO EACH OF THESE EXEMPLARY STUDENTS. Sponsor: Senators Sharp, Voshell, McDowell, Bair & Amick on behalf of All Senators; Representatives Spence, Smith, Welch, Gilligan & Van Sant on Behalf of All Representatives.

Senator Sharp requested the privilege of the floor for Terry Warren, Jamie Fiske Melissa Stevenson, Brian Keuski and Lisa Coverdale, representing Delaware FFA, BPA, DECA and VICA.

The witnesses were excused after addressing the Senate.

A roll call was taken and revealed 21 Senators voting YES; therefore, **SCR 71** was declared adopted by the Senate and sent to the House for consideration.

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

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

**SR 26** - CONGRATULATING OUR COLLEAGUE DR. MYRNA L. BAIR, SENATE MINORITY LEADER, UPON RECEIVING THE HONORARY DEGREE OF DOCTOR OF HUMANE LETTERS, AND CATHERINE "JACEY" BAIR ON EARNING THE B.S. DEGREE, BOTH CONFERRED BY THE BOARD OF TRUSTEES OF WILSON COLLEGE ON MAY 17, 1998. Sponsor: Senators Sorenson, Amick & Voshell on Behalf of All Senators.

Several Senators commented.

A roll call was taken and revealed 19 Senators voting YES, 2 (McBride, Sharp) ABSENT; therefore, **SR 26** was declared adopted by the Senate.

**HB 567** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 567** - AN ACT TO AMEND CHAPTER 26, TITLE 24, OF THE DELAWARE CODE RELATING TO PHYSICAL THERAPY.

A roll call was taken and revealed 20 Senators voting YES, 1 (Reed) ABSENT; therefore, **HB 567** was declared passed the Senate and returned to the House.

**HB 503** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

A roll call was taken and revealed 20 Senators voting YES, 1 (Reed) ABSENT; therefore, **HB 503** was declared passed the Senate and returned to the House.

**HB 428** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 428** - AN ACT TO AMEND CHAPTER 36, TITLE 24 OF THE DELAWARE CODE RELATING TO GEOLOGY AND TITLE 29 OF THE DELAWARE CODE.

**SA 1 to HB 428** was 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 HB 428** was declared part of the bill.

**HB 428 w/SA 1** was now before the Senate.

A roll call was taken and revealed 21 Senators voting YES; therefore, **HB 428 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

**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 20, TITLE 24 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL THERAPY. 2/3 VOTE

**SA 1 to HB 429** was stricken on motion of Senator Blevins.

A roll call was taken and revealed 21 Senators voting YES; therefore; **HB 429 w/HA 1** was declared passed the Senate and returned to the House.

Senator McDowell commented on Senator Blevins's eight-year tenure as Chair of the Senate Sunset Committee.

**HB 547** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 547** - AN ACT TO AMEND TITLE 13, DELAWARE CODE, RELATING TO MARRIAGE LICENSES.

Senator Sharp presiding at 2:58 p.m.

A roll call was taken and revealed 21 Senators voting YES; therefore, **HB 547 w/HA 1** was declared passed the Senate and returned to the House.



**HB 521 w/HA 1** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES. 2/3 VOTE

**SA 1 to HB 521** was introduced and brought before the Senate for consideration on motion of Senator Henry.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **SA 1 to HB 521** was declared part of the bill.

**HB 521 w/HA 1 & SA 1** was now before the Senate.

Senator McDowell commented.

Senator Henry requested the privilege of the floor for David Dryden, representing Office of Narcotics and Dangerous Drugs, Health and Social Services.

The witness was excused after addressing the Senate.

A roll call was taken and revealed 21 Senators voting YES; therefore, **HB 521 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HB 516** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 516** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE RULES OF THE ROAD.

Senator Reed commented.

Senator Henry requested the privilege of the floor for Jeff Clark, Senate Attorney.

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

Senator Amick commented.

Senator Henry requested the privilege of the floor for Jeff Clark, Senate Attorney.

The witness was excused after addressing the Senate.

Senator Henry requested **HB 516** be laid on the table. No objection.

**SB 345** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 345** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES.

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

The witness was excused after addressing the Senate.

A roll call was taken and revealed 21 Senators voting YES; therefore, **SB 345** was declared passed the Senate and sent to the House for consideration.

**HB 516** was lifted and brought before the Senate for consideration on motion of the floor manager, Senator Henry.

Senator Amick commented.

Senator Henry requested the privilege of the floor for Jeff Taschner, representing the Department of Public Safety.

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

A roll call was taken and revealed 5 Senators (Bair, Blevins, Henry, Sokola, Voshell) voting YES, 15 NO, 1 (Amick) NOT VOTING; therefore, **HB 516** was declared defeated in the Senate.

**HB 442 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

**HB 442 w/HA 1 & 2** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF COSMETOLOGY AND BARBERING, AND COMPLAINTS REGARDING NAIL SALONS.

Senator McDowell commented.

A roll call was taken and revealed 21 Senators voting YES; therefore, **HB 442 w/HA 1 & 2** was declared passed the Senate and returned to the House.

**SB 98 w/SA 1 aab SA 1** was lifted and brought before the Senate for consideration on motion of Senator McBride.

**SB 98 w/SA 1 aab SA 1** - AN ACT TO AMEND CHAPTER 70, TITLE 7 OF THE DELAWARE CODE RELATING TO THE COASTAL ZONE ACT.

**SA 2 to SB 98** was introduced and brought before the Senate for consideration on motion of Senator McBride.

Several Senators commented.

A roll call vote was taken and revealed 11 Senators voting YES, 10 (Adams, Bair, Bunting, Cook, Marshall, McDowell, Reed, Still, Vaughn, Venables) NO; therefore, **SA 2 to SB 98** was declared part of the bill.

**SA 3 to SB 98** was introduced and brought before the Senate for consideration on motion of Senator Venables.

Senator Bair requested the privilege of the floor for Pasquale Canzano, representing Delaware Solid Waste Authority.

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

Senator Bunting commented.

A roll call vote was taken and revealed 10 Senators (Adams, Bair, Bunting, Cook, Marshall, McDowell, Reed, Still, Vaughn, Venables) voting YES, 11 NO; therefore, **SA 3 to SB 98** was declared defeated.

**SB 98 w/SA 1 aab SA 1 & SA 2** was now before the Senate.

A roll call vote was taken and revealed 12 Senators voting YES, 9 (Adams, Bair, Bunting, Cook, McDowell, Reed, Still, Vaughn, Venables) NO; therefore, **SB 98 w/SA 1 aab SA 1 & SA 2** was declared passed the Senate and sent to the House for consideration.

At 4:50 p.m. on motion of Senator Voshell, the Senate recessed for Party Caucus.

The Senate reconvened at 5:40 p.m. with Senator Sharp presiding.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
June 4, 1998**

The following amendments were introduced and placed with the bill on June 3, 1998:

**SA 2 to SB 265** - Sponsor: Senator McBride.

**SA 1 to SB 299** - Sponsor: Senator McBride.

The following legislation was introduced and assigned on June 3, 1998:

**SB 365** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MINIMUM STAFFING LEVELS FOR NURSING FACILITIES. Sponsor: Senator Marshall, Senator Blevins, Representatives Maier, Lofink, Scott; Senators McDowell & Connor; Representative Spence. To: **Health and Social Services**.

**SS 1 to SB 274** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO SHIPMENT OF ALCOHOLIC LIQUORS. Sponsor: Senator Sorenson & Representative Cloutier, Senators Adams, Bair, Blevins, Bonini, Bunting, Still, Venables; Representatives Capano, DiPinto, Quillen, Price, Smith. To: **Adopted in Lieu of the Original - Administrative Services**.

\* \* \*

**SENATE CONSENT CALENDAR #16**, was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**HCR 75** - HONORING THE CELEBRATION OF ISRAEL'S 50TH YEAR OF INDEPENDENCE, AND DESIGNATING MAY 14, 1998, AS "ISRAEL INDEPENDENCE DAY" IN DELAWARE. Sponsor: Representative Spence on Behalf of all Members of the House & Senator Sokola on Behalf of all Members of the Senate

**HCR 79** - THANKING FLORENCE M. LEGATES FOR HER MANY YEARS OF DEDICATED SERVICE TO THE CITIZENS OF DELAWARE AND EXTENDING BEST WISHES TO HER AS SHE RETIRES FROM HER POSITION AS INSTRUCTOR AT THE DELAWARE STATE FIRE SCHOOL. Sponsor: Representatives B. Ennis, Welch; Senators Cook, Vaughn; on Behalf of All Representatives and Senators

**HCR 81** - COMMENDING THE BURN FOUNDATION ON ITS TWENTY-FIFTH ANNIVERSARY, AND EXTENDING TO IT BOUNTIFUL SUCCESS IN ITS FUTURE ENDEAVORS. Sponsor: Representative B. Ennis, Senator Vaughn

A roll call vote was taken on **SENATE CONSENT CALENDAR #16** and revealed 19 Senators voting YES, 2 (Bonini, Bunting) ABSENT; therefore, the **Senate Consent**

**Calendar** was declared adopted by the Senate. The House Concurrent Resolutions were returned to the House.

Senator McBride requested **HB 516** be reconsidered. No objection.

Senator Henry requested the roll call vote be rescinded on **HB 516**.

Senator McBride requested **HB 516** be laid on the table. No objection.

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

At 5:48 p.m. on motion of Senator Voshell, the Senate recessed until June 9, 1998 at 2:00 p.m.

The Senate reconvened at 2:57 p.m. on June 9, 1998 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Finance: **HB 525 w/HA 1 & 2** - 4 Merits.

From Health and Social Services: **SB 354** - 3 Merits; **HB 559** - 3 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 573 w/HA 1; HB 558 w/HA 1 & 2; HS 1 for HB 407; HCR 80; SB 286; HB 565; HB 605; HB 522 w/HA 1; HS 1 for HB 570 w/HA 1 & 2; SCR 72; SCR 71.**

At 3:00 p.m. motion of Senator Voshell, the Senate adjourned to immediately convene for the 34th Legislative Day.

**34TH LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
JUNE 9, 1998**

The Senate convened at 3:00 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Reed.

The Pledge of Allegiance to the Flag.

The roll call vote for attendance was taken and revealed:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell. No objections.

**HB 525 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HB 525 w/HA 1 & 2** - AN ACT TO AMEND TITLES 9, 22 AND 30 RELATING TO THE TAXATION OF REAL PROPERTY AND THE USES OF THE PROCEEDS THEREFROM. 2/3 VOTE

**SA 1 to HB 525**, 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 Robert Stickles, Sussex County Council.

Senator Cook questioned the witness.

Senator Marshall marked present.

The witness was excused.

Senator Marshall commented.

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

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

Senator Sharp commented.

**SA 1 to HB 525** was laid on the table on motion of Senator Bair.

**SA 2 to HB 525** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

Several Senators commented.

A roll call vote was taken and revealed 6 Senators (Blevins, McBride, Sharp, Vaughn, Venables, Voshell) voting YES, 14 NO, 1 (McDowell) NOT VOTING; therefore, **SA 2 to HB 525** was declared defeated.

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

**SA 3 to HB 525** was introduced and brought before the Senate for consideration on motion of Senator Amick.

Senator Marshall commented.

Senator McDowell 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 18 Senators voting YES, 2 (Sharp, Vaughn) NO, 1 (Still) NOT VOTING; therefore, **SA 3 to HB 525** was declared part of the bill.

**SA 4 to HB 525** was introduced and brought before the Senate for consideration on motion of Senator Marshall.

Senator Marshall requested the bill be laid on the table. No objection.

**SA 5 to HB 525** was introduced and brought before the Senate for consideration on motion of Senator Bair.

Senators Bunting and Cook commented.

A roll call vote was taken and revealed 6 Senators (Amick, Bair, Connor, Reed, Sorenson, Still) voting YES, 15 NO; therefore, **SA 5 to HB 525** was declared defeated. At 4:00 p.m. on motion of Senator Voshell, the Senate recessed for Party Caucus.

The Senate reconvened at 4:45 p.m. with Lt. Governor Minner presiding.

**HB 525 w/HA 1, 2 & SA 3** was laid on the table on motion of Senator Cook.

**HB 525 w/HA 1, 2 & SA 3** was lifted from the table on motion of Senator Cook.

**SA 6 to HB 525** was introduced and brought before the Senate for consideration on motion of Senator Marshall.

Senator Bair commented.

Senator Marshall requested the privilege of the floor for John Carney, Secretary of Finance.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 12 Senators voting YES, 8 (Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still) NO, 1 (Vaughn) NOT VOTING; therefore, **SA 6 to HB 525** was declared part of the bill.

**SA 7 to HB 525** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

Several Senators commented.

A roll call vote was taken and revealed 12 Senators voting YES, 9 (Amick, Bair, Bonini, Connor, Cook, Hauge, Reed, Sorenson, Still) NO; therefore, **SA 7 to HB 525** was declared part of the bill.

**HB 525 w/HA 1 & 2, w/SA 3, 6 & 7** was now before the Senate.

A roll call vote was taken and revealed 13 Senators voting YES, 8 (Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still) NO; therefore, **HB 525 w/HA 1 & 2, w/SA 3, 6 & 7** was declared defeated.

**SB 290** was brought before the Senate for consideration on motion of Senator McBride.

**SB 290 - AN ACT TO AMEND CHAPTERS 21 AND 22 OF TITLE 23 OF THE DELAWARE CODE RELATING TO THE OPERATION OF MOTORBOATS AND PERSONAL WATERCRAFT. 2/3 VOTE**

**SA 1 to SB 290** was brought before the Senate for consideration on motion of Senator McBride.

A roll call vote was taken and revealed 16 Senators voting YES, 5 (Bonini, Hauge, McDowell, Still, Venables) NO; therefore, **SA 1 to SB 290** was declared part of the bill.

**SB 290 w/SA 1** was now before the Senate.

Several Senators commented.

Senator McBride requested the privilege of the floor for James Greybeal, representing DNREC.

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

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

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

Senator McDowell commented.

Senator McBride requested the privilege of the floor for James Graybeal, representing DNREC.

The witness was excused after addressing the Senate.

**SB 290 w/SA 1** was laid on the table on motion of Senator McBride. No objection.

**SS 1 for SB 250** was brought before the Senate for consideration on motion of Senator Sokola.

**SS 1 for SB 250 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC EDUCATION.**

**SA 1 to SS 1 for SB 250** was brought before the Senate for consideration on motion of Senator Still.

Several Senators commented.

A roll call vote was taken and revealed 5 Senators (Bonini, Connor, Reed, Sorenson, Still) voting YES, 14 NO, 2 (Amick, Bair) NOT VOTING; therefore, **SA 1 to SS 1 for SB 250** was declared defeated.

A roll call vote was taken and revealed 21 Senators voting YES, therefore, **SS 1 for SB 250** was declared passed the Senate.

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

**SB 230** and **SB 292** were stricken on motion of Senator Sharp.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
June 9, 1998**

The following legislation was introduced and assigned on June 4, 1998:

**SS 1 for SB 220** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE INSURANCE GUARANTY ACT. Sponsor: Senator Vaughn. To: **Adopted in Lieu of Original - Insurance and Elections.**

**SB 366** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ADMINISTRATION OF THE LOTTERY. Sponsor: Senator Bair, Senator Voshell; Representative Gilligan, Smith. To: **Administrative Services.**

**SB 367** - AN ACT TO AMEND CHAPTER 51, TITLE 24, OF THE DELAWARE CODE RELATING TO THE BOARD OF COSMETOLOGY AND BARBERING, ITS COMPOSITION, PROCEDURES, RULES AND REGULATIONS AND OTHER ISSUES RELATED TO COSMETOLOGY, BARBERING, NAIL TECHNOLOGY AND ELECTROLOGY. Sponsor: Senator McBride & Representative Wagner; Senators Blevins, Henry, Bair, Connor, Reed, Sorenson; Representatives DiPinto, Stone, Keeley, Price. To: **Natural Resources.**

**SB 368** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE INCLUSION OF SERVICE IN THE MILITARY AS CREDITED SERVICE FOR PENSION PURPOSES. Sponsor: Senators Bonini & Vaughn, Senators Connor, Hauge, Still, Amick, Sorenson, Reed, McBride, Bunting, Voshell, Sokola, Blevins, Venables; Representatives Houghton, Cathcart, Oberle, Van Sant, Maroney, Wagner, Welch, Stone, DiPinto, Stone, Lee, Buckworth, B. Ennis, D. Ennis, Caulk, Fallon, Ewing, Spence. To: **Finance.**

**SB 369** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DENTISTRY AND DENTAL HYGIENE. Sponsor: Senator Blevins & Representative Smith. To: **Health and Social Services.**

**SB 370** - AN ACT TO AMEND CHAPTER 17, TITLE 7, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A RETAIL DOG DEALER LICENSE; THE HUMANE HANDLING, CARE AND TREATMENT OF DOGS; AND GENERALLY RELATING TO DOGS. 3/5 VOTE. Sponsor: Senators Blevins, Reed; Representative Ulbrich. To: **Agriculture.**

**SB 371** - AN ACT TO AMEND TITLE 12, DELAWARE CODE, RELATING TO QUALIFIED DISPOSITIONS IN TRUST. Sponsor: Senator Adams & Representative D. Ennis; Senators Sokola, Sharp & Sorenson; Representatives Stone, Capano, DiPinto, Fallon, Brady, Houghton, Keeley & Scott. To: **Judiciary Reassigned to Banking.**

**SB 372** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE TRAPPING OF ANIMALS AND THE HUNTING OF RACCOONS AND OPOSSUMS. Sponsor: Senator Vaughn. To: **Agriculture.**

The following amendments was introduced and placed with the bill on June 9, 1998:

**SA 1 to HB 525** - Sponsor: Senator Bair.

The following legislation was introduced and assigned on June 9, 1998:

**HS 1 for HB 407** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. 2/3 VOTE. Sponsor: Representative DiLiberto; Representatives B. Ennis, Plant, Price, Smith, Van Sant, Welch, Spence; Senator Sharp. To: **Administrative Services**.

**HB 522 w/HA 1** - AN ACT TO AMEND TITLE 13 AND TITLE 16 OF THE DELAWARE CODE RELATING TO ADOPTEES' ACCESS TO CERTAIN INFORMATION. Sponsor: Representatives Caulk & Maier & Welch & Senator Connor; Representatives Spence, Smith, Buckworth, Capano, Carey, Cathcart, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Oberle, Petrilli, Reynolds, Roy, Gilligan, Van Sant, Brady, B. Ennis, Plant, Schroeder, West; Senators Bonini, Connor, Hauge. To: **Health and Social Services**.

**HB 558 w/HA 1 & 2** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO A HEARSAY EXCEPTION FOR INFIRM ADULTS AND PATIENTS AND RESIDENTS OF NURSING HOMES AND RELATED FACILITIES. Sponsor: Representative Maier, Senator Marshall, Senator Blevins, Representatives Lofink, Scott; Senators McDowell & Connor; Representative Spence. To: **Health and Social Services**.

**HB 565** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE OFFENSE OF RECKLESS ENDANGERING. 2/3 VOTE. Sponsor: Representative Williams; Representatives Brady, Buckworth, Cloutier, DiPinto, B. Ennis, D. Ennis, Ewing, Gilligan, Houghton, Keeley, Lofink, Maier, Plant, Van Sant, West, Spence; Senators Marshall, McDowell. To: **Public Safety**.

**HS 1 for HB 570 w/HA 1** - AN ACT AMENDING THE PROVISIONS OF TITLES 22 AND 26 OF THE DELAWARE CODE RELATING TO THE RESTRUCTURING AND REGULATION OF PUBLIC UTILITIES SUPPLYING ELECTRICITY TO RETAIL CUSTOMERS IN THE STATE. Sponsor: Representatives Roy & Petrilli & Senator Adams; Representatives Capano, Carey, Mack, Stone, B. Ennis, Schroeder; Senators Vaughn, Voshell, Venables, Connor, Still. To: **Energy**.

**HB 573 w/HA 1** - AN ACT TO AMEND SECTION 2118 OF TITLE 21 OF THE DELAWARE CODE RELATING TO PROOF OF MOTOR VEHICLE INSURANCE FOR OUT-OF-STATE VEHICLES. Sponsor: Representative Wagner. To: **Insurance**.

**HB 605** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES. Sponsor: Representative Capano & Senator Cook. To: **Finance**.

**HCR 78** - RECOGNIZING AND MEMORIALIZING THE TEN COMMANDMENTS AS THE MORAL UNDERPINNING OF OUR STATE GOVERNMENT, ITS LAW AND OUR AUTHORITY AS REPRESENTATIVES OF THE PEOPLE OF DELAWARE. Sponsor: Representative Ewing & Senator Venables; Representatives Spence, Welch, Buckworth, Caulk, Davis, Fallon, Lee, Lofink, Brady, B. Ennis, Plant, Price, West. To: **Laid on Table**.

**HCR 80** - A RESOLUTION TO ESTABLISH AS PART OF THE GRANT-IN-AID PROGRAM THE VOLUNTEER FIRE COMPANY INSURANCE REBATE EQUALIZATION FUND. Sponsor: Representatives Lee, Davis, B. Ennis & Senator Cook; Representatives Spence, Smith, Welch, Boulden, Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Stone, Ulbrich, Wagner, Gilligan, Van Sant, Brady, DiLiberto, Houghton, Keeley, Plant, Price, Schroeder, Scott, West, Williams; Senators Sharp, Voshell, McDowell, Adams, Blevins, Bunting, Henry, Marshall, McBride, Sokola, Vaughn, Venables, Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson, Still. To: **Finance**.

\* \* \*

**SB 8** and **SB 92** were stricken on motion of Senator Voshell.

The Secretary announced the agenda for June 10, 1998.  
 At 6:01 p.m. on motion of Senator Voshell, the Senate recessed until June 10, 1998 at 4:00 p.m.  
 The Senate reconvened at 4:05 p.m. June 10, 1998 with Senator Sharp presiding.  
 The Secretary announced a message from the House informing the Senate that it had passed **HS 1 for HB 234; HB 580 w/HA 2 aab HA 1; SB 156 w/SA 1.**  
 The following committee reports were announced:  
 From Judiciary: **SB 310** - 3 Merits; **SB 311** - 3 Merits; **SB 312** - 3 Merits; **SB 348** - 3 Merits; **SB 353** - 3 Merits; **SB 355** - 3 Merits; **SB 356** - 3 Merits; **SB 363** - 3 Merits; **SB 364** - 3 Merits; **SB 320** - 3 Merits; **HB 131** - 3 Merits; **HB 134** - 3 Merits; **HB 135** - 3 Merits; **HB 258** - 3 Merits; **HB 280 w/HA 1** - 3 Merits; **HB 291** - 3 Merits; **HB 344** - 3 Merits; **HB 430** - 3 Merits; **HB 453** - 3 Merits; **HB 464** - 3 Merits; **HB 543** - 3 Merits.  
 Lt. Governor Minner presiding at 4:08 p.m.  
 From Natural Resources: **SB 367** - 3 Merits.  
 From Administrative Services: **SB 352** - 4 Merits.  
 From Banking: **SB 371** - 4 Merits.  
 From Agriculture: **HB 609** - 4 Merits, **SB 370** - 5 Merits, **SB 372** - 5 Merits.  
 From Corrections: **HB 219** - 1 Favorable, 3 Unfavorable.  
 From Insurance and Elections: **SS 1 for SB 220** - 4 Merits, **HB 544** - 4 Merits, **HB 573** - 4 Merits, **HB 527** - 4 Merits, **HB 437** - 4 Merits.  
 At 4:10 p.m. motion of Senator Voshell, the Senate adjourned to immediately convene for the 35th Legislative Day.

**35TH LEGISLATIVE DAY  
 139TH GENERAL ASSEMBLY  
 2ND SESSION  
 JUNE 10, 1998**

The Senate convened at 4:10 p.m. with Lt. Governor Minner presiding.  
 A prayer was offered by Senator Adams.  
 The Pledge of Allegiance to the Flag.  
 The roll call vote for attendance was taken and revealed:  
**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell.  
 No objections.  
 On motion of Senator Voshell, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
 PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
 READ TO THE SENATE RECORD  
 June 10, 1998**

The following amendments were introduced and placed with the bill on June 9, 1998:

**SA 1 to SB 210** - Sponsor: Senator Sokola.  
**SA 2 to SB 210** - Sponsor: Senator Amick.  
**SA 1 to SB 359** - Sponsor: Senator Vaughn.  
**SA 1 to SB 365** - Sponsor: Senator Marshall.

The following legislation was introduced and assigned on June 10, 1998:

**SB 373** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO ARCHITECTURAL ACCESSIBILITY. Sponsor: Senators Bunting and Voshell; Representative Maier. To: **Judiciary.**  
**SB 374** - AN ACT TO AMEND TITLE 16, OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL BUILDING, PLUMBING, ELECTRICAL AND OTHER CODES. Sponsor: Senator McDowell, Cook,

Henry, Sokola & Connor; Representatives Carey, DiPinto, Maier & West. To:

**Administrative Services.**

**SB 375** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO BRAKE FLUIDS. Sponsor: Senator Bonini. To: **Public Safety.**

**SB 376** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF CARJACKING. Sponsor: Senator Marshall & Representative Wagner. To: **Public Safety.**

**SB 377** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO EMPLOYMENT SCREENING OF SUBSTITUTE TEACHERS. Sponsor: Senator Reed. To: **Finance.**

**SB 378** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO DENTISTRY AND DENTAL HYGIENE. Sponsor: Senator Blevins & Representative Smith. To: **Health and Social Services.**

**HS 1 for HB 234** - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO CONTROL OF THE RIGHTS-OF-WAY IN THE UNINCORPORATED AREAS OF THE STATE, INCLUDING THE CONTROL OF SIGNS AND OTHER COMMERCIAL ACTIVITIES WITHIN THE RIGHTS-OF-WAY. Sponsor: Representative Davis and Senator Sharp. To: **Highways and Transportation.**

**HB 580 w/HA 2 aab HA 1** - AN ACT TO AMEND TITLES 16 AND 21, DELAWARE CODE, RELATING TO ORGAN AND TISSUE PROCUREMENT, ALSO TO BE KNOWN AS THE GIFT OF LIFE INITIATIVE, AND CREATING A VOLUNTARY ORGAN AND TISSUE AWARENESS TRUST FUND. Sponsor: Representatives Buckworth & Maroney & Senator McBride; Representatives Spence, Carey, Cloutier, Ewing, Oberle, Lee, DiLiberto; Senators McDowell, Blevins, Bair, Bonini. To: **Health and Social Services.**

The following letter of nomination from the Governor were assigned to the **Executive** Committee on June 10, 1998:

STATE OF DELAWARE  
Office of the Governor  
June 9, 1998

To the Senate of the 139th 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: **The Honorable Darrell J. Minott**, 1009 Graylyn Road, Wilmington, Delaware 19803, to be appointed Director of the Delaware Economic Development Office to serve a term during the pleasure of the Governor.

Your consideration of this nomination is appreciated.

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

**SCR 74** was introduced and brought before the Senate for consideration on motion of Senator Bair.

**SCR 74** - COMMENDING THE EMPLOYEES OF THE DIVISION OF CHILD MENTAL HEALTH SERVICES AND ITS NETWORK OF SERVICE PROVIDERS FOR ATTAINING ACCREDITATION BY THE JOINT COMMISSION ON ACCREDITATION OF HEALTHCARE ORGANIZATIONS. Sponsor: Senator Bair, Blevins, McDowell & Representative Maroney; Senators Amick, Connor, Henry, Reed, Sorenson; Representatives Gilligan, Keeley, Maier, Price, Ulbrich.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SCR 74** was declared adopted by the Senate and sent to the House for consideration.



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

Senator Sokola requested his name be added to **SCR 74** as a co-sponsor. No objection.

**SB 210** was brought before the Senate for consideration on motion of Senator Sokola.

**SB 210** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO MAKE CERTAIN PROVISIONS OF TITLE 18 CONSISTENT WITH THE PROVISIONS OF 18 DEL. C. § 6854.

**SA 1 to SB 210** was brought before the Senate for consideration on motion of Senator Sokola.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore, **SA 1 to SB 210** was declared part of the bill.

**SA 2 to SB 210** was stricken on motion of Senator Amick.

**SB 210 w/SA 1** was now before the Senate.

Senator Still commented.

Senator Sokola requested the privilege of the floor for Melanie Sharp, representing Young, Conaway.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 210 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 344** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 344** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO ANNUAL FINANCIAL STATEMENTS FILED BY INSURERS.

Senator Vaughn requested the privilege of the floor for Jack Schreppler.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **SB 344** was declared passed the Senate and sent to the House for consideration.

**SS 1 for SB 277** was brought before the Senate for consideration on motion of Senator Vaughn.

**SS 1 for SB 277** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 6 OF THE DELAWARE CONSTITUTION OF 1897 RELATING TO CERTIFICATES OF ELECTION AND BALLOTS. 2/3 VOTE

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Sharp, Venables) ABSENT; therefore, **SS 1 for SB 277** was declared passed the Senate and sent to the House for consideration.

**SB 327** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 327** - AN ACT TO AMEND TITLE 23 OF THE DELAWARE CODE RELATING TO SILVER LAKE IN NEW CASTLE COUNTY.

Senator Still commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SB 327** 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 Vaughn.

**SB 359** - AN ACT TO AMEND CHAPTER 17 OF TITLE 18 OF THE DELAWARE CODE RELATING TO THE LICENSING OF INSURANCE AGENTS.

**SA 1 to SB 359** 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 SB 359** was declared part of the bill.

**SB 359 w/SA 1** was now before the Senate.

Senator Still commented.

Senator Vaughn requested the privilege of the floor for Jacqueline F. Brown, representing DE Insurance Department.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 359 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 360** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 360** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE, RELATING TO AGENTS, BROKERS, CONSULTANTS AND ADJUSTERS.

Senator Still commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore, **SB 360** was declared passed the Senate and sent to the House for consideration.

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

**SB 361** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE, RELATING TO FEES AND TAXES.

Senator Still commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **SB 361** was declared passed the Senate and sent to the House for consideration.

**SCR 75** was introduced and brought before the Senate for consideration on motion of Senator Marshall.

**SCR 75** - RECOGNIZING THE VITAL ROLE THAT CERTIFIED NURSING ASSISTANTS PLAY IN PROVIDING HEALTH CARE SERVICES, AND ENCOURAGING EMPLOYERS TO RECRUIT, RETAIN AND REWARD CERTIFIED NURSING ASSISTANTS FOR THEIR QUALITY CARE. Sponsor: Senator Marshall & Representative Maier; Senators Blevins, McDowell & Connor; Representatives Lofink, Spence & Scott.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 75** was declared adopted by the Senate and sent to the House for consideration.

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

**SB 354** - AN ACT TO AMEND TITLE 24 REGARDING NURSING.

Several Senators commented.

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

**HB 559** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 559** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO REPORTING OF ABUSE OR NEGLECT IN NURSING HOMES AND SIMILAR FACILITIES. 2/3 VOTE

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 559** was declared passed the Senate and returned to the House.

**SB 371** was brought before the Senate for consideration on motion of Senator Sokola.

**SB 371** - AN ACT TO AMEND TITLE 12, DELAWARE CODE, RELATING TO QUALIFIED DISPOSITIONS IN TRUST.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 371** was declared passed the Senate and sent to the House for consideration.

**HJR 19 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HJR 19 w/HA 1 & 2** - ESTABLISHING THE PUBLIC SCHOOL TRANSPORTATION TASK FORCE TO REVIEW AND MAKE RECOMMENDATIONS REGARDING GOVERNING PUBLIC SCHOOL TRANSPORTATION.

**SA 1 to HJR 19** 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 HJR 19** was declared part of the bill.

**HJR 19 w/HA 1 & 2 w/SA 1** was laid on the table on motion of Senator Sokola.

**SB 367** was brought before the Senate for consideration on motion of Senator McBride.

**SB 367** - AN ACT TO AMEND CHAPTER 51, TITLE 24, OF THE DELAWARE CODE RELATING TO THE BOARD OF COSMETOLOGY AND BARBERING, ITS COMPOSITION, PROCEDURES, RULES AND REGULATIONS AND OTHER ISSUES RELATED TO COSMETOLOGY, BARBERING, NAIL TECHNOLOGY AND ELECTROLOGY.

Several Senators commented.

Senator McBride requested the privilege of the floor for Kevin Charles, representing DE Division of Public Health.

Senator McDowell questioned the witness, after which the witness was excused.  
Senator McBride moved to lay **SB 367** on the table. No objection.

**SB 260** was brought before the Senate for consideration on motion of Senator McBride.

**SB 260** - AN ACT TO AMEND TITLE 24, DELAWARE CODE RELATING TO THE POWER OF THE BOARD OF COSMETOLOGY AND BARBERING TO BAN THE USE OF DANGEROUS CHEMICALS BY LICENSEES UNDER ITS REGULATION.

**SA 1 to SB 260** was brought before the Senate for consideration on motion of Senator McBride.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Adams) NO, 1 (Sharp) ABSENT; therefore, **SA 1 to SB 260** was declared part of the bill.

**SB 260 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Adams) NO; therefore, **SB 260 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 265** was brought before the Senate for consideration on motion of Senator McBride.

**SB 265** - AN ACT TO AMEND CHAPTER 51, TITLE 24 DELAWARE CODE RELATING TO REQUIREMENTS FOR CERTIFICATION OF A NAIL TECHNICIAN.

**SA 1 to SB 265** was brought before the Senate for consideration on motion of Senator McBride.

**SA 1 to SB 265** was laid on the table on motion of Senator McBride.

**SA 2 to SB 265** was brought before the Senate for consideration on motion of Senator McBride.

Senator Bunting commented.

**SA 2 to SB 265** and **SB 265** was laid on the table on motion of Senator McBride.  
Additions to the agenda, committee and other legislative meetings were announced.

The Secretary announced the agenda for June 11, 1998.

At 5:53 p.m. on motion of Senator Voshell, the Senate recessed until June 11 1998 at 2:00 p.m.

The Senate reconvened at 2:08 p.m. June 11, 1998 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 84; HCR 85; SCR 74.**

The following committee reports were announced:

From Health and Social Services: **SB 378** - 4 Merits; **HB 281** - 4 Merits; **HB 558 w/HA 1 & 2** - 4 Merits.

From Public Safety: **HB 176 w/HA 1** - 4 Merits; **HB 215 w/HA 2** - 4 Merits; **HB 529 w/HA 1** - 4 Merits; **HB 565** - 4 Merits; **HB 569** - 4 Merits.

From Children, Youth and their Families: **HB 378 w/HA 1** - 3 Merits.

From Administrative Services: **HB 545** - 4 Merits.

At 2:10 p.m. motion of Senator Voshell, the Senate adjourned to immediately convene for the 36th Legislative Day.

**36TH LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
JUNE 11, 1998**

The Senate convened at 2:10 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Marshall.

The Pledge of Allegiance to the Flag.

The roll call vote for attendance was taken and revealed:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell.  
No objections.

**SB 348** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 348** - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF THE DELAWARE CAREPLAN TRUST ACT.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bonini, Henry) ABSENT; therefore, **SB 348** was declared passed the Senate and sent to the House for consideration.

**SB 367** was lifted from the table and brought before the Senate for consideration on motion of Senator McBride.

**SB 367** - AN ACT TO AMEND CHAPTER 51, TITLE 24, OF THE DELAWARE CODE RELATING TO THE BOARD OF COSMETOLOGY AND BARBERING, ITS COMPOSITION, PROCEDURES, RULES AND REGULATIONS AND OTHER ISSUES RELATED TO COSMETOLOGY, BARBERING, NAIL TECHNOLOGY AND ELECTROLOGY.

**SA 1 to SB 367** was introduced and brought before the Senate for consideration on motion of Senator McBride.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bonini, Henry) ABSENT; therefore, **SA 1 to SB 367** was declared part of the bill.

**SB 367 w/SA 1** was now before the Senate.

Senators McDowell and Still commented.

A roll call vote was taken and revealed 14 Senators voting YES, 5 (Adams, McDowell, Still, Vaughn, Venables) NO, 2 (Bonini, Henry) ABSENT; therefore, **SB 367 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 311** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 311** - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. 2/3 VOTE

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Bonini, Henry, Venables) ABSENT; therefore, **SB 311** was declared passed the Senate and sent to the House for consideration.

**SB 312** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 312** - AN ACT TO AMEND AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. 3/5 VOTE

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Bonini, Henry, Venables) ABSENT; therefore, **SB 312** was declared passed the Senate and sent to the House for consideration.

**SB 320** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 320** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES. 3/5 VOTE

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Henry, Venables) ABSENT; therefore, **SB 320** was declared passed the Senate and sent to the House for consideration.

Senator Bonini was marked present during the above roll call.

**SB 299** was brought before the Senate for consideration on motion of Senator McBride.

**SB 299** - AN ACT TO AMEND CHAPTER 51, TITLE 24, DELAWARE CODE RELATING TO QUALIFICATIONS OF AESTHETICIANS.

**SA 1 to SB 299** was brought before the Senate for consideration on motion of Senator McBride.

**SA 1 to SB 299** was laid on the table on motion of Senator McBride.

**SA 2 to SB 299** was introduced and brought before the Senate for consideration on motion of Senator McBride.

Senator McBride requested the privilege of the floor for Gina Marselli, representing Delaware Manicurists Alliance.

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

Senator McBride requested the privilege of the floor for Mary Ann Kelly, Senate Attorney.

The witness was excused after addressing the Senate.

Senator Bunting commented.

**SA 2 to SB 299** and **SB 299** were laid on the table on motion of Senator McBride.  
No objection.

At 2:55 p.m. on motion of Senator Voshell, the Senate recessed for the swearing in Ceremony for the new Public Safety Secretary, Brain Bushweller.

At 3:29 p.m. the Senate reconvened with Lt. Governor Minner presiding.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
June 11, 1998**

The following amendments were introduced and placed with the bill on June 10, 1998:

**SA 1 to HB 211** - Sponsor: Senators Blevins & Amick.

**SA 1 to HS 1 for HB 570** - Sponsor: Senator Voshell.

The following amendments were introduced and placed with the bill on June 11, 1998:

**SA 1 to SB 363** - Sponsor: Senator Voshell.

The following legislation was introduced and assigned on June 11, 1998:

**SS 1 for SB 194** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE CONTRACTS. Sponsor: Senator Blevins. To: **Adopted in Lieu of the Original.**

**SB 379** - AN ACT TO AMEND AN ACT ENTITLED AN ACT TO REINCORPORATE THE TOWN OF ELSMERE AS FOUND IN 68 DELAWARE LAWS CHAPTER 3 AS AMENDED REGARDING THE MAYOR, THE TREASURER AND INDEPENDENT ANNUAL AUDIT. Sponsor: Senator Blevins. To: **Community/County Affairs.**

**SB 380** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE TO AUTHORIZE THE DELAWARE HEALTH PROGRAM. Sponsor: Senator Blevins; Representatives Maroney & Maier; Senators Henry, McBride & Sorenson; Representatives Davis, Fallon & Roy. To: **Health and Social Services.**

**SB 381** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO LIFE GUARDS. Sponsor: Senator Voshell. To: **Public Safety.**

**SB 382** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS. Sponsor: Senator Sokola & Representative Reynolds; Senator Voshell, Bair, Still, & Bonini; Representatives Cathcart, DiPinto, Wagner, Stone, Carey, Welch, Maroney, Boulden, Quillen, Maier, Lee, Fallon, Buckworth, Ulbrich, Capano, Davis, Mack, Petrilli, Roy, Caulk & D. Ennis. To: **Education.**

**SB 383** - AN ACT TO AMEND CHAPTER 17 OF TITLE 7 OF THE DELAWARE CODE RELATING TO DOG AND KENNEL LICENSES. 3/5 VOTE. Sponsor: Senator Venables, Henry, McDowell, Voshell, Amick, Bonini, Connor, Reed & Still; Representatives Maier & Ulbrich. To: **Agriculture.**

**SB 384** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES. 2/3 VOTE. Sponsor: Senator Blevins & Connor; Representative Maier; Senators Cook, Henry, Marshall, Voshell and Amick; Representative Capano. To: **Public Safety.**

**SB 385** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF SOUTH BETHANY, CHAPTER 268, VOLUME 69, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF SOUTH BETHANY" TO MODIFY THE AUTHORITY OF THE TOWN COUNCIL TO COMPEL CONNECTION TO THE WATER SYSTEM OF THE

TOWN, SAID PROVISION TO BE SUBJECTED TO A PUBLIC REFERENDUM EXCEPT IN EMERGENCY. 2/3 VOTE. Sponsor: Senator Bunting & Representative Price. To: Community/County Affairs.

\* \* \*

**SB 299** was lifted from the table and brought before the Senate for consideration on motion of Senator McBride.

**SA 2 to SB 299** was lifted from the table and brought before the Senate for consideration on motion of Senator McBride.

Senator McBride requested the privilege for the floor for Mary Ann Kelly, Senate Attorney.

The witness was excused after addressing the Senate.

Senator Still commented.

Senator McBride requested the privilege for the floor for Christine Donkin, representing the Public.

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

Senator McBride requested the privilege for the floor for Robin Casula, representing Delaware Manicurists Alliance.

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

Senator McBride requested the privilege for the floor for Mary Ann Kelly, Senate Attorney.

The witness was excused after addressing the Senate.

Senators Reed, Sokola and Venables commented.

A roll call vote was taken and revealed 6 Senators (Amick, Connor, Marshall, McBride, Sharp, Sorenson) voting YES, 14 NO, 1 (Henry) ABSENT; therefore, **SA 2 to SB 299** was declared defeated.

**SB 299** was now before the Senate.

A roll call vote was taken and revealed 6 Senators (Amick, Connor, Marshall, McBride, Sharp, Sorenson) voting YES, 13 NO, 2 (Henry, McDowell) ABSENT; therefore, **SB 299** was declared defeated.

**SB 265** was lifted from the table and brought before the Senate for consideration on motion of Senator McBride.

**SB 265** - AN ACT TO AMEND CHAPTER 51, TITLE 24 DELAWARE CODE RELATING TO REQUIREMENTS FOR CERTIFICATION OF A NAIL TECHNICIAN.

**SA 1 to SB 265** was lifted from the table and then laid back on the table on motion of Senator McBride.

**SA 2 to SB 265** was lifted from the table and brought before the Senate for consideration on motion of Senator McBride.

Senator McBride requested the privilege of the floor for Gina Marselli, representing Delaware Manicurists Alliance.

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

Senator Still requested the privilege of the floor for Christine Donkin.

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

**SA 2 to SB 265** and **SB 265** was laid on the table on motion of Senator McBride. No objection.

Senator Voshell introduced members of Boy's State.

**SB 266** was brought before the Senate for consideration on motion of Senator McBride.

**SB 266** - AN ACT TO AMEND CHAPTER 51, TITLE 24, DELAWARE CODE RELATING TO LICENSE RECIPROCITY FOR COSMETOLOGISTS, BARBERS, NAIL TECHNICIANS AND ELECTROLOGISTS.

Senator McBride requested the privilege of the floor for Gina Marselli, representing Delaware Manicurists Alliance.

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

A roll call vote was taken and revealed 10 Senators (Blevins, Bunting, Connor, Cook, Marshall, McBride, Sharp, Sorenson, Venables, Voshell) voting YES, 10 (Adams, Amick, Bair, Bonini, Hauge, McDowell, Reed, Sokola, Still, Vaughn) NO, 1 (Henry)

ABSENT; which meant the Lt. Governor had to cast her vote, which revealed YES; therefore, **SB 266** 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 Voshell.

**SB 363** - AN ACT PROPOSING AN AMENDMENT TO THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO MAKING THE CONSTITUTION GENDER NEUTRAL. 2/3 VOTE

**SA 1 to SB 363**, 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 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SA 1 to SB 363** was declared part of the bill.

**SB 363 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Venables) NOT VOTING, 1 (Henry) ABSENT; therefore, **SB 363 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 378** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 378** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO DENTISTRY AND DENTAL HYGIENE.

**SA 1 to SB 378** was introduced and brought before the Senate for consideration on motion of Senator McDowell.

Several Senators commented.

**SA 1 to SB 378** was laid on the table on motion of Senator McDowell. No objection.

**SB 378** was now before the Senate.

Senators Bonini and Bunting commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SB 378** was declared passed the Senate and sent to the House for consideration.

**HB 486** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 486** - AN ACT TO AMEND CHAPTER 98, TITLE 16 OF THE DELAWARE CODE, RELATING TO INITIAL TRAINING OF PARAMEDICS EMPLOYED BY A COUNTY PURSUANT TO THIS CHAPTER.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **HB 486** was declared passed the Senate and returned to the House.

**SB 370** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 370** - AN ACT TO AMEND CHAPTER 17, TITLE 7, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A RETAIL DOG DEALER LICENSE; THE HUMANE HANDLING, CARE AND TREATMENT OF DOGS; AND GENERALLY RELATING TO DOGS. 3/5 VOTE

Senator Venables commented.

**SA 1 to SB 370** 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 (Henry) ABSENT; therefore, **SA 1 to SB 370** was declared part of the bill.

**SB 370 w/SA 1** was now before the Senate.

Senator Venables requested his name be added as a co-sponsor.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SB 370 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 352** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 352** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE HERITAGE COMMISSION.

**SA 1 to SB 352** was introduced and brought before the Senate for consideration on motion of Senator Cook.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Henry, McBride) ABSENT; therefore, **SA 1 to SB 352** was declared part of the bill.

**SB 352 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SB 352 w/SA 1** 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 Cook.  
**SB 353 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE**  
RELATING TO PENSION PLANS.

Senator Cook requested the privilege of the floor for David Craik, Office of Pensions.  
Senators Still and Voshell questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Bair, Henry, Sharp) ABSENT; therefore, **SB 353** was declared passed the Senate and sent to the House for consideration.

**SB 355** was brought before the Senate for consideration on motion of Senator Cook.  
**SB 355 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE**  
RELATED TO PENSIONS FOR MEMBERS OF THE STATE JUDICIARY.

Senators Still and Sokola commented.

Senator Cook requested the privilege of the floor again for David Craik, Office of Pensions.

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

A roll call vote was taken and revealed 16 Senators voting YES, 1 (McBride) NO, 4 (Bair, Blevins, Henry, Sharp) ABSENT; therefore, **SB 355** was declared passed the Senate and sent to the House for consideration.

**SB 356** was brought before the Senate for consideration on motion of Senator Cook.  
**SB 356 - AN ACT TO AMEND TITLES 11, 29 AND 16, DELAWARE CODE,**  
RELATING TO ATTACHMENT AND ASSIGNMENT OF PENSION PLAN BENEFITS.

Senator Still commented.

Senator Cook requested the privilege of the floor once again for David Craik, Office of Pensions.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 16 Senators voting YES, 5 (Bair, Blevins, Henry, Sharp, Venables) ABSENT; therefore, **SB 356** was declared passed the Senate and sent to the House for consideration.

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

**SB 329** was stricken on motion of Senator Vaughn.

**SENATE CONSENT CALENDAR #17**, was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**HCR 84 - URGING THE UNITED STATES POSTAL SERVICE TO ISSUE A COMMEMORATIVE POSTAGE STAMP TO HONOR THE UNITED STATES SUBMARINE FORCE ON ITS 100TH ANNIVERSARY.** Sponsor: Representative Welch & Senators Bunting

**HCR 85 - REQUESTING THE U.S. FISH AND WILDLIFE SERVICE TO MODIFY RESTRICTIONS GOVERNING THE HARVEST OF GREATER SNOW GEESE ON THE ATLANTIC FLYWAY.** Sponsor: Representatives Carey & Caulk & Quillen & Senators Venables & Voshell; Representative Lee; Senators Adams, Bunting, Bair.

A roll call vote was taken on **SENATE CONSENT CALENDAR #17** and revealed 17 Senators voting YES, 4 (Bair, Blevins, Henry, Venables) ABSENT; therefore, the **Senate Consent Calendar** was declared adopted by the Senate. The House Concurrent Resolutions were returned to the House.

The Secretary announced the agenda for June 16, 1998.

At 5:46 p.m. on motion of Senator Voshell, the Senate recessed until June 16 1998 at 2:00 p.m.

The Senate reconvened at 2:17 p.m. June 16, 1998 with Lt. Governor Minner presiding.

Senator Henry was marked present.

The following committee reports were announced:

From Highways and Transportation: **HS 1 for HB 234** - 2 Favorable, 2 Merits; **SB 380** - 3 Merits.

From Education: **SB 388** - 2 Favorable, 1 Merits.

From Finance: **SB 346** - 5 Merits; **HB 605** - 6 Merits.

From Administrative Services: **HB 227** - 4 Merits; **HB 314** - 4 Merits; **HB 373** - 4 Merits; **HS 1 for HB 407** - 4 Merits; **HB 596 w/HA 1** - 4 Merits; **HB 519 w/HA 1** - 4 Merits.



From Community/County Affairs: **HB 394** - 3 Merits; **SB 350** - 3 Merits; **SB 385** - 3 Merits; **SB 379** - 3 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 630 w/HA 1; HB 649 w/HA 1, 2 & 3; HB 577; HB 603; HB 617; HB 624; HB 628; HB 651; SB 243; SB 245; SB 301, SCR 55; HS 1 for HB 495 w/HA 1; HB 396; HB 533 w/HA 1, HB 512 w/HA 2; HB 535; HB 554; HB 576; HB 592; HB 594; HB 633 w/HA 1 & 2; HB 242; HCR 62; HS 2 for HB 504 w/HA 2 & 3; HB 602 w/HA 1; HB 583 w/HA 1, HB 551 w/HA 1; SB 297.**

Senator Bonini requested his name be removed from **SB 351**.

A communication from Senator Blevins to the Secretary of the Senate, Bernard J. Brady was read requesting that the following legislators be added as co-sponsors to **SS 1 to SB 194**: Representatives Maier, Maroney, Capano, DiPinto and Ewing; Senators Henry, Marshall, McDowell, Sokola, Amick, Bair, and Sorenson.

A communication from Senator Sokola to the Secretary of the Senate, Bernard J. Brady was read requesting that the following legislators be added as co-sponsors to **SS 1 to SB 250**: Senators Hauge, Sorenson, Reed, Amick, Bonini, Bair and Connor; Representative Oberle.

**LEGISLATIVE ADVISORIES #37 through #41**, 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 #37**, dated May 13, 1998. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HB #588** (5/7/98) - AN ACT TO AMEND TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN THE CITY OF WILMINGTON. (Sponsor: Rep. Roy) (Volume 71, Chapter 273, Laws of Delaware.)

**SB #319** (5/13/98) - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE", BY REPEALING A PREVISION RELATING TO SPECIAL ELECTIONS UPON THE DEATH OR RESIGNATION OF A TOWN COMMISSIONER. (Sponsor: Sen. Adams) (Volume 71, Chapter 274, Laws of Delaware.)

**LEGISLATIVE ADVISORY #38**, dated May 14, 1998. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HB #156 AAB HA 2 AAB HA 1 TO HA 2; HA 3, 4 AND 6 AND SA 1** (5/14/98) - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE. (Sponsor: Rep. Maroney) (Volume 71, Chapter 275, Laws of Delaware.)

**LEGISLATIVE ADVISORY #39**, dated May 19, 1998. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #289** (5/19/98) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM EXECUTION. (Sponsor: Sen. Sharp) (Volume 71, Chapter 276, Laws of Delaware.)

**SB #253** (5/19/98) - 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 INDEBTEDNESS LIMITATION OF THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN. (Sponsor: Sen. Adams) (Volume 71, Chapter 277, Laws of Delaware.)

**SB #278** (5/19/98) - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE", TO CHANGE THE DATE UPON WHICH THE ANNUAL BUDGET SHOULD BE SUBMITTED. (Sponsor: Sen. Adams) (Volume 71, Chapter 278, Laws of Delaware.)

**SB #285** (5/19/98) - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REINCORPORATE THE CITY OF HARRINGTON" BEING CHAPTER 115, VOLUME 69, LAWS OF DELAWARE, AS AMENDED, RELATING TO CONTRACTS, MEETINGS AND ELECTIONS. (Sponsor: Sen. Voshell) (Volume 71, Chapter 279, Laws of Delaware.)

**SB #323** (5/19/98) - AN ACT TO AMEND CHAPTER 288, VOLUME 64 LAWS OF DELAWARE AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, WITH REGARD TO THE PROCEDURES AND LIMITS FOR AUTHORIZING GENERAL OBLIGATION BONDS, CERTIFICATES OF INDEBTEDNESS, NOTES,

BONDS OR OTHER OBLIGATIONS. (Sponsor: Sen. Venables) (Volume 71, Chapter 280, Laws of Delaware.)

**SB #324** (5/19/98) - AN ACT TO AMEND CHAPTER 137, VOLUME 61 LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DELMAR, AS AMENDED, WITH REGARD TO THE PROCEDURES AND LIMITS FOR AUTHORIZING GENERAL OBLIGATION BONDS. (Sponsor: Sen. Venables) (Volume 71, Chapter 281, Laws of Delaware.)

**LEGISLATIVE ADVISORY #40**, dated May 26, 1998. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #288 AAB SA 1 AND 2 AND HA 3 AND 4** (5/22/98) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS LICENSES AND MOTORCYCLE LICENSES. (Sponsor: Sen. Sokola) (Volume 71, Chapter 282, Laws of Delaware.)

**LEGISLATIVE ADVISORY #41**, dated June 11, 1998. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #283** (6/10/98) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO A REGISTERED NURSE'S AUTHORITY TO MAKE A PRONOUNCEMENT OF DEATH. (Sponsor: Sen. Sharp) (Volume 71, Chapter 283, Laws of Delaware.)

**HB #518** (6/10/98) - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO EMERGENCY AND DISASTER ASSISTANCE. (Sponsor: Rep. Maier) (Volume 71, Chapter 284, Laws of Delaware.)

**SB #226 AAB SA 1, 2, 3, 4, AND 5 AND HA 2** (6/11/98) - AN ACT TO AMEND TITLES 10, 11, AND 13 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES. (Sponsor: Sen. Blevins) (Volume 71, Chapter 285, Laws of Delaware.)

**HB #531 AAB HA 1** (6/11/98) - AN ACT TO AMEND CHAPTER 2 OF TITLE 16 OF THE DELAWARE CODE RELATING TO EARLY INTERVENTION SERVICES FOR INFANTS AND TODDLERS. (Sponsor: Rep. Maroney) (Volume 71, Chapter 286, Laws of Delaware.)

**HB #478 AAB HA 1** (6/11/98) - AN ACT TO AMEND CHAPTER 41 AND CHAPTER 70 OF TITLE 21 OF THE DELAWARE CODE RELATING TO THE ENFORCEMENT OF HANDICAPPED PERSONS' PARKING AREAS AND FIRE LANES. (Sponsor: Rep. Gilligan) (Volume 71, Chapter 287, Laws of Delaware.)

Senator Bonini moved that **HB 525** be reconsidered. No objections.

Senator Cook moved to rescind the roll call on **HB 525** and to lay the bill the table. No objections.

At 2:25 p.m. motion of Senator Voshell, the Senate adjourned to immediately convene for the 37th Legislative Day.

**37TH LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
JUNE 16, 1998**

The Senate convened at 2:25 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Bonini.

The Pledge of Allegiance to the Flag.

The roll call vote for attendance was taken and revealed:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell. No objections.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
June 16, 1998**

The following amendments were introduced and placed with the bill on June 11, 1998:

**SA 3 to SB 265** - Sponsor: Senator McBride.

**SA 2 to HJR 19** - Sponsor: Senator Sokola.

The following legislation was introduced and assigned on June 11, 1998:

**SB 386** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES ON PERSONAL INCOME. Sponsor: Senators Sharp, Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables, Voshell. To: **Judiciary**.

**SB 387** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES. Sponsor: Senators Sharp, Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables & Voshell. To: **Judiciary**.

**SB 389** - AN ACT TO AMEND TITLE 14 AND 29 OF THE DELAWARE CODE RELATING TO SCHOOL TAXES. 3/4 VOTE. Sponsor: Senators McDowell, Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, Sharp, Sokola, Vaughn, Venables, Voshell. To: **Judiciary**.

**SB 390** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE STATE CODE RELATING TO STATE BOUNDARIES. Sponsor: Senator Voshell & Representative Quillen; Senator Bunting. To: **Executive**.

**SJR 10** - RELATING TO THE FINANCING OF PUBLIC EDUCATION. Sponsor: Senators Sharp, Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables & Voshell. To: **Judiciary**.

The following legislation was introduced and assigned on June 15, 1998:

**SB 388** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC EDUCATION. Sponsor: Senator Sokola & Representatives Boulden, Schroeder & Ulbrich; Senators Adams, Blevins, Bunting, Cook, Henry, Marshall, McDowell, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge; Sorenson & Still; Representatives Davis, Maier, Oberle, Spence, Gilligan & Van Sant. To: **Education**.

The following amendment was introduced and placed with the bill on June 16, 1998:

**SA 1 to SB 339** - Sponsor: Senator McDowell.

The following legislation was introduced and assigned on June 16, 1998:

**HS 1 for HB 395 w/HA 1** - AN ACT TO AMEND CHAPTER 91 OF TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PLANNING. Sponsor: Representative Lofink; Senator Bunting. To: **Community/County Affairs**.

**HB 396** - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO MUNICIPAL PLANNING. Sponsor: Representative Schroeder; Senator Voshell, Representatives Spence, Gilligan, Brady; Senators Bair, Sorenson. To: **Community/County Affairs**.

**HS 2 for HB 504 w/HA 2 & 3** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE REGARDING THE DELAWARE ALCOHOLIC BEVERAGE CONTROL COMMISSION LICENSE APPLICATION PROCESS, AND DENIALS, SUSPENSIONS, OR REVOCATIONS OF LICENSES. Sponsor: Representatives Price & Quillen. To: **Administrative Services**.

**HB 512 w/HA 2** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO HARNESS RACING. Sponsor: Representative Oberle & Senator Adams. To: **Agriculture**.

**HB 533 w/HA 1** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. Sponsor: Representatives Ulbrich & Maroney. To: **Finance**.

**HB 535** - AN ACT DESIGNATING AND NAMING THE PORTION OF DELAWARE ROUTE 1 COMMENCING AT THE NASSAU BRIDGE AND TERMINATING AT SEASHORE STATE PARK AS THE "CHARLES MILLS BOULEVARD". Sponsor: Representative Schroeder & Senator Bunting & Senator Voshell. To: **Transportation**.

**HB 551 w/HA 1** - AN ACT TO AMEND TITLE 4, DELAWARE CODE, RELATING TO ALCOHOLIC BEVERAGE CONTROL COMMISSION APPLICATION PROCEDURAL REQUIREMENTS. Sponsor: Representatives Buckworth & Welch; Representative Houghton; Senator Vaughn. To: **Administrative Services**.

**HB 554** - AN ACT TO AMEND TITLE 24, CHAPTER 23, OF THE DELAWARE CODE RELATING TO PAWNBROKERS AND JUNK DEALERS. Sponsor: Representative Ewing & Senator Bunting. To: **Administrative Services**.

**HB 576** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF DEATHS. Sponsor: Representative Schroeder & Representative Wagner & Representative Buckworth. To: **Health and Social Services**.

**HB 577** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PAYMENT OF FINES AND COSTS. Sponsor: Representative Wagner. To: **Public Safety**.

**HB 583 w/HA 1** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE HUNTING OF SNOW GEESE. Sponsor: Representative West; Representatives Boulden, Buckworth, Capano, Carey, Cathcart, Caulk, Davis, DiPinto, B. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lee, Lofink, Maier, Maroney, Petrilli, Plant, Price, Quillen, Schroeder, Scott, Smith, Van Sant, Welch, Williams; Senators Bunting, Marshall, Venables, Voshell. To: **Natural Resources**.

**HB 592** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES. Sponsor: Representative Price & Senator Voshell; Representative B. Ennis, Ewing, Fallon, Gilligan, Maier, Plant, Schroeder, Van Sant, West. To: **Public Safety**.

**HB 594** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FORESTRY AND ESTABLISHING AN URBAN AND COMMUNITY FORESTRY PROGRAM. Sponsor: Representative Caulk; Representatives Carey, Mack, Quillen, Price, Schroeder, West; Senators Adams, Bunting, Cook, Venables, Reed, Still. To: **Agriculture**.

**HB 602 w/HA 1** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH CARE DECISIONS. Sponsor: Representatives Carey & Welch; Senators Voshell & Amick. To: **Health and Social Services**.

**HB 603** - AN ACT TO AMEND TITLE 29 RELATING TO THE PROCUREMENT OF MATERIAL AND NONPROFESSIONAL SERVICES BY ORGANIZATIONS RECEIVING GRANT-IN-AID. Sponsor: Representative Keeley; Representatives Brady, Buckworth, Carey, Cathcart, DiPinto, D. Ennis, Ewing, Fallon, Petrilli, Plant, Price, Quillen, Roy, Schroeder, Spence; Senators Amick, Blevins, Bunting, Connor, Blevins, Bunting, Connor, Cook, Henry, Marshall, McDowell, Sokola, Still, Vaughn, Venables. To: **Finance**.

**HB 617** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIREWORKS. Sponsor: Representative Lee & Senator Bunting. To: **Public Safety**.

**HB 624** - AN ACT TO AMEND CHAPTER 1, TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE. Sponsor: Representative Lee & Senator Vaughn. To: **Corrections**.

**HB 628** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO GENERAL PROVISIONS CONCERNING OFFENSES. Sponsor: Representatives Lee; Welch; & Senators McDowell & Vaughn. To: **Corrections**.

**HB 630 w/HA 1** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS LICENSES AND TAXES. Sponsor: Representative Petrilli. To: **Finance**.

**HB 633 w/HA 1 & 2** - AN ACT TO AMEND TITLES 29 AND 31 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE HOUSING

AUTHORITY. Sponsor: Representative Stone & Senator Sokola; Representatives Capano, DiPinto, D. Ennis, Fallon, Brady, Houghton, Keeley, Plant, Scott; Senators Voshell, Venables, Amick, Still. To: **Executive**.

**HB 649 w/HA 1, 2 & 3** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO TERMINATION OF PARENTAL RIGHTS. Sponsor: Representative Maier & Oberle & Senator McDowell; Representatives Voshell, Ulbrich, Wagner, Senators Sharp, Blevins, Cook, Henry, Sorenson. To: **Health and Social Services**.

**HB 651** - AN ACT TO AMEND CHAPTER 29 OF TITLE 24 OF THE DELAWARE CODE RELATING TO REAL ESTATE APPRAISERS. Sponsor: Representatives Stone and Ulbrich; Senator Blevins. To: **Administrative Services**.

**HCR 62** - CREATING A TASK FORCE FOR PURPOSES OF IDENTIFYING AND EVALUATING ECONOMICALLY EFFICIENT AND ENVIRONMENTALLY PRUDENT APPROACHES TO REPLENISHING THE ERODING BEACHES ALONG DELAWARE'S COASTLINE. Sponsor: Representative Schroeder & Representative Price & Representative Carey & Senator Bunting & Senator Voshell. To: **Natural Resources**.

\* \* \*

A messenger from the Governor was announced and admitted.

Senator Bunting requested the privilege of the floor for the 1998 Indian River Softball Champions, Coach Steven Botchie, Assistant Coaches Mark Brown and Mary Jan McGee. Tributes were presented to each member.

The witnesses were excused.

**HB 545** was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HB 545** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCUREMENT.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore **HB 545** was declared passed the Senate and returned to the House.

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

**HB 269** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 269** - AN ACT AUTHORIZING AND APPROVING THE TRANSFER OF CERTAIN REAL PROPERTY IN THE INDIAN RIVER SCHOOL DISTRICT, KNOWN AS THE GUMBORO ELEMENTARY SCHOOL PROPERTY, TO THE GUMBORO VOL. FIRE CO., WITH CERTAIN PROVISIONS AND WAIVING THE PROVISIONS OF SECTION 1057 OF CHAPTER 10, TITLE 14, DELAWARE CODE.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore **HB 269** was declared passed the Senate and returned to the House.

**HB 480** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 480** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ASSAULT IN THE SECOND DEGREE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore **HB 480** was declared passed the Senate and returned to the House.

Senator Marshall was marked present during the above roll call.

**SS 1 for SB 220** was brought before the Senate for consideration on motion of Senator Vaughn.

**SS 1 for SB 220** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE INSURANCE GUARANTY ACT.

Senator Vaughn requested the privilege of the floor for Sherry Fallon.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore **SS 1 for SB 220** was declared passed the Senate and sent to the House for consideration.

At 2:51 p.m. on motion of Senator Voshell, the Senate recessed for Party Caucus.

The Senate reconvened at 4:03 p.m. with Lt. Governor Minner presiding.

The following committee report was announced:

From Community/County Affairs: **SB 392** - 4 Merits.

Senator Bonini moved to reconsider **HB 525 w/HA 1, 2, SA 3, 6 & 7**. Title was read, after which Senate Cook moved to rescind the roll call. Senator Cook then moved to suspension the necessary rules, after which she moved to lay the bill on the table.

**SB 388** was brought before the Senate for consideration on motion of Senator Sokola.

**SB 388** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC EDUCATION.

A roll call vote was taken and revealed 17 Senators voting YES, 3 (Sharp, Still, Vaughn) NOT VOTING, 1 (Marshall) ABSENT; therefore **SB 388** was declared passed the Senate and sent to the House for consideration.

**HB 525 w/HA 1, 2, SA 3, 6 & 7** was lifted from the table and brought before the Senate for consideration on motion of Senator Cook.

Senator Bonini commented.

A roll call vote was taken and revealed 13 Senators voting YES, 8 (Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still) NO; therefore **HB 525 w/HA 1, 2, SA 3, 6 & 7** was declared defeated.

**HB 378 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator McDowell.

**HB 378 w/HA 1** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE LICENSURE OF RESIDENTIAL AND NONRESIDENTIAL CHILD CARE FACILITIES.

Senators Bair and Amick commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **HB 378 w/HA 1** was declared passed the Senate and returned to the House.

**HB 565** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 565** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE OFFENSE OF RECKLESS ENDANGERING. 2/3 VOTE

**SA 1 to HB 565** was introduced and 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 HB 565** was declared part of the bill.

**HB 565 w/HA 1** was now before the Senate.

Senator Reed commented.

Senator Henry requested the privilege of the floor for Mary Ann Kelly, Senate Attorney.

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

Senator Bonini commented.

Senator Henry requested the privilege of the floor for Mary Ann Kelly, Senate Attorney.

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

Senator Henry moved to lay the bill on the table.

**HB 529 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 529 w/HA 1** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ADMINISTRATIVE PENALTIES FOR SPEEDING.

Senator Henry moved to lay the bill on the table.

**HB 569** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 569** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO EXTREMELY HAZARDOUS SUBSTANCES RISK MANAGEMENT ACT.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (McDowell, Venables) NOT VOTING; therefore, **HB 569** was declared passed the Senate and returned to the House.

**HB 215 w/HA 2** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 215 w/HA 2** - AN ACT TO AMEND CHAPTER 48, TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD RESTRAINT IN MOTOR VEHICLES. 2/3 VOTE

Several Senators commented.

Senator Henry moved to lay the bill on the table.

**HB 176 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 176 w/HA 1** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES.

Senator Henry moved to lay the bill on the table.

**HS 1 for HB 234** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HS 1 for HB 234** - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO CONTROL OF THE RIGHTS-OF-WAY IN THE UNINCORPORATED AREAS OF THE STATE, INCLUDING THE CONTROL OF SIGNS AND OTHER COMMERCIAL ACTIVITIES WITHIN THE RIGHTS-OF-WAY.

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

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

Several Senators commented.

A roll call vote was taken and revealed 14 Senators voting YES, 7 (Bair, Bonini, Cook, Hauge, Reed, Still, Venables) NO; therefore, **HS 1 for HB 234** was declared passed the Senate and returned to the House.

**SB 388** was reconsidered and the roll call was rescinded on motion of Senator Sokola.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) NOT VOTING; therefore, **SB 388** was declared passed the Senate and sent to the House for consideration.

**SB 265** was reconsidered on motion of Senator Bunting.

On motion of Senator McBride the roll call was rescinded.

Senator Still objected.

A roll call vote was taken on the motion to rescind the roll call and the roll call revealed 17 Senators voting YES, 4 (Amick, Bair, Reed, Still) NO, therefore, the motion carried.

**SB 265** was laid on the table on motion of Senator McBride.

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

At 5:38 p.m. on motion of Senator Voshell, the Senate recessed until 4:00 p.m. on June 17, 1998.

The Senate reconvened at 4:15 p.m. on June 17, 1998 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 652; HB 615 w/HA 1; SB 238; HB 657; HB 655; HB 549 w/HA 2 & 3; HB 673; HB 631 w/HA 1; HB 636; HB 612; HB 606; HB 629; HB 647; HB 639; HB 648; HB 541 w/HA 1; HB 663 w/HA 1; HB 600 w/HA 1; HB 601; HB 641.**

The following committee reports were announced:

From Executive: **Frederick W. Dewey, Jr.** - 6 Merits; **Susan L. Parker** - 6 Merits; **Robert W. Gore** - 1 Favorable, 5 Merits; **Katherine Lee** - 1 Favorable, 3 Merits; **Joan Thompson Mobley** - 1 Favorable, 3 Merits; **Lowell L. Groundland** - 2 Favorable, 4 Merits; **Donald J. Puglisi** - 1 Favorable, 5 Merits; **Karen N. Bundek** - 6 Merits; **General Arthur V. Episcopo** - 6 Merits; **Robert A. Armstrong** - 6 Merits; **John V. Flynn** - 6 Merits; **Thomas M. Kenney** - 6 Merits; **Darrell J. Minott** - 3 Favorable, 3 Merits; **Theodore W. Ryan** - 6 Merits; **Deborah B. Hammond** - 5 Merits; **Robert J. Burns** - 5 Merits; **Margaret Barrett** - 5 Merits; **Stanley J. Petraschuk** - 5 Merits; **Marcealeate Ruffin** - 2 Favorable, 3 Merits; **HB 641** - 5 Merits; **SB 390** - 5 Merits; **HB 548** - 6 Merits; **HB 633 w/HA 1 & 2.**

From Health and Social Services: **HB 211 w/HA 1, 3 & 4** - 4 Merits.

From Judiciary: **SB 389** - 3 Merits; **SB 386** - 3 Merits; **SB 387** - 3 Merits; **SB 395** - 3 Merits; **SJR 10** - 3 Merits.

From Insurance and Elections: **HB 574** - 3 Merits.

From Corrections: **HB 624** - 2 Merits, 1 Unfavorable; **HB 628** - 3 Merits.

From Agriculture: **SB 383** - 5 Merits; **HB 512 w/HA 2** - 5 Merits; **HB 594** - 5 Merits.

From Education: **SB 334** - 4 Merits; **SB 382** - 3 Merits.

A communication from Senator Amick to the Secretary of the Senate, Bernard J. Brady was read requesting his name be added as a co-sponsor to **SB 396**.

At 4:25 p.m. motion of Senator Voshell, the Senate adjourned to immediately convene for the 38th Legislative Day.

**38TH LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
JUNE 17, 1998**

The Senate convened at 4:25 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Venables.

The Pledge of Allegiance to the Flag.

The roll call vote for attendance was taken and revealed:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell.  
No objections.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
June 17, 1998**

**PLEASE NOTE: HB 649 w/HA 1, 2 & 3  
REASSIGNED TO CHILDREN, YOUTH & THEIR FAMILIES.**

The following amendments were placed with the bill on June 16, 1998:

**SA 4 to SB 265** - Sponsor: Senator McBride.

**SA 3 to SB 299** - Sponsor: Senator McBride.

The following legislation was introduced and assigned on June 16, 1998:

**SB 391** - AN ACT TO AMEND CHAPTER 197, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, BEING AN ACT ENTITLED: "AN ACT TO RE-INCORPORATE THE TOWN OF ELLENDALE". 2/3 VOTE. Sponsor: Senator Adams & Representative Carey. To: **Community/County Affairs**.

**SB 392** - AN ACT TO AMEND AN ACT ENTITLED AN ACT TO REINCORPORATE THE TOWN OF ELSMERE AS FOUND IN 68 DELAWARE LAWS CHAPTER 3 AS AMENDED REGARDING THE MAYOR, THE TREASURER AND INDEPENDENT ANNUAL AUDIT. Sponsor: Senator Blevins; Representatives Van Sant & Houghton. To: **Community/County Affairs**.

**SB 393** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO MANUFACTURERS. Sponsor: Senator Marshall & Representative Capano. To: **Executive**.

**SB 394** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAX DEDUCTIONS FOR EDUCATION EXPENSES. Sponsor: Senator Marshall & Representative Oberle. To: **Finance**.

**SB 395** - AN ACT TO AMEND TITLE 16, DELAWARE CODE RELATING TO THE DISCLOSURE OF RECORDS. Sponsor: Senator Sharp & Representative Spence. To: **Judiciary**.

**SB 396** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LIABILITY FOR CERTAIN HEALTH CARE TREATMENT DECISIONS. Sponsor: Senator Sokola & Representative Spence & DiLiberto; Senators Blevins, Henry, Marshall, McDowell & Venables; Representatives Buckworth, Maier, Wagner, B. Ennis, Gilligan, Keeley, Schroeder & Williams. To: **Health and Social Services**.

The following amendment were placed with the bill on June 17, 1998:

**SA 1 to SS 1 for SB 194** - Sponsor: Senator Blevins.



**SA 2 to HB 565** - Sponsor: Senator Hauge.

The following legislation was introduced and assigned on June 17, 1998:

**SB 397** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO A TAX CREDIT FOR CLASSROOM SCHOOL TEACHERS. Sponsor: Senator Bonini. To: **Judiciary**.

**SB 398** - AN ACT TO AMEND TITLE 14 AND TITLE 19 OF THE DELAWARE CODE RELATING TO CERTAIN MANDATORY DISCLOSURES. Sponsor: Senator Bonini. To: **Judiciary**.

**SB 399** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE AGE OF CONSENT. Sponsor: Senator Bonini. To: **Judiciary**.

**SB 400** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE POWERS OF AUTHORITIES. Sponsor: Senator Bonini. To: **Judiciary**.

**SB 401** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES. Sponsor: Senator Bonini. To: **Judiciary**.

**SB 402** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CHEMICAL CASTRATION. Sponsor: Senator Still; Senator Bonini, Representative Capano. To: **Judiciary**.

**SB 403** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO INHERITANCE TAXES. Sponsor: Senator Still. To: **Judiciary**.

**SB 404** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY TAXATION. Sponsor: Senator Still. To: **Judiciary**.

**SJR 11** - CREATING A TASK FORCE TO OBJECTIVELY AND SCIENTIFICALLY ASCERTAIN THE BENEFITS AND COSTS OF LEGAL GAMBLING IN THE STATE OF DELAWARE. Sponsor: Senator Still; Senators Bonini, Bunting, Reed; Representatives Gilligan, Welch. To: **Judiciary**.

**HB 541 w/HA 1** - AN ACT TO AMEND TITLE 11 RELATING TO WIRETAPPING AND ELECTRONIC SURVEILLANCE. Sponsor: Representative Lee and Senator Vaughn. To: **Corrections**.

**HB 549 w/HA 2 & 3** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF A HANDGUN BY A JUVENILE. Sponsor: Representative Williams; Representatives Brady, Buckworth, D. Ennis, Ewing, Keeley, Lee, Lofink, Oberle, Plant, Smith, Van Sant, Wagner, West, Spence; Senators Marshall, McDowell. To: **Public Safety**.

**HB 600 w/HA 1** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO DISCHARGING OR DISCRIMINATING AGAINST AN EMPLOYEE. Sponsor: Representative Welch; Representatives Spence & Smith; Senators McDowell & Venables. To: **Labor**.

**HB 601** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC BEVERAGE LICENSING. Sponsor: Representative Roy & Senators Sokola & Amick. To: **Administrative Services**.

**HB 606** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ENDANGERING THE WELFARE OF A CHILD. Sponsor: Representatives Davis and Cloutier & Senator McDowell; Representatives Spence, Fallon. To: **Children, Youth and their Families**.

**HB 612** - AN ACT TO AMEND TITLE 4, DELAWARE CODE RELATING TO AUTHORIZED EMPLOYEES IN RETAIL LIQUOR ESTABLISHMENTS. Sponsor: Representative Welch & Senator Sokola; Representatives Boulden, DiPinto, D. Ennis, Quillen, Roy, Van Sant, B. Ennis, Williams; Senators McDowell; Senators McDowell, Sorenson. To: **Administrative Services**.

**HB 615 w/HA 1** - AN ACT TO AMEND CHAPTER 63, TITLE 21 OF THE DELAWARE CODE RELATING TO THE SALE OF MOTOR VEHICLES. Sponsor: Representative Welch and Senator Voshell. To: **Public Safety**.

**HB 629** - AN ACT TO AMEND CHAPTER 31, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF FUNERAL SERVICES AND TITLE 29 OF THE DELAWARE CODE. Sponsor: Representative Ulbrich

& Senator Blevins; Representatives Capano, Maier, Keeley, Price; Senators Bunting, Sokola, Reed. To: **Administrative Services**.

**HB 631 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO WITNESSES AND EVIDENCE. Sponsor:

Representative Wagner & Senator Blevins. To: **Public Safety**.

**HB 636** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO RECREATIONAL GILL NETS. 2/3 VOTE. Sponsor: Representative Schroeder; Representative Carey; Senators Bunting, Voshell. To: **Natural Resources**.

**HB 639** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO AUTHORIZATION OF INSURERS AND GENERAL REQUIREMENTS. Sponsor: Representative D. Ennis & Senator Vaughn. To: **Executive**.

**HB 641** - AN ACT RELATING TO THE WAIVER OF STATUTORY PROVISIONS OF TITLE 13 OF THE DELAWARE CODE CONCERNING THE SOLEMNIZATION OF MARRIAGES. Sponsor: Representative DiPinto & Senator McDowell. To: **Executive**.

**HB 647** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE CONVERSION OF A MUTUAL INSURER TO A STOCK INSURER. Sponsor: Representative D. Ennis. To: **Insurance**.

**HB 648** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL POLICE/FIREFIGHTERS PENSION PLANS. Sponsor: Representative Spence; Representatives Welch, Boulden,, Buckworth, Capano, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Stone, Ulbrich, Wagner, Gilligan, Van Sant, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Schroeder, Scott, West, Williams; Senators Voshell, McDowell, Adams, Blevins, Bunting, Henry, Marshall, McBride, Sokola, Vaughn, Venables, Amick, Bonini, Connor, Sorenson, Still. To: **Finance**.

**HB 652** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE PROVIDING FOR THE JOINDER OF THE STATE OF DELAWARE IN AN INTERSTATE COMPACT AGREEMENT FOR EDUCATION. Sponsor: Representatives Wagner & Davis & Senator Cook; Representatives Buckworth, DiPinto, Maier, Maroney, Quillen, Brady, Houghton, West; Senators Henry, McBride, Vaughn, Bonini and Sorenson. To: **Education**.

**HB 655** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE REGULATION OF REAL ESTATE APPRAISERS. Sponsor: Representative Stone. To: **Judiciary**.

**HB 657** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE REPORTING REQUIREMENTS FOR HOLDERS OF COMMERCIAL SHELLFISHING LICENSES AND PERMITS. Sponsor: Representative Schroeder; Representatives Carey, Price, Quillen; Senators Bunting, Voshell. To: **Natural Resources**.

**HB 663 w/HA 1** - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO EDUCATION AND SCHOOL CONSTRUCTION. Sponsor: Representatives Boulden, Schroeder & Ulbrich; Representatives Spence, Smith, Buckworth, Cathcart, Caulk, Cloutier, Davis, DiLiberto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Stone, Wagner, B. Ennis, Gilligan, Houghton, Keeley, Plant, Price, Scott, Van Sant, West, Williams, Senators Voshell, Bunting, Amick, Bonini, Connor, Sorenson. To: **Education**.

**HB 673** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION. Sponsor: Representative Oberle & Senator Marshall. To: **Labor**.

The following letter of nomination from the Governor was assigned to the Executive Committee on June 17, 1998:

STATE OF DELAWARE  
Office of the Governor  
June 16, 1998

To the Senate of the 139th General Assembly  
of the State of Delaware:

On behalf of the Board of Trustees of the University of Delaware and in conformity  
with the Constitution and Laws of the State of Delaware, I hereby submit for the consent  
and confirmation of the Senate the following, elected by the Board of Trustees to be  
members of the Board:

**Robert W. Gore**, 465 Polly Drummond Hill Road, Newark, DE 19711, to be  
reappointed as a member of the Board of Trustees of the University of Delaware for a  
term to expire May 26, 2004.

**Joan Thompson Mobley**, 141 Deer Valley Lane, Wilmington, DE 19807, to be  
appointed as a member of the Board of Trustees of the University of Delaware for a term  
to expire May 26, 2004.

**Katherine Lee**, 210 Wilshire Lane, Newark, DE 19711, to be appointed as a member of  
the Board of Trustees of the University of Delaware for a term to expire May 26, 1999.

These are not gubernatorial appointments.

Your consideration of these nominations is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor  
\* \* \*  
STATE OF DELAWARE  
Office of the Governor  
June 16, 1998

To the Senate of the 139th 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. Robert J. Burns**, 316 East Roosevelt Avenue, New Castle, DE 19720, to be  
reappointed a member of the Merit Employee Relations Board for a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor  
\* \* \*  
STATE OF DELAWARE  
Office of the Governor  
June 16, 1998

To the Senate of the 139th 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. Donald J. Puglisi**, 31 Covered Bridge Lane, Covered Bridge Farms, Newark,  
Delaware 19711, to be reappointed a member of the Public Service Commission for a  
five-year term.

Your consideration of this nomination is appreciated.

Sincerely,

(Signed) Thomas R. Carper  
Governor  
\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 16, 1998

To the Senate of the 139th 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:  
**General Arthur V. Episcopo**, 2311 Centerville Road, Wilmington, Delaware 19808, to be appointed a member of the Public Integrity Commission for a seven-year term to replace James H. Gilliam, Sr., who resigned.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
Office of the Governor  
June 16, 1998

To the Senate of the 139th 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. Deborah B. Hammond**, 417 Kings Highway, Milford, Delaware 19963, to be appointed a member of the Sussex County Board of Elections for a four-year to replace William C. Wyatt, Sr.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
Office of the Governor  
June 16, 1998

To the Senate of the 139th 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. Susan L. Parker**, 1515 Spring Lane, Wilmington, Delaware 19809, to be appointed Chair of the Merit Employee Relations Board for a three-year term to replace Katy Woo.

Your consideration of this nomination is appreciated.

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

A messenger from the Governor was announced and admitted.

**SCR 76** was introduced and brought before the Senate for consideration on motion of Senator Voshell.

**SCR 76** - EXTENDING A WARM WELCOME TO THE YOUNG WOMEN PARTICIPATING IN THE 1998 DELAWARE GIRLS' STATE, COMMENDING THEM FOR THEIR INTEREST IN AND DEVOTION TO DELAWARE STATE GOVERNMENT, AND COMMENDING THE LADIES AUXILIARY OF THE AMERICAN LEGION FOR THEIR SPONSORSHIP OF THIS OUTSTANDING PROGRAM. Sponsor: Senator Voshell on behalf of all Senators; Representative Quillen on behalf of all Representatives.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 76** was declared adopted by the Senate and sent to the House for consideration.

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

**HB 211 w/HA 1, 3 & 4** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 211 w/HA 1, 3 & 4** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO TERMINATION OF HUMAN PREGNANCY.

**SA 1 to HB 211** was brought before the Senate for consideration on motion of Senator Blevins.

Several Senators commented.

A roll call vote was taken and revealed 12 Senators voting YES, 9 (Adams, Bonini, Bunting, Connor, Marshall, McBride, Reed, Still, Venables) NO; therefore, **SA 1 to HB 211** was declared part of the bill.

**HB 211 w/HA 1, 3, 4 & SA 1** was now before the Senate.

Senators Bonini and Reed commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 211 w/HA 1, 3, 4 & SA 1** was declared passed the Senate and sent to the House for reconsideration.

**SS 1 for SB 194** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Blevins.

**SS 1 for SB 194** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE CONTRACTS.

**SA 1 to SS 1 for SB 194** was brought before the Senate for consideration on motion of Blevins.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SS 1 for SB 194** was declared part of the bill.

**SS 1 for SB 194 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SS 1 for SB 194 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 380** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 380** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE TO AUTHORIZE THE DELAWARE HEALTH PROGRAM.

Senator Blevins requested the privilege of the floor for Dr. Greg Sylvester, representing the Department of Health and Social Services.

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 380** was declared passed the Senate and sent to the House for consideration.

**SB 372** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 372** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE TRAPPING OF ANIMALS AND THE HUNTING OF RACCOONS AND OPOSSUMS.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Amick, Sorenson) NO, 1 (Marshall) ABSENT; therefore, **SB 372** was declared passed the Senate and sent to the House for consideration.

**HB 287** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 287** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO JUROR MISCONDUCT. 2/3 VOTE

**SA 1 to HB 287** 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 287** was declared part of the bill.

**HB 287 w/SA 1** was now before the Senate.

Senator McDowell commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 287 w/SA 1** was declared passed the Senate and sent to the House for reconsideration.

**HJR 19 w/HA 1, 2 & SA 1** was lifted from the table and brought before the Senate on motion of the floor manager, Senator Sokola.

**HJR 19 w/HA 1, 2 & SA 1** - ESTABLISHING THE PUBLIC SCHOOL TRANSPORTATION TASK FORCE TO REVIEW AND MAKE RECOMMENDATIONS REGARDING GOVERNING PUBLIC SCHOOL TRANSPORTATION.

**SA 1 to HJR 19** was reconsidered on motion of Senator Sokola.

The roll call on **SA 1 to HJR 19** was rescinded and was laid on the table on motion of Senator Sokola.

**SA 3 to HJR 19** was introduced and brought before the Senate for consideration on motion of Senator Sokola.

On motion of Senator Sokola **SA 3 to HJR 19** was laid on the table.

**HJR 19 w/HA 1 & 2** was laid on the table on motion of Senator Sokola.

**HB 565 w/SA 1** was lifted from the table and brought before the Senate on motion of the floor manager, Senator Henry.

**HB 565 w/SA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE OFFENSE OF RECKLESS ENDANGERING. 2/3 VOTE

**SA 2 to HB 565**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Hauge.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to HB 565** was declared part of the bill.

**HB 565 w/SA 1 & 2** was now before the Senate.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Amick, Bunting, Reed, Venables) NO; therefore, **HB 565 w/SA 1 & 2** was declared passed the Senate and sent to the House for reconsideration.

**HJR 19 w/HA 1 & 2** was lifted from the table and brought before the Senate for consideration on motion of Senator Sokola.

**SA 2 to HJR 19** was brought before the Senate for consideration on motion of Senator Sokola.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SA 2 to HJR 19** was declared part of the bill.

**HJR 19 w/HA 1, 2 & SA 2** was now before the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Henry, Marshall) ABSENT; therefore, **HJR 19 w/HA 1, 2 & SA 2** was declared passed the Senate and sent to the House for reconsideration.

**SA 1 & SA 3 to HJR 19** were stricken on motion of Senator Sokola.

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

The Secretary announced the agenda for June 18, 1998.

At 6:08 p.m. on motion of Senator Voshell, the Senate recessed until 2:00 p.m. on June 18, 1998.

The Senate reconvened at 2:49 p.m. on June 18, 1998 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Labor: **SB 276** - 4 Merits; **SB 338** - 4 Merits; **SB 349** - 4 Merits.

From Revenue and Taxation: **SB 347** - 4 Merits.

From Public Safety: **SB 376** - 4 Merits; **SB 381** - 4 Merits; **SB 384** - 4 Merits; **HB 592** - 4 Merits.

From Highways and Transportation: **HB 535** - 4 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 87; SCR 75**.

At 2:50 p.m. motion of Senator Voshell, the Senate adjourned to immediately convene for the 39th Legislative Day.

**39TH LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION**

**JUNE 18, 1998**

The Senate convened at 2:50 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Bair.

The Pledge of Allegiance to the Flag.

The roll call vote for attendance was taken and revealed:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell.  
No objections.

At 2:57 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 4:03 p.m. with Lt. Governor Minner presiding.

The following committee reports were announced:

From Highways and Transportation: **SB 405** - 4 Merits.

From Natural Resources: **HB 427 w/HA 1** - 3 Merits.

From Public Safety: **HB 631 w/HA 1** - 3 Merits, **HB 549 w/HA 2 & 3** - 3 Merits.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
June 18, 1998**

The following amendments were introduced and placed with the bill on June 17, 1998:

**SA 1 to SB 215** - Sponsor: Senator Sokola.

**SA 1 to SS 1 to SB 274** - Sponsor: Senator Sorenson.

**SA 2 to SB 290** - Sponsor: Senator McBride.

**SA 3 to SB 290** - Sponsor: Senator McBride.

**SA 2 to SB 339** - Sponsor: Senator McDowell.

**SA 1 to SB 337** - Sponsor: Senator Blevins.

**SA 1 to HB 281** - Sponsor: Senator Blevins.

The following legislation was introduced and assigned on June 17, 1998:

**SB 405** - AN ACT TO AMEND TITLES 11 AND 24 OF THE DELAWARE CODE RELATING TO THE LICENSING AND REGULATION OF APPEARANCE BONDS AGENTS AND RUNNERS. 3/5 VOTE. Sponsor: Senator Voshell; Senator McBride.

To: **Highways and Transportation**.

**SB 406** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PARKING PERMITS FOR DISABLED PERSONS. Sponsor: Senator Still; Senators Amick, Sorenson, Connor, Reed, Bair. To: **Judiciary**.

**SB 407** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO VIDEO LOTTERIES. Senator Voshell. To: **Judiciary**.

The following amendments were introduced and placed with the bill on June 18, 1998:

**SA 1 to SA 2 to SB 339** - Sponsor: Senator McDowell.

**SA 1 to SB 384** - Sponsor: Senator Blevins.

The following legislation was introduced and assigned on June 18, 1998:

**SB 408** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHOICE PROGRAM APPLICATION DEADLINES. Sponsor: Senator Amick. To: **Judiciary**.

**SB 409** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE  
RELATING TO THE COLLECTION OF ENROLLMENT INFORMATION. Sponsor:  
Senator Sorenson, Senators Bair, Sokola. To: **Judiciary**.

The following letter of nomination from the Governor were assigned to the **Executive**  
Committee on June 18, 1998:

STATE OF DELAWARE  
Office of the Governor  
June 17, 1998

To the Senate of the 139th 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. Dallas D. Green**, One Murray Lane, Georgetown, Delaware 19947, to be  
reappointed a member of the Merit Employee Relations Board for a three-year term.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
Office of the Governor  
June 17, 1998

To the Senate of the 139th 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. Ross E. Austin**, 205 Wilshire Lane, Newark, Delaware 19711, to be reappointed a  
member of the New Castle County Board of Elections for a four-year term.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
Office of the Governor  
June 17, 1998

To the Senate of the 139th 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. Stephen J. Rothschild**, 402 Owls Nest Road, Wilmington, Delaware 19807, to be  
appointed a member of the University of Delaware Board of Trustees for a six-year term  
to replace Marvin Gilman.

Your consideration of this nomination is appreciated.

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



STATE OF DELAWARE  
Office of the Governor  
June 17, 1998

To the Senate of the 139th 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:  
**The Honorable Paul E. Ellis**, 529 McKean Street, Seaford, Delaware 19973, to be appointed a member of the Public Integrity Commission for a seven-year term to replace Kimber E. Vought, who resigned.

Your consideration of this nomination is appreciated.

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

**SB 386** was brought before the Senate for consideration on motion of Senator Sharp.  
**SB 386** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE  
RELATING TO TAXES ON PERSONAL INCOME.

Senator Sharp requested the privilege of the floor for John Carney, representing the Department of Finance.

The witness was excused after addressing the Senate.

Senator Bair commented.

Senator Hauge marked present.

Senator Hauge commented.

Senator Sharp requested the privilege of the floor for John Carney, representing the Department of Finance.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 386** was declared passed the Senate and sent to the House for consideration.

Senators Amick, Cook and Marshall were marked present during the above roll call.

**SB 387** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 387** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE  
RELATING TO TAXES.

Senators Still and Reed commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 387** 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 McDowell.

**SB 389** - AN ACT TO AMEND TITLES 14 AND 29 OF THE DELAWARE CODE  
RELATING TO SCHOOL TAXES. 3/4 VOTE

Senators Reed, Bair and Bonini were added as co-sponsors to the bill.

Senator Bunting commented.

Senator McDowell requested the privilege of the floor for Bill Remington, representing the Division of Revenue.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 389** was declared passed the Senate and sent to the House for consideration.

**SJR 10** was brought before the Senate for consideration on motion of Senator Sharp.

**SJR 10** - RELATING TO THE FINANCING OF PUBLIC EDUCATION.

Several Senators commented.

A roll call vote was taken and revealed 16 Senators voting YES, 5 (Amick, Bair, Reed, Sorenson, Still) NO; therefore, **SJR 10** was declared passed the Senate and sent to the House for consideration.

**HB 641** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HB 641** - AN ACT RELATING TO THE WAIVER OF STATUTORY PROVISIONS OF TITLE 13 OF THE DELAWARE CODE CONCERNING THE SOLEMNIZATION OF MARRIAGES.

Senator Adams yields to Senator McDowell to work the bill.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 641** was declared passed the Senate and returned to the House.

**SB 265** was lifted from the table and brought before the Senate for consideration on motion of Senator McBride.

**SB 265** - AN ACT TO AMEND CHAPTER 51, TITLE 24 DELAWARE CODE RELATING TO REQUIREMENTS FOR CERTIFICATION OF A NAIL TECHNICIAN.

**SA 3 to SB 265** was brought before the Senate for consideration on motion of Senator McBride.

On motion of Senator McBride **SA 3 to SB 265** was laid on the table.

**SA 4 to SB 265** was brought before the Senate for consideration on motion of Senator McBride.

A roll call vote was taken and revealed 17 Senators voting YES, 1 (Still) NO, 3 (Bair, Sharp, Sorenson) ABSENT; therefore, **SA 4 to SB 265** was declared part of the bill.

**SB 265 w/SA 4** was now before the Senate.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (McDowell, Venables) NO, 1 (Bair) ABSENT; therefore, **SB 265 w/SA 4** was declared passed the Senate and sent to the House for consideration.

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

**SB 337** - AN ACT TO AMEND TITLES 18 AND 19 OF THE DELAWARE CODE RELATING TO INSURANCE, EMPLOYMENT AND GENETIC INFORMATION.

**SA 1 to SB 337** 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 (Bair) ABSENT; therefore, **SA 1 to SB 337** was declared part of the bill.

**SB 337 w/SA 1** was now before the Senate.

Senators Still and Sorenson commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **SB 337 w/SA 1** 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 Cook.

**SB 346** - AN ACT TO AMEND TITLES 3 AND 30 OF THE DELAWARE CODE RELATING TO REFERENCES TO GIFTS TAXES.

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

**HB 605** was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HB 605** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **HB 605** was declared passed the Senate and returned to the House.

**SS 1 for SB 36** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Cook.

**SS 1 for SB 36** - AN ACT TO AMEND CHAPTERS 55 AND 56, TITLE 29, DELAWARE CODE RELATING TO COMPUTATIONS OF JUDICIAL AND STATE EMPLOYEE PENSIONS.

Senators Amick, Hauge, Bonini and Sorenson requested that their names be added as co-sponsors. All Senators were added to the bill.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SS 1 for SB 36** was declared passed the Senate and sent to the House for consideration.

**HB 519 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HB 519 w/HA 1** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE COUNCIL ON VOLUNTEER SERVICES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 519 w/HA 1** was declared passed the Senate and returned to the House.

**HS 1 for HB 407** was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HS 1 for HB 407** - AN ACT TO AMEND CHAPTER 9, TITLE 4 OF THE DELAWARE CODE, AS AMENDED, RELATING TO ALCOHOLIC LIQUORS. 2/3 VOTE

Senator Reed commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **HS 1 for HB 407** was declared passed the Senate and returned to the House.

**HB 596 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HB 596 w/HA 1** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Reed) ABSENT; therefore, **HB 596 w/HA 1** was declared passed the Senate and returned to the House.

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

**SB 350** - AN ACT TO REINCORPORATE THE TOWN OF MILTON. 2/3 VOTE

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 350** 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 Bunting.

**SB 385** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF SOUTH BETHANY, CHAPTER 268, VOLUME 69, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF SOUTH BETHANY" TO MODIFY THE AUTHORITY OF THE TOWN COUNCIL TO COMPEL CONNECTION TO THE WATER SYSTEM OF THE TOWN, SAID PROVISION TO BE SUBJECTED TO A PUBLIC REFERENDUM EXCEPT IN EMERGENCY. 2/3 VOTE

Senator Connor commented.

A roll call vote was taken and revealed 14 Senators voting YES, 6 (Amick, Bair, Connor, Reed, Sorenson, Still) NO, 1 (McDowell) ABSENT; therefore, **SB 385** was declared passed the Senate and sent to the House for consideration.

**SB 392** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 392** - AN ACT TO AMEND AN ACT ENTITLED AN ACT TO REINCORPORATE THE TOWN OF ELSMERE AS FOUND IN 68 DELAWARE LAWS CHAPTER 3 AS AMENDED REGARDING THE MAYOR, THE TREASURER AND INDEPENDENT ANNUAL AUDIT.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 392** was declared passed the Senate and sent to the House for consideration.

**HB 373** was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HB 373** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO COLLECTION OF DEBTS OWED TO CERTAIN STATE AGENCIES.

Senators Bonini and McBride commented.

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

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

Senator Cook raised a point of order.

Senator Sharp commented.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (McBride, McDowell, Sharp, Venables) NO; therefore, **HB 373** was declared passed the Senate and returned to the House.

**HB 314** was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HB 314** - AN ACT TO AMEND CHAPTER 88, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF ADMINISTRATIVE SERVICES.

Senator McDowell commented.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Sharp) NO, 1 (McBride) ABSENT; therefore, **HB 314** was declared passed the Senate and returned to the House.

**HB 601** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cook.

**HB 601** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC BEVERAGE LICENSING.

Several Senators commented.

Senator Cook requested the privilege of the floor for Mary Ann Kelly, Senate Attorney.

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

A roll call vote was taken and revealed 9 Senators (Adams, Amick, Bair, Bunting, Cook, Hauge, Sokola, Still, Vaughn) voting YES, 11 NO, 1 (Blevins) NOT VOTING; therefore, **HB 601** was declared defeated by the Senate and returned to the House.

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

**SB 227** was stricken on motion of Senator Voshell.

The Secretary announced the agenda for June 23, 1998.

At 6:16 p.m. on motion of Senator Voshell, the Senate recessed until 2:00 p.m. on June 23, 1998.

The Senate reconvened at 2:29 p.m. on June 23, 1998 with Senator Sharp presiding.

The following committee reports were announced:

From Health and Social Services: **HB 576** - 3 Merits; **HB 522 w/HA 1** - 3 Merits; **HB 580 w/HA 2, & 1** - 3 Merits; **HB 602 w/HA 1** - 3 Merits.

From Administrative Services: **SS 1 to SB 274** - 3 Merits; **SB 374** - 3 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 397 w/HA 3; HB 536 w/HA 1; HB 593; HB 694; HB 572 w/HA 2 & 3; SB 330 w/SA 1; HB 674; HB 513; HB 447; HB 502 w/HA 2; HB 63; HS 1 for 659 w/HA 1; HCR 89; HJR 25; SCR 76; HB 668 w/HA 1, 2, 3 aab 1, 4, 5 & 6.**

**LEGISLATIVE ADVISORY #42**, 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 #42**, dated June 17, 1998. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HB #515** (6/16/98) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT. (Sponsor: Rep. Roy) (Volume 71, Chapter 288, Laws of Delaware.)

**HB #547** (6/16/98) - AN ACT TO AMEND TITLE 13, DELAWARE CODE, RELATING TO MARRIAGE LICENSES. (Sponsor: Rep. Wagner) (Volume 71, Chapter 289, Laws of Delaware.)

**HB #517 AAB SA 1** (6/16/98) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO ESTABLISHING THE DIVISION OF STATE SERVICE CENTERS AND AN ADVISORY COUNCIL ON STATE SERVICE CENTERS. (Sponsor: Rep. Maier) (Volume 71, Chapter 290, Laws of Delaware.)

**HB #567** (6/17/98) - AN ACT TO AMEND CHAPTER 26, TITLE 24 OF THE DELAWARE CODE RELATING TO PHYSICAL THERAPY. (Sponsor: Rep. Ulbrich) (Volume 71, Chapter 291, Laws of Delaware.)

**HB #559** (6/17/98) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO REPORTING OF ABUSE OR NEGLECT IN NURSING HOMES AND SIMILAR FACILITIES. (Sponsor: Rep. Maier) (Volume 71, Chapter 292, Laws of Delaware.)

**HB #429 AAB HA 1** (6/17/98) - AN ACT TO AMEND CHAPTER 20, TITLE 24 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL THERAPY. (Sponsor: Rep. Ulbrich) (Volume 71, Chapter 293, Laws of Delaware.)

**SB #156 AAB SA 1** (6/17/98) - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CHILD IMMUNIZATIONS. (Sponsor: Sen. Henry) (Volume 71, Chapter 294, Laws of Delaware.)

**HB #521 AAB HA 1 AND SA 1** (6/17/98) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES. (Sponsor: Rep. Spence) (Volume 71, Chapter 295, Laws of Delaware.)

**HB 503** (6/17/98) - AN ACT TO AMEND CHAPTER 38, TITLE 31 OF THE DELAWARE CODE REGARDING THE FOSTER CHILD REVIEW ACT AND CHAPTER 101, TITLE 29 OF THE DELAWARE CODE REGARDING THE ADMINISTRATIVE PROCEDURES ACT. (Sponsor: Rep. Ulbrich) (Volume 71, Chapter 296, Laws of Delaware.)

**SB #286** (6/17/98) - AN ACT TO AMEND 71 LAWS OF DELAWARE, CHAPTER 12 RELATING TO SUNSETTING PROVISIONS OF THE PHARMACY ACCESS ACT. (Sponsor: Sen. Blevins) (Volume 71, Chapter 297, Laws of Delaware.)

**HB #428 AAB SA 1** (6/17/98) - AN ACT TO AMEND CHAPTER 36, TITLE 24 OF THE DELAWARE CODE RELATING TO GEOLOGY AND TITLE 29 OF THE DELAWARE CODE. (Sponsor: Rep. Ulbrich) (Volume 71, Chapter 298, Laws of Delaware.)

**HB #442 AAB HA 1 AND 2** (6/17/98) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF COSMETOLOGY AND BARBERING, AND COMPLAINTS REGARDING NAIL SALONS. (Sponsor: Rep. Wagner) (Volume 71, Chapter 299, Laws of Delaware.)

\* \* \*

**HB 525** was reconsidered on motion of Senator Sorenson.

On motion of Senator Cook the roll call was rescinded and laid on the table.

At 2:35 p.m. motion of Senator Voshell, the Senate adjourned to immediately convene for the 40th Legislative Day.

**40TH LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
JUNE 23, 1998**

The Senate convened at 2:35 p.m. with Senator Sharp presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

The roll call vote for attendance was taken and revealed:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell.  
No objections.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
June 23, 1998**

The following amendments were introduced and placed with the bill on June 18, 1998:

**SA 1 to SB 381** - Sponsor: Senator Voshell.

The following amendments were introduced and placed with the bill on June 23, 1998:

**HB 63** - AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN. Sponsor: Representatives Welch, West & Senator McBride; Representatives Spence, Boulden, Buckworth, Carey, Caulk, D. Ennis, Ewing, Lofink, Petrilli, Banning, Brady, Plant, Price; Senators Bunting, Bonini. To: **Judiciary**.

**HB 397 w/HA 3** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL PLANNING AND ZONING COORDINATION. Sponsor: Representative Spence; Senator Voshell, Bair; Representatives Gilligan, Brady; Senators Still, Reed, Sorenson, Connor. To: **Judiciary**.

**HB 447** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO INHERITANCE TAXES. Sponsor: Representatives Caulk & Capano; Representatives Spence, Smith, Welch, Boulden, Buckworth, Carey, Cathcart, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maier, Maroney, Oberle, Petrilli, Quillen,

Reynolds, Roy, Stone, Ulbrich, Wagner; Senators Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson and Still. To: **Judiciary.**

**HB 502 w/HA 2** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXABLE INCOME EXCLUSIONS. Sponsor: Representatives Oberle & Boulden & Spence. To: **Judiciary.**

**HB 513** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE WITH REGARD TO PERSONAL INCOME TAX. Sponsor: Representative Capano; Representatives Spence, Smith, Welch, Buckworth, Cathcart, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lofink, Maier, Maroney, Petrilli, Quillen, Roy, Stone, Ulbrich; Senators Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson, Still. To: **Judiciary.**

**HB 536 w/HA 1** - AN ACT TO AMEND CHAPTER 47 OF TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES. Sponsor: Representative B. Ennis & Representative Spence & Senator Vaughn; Representatives Brady, D. Ennis, Ewing, Gilligan, Houghton, Keeley, Lee, Plant, Scott, Van Sant, Welch, West, Williams. To: **Committee to Combat Drug Abuse.**

**HB 572 w/HA 2 & 3** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO DEBRIS DISPOSAL REMEDIATION. 3/5 VOTE. Sponsor: Representatives Davis & Mack & Senator Sokola; Representatives Carey, DiPinto, Lofink, Oberle, Petrilli, Quillen, Price, Schroeder; Senators Voshell, Bunting, Venables, Amick, Reed, Sorenson. To: **Natural Resources.**

**HB 593** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES FOR THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES AND THE SECRETARY OF THE SENATE. Sponsor: Representative Ewing; Representatives Cathcart, D. Ennis; Senators Adams, Vaughn. To: **Judiciary.**

**HS 1 for HB 659 w/HA 1** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE BY ADDING A NEW CHAPTER 3 RELATING TO ESTABLISHMENT OF A SCHOOL PROPERTY TAX REDUCTION PROGRAM AND AMENDING CHAPTER 75, TITLE 29 OF THE DELAWARE CODE RELATING TO SCHOOL CONSTRUCTION CAPITAL IMPROVEMENTS. Sponsor: Representatives DiPinto & Mack & Senator Bunting & Representatives Davis & Smith & Senator Still; Representatives Spence, Welch, Boulden, Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, D. Ennis, Ewing, Fallon, Lee, Lofink, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Stone, Ulbrich, Wagner, Gilligan, Van Sant, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, West, Williams; Senators Bair, Amick, Bonini, Connor, Reed, Sorenson. To: **Judiciary.**

**HB 668 w/HA 1, 2, 3 AAB HA 1, 4, 5 & 6** - AN ACT TO AMEND TITLE 9 AND TITLE 14 OF THE DELAWARE CODE RELATING TO COUNTIES AND SCHOOL TAXES. Sponsor: Representative Cloutier; Senator Sharp & Representative Smith. To: **Judiciary.**

**HB 674** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO DRIVER EDUCATION. Sponsor: Representative Ulbrich & Senator Sokola; Representatives Spence, Welch, Boulden, Buckworth, Capano, Carey, Cathcart, Cloutier, Davis, DiPinto, D. Ennis, Lofink, Maier, Maroney, Reynolds, Stone, Wagner, Gilligan, Van Sant, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Scott, Williams; Senators Bair, Amick, Bonini, Connor, Reed, Sorenson. To: **Education.**

**HB 694** - AN ACT TO AMEND TITLE 30, DELAWARE CODE RELATING TO RETAIL AND WHOLESALE MERCHANTS' LICENSE REQUIREMENTS AND TAXES. Sponsor: Representative Spence & Senator Sharp. To: **Judiciary.**

**HJR 25** - REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A COMPLETE EXAMINATION OF PROGRAMS FOR DISRUPTIVE PUPILS, ALTERNATIVE SCHOOLS, AND STUDENT DISCIPLINE PROGRAMS, INCLUDING PREVENTION PROGRAMS, AND RECOMMEND WAYS TO IMPROVE AND EXPAND SUCH PROGRAMS. Sponsor: Representative Oberle & Senators Sharp & Bair; Representatives Spence, Smith, Welch, Boulden, Buckworth, Capano, Carey, Cathcart, Caulk, Davis, DiPinto, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Petrilli, Quillen, Reynolds, Roy, Stone, Ulbrich, Wagner, Gilligan, Van Sant, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Schroeder, Scott, West. To: **Education.**

\*\*\*

A messenger from the Governor was announced and admitted.

Senator Adams requested the personal privilege of the floor for Lewis R. Riley and John F. Tarburton, Secretary of Delaware Department of Agriculture.

The witnesses were excused after addressing the Senate.

At 2:43 p.m. Lt. Governor Minner presiding.

**SCR 73** was introduced and brought before the Senate for consideration on motion of Senator McBride.

**SCR 73** - HONORING EDWARD F. "PETE" PETERSON, FORMER PRESIDENT OF THE DELAWARE STATE AMERICAN FEDERATION OF LABORERS, COUNCIL OF INDUSTRIAL ORGANIZATIONS (AFL-CIO), WHO VACATED THE POSITION IN JANUARY OF 1998. Sponsor: Senators McBride, Blevins, and Marshall on behalf of all Senators and Representative Oberle on behalf of all Representatives.

The resolution was read in its entirety, after which several Senators commented.

Senator McBride requested the privilege of the floor for Edward "Pete" Peterson, representing the Iron Workers Local 451.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Adams) ABSENT; therefore, **SCR 73** was declared adopted in the Senate and sent to the House for consideration.

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

**SB 290** was lifted from the table and brought before the Senate for consideration on motion of Senator McBride.

**SB 290** - AN ACT TO AMEND CHAPTERS 21 AND 22 OF TITLE 23 OF THE DELAWARE CODE RELATING TO THE OPERATION OF MOTORBOATS AND PERSONAL WATERCRAFT. 2/3 VOTE

**SA 2 to SB 290** was laid on the table on motion of Senator McBride.

**SA 3 to SB 290** was brought before the Senate for consideration on motion of Senator McBride.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Adams) ABSENT; therefore, **SA 3 to SB 290** was declared part of the bill.

**SB 290 w/SA 1 & 3** was now before the Senate.

Senator Venables commented.

Senator McBride requested the privilege of the floor for Robert Hutchens, representing Fish and Wildlife Enforcement.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 18 Senators YES, 3 (Bonini, Hauge, Venables) NO; therefore, **SB 290 w/SA 3** was declared passed the Senate and sent to the House for consideration.

**HB 558 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 558 w/HA 1 & 2** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO A HEARSAY EXCEPTION FOR INFIRM ADULTS AND PATIENTS AND RESIDENTS OF NURSING HOMES AND RELATED FACILITIES.

Senator Blevins requested the privilege of the floor for Tim Barron, representing Attorney General's office.

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

Senator Connor commented.

A roll call vote was taken and revealed 21 Senators YES; therefore, **HB 558 w/HA 1 & 2** was declared passed the Senate and returned to the House.

**HB 390 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 390 w/HA 1** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO CHILD WELFARE. 2/3 VOTE

**SA 1 to HB 390** was 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 HB 390** was declared part of the bill.

**HB 390 w/HA 1 & SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators YES; therefore, **HB 390 w/HA 1 & SA 1** was declared passed the Senate and sent to the House for reconsideration.

**HB 501** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 501** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE FRAUD.

Senator Vaughn requested the privilege of the floor for Michael Kirchenbauer, representing Delaware Department of Insurance.

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

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

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators YES; therefore, **HB 501** was declared passed the Senate and returned to the House.

**HB 219 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 219 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

Senator Henry commented.

A roll call vote was taken and revealed 14 Senators voting YES, 7 (Adams, Bonini, Cook, McBride, Sharp, Still, Vaughn) NO; therefore, **HB 219 w/HA 1 & 2** 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 Voshell.

**HB 535** - AN ACT DESIGNATING AND NAMING THE PORTION OF DELAWARE ROUTE 1 COMMENCING AT THE NASSAU BRIDGE AND TERMINATING AT SEASHORE STATE PARK AS THE "CHARLES MILLS BOULEVARD".

Several Senators commented.

A roll call vote was taken and revealed 16 Senators voting YES, 1 (Still) NO, 2 (Amick, Reed) NOT VOTING, 2 (Henry, Sharp) ABSENT; therefore, **HB 535** was declared passed the Senate and returned to the House.

**SB 390** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 390** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE STATE CODE RELATING TO STATE BOUNDARIES.

Senator Voshell requested the privilege of the floor for Robert Jordan, representing Delaware State Boundary Commission.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SB 390** was declared passed the Senate and sent to the House for consideration.

**HB 633 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HB 633 w/HA 1 & 2** - AN ACT TO AMEND TITLES 29 AND 31 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE HOUSING AUTHORITY.

Senator Adams requested the privilege of the floor for Susan Frank, representing Delaware Housing Authority.

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

A roll call vote was taken and revealed 19 Senators voting YES, 2 (McDowell, Sharp) NO; therefore, **HB 633 w/HA 1 & 2** was declared passed the Senate and returned to the House.

**HB 548** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HB 548** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO CONVEYANCE OF REAL ESTATE BETWEEN SPOUSES.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (McDowell, Sharp) NO; therefore, **HB 548** was declared passed the Senate and returned to the House.

**HB 219 w/HA 1 & 2** was reconsidered and the roll call was rescinded on motion of Senator Cook.



A roll call vote was taken and revealed 14 Senators voting YES, 7 (Adams, Bonini, Cook, McBride, Sharp, Still, Vaughn) NO; therefore, **HB 219 w/HA 1 & 2** was declared passed the Senate and returned to the House.

**HB 601** was reconsidered on motion of Senator Sorenson.

The roll call was rescinded on motion of Senator Cook.

**HB 601** was then placed back into committee on motion of Senator Sharp.

**SB 382** was brought before the Senate for consideration on motion of Senator Sokola.

**SB 382** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 382** 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 Marshall.

**SB 338** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION.

**SA 1 to SB 338** was introduced and brought before the Senate for consideration on motion of Senator Marshall.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SA 1 to SB 338** was declared part of the bill.

**SB 338 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SB 338 w/SA 1** was declared passed the Senate.

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

**SB 376** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF CARJACKING.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 376** was declared passed the Senate and sent to the House for consideration.

**HB 592** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 592** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES.

Senator Sharp commented.

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

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

Senator Henry requested the privilege of the floor for Representative Shirley Price.

The witness was excused after addressing the Senate.

Senator Voshell and Bunting commented.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Hauge, McBride, Sharp) ABSENT; therefore, **HB 592** was declared passed the Senate and returned to the House.

Senator Bunting requested the personal privilege of the floor to comment on the Senate Rules and on the Majority and Minority Caucus's.

At 4:48 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 5:52 p.m. with Lt. Governor Minner presiding.

The following committee reports were announced:

From Labor: **HB 600 w/HA 1** - 3 Merits.

From Revenue and Taxation: **HB 137** - 3 Merits.

**SB 405** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 405** - AN ACT TO AMEND TITLES 11 AND 24 OF THE DELAWARE CODE RELATING TO THE LICENSING AND REGULATION OF APPEARANCE BONDS AGENTS AND RUNNERS. 3/5 VOTE.

**SA 1 to SB 405** 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 SB 405** was declared part of the bill.

**SB 405 w/SA 1** was now before the Senate.

Senator Henry commented.

Senator Voshell requested the privilege of the floor for Theodore J. Segletes, III, representing the Division of Research, Legislative Council.

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

Senator Connor commented.

A roll call vote was taken and revealed 8 Senators (Adams, Blevins, Cook, Sharp, Sokola, Still, Vaughn, Voshell) voting YES, 12 NO, 1 (Bunting) NOT VOTING; therefore, **SB 405 w/SA 1** was declared defeated.

The Secretary announced a message from the House informing the Senate that it had passed **HB 733; HB 495 w/HA 1 & 2; HB 499; HB 497; HB 568; HJR 26**.

**HJR 26** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sharp.

**HJR 26** - RECOGNIZING JUNE 24, 1998, AS LAW ENFORCEMENT APPRECIATION AND SUPPORT DAY. Sponsor: Representative Spence on Behalf of All Members of the House; Senator Sharp on Behalf of All Members of the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HJR 26** was declared passed the Senate and returned to the House.

**SB 384** was laid on the table on motion of Senator Blevins.

**SB 384** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES. 2/3 VOTE

**SB 417** was introduced and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Blevins.

**SB 417** - AN ACT TO AMEND TITLE 11 & 16 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES. 2/3 VOTE. Sponsor: Senator Blevins; Senator Connor; Representatives Maier, Senators Cook, Henry, Marshall, Voshell, Amick; Representative Capano.

Several Senators commented.

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

On motion of Senator Blevins the bill was laid on the table. No objection.

**SCR 77** was introduced and brought before the Senate for consideration on motion of Senator Marshall.

**SCR 77** - CREATING A NURSING HOME STAFFING TASK FORCE TO MAKE RECOMMENDATIONS TO THE DELAWARE GENERAL ASSEMBLY CONCERNING ADEQUATE STAFFING LEVELS AND STAFFING REQUIREMENTS FOR DELAWARE NURSING HOME FACILITIES. Sponsor: Senator Marshall, Senator Blevins, Representatives Maier, Lofink, Scott, Senators McDowell & Connor; Representative Spence.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 77** was declared adopted in the Senate and sent to the House for consideration.

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

The Secretary announced the agenda for June 24, 1998.

At 6:30 p.m. on motion of Senator Voshell, the Senate recessed until 2:00 p.m. on June 24, 1998.

The Senate reconvened at 2:35 p.m. on June 24, 1998 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Executive: **Paul E. Ellis** - 2 Favorable, 2 Merits; **Stephen J. Rothschild** - 1 Favorable, 3 Merits.

From Energy: **SB 419** - 3 Merits.

From Natural Resources: **HS 1 to HB 55 w/HA 1** - 3 Merits.

From Judiciary: **HB 251 w/HA 1** - 3 Merits; **HB 336 w/HA 1** - 3 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 248; HB 496 w/HA 1; SB 244 w/SA 1 & HA 1**.

A communication from the Chief Clerk, JoAnn Hedrick to the Secretary of the Senate, Bernard J. Brady was read informing the Senate that Representative Scott was added as an additional co-sponsor on **SS 1 for SB 314, SB 344 and SB 360**.

A communication from Senator was read requesting **SB 79** be stricken.

At 2:40 p.m. motion of Senator Voshell, the Senate adjourned to immediately convene for the 41st Legislative Day.

**41ST LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
JUNE 24, 1998**

The Senate convened at 2:40 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Hauge.

The Pledge of Allegiance to the Flag.

The roll call vote for attendance was taken and revealed:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
June 24, 1998**

The following amendments were introduced and placed with the bill on June 23, 1998:

**SA 2 to SS 1 to SB 274** - Sponsor: Senator Sorenson.

**SA 1 to SB 409** - Sponsor: Senator Sorenson.

**SA 1 to HB 549** - Sponsor: Senator Venables.

**SA 1 to HB 580** - Sponsor: Senator Reed.

The following legislation was introduced and assigned on June 23, 1998:

**SB 410** - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1999; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sponsor: Senators Cook, Henry, McBride, Vaughn, Bonini, Sorenson, Representatives Davis, Buckworth, DiPinto, Maroney, Houghton, West. To: **Finance**.

The following amendments were introduced and placed with the bill on June 24, 1998:

**SA 1 to SB 417** - Sponsor: Senator Blevins.

The following legislation was introduced and assigned on June 24, 1998:

**SB 412** - AN ACT TO AMEND CERTAIN PROVISIONS OF SECTION 8-200(5) OF THE CITY OF WILMINGTON HOME RULE CHARTER. Sponsor: Senator Marshall & Representative DiPinto; Senators Henry & McDowell, Representatives Keeley, Plant, Scott & Williams. To: **Laid on the Table**.

**SB 413** - AN ACT TO AMEND TITLE 16 RELATING TO CERTIFIED NURSING ASSISTANTS. Sponsor: Senators Marshall, Blevins, Representatives Maier, Lofink, Scott; Senators McDowell, Henry & Connor; Representative Spence. To: **Laid on the Table**.

**SB 414** - AN ACT AWARDED SPECIAL PENSION BENEFITS TO HELEN F. TRUITT; APPROPRIATING MONEYS INTO THE SPECIAL FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER

55, TITLE 29 OF THE DELAWARE CODE. Sponsor: Senator Voshell & Representative Ewing; Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Hauge, Henry, Marshall, McDowell, Sokola, Vaughn, & Venables; Representatives Buckworth, Carey, Cathcart, Caulk, DiLiberto, DiPinto, B. Ennis, D. Ennis, Fallon, Gilligan, Keeley, Lofink, Maroney, Plant, Price, Quillen, Reynolds, Roy, Schroeder, Scott, Spence, Stone, Van Sant, Wagner, & West. To: **Finance**.

**SB 415** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. Sponsor: Senator Adams and Representative Ewing; Senator Vaughn. To: **Education**.

**SB 416** - AN ACT TO AMEND CHAPTER 401, VOLUME 61 LAWS OF DELAWARE ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF FRANKFORD" BY PERMITTING IT TO ACCEPT GRANTS OR LOANS FROM FEDERAL, STATE, OR INTERSTATE AGENCIES. 2/3 VOTE. Sponsor: Senator Bunting & Representative West. To: **Community/County Affairs**.

**SB 418** - AN ACT TO AMEND CHAPTER 27, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF LAND SURVEYORS. Sponsor: Senator Bunting & Representative Schroeder. To: **Judiciary**.

**SB 419** - AN ACT TO AMEND TITLE 6, TITLE 7, TITLE 18 AND TITLE 26 OF THE DELAWARE CODE RELATING TO INSURANCE FOR COMPRESSED NATURAL GAS (CNG) VEHICLES. 3/5 VOTE. Sponsor: Senator McDowell. To: **Energy**.

**SJR 12** - RELATING TO THE OPPORTUNITY AND STATUS OF MINORITIES IN THE DELAWARE STATE POLICE. Sponsor: Senator Henry & Representatives Plant, Scott & Williams. To: **Executive**.

**HB 248** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE TO AUTHORIZE A FUND TO PROMOTE HEALTHY LIFESTYLES AND TOBACCO-RELATED DISEASE PREVENTION. Sponsor: Representative Maroney and Senator Blevins; Representative Roy; Senators Bair, McBride, Henry, Sokola, Sorenson. To: **Health and Social Services**.

**HB 495 w/HA 1 & 2** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SALE OR DISTRIBUTION OF TOBACCO PRODUCTS TO MINORS. Sponsor: Representative Capano & Senator Vaughn; Representatives Boulden, Brady, Cathcart, Cloutier, Davis, Keeley, Lofink, Maier, Maroney, Petrilli, Price, Reynolds, Roy; Senators Sorenson, Still, Bair, Bonini, Amick. To: **Children, Youth and Their Families**.

**HB 496** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SALE AND DISTRIBUTION OF TOBACCO PRODUCTS TO MINORS. Sponsor: Representative Capano & Senator Vaughn; Representatives Boulden, Brady, Cathcart, Cloutier, Davis, Houghton, Keeley, Lofink, Maier, Maroney, Petrilli, Price, Reynolds, Roy, Schroeder; Senators Sorenson, Amick, Bonini, Bair. To: **Children, Youth and Their Families**.

**HB 497** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SALE OR DISTRIBUTION OF TOBACCO PRODUCTS TO MINORS. Sponsor: Representative Capano & Senator Vaughn; Representatives Boulden, Cathcart, Davis, Keeley, Lofink, Maier, Maroney, Petrilli, Schroeder; Senators Sorenson, Bonini, Bair. To: **Children, Youth and Their Families**.

**HB 499** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SALE OR DISTRIBUTION OF TOBACCO PRODUCTS TO MINORS. Sponsor: Representative Capano & Senator Vaughn; Representatives Boulden, Brady, Cathcart, Davis, Keeley, Lofink, Maroney, Petrilli, Price, Schroeder; Senators Sorenson, Amick, Still, Bonini. To: **Children, Youth and Their Families**.

**HB 568** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SALE OR DISTRIBUTION OF TOBACCO PRODUCTS. Sponsor: Representative Capano & Senator Vaughn; Representatives Boulden, Carey, Cathcart, Cloutier, Davis, Lofink, Maier, Maroney, Petrilli, Roy, Ulbrich, Brady, B. Ennis, Keeley, Price, Schroeder; Senators Bair, Amick, Bonini, Reed, Still, Sorenson. To: **Health and Social Services**.

**HB 733** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE BOOT CAMP INTENSIVE INCARCERATION PROGRAM. Sponsor: Representatives Lee, Schroeder; Senators Vaughn, Bunting, Amick. To: **Corrections**.

The following letter of nomination from the Governor was assigned to the Executive Committee on June 24, 1998:

STATE OF DELAWARE  
Office of the Governor  
June 23, 1998

To the Senate of the 139th 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. Cynthia H. Jarman**, 2415 Milford Harrington Road, Milford, DE 19963, to be reappointed a member of the Tax Appeals Board for a three-year term.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
Office of the Governor  
June 23, 1998

To the Senate of the 139th 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. Edmund S. Krzyzanowski**, 914 Marshall Street, Wilmington, DE 19808, to be reappointed a member of the New Castle County Board of Elections for a four-year term.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
Office of the Governor  
June 23, 1998

To the Senate of the 139th 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. Lowell W. Parke**, 2 Stone's Barn Lane, Wilmington, DE 19807, to be appointed a member of the New Castle County Board of Elections for a four-year term to replace William T. Sperry, Jr.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
Office of the Governor  
June 23, 1998

To the Senate of the 139th 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:  
**The Honorable John R. Hudson**, 415 Hazzard Street, Milton, DE 19968, to be reappointed a Justice of the Peace for Sussex County to serve a six-year term.

Your consideration of this nomination is appreciated.

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

On motion of Senator Adams and without objection, the following nominations by the Governor were brought before the Senate for consideration.

**Paul E. Ellis** - 20 Senators voting YES, 1 (Marshall) ABSENT. Appointment confirmed.

Senators Bair, Sorenson, Still, McBride, Bonini and Venables marked present during the above roll call.

**General Arthur B. Episcopo** - 21 Senators voting YES. Appointment confirmed.

**Robert W. Gore** - 21 Senators voting YES. Appointment confirmed.

**Joan Thompson Mobley** - 21 Senators voting YES. Appointment confirmed.

**Katherine Lee** - 21 Senators voting YES. Appointment confirmed.

**Deborah Hammond** - 21 Senators voting YES. Appointment confirmed.

**Thomas Novak, Jr.** - 21 Senators voting YES. Appointment confirmed.

**Susan L. Parker** - 21 Senators voting YES. Appointment confirmed.

**George M. Records, Jr.** - 21 Senators voting YES. Appointment confirmed.

**Stephen J. Rothschild** - 21 Senators voting YES. Appointment confirmed.

**Marceleate S. Ruffin** - 21 Senators voting YES. Appointment confirmed.

**Theodore W. Ryan** - 21 Senators voting YES. Appointment confirmed.

**Delores A. Washam** - 21 Senators voting YES. Appointment confirmed.

**Lynn W. Williams** - 21 Senators voting YES. Appointment confirmed.

**SB 417** was lifted from the table and brought before the Senate for consideration on motion of Senator Blevins.

**SB 417** - AN ACT TO AMEND TITLE 11 & 16 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES. 2/3 VOTE

**SA 1 to SB 417** was 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 417** was declared part of the bill.

**SB 417 w/SA 1** was now before the Senate.

Senator Vaughn commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 417 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HS 1 to HB 55 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

**HS 1 to HB 55 w/HA 1** - AN ACT TO AMEND TITLES 7 AND 23 OF THE DELAWARE CODE RELATING TO LICENSES, PERMITS, STAMPS AND REGISTRATIONS ISSUED BY AUTHORIZED AGENTS OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.

**SA 1 to HS 1 to HB 55** was brought before the Senate for consideration on motion of Senator Reed.

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

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

Several Senators commented.

A roll call vote was taken and revealed 12 Senators voting YES, 8 (Adams, Blevins, Cook, McBride, McDowell, Sharp, Vaughn, Voshell) NO, 1 (Henry) NOT VOTING; therefore, **SA 1 to HS 1 to HB 55** was declared defeated.

**SA 2 to HS 1 to HB 55** was introduced and brought before the Senate for consideration on motion of Senator Reed.

Senator Bonini commented.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (McDowell, Sharp) NO; therefore, **SA 2 to HS 1 to HB 55** was declared part of the bill.

**HS 1 to HB 55 w/HA 1 & SA 1** was now before the Senate.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Adams, McDowell, Sharp, Vaughn) NO; therefore, **HS 1 to HB 55 w/HA 1 & SA 1** was declared passed the Senate and sent to the House for reconsideration.

**HB 427 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

**HB 427 w/HA 1** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO WATER UTILITIES, WATER SYSTEMS, WATER QUALITY, PENALTIES, AND ENFORCEMENT.

Senator McBride requested the privilege of the floor for Kevin Charles, representing Delaware Division of Public Health.

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

Senator Vaughn commented.

**SA 1 to HB 427** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

Senator Bair requested the privilege of the floor for Ed Hallett, representing Division of Public Safety.

A roll call vote was taken and revealed 5 Senators (Adams, McBride, McDowell, Sharp, Vaughn) voting YES, 16 NO; therefore, **SA 1 to HB 427** was declared defeated.

**HB 427 w/HA 1** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) NO; therefore, **HB 427 w/HA 1** was declared passed the Senate and returned to the House.

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

**SB 335** - AN ACT TO AMEND CHAPTER 14, TITLE 24 OF THE DELAWARE CODE RELATING TO ELECTRICAL CONTRACTORS.

Senators Blevins and Reed commented.

Senator McDowell requested the privilege of the floor for Jeff Clark, Senate Attorney.

The witness was excused after addressing the Senate.

Senators Venables and Amick commented.

A roll call vote was taken and revealed 12 Senators voting YES, 9 (Adams, Amick, Bair, Connor, Hauge, Reed, Sorenson, Still, Vaughn) NO; therefore, **SB 335** was declared passed the Senate and sent to the House for consideration.

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

**SB 381** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO LIFE GUARDS.

**SA 1 to SB 381** was brought before the Senate for consideration on motion of Senator Voshell.

Senator McBride commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 381** was declared part of the bill.

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

Several Senators commented.

A roll call vote was taken and revealed 11 Senators voting YES, 9 (Bonini, Connor, Cook, Marshall, McBride, Reed, Sharp, Sokola, Still) NO, 1 (Bunting) NOT VOTING; therefore, **SB 381 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 631** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 631** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO WITNESSES AND EVIDENCE.

Senator Henry requested the bill be laid on the table. No objection.

**HB 549 w/HA 2 & 3** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 549 w/HA 2 & 3** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF A HANDGUN BY A JUVENILE.

**SA 1 to HB 549** was brought before the Senate for consideration on motion of Senator Venables.

Senators Marshall and Bonini commented.

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

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

Senator Marshall requested the privilege of the floor for Chief of Police, Michael Boykin.

Senator Voshell presiding at 5:25 p.m.

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

Lt. Governor Minner presiding at 5:34 p.m.

Senator Marshall requested the privilege of the floor for Steven Wood, Attorney General's office.

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

Senator Henry requested the privilege of the floor for Representative Dennis Williams.

Senator Blevins raised a point of order.

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

Senator Blevins commented.

Senator Henry requested the privilege of the floor once again for Representative Dennis Williams.

A roll call vote was taken and revealed 6 Senators (Amick, Bair, Blevins, Cook, Reed, Venables) voting YES, 15 NO; therefore, **SA 1 to HB 549** was declared defeated.

**HB 549 w/HA 2 & 3** was now before the Senate.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Amick, Bair, Venables) NO; therefore, **HB 549 w/HA 2 & 3** was declared passed the Senate and returned to the House.

**HB 494 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 494 w/HA 1** - AN ACT TO AMEND TITLE 21, DELAWARE CODE RELATING TO STREET RODS. 2/3 VOTE

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 494 w/HA 1** was declared passed the Senate and returned to the House.

**HB 576** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 576** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF DEATHS.

Senator Amick commented.

A roll call vote was taken and revealed 21 Senators YES; therefore, **HB 576** 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 Vaughn.

**SCR 79** - ESTABLISHING A COMMITTEE TO OBTAIN INFORMATION RELATING TO PKU AND OTHER INHERITED METABOLIC DISEASES; AND TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY CONCERNING SUCH MATTERS AS DIET, EDUCATION AND EARLY INTERVENTION.

Senator Connor 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.

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

At 6:39 p.m. on motion of Senator Voshell, the Senate recessed until 2:00 p.m. on June 25, 1998.

The Senate reconvened at 2:40 p.m. June 25, 1998 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Executive: **Dallas Green** - 4 Merits; **John R. Hudson** - 4 Merits; **Ross E. Austin** - 4 Merits.

From Community/County Affairs: **SB 416** - 4 Merits; **HB 396** - 4 Merits; **HS 1 for HB 395** - 4 Merits.

From Children, Youth and Their Families: **SB 351** - 4 Merits; **HB 649** - 3 Merits.



From Health and Social Services: **HB 248** - 3 Merits; **HB 484** - 3 Merits; **SB 339** - 3 Merits.

From Administrative Services: **HB 551** - 4 Merits.

From Finance: **HB 630** - 6 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 703; HB 734; HB 697; HB 671; SB 344; SB 350; SB 385; SB 392; HB 571 w/HA 1; HB 154 w/HA 1 & 2; HB 581; HB 706 w/HA 1, 2, 3 & 4; HCR 90; SB 327; SB 141; SB 308 w/SA 1; SCR 73; HB 562 w/HA 1; HB 616; HB 614; HB 678; HB 691; HB 693; HB 710; HB 727; SB 328; SB 356; SB 365; SB 320; SB 311; SB 312; SB 173 w/SA 1, 2 & 3; HB 348; HB 749; HB 604; SB 209 w/HA 1; HB 747; HB 666 w/HA 1 AAB HA 1, HA 2, & 3; HB 470 w/HA 2; HB 619 w/HA 1; HB 289; SB 348.**

At 2:45 p.m. motion of Senator Voshell, the Senate adjourned to immediately convene for the 42nd Legislative Day.

**42ND LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
JUNE 25, 1998**

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

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

The roll call vote for attendance was taken and revealed:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
June 25, 1998**

The following amendments were introduced and placed with the bill on June 24, 1998:

**SA 1 to SB 347** - Sponsor: Senator Cook.

**SA 2 to SB 256** - Sponsor: Senator Marshall.

**SA 1 to HB 522** - Sponsor: Senator Blevins.

**SA 1 to HB 544** - Sponsor: Senator Vaughn.

The following legislation was introduced and assigned on June 25, 1998:

**SB 420** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX CREDITS. Sponsor: Senator McDowell & Representative Stone. To: **Children, Youth and Their Families.**

**SB 421** - AN ACT TO REINCORPORATE THE CHARTER OF THE TOWN OF CHESWOLD. 2/3 VOTE. Sponsor: Senator Cook & Representative Welch. To: **Children, Youth and Their Families.**

**SJR 13** - URGING THE STATE PENSION OFFICE AND THE CITY OF WILMINGTON'S BOARD OF PENSIONS AND RETIREMENTS TO JOINTLY DEVELOP AN EQUITABLE METHOD BY WHICH FORMER MUNICIPAL COURT EMPLOYEES COULD TRANSFER THEIR ACCUMULATED SERVICE CREDIT INTO THE STATE PENSION PROGRAM. Sponsor: Senators Henry, McDowell, Marshall; Representatives Scott, Plant, Williams, Keeley. To: **Finance.**

**HB 154 w/HA 1 & 2** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO EQUIPMENT AND CONSTRUCTION OF VEHICLES. Sponsor: Representative Keeley. To: **Public Safety.**

**HB 289** - AN ACT CONCURRING IN PROPOSED AMENDMENTS 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: Representative Wagner, DiLiberto & Senators Voshell, Bair & Amick. To: **Judiciary**.

**HB 348** - AN ACT AUTHORIZING AND DIRECTING THE BOARD OF PENSION TRUSTEES TO GRANT MYRTLE A. THOMAS CREDITED SERVICE PURSUANT TO CHAPTER 55, TITLE 29 OF THE DELAWARE CODE FOR SERVICE WITH THE SUSSEX COUNTY COUNCIL FROM JULY 19, 1976 THROUGH APRIL 15, 1985; AND APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE TO FUND SUCH CREDITED SERVICE. Sponsor: Representative West & Senator Adams. To: **Finance**.

**HB 470 w/HA 2** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO DEPARTMENT OF EDUCATION. Sponsor: Representatives Wagner, Ulbrich & Senator Sokola; Representatives Smith, Welch, Buckworth, Capano, Carey, Cathcart, Davis, DiPinto, D. Ennis, Fallon, Lee, Lofink, Mack, Maroney, Petrilli, Reynolds, Stone, Brady, Houghton. To: **Education**.

**HB 562 w/HA 1 & 2** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO TELEPHONES. Sponsor: Representative Scott; Representatives Brady, Capano, Maier, Plant, West; Senators Henry, Marshall. To: **Administrative Service**.

**HB 571 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HIV TESTING IN ASSAULT OR RELATED OFFENSES AGAINST LAW ENFORCEMENT OFFICERS. Sponsor: Representative Ewing & Senator Vaughn. To: **Public Safety**.

**HB 581** - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO PROVIDE FUNDS FOR MUNICIPALITIES, CITIES, COUNTIES, TOWNS AND STATE POLICE, TO USE TO HIRE ADDITIONAL POLICE OFFICERS, PROVIDE FOR CERTAIN TECHNOLOGIES, AND ESTABLISHING REQUIREMENTS THEREFOR. 3/4 VOTE. Sponsor: Representatives Spence & Welch & Ewing, & Oberle, & Senator McDowell; Representatives Buckworth, Capano, Carey, Cathcart, Cloutier, Davis, DiPinto, D. Ennis, Fallon, Lee, Lofink, Maroney, Petrilli, Roy, Stone, Ulbrich, Wagner, Brady, DiLiberto, B. Ennis, Gilligan, Houghton, Keeley, Plant, Price, Schroeder, Scott, Van Sant, West, Williams; Senators Sharp, Adams, McBride, McDowell, Vaughn, & Bonini. To: **Finance**.

**HB 604** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REQUIRED INFORMATION FOR DRIVER'S LICENSES. Sponsor: Representative Scott; Representatives Boulden, Brady, Buckworth, Capano, Carey, Cathcart, Caulk, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Gilligan, Houghton, Keeley, Lofink, Petrilli, Plant, Price, Quillen, Reynolds, Van Sant, Wagner, West, Williams, Spence. To: **Public Safety**.

**HB 614** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE QUALIFIED TUITION SAVINGS PROGRAM. Sponsor: Representative Oberle & Senator Sokola. To: **Education**.

**HB 616** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO REGULATION OF SALE AND USE OF PESTICIDES AND DEVICES. Sponsor: Representative Caulk & Senator Bunting; Representatives Carey, Mack, Quillen, Price, Schroeder, West; Senators Adams, Bunting, Cook, Venables, Reed & Still. To: **Health and Social Services**.

**HB 619 w/HA 1** - AN ACT TO AMEND CHAPTER 21 OF TITLE 29 RELATING TO THE GOVERNOR'S AUTHORITY TO PROCLAIM SPECIAL DAYS. Sponsor: Representative Price & Representative Spence & Senator Bunting; Representatives Boulden, Brady, Buckworth, Capano, Carey, Cloutier, Caulk, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Keeley, Lee, Lofink, Maroney, Petrilli, Plant, Quillen, Schroeder, Scott, Smith, Ulbrich, Van Sant, Wagner, Welch, West, Williams. To: **Public Safety**.

**HB 671** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO OPTOMETRY. Sponsor: Representative D. Ennis; Representatives

Quillen, Reynolds, Wagner; Senators Marshall & McBride, Vaughn. To: **Health and Social Services.**

**HB 678** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JURY SERVICE. Sponsor: Representative Van Sant; Representatives Buckworth, Capano, Carey, Cathcart, Caulk, DiPinto, B. Ennis, Fallon, Gilligan, Houghton, Keeley, Lee, Lofink, Oberle, Plant, Price, Quillen, Schroeder, Scott, Stone, Ulbrich, Van Sant, Wagner, West, Williams. To: **Health and Social Services.**

**HB 691** - AN ACT TO REPEAL SECTION 730, TITLE 13 OF THE DELAWARE CODE RELATING TO THE REQUIREMENT OF AN AFFIDAVIT IN CERTAIN CUSTODY PROCEEDINGS. Sponsor: Representative Wagner & Senator Bonini; Representatives DiLiberto, Keeley. To: **Children, Youth and Their Families.**

**HB 693** - 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 AUTHORIZE THE ISSUANCE OF REVENUE BONDS. 2/3 VOTE. Sponsor: Representative West & Senator Bunting. To: **Community/County Affairs.**

**HB 697** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO AMBULANCE SERVICE. Sponsor: Representative B. Ennis & Senator Vaughn. To: **Health and Social Services.**

**HB 703** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE REGARDING THE MEDICAL PRACTICES ACT. Sponsor: Representative Ulbrich. To: **Health and Social Services.**

**HB 706 w/HA 1, 2, 3 & 4** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEX OFFENDERS. Sponsor: Representative Roy & Senator Sharp. To: **Corrections.**

**HB 710** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PROOF OF MOTOR VEHICLE INSURANCE. Sponsor: Representative West; Representative Wagner. To: **Insurance.**

**HB 727** - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE AUTHORITY OF THE STATE BANK COMMISSIONER. Sponsor: Representative B. Ennis & Representative Petrilli & Senator Vaughn; Representatives Brady, Buckworth, Carey, Caulk, Ewing, Gilligan, Houghton, Keeley, Lee, Plant, Price, Scott, Ulbrich, Van Sant, West, Williams. To: **Banking.**

**HB 734** - AN ACT TO AMEND CHAPTER 401, VOLUME 61, LAWS OF DELAWARE ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF FRANKFORD" BY PERMITTING IT TO ACCEPT GRANTS OR LOANS FROM FEDERAL, STATE, OR INTERSTATE AGENCIES. 2/3 VOTE. Sponsor: Representative West & Senator Bunting. To: **Community/County Affairs.**

**HB 747** - AN ACT TO AMEND TITLE 12, DELAWARE CODE, RELATING TO QUALIFIED DISPOSITIONS IN TRUST. Sponsor: Representative D. Ennis & Senator Adams; Representatives Stone, Capano, DiPinto, Fallon, Brady, Houghton, Keeley & Scott; Senators Sokola, Sharp & Sorenson. To: **Laid on the Table.**

**HB 749** - AN ACT RELATING TO THE WAIVER OF STATUTORY PROVISIONS OF TITLE 13 OF THE DELAWARE CODE CONCERNING THE SOLEMNIZATION OF MARRIAGES. Sponsor: Representative Oberle. To: **Laid on the Table.**

**HCR 90** - REGARDING A SUPPLEMENTARY APPROPRIATION TO THE DELAWARE COMMUNITY FOUNDATION TO BE HELD AS PERMANENT UNRESTRICTED ENDOWMENT AND CONDITIONS THEREFOR. Sponsor: Representative DiPinto and Senator Bunting; Representatives Capano, Carey, Ewing, Lee, Maroney, Quillen, Stone, Ulbrich, Wagner, Gilligan, Keeley, Plant; Senators Adams, Henry, Marshall, Voshell, Bair, Bonini, Connor, Reed, Sorenson, Still. To: **Finance.**

The following letter of nomination from the Governor were assigned to the Executive Committee on June 25, 1998:

STATE OF DELAWARE  
Office of the Governor  
June 24, 1998

To the Senate of the 139th 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:  
**Lisa Blunt-Bradley**, 8 Alfred Court, Weldin Ridge, Wilmington, Delaware 19803, to be appointed Secretary of the Department of Labor to serve a term during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

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

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

**Robert A. Armstrong** - 19 Senators voting YES, 2 (McBride, Sharp) ABSENT. Appointment confirmed.

Senators Bair and Marshall marked present during the above roll call.

**Ross E. Austin** - 20 Senators voting YES, 1 (McBride) ABSENT. Appointment confirmed.

**Margaret Barrett** - 20 Senators voting YES, 1 (McBride) ABSENT. Appointment confirmed.

**Karen N. Bundeck** - 21 Senators voting YES. Appointment confirmed.

Senator McBride marked present during the above roll call.

**Robert J. Burns** - 21 Senators voting YES. Appointment confirmed.

A messenger from the Governor was announced and admitted.

**Frederick W. Dewey, Jr.** - 21 Senators voting YES. Appointment confirmed.

**John V. Flynn, Jr.** - 21 Senators voting YES. Appointment confirmed.

**Dallas D. Green** - 21 Senators voting YES. Appointment confirmed.

**John R. Hudson** - 21 Senators voting YES. Appointment confirmed.

**Thomas M. Kenney** - 21 Senators voting YES. Appointment confirmed.

**HB 747** was lifted and brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Adams.

**HB 747** - AN ACT TO AMEND TITLE 12, DELAWARE CODE, RELATING TO QUALIFIED DISPOSITIONS IN TRUST.

A roll call vote was taken and revealed 21 Senators voting YES, therefore, **HB 747** was declared passed the Senate and returned to the House.

**SB 351** was brought before the Senate for consideration on motion of Senator McDowell.

**SB 351** - AN ACT TO AMEND TITLES 11, 14, 16 AND 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SERVICES FOR CHILDREN YOUTH AND THEIR FAMILIES AND THE PROTECTION OF CHILDREN FROM ABUSE OR NEGLECT.

Senator Bonini requested his name be removed as co-sponsor of the bill.

**SA 1 to SB 351** was introduced and brought before the Senate for consideration on motion of Senator McDowell.

Senator Bair requested the privilege of the floor for Katherine Way, representing Division of Family Services.

Senator McDowell also requested the privilege of the floor for Tom McGonigle, representing Governor's office.

Senator Bair and McDowell questioned the witnesses, after which the witnesses were excused.

Several Senators commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 351** was declared part of the bill.

**SB 351 w/SA 1** was now before the Senate.

Senator McDowell requested the privilege of the floor for Matthew Denn.

Senators Marshall, Reed and Hauge commented.

Senator Bonini requested the privilege of the floor for Katherine Way, representing Division of Family Services.

Mr. Denn still testifying.

Several Senators questioned the witnesses.

Senator Bair requested the privilege of the floor for Tom McGonigle, representing Governor's office.

The witnesses were excused.

Senator McBride commented.

A roll call vote was taken and revealed 13 Senators voting YES, 8 (Adams, Hauge, McBride, Reed, Sharp, Still, Vaughn, Venables) NO; therefore, **SB 351 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 649 w/HA 1, 2 & 3** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HB 649 w/HA 1, 2 & 3** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO TERMINATION OF PARENTAL RIGHTS.

Senator Reed and Sharp commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 649 w/HA 1, 2 & 3** was declared passed the Senate and returned to the House.

**SB 420** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator McDowell.

**SB 420** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX CREDITS.

Senator Bair commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sorenson) ABSENT; therefore, **SB 420** was declared passed the Senate and sent to the House for consideration.

**SS 1 to SB 274** was brought before the Senate for consideration on motion of Senator Sorenson.

**SS 1 to SB 274** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO SHIPMENT OF ALCOHOLIC LIQUORS.

**SS 1 to SB 274** was laid on the table on motion of Senator Sorenson.

**SB 395** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 395** - AN ACT TO AMEND TITLE 16, DELAWARE CODE RELATING TO THE DISCLOSURE OF RECORDS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 395** was declared passed the Senate and sent to the House for consideration.

**SB 256** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 256** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO MINIMUM WAGE.

**SA 1 to SB 256** was stricken on motion of Senator Marshall.

**SA 2 to SB 256** 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 2 to SB 256** was declared part of the bill.

**SB 256 w/SA 2** was now before the Senate.

Senator Adams requested the privilege of the floor for Andrew Stayton, representing the Delaware Chamber of Commerce.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 9 Senators (Blevins, Connor, Cook, Henry, Marshall, McBride, McDowell, Sokola, Vaughn) voting YES, 11 NO, 1 (Sharp) ABSENT; therefore, **SB 256 w/SA 2** was declared defeated.

**HB 749** 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 749** - AN ACT RELATING TO THE WAIVER OF STATUTORY PROVISIONS OF TITLE 13 OF THE DELAWARE CODE CONCERNING THE SOLEMNIZATION OF MARRIAGES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 749** was declared passed the Senate and returned to the House.

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

**Stanley J. Petraschuk** - 21 Senators voting YES. Appointment confirmed.

At 5:20 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 6:13 p.m. with Lt. Governor Minner presiding.

The following committee reports were announced:

From Committee to Combat Drug Abuse: **SB 225** - 3 Merits; **HB 536 w/HA 1** - 4 Merits.

From Community/County Affairs: **SB 391** - 4 Merits; **SB 421** - 3 Merits; **SB 422** - 3 Merits.

From Health and Social Services: **SB 423** - 3 Merits; **HB 616** - 4 Merits.

From Public Safety: **HB 129 w/HA 1** - 4 Merits; **HB 154 w/HA 1 & 2** - 4 Merits; **HB 179 w/HA 1** - 4 Merits; **HB 180 w/HA 1** - 3 Merits; **HB 425 w/HA 1** - 4 Merits; **HB 571 w/HA 1** - 4 Merits; **HB 577** - 4 Merits; **HB 604** - 4 Merits; **HB 615 w/HA 1** - 3 Merits; **HB 617** - 4 Merits; **HB 619 w/HA 1** - 4 Merits.

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

**SB 347** - AN ACT TO AMEND TITLE 30, DELAWARE CODE, RELATING TO RECIPROCAL COLLECTION OF TAX CLAIMS.

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

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Amick, Bair, Connor, Marshall) ABSENT; therefore, **SA 1 to SB 347** was declared part of the bill.

**SB 347 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SB 347 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 544** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 544** - AN ACT CONCERNING 3 DELAWARE LAWS, CHAPTER 78 AND THE CHESAPEAKE AND DELAWARE CANAL, AUTHORIZING THE UNITED STATES OF AMERICA TO TRANSFER THE OLD ST. GEORGES BRIDGE TO AN APPROPRIATE PRIVATE ENTITY FOR ITS REHABILITATION AND OPERATION, UNDER TERMS AND CONDITIONS ACCEPTABLE TO THE STATE.

**SA 1 to HB 544** 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 (McDowell) ABSENT; therefore, **SA 1 to HB 544** was declared part of the bill.

**HB 544 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 544 w/SA 1** was declared passed the Senate and sent to the House for reconsideration.

**SB 412** was lifted and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Marshall.

**SB 412** - AN ACT TO AMEND CERTAIN PROVISIONS OF SECTION 8-200(5) OF THE CITY OF WILMINGTON HOME RULE CHARTER.

Senators Sharp and Reed commented.

A roll call vote was taken and revealed 17 Senators voting YES, 1 (Reed) NO, 3 (Sharp, Sorenson, Still) NOT VOTING; therefore, **SB 412** was declared passed the Senate and sent to the House for consideration.

**SB 413** was lifted for the table and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Marshall.

**SB 413** - AN ACT TO AMEND TITLE 16 RELATING TO CERTIFIED NURSING ASSISTANTS.

A roll call vote was taken and revealed 15 Senators voting YES, 4 (Bonini, Hauge, Reed, Still) NO, 2 (McBride, Venables) ABSENT; therefore, **SB 413** was declared passed the Senate and sent to the House for consideration.

**HB 129 w/HA 1** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Henry.

**HB 129 w/HA 1** - AN ACT TO AMEND CHAPTER 47, TITLE 16 OF THE DELAWARE CODE RELATING TO PROHIBITIVE ACTS D, PENALTIES. 2/3 VOTE

Senator Henry requested to lay **HB 129 w/HA 1** on the table. No objection.

**HB 176 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 176 w/HA 1** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Amick, McDowell) NO, 1 (Venables) ABSENT; therefore, **HB 176 w/HA 1** was declared passed the Senate and returned to the House.

**HB 180 w/HA 1** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Henry.

**HB 180 w/HA 1** - AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE RELATING TO WINDOW TINTING REQUIREMENTS FOR CERTAIN TYPES OF MOTOR VEHICLES.

Senator Still commented.

Senator Henry requested the privilege of the floor for David Thomas, representing the Delaware State Police.

The witness was excused after addressing the Senate.

Senator McDowell commented.

A roll call vote was taken and revealed 13 Senators voting YES, 8 (Blevins, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still) NO; therefore, **HB 180 w/HA 1** was declared passed the Senate and returned to the House.

**HB 281** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 281** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO MAMMOGRAMS.

**SA 1 to HB 281** 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 (Amick) NOT VOTING; therefore, **SA 1 to HB 281** was declared part of the bill.

**HB 281 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 281 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HB 293 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Bunting.

**HB 293 w/HA 1 & 2** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE ACQUISITION OF AGRICULTURAL LANDS PRESERVATION EASEMENTS.

**SA 1 to HB 293** was introduced and brought before the Senate for consideration on motion of Senator Bunting.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 293** was declared part of the bill.

**HB 293 w/HA 1, 2 & SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 293 w/HA 1, 2 & SA 1** was declared passed the Senate and sent to the House for reconsideration.

**HB 430** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 430** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE COURT'S AUTHORITY TO TAX EXPERT WITNESS FEES AS COURT COSTS.

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.

**SCR 78** was introduced and brought before the Senate for consideration on motion of Senator Henry.

**SCR 78** - CREATING A TASK FORCE ON HEROIN USE TO INVESTIGATE HEROIN IN DELAWARE AND PROVIDE A REPORT TO THE GOVERNOR AND THE GENERAL ASSEMBLY. Sponsor: Senator Henry & Representative Maroney; Senators Blevins & McDowell.

Senator Connor 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.

At 7:12 p.m. on motion of Senator Voshell, the Senate recessed until 1:00 p.m. on June 29, 1998.

The Senate reconvened at 1:28 p.m. June 29, 1998 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Executive: **Cynthia H. Jarman** - 4 Merits; **Peter E. Jones** - 4 Merits;  
**Edmund S. Krzyzanowski** - 4 Merits; **Todd G. Schlitz** - 4 Merits.

From Judiciary: **HB 666 w/HA 1 aab HA 1, 2 & 3** - 3 Merits; **HB 668 w/HA 1, 2, 3 aab 1, 4, 5 & 6** - 3 Merits.

From Health and Social Services: **HB 678** - 4 Merits; **HB 697** - 4 Merits; **HB 703** - 3 Merits.

From Community/County Affairs - **HB 693** - 3 Merits; **HB 734** - 3 Merits; **SB 215** - 3 Merits.

From Administrative Service: **SB 366** - 5 Merits.

From Education: **SB 415** - 3 Merits; **SB 232** - 3 Merits; **HB 674** - 3 Merits; **HJR 25** - 3 Merits; **HB 330 w/HA 1 & 2** - 3 Merits; **HB 652** - 3 Merits; **HB 663 w/HA 1 - 2** Favorable, 1 Merit.

The Secretary announced a message from the House informing the Senate that it had passed **HB 705 w/HA 1; HB 724; SB 210 w/SA 1; SS 1 for SB 250; SB 98 w/SA aab SA 1 & 2.**

**LEGISLATIVE ADVISORY #43**, 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 #43**, dated June 25, 1998. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HB #486** (6/24/98) - AN ACT TO AMEND CHAPTER 98, TITLE 16 OF THE DELAWARE CODE, RELATING TO INITIAL TRAINING OF PARAMEDICS EMPLOYED BY A COUNTY PURSUANT TO THIS CHAPTER. (Sponsor: Rep. B. Ennis) (Volume 71, Chapter 300, Laws of Delaware.)

**HB #378 AAB HA 1** (6/25/98) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE LICENSURE OF RESIDENTIAL AND NONRESIDENTIAL CHILD CARE FACILITIES. (Sponsor: Rep. Keeley) (Volume 71, Chapter 301, Laws of Delaware.)

**HB #596 AAB HA 1** (6/25/98) - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (Sponsor: Rep. Petrilli) (Volume 71, Chapter 302, Laws of Delaware.)

**HB #314** (6/25/98) - AN ACT TO AMEND CHAPTER 88, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF ADMINISTRATIVE SERVICES. (Sponsor: Rep. Ulbrich) (Volume 71, Chapter 303, Laws of Delaware.)

**HB #641** (6/25/98) - AN ACT RELATING TO THE WAIVER OF STATUTORY PROVISIONS OF TITLE 13 OF THE DELAWARE CODE CONCERNING THE SOLEMNIZATION OF MARRIAGES. (Sponsor: Rep. DiPinto) (Volume 71, Chapter 304, Laws of Delaware.)

**HB #519 AAB HA 1** (6/25/98) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE COUNCIL ON VOLUNTEER SERVICES. (Sponsor: Rep. Maier) (Volume 71, Chapter 305, Laws of Delaware.)

**SB #301** (6/25/98) - AN ACT TO AMEND TITLE 11, CHAPTER 65, SECTION 6535 RELATING TO DISCIPLINE. (Sponsor: Sen. Vaughn) (Volume 71, Chapter 306, Laws of Delaware.)

**HB #480** (6/25/98) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ASSAULT IN THE SECOND DEGREE. (Sponsor: Rep. Lee) (Volume 71, Chapter 307, Laws of Delaware.)

**HB #569** (6/25/98) - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO EXTREMELY HAZARDOUS SUBSTANCES RISK MANAGEMENT ACT. (Sponsor: Rep. Mack) (Volume 71, Chapter 308, Laws of Delaware.)

**HB #545** (6/25/98) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCUREMENT. (Sponsor: Rep. B. Ennis) (Volume 71, Chapter 309, Laws of Delaware.)

**SB #242** (6/25/98) - AN ACT TO AMEND TITLE 29, CHAPTER 69 OF THE DELAWARE CODE RELATING TO WAGE PROVISIONS IN PUBLIC CONSTRUCTION CONTRACTS. (Sponsor: Sen. Marshall) (Volume 71, Chapter 310, Laws of Delaware.)

**SB #243** (6/25/98) - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO FRAUD OVERPAYMENTS. (Sponsor: Sen. Marshall) (Volume 71, Chapter 311, Laws of Delaware.)

**SB #245** (6/25/98) - AN ACT TO AMEND TITLE 29, CHAPTER 69 OF THE DELAWARE CODE RELATING TO WAGE PROVISIONS IN PUBLIC



CONSTRUCTION CONTRACTS. (Sponsor: Sen. Marshall) (Volume 71, Chapter 312, Laws of Delaware.)

**SB #297** (6/25/98) - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN SUSSEX COUNTY, FORMERLY KNOWN AS THE BROADKILL SCHOOL. (Sponsor: Sen. Voshell) (Volume 71, Chapter 313, Laws of Delaware.)

**HB #605** (6/25/98) - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES. (Sponsor: Rep. Capano) (Volume 71, Chapter 314, Laws of Delaware.)

**HS 1 FOR HB #407** (6/25/98) - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (Sponsor: Rep. DiLiberto) (Volume 71, Chapter 315, Laws of Delaware.)

**SB #238** (6/25/98) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO SMOKING RESTRICTIONS. (Sponsor: Sen. Sokola) (Volume 71, Chapter 316, Laws of Delaware.)

\* \* \*

At 1:34 p.m. motion of Senator Voshell, the Senate adjourned to immediately convene for the 43rd Legislative Day.

**43RD LEGISLATIVE DAY  
139TH GENERAL ASSEMBLY  
2ND SESSION  
JUNE 29, 1998**

The Senate convened at 1:34 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

The roll call vote for attendance was taken and revealed:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell. No objections.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
June 29, 1998**

**PLEASE NOTE: CORRECTION - SB 241  
PLACED IN COMMUNITY/COUNTY AFFAIRS  
NOT CHILDREN YOUTH AND THEIR FAMILIES**

The following amendments were introduced and placed with the bill on June 25, 1998:

**SA 1 to SB 374** - Sponsor: Senator McDowell.

**SA 1 to SCR 81** - Sponsor: Senator McDowell.

**SA 1 to HB 506** - Sponsor: Senator Sokola.

**SA 1 to HB 512** - Sponsor: Senator Bunting.

**SA 1 to HB 602** - Sponsor: Senator Amick.

The following legislation was introduced and assigned on June 25, 1998:

**SB 422** - AN ACT TO REINCORPORATE THE CHARTER OF THE TOWN OF FARMINGTON. 2/3 VOTE. Sponsor: Senator Adams & Representative Ewing. To: **Community/County Affairs.**

**SB 423** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PARAMEDICS. Sponsor: Senator Blevins & Representative B. Ennis. To: **Health and Social Services**.

**SB 424** - AN ACT TO AMEND TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS. Sponsor: Senators Cook, Vaughn, McBride, Henry, Sorenson, Bonini, Sharp, Voshell, McDowell, Adams, Blevins, Bunting, Marshall, Sokola, Venables, Amick, Bair, Connor, Hauge, Reed, Still, Representatives Davis, Buckworth, DiPinto, Maroney, Houghton, West, Spence, Smith, Welch, Gilligan, Van Sant, Boulden, Brady, Capano, Carey, Cathcart, Caulk, Cloutier, DiLiberto, B. Ennis, D. Ennis, Ewing, Fallon, Keeley, Lee, Lofink, Mack, Maier, Oberle, Petrilli, Plant, Price, Quillen, Reynolds, Roy, Schroeder, Scott, Stone, Ulbrich, Wagner, Williams. To: **Finance**.

**SB 425** - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO NATIONAL GUARD. 2/3 VOTE. Sponsor: Senator Bunting & Representative Welch. To: **Executive**.

**SCR 80** - CREATING A TASK FORCE TO DETERMINE THE BEST WAY TO ENSURE THE AVAILABILITY OF A GREATER VARIETY OF WINE IN THE STATE OF DELAWARE. Sponsor: Senator Sorenson & Representative Capano. To: **Executive**.

**SCR 81** - CREATING A TASK FORCE TO DETERMINE THE BEST WAY TO ENSURE THE AVAILABILITY OF A GREATER VARIETY OF WINE IN THE STATE OF DELAWARE. Sponsor: Senator Sorenson & Representative Capano. To: **Laid on the Table**.

The following letter of nomination from the Governor were assigned to the Executive Committee on June 25, 1998:

STATE OF DELAWARE  
Office of the Governor  
June 25, 1998

To the Senate of the 139th 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:  
**Todd C. Schiltz**, 801 West 22nd Street, Wilmington, Delaware 19802, to be appointed a member of the Tax Appeals Board for a three-year term to replace Joseph Yucht.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
Office of the Governor  
June 25, 1998

To the Senate of the 139th 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:  
**Peter B. Jones, Esq.**, 823 East Market Street, Georgetown, Delaware 19947, to be appointed Associate Judge of the Family Court for Sussex County for a twelve-year term to replace The Honorable Battle R. Robinson.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper

Governor

\* \* \*

The following amendments were introduced and placed with the bill on June 29, 1998:

**SA 1 to HB 179** - Sponsor: Senator Adams.

The following legislation was introduced and assigned on June 29, 1998:

**SB 426** - AN ACT TO AMEND TITLE 16 AND TITLE 24, OF THE DELAWARE CODE, RELATING TO THE DIVISION OF PUBLIC HEALTH OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, THE DIVISION OF PROFESSIONAL REGULATION AND THE BOARD OF COSMETOLOGY AND BARBERING. Sponsor: Senator McBride & Representative Wagner. To: **Health and Social Services**.

**HB 705 w/HA 1** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE UNIFORM COMMERCIAL CODE. Sponsor: Representative Wagner. To: **Judiciary**.

**HB 724** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO REGULATORY PROVISIONS. 2/3 VOTE. Sponsor: Representative Spence; Representatives Maier, Plant. To: **Administrative Services**.

The following letter of nomination from the Governor were assigned to the Executive Committee on June 29, 1998:

STATE OF DELAWARE

Office of the Governor

June 25, 1998

To the Senate of the 139th 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. Jefferson Reed**, 45 North Prestwick Court, Dover, Delaware 19901, to be reappointed a member of the State Coastal Zone Industrial Control Board for a five-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE

Office of the Governor

June 25, 1998

To the Senate of the 139th 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:

**Andrew T. Horsey, Esq.**, 215 Eagleview Lane, Camden, Delaware 19934, to be appointed a Commissioner of the Family Court for a four-year term, to hold a Commissioner position to be authorized by the Fiscal Year 1999 Annual Appropriations Act.

Your consideration of this nomination is appreciated.

Sincerely,

(Signed) Thomas R. Carper  
Governor  
\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 25, 1998

To the Senate of the 139th 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:  
**Patricia Tate Stewart, Esq.**, 804 West 21st Street, Wilmington, Delaware 19802, to be appointed a Commissioner of the Family Court for a four-year term, to hold a Commissioner position to be authorized by the Fiscal Year 1999 Annual Appropriations Act.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
Office of the Governor  
June 25, 1998

To the Senate of the 139th 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:  
**Andrew K. Southmayd, Esq.**, 111 Tobin Drive, Milton, Delaware 19978, to be appointed a Commissioner of the Family Court for a four-year term, to hold a Commissioner position to be authorized by the Fiscal Year 1999 Annual Appropriations Act.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
Office of the Governor  
June 25, 1998

To the Senate of the 139th 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:  
**Martha F. Sackovich, Esq.**, 33 Waterloo Court, Hockessin, Delaware 19707, to be appointed a Commissioner of the Family Court for a four-year term, to hold a Commissioner position to be authorized by the Fiscal Year 1999 Annual Appropriations Act.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,  
Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
Office of the Governor  
June 25, 1998

To the Senate of the 139th 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 Susan Much, Esq.**, 2000 N. Van Buren Street, Wilmington, Delaware 19802, to be appointed a Commissioner of the Family Court for a four-year term, to hold a Commissioner position to be authorized by the Fiscal Year 1999 Annual Appropriations Act.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
Office of the Governor  
June 25, 1998

To the Senate of the 139th 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 Ann H. Herlihy, Esq.**, 2301 West 11th Street, Wilmington, Delaware 19805, to be appointed a Commissioner of the Family Court for a four-year term, to hold a Commissioner position to be authorized by the Fiscal Year 1999 Annual Appropriations Act.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
Office of the Governor  
June 25, 1998

To the Senate of the 139th 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:  
**John R. Carrow, Esq.**, 2100 Chelmsford Circle, Newark, Delaware 19713, to be appointed a Commissioner of the Family Court for a four-year term, to hold a Commissioner position to be authorized by the Fiscal Year 1999 Annual Appropriations Act.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE

Office of the Governor  
June 25, 1998

To the Senate of the 139th 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:  
**M. DeSales Haley, Esq.**, 11 Carolina Court, Wilmington, Delaware 19808, to be appointed a Commissioner of the Family Court for a four-year term, to hold a Commissioner position to be authorized by the Fiscal Year 1999 Annual Appropriations Act.

Your consideration of this nomination is appreciated.

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

A messenger from the Governor was announced and admitted.

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

**Lowell W. Groundland** - 21 Senators voting YES. Appointment confirmed.

Senators Marshall and McBride marked present during the above roll call.

**Cynthia H. Jarman** - 21 Senators voting YES. Appointment confirmed.

**Peter B. Jones, Esq.** - 21 Senators voting YES. Appointment confirmed.

**Edmund S. Krzyzanowski** - 21 Senators voting YES. Appointment confirmed.

Under the suspension of the necessary rules, a roll call vote was taken on **Lowell W.**

**Parke** - 20 Senators voting YES, 1 (Marshall) ABSENT. Appointment confirmed.

A messenger from the Governor was announced and admitted.

**Todd G. Schlitz** - 21 Senators voting YES. Appointment confirmed.

Senator Marshall requested that **SB 256** be reconsidered.

Senator Marshall requested the roll call be rescinded.

Senator Still objected.

A roll call vote was taken on the motion to rescind the roll call and revealed 12 Senators voting YES, 9 (Adams, Amick, Bair, Bonini, Hauge, Reed, Sorenson, Still, Venables) NO; therefore, the motion carried.

Senator Marshall requested the bill be laid on the table. No objection.

At 1:59 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 3:03 p.m. with Lt. Governor Minner presiding.

A communication from the President Pro Tempore, Senator Thomas B. Sharp was read into the record regarding **SB 239**, appointing Ron Gardner a member of the Committee on the Acquisition of Real Property by the Delaware Department of Transportation.

**SCR 81** was lifted from the table and brought before the Senate for consideration on motion of Senator Sorenson.

**SCR 81** - CREATING A TASK FORCE TO DETERMINE THE BEST WAY TO ENSURE THE AVAILABILITY OF A GREATER VARIETY OF WINE IN THE STATE OF DELAWARE.

**SA 1 to SCR 81** was brought before the Senate for consideration on motion of Senator McDowell.

**SA 1 to SCR 81** was laid on the table on motion of Senator McDowell.

**SCR 81** was laid on the table on motion of Senator Sorenson.

**HB 476 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 476 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE LAW ENFORCEMENT OFFICER BILL OF RIGHTS. 2/3 VOTE

A roll call vote was taken and revealed 21 Senators voting YES; therefore **HB 476 w/HA 1** was declared passed the Senate and returned to the House.

**HB 506** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 506** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT VOLUNTEERISM.

**SA 1 to HB 506** was brought before the Senate for consideration on motion of Senator Sokola.

Senator Bair commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore **SA 1 to HB 506** was declared part of the bill.

**HB 506 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore **HB 506 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HB 512 w/HA 2** was brought before the Senate for consideration on motion of the floor manager, Senator Bunting.

**HB 512 w/HA 2** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO HARNESS RACING.

**SA 1 to HB 512** was brought before the Senate for consideration on motion of Senator Bunting.

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/HA 2 & SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 512 w/HA 2 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HB 520 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 520 w/HA 1** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO NONRESIDENT PHARMACIES.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Marshall, McBride) ABSENT; therefore, **HB 520 w/HA 1** was declared passed the Senate and returned to the House.

**HB 551 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HB 551 w/HA 1** - AN ACT TO AMEND TITLE 4, DELAWARE CODE, RELATING TO ALCOHOLIC BEVERAGE CONTROL COMMISSION APPLICATION PROCEDURAL REQUIREMENTS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 551 w/HA 1** was declared passed the Senate and returned to the House.

**HB 594** was brought before the Senate for consideration on motion of the floor manager, Senator Bunting.

**HB 594** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FORESTRY AND ESTABLISHING AN URBAN AND COMMUNITY FORESTRY PROGRAM.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 594** was declared passed the Senate and returned to the House.

**HB 602 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 602 w/HA 1** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH CARE DECISIONS.

**SA 1 to HB 602** was brought before the Senate for consideration on motion of Senator Amick.

**SA 1 to HB 602** was laid on the table on motion of Senator Amick.

Senator Blevins commented.

**HB 602 w/ HA 1** was laid on the table on motion of Senator Blevins.

**HB 609 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Bunting.

**HB 609 w/HA 1** - AN ACT TO AMEND CHAPTER 81, TITLE 10, DELAWARE CODE RELATING TO NUISANCE ACTIONS RESULTING FROM AGRICULTURAL OPERATIONS.

Senator Bair commented.

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

The witness was excused after addressing the Senate.

Senator Bunting moved to lay **HB 609 w/HA 1** on the table. No objection.

**HB 617** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 617** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIREWORKS.

Senator Adams commented.

Senator Henry requested the privilege of the floor for James L. Cubbage, representing the State Fire Marshall's office.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bonini, Sharp) ABSENT; therefore, **HB 617** was declared passed the Senate and returned to the House.

**HB 602 w/HA 1** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**SA 1 to HB 602** was lifted from the table and brought before the Senate for consideration on motion of Senator Amick.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SA 1 to HB 602** was declared part of the bill.

**HB 602 w/HA 1 & SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 602 w/HA 1 & SA 1** was declared passed the Senate and sent to the House for reconsideration.

**HB 600 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

**HB 600 w/HA 1** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO DISCHARGING OR DISCRIMINATING AGAINST AN EMPLOYEE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 600 w/HA 1** was declared passed the Senate and returned to the House.

**SS 1 for SB 414** was introduced and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Voshell.

**SS 1 for SB 414** - AN ACT AWARDED SPECIAL PENSION BENEFITS TO HELEN F. TRUITT; APPROPRIATING MONEYS INTO THE SPECIAL FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29 OF THE DELAWARE CODE. Senator Voshell & Representative Ewing; Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Hauge, Henry, Marshall, McDowell, Sokola, Vaughn & Venables; Representatives Buckworth, Carey, Cathcart Caulk, DiLiberto, DiPinto, B. Ennis, D. Ennis, Fallon, Gilligan, Keeley, Lofink, Maroney, Plant, Price, Quillen, Reynolds, Roy, Schroeder, Scott, Spence, Stone, Van Sant, Wagner, & West.

Several Senators commented.

Senator Voshell moved to lay **SS 1 for SB 414** on the table. No objection.

**HB 630 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HB 630 w/HA 1** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS LICENSES AND TAXES. 3/5 VOTE

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 630 w/HA 1** was declared passed the Senate and returned to the House.

**HB 580 w/HA 2 aab HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 580 w/HA 2 aab HA 1** - AN ACT TO AMEND TITLES 16 AND 21, DELAWARE CODE, RELATING TO ORGAN AND TISSUE PROCUREMENT, ALSO TO BE KNOWN AS THE GIFT OF LIFE INITIATIVE, AND CREATING A VOLUNTARY ORGAN AND TISSUE AWARENESS TRUST FUND.

**SA 1 to HB 580** was stricken on motion of Senator Reed.

**SA 2 to HB 580** was introduced and brought before the Senate for consideration on motion of Senator Reed.

Senators Sharp and Sokola commented.

Senator Reed requested the privilege of the floor for Joseph Letnauchyn, representing Delaware Healthcare Association.



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

Senator Blevins requested the privilege of the floor for Howard M. Nathan, representing the Delaware Valley Transplant Program.

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

Senator Blevins requested the privilege of the floor for Kevin Sparkman, representing the Delaware Valley Transplant Program.

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

Senator Sharp requested the privilege of the floor for Representative Buckworth.

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

Senator McBride commented.

A roll call vote was taken and revealed 8 Senators (Amick, Bair, Connor, Hauge, Reed, Sorenson, Still, Venables) voting YES, 12 NO, 1 (Bunting) NOT VOTING; therefore, **SA 2 to HB 580** was declared defeated.

**SA 3 to HB 580** was introduced and brought before the Senate for consideration on motion of Senator Reed.

Senator Blevins commented.

A roll call vote was taken and revealed 6 Senators (Amick, Bair, Connor, Reed, Sorenson, Still) voting YES, 14 NO, 1 (Hauge) ABSENT; therefore, **SA 3 to HB 580** was declared defeated.

**SA 4 to HB 580** was introduced and brought before the Senate for consideration on motion of Senator Reed.

Senator Sharp motioned to lay the amendment on the table.

Senator Reed objected.

A roll call vote was taken on the motion to lay the bill on the table and revealed 11 Senators voting YES, 10 (Amick, Bair, Bonini, Bunting, Connor, Hauge, Reed, Sorenson, Still, Venables) NO; therefore, the motion carried.

At 5:00 p.m. Senator Hauge presiding.

**HB 580 w/HA 2 aab HA 1** was now before the Senate.

Senators McBride and Blevins commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 580 w/HA 2 aab HA 1** was declared passed the Senate and returned to the House.

At 5:13 p.m. Lt. Governor Minner presiding.

**SCR 81** was lifted from the table and brought before the Senate for consideration on motion of Senator Sorenson.

**SA 2 to SCR 81** was introduced and brought before the Senate for consideration on motion of Senator McDowell.

Several Senators commented.

A roll call vote was taken and revealed 8 Senators (Adams, Cook, Marshall, McBride, McDowell, Sharp, Vaughn, Voshell) voting YES, 13 NO; therefore, **SA 2 to SCR 81** was declared defeated.

**SCR 81** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 81** was declared adopted by the Senate and sent to the House for consideration.

**HB 609 w/HA 1** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Bunting.

**SA 1 to HB 609** was introduced and brought before the Senate for consideration on motion of Senator Bunting.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 609** was declared part of the bill.

**HB 609 w/HA 1 & SA 1** was now before the Senate.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Amick, McBride) NO, 1 (Sharp) NOT VOTING; therefore, **HB 609 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**SB 422** was brought before the Senate for consideration on motion of Senator Adams.

**SB 422** - AN ACT TO REINCORPORATE THE CHARTER OF THE TOWN OF FARMINGTON. 2/3 VOTE

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, **SB 422** was declared passed the Senate and sent to the House for consideration.

**SB 421** was brought before the Senate for consideration on motion of Senator Cook.

**SB 421** - AN ACT TO REINCORPORATE THE CHARTER OF THE TOWN OF CHESWOLD. 2/3 VOTE

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore, **SB 421** was declared passed the Senate and sent to the House for consideration.

**SB 391** was brought before the Senate for consideration on motion of Senator Adams.

**SB 391** - AN ACT TO AMEND CHAPTER 197, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, BEING AN ACT ENTITLED: "AN ACT TO REINCORPORATE THE TOWN OF ELLENDALE". 2/3 VOTE

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore, **SB 391** was declared passed the Senate and sent to the House for consideration.

**SB 416** was stricken on motion of Senator Bunting.

**HB 668 w/HA 1, 2, 3 aab HA 1, 4, 5 & 6** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 668 w/HA 1, 2, 3 aab HA 1, 4, 5 & 6** - AN ACT TO AMEND TITLE 9 AND TITLE 14 OF THE DELAWARE CODE RELATING TO COUNTIES AND SCHOOL TAXES.

Senator Bair commented.

Senator Sharp requested the privilege of the floor for Thomas Gordon, New Castle County Executive and William Rhodunda, representing New Castle County.

Several Senators questioned the witnesses, after which the witnesses were excused. Senator Sorenson commented.

A roll call vote was taken and revealed 15 Senators voting YES, 5 (Amick, Bonini, Hauge, Reed, Still) NO, 1 (Venables) ABSENT; therefore, **HB 668 w/HA 1, 2, 3 aab HA 1, 4, 5 & 6** was declared passed the Senate and returned to the House.

**HB 666 w/HA 1 aab HA 1, 2 & 3** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 666 w/HA 1 aab HA 1, 2 & 3** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY.

Senator Sharp requested the privilege of the floor for William Rhodunda, representing New Castle County.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Reed) NO, 1 (Venables) ABSENT; therefore, **HB 666 w/HA 1 aab HA 1, 2 & 3** was declared passed the Senate and returned to the House.

**SB 428** was introduced and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Adams.

**SB 428** - AN ACT TO AMEND CHAPTER 401, VOLUME 62 LAWS OF DELAWARE ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF FRANKFORD" BY PERMITTING IT TO ACCEPT GRANTS OR LOANS FROM FEDERAL, STATE, OR INTERSTATE AGENCIES. 2/3 VOTE. Sponsor: Senator Bunting & Representative West.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SB 428** was declared passed the Senate and sent to the House for consideration.

**SS 1 for SB 414** was lifted from the table and brought before the Senate for consideration on motion of Senator Voshell.

**SA 1 to SS 1 for SB 414** 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 (Sharp) ABSENT; therefore, **SA 1 to SS 1 for SB 414** was declared part of the bill.

**SS 1 for SB 414 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (McBride) NO, 1 (Sharp) ABSENT; therefore, **SS 1 for SB 414 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 383** was brought before the Senate for consideration on motion of Senator Venables.

**SB 383** - AN ACT TO AMEND CHAPTER 17 OF TITLE 7 OF THE DELAWARE CODE RELATING TO DOG AND KENNEL LICENSES. 3/5 VOTE

Senator McBride commented.

A roll call vote was taken and revealed 18 Senators voting YES, 1 (McBride) NO, 2 (Marshall, Sharp) ABSENT; therefore, **SB 383** was declared passed the Senate and sent to the House for consideration.

**HB 693** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 693** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLSBORO, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO", TO AUTHORIZE THE ISSUANCE OF REVENUE BONDS.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Amick, Sharp) ABSENT; therefore, **HB 693** was declared passed the Senate and returned to the House.

**SB 423** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 423** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PARAMEDICS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SB 423** was declared passed the Senate and sent to the House for consideration.

**SB 133** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Reed.

**SB 133** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO DANGEROUS AND POTENTIALLY DANGEROUS DOGS. 2/3 VOTE

Senator McBride commented.

**SA 1 to SB 133** was introduced and brought before the Senate for consideration on motion of Senator Reed.

Senator Reed moved to lay **SB 133** and **SA 1 to SB 133** on the table. No objection.

**SB 275** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Bonini.

**SB 275** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE TEACHING OF THE UNITED STATES CONSTITUTION AND THE DECLARATION OF INDEPENDENCE.

Senators Blevins and Venables commented.

A roll call vote was taken and revealed 16 Senators voting YES, 5 (Blevins, Cook, Henry, McDowell, Sharp) NO; therefore, **SB 275** was declared passed the Senate and sent to the House for consideration.

**SB 282** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Hauge.

**SB 282** - AN ACT AWARDING RETROACTIVE PENSION BENEFITS TO CYRIC W. CAIN, JR., TRANSFERRING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT.

Senators Marshall and Still commented.

A roll call was taken and revealed 19 Senators voting YES, 2 (Cook, Sharp) NO; therefore, **SB 282** was declared passed the Senate and sent to the House for consideration.

**SB 133** was lifted from the table and brought before the Senate for consideration on motion of Senator Reed.

**SA 1 to SB 133** was lifted and brought before the Senate for consideration on motion of Senator Reed.

A roll call vote was taken and revealed 17 Senators voting YES, 3 (McDowell, Sharp, Venables) NO, 1 (McBride) ABSENT; therefore, **SA 1 to SB 133** was declared part of the bill.

**SA 2 to SB 133** was introduced and brought before the Senate for consideration on motion of Senator Reed.

Senator McDowell commented.

Senator Reed requested the privilege of the floor for John Baker, representing Division of Fish and Wildlife.

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

A roll call vote was taken and revealed 19 Senators voting YES, 2 (McDowell, Sharp) NOT VOTING; therefore, **SA 2 to SB 133** was declared part of the bill.

**SB 133 w/SA 1 & 2** was now before the Senate.

Senator Reed requested the privilege of the floor for Bill Moody, representing Delaware's SPCA.

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

Senator McBride commented.

Senator Reed requested the privilege of the floor for John Calwell, representing Delaware's SPCA.

The witness was excused after addressing the Senate.

Senator McDowell commented.

A roll call vote was taken and revealed 14 Senators voting YES, 6 (Adams, Cook, McDowell, Vaughn, Venables, Voshell) NO, 1 (Sharp) ABSENT; therefore, **SB 133 w/SA 1 & 2** was declared passed the Senate and sent to the House for consideration.

**SB 326** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Still.

**SB 326** - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, DIVISION OF FISH AND WILDLIFE, TO ISSUE A COMMERCIAL CRAB DREDGERS LICENSE TO SAMUEL J. FOX, III OF LEIPSIC, DELAWARE, WHO IS PRESENTLY PROHIBITED FROM OBTAINING A PERMIT UNDER §1918 (B), TITLE 7 OF THE DELAWARE CODE.

Several Senators commented.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Blevins, Cook, Sharp) ABSENT; therefore, **SB 326** was declared passed the Senate and sent to the House for consideration.

**SB 232** was brought before the Senate for consideration on motion of Senator Still.

**SB 232** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS.

Senators Sokola and McDowell commented.

Senator Still moved to lay **SB 232** on the table. No objection.

**SB 254** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Bair.

**SB 254** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO GRAFFITI. 2/3 VOTE

Several Senators commented.

Senator Bair requested the privilege of the floor for Richard Dillard, Senate Attorney.

Senator Voshell commented.

Senator Bair moved to lay **SB 254** on the table. No objection.

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

**SB 366** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ADMINISTRATION OF THE LOTTERY.

Senator Bair moved to lay **SB 366** on the table. No objection.

**SB 429** was introduced and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Sokola.

**SB 429** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC EDUCATION. Sponsor: Senator Sokola & Representative Boulden & Representative Schroeder; Senators Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, McDowell, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Sorenson & Still; Representatives Buckworth, Cathcart, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Smith, Spence, Stone, Ulbrich, Wagner, DiLiberto, B. Ennis, Gilligan, Houghton, Keeley, Plant, West & Williams.

**SA 1 to SB 429** was introduced and brought before the Senate for consideration on motion of Senator Adams.

Senator Adams yields to Senator Hauge.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Sharp, Venables) ABSENT; therefore, **SA 1 to SB 429** was declared part of the bill.

**SB 429 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Reed, Sharp, Venables) ABSENT; therefore, **SB 429 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SCR 83** was introduced and brought before the Senate for consideration on motion of Senator McBride.

**SCR 83** - ESTABLISHING THE NAIL TECHNOLOGY TASK FORCE TO REVIEW AND MAKE RECOMMENDATIONS REGARDING THE PRACTICE OF NAIL TECHNOLOGY. Sponsor: Senator McBride, Representative Wagner and Ulbrich.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **SCR 83** was declared adopted by the Senate and sent to the House for consideration.

At 8:00 p.m. on motion of Senator Voshell, the Senate recessed until 2:00 p.m. on June 30, 1998.

The Senate reconvened at 2:12 p.m. June 30, 1998 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 508; HS 1 for HB 312; HB 640; HB 483 w/HA 1; SB 142 w/SA 2 & HA 1; SB 345, SS 1 for SB 314; HCR 92; HCR 93; SS 1 for SB 277; SS 1 for SB 220 w/HA 1; SB 294 w/SA 1; HB 758, HB 748; HB 761; HB 722 w/HA 1; HCR 94 w/HA 1; HCR 82; HCR 83; SB 362 w/HA 1; SB 363 w/SA 1; SB 380, SB 372; HB 745 w/HA 1 & 2; HB 618; HB 687; HB 669 w/HA 1; HB 688; HB 589; HB 644; HB 698; HB 578 w/HA 3; HJR 27; SB 332; SB 359 w/SA 1; SB 360; SB 353; SB 293 w/SA 1; SB 317 w/SA 1; HB 582; HB 707; HB 732; HB 731; HB 714; SB 352 w/SA 1; SB 390; SB 382; SB 336; SS 1 for SB 194 w/SA 1; HB 690; HB 702; HB 708; HB 713 w/HA 1; HB 730 w/HA 1 & 2; HB 739; HB 743 w/HA 1; HB 487 w/HA 1; HB 625 w/HA 2 & 3; HB 634; HB 660; HB 670; HB 689; HCR 86 w/HA 1; SB 298 w/HA 1 & 2; SB 300; SB 315; SB 361; SB 417 w/SA 1.**

The following committee reports were announced:

From Health and Social Services: **SB 426** - 3 Merits.

From Education: **HB 470** - 4 Merits; **HB 614** - 2 Favorable, 2 Merits; **HCR 26** - 3 Merits.

From Natural Resources: **HB 572** - 3 Merits; **HB 636** - 3 Merits; **HB 657** - 3 Merits; **HCR 62** - 3 Merits.

From Highways and Transportation: **SCR 82** - 4 Merits.

At 2:20 p.m. motion of Senator Voshell, the Senate adjourned to immediately convene for the 44th Legislative Day.

#### **44TH LEGISLATIVE DAY 139TH GENERAL ASSEMBLY 2ND SESSION JUNE 30, 1998**

The Senate convened at 2:20 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

The roll call vote for attendance was taken and revealed:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, 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 Voshell. No objections.

On motion of Senator Adams and without objection, the following nominations by the Governor were considered under the suspension of the necessary rules.

**George J. Collins** - 17 Senators voting YES, 4 (Bair, Hauge, McBride, Venables) ABSENT. Appointment confirmed.

Senators Blevins and Cook marked present during the above roll call.

**John H. Cordrey, Esq.** - 20 Senators voting YES, 1 (McBride) ABSENT. Appointment confirmed.

Senator Bair and Venables marked present during the above roll call.

**Andrew T. Horsey, Esq.** - 20 Senators voting YES, 1 (McBride) ABSENT. Appointment confirmed.

**Phyllis M. McKinley** - 20 Senators voting YES, 1 (McBride) ABSENT. Appointment confirmed.

**R. Jefferson Reed** - 20 Senators voting YES, 1 (McBride) ABSENT. Appointment confirmed.

**Andrew K. Southmayd, Esq.** - 20 Senators voting YES, 1 (McBride) ABSENT. Appointment confirmed.

**SB 254** was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Bair.

**SA 1 to SB 254** was introduced and brought before the Senate for consideration on motion of Senator Bair.

Senators McDowell and Connor commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, **SA 1 to SB 254** was declared part of the bill.

**SB 254 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, **SB 254 w/SA 1** was declared passed the Senate and sent to the House for consideration.

Senator Still moved to reconsider **SB 326** and rescind the roll call vote.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, **SB 326** was declared passed the Senate and sent to the House for consideration.

**SB 232** was lifted from the table and brought before the Senate for consideration on motion of Senator Still.

**SA 1 to SB 232** was introduced and brought before the Senate for consideration on motion of Senator Still.

Senator Sokola commented.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (McBride, McDowell) ABSENT; therefore, **SA 1 to SB 232** was declared part of the bill.

**SB 232 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 16 Senators voting YES, 2 (Hauge, Henry) NO, 3 (Marshall, McBride, McDowell) ABSENT; therefore, **SB 232 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 209 w/HA 1**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator Amick.

A roll call vote was taken and revealed 18 Senators voting YES, 1 (Bonini) NO, 2 (McBride, McDowell) ABSENT; therefore, **SB 209 w/HA 1** was declared passed the Senate and sent to the Governor.

**SB 244 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 Marshall.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (McBride, Still) ABSENT; therefore, **SB 244 w/SA 1 & HA 1** was declared passed the Senate and sent to the Governor.

**SB 298 w/HA 1 & 2**, which was returned from the House with amendments, was brought before the Senate for reconsideration on motion of Senator Henry.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, **SB 298 w/HA 1 & 2** was declared passed the Senate and sent to the Governor.

**SS 1 for SB 220 w/HA 1**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Amick, Bonini, McBride) ABSENT; therefore, **SS 1 for SB 220 w/HA 1** was declared passed the Senate and sent to the Governor.

**SB 142 w/SA 2 & HA 2**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator McDowell.

Senator McDowell moved to lay **SB 142** on the table. No objection.

**SB 362 w/HA 1**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator McDowell.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Amick, McBride) ABSENT; therefore, **SB 362 w/HA 1** was declared passed the Senate and sent to the Governor.

**HB 394** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 394** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ADVISORY PANEL ON INTERGOVERNMENTAL PLANNING AND COORDINATION.

Senator McBride marked present during above roll call.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Amick) ABSENT; therefore, **HB 394** was declared passed the Senate and returned to the House.

**HB 253** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 253** - AN ACT TO AMEND CHAPTER 13, TITLE 10 OF THE DELAWARE CODE RELATING TO TRANSFER OF JUDGEMENTS FROM THE COURT OF COMMON PLEAS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 253** was declared passed the Senate and returned to the House.

**HB 536 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 536 w/HA 1** - AN ACT TO AMEND CHAPTER 47 OF TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES.

Senators Amick and Connor commented.

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

The witness excused after addressing the Senate.

Senator Venables commented.

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

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 10 Senators voting YES, 9 (Amick, Bair, Bunting, Connor, Hauge, Reed, Sokola, Still, Venables) NO, 2 (Blevins, McDowell) ABSENT; therefore, **HB 536 w/HA 1** was declared defeated by the Senate and returned to the House.

**HB 603** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of the floor manager, Senator Cook.

**HB 603** - AN ACT TO AMEND TITLE 29 RELATING TO THE PROCUREMENT OF MATERIAL AND NONPROFESSIONAL SERVICES BY ORGANIZATIONS RECEIVING GRANT-IN-AID.

Senator Bair commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **HB 603** was declared passed the Senate and returned to the House.

**HB 543** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 543** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PUBLIC NOTICE OF TIER THREE SEX OFFENDERS.

Senator Bair commented.

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

The witness was excused after addressing the Senate

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **HB 543** was declared passed the Senate and returned to the House.

**HS 1 for HB 395 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HS 1 for HB 395 w/HA 1** - AN ACT TO AMEND CHAPTER 91 OF TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PLANNING.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HS 1 for 395 w/HA 1** was declared passed the Senate and returned to the House.

**HB 456** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of the floor manager, Senator Adams.

**HB 456** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ADULT ENTERTAINMENT ESTABLISHMENTS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 456** was declared passed the Senate and returned to the House.

**HB 453** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 453** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE UNIFORM COMMERCIAL CODE.

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

The witness was excused.

Senator Sharp moved to lay **HB 453** on the table. No objection.

**HB 215 w/HA 2** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 215 w/HA 2** - AN ACT TO AMEND CHAPTER 48, TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD RESTRAINT IN MOTOR VEHICLES.  
2/3 VOTE

Several Senators commented.

Senator Henry requested the privilege of the floor for Representative Helene Keeley. Several Senators questioned the witness, after which the witness was excused.

Senator Henry moved to lay **HB 215 w/HA 2** on the table. No objection.

**HB 396** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 396** - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO MUNICIPAL PLANNING.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore, **HB 396** 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 McBride.

**HB 657** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE REPORTING REQUIREMENTS FOR HOLDERS OF COMMERCIAL SHELLFISHING LICENSES AND PERMITS.

Senator McBride requested the privilege of the floor for John Baker, representing Division of Fish and Wildlife.

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

A roll call vote was taken and revealed 9 Senators (Adams, Blevins, Bunting, Cook, Marshall, McBride, Sokola, Vaughn, Voshell) voting YES, 12 NO; therefore, **HB 657** was declared defeated by the Senate and returned to the House.

**HB 460 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HB 460 w/HA 1** - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO LEGAL HOLIDAYS.

Senator Adams moved to lay **HB 460 w/HA 1** on the table. No objection.

**HB 636** was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

**HB 636** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO RECREATIONAL GILL NETS. 2/3 VOTE

Senator McBride requested the privilege of the floor for John Baker, representing Division of Fish and Wildlife.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 636** was declared passed the Senate and returned to the House.

**SB 215** was brought before the Senate for consideration on motion of Senator Sokola.

**SB 215** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY PLANNING.

**SA 1 to SB 215** 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 SB 215** was declared part of the bill.

**SB 215 w/SA 1** was now before the Senate.

Senator Vaughn commented.

Senator Sokola requested the privilege of the floor for David S. Hugg, III, representing State Planning 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 215 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 678** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 678** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JURY SERVICE.

Senator Bonini commented.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Amick) NOT VOTING, 1 (McDowell) ABSENT; therefore, **HB 678** was declared passed the Senate and returned to the House.

Senator Bair requested the personal privilege of the floor to extend congratulations to Senator Liane Sorenson and her husband, Boyd, on their 25th Wedding Anniversary.

**HB 697** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.



**HB 697** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO AMBULANCE SERVICE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 697** was declared passed the Senate and returned to the House.

**HB 733** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of the floor manager, Senator Vaughn.

**HB 733** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE BOOT CAMP INTENSIVE INCARCERATION PROGRAM.

**SA 1 to HB 733** was introduced and brought before the Senate for consideration on motion of Senator Amick.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **SA 1 to HB 733** was declared part of the bill.

**HB 733 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **HB 733 w/SA 1** was declared passed the Senate and sent to the House for reconsideration.

The Secretary announced a message from the House informing the Senate that it had passed **HB 723 w/HA 1; HB 737; HB 712; HB 751 w/HA 1; HB 740 w/HA 1; SB 260 w/SA 1, SB 268 w/SA 1.**

**HB 751** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Blevins.

**HB 751** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VICTIMS, WITNESSES AND EVIDENCE. Sponsor:

Senator McDowell commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 751** was declared passed the Senate and returned to the House.

**SB 366** was lifted and brought before the Senate for consideration on motion of Senator Bair.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) NO; therefore, **SA 1 to SB 366** was declared part of the bill.

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

Senator Bair requested the privilege of the floor for Michael Strine, representing Department of Finance.

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

A roll call vote was taken and revealed 16 Senators voting YES, 5 (Marshall, McBride, McDowell, Sharp, Vaughn) NO; therefore, **SB 366 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 215 w/HA 2** was lifted from the table and brought before the Senate for consideration motion of the floor manager, Senator Henry.

**HB 215 w/HA 2** - AN ACT TO AMEND CHAPTER 48, TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD RESTRAINT IN MOTOR VEHICLES. 2/3 VOTE

**SA 1 to HB 215** was introduced and 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 HB 215** was declared part of the bill.

**HB 215 w/HA 2 & SA 1** was now before the Senate.

A roll call vote was taken and revealed 12 Senators voting YES, 9 (Adams, Amick, Bair, Connor, McBride, McDowell, Reed, Vaughn, Venables) NO; therefore, **HB 215 w/HA 2 & SA 1** was declared defeated by the Senate and returned to the House.

**SB 374** was brought before the Senate for consideration on motion of Senator McDowell.

**SB 374** - AN ACT TO AMEND TITLE 16, OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL BUILDING, PLUMBING, ELECTRICAL AND OTHER CODES. 2/3 VOTE

**SA 1 to SB 374** was brought before the Senate for consideration on motion of Senator McDowell.

Senator McDowell moved to lay **SA 1 to SB 374** and **SB 374** on the table. No objection.

Senator Voshell requested the privilege of the floor for Robin Maddox, Claire Thompson, Luis Loyola and Karina Halvorson, the Delaware Fellows.

Tributes were presented.

Senators Bair and McBride commented.

The witnesses were excused.

At 5:32 p.m. on motion of Senator Voshell, the Senate recessed for Party Caucus.

The Senate reconvened at 6:16 p.m. with Lt. Governor Minner presiding.

**SB 415** was brought before the Senate for consideration on motion of Senator Adams.

**SB 415** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.

A roll call vote was taken and revealed 12 Senators voting YES, 9 (Amick, Bair, Bonini, Connor, Hauge, McDowell, Reed, Sorenson, Still) ABSENT; therefore, **SB 415** was declared passed the Senate and sent to the House for consideration.

**SB 426** was brought before the Senate for consideration on motion of Senator McBride.

**SB 426** - AN ACT TO AMEND TITLE 16 AND TITLE 24, OF THE DELAWARE CODE, RELATING TO THE DIVISION OF PUBLIC HEALTH OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, THE DIVISION OF PROFESSIONAL REGULATION AND THE BOARD OF COSMETOLOGY AND BARBERING.

A roll call vote was taken and revealed 12 Senators voting YES, 1 (Venables) NO, 8 (Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still) ABSENT; therefore, **SB 426** was declared passed the Senate and sent to the House for consideration.

**SB 430** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Vaughn.

**SB 430** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO BOARD OF ELECTIONS. Sponsor: Senator Vaughn & Representative Smith.

A roll call vote was taken and revealed 13 Senators voting YES, 8 (Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still) ABSENT; therefore, **SB 430** was declared passed the Senate and sent to the House for consideration.

**SB 427** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Marshall.

**SB 427** - AN ACT TO AMEND TITLE 16 AND 29 OF THE DELAWARE CODE RELATING TO LONG-TERM CARE SERVICES. Sponsor: Senator Marshall & Representative Maier.

**SA 1 to SB 427** was introduced and brought before the Senate for consideration on motion of Senator Marshall.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bonini) ABSENT; therefore, **SA 1 to SB 427** was declared part of the bill.

**SB 427 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bonini) ABSENT; therefore, **SB 427 w/SA 1** was declared passed the Senate and sent to the House for consideration.

At 6:34 p.m. on motion of Senator Voshell the Senate recessed for a dinner break.

The Senate reconvened at 9:25 p.m. with Lt. Governor Minner presiding.

**HB 694** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sharp.

**HB 694** - AN ACT TO AMEND TITLE 30, DELAWARE CODE RELATING TO RETAIL AND WHOLESALE MERCHANTS' LICENSE REQUIREMENTS AND TAXES.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Amick, Bair, Sorenson) ABSENT; therefore, **HB 694** was declared passed the Senate and returned to the House.

**HCR 94 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HCR 94 w/HA 1** - ESTABLISHING A MEDICAL NEGLIGENCE STATUTE REVIEW TASK FORCE TO REVIEW THE CURRENT MEDICAL NEGLIGENCE STATUTE OF LIMITATIONS AND ITS RELATED ISSUES. Sponsor: Representative Petrilli; Representatives Oberle, Spence, Wagner; Senators McBride, Sorenson, McDowell; Representative Stone; Senators Henry, Vaughn.

A roll call vote was taken and revealed 8 Senators (Blevins, Cook, Marshall, McBride, McDowell, Sharp, Sokola, Vaughn) voting YES, 12 NO, 1 (Bair) NOT VOTING; therefore, **HCR 94 w/HA 1** was declared defeated by the Senate and returned to the House.

**SB 256 w/SA 2** was lifted from the table and brought before the Senate for consideration on motion of Senator Marshall.

**SB 256 w/SA 2** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO MINIMUM WAGE.

**SA 3 to SB 256** was introduced and brought before the Senate for consideration on motion of Senator Marshall.

A roll call vote was taken and revealed 14 Senators voting YES, 6 (Adams, Bair, Bonini, Sharp, Sorenson, Still) NO, 1 (Amick) ABSENT; therefore, **SA 3 to SB 256** was declared part of the bill.

**SB 256 w/SA 2 & 3** was now before the Senate.

A roll call vote was taken and revealed 11 Senators voting YES, 10 (Adams, Amick, Bair, Bonini, Hauge, Reed, Sorenson, Still, Venables, Voshell) NO; therefore, **SB 256 w/SA 2 & 3** was declared passed the Senate and sent to the House for consideration.

**HS 2 for HB 504 w/HA 2 & 3** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cook.

**HS 2 for HB 504 w/HA 2 & 3** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE REGARDING THE DELAWARE ALCOHOLIC BEVERAGE CONTROL COMMISSION LICENSE APPLICATION PROCESS, AND DENIALS, SUSPENSIONS, OR REVOCATIONS OF LICENSES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HS 2 for HB 504 w/HA 2 & 3** was declared passed the Senate and returned to the House.

**HB 615 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 615 w/HA 1** - AN ACT TO AMEND CHAPTER 63, TITLE 21 OF THE DELAWARE CODE RELATING TO THE SALE OF MOTOR VEHICLES.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (McDowell) NO, 1 (Cook) ABSENT; therefore, **HB 615 w/HA 1** was declared passed the Senate and returned to the House.

**HB 758** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sokola.

**HB 758** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC EDUCATION. Sponsor: Representative Boulden; Representatives Schroeder, Ulbrich; Senator Sokola; Representatives Spence, Smith, Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Stone, Wagner, Gilligan, Van Sant, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Scott, West, Williams; Senators Voshell, McDowell, Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, Vaughn, Venables, Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson, Still.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Amick, Cook) ABSENT; therefore, **HB 758** was declared passed the Senate.

Senator Sokola moved to reconsider and rescind the roll call to **HB 758**.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 758** was declared passed the Senate and returned to the House.

Senator Still moved to reconsider **HCR 94 w/HA 1**. No objection.

Senator Sharp moved to rescind the roll call to **HCR 94 w/HA 1**. No objection.

A roll call vote was taken and revealed 12 Senators voting YES, 8 (Adams, Bonini, Bunting, Hauge, Henry, McBride, Venables, Voshell) NO, 1 (Reed) ABSENT; therefore, **HCR 94 w/HA 1** was declared adopted by the Senate and returned to the House.

**HB 618** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Bunting.

**HB 618** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE REGARDING THE HAZARDOUS MATERIALS TRANSPORTATION ACT OF 1979. Sponsor: Representative Carey & Senator Bunting; Representatives Caulk, Lee, Mack, Quillen, Price, Schroeder, West; Senators Adams, Cook, Venables, Reed, Still.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sokola) NOT VOTING; therefore, **HB 618** was declared passed the Senate and returned to the House.

**HB 703** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 703** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE REGARDING THE MEDICAL PRACTICES ACT.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 703** was declared passed the Senate and returned to the House.

**HB 629** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cook.

**HB 629** - AN ACT TO AMEND CHAPTER 31, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF FUNERAL SERVICES AND TITLE 29 OF THE DELAWARE CODE.

Senator Cook yields to Senator Blevins.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 629** was declared passed the Senate and returned to the House.

**HB 669 w/HA 1** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Voshell.

**HB 669 w/HA 1** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE PERTAINING TO THE SALE OR DELIVERY OF DYED DIESEL FUEL. 2/3 VOTE Sponsor: Representative Boulden & Senator Voshell.

Senator Reed commented.

Senator Voshell requested the privilege of the floor for Oliver Gumbs, representing DELDOT Motor Fuel Tax Administration.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Bair, Bonini, Hauge) ABSENT; therefore, **HB 669 w/HA 1** was declared passed the Senate and returned to the House.

**HB 516** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 516** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE RULES OF THE ROAD.

A roll call vote was taken and revealed 13 Senators voting YES, 3 (Adams, Sharp, Vaughn) NO, 5 (Bair, Bonini, Hauge, Reed, Still) ABSENT; therefore, **HB 516** was declared passed the Senate and returned to the House.

**HB 706 w/HA 1, 2, 3 & 4** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Vaughn.

**HB 706 w/HA 1, 2, 3 & 4** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEX OFFENDERS.

**SA 1 to HB 706** was introduced and brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, Hauge) ABSENT; therefore, **SA 1 to HB 706** was declared part of the bill.

**HB 706 w/HA 1, 2, 3, 4 & SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 706 w/HA 1, 2, 3, 4 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HB 572 w/HA 2 & 3** was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

**HB 572 w/HA 2 & 3** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO DEBRIS DISPOSAL REMEDIATION. 3/5 VOTE

Senator Connor requested that her name be added as a co-sponsor.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **HB 572 w/HA 2 & 3** was declared passed the Senate and returned to the House.

**SB 393** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Marshall.

**SB 393** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO MANUFACTURERS.

Senator Vaughn commented.

Senator Marshall requested the privilege of the floor for Bill Remington, representing the Division of Revenue.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SB 393** was declared passed the Senate and sent to the House for consideration. **HB 673** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Marshall.

**HB 673** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION.

Senators Still and Vaughn commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **HB 673** was declared passed the Senate and returned to the House.

**SB 394** was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Marshall.

**SB 394** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAX DEDUCTIONS FOR EDUCATION EXPENSES.

Senator Bair commented.

Senator Marshall requested the privilege of the floor Mark Headd, representing Division of Revenue.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SB 394** was declared passed the Senate and sent to the House for consideration.

**HB 730 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 Adams.

**HB 730 w/HA 1 & 2** - AN ACT TO AMEND TITLE 12 AND TITLE 26 OF THE DELAWARE CODE, RELATING TO COOPERATIVE ELECTRIC UTILITIES. Sponsor: Representative Welch & Senator Vaughn; Representatives Buckworth, Carey, Caulk, Ewing, Fallon, Lee, Quillen Van Sant, Brady, B. Ennis, Houghton, Plant, Price, Schroeder, West; Senators Adams, Venables, Voshell, Cook, Still.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bonini, Sharp) ABSENT; therefore, **HB 730 w/HA 1 & 2** was declared passed the Senate and returned to the House.

Senator Still moved to reconsider **HB 657**.

Senator Bunting moved to rescind the roll call vote on **HB 657**.

**SA 1 to HB 657** was brought before the Senate for consideration on motion of Senator Still.

Senator Still moved to lay **SA 1 to HB 657** on the table. No objection.

**SA 1 to HB 657** was lifted from the table and brought before the Senate for consideration on motion of Senator Still.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bonini, Marshall) ABSENT; therefore, **SA 1 to HB 657** was declared part of the bill.

**HB 657 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 9 Senators (Adams, Blevins, Bunting, Cook, Marshall, McBride, Sokola, Vaughn, Voshell) voting YES, 12 NO; therefore, **HB 657 w/SA 1** was declared defeated by the Senate and returned to the House.

**HB 258** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 258** - 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, **HB 258** was declared passed the Senate and returned to the House.

**HB 652** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 652** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE PROVIDING FOR THE JOINDER OF THE STATE OF DELAWARE IN AN INTERSTATE COMPACT AGREEMENT FOR EDUCATION.

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

Senator Sharp commented.

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

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 652** was declared passed the Senate and returned to the House.

**HB 705 w/HA 1** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sokola.

**HB 705 w/HA 1** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE UNIFORM COMMERCIAL CODE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 705 w/HA 1** was declared passed the Senate and returned to the House.

**HB 601** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cook.

**HB 601** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC BEVERAGE LICENSING.

A roll call vote was taken and revealed 10 Senators (Adams, Amick, Bair, Blevins, Bunting, Cook, Hauge, Sokola, Still, Vaughn) voting YES, 11 NO; therefore, **HB 601** was declared defeated by the Senate.

**HB 529 w/HA 1** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 529 w/HA 1** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ADMINISTRATIVE PENALTIES FOR SPEEDING.

Senator Voshell requested the privilege of the floor for Sgt. David Thomas, representing Department of Public Safety.

The witness was excused after addressing the Senate.

Senator Henry requested the privilege of the floor for Edward Davis.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 15 Senators voting YES, 4 (Hauge, McBride, McDowell, Voshell) NO, 2 (Cook, Sharp) ABSENT; therefore, **HB 529 w/HA 1** was declared passed the Senate and returned to the House.

**HB 357** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 357** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION OF CONSTRUCTION TRANSPORTATION CONTRACTORS. 3/5 VOTE.

Senator Amick commented.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bonini, Marshall) ABSENT; therefore, **HB 357** was declared passed the Senate and returned to the House.

**SB 142 w/SA 2** was lifted from the table and brought before the Senate for consideration on motion of Senator McDowell.

**SA 3 & SA 4 to SB 142** were stricken on motion of Senator McDowell.

Senator McDowell requested a communication from The Department of Services for Children, Youth and their Families be partially read for the permanent record.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bonini, Marshall) ABSENT; therefore, **SB 142 w/SA 2** was declared passed the Senate and sent to the House for consideration.

**HB 215 w/HA 2** was reconsidered on motion of Senator McBride.

The roll call vote was rescinded on **HB 215 w/HA 2** and laid on the table on motion of Senator Henry.

**HB 508** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cook.

**HB 508** - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO BINGO LICENSING AND FEES. Sponsor: Reps. Welch, Spence and B. Ennis and Sen. Cook; Reps. Smith, Buckworth, Capano, Carey, Cathcart, Caulk, Davis, Ewing, Fallon, Lee, Quillen, Stone, Wagner, Keeley; Sens. Sharp, Voshell, McDowell, Adams, Blevins, Bunting, Henry, Marshall, McBride, Sokola, Vaughn, Venables, Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson, Still.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 508** was declared passed the Senate and returned to the House.

Senator Reed moved to reconsider **HB 601**.

The roll call vote was rescinded on **HB 601** on motion of Senator Cook.

Senator Sokola requested the privilege of the floor for Representative Roger Roy.

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

Senator Reed moved to lay **HB 601** on the table. No objection.

At 11:59 p.m. on motion of Senator Voshell, the Senate adjourned the Second Session of the 139th General Assembly and immediately convened for the Second Special Session.

## 2ND SPECIAL SESSION

JULY 1, 1998

Pursuant to the following communication, the Senate was called to order into Session at 12:00 midnight, July 1, 1998 with Lt. Governor Minner presiding:

House of Representatives  
State of Delaware  
Legislative Hall  
Dover, Delaware 19901

TO: Members of the 139th General Assembly  
FROM: Terry R. Spence, Speaker of the House of Representatives  
Ruth Ann Miner, Lt. Governor, State of Delaware  
SUBJECT: Special Session  
DATE: June 30, 1998

Pursuant to the provisions of Article II, Section 4 of the Constitution of the State of Delaware of 1897, as amended, we hereby declare the 139th General Assembly of the State of Delaware in Special Session.

(Signed) Terry R. Spence  
Speaker of the House of Representatives

(Signed) Ruth Ann Minner, Lt. Governor and  
President of the Senate

\* \* \*

A prayer was offered by Senator Sharp.

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, Bunting, Connor, Cook, 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 Voshell. No objections.

The Secretary announced a message from the House informing the Senate that it had passed **HB 762 w/HA 1; HB 766; SB 367 w/SA 1; SB 370 w/SA 1; SB 383; SB 426; SB 430; SB 290 w/SA 1; SB 412; SB 347 w/SA 1; SB 391; SB 421; SB 422; SB 428; SB 346; HB 293 w/HA 1, 2 & SA 1, w/HA 3; SB 423; SCR 81; SCR 83; SCR 49; SCR 51.**

**HB 601** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

A roll call vote was taken and revealed 16 Senators voting YES, 4 (Blevins, Connor, Sharp, Venables) NO, 1 (Bonini) NOT VOTING; therefore, **HB 601** was declared passed the Senate and returned to the House.

**HB 634** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sokola.

**HB 634** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO EXPENDITURES FOR MINOR CAPITOL IMPROVEMENTS.

Sponsor: Representative Price & Representative Oberle; Representatives Brady, DiLiberto, B. Ennis, Fallon, Houghton, Keeley, Plant, Schroeder, Scott, West, Williams; Senators Adams, Henry, Marshall, Sokola, Vaughn.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 634** was declared passed the Senate and returned to the House.

**HB 660** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Marshall.

**HB 660** - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsor: Representative West.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 660** was declared passed the Senate and returned to the House.

**HB 464** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 464** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO SALES OF GOODS.

A roll call vote was taken and revealed 13 Senators voting YES, 6 (Bonini, Hauge, Reed, Still, Venables, Voshell) NO, 2 (Bunting, Connor) ABSENT; therefore, **HB 464** was declared passed the Senate and returned to the House.

**HB 740 w/HA 1** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sharp.

**HB 740 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES AGAINST CHILDREN. Sponsor: Representative Spence & Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 740 w/HA 1** was declared passed the Senate and returned to the House.

**HB 745 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 Bunting.

**HB 745 w/HA 1 & 2** - AN ACT TO AMEND TITLES 3, 29 AND 30 OF THE DELAWARE CODE RELATING TO THE HARNESS RACING COMMISSION AND THOROUGHBRED RACING COMMISSION AND ENFORCEMENT AND COLLECTION POWERS TO THE DIVISION OF REVENUE. 3/5 VOTE. Sponsor: Representative B. Ennis & Representative Spence & Representative Oberle & Representative Quillen & Senator Adams & Senator Cook.

Senator Amick commented.

Senator Bunting requested the privilege of the floor for Tony Flynn, representing the Delaware Harness Racing Commission.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Connor, Hauge, McDowell) ABSENT; therefore, **HB 745 w/HA 1 & 2** was declared passed the Senate and returned to the House.

**HCR 62** was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

**HCR 62** - CREATING A TASK FORCE FOR PURPOSES OF IDENTIFYING AND EVALUATING ECONOMICALLY EFFICIENT AND ENVIRONMENTALLY PRUDENT APPROACHES TO REPLENISHING THE ERODING BEACHES ALONG DELAWARE'S COASTLINE.

**SA 1 to HCR 62** was introduced and brought before the Senate for consideration on motion of Senator McBride.

Senator Bair commented.

Senator McBride moved to lay **SA 1 to HCR 62** and **HCR 62** on the table. No objection.

**HCR 37** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HCR 37** - CREATING A TASK FORCE TO INVESTIGATE THE FINANCING NEEDED FOR THOSE LIBRARIES NOT FUNDED SUFFICIENTLY.

**SA 1 to HCR 37** was brought before the Senate for consideration on motion of Senator Sokola.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Adams, McBride, McDowell) ABSENT; therefore, **SA 1 to HCR 37** was declared part of the bill.

**SA 2 to HCR 37** was brought before the Senate for consideration on motion of Senator Bair.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Adams) ABSENT; therefore, **SA 2 to HCR 37** was declared part of the bill.

**HCR 37 w/SA 1 & 2** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Adams) ABSENT; therefore, **HCR 37 w/SA 1 & 2** was declared adopted by the Senate and returned to the House for reconsideration.

Senator Sharp commented on the retirement of both Senator Voshell and Senator Hauge.

Comments were also made by Senators Bair and Connor.

**HB 681** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cook.