

H141-406	West	4/5/2001	T	Marianne Smith/Mother of the Year
H141-407	DiPinto	4/1/2001	T	University of Notre Dame Girls Basketball Team/National Championship
H141-408	Brady	4/22/2001	T	Phyllis Jackson/Service/Claymont/20 Years
H141-409	Brady	4/22/2001	T	Lisa Oursler/Service/Claymont Community
H141-410	DiPinto	4/21/2001	T	Alden Jenkins/Righteous Citizen Honors
H141-411	Miro	4/5/2001	T	Dave Hofer/Manhole Cover Design
H141-412	Brady	1/19/2001	T	Marie & William McMahon/55th Anniversary
H141-413	VanSant	3/3/2001	T	Ralph DegliObizzi, Jr./Charter Cup Award

T- Tribute

M - Memoriam

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

Representative West requested and was granted personal privilege of the floor.

Representative Smith read the following communication into the record at the request of Representative West:

Our Representative

Written by: Wendy N. Mitchell

The meetings, the elections, the dinners, the obligations, the can you's, the will you's, the could you's, and the have you's. Sometimes it seems as if it will never end. But would you be happy if it did? Where would your sense of purpose go? The meetings, the elections, the dinners, the obligations, the phone calls, the can you's, the will you's, the could you's, and the have you's, have molded you into our 41st District Representative. Whom we love and admire. Representative West, you have served the 41st district with pride, dignity, and honor. You have also served the farming community of Gumboro, DE with Nothing but the best! The citizens of our community applaud you. To be blessed with the opportunity to know such an incredible man, is just that, a blessing. The lives you have touched, and the people you have encouraged could never be transcribed on to paper. Therefore, I will not even make the attempt. Representative West, the citizens of Gumboro, DE and myself praise you for all of your success and victories. Happy Birthday!

Happy Birthday Representative West

Representative Smith, Mr. Acting Speaker Quillen, Representatives Gilligan, Scott & Carey made comments.

Representative Wagner requested that she be marked present.

Representative Fallon requested and was granted personal privilege of the floor to introduce guests.

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

HR 11 - EWING ON BEHALF OF ALL REPRESENTATIVES - Recognizing Thursday, May 3, 2001 as the Fiftieth Annual National Day of Prayer in Delaware.

HCR 12 - CAULK & SENATOR BUNTING - Memorializing the Congress of the United States to Enact H.R. 20, that was Introduced on January 3, 2001, and that Modifies Provisions of the Clean Air Act. Regarding the Oxygen Content of Reformulated Gasoline and Improves the Regulation of the Fuel Additive Methyl Tertiary Butyl Ether (MTBE).

SCR 9 - SORENSON & REPRESENTATIVE MAIER - Recognizing Thomas P. Eichler for His Service to the State of Delaware

SCR 12 - SOKOLA & REPRESENTATIVE REYNOLDS - Commending the Students Selected as Secretary of Education Scholars of 2001.

Consent Calendar #3 was adopted by voice vote and **HR 11** was declared passed and **HCR 12** was sent to the Senate for concurrence and **SCR 9** & **SCR 12** were returned to the Senate.

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

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:25 p.m.: Representatives Brady, DiLiberto, DiPinto, Miro, Oberle, Reynolds, Ulbrich & Valihura.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:34 p.m. on May 3, 2001.

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

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

HOUSE ADMINISTRATION: **HB 156** - 4M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 192** - 4M, 1U.

ECONOMIC DEVELOPMENT; BANKING & INSURANCE: **HB 204** - 8M; **HB 205** - 8M.

CORRECTIONS: **HB 199** - 7M.

JUDICIARY: **HB 149** - 7M; **HB 170** - 8M; **HB 174** - 8M; **HB 175** - 6M, 1U; **HB 188** - 1F, 5M; **HB 193** - 1F, 5M; **HB 203** - 6M.

PUBLIC SAFETY: **HB 147** - 1F, 4M; **HB 180** - 1F, 5M; **HB 184** - 6M; **HB 190** - 2F, 6M; **HB 194** - 8M.

REVENUE & FINANCE: **HB 182** - 1F, 6M.

HEALTH & HUMAN DEVELOPMENT: **HB 181** - 4M; **HB 191** - 4M; **HCR 11** - 4M.

EDUCATION: **HB 167** - 1F, 5M; **HB 179** - 6M; **SB 106 w/SA 1** - 1F, 6M.

SUBSTANCE ABUSE: **HB 185** - 4M; **SJR 4** - 4M.

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

Mr. Speaker Spence appointed Representative Buckworth as Acting Speaker.

Mr. Acting Speaker made an announcement.

Representative Smith introduced **HB 216**, jointly sponsored by Senator McBride & Representatives Spence, Lee, Fallon, Hudson, Thornburg, Ulbrich, B. Ennis, Brady, Gilligan, Price, Schroeder & West & Senators Bunting, Vaughn, Amick, Bonini, Cloutier, Connor, Sorenson, Still & Winslow.

HB 216 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE PREVENTION.

Mr. Acting Speaker assigned **HB 216** to the Public Safety Committee.

Representative Carey requested that **HB 207** be stricken.

The Majority Leader moved to adjourn at 2:40 p.m., thereby ending the current legislative day. The House reconvened at 2:41 p.m.

27th LEGISLATIVE DAY - 141st GENERAL ASSEMBLY - FIRST SESSION
May 3, 2001

The Chief Clerk called the roll.

Members Present: 41.

Representative Fallon made comments and introduced guests.

A prayer was offered by Representative Tina Fallon, Thirty-Ninth Representative District.

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

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

The following prefiled legislation was introduced:

HB 210 - LAVELLE & REPRESENTATIVE ROY & SENATOR SHARP; REPRESENTATIVES LEE, BOULDEN, BUCKWORTH, CAREY, CATHCART, D. ENNIS, HUDSON, QUILLEN, REYNOLDS, STONE, THORNBURG, ULBRICH, VALIHURA; SENATORS SORENSON, STILL, WINSLOW - HOUSING & COMMUNITY AFFAIRS - An Act Proposing an Amendment to Article III, Section 22, and Article IV of the Delaware Constitution of 1897 Relating to the Appointment of a Recorder of Deeds in Each County and the Powers and Duties of Said Recorders of Deeds. (2/3 bill)

HB 211 - B. ENNIS & SENATOR BLEVINS; REPRESENTATIVES BRADY, EWING, HOUGHTON, LEE, SPENCE, VANSANT; SENATORS BUNTING, VAUGHN - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Paramedic and Other Emergency Medical Service Systems.

HB 212 - LEE & SENATOR VAUGHN - CORRECTIONS - An Act to Amend Title 29 of the Delaware Code Relating to General Provisions and the Department of Correction.

HB 213 - LAVELLE & SENATOR HENRY; REPRESENTATIVES EWING, THORNBURG, KEELEY; SENATOR CLOUTIER - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Occupant Protection System Safety Act.

HA 1 to HB 30 - MAIER - Placed with the Bill.

HA 2 to HB 120 - WAGNER & REPRESENTATIVE VALIHURA - Placed with the Bill.

HA 1 to HB 155 - WILLIAMS - Placed with the Bill.

HA 1 to HB 192 - SCHROEDER - Placed with the Bill.

SB 154 - SOKOLA & REPRESENTATIVE VALIHURA - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Leaving the Scene of an Accident. (2/3 bill)

Representative Fallon requested and was granted privilege of the floor for Thomas Schetelich, Speaker for the National Day of Prayer. Representative Cathcart requested that he be marked present. Mr. Acting Speaker presented a gift to Mr. & Mrs. Schetelich.

Representative B. Ennis requested and was granted personal privilege of the floor to make an announcement.

Representative Boulden requested and was granted personal privilege of the floor for Eisenhower Fellow, Dr. Jih-Chu Lee, Department of Economics, National Chengchi University, Taipei, Taiwan. Mr. Acting Speaker introduced a guest. Representative Reynolds requested that he be marked present. Representative D. Ennis made comments. Representative Miro requested that he be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 154** and requests the concurrence of the House; **HB 64 & HJR 5** and is returning same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Anthony J. DeLuca, do hereby request that my name be removed as co-sponsor of **HB No. 207**.

Date: May 2, 2001

Signed: Anthony J. DeLuca

Representative Hudson requested that **HCR 4** be stricken.

The Majority Leader moved to recess for caucus at 2:55 p.m.

The House reconvened at 4:27 p.m. with Representative Oberle as Acting Speaker.

The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Dennis P. Williams, do hereby request that my name be removed as co-sponsor of **HB 157**.

Date: May 3, 2001

Signed: Dennis P. Williams

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 68** - 4M.

Representative Smith introduced and brought **HCR 14**, jointly sponsored by Representative Spence on behalf of All Representatives & Senator Sharp on behalf of All Senators, before the House for consideration.

HCR 14 - COMMENDING THE RECIPIENTS AND NOMINEES OF THE 2001 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE.

HCR 14 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 120**, jointly sponsored by Representative Maier & Senator Sorenson & Senator Blevins & Representatives Spence, D. Ennis, Ewing, Fallon, Hudson, Miro, Ulbrich & Williams & Senators

Cloutier, Connor & Venables & cosponsored by Representatives Stone, Thornburg, Plant, Keeley & Price, before the House for consideration

HB 120 - AN ACT TO AMEND TITLES 11, 13, AND 16 OF THE DELAWARE CODE RELATING TO SAFE ARMS FOR BABIES. (F/N)

Representative Wagner brought **HA 1 to HB 120** before the House for consideration. Representative Wagner made comments. **HA 1** was adopted by voice vote. Representative Wagner brought **HA 2 to HB 120**, jointly sponsored by Representative Valihura, before the House for consideration. Representative Wagner made comments. **HA 2** was adopted by voice vote. Representative Wagner introduced and brought **HA 3 to HB 120** before the House for consideration. Representative Wagner made comments. **HA 3** was adopted by voice vote. Representatives Wagner & B. Ennis made comments.

The roll call on **HB 120 w/HA 1, 2 & 3** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 120 w/HA 1, 2 & 3** was sent to the Senate for concurrence.

Representatives Boulden, Gilligan, Lofink, Maier, Schroeder, Spence & Ulbrich requested that they be marked present during the roll call.

Representatives Wagner made comments regarding **HB 120**.

Mr. Speaker Spence resumed the Chair.

Representative Reynolds made comments.

Representative Smith deferred to Representative Maier.

Mr. Speaker Spence assigned **HB 179, HB 182, HB 184 & HB 192** to the Appropriations Committee.

Representative Maier introduced and brought **HCR 13**, jointly sponsored by Senator Henry, before the House for consideration.

HCR 13 - RELATING TO THE ESTABLISHMENT OF THE 211 TASK FORCE TO MAKE RECOMMENDATIONS ON THE IMPLEMENTATION OF A 211 INITIATIVE IN DELAWARE STARTING IN FISCAL YEAR 2003.

Representative Maier made comments.

HCR 13 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Maier requested that **HCR 11** be stricken.

Representative Smith deferred to Representative Lee.

Representative Lee moved to lift **HB 155** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Lee brought **HB 155**, jointly sponsored by Representative B. Ennis & cosponsored by Representative Thornburg, before the House for consideration.

HB 155 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LAW-ENFORCEMENT OFFICERS' BILL OF RIGHTS.

Representative Lee deferred to Representative Williams. Representative Williams requested that **HA 1 to HB 155** be stricken. Representative Lee made comments.

The roll call on **HB 155** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 155** was sent to the Senate for concurrence.

Representative Lee made an announcement.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 115**, jointly sponsored by Senator Venables & Representatives Buckworth, D. Ennis, Smith & Ulbrich & Senator Winslow, before the House for consideration.

HB 115 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

Representative Valihura brought **HA 1 to HB 115** before the House for consideration. Representative Valihura made comments. **HA 1** was adopted by voice vote.

Representatives Valihura, Lavelle, Keeley, DiLiberto, Williams, Price, Quillen, Scott, Ulbrich & Wagner made comments. Representative Smith moved to suspend the rules which interfere with calling the roll in reverse order. The motion was seconded by many and adopted by voice vote.

The roll call on **HB 115 w/HA 1** was taken and revealed:

YES: 14.

NO: Representatives Williams, West, Wagner, Viola, VanSant, Scott, Schroeder, Roy, Quillen, Price, Plant, Oberle, Mulrooney, Miro, Maier, Lavelle, Keeley, Houghton, Gilligan, B. Ennis, DiPinto, DiLiberto, Cathcart, Carey, Brady & Boulden - 26.

NOT VOTING: Representative Fallon - 1.

Therefore, not having received a constitutional majority, **HB 115 w/HA 1** was declared defeated.

Representative Valihura & Mr. Speaker Spence made comments.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HB 204**, jointly sponsored by Senator Cook & Representatives Boulden, Brady, Carey, Cathcart, Caulk, DiLiberto, DiPinto, B. Ennis, Fallon, Gilligan, Houghton, Hudson, Keeley, Lee, Lofink, Maier, Mulrooney, Oberle, Plant, Price, Reynolds, Schroeder, Scott, Spence, Thornburg, Ulbrich, Valihura, VanSant, Viola, Wagner, West & Williams & Senators Cloutier, Connor, Henry, McDowell, Simpson, Sokola, Sorenson & Winslow, before the House for consideration.

HB 204 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE COVERAGE FOR RECONSTRUCTIVE SURGERY FOLLOWING MASTECTOMIES.

Representative Stone introduced and brought **HA 1 to HB 204** before the House for consideration.

Representative Stone made comments. **HA 1** was adopted by voice vote. Representative Stone made comments.

The roll call on **HB 204 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Smith - 1.

Therefore, having received a constitutional majority, **HB 204 w/HA 1** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Stone.

Representative Stone brought **HB 205**, jointly sponsored by Senator Cook & Representatives Carey & Fallon & Senators Cloutier, Connor, McDowell, Simpson, Sorenson & Winslow, before the House for consideration.

HB 205 - AN ACT TO AMEND TITLE 18, CHAPTER 5, DELAWARE CODE RELATING TO CONFORMANCE WITH THE PROVISIONS OF TITLE V OF THE GRAMM LEACH BLILEY ACT OF 1999.

Representative Stone made a comment.

The roll call on **HB 205** was taken and revealed:

YES: 40.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, **HB 205** was sent to the Senate for concurrence.

Representative Lee deferred to Representative B. Ennis.

Representative B. Ennis brought **HB 142**, jointly sponsored by Representatives Buckworth, Caulk, Ewing, Houghton, Quillen, Stone, Thornburg & Wagner & Senator Vaughn, before the House for consideration.

HB 142 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE GOVERNMENT OF KENT COUNTY.

Representative B. Ennis brought **HA 1 to HB 142** before the House for consideration. Representative B. Ennis made comments. **HA 1** was adopted by voice vote. Representative B. Ennis made a comment.

The roll call on **HB 142 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative D. Ennis - 1.

Therefore, having received a constitutional majority, **HB 142 w/HA 1** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Keeley.

Representative Keeley brought **HB 93**, jointly sponsored by Representative Oberle & Senator Henry & Representatives Brady, Buckworth, Carey, B. Ennis, Houghton, Maier, Mulrooney, Price, Scott, Smith, Viola, Wagner, West & Williams, before the House for consideration.

HB 93 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO TRANSFER OF MEDICAL RECORDS.

Representative Keeley introduced and brought **HA 1 to HB 93** before the House for consideration.

Representative Keeley introduced and brought **HA 1 to HA 1 to HB 93** before the House for consideration.

Representative Keeley made comments. **HA 1 to HA 1** was adopted by voice vote. Representative Keeley made comments. **HA 1 w/HA 1** was adopted by voice vote. Representative Keeley made a comment.

The roll call on **HB 93 w/HA 1 & HA 1 to HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Fallon, Hudson & Viola - 3.

Therefore, having received a constitutional majority, **HB 93 w/HA 1 & HA 1 to HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner. Representative Wagner made comments.

Representative Wagner brought **HB 188**, jointly sponsored by Senator Henry & Representatives Spence, Buckworth, Hudson, Maier, Quillen, Reynolds, Stone, Ulbrich, DiLiberto, B. Ennis & VanSant, before the House for consideration.

HB 188 - AN ACT TO AMEND VOLUME 66, DELAWARE LAWS, CHAPTER 185, RELATING TO THE OFFICES OF THE PROTHONOTARIES OF THE SUPERIOR COURT.

Representative Wagner made comments.

The roll call on **HB 188** was taken and revealed:

YES: 39.

ABSENT: Representatives Fallon & Lee - 2.

Therefore, having received a constitutional majority, **HB 188** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 193**, jointly sponsored by Senator Henry & Representative Keeley & Representative Scott & Representatives Spence, Lee, Carey, Caulk, DiPinto, Fallon, Maier, Oberle, Quillen, Stone, Ulbrich, Valihura, Brady, B. Ennis, Houghton, Mulrooney, Plant, Price, Viola, West & Williams, before the House for consideration.

HB 193 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DIVORCE AND ANNULMENT.

Representative Wagner made comments. Mr. Speaker Spence appointed Representative Buckworth as Acting Speaker. Representatives Valihura, Hudson & Wagner made comments.

The roll call on **HB 193** was taken and revealed:

YES: 39.

ABSENT: Representatives Fallon & Lee - 2.

Therefore, having received a constitutional majority, **HB 193** was sent to the Senate for concurrence.

Representative Smith made comments.

Representative Smith deferred to Representative Spence. Representative Spence made an announcement.

Representative Hudson requested that **HB 168** be stricken.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Boulden.

Representative Boulden introduced and brought **HR 12** before the House for consideration.

HR 12 - A RESOLUTION RECOGNIZING THE VISIT TO DELAWARE OF 2001 EISENHOWER FELLOW DR. JIH-CHU LEE, OF THE DEPARTMENT OF ECONOMICS OF THE NATIONAL CHENGCHI UNIVERSITY OF THE REPUBLIC OF CHINA.

HR 12 was adopted by voice vote.

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

HOUSE ADMINISTRATION: **SB 104** - 4M.

Representative Wagner made an announcement.

The Majority Leader moved to recess to the call of the Chair at 5:50 p.m.

Mr. Acting Speaker Quillen called the House to order at 2:05 p.m. on May 8, 2001.

Representative Hudson introduced **HB 226**, jointly sponsored by Representative Schroeder.

HB 226 - AN ACT TO AMEND TITLES 9, 10, 15, AND 29 OF THE DELAWARE CODE RELATING TO THE REGISTER IN CHANCERY OFFICE.

Mr. Acting Speaker assigned **HB 226** to the Judiciary Committee.

Representative Smith deferred to Representative Stone.

Representative Stone introduced **HB 225**, jointly sponsored by Senator Cook.

HB 225 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO FEES, COSTS, AND CHARGES TO BE COLLECTED BY THE INSURANCE COMMISSIONER. (3/5 bill)

Mr. Acting Speaker assigned **HB 225** to the Economic Development, Banking & Insurance Committee.

Representatives Stone & Hudson made announcements.

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

28th LEGISLATIVE DAY - 141st GENERAL ASSEMBLY - FIRST SESSION

May 8, 2001

The Chief Clerk called the roll.

Members Present: 41.

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

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

The following prefiled legislation was introduced:

HB 214 - ROY & SENATOR DELUCA; REPRESENTATIVE LOFINK - TRANSPORTATION - An Act to Amend Title 21 of the Delaware Code Relating to Toll Evasion at the Delaware Memorial Bridge, the Delaware River and Bay Authority, and Prescribing Penalties for Failure to Pay Toll and for Offensive Conduct Against Toll Collectors. (2/3 bill)

HB 215 - PLANT; REPRESENTATIVES GILLIGAN, BRADY, BUCKWORTH, CAREY, DILIBERTO, DIPINTO, B. ENNIS, EWING, HOUGHTON, KEELEY, LOFINK, MAIER, MULROONEY, PRICE, SCHROEDER, SCOTT, THORNBURG, VANSANT, VIOLA, WEST, WILLIAMS; SENATOR COOK - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Length of Time for Maintenance of Personnel Records of School District Employees.

HB 217 - ULBRICH & REPRESENTATIVE VALIHURA; REPRESENTATIVES SPENCE, LEE, BOULDEN, BUCKWORTH, CAREY, CATHCART, DIPINTO, HUDSON, LAVELLE, LOFINK, MAIER, MIRO, QUILLEN, REYNOLDS, STONE, THORNBURG, B. ENNIS, PRICE, VIOLA; SENATORS AMICK, SORENSON, CLOUTIER, CONNOR, WINSLOW - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Special Elections.

HB 218 - ULBRICH & SENATOR SIMPSON; REPRESENTATIVES SPENCE, LEE, CAREY, CATHCART, CAULK, DIPINTO, HUDSON, LOFINK, MAIER, REYNOLDS, STONE, THORNBURG, VALIHURA, WAGNER, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, KEELEY, PLANT, PRICE, SCHROEDER, VIOLA, WEST -

EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to School Boards of Reorganized School Districts.

HB 219 - WAGNER & REPRESENTATIVE SPENCE & SENATOR HENRY; REPRESENTATIVES CAREY, D. ENNIS, EWING, FALLON, STONE, ULBRICH, VALIHURA, HOUGHTON, WILLIAMS - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Driving Under the Influence and Revocation.

HA 4 to HB 39 - CAULK - Placed with the Bill.

SB 143 - DELUCA & SENATOR SHARP; REPRESENTATIVES OBERLE, VIOLA - LABOR - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County.

Representative Lofink made an announcement. Representative Price requested that she be marked present.

Representative Stone made an announcement. Representatives Valihura, D. Ennis & Brady requested that they be marked present. Representatives Fallon & Ewing made announcements. Representatives Wagner & Gilligan requested that they be marked present. Representative Smith requested and was granted personal privilege of the floor to introduce guests.

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

The Majority Leader moved to recess for caucus at 2:18 p.m.

The House reconvened at 4:34 p.m. with Representative Oberle as Acting Speaker.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 13**, **SB 143** & **SCR 14** and requests the concurrence of the House; **HCR 14** & **HB 87** and is returning same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Donna D. Stone, do hereby request that my name be removed as co-sponsor of **SB 145**.

Date: May 3, 2001

Signed: Donna D. Stone

Representative Caulk introduced **HB 224**, jointly sponsored by Senator Bunting.

HB 224 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DELAWARE AGRICULTURAL LANDS PRESERVATION ACT.

Mr. Acting Speaker assigned **HB 224** to the Agriculture Committee.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **SB 94**, jointly sponsored by Senator Adams, before the House for consideration.

SB 94 - AN ACT TO AMEND TITLES 5 AND 12 OF THE DELAWARE CODE RELATING TO TRUSTS AND LIMITED PURPOSE TRUST COMPANIES.

Representative Valihura made comments.

The roll call on **SB 94** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 94** was returned to the Senate.

Representatives Keeley, Reynolds, Schroeder, Spence, Ulbrich, Williams, Cathcart, Boulden & Maier requested that they be marked present during the roll call.

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

Representative Smith deferred to Representative Cathcart. Representative Cathcart requested and was granted personal privilege of the floor to make an announcement.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to suspend the rules which interfere with introduction of and action on **HJR 8**.

The motion was properly seconded and adopted by voice vote.

Representative Wagner introduced and brought **HJR 8**, jointly sponsored by Representative Stone on behalf of All Representatives & Senator Still on behalf of All Senators, before the House for consideration.

HJR 8 - COMMENDING, THANKING, AND RECOGNIZING THE STATE OF TENNESSEE FOR ITS ROLE AS A MAJOR CONTRIBUTOR TO THE WORLD OF PROFESSIONAL MOTORSPORTS.

Representative Wagner made comments.

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

YES: 40.

ABSENT: Representative Keeley - 1.

Therefore, having received a constitutional majority, **HJR 8** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Spence.

Representative Spence brought **HB 185**, jointly sponsored by Representative Ewing & Representative Oberle & Senator Sharp & Representatives Smith, Lee, Buckworth, Carey, Caulk, D. Ennis, Hudson, Lofink, Quillen, Roy, Wagner, Gilligan, Brady, DiLiberto, Keeley, Mulrooney, Plant, Price & Williams, before the House for consideration.

HB 185 - AN ACT TO AMEND TITLE 11 AND TITLE 16 OF THE DELAWARE CODE RELATING TO OFFICERS OR AGENTS OF THE OFFICE OF NARCOTICS AND DANGEROUS DRUGS.

Representative Spence introduced and brought **HA 1 to HB 185** before the House for consideration.

Representative Spence made a comment. **HA 1** was adopted by voice vote. Representative Spence made comments.

The roll call on **HB 185 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 185 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought **HB 164**, jointly sponsored by Representative Lee, before the House for consideration.

HB 164 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (2/3 bill)

Representatives Reynolds, Lee & Williams made comments.

The roll call on **HB 164** was taken and revealed:

YES: 40.

NOT VOTING: Representative Smith - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 164** was sent to the Senate for concurrence.

Representative Reynolds made comments regarding **HB 164**.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **HB 170**, jointly sponsored by Senator Blevins, before the House for consideration.

HB 170 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Representative Hudson made comments.

The roll call on **HB 170** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 170** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Lee.

Representative Lee brought **HB 174**, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 174 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIMES OF POSSESSION OF A DEADLY WEAPON DURING THE COMMISSION OF A FELONY AND POSSESSION OF A FIREARM DURING THE COMMISSION OF A FELONY.

Representative Lee made comments.

The roll call on **HB 174** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 174** was sent to the Senate for concurrence.

Representative Lee brought **HB 175**, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 175 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSIVE TOUCHING. (2/3 bill)

Representative Lee introduced and brought **HA 1 to HB 175** before the House for consideration.

Representative Lee made a comment. **HA 1** was adopted by voice vote. Representative Lee made comments.

The roll call on **HB 175 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 175 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Mr. Speaker Spence introduced a guest.

Representative Oberle brought **SB 106 w/SA 1**, jointly sponsored by Senator

Sokola & Senators Adams, Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Vaughn, Venables, Amick, Cloutier, Connor, Simpson, Sorenson, Still & Winslow & Representatives Boulden, Buckworth, DiPinto, Hudson, Maier, Miro, Spence, Stone, Ulbrich, Wagner, B. Ennis, Gilligan, Price & West & cosponsored by Representatives Brady & Schroeder, before the House for consideration.

SB 106 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT ACCOUNTABILITY AND STUDENT ASSESSMENT.

Representatives Oberle, DiPinto & Miro made comments. Representative Oberle requested and was granted privilege of the floor for Valerie A. Woodruff, Secretary, Department of Education. Representatives Miro, Thornburg & Reynolds made comments.

The roll call on **SB 106 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 106 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Lee.

Representative Lee brought **HB 180**, jointly sponsored by Representative B. Ennis & Senator Vaughn, before the House for consideration.

HB 180 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF PUBLIC SAFETY.

Representative Lee made comments.

The roll call on **HB 180** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 180** was sent to the Senate for concurrence.

Mr. Speaker Spence appointed Representative Buckworth as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representative Spence brought **SJR 4**, jointly sponsored by Senator Henry & Representative Scott & Senators Marshall, McDowell, Sokola, Bonini, Cloutier, Sorenson & Still & Representatives Hudson, Lavelle, Maier, Stone, Wagner, Keeley, Plant & Williams & cosponsored by Senator Connor, before the House for consideration.

SJR 4 - ESTABLISHING 2001 AS "THE YEAR OF TREATMENT" AND APPOINTING A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS CONCERNING THE AVAILABILITY OF QUALITY TREATMENT PROGRAMS FOR SUBSTANCE ABUSE ADDICTION IN DELAWARE

Representative Spence deferred to Representative Keeley. Representative Keeley brought **HA 1 to SJR 4** before the House for consideration. Representatives Keeley, Smith, Keeley & Spence made comments. **HA 1** was

adopted by voice vote. Representative Spence made comments. Representative Spence deferred to Representative Scott. Representative Scott made comments.

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

YES: 40.

ABSENT: Representative D. Ennis - 1.

Therefore, having received a constitutional majority, **SJR 4 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

Representatives Reynolds, Boulden & Spence made announcements.

Representative Stone introduced jointly sponsored by Senator Cook & Representatives Brady, Carey, D. Ennis, Fallon, Houghton, Hudson, Keeley, Miro, Mulrooney, Scott & Valihura.

HB 223 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURABLE INTEREST.

Mr. Acting Speaker assigned **HB 223** to the Economic Development, Banking & Insurance Committee.

The Majority Leader moved to recess to the call of the Chair at 5:50 p.m.

Mr. Acting Speaker Quillen called the House to order at 2:11 p.m. on May 9, 2001.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 10, HB 8 & HB 16 w/SA 2** and is returning the same to the House; **SB 116 & SCR 15** and requests the concurrence of the House.

The Majority Leader moved to adjourn at 2:12 p.m., thereby ending the current legislative day. The House reconvened at 2:13 p.m.

29th LEGISLATIVE DAY - 141st GENERAL ASSEMBLY - FIRST SESSION

May 9, 2001

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Richard A. DiLiberto, Jr., Fourteenth Representative District.

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

The following prefiled legislation was introduced:

HB 220 - REYNOLDS & SENATOR SOKOLA; REPRESENTATIVES BUCKWORTH, CAREY, FALLON, THORNBURG, WAGNER, GILLIGAN, SCHROEDER; SENATORS BONINI, SIMPSON, SORENSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to School and District Accountability.

HB 222 - MIRO & REPRESENTATIVE OBERLE & REPRESENTATIVE BOULDEN; SENATORS AMICK, SORENSON, BONINI, CLOUTIER, CONNOR, SIMPSON, WINSLOW - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Taxes on Personal Income.

HB 227 - B. ENNIS; REPRESENTATIVES BRADY, CAREY, CAULK, GILLIGAN, HOUGHTON, HUDSON, KEELEY, MAIER, OBERLE, PLANT, SCOTT, STONE, THORNBURG, ULBRICH, VIOLA, WAGNER, WEST; SENATORS ADAMS, VAUGHN - JUDICIARY - An Act to Amend Chapter 5, Title 11 of the Delaware Code, Relating to the Unlawful Possession, Use or Display of a Deadly Weapon or What Appears to be a Deadly Weapon in a Safe School and Recreation Zone.

HB 228 - DILIBERTO & SENATOR MCBRIDE; REPRESENTATIVES BRADY, B. ENNIS, HOUGHTON, PLANT, SCOTT, VANSANT, VIOLA, WILLIAMS; SENATOR WINSLOW - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Pesticides.

HB 229 - WILLIAMS; REPRESENTATIVES BUCKWORTH, DILIBERTO, GILLIGAN, HOUGHTON, KEELEY, VANSANT, VIOLA, WAGNER, WEST - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Probation and Parole Officers.

HB 230 - SCOTT & REPRESENTATIVE OBERLE; REPRESENTATIVES BRADY, BUCKWORTH, B. ENNIS, EWING, HOUGHTON, LOFINK, MAIER, PRICE, VIOLA, WEST - POLICY ANALYSIS &

GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24, Chapter 30 of the Delaware Code Relating to Drug Counselors Qualifications.

HB 231 - SPENCE & SENATOR COOK; SENATOR BONINI; REPRESENTATIVES LEE, BOULDEN, BUCKWORTH, CAREY, CATHCART, DIPINTO, D. ENNIS, EWING, LOFINK, QUILLEN, REYNOLDS, THORNBURG, ULBRICH, WAGNER, VANSANT, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, KEELEY, MULROONEY, PLANT, PRICE, SCHROEDER, VIOLA, WILLIAMS; SENATORS ADAMS, MCDOWELL, BLEVINS, BUNTING, DELUCA, HENRY, MARSHALL, MCBRIDE, SOKOLA, AMICK, CONNOR, SIMPSON - CORRECTIONS - An Act to Amend Title 29 of the Delaware Code Relating to the Department of Correction.

HA 2 to HB 84 - BOULDEN - Placed with the Bill.

HA 1 to HB 100 - OBERLE & REPRESENTATIVE KEELEY - Placed with the Bill.

HA 2 to HB 100 - KEELEY & REPRESENTATIVE OBERLE - Placed with the Bill.

HA 1 to HB 157 - ROY - Placed with the Bill.

HA 1 to HB 190 - PRICE - Placed with the Bill.

HA 1 to HB 199 - WAGNER - Placed with the Bill.

HJR 9 - EWING & SENATOR ADAMS - HEALTH & HUMAN DEVELOPMENT - Requesting the Delaware Advisory Council on Cancer Incidence and Mortality to Consider the Feasibility of a Public-Private Partnership for a Statewide Comprehensive Cancer Control Program.

HA 1 to HJR 7 - SMITH - Placed with the Bill.

SB 116 - SHARP & REPRESENTATIVE SPENCE - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Registration of Sex Offenders.

Representative D. Ennis made a comment. Representatives Carey, Stone, Keeley, Oberle, Houghton, Brady, Plant, Ulbrich & Hudson requested that they be marked present. Representative Hudson introduced a guest. Representative Hudson requested and was granted privilege of the floor to present House Tributes to students from A. I. DuPont High School who participated in a mock trial competition. Mr. Acting Speaker made comments. Representatives VanSant & West requested that they be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #19

DATE: May 9, 2001

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

Number	Sponsor	Date	Type	Description
H141-414	B. Ennis	3/29/2001	T	David Morrison/Assistant Wrestling Coach of the Year/Division II
H141-415	Quillen	3/29/2001	T	Scott Fleming/Wrestling Coach of the Year/Division II
H141-416	Quillen	3/29/2001	T	Darrell Gravatt/Assistant Wrestling Coach of the Year/Division I
H141-417	Buckworth	3/29/2001	T	Dicky Howell/Wrestling Coach of Year/Division I
H141-418	Schroeder	3/29/2001	T	Jenna Pavlik/Wrestling Scholarship Award Recipient
H141-419	Reynolds	3/29/2001	T	Harry Kettner/Wrestling Scholarship Award Recipient
H141-420	Lee	3/29/2001	T	Adam Ralph/Wrestling Officials Scholarship Award Recipient
H141-421	Cathcart	3/29/2001	T	Mike Welch/Wrestling Scholarship Award Recipient
	cosponsor: Rep. Buckworth			

H141-422	Wagner	4/6/2001	M	Carolyn Nanette Wright
H141-423	Keeley	4/4/2001	M	Sebastiano F. Cilia
	cosponsor: Rep. Brady			
H141-424	D. Ennis	4/26/2001	T	Andrew Kaufmann/Eagle Scout
H141-425	Houghton	7/18/2001	T	Camillo DiFelice/104th Birthday
H141-426	Lavelle	4/11/2001	T	Cristin Lavelle/Hunt Scholarship Recipient/SMU
H141-427	Spence	3/23/2001	T	Dr. Floro Resurreccion/Retirement/31 Years/Practice
H141-428	Price	4/12/2001	T	Heather Shabloski/Years in Girl Scouts
H141-429	Wagner	5/19/2001	T	Carol Stant & John Sisson/Marriage
H141-430	Wagner	4/21/2001	T	Lisa Hare & Christopher Ridgley/Marriage
H141-431	Quillen	4/29/2001	T	Margaret Kates/80th Birthday
H141-432	Quillen	5/1/2001	T	Frank Collins/Retirement/Postal Service/35 Years
H141-433	Stone	4/28/2001	T	Elsie Greenley/Retirement/Playtex/53 Years
H141-434	Spence	5/12/2001	T	William Galloway, III/Knights of Columbus/Service
H141-435	Hudson	4/27/2001	T	Christine Gregg/Arbor Day Poster Contest Winner

HOUSE TRIBUTE ANNOUNCEMENT #20

DATE: May 9, 2001

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

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
H141-436	DiPinto	5/13/2001	T	Joanne Seitz/Mother's Day Birthday
H141-437	Valihura	4/25/2001	T	The Power Team/Appearance in Delaware
H141-438	Roy	4/12/2001	T	Jeremy Webster/Eagle Scout
H141-439	Spence	4/14/2001	T	John Maichle, Sr./Retirement/State Police/21 Years
H141-440	Oberle	5/12/2001	T	Filipino Heritage & Arts Museum/Annual Celebration
H141-441	Quillen	4/15/2001	M	Morris E. Skinner
H141-442	Wagner	4/13/2001	M	Cora P. Bordley
	cosponsor: Rep. Stone			
H141-443	B. Ennis	3/31/2001	T	Ruth & Thomas Bowers/45th Wedding Anniversary
H141-444	D. Ennis	4/22/2001	T	Dorothy Hamill/Performance/Ice Skating Show
H141-445	D. Ennis	4/22/2001	T	Ron Ludington/Contributions/Figure Skating
H141-446	Roy	3/6/2001	T	Cinda Hallman/Woman of Distinction/Girl Scouts
H141-447	Quillen	5/9/2001	T	Mary Turner/80th Birthday
H141-448	Maier	3/31/2001	M	Peter V. Kolonia, Jr.
H141-449	VanSant	3/16/2001	T	Kathleen & Peter Grandell/55th Wedding Anniversary
	cosponsor: Rep. Brady			
H141-450	Houghton	4/7/2001	T	Mary & C. Albert Fusca/50th Wedding Anniversary
H141-451	Brady	4/7/2001	T	Catherine & James Trask/50th Anniversary
H141-452	Gilligan	4/7/2001	T	John & Dorothy Forgione/50th Anniversary
H141-453	VanSant	4/7/2001	T	Philomena & Anthony Capodanno/50th Anniversary
H141-454	Quillen	5/3/2001	T	Raymond Book, III/Accountant Advocate of the Year Award Recipient
	cosponsors: Reps. Stone & Wagner			
H141-455	Schroeder	1/4/2001	T	Catherine & Raymond Riniker/60th Anniversary
H141-456	Schroeder	3/17/2001	T	Dorothy & Edward Painter/50th Anniversary
H141-457	Schroeder	3/22/2001	T	Betty & Ralph Prettyman/50th Anniversary
H141-458	Price	4/6/2001	T	Ruth & Patrick DeBoda/50th Anniversary

H141-459 West 4/6/2001 T Ida & Frank Briscoe/70th Wedding Anniversary
T- Tribute
M - Memoriam

Representatives Thornburg & B. Ennis requested that they be marked present.

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

SCR 13 - SHARP; SENATORS ADAMS, MARSHALL, AMICK & SORENSON ON BEHALF OF ALL SENATORS & REPRESENTATIVES SPENCE, SMITH, LEE, GILLIGAN & VANSANT ON BEHALF OF ALL REPRESENTATIVES - Extending Sincere Thanks to the Career and Technical Student Organizations of Delaware for the Presentation of the Beautiful Geraniums and Extending Best Wishes for Much Success to Each of These Exemplary Students.

SCR 14 - MARSHALL & REPRESENTATIVE MAIER & SENATORS BLEVINS, MCDOWELL & CONNOR; REPRESENTATIVES LOFINK, SPENCE & SCOTT - 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.

SCR 15 - MARSHALL & SENATOR BLEVINS & REPRESENTATIVE MAIER & REPRESENTATIVE DIPINTO - Congratulating The 2001 Award Recipients of the Delaware Health Care Facilities Association for their Exemplary Service to Nursing Facility Residents.

Consent Calendar #4 was adopted by voice vote and **SCR 13, SCR 14 & SCR 15** were returned to the Senate.

Representative DiPinto made comments regarding **SCR 15**.

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

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:25 p.m.: Representatives Cathcart, Caulk, Maier, Miro, Mulrooney, Reynolds & Spence.

Mr. Acting Speaker Oberle called the House to order at 2:10 p.m. on May 10, 2001.

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

LABOR: **SB 143** - 3F, 4M.

TOURISM: **HR 10** - 1F, 6M.

PUBLIC SAFETY: **HB 165** - 6M; **HB 206** - 6M; **HB 213** - 6M; **HB 216** - 6M; **SB 154** - 6M.

APPROPRIATIONS: **HS 1** for **HB 85** - 4F.

EDUCATION: **HB 150** - 6M; **HB 220** - 6M.

TELECOMMUNICATIONS & ELECTRIC UTILITY DEREGULATION: **HB 163** - 4F.

HOUSE ADMINISTRATION: **SB 25** - 4M.

HEALTH & HUMAN DEVELOPMENT: **HB 211** - 4M.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 223** - 8M.

JUDICIARY: **HB 226** - 6M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 60 w/SA 2, SB 166, SB 167, SB 169 SB 81, SB 122 & SB 109 w/SA 1** and requests the concurrence of the House; **HB 70** and is returning same to the House.

May 9, 2001

LEGISLATIVE ADVISORY #10

Governor Ruth Ann Minner signed the following legislation on the dates indicated: 2/7/01 - **HJR 3**; 4/17/01 - **HB 60 & HB 130**; 4/24/01 - **SB 30 & SB 97**; 4/27/01 - **HB 109**; 5/3/01 - **SB 75 & SB 76**.

Representatives Maier & Caulk requested that they be marked present for the current Legislative Day.

The Majority Leader moved to adjourn at 2:12 p.m., thereby ending the current legislative day. The House reconvened at 2:13 p.m.

30th LEGISLATIVE DAY - 141st GENERAL ASSEMBLY - FIRST SESSION

May 10, 2001

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Scott – 1.

A prayer was offered by Representative Timothy U. Boulden, Twenty-Third Representative District.

Mrs. Cassels' and her third grade class from Jennie H. Smith Elementary School in Newark led those present in the pledge of allegiance to the American Flag. Mr. Acting Speaker made comments. The students announced their names for the record.

The following prefiled legislation was introduced:

HB 232 - WAGNER & REPRESENTATIVE STONE & REPRESENTATIVE OBERLE & SENATOR VAUGHN; REPRESENTATIVES SPENCE, LEE, BUCKWORTH, CAREY, EWING, MAIER; SENATOR WINSLOW - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Underinsured Vehicle Coverage.

HB 233 - OBERLE & REPRESENTATIVE VANSANT & REPRESENTATIVE KEELEY & SENATOR VAUGHN & SENATOR CONNOR - BUSINESS/CORPORATIONS/COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to Sales of Goods.

HA 1 to HB 210 - LAVELLE - Placed with the Bill.

HJR 10 - REYNOLDS & REPRESENTATIVE SPENCE & SENATOR MCBRIDE & REPRESENTATIVE OBERLE & SENATOR DELUCA - EDUCATION - Recognizing the Importance of, and Supporting a Pilot Alternative Education Program in New Castle County, Delaware.

SB 60 w/SA 2 - VAUGHN & REPRESENTATIVE LEE - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to the Employment of Personnel by the Department of Correction.

SB 81 - COOK & REPRESENTATIVE OBERLE; SENATORS ADAMS & MCDOWELL; REPRESENTATIVES SPENCE & LEE - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to the Justice of the Peace Constables.

SB 109 w/SA 1 - MCDOWELL & REPRESENTATIVE MAIER; SENATORS HENRY, SOKOLA, BONINI, WINSLOW & CONNOR; REPRESENTATIVES WAGNER & PRICE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 11 of the Delaware Code Relating to Child Sex Abuse Information Repository.

SB 122 - BLEVINS & REPRESENTATIVE MAIER; SENATORS DELUCA, HENRY, MARSHALL, MCDOWELL & AMICK; REPRESENTATIVES BUCKWORTH, CAREY, FALLON, HUDSON, LAVELLE, LEE, LOFINK, SMITH, SPENCE, STONE, ULBRICH, WAGNER & PRICE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to the Deputy Secretary, Division Directors, and Acting Secretary.

SB 166 - ADAMS & REPRESENTATIVE STONE - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 12 of the Delaware Code Relating to Fiduciary Administration.

SB 167 - ADAMS & REPRESENTATIVE STONE - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 12 of the Delaware Code Relating to Trusts.

SB 169 - ADAMS & REPRESENTATIVE STONE - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 12 of the Delaware Code Relating to Trusts.

The Reading Clerk read the following communication into the record:

May 10, 2001

The Honorable Terry R. Spence
Speaker of the House
House of Representatives
Legislative Hall

Dover, Delaware 19901

Dear Speaker Spence:

I will be unable to attend our legislative session today, due to a prior personal commitment.

Thank you.

Sincerely,
Arthur L. Scott
State Representative
3rd District

Representative Price requested that she be marked present.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto introduced and brought **HR 14**, sponsored on behalf of All Representatives, before the House for consideration.

HR 14 - COMMEMORATING THE 50TH ANNIVERSARY OF THE DELAWARE STATE PARKS SYSTEM.

HR 14 was adopted by voice vote.

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

The Majority Leader moved to recess for caucus at 2:22 p.m.

The House reconvened at 5:30 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 16** and requests the concurrence of the House.

Representative Smith deferred to Representative Roy.

Representative Roy brought **HB 163**, jointly sponsored by Senator McBride, before the House for consideration.

HB 163 - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO THEFT AND RELATED OFFENSES AND CIVIL ACTIONS. (2/3 bill)

Representative Roy made comments.

The roll call on **HB 163** was taken and revealed:

YES: 38.

ABSENT: Representatives Scott, Ulbrich & Williams - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 163** was sent to the Senate for concurrence.

Representatives Brady, Cathcart, B. Ennis, D. Ennis, Gilligan, Lofink, Miro, Mulrooney, Reynolds, Spence, Stone, Valihura, DiLiberto, Buckworth & Schroeder requested that they be marked present during the roll call.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds moved to suspend the rules which interfere with action on **HB 220**. The motion was properly seconded and adopted by voice vote.

Representative Reynolds brought **HB 220**, jointly sponsored by Senator Sokola & Representatives Buckworth, Carey, Fallon, Thornburg, Wagner, Gilligan & Schroeder & Senators Bonini, Simpson & Sorenson, before the House for consideration.

HB 220 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL AND DISTRICT ACCOUNTABILITY.

Representative Williams requested that he be marked present.

Representative Reynolds made comments. Representative Reynolds deferred to Representative DiPinto.

Representatives DiPinto & Reynolds made comments.

The roll call on **HB 220** was taken and revealed:

YES: 40.

ABSENT: Representative Scott - 1.

Therefore, having received a constitutional majority, **HB 220** was sent to the Senate for concurrence.

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

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **SB 143**, jointly sponsored by Senators DeLuca & Sharp & Representative Viola, before the House for consideration.

SB 143 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY.

Representatives Oberle & Caulk made comments. Representative Oberle requested and was granted privilege of the floor for Charles L. Baker, General Manager, Land Use Department, New Castle County. Representatives Caulk, Miro, Oberle, Viola, Reynolds, Price & Oberle made comments.

The roll call on **SB 143** was taken and revealed:

YES: 38.

NO: Representatives Hudson & Stone - 2.

ABSENT: Representative Scott - 1.

Therefore, having received a constitutional majority, **SB 143** was returned to the Senate.

Representatives Smith & Gilligan made comments.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle brought **HB 213**, jointly sponsored by Senator Henry & Representatives Ewing, Thornburg & Keeley & Senator Cloutier, before the House for consideration.

HB 213 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO OCCUPANT PROTECTION SYSTEM SAFETY ACT.

Representative Lavelle introduced and brought **HA 1 to HB 213** before the House for consideration. Representatives Lavelle, DiPinto, Gilligan & Lavelle made comments. **HA 1** was adopted by voice vote.

Representatives Lavelle, Viola, DiLiberto & Lavelle made comments. Representative Lavelle requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives DiLiberto, Smith, Lavelle, Roy & Schroeder made comments. Representative Lavelle requested and was granted privilege of the floor for Paul Wallace, Deputy Attorney General. Representatives DiLiberto, VanSant, Price, Lavelle & Fallon made comments. Mr. Speaker Spence appointed Representative Buckworth as Acting Speaker. Representative Williams made a comment. Representative Lavelle requested and was granted privilege of the floor for Paul Wallace, Deputy Attorney General. Representatives Williams & Mulrooney made comments.

Representative Lavelle moved to place **HB 213 w/HA 1** on the Speaker's Table.

Representative Smith rose on a point of order. Mr. Acting Speaker concurred.

The motion to place **HB 213 w/HA 1** on the Speaker's Table was seconded by Representative Lee and adopted by voice vote.

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

Representative Smith introduced and brought **Consent Agenda A**, which requires a two-thirds vote, before the House for consideration and concurrence on a Senate Amendment.

SCR 17 - BUNTING ON BEHALF OF ALL SENATORS & REPRESENTATIVES CAREY, SCHROEDER, PRICE & WEST ON BEHALF OF ALL REPRESENTATIVES - Requesting Prompt Action by the Army Corps of Engineers to Remove Shoals from Indian River and Massey's Ditch.

SCR 16 - WINSLOW & REPRESENTATIVE SMITH & SENATORS AMICK & BONINI & CLOUTIER & CONNOR & HENRY & SIMPSON & SOKOLA & SORENSON & STILL & ALL REPRESENTATIVES - Extending a Warm Welcome to the Students from Joe Polowski High School of Torgau, Germany.

HCR 15 - PRICE & SENATORS MCDOWELL & SORENSON & REPRESENTATIVES CAREY, DILIBERTO, B. ENNIS, GILLIGAN, HUDSON, KEELEY, MAIER, OBERLE, SCHROEDER, SPENCE, ULBRICH & WILLIAMS & SENATORS BLEVINS, CONNOR, HENRY, SIMPSON, VAUGHN & VENABLES - Establishing a Child Abuse Substantiation Work Group to Consider Certain Issues Involved in the Substantiation of Child Abuse or Neglect.

HB 16 w/SA 2 - PRICE & REPRESENTATIVES BRADY, BUCKWORTH, DILIBERTO, KEELEY, MAIER, QUILLEN & VALIHURA - An Act to Amend Title 11 of the Delaware Code Relating to Theft and Related Offenses. (2/3 bill)

HJR 10 - REYNOLDS & REPRESENTATIVE SPENCE & SENATOR MCBRIDE & REPRESENTATIVE OBERLE & SENATOR DELUCA - Recognizing the Importance of, and Supporting a Pilot Alternative Education Program in New Castle County, Delaware.

The roll call on **Consent Agenda A** was taken and revealed:

YES: 32.

ABSENT: Representatives Brady, Caulk, DiPinto, D. Ennis, Ewing, Hudson, Quillen, Scott & Spence - 9.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SCR 17 & SCR 16** were returned to the Senate & **HCR 15 & HJR 10** were sent to the Senate for concurrence & **HB 16 w/SA 2** was sent to the Governor.

Representative West made comments.

Representative Reynolds requested and was granted personal privilege of the floor to make comments regarding **HB 220 & HJR 10**.

Representative Smith brought **HB 216**, jointly sponsored by Senator McBride & Representatives Spence, Lee, Fallon, Hudson, Thornburg, Ulbrich, B. Ennis, Brady, Gilligan, Price, Schroeder & West & Senators Bunting, Vaughn, Amick, Bonini, Cloutier, Connor, Sorenson, Still & Winslow, before the House for consideration.

HB 216 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE PREVENTION. (F/N)

Representative Smith made comments. Representative Smith introduced and brought **HA 1 to HB 216** before the House for consideration. Representative Smith made comments. **HA 1** was adopted by voice vote. Representatives Smith & Roy made comments.

Representative Smith moved to place **HB 216 w/HA 1** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to suspend the rules which interfere with action on **HJR 6**. The motion was seconded by Representative Lee. Representative Smith moved to place the motion on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought **SB 68**, sponsored by Senator Blevins & Representatives Maier, Price, Stone & Wagner, before the House for consideration.

SB 68 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ADMINISTRATION OF MEDICATIONS ON SCHOOL FIELD TRIPS.

Representative Ulbrich made a comment.

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

YES: 29.

ABSENT: Representatives Brady, Caulk, DiPinto, B. Ennis, D. Ennis, Hudson, Plant, Quillen, Roy, Scott, Spence & Viola - 12.

Therefore, having received a constitutional majority, **SB 68** was returned to the Senate.

Representative Smith deferred to Representative Miro.

Representative Miro introduced **HB 234**, jointly sponsored by Senator Sokola & Representative Smith.

HB 234 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO THE AUTISTIC MONITORING REVIEW BOARD.

Mr. Acting Speaker assigned **HB 234** to the Education Committee.

Representative Smith deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with introduction of and action on **HCR 16**.

The motion was seconded by Representative Lee and adopted by voice vote.

Representative Maier introduced and brought **HCR 16**, jointly sponsored by Senator Sokola, before the House for consideration.

HCR 16 - CONVENING A TRUANCY TASK FORCE TO EVALUATE TRUANCY PROGRAMS AND MAKE RECOMMENDATIONS.

HCR 16 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to lift the motion to suspend the rules which interfere with action on **HJR 6** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Wagner brought **HJR 6**, jointly sponsored by Representative D. Ennis & Senators McDowell & Cook & Representatives Boulden, Brady, Buckworth, Carey, Cathcart, Caulk, DiLiberto, DiPinto, B. Ennis, Fallon, Gilligan, Houghton, Hudson, Keeley, Lavelle, Lee, Lofink, Maier, Miro, Mulrooney, Price, Quillen, Reynolds, Roy, Scott, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura, VanSant, Viola, West & Williams & Senators Simpson, Sorenson & Still & cosponsored by Senator Winslow, before the House for consideration.

HJR 6 - ESTABLISHING THE WILMINGTON-DOVER RAIL SERVICE TASK FORCE TO RESEARCH THE FEASIBILITY OF PROVIDING RAIL TRANSPORTATION BETWEEN DOVER AND WILMINGTON FOR THE BENEFIT OF DELAWARE RESIDENTS.

Representative Wagner introduced and brought **HA 1** to **HJR 6** before the House for consideration.

Representative Wagner made a comment. **HA 1** was adopted by voice vote. Representative Wagner made comments.

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

YES: 27.

NOT VOTING: Representative West - 1.

ABSENT: Representatives Brady, Caulk, DiPinto, B. Ennis, D. Ennis, Gilligan, Hudson, Plant, Quillen, Roy, Scott, Spence & Viola - 13.

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

Mr. Acting Speaker made an announcement.

Representative Smith introduced and brought **HR 13**, jointly sponsored by Representative Spence & Representative Lee & Representative Gilligan & Representative VanSant on behalf of All Representatives, before the House for consideration.

HR 13 - RESPECTING AND HONORING ALL DELAWARE MOTHERS ON SUNDAY, MAY 13, 2001.

HR 13 was adopted by voice vote.

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

AGRICULTURE: **HB 224** - 6M; **SB 58** - 7M.

APPROPRIATIONS: **HB 106** - 2F, 2M.

LAND USE AND INFRASTRUCTURE: **HB 195** - 7M; **SB 105 w/SA 1** - 8M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 176** - 1F, 3M.

The Majority Leader moved to recess to the call of the Chair at 7:10 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:15 p.m. on June 5, 2001.

The following out -of- session prefiled legislation was introduced:

May 23, 2001

HB 221 - VANSANT & SENATOR VENABLES; REPRESENTATIVES BRADY, BUCKWORTH, DIPINTO, B. ENNIS, EWING, FALLON, HOUGHTON, QUILLEN, THORNBURG, WEST; SENATORS SIMPSON, WINSLOW - JUDICIARY - An Act to Amend Chapter 1 of Part I of Title 10 of the Delaware Code Dealing with Appeals to the Supreme Court.

HB 235 - ROY & SENATOR BLEVINS; REPRESENTATIVES CAULK, EWING, FALLON, LOFINK, QUILLEN, KEELEY, GILLIGAN, VANSANT, HOUGHTON, PRICE, SCHROEDER, VIOLA, WEST; SENATORS DELUCA, MARSHALL, SOKOLA, SIMPSON, WINSLOW - LAND USE AND INFRASTRUCTURE - An Act to Amend Chapter 91, Title 29 of the Delaware Code Relating to Development of Impact Fees.

HB 236 - DIPINTO & SENATOR VAUGHN - JUDICIARY - An Act to Amend Title 30 of the Delaware Code Relating to Tobacco Product Tax.

HB 237 - OBERLE & SENATOR HENRY - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Aggressive Driving.

HB 238 - ULBRICH & REPRESENTATIVE SPENCE & SENATOR DELUCA & SENATOR MARSHALL; REPRESENTATIVES BUCKWORTH, HUDSON, MAIER, STONE, THORNBURG; SENATORS BONINI, SORENSON, WINSLOW - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Motor Fuel Tax.

HB 239 - WAGNER & SENATOR BLEVINS; REPRESENTATIVES LEE, BUCKWORTH, CATHCART, DIPINTO, EWING, MAIER, MIRO, QUILLEN, ULBRICH, VALIHURA, BRADY, B. ENNIS, PLANT, PRICE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Adoption.

HB 240 - SPENCE & REPRESENTATIVE SMITH & REPRESENTATIVE LEE & REPRESENTATIVE GILLIGAN & SENATOR AMICK - HOUSE ADMINISTRATION - An Act to Amend Title 20 of the Delaware Code Relating to the National Guard.

HB 241 - B. ENNIS & SENATOR BLEVINS; REPRESENTATIVES EWING, MAIER; SENATORS SIMPSON, VAUGHN - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Criminal Background Checks for Ambulance Attendants, Emergency Medical Technicians, and Paramedics.

HB 242 - OBERLE; REPRESENTATIVES CAREY, EWING, WILLIAMS; SENATORS ADAMS, MCDOWELL - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Relating to Fines, Costs, Penalties and Forfeitures. (2/3 bill)

HB 243 - STONE & SENATOR COOK - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 29 of the Delaware Code Relating to Conversion Transactions of Not-For-Profit Entities.

HA 2 to HB 122 - WILLIAMS - Placed with the Bill.

HA 1 to HB 195 - QUILLEN - Placed with the Bill.

HA 2 to HB 195 - CATHCART - Placed with the Bill.

HA 2 to HB 213 - DILIBERTO - Placed with the Bill.

HA 3 to HB 213 - LAVELLE - Placed with the Bill.

HJR 11 - WEST - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - Supporting the Use of Renewable Energy Sources In the United States.

SS 1 for SB 33 w/SA 2 - MCBRIDE & REPRESENTATIVE QUILLEN; SENATORS ADAMS, BLEVINS, BUNTING, COOK, DELUCA, MARSHALL, MCDOWELL, SHARP, SOKOLA, VAUGHN, BONINI, CLOUTIER, CONNOR, SIMPSON, SORENSON, STILL, & WINSLOW; REPRESENTATIVES CAREY, LOFINK, OBERLE, REYNOLDS, ROY, SPENCE, BRADY, DILIBERTO, B. ENNIS, GILLIGAN, HOUGHTON, KEELEY, MULROONEY, PRICE, SCHROEDER, SCOTT, VANSANT, VIOLA, WEST & WILLIAMS - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 and Title 29 of the Delaware Code with Respect to Notification of Environmental Releases, Facility Performance, and Establishment of the Community Involvement Advisory Council. (F/N)

SB 41 w/SA 1 & 3 - MARSHALL & SENATOR SHARP & REPRESENTATIVE PRICE; SENATORS BLEVINS, HENRY, SOKOLA, VENABLES, SIMPSON, DELUCA; REPRESENTATIVES BOULDEN, BUCKWORTH, MAIER, B. ENNIS, GILLIGAN, KEELEY - TELECOMMUNICATIONS; INTERNET & TECHNOLOGY - An Act to Amend Titles 6 and 26 of the Delaware Code Relating to Telemarketing Registration and Fraud Prevention. (F/N)

SB 70 w/SA 2 - SOKOLA & REPRESENTATIVE REYNOLDS; SENATORS BUNTING, DELUCA & SIMPSON; REPRESENTATIVES LAVELLE, MIRO, ROY, ULBRICH & VALIHURA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Teacher Control of the Classroom.

SB 99 w/SA 1 & 4 - MCBRIDE & SENATOR BLEVINS; REPRESENTATIVES HUDSON & VALIHURA; SENATORS BUNTING, HENRY, SOKOLA, CLOUTIER, SORENSON & WINSLOW; REPRESENTATIVES SMITH & MAIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16, Delaware Code Relating to the Clean Indoor Air Act.

SB 111 - MARSHALL & REPRESENTATIVE LOFINK; SENATORS ADAMS, BLEVINS, DELUCA, HENRY, MCBRIDE, MCDOWELL, SHARP, VAUGHN & WINSLOW; REPRESENTATIVES OBERLE, SPENCE, KEELEY, MULROONEY & SCOTT - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Attorneys' Fees Allowed by the Industrial Accident Board for Successful Claimants.

SB 120 - ADAMS & REPRESENTATIVE EWING; SENATORS BUNTING, VAUGHN, VENABLES, AMICK, BONINI & WINSLOW; REPRESENTATIVES WAGNER, B. ENNIS, DILIBERTO, GILLIGAN, KEELEY, PRICE & WEST - JUDICIARY - An Act to Amend Titles 10 and 29 of the Delaware Code Relating to Assignments and Pensions of Retired Justices of the Peace to Active Duty. (F/N)

SS 1 for SB 130 w/SA 1 - HENRY & REPRESENTATIVE LAVELLE - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Child Restraint in Motor Vehicles. (2/3 bill)

SB 138 - BLEVINS & REPRESENTATIVE WAGNER; SENATORS BONINI, HENRY, SIMPSON, SOKOLA, SORENSON; REPRESENTATIVES BRADY, KEELEY, PRICE, ULBRICH - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Certain Crimes.

SB 140 w/SA 1 - VAUGHN & REPRESENTATIVE CATHCART - HOUSE ADMINISTRATION - An Act to Amend Chapter 128, Volume 33, Laws of Delaware as Amended, Entitled "An Act to Re-incorporate the Town of Middletown", to Eliminate Provisions Requiring Votes to be Weighted on the Basis of Property Tax Payments in Special Elections Approving Borrowings, to Allow the Town to Incur Indebtedness in Anticipation of Tax Collections and Other Revenues, to Increase the Debt Limit, and to Clarify Certain Provisions Regarding Refinancing of Indebtedness by the Town. (2/3 bill)

SB 149 w/SA 1 - SOKOLA & REPRESENTATIVE MAIER; SENATORS BLEVINS, HENRY, MCDOWELL & SORENSON; REPRESENTATIVES KEELEY; LAVELLE - EDUCATION - An Act to Amend Titles 11 and 14 of the Delaware Code Relating to Corporal Punishment.

SB 155 - BLEVINS & REPRESENTATIVE MAIER; SENATORS DELUCA, STILL, WINSLOW - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 14 and Title 16 of the Delaware Code Relating to the Childhood Lead Poisoning Prevention Act.

SB 157 w/SA 1 - MCBRIDE & REPRESENTATIVE REYNOLDS; SENATORS DELUCA, SOKOLA, SIMPSON, STILL & WINSLOW; REPRESENTATIVES BUCKWORTH, WAGNER, GILLIGAN, PRICE & SCHROEDER - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Data Security of the Delaware Student Testing Program and Data Reporting.

SB 181 w/SA 1 - BLEVINS & REPRESENTATIVE MAIER; SENATORS COOK, BONINI, BUNTING, CLOUTIER, CONNOR, DELUCA, HENRY, MARSHALL, MCDOWELL, SIMPSON, SOKOLA, SORENSON, VENABLES, WINSLOW; REPRESENTATIVES DILIBERTO, DIPINTO, EWING, HUDSON, PRICE, VIOLA, WAGNER, WEST - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Titles 16 and 18 of the Delaware Code Relating to Health Insurance. (F/N)

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 70 w/SA 2 & SCR 17** and requests the concurrence of the House.

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

**31st LEGISLATIVE DAY - 141st GENERAL ASSEMBLY - FIRST SESSION
June 5, 2001**

The Chief Clerk called the roll.

Members Present: 41.

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

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

The minutes of the previous legislative were approved as posted.

The following prefiled legislation was introduced:

HB 244 - SCOTT - APPROPRIATIONS - An Act to Amend Title 29, Chapter 65 of the Delaware Code Relating to the Payment of Appropriations.

HB 245 - PRICE - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7, Delaware Code Relating to Tax Lagoons.

HB 246 - GILLIGAN & REPRESENTATIVE SMITH; REPRESENTATIVES DIPINTO, MAIER, MIRO, REYNOLDS, SCHROEDER, ULBRICH, VIOLA, WAGNER; SENATORS COOK, DELUCA, SOKOLA, SORENSON, WINSLOW, CONNOR - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Financial Assistance for Higher Education and the Educational Benefits for Children of Deceased Veterans and Others.

HB 247 - SCHROEDER & SENATOR SOKOLA; REPRESENTATIVES B. ENNIS, HOUGHTON, KEELEY, VIOLA - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Community Notification of Sex Offenders.

HB 248 - SCHROEDER & SENATOR SOKOLA; REPRESENTATIVES BRADY, B. ENNIS, EWING, HOUGHTON, KEELEY - EDUCATION - An Act to Amend Titles 14 and 11 of the Delaware Code Relating to Student Sex Offenders.

HA 1 to HA 3 to HB 39 - PRICE - Placed with the Bill.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HJR 8, HB 72, HCR 15 & HCR 13** and is returning same to the House; **SB 99 w/SA 1 & 4, SB 120, SB 149 w/SA 1, SB 181 w/SA 1, SB 41 w/SA 1, 2 & 3, SB 111, SB 130 w/SA 1, SB 138, SB 140 w/SA 1, SB 155, SB 157 w/SA 1 & SS 1 for SB 33 w/SA 2** and requests the concurrence of the House;

May 22, 2001

LEGISLATIVE ADVISORY #11

Governor Ruth Ann Minner signed the following legislation on the date indicated: 4/12/01 - **HB 88 aab HA 1; 5/15/01 - HJR 8; 5/17/01 - HB 16 aab SA 2, SB 68, SB 143 & SJR 4 aab HA 1.**

Mr. Acting Speaker assigned **HB 195** to the Appropriations Committee.

Representatives Williams, Scott, Fallon, Wagner & West requested that they be marked present. Representative Stone made an announcement. Representative Boulden requested that he be marked present.

The Majority Leader moved to recess for caucus at 2:24 p.m.

The House reconvened at 4:35 p.m.

The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Gerald A. Buckworth, do hereby request that my name be removed as a co-sponsor of **SB 99**.

Date: June 5, 2001

Signed: Gerald A. Buckworth

State Representative
34th District

Representatives Lee, Brady, Cathcart, DiPinto & Hudson requested that they be marked present.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 194**, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 194 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO INTERCEPTION BY LAW ENFORCEMENT OFFICERS OF CERTAIN COMMUNICATIONS.

Representative Valihura made comments.

The roll call on **HB 194** was taken and revealed:

YES: 39.

ABSENT: Representatives Spence & Williams - 2.

Therefore, having received a constitutional majority, **HB 194** was sent to the Senate for concurrence.

Representatives D. Ennis, Lofink, Miro, Plant, Reynolds, Ulbrich, Gilligan & Maier requested that they be marked present during the roll call.

Representative Smith deferred to Representative Roy. Representative Roy requested and was granted personal privilege of the floor to introduce a guest. Representative Caulk requested and was granted personal privilege of the floor to present the final report of the Task Force for the Future of Delaware Agriculture and to present House Tributes to Jack Tarburton, former Secretary, Department of Agriculture and to Penny Saroukos, House staff member. Mr. Acting Speaker, Representatives Smith, Carey & West made comments. Representative Spence requested that he be marked present.

Representative Smith deferred to Representative Price. Representatives Price & Smith made comments regarding **HB 39**.

Mr. Speaker Spence resumed the Chair. Mr. Speaker Spence introduced a guest.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HB 147**, jointly sponsored by Senator Henry & Representatives Boulden, Buckworth, DiPinto, D. Ennis, Ewing, Fallon, Keeley, Lee, Price & West & Senators Amick, Bonini, Cloutier, Connor, Simpson, Sokola, Sorenson, Still & Winslow, before the House for consideration.

HB 147 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF SCOOTER AND TO RULES OF THE ROAD. (2/3 bill)

Representative Stone introduced and brought **HA 2 to HB 147** before the House for consideration.

Representative Stone moved to suspend the rules which interfere with introduction of and action on **HA 2 to HB 147**. Representative Stone moved to place **HA 2** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Stone moved to place **HB 147** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith deferred to Representative Viola.

Representative Viola brought **HB 158**, jointly sponsored by Senator DeLuca & Representatives Brady, DiLiberto, Keeley, Maier, Mulrooney, Price, Schroeder, Spence, VanSant & West & Senators Connor, Marshall, McDowell, Sokola, Sorenson & Venables & cosponsored by Representative Thornburg, before the House for consideration.

HB 158 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION.

Representative Viola made comments.

The roll call on **HB 158** was taken and revealed:

YES: 39.

ABSENT: Representatives Ewing & Fallon - 2.

Therefore, having received a constitutional majority, **HB 158** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Stone.

Representative Stone moved to lift **HB 147** from the Speaker's Table. The motion was seconded by Representative Caulk and adopted by voice vote.

Representative Stone brought **HB 147**, jointly sponsored by Senator Henry & Representatives Boulden, Buckworth, DiPinto, D. Ennis, Ewing, Fallon, Keeley, Lee, Price & West & Senators Amick, Bonini, Cloutier, Connor, Simpson, Sokola, Sorenson, Still & Winslow, before the House for consideration.

HB 147 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF SCOOTER AND TO RULES OF THE ROAD. (2/3 bill)

Representative Stone deferred to Representative Thornburg. Representative Thornburg introduced and brought **HA 1 to HB 147** before the House for consideration. Representatives Thornburg & Williams made comments. **HA 1** was adopted by voice vote. Representative Stone moved to lift **HA 2 to HB 147** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote. Representative Stone brought **HA 2** before the House for consideration. Representative Stone made comments. **HA 2** was adopted by voice vote. Representative Stone made comments. Representative Stone requested and was granted privilege of the floor for Natalie Puzzo, a student at Campus Community School. Representatives Stone, Schroeder & D. Ennis made comments.

The roll call on **HB 147 w/HA 1 & 2** was taken and revealed:

YES: 20.

NO: Representatives Brady, Carey, Cathcart, Caulk, B. Ennis, Gilligan, Houghton, Mulrooney, Plant, Price, Quillen, Schroeder, Scott, Thornburg, Viola, West & Williams - 17.

NOT VOTING: Representative DiPinto - 1.

ABSENT: Representatives Fallon, Miro & Reynolds - 3.

Therefore, not having received a constitutional majority of at least two-thirds Members of the House, **HB 147 w/HA 1 & 2** was declared defeated.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis brought **HB 191**, jointly sponsored by Representative Maier & Senator Vaughn & cosponsored by Senator McDowell, before the House for consideration.

HB 191 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO EMERGENCY MEDICAL SERVICES.

Representative B. Ennis made comments.

The roll call on **HB 191** was taken and revealed:

YES: 38.

ABSENT: Representatives Fallon, Miro & Reynolds - 3.

Therefore, having received a constitutional majority, **HB 191** was sent to the Senate for concurrence.

Representative Smith moved to suspend the rules which interfere with action on **HJR 7**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **HJR 7**, jointly sponsored by Senator Winslow & Senator Sharp, before the House for consideration.

HJR 7 - ESTABLISHING A TASK FORCE TO STUDY THE PROCESS OF INVESTIGATION AND ADJUDICATION OF NEW CASTLE COUNTY CODE VIOLATIONS THAT PERTAIN TO RESIDENTIAL AREAS.

Representative Smith brought **HA 1 to HJR 7** before the House for consideration. Representative Smith made a comment. **HA 1** was adopted by voice vote. Representative Smith made comments.

The roll call on **HJR 7 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Carey, Fallon, Miro & Reynolds - 4.

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

Representative Smith introduced **HB 251**, sponsored by Representative Miro & Senator Sokola.

HB 251 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STATE

APPROPRIATIONS.

Mr. Speaker Spence assigned **HB 251** to the Education Committee.

Representative Smith deferred to Representative Williams. Representatives Williams & Plant made comments regarding Delaware State Police. Representative Lee deferred to Representative DiPinto. Representative DiPinto made an announcement. Representative Scott made comments regarding Delaware State Police.

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

TRANSPORTATION: **HB 214** - 5M.

Representative Ulbrich made an announcement.

Representative Roy introduced **HB 254**, jointly sponsored by Representative Wagner & Senator McBride.

HB 254 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE BY ESTABLISHING A

TECHNOLOGY INVESTMENT COUNCIL.

Mr. Speaker Spence assigned **HB 254** to the Telecommunications, Internet & Technology Committee.

Representative Roy made an announcement.

The Majority Leader moved to recess to the call of the Chair at 6:39 p.m.

Mr. Speaker Spence called the House to order at 2:11 p.m. on June 6, 2001.

Representative Quillen made an announcement.

Representative Cathcart introduced **HB 255**, jointly sponsored by Senator Sokola & Representatives Lofink, Maier, Quillen & Brady & Senators Bunting & Winslow.

HB 255 - AN ACT TO AMEND TITLE 9, TITLE 22, TITLE 29 OF THE DELAWARE CODE RELATING TO LAND-USE, COMPREHENSIVE PLANS, AND ANNEXATIONS.

Mr. Speaker Spence assigned **HB 255** to the Land Use and Infrastructure Committee.

Representative Cathcart made an announcement.

Representative Wagner requested that **HB 219** be stricken.

Representative D. Ennis requested and was granted personal privilege of the floor to make comments regarding

HJR 6. Representatives Lee & Fallon made comments.

The Majority Whip moved to adjourn at 2:13 p.m., thereby ending the current legislative day. The House reconvened at 2:14 p.m.

32nd LEGISLATIVE DAY - 141st GENERAL ASSEMBLY - FIRST SESSION

June 6, 2001

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Reynolds & Smith - 2.

Representative Scott requested that **HB 173** be stricken.

A prayer was offered by Representative Tina Fallon, Thirty-Ninth Representative District.

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

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

The following prefiled legislation was introduced:

HB 249 - STONE & SENATOR COOK - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Creating a New Section, Chapter 20, Entitled Rental Car Insurance Limited Producer License Act. (3/5 bill)

HB 250 - STONE & SENATOR COOK - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Authorization of Insured.

HB 252 - VALIHURA; REPRESENTATIVES SPENCE, BUCKWORTH, CAREY, CAULK, DIPINTO, EWING, LAVELLE, PRICE, QUILLEN, REYNOLDS, STONE, THORNBURG, WAGNER, B. ENNIS, SCHROEDER; SENATORS AMICK, BONINI, WINSLOW - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Realty Transfer Tax.

HB 253 - VALIHURA; REPRESENTATIVES CAREY, CATHCART, CAULK, DIPINTO, EWING, FALLON, MAIER, QUILLEN, REYNOLDS, STONE, BRADY, B. ENNIS, PRICE, SCOTT; SENATORS AMICK, BONINI, CLOUTIER, WINSLOW - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 16 of the Delaware Code Relating to the State Fire Marshall and State Fire Prevention Commission.

SB 40 w/SA 1 - CLOUTIER & SENATOR SOKOLA; SENATORS AMICK, BONINI, CONNOR, SIMPSON, SORENSON, STILL, WINSLOW; REPRESENTATIVES BRADY, BUCKWORTH, B. ENNIS, DILIBERTO, EWING, FALLON, HUDSON, KEELEY, LOFINK, MIRO, REYNOLDS, SCHROEDER, VALIHURA, VIOLA, WEST - EDUCATION - An Act to Amend Various Titles of the Delaware Code by Updating and Replacing Remaining References to the "Department of Public Instruction", the "Superintendent of Public Instruction", and the "State Board of Education".

SB 45 - WINSLOW & REPRESENTATIVE CATHCART; SENATOR BONINI - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Leave to Serve on Veteran Funeral Detail.

SB 113 - VENABLES; SENATOR STILL; REPRESENTATIVE LEE - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Handicapped Persons' Parking Areas.

SB 125 - COOK & REPRESENTATIVE HUDSON - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Surplus Lines Brokers.

SB 132 - DELUCA & REPRESENTATIVE ULBRICH; SENATORS BUNTING, SOKOLA, SIMPSON, STILL; REPRESENTATIVES HUDSON, VALIHURA, DILIBERTO & KEELEY - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 26 of Title 24 of the Delaware Code Relating to Physical Therapy and Athletic Training.

SB 1 for SB 146 - COOK & REPRESENTATIVE HUDSON - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Licensing of Insurance Agents, Brokers, and Other Licensees of the Insurance Department.

SB 152 w/SA 1 - WINSLOW & REPRESENTATIVE WAGNER; SENATORS ADAMS, BLEVINS, BUNTING, CLOUTIER, CONNOR, DELUCA, SHARP, SIMPSON, SOKOLA, VAUGHN; REPRESENTATIVES THORNBURG, VALIHURA, WILLIAMS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to DNA.

SB 158 - SHARP & REPRESENTATIVE WAGNER; SENATORS ADAMS, VAUGHN & WINSLOW; REPRESENTATIVES VALIHURA & DILIBERTO - JUDICIARY - An Act Proposing an Amendment to Article IX, Section 3 of the Constitution of the State of Delaware of 1897, as Amended, Relating to the Types of Consideration That May Be Received in Exchange for the Issuance of Stock. (2/3 bill)

SB 160 - WINSLOW & REPRESENTATIVE SCOTT - APPROPRIATIONS - An Act to Amend Title 29 of the Delaware Code Relating to Receiving Service and Disability Pensions.

SB 164 - SHARP & REPRESENTATIVE WAGNER; SENATORS ADAMS, VAUGHN & WINSLOW; REPRESENTATIVES VALIHURA & DILIBERTO - JUDICIARY - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

SB 168 w/SA 2 - SOKOLA & REPRESENTATIVE REYNOLDS; SENATORS COOK, SIMPSON, STILL; REPRESENTATIVES GILLIGAN & VIOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Charter Schools.

SB 173 - SHARP & REPRESENTATIVE WAGNER; SENATORS ADAMS, VAUGHN & WINSLOW; REPRESENTATIVES VALIHURA & DILIBERTO - JUDICIARY - An Act to Amend Title 6 of the Delaware Code

Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Foreign Limited Liability Companies. (3/5 bill)

SB 177 - SHARP & REPRESENTATIVE WAGNER; SENATORS ADAMS, VAUGHN & WINSLOW; REPRESENTATIVES VALIHURA & DILIBERTO - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Partnerships and the Registration and Regulation of Foreign Limited Liability Partnerships. (3/5 bill)

SB 178 w/SA 1 - SHARP & REPRESENTATIVE WAGNER; SENATORS ADAMS, VAUGHN, & WINSLOW; REPRESENTATIVES VALIHURA & DILIBERTO - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships. (3/5 bill)

SB 189 w/SA 1 - ADAMS & REPRESENTATIVE EWING; REPRESENTATIVES ROY, WEST; SENATORS COOK, MCDOWELL, VAUGHN, VENABLES & BONINI; REPRESENTATIVES BUCKWORTH, BOULDEN, CAREY, CAULK, DIPINTO, D. ENNIS, FALLON, HUDSON, LEE, LOFINK, MAIER, OBERLE, QUILLEN, SMITH, STONE, THORNBURG, BRADY, B. ENNIS, GILLIGAN, HOUGHTON, KEELEY, PLANT & VANSANT - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 26 of the Delaware Code Relating to the Public Service Commission and Cooperatives.

HA 1 to SB 120 - STONE - Placed with the Bill.

Representative Ulbrich requested that she be marked present. Representative Oberle requested and was granted personal privilege of the floor to introduce guests and to present a House Tribute to Jackie Foster, a constituent. Representative Lee made an announcement.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 113, SB 158, SB 164, SB 173, SB 177, SB 178 w/SA 1 SB 40 w/SA 1, SB 132, SB 168 w/SA 2, SB 160, SB 125, SS 1 for SB 146, SB 189 w/SA 1, SB 152 w/SA 1 & SB 45** and requests the concurrence of the House; **HB 152 & HB 58 w/HA 1 & 2** and is returning same to the House.

June 5, 2001

The Hon. Terry R. Spence
Speaker of the House
House of Representatives
Legislative Hall
Dover, DE 19901
Dear Speaker Spence:

Business compels my absence from session today, June 6, 2001. I will return on Thursday, June 7th.

Sincerely,
Wayne A. Smith
House Majority Leader
7th District Representative
May 31, 2001

LEGISLATIVE ADVISORY #12

Governor Ruth Ann Minner signed the following legislation on the dates indicated: 5/8/01 – **HB 43 aab HA 1, HB 64 & HJR 5; 5/14/01 - HB 87, SB 94 & HB 70; 5/31/01 - HB 72.**

Representative G. Wallace Caulk, Jr.

C/O JoAnn Hedrick, Chief Clerk of the House

State House of Representatives

P.O. Box 1401

Dover, DE 19901

Dear Representative Caulk,

I thank you and the Delaware House of Representatives for generously extending your appreciation for my serving as Delaware's Secretary of Agriculture. I was very surprised and gratified as you read your tribute to me. I shall continue to serve Delaware agriculture as I seek ways to improve the profitability of our farmers.

Very truly yours
John F. Tarburton

Delaware Economic Development Office

Representative Lee brought the following prefiled **Consent Calendar #6** before the House for consideration.

HR 10 - FALLON - Requesting that the Office of the Controller General Conduct a Fiscal Analysis to Determine the Cost of Creating and Operating the Delaware Department of Tourism.

HCR 17 - ROY & SENATOR BLEVINS - Encouraging the Department of Education to Continue the School Construction Planning Committee.

Consent Calendar #6 was adopted by voice vote and **HR 10** was declared passed and **HCR 17** was sent to the Senate for concurrence.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #21

DATE: June 6, 2001

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

Number	Sponsor	Date	Type	Description
H141-460	West	7/1/2001	T	Sally Hare & Brent Reynolds/Marriage
H141-461	Spence	4/8/2001	T	DEMA Dispatchers, Smyrna/Public Safety Telecommunications Week
H141-462	Spence	4/8/2001	T	Sussex County 911 Dispatchers/Public Safety Telecommunications Week
H141-463	Spence	4/8/2001	T	New Castle County 911 Dispatchers/Public Safety Telecommunications Week
H141-464	Spence	4/8/2001	T	Kent County 911 Dispatchers/Public Safety Telecommunications Week
H141-465	Gilligan	4/28/2001	T	James & Elizabeth Knott/50th Anniversary
H141-466	Carey	5/3/2001	T	Ethel Coldscott/102nd Birthday
H141-467	Lofink	5/2/2001	T	Tim Kennedy/Retirement/27 Years/New Castle County Vo-Tech
H141-468	Stone	4/28/2001	M	Mark William Foresman
H141-469	D. Ennis	5/1/2001	T	Jan Nyheim/Welcome to the First State
H141-470	Spence	4/26/2001	T	Dr. Brooks Reynolds/Retirement
H141-471	Spence	4/26/2001	T	Jody Ambrosino/Robert Finucane Memorial Achievement Award Recipient
H141-472	Smith	4/26/2001	T	Anne Boyle/Governor's Outstanding Volunteer Award for Social Justice Recipient
H141-473	Maier	5/1/2001	T	Deacon's Walk Civic Association/Service
H141-474	Wagner	3/31/2001	T	Alisa Swain/Appreciation/Director of DSCYF Management Support Services
H141-475	Stone	5/2/2001	T	Honorable Joseph DiPinto/Legislator of the Year Award Recipient
H141-476	Ewing	4/27/2001	M	Jennifer Muncy

H141-477	Spence	6/9/2001	T	Scott Jackson/Eagle Scout
H141-478	Ulbrich	5/2/2001	T	Newark Historical Society/20th Anniversary
H141-479	Ewing	4/20/2001	M	Lawrence R. Melson
H141-480	Schroeder	4/28/2001	M	Harry Martin Wright
	cosponsor: Rep. Gilligan			
H141-481	Wagner	4/21/2001	T	Carrie Russell/Induction/Afro-American Sports Hall of Fame
H141-482	D. Ennis	5/11/2001	T	Eric Richard Hastings/Eagle Scout
H141-483	Scott	5/5/2001	T	J. J. Johnson/Excellence in Labor/Chrysler Corporation

HOUSE TRIBUTE ANNOUNCEMENT #22

DATE: June 6, 2001

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

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
H141-484	Scott	5/5/2001	T	William Anderson/Excellence in Government/Judicial Branch
H141-485	Spence	5/8/2001	T	Jerry Henry/Excellence and Commitment in State Service Award Recipient
H141-486	Spence	5/8/2001	T	Franny Mace/Excellence and Commitment in State Service Award Recipient
H141-487	Quillen	5/8/2001	T	Mark Rash/Excellence and Commitment in State Service Award Recipient
H141-488	Thornburg	5/6/2001	T	Round Table Club of Wyoming/100th Anniversary
	cosponsor: Rep. Buckworth			
H141-489	B. Ennis	5/5/2001	T	Esther Orvis/85th Birthday
H141-490	B. Ennis	5/3/2001	T	Blanche Clark/90th Birthday
H141-491	Spence	5/7/2001	T	St. Francis Hospital Staff/National Nurses Week
H141-492	Stone	5/14/2001	T	Charles Weller/Leadership/Dover City Council
	cosponsor: Rep. Wagner			
H141-493	Wagner	5/14/2001	T	Holly Malone/Leadership/Dover City Council
	cosponsor: Rep. Stone			
H141-494	Wagner	5/14/2001	T	Robin Christiansen/Leadership/Dover City Council
	cosponsor: Rep. Stone			
H141-495	Lavelle	6/7/2001	T	Justin Gail/Eagle Scout
H141-496	Hudson	5/1/2001	M	Felicia Della Rocca DeSeta
H141-497	Hudson	4/29/2001	M	Irene Sophie duPont May
H141-498	Brady	5/16/2001	T	Theresa Vonroe/Jane Maroney Award for Early Childhood Education Recipient
H141-499	Brady	5/16/2001	T	Nicholas Tavares/Jane Maroney Award for Early Childhood Education Recipient
H141-500	Carey	5/18/2001	T	Home of the Brave/5th Anniversary
H141-501	Boulden	5/15/2001	T	Lilyan Weilyne Shu/Teenager of Year/Newark Lions Club
H141-502	Boulden	5/15/2001	T	Maria Papachrysanthou/Teenager of Year/Newark Lions Club
H141-503	Schroeder	6/2/2001	T	Helen & John Quillen/70th Wedding Anniversary
	cosponsor: Rep. Buckworth			
H141-504	Schroeder	5/16/2001	T	John Peters/Public Service Recognition Week

H141-505	Schroeder	5/16/2001	T	John Hughes/Public Service Recognition Week
H141-506	Schroeder	5/16/2001	T	Robert Stickels/Public Service Recognition Week

HOUSE TRIBUTE ANNOUNCEMENT #23

DATE: June 6, 2001

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

Number	Sponsor	Date	Type	Description
H141-507	Schroeder	5/16/2001	T	Gregory Ferrese/Public Service Recognition Week
H141-508	Spence	6/17/2001	T	Sansei McDuffy & Denrod Fowler/Marriage
H141-509	B. Ennis	5/7/2001	T	Robert Newman/Leadership/Smyrna Councilman
H141-510	B. Ennis	5/7/2001	T	Jeffrey Bowers/Leadership/Smyrna Councilman
H141-511	Stone	5/11/2001	T	Richard Morris/Retirement/Capital School District
	cosponsor: Rep. Wagner			
H141-512	Wagner	6/11/2001	T	Woody Curtis/Retirement/Capital School District
H141-513	Schroeder	6/11/2001	T	Lorraine Butcavage/Retirement/Capital School District
	cosponsor: Rep. Wagner			
H141-514	Caulk	5/11/2001	T	Joanne Stickel/Retirement/Capital School District
	cosponsor: Rep. Wagner			
H141-515	Wagner	5/11/2001	T	Carolyn Pleasanton/Retirement/Capital Schools
H141-516	West	5/11/2001	T	Wayne Simmons/Retirement/Capital School District
	cosponsor: Rep. Wagner			
H141-517	Thornburg	5/11/2001	T	Richard Barlow/Retirement/Capital School District
	cosponsor: Rep. Wagner			
H141-518	Wagner	6/11/2001	T	Bill Denbrock/Retirement/Capital School District
H141-519	Spence	5/3/2001	M	Sidney J. Clark, Sr.
H141-520	Oberle	5/7/2001	M	Ronald Rogalewicz
H141-521	Oberle	5/8/2001	T	Jackie Foster/Citizenship Award/Christina Schools
H141-522	D. Ennis	5/12/2001	T	Jeff Olmstead/Induction/Tennis Hall of Fame
	cosponsor: Rep. Stone			
H141-523	Brady	5/20/2001	T	Church of the Ascension/150th Anniversary
	cosponsor: Rep. Smith			
H141-524	Wagner	5/12/2001	T	Barbara Zimmerman & Robert Reed/Marriage
H141-525	Carey	5/31/2001	T	Eddie Dickerson/Achievements/NASCAR Racing
H141-526	Mulrooney	6/3/2001	T	Isabelle Rossiter/90th Birthday
H141-527	West	6/9/2001	T	Georgetown-Millsboro Rotary Club/75th Anniversary
H141-528	Quillen	5/10/2001	T	Debra Bayless/Heroic Actions/Person in Ditch Fire
	cosponsor: Rep. Caulk			

HOUSE TRIBUTE ANNOUNCEMENT #24

DATE: June 6, 2001

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

Number	Sponsor	Date	Type	Description
H141-529	B. Ennis	5/10/2001	T	James Russell/President/Del-Mar-Va Volunteer Firemen's Association
H141-530	DiPinto	5/10/2001	T	Rockford Tower/100th Anniversary
H141-531	Spence	6/8/2001	T	Delaware Geological Survey/50th Anniversary

H141-532	West	5/10/2001	T	Frank Perdue/81st Birthday
H141-533	Price	4/21/2001	T	Louise & Ralph Fenimore/50th Wedding Anniversary
H141-534	Price	2/4/2001	T	Catherine & Noah Hopkins/50th Wedding Anniversary
H141-535	Price	2/17/2001	T	Madalyn & Paul Forrest/50th Wedding Anniversary
H141-536	Gilligan	4/13/2001	T	Timothy Neal/Leadership/Town of Newport
	cosponsor: Rep. VanSant			
H141-537	Buckworth	6/26/2001	T	Frederick Donkin/Saving Life of Co-Worker/CPR
H141-538	Oberle	6/7/2001	T	Richard Bailey/Graduation/Sterck School
H141-539	Oberle	6/7/2001	T	Martin Galloway/Graduation/Sterck School
H141-540	Oberle	6/7/2001	T	Dale Hopkins, Jr./Graduation/Sterck School
H141-541	Oberle	6/7/2001	T	Shanel McDanill/Graduation/Sterck School
H141-542	Oberle	6/7/2001	T	Bruce Roberts/Graduation/Sterck School
H141-543	Oberle	6/7/2001	T	Mitchell Ryan/Graduation/Sterck School
H141-544	Oberle	6/7/2001	T	Tiffany White/Graduation/Sterck School
H141-545	Houghton	2/3/2001	T	Betty & Victor Bobrowski/50th Wedding Anniversary
H141-546	Gilligan	4/7/2001	T	James & Mary Mensinger/50th Wedding Anniversary
H141-547	Gilligan	4/13/2001	T	Tony & Nancy Cosetti/50th Wedding Anniversary
H141-548	Mulrooney	4/19/2001	T	Frances & Edward Taylor/60th Wedding Anniversary
H141-549	Plant	4/28/2001	T	Christine & Frank McQueen/50th Wedding Anniversary
H141-550	Keeley	3/31/2001	T	Anne & Samuel Rossitto/50th Wedding Anniversary
H141-551	Carey	5/20/2001	T	Josephine Wood/Retirement/27 Years/Avenue
	cosponsor: Rep. Caulk			
H141-552	Wagner	5/19/2001	T	Sara West & Scott Hammer/Marriage
H141-553	Wagner	6/17/2001	T	Marlette Franklin & A. Benjamin Spencer/Marriage

HOUSE TRIBUTE ANNOUNCEMENT #25

DATE: June 6, 2001

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

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
H141-554	Quillen	6/12/2001	T	Steve Long/Retirement/30 Years/Capital School District
	cosponsor: Rep. Wagner			
H141-555	Buckworth	5/11/2001	M	David Lloyd Williams
H141-556	Wagner	5/9/2001	M	William W. Stevenson
H141-557	Carey	6/5/2001	T	Ron Hill/KSI Appreciation Award Recipient
H141-558	Carey	6/5/2001	T	Sharon Roney/KSI Employee of the Year/2001
H141-559	Carey	6/5/2001	T	Emily Hamilton/KSI Employee of the Year/2000
H141-560	Carey	6/5/2001	T	Helen Sheppard/KSI Employee of the 3rd Quarter
H141-561	Carey	6/5/2001	T	Lisa Littleton/KSI Employee of the 4th Quarter
H141-562	Carey	6/5/2001	T	Anthony Katcher/KSI Employee of the 2nd Quarter
H141-563	Carey	6/5/2001	T	Leonard Townsend/KSI Employee of the 1st Quarter
H141-564	Stone	5/13/2001	M	Willard E. Barcus
	cosponsor: Rep. Wagner			
H141-565	Carey	5/12/2001	M	Frank W. Hitchens
H141-566	Quillen	5/22/2001	T	Lois Woodward/Retirement/32 Years/Lake Forest Schools
H141-567	Quillen	5/22/2001	T	Delema Carter/Retirement/35 Years/Lake Forest Schools
H141-568	Quillen	5/22/2001	T	Robert Dean, Jr./Retirement/10 Years/Lake Forest Schools

H141-569	Quillen	5/22/2001	T	Jack Grimm/Retirement/40 Years/Lake Forest Schools
H141-570	Quillen	5/22/2001	T	David Buck/Retirement/27 Years/Lake Forest Schools
H141-571	Carey	5/22/2001	T	Cheri Bragg/Retirement/33 Years/Lake Forest Schools
H141-572	Stone	5/15/2001	M	Fred B. Carey
	cosponsor: Rep. Wagner			
H141-573	Buckworth	6/12/2001	T	Vicki Buckworth/Retirement/12 Years/Capital School District
	cosponsor: Rep. Wagner			
H141-574	Wagner	6/12/2001	T	Leroy Moyer/Retirement/32 Years/Capital Schools
H141-575	Stone	6/12/2001	T	James Long/Retirement/33 Years/Capital School District
	cosponsor: Rep. Wagner			

T- Tribute

M - Memoriam

Representative Miro requested that he be marked present.

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

The Majority Whip moved to recess to the call of the Chair at 2:28 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:28 p.m.: Representatives Boulden, Brady, DiPinto, Gilligan & Maier. Mr. Speaker Spence called the House to order at 2:15 p.m. on June 7, 2001.

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

LABOR: **SB 111** - 7M.

CORRECTIONS: **HB 231** - 8M; **SB 60 w/SA 2** - 6M.

HOUSE ADMINISTRATION: **HB 217** - 3M; **HB 240** - 4M; **SB 140 w/SA 1** - 4M.

JUDICIARY: **HB 221** - 8M; **HB 236** - 1F, 7M; **SB 81** - 8M; **SB 116** - 8M; **SB 120** - 7M; **SB 138** - 6M.

TELECOMMUNICATIONS & ELECTRIC UTILITY DEREGULATION: **HB 92** - 6M.

TELECOMMUNICATIONS, INTERNET & TECHNOLOGY: **HB 254** - 6M.

LAND USE AND INFRASTRUCTURE: **HB 235** - 5M; **HB 255** - 5M.

REVENUE & FINANCE: **HB 238** - 6M.

HOUSING & COMMUNITY AFFAIRS: **HB 210** - 2F, 4M.

BUSINESS/CORPORATIONS/COMMERCE: **SB 80 w/SA 1** - 7M.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 225** - 9M; **SB 166** - 8M; **SB 167** - 8M; **SB 169** - 8M; **SB 181 w/SA 1** - 2F, 6M.

EDUCATION: **HB 22** - 7M; **HB 215** - 8M; **HB 218** - 7M; **HB 234** - 7M; **HB 251** - 7M; **SB 40 w/SA 1** - 7M; **SB 70 w/SA 2** - 6M; **SB 157 w/SA 1** - 6M; **SB 168 w/SA 2** - 6M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HJR 11** - 4M; **SS 1 for SB 33 w/SA 2** - 5M.

PUBLIC SAFETY: **HB 237** - 6M; **HB 242** - 5M; **SS 1 for SB 130 w/SA 1** - 1F, 4M.

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

33rd LEGISLATIVE DAY - 141ST GENERAL ASSEMBLY - FIRST SESSION

June 7, 2001

The Chief Clerk called the roll.

Members Present: 41.

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

Smyth's Brigade, Second Delaware Regiment of Volunteers, Historical Re-enactors presented the Colors. The Speaker led those present in a pledge of allegiance to the American Flag.

The following prefiled legislation was introduced:

HB 256 - GILLIGAN; REPRESENTATIVES CAREY, DILIBERTO, EWING, HOUGHTON, MAIER, MIRO, OBERLE, PLANT, VANSANT, VIOLA; SENATOR SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the School District Enrollment Choice Program.

HB 257 - HUDSON & SENATOR COOK - REVENUE & FINANCE - An Act to Amend Titles 7, 16, 29, 30 and 31 of the Delaware Code Relating to Delaware Personal Income Tax Checkoff Programs.

HB 258 - VALIHURA & SENATOR WINSLOW - EDUCATION - An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act.

HB 259 - CAULK & SENATOR VAUGHN - AGRICULTURE - An Act to Amend Title 29 of the Delaware Code Relating to the State Lottery Fund.

HB 260 - STONE & REPRESENTATIVE WAGNER & SENATOR STILL - HOUSE ADMINISTRATION - An Act to Amend Section 49, Chapter 158, Volume 36, Laws of Delaware, as Amended, Being the Charter of the City of Dover, Relating to the Duration of Tax Liens. (2/3 bill)

HB 261 - STONE & REPRESENTATIVE WAGNER & SENATOR STILL - HOUSE ADMINISTRATION - An Act to Amend Section 47, Chapter 158, Volume 36, Laws of Delaware, Being the Charter of the City of Dover, Relating to Ordinances. (2/3 bill)

HB 262 - LOFINK & REPRESENTATIVE OBERLE & SENATOR MARSHALL - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Workers' Compensation. (3/5 bill)

HB 263 - LOFINK & REPRESENTATIVE OBERLE & SENATOR MARSHALL - LABOR - An Act to Amend Titles 18 and 19 of the Delaware Code Relating to Workers' Compensation Insurance.

HB 264 - SCHROEDER; SENATORS BUNTING, SIMPSON; REPRESENTATIVE GILLIGAN - HOUSE ADMINISTRATION - An Act Authorizing the Conveyance of the State of Delaware's Interest, in Certain Lands Located In Sussex County, Delaware.

HB 265 - ROY - HOUSE ADMINISTRATION - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County.

HB 266 - WAGNER & SENATOR HENRY - JUDICIARY - An Act to Amend Title 9 of the Delaware Code Relating to Appeals from Boards of Assessment.

HB 267 - WAGNER & SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Parents and Children in the Family Court of the State of Delaware.

SS 1 for SB 92 - HENRY & REPRESENTATIVE WAGNER; SENATORS MARSHALL, MCDOWELL, SOKOLA, SORENSON, BONINI & WINSLOW; REPRESENTATIVES STONE, VALIHURA, KEELEY, PLANT, SCOTT, VIOLA & WILLIAMS - BUSINESS/CORPORATIONS/COMMERCE - An Act to Amend Title 29 of the Delaware Code Relating to the Office of Minority, Women-owned, and Disadvantaged Small Business Enterprises.

SB 150 w/SA 1 - DELUCA & REPRESENTATIVE ULBRICH; SENATORS BUNTING, SOKOLA, SIMPSON, STILL; REPRESENTATIVES HUDSON, VALIHURA, KEELEY & PRICE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 51, Title 24 of the Delaware Code Regarding Cosmetology and Barbering and Certification of Aestheticians.

Representative Smith made comments. Representatives Smith requested and was granted privilege of the floor for John Pickett, Commander, Smyth's Brigade, Second Delaware Regiment of Volunteers, Historical Re-enactors. Representative Smith made comments. Representatives Smith & DiLiberto requested and were granted personal privilege of the floor to introduce guests. The House observed a moment of silence in memory of Harry Burroughs at the request of Representative DiLiberto. Representative Thornburg requested that she be marked present. Representative Gilligan requested and was granted personal privilege of the floor to make comments. Representative Fallon requested and was granted privilege of the floor for Gail Launay, representing the Delaware Advocacy Coalition for People with Disabilities. Mr. Speaker Spence made comments. Representative Houghton requested that he be marked present. Representative Schroeder requested and was granted personal privilege of the floor to introduce guests. Representatives Boulden, Lee & Oberle requested that they be marked present. Representative DiPinto

requested and was granted personal privilege of the floor to make an announcement. Mr. Speaker Spence introduced a guest.

Representative Smith deferred to Representative Hudson. Representative Hudson requested that she be marked present. Representative Hudson requested and was granted personal privilege of the floor to introduce guests. Representative Hudson requested and was granted privilege of the floor for Leslie Greene Bowman, Director, Winterthur Museum, Garden & Library. Representative Fallon made comments.

Representative Hudson introduced and brought **HR 16**, jointly sponsored by Representative DiPinto & Representative Valihura on behalf of All Representatives, before the House for consideration.

HR 16 - COMMEMORATING THE 50TH ANNIVERSARY OF WINTERTHUR, WORLD-RENOWNED MUSEUM, GARDEN AND LIBRARY.

HR 16 was adopted by voice vote.

Mr. Speaker Spence introduced guests. Representative Reynolds requested and was granted personal privilege of the floor to make comments. Representative B. Ennis requested that he be marked present. Representative Keeley requested and was granted privilege of the floor to present House Tributes to graduates of Public Allies Delaware.

Representative Smith moved to restore **HR 10**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **HR 10**, sponsored by Representative Fallon, before the House for consideration.

HR 10 - REQUESTING THAT THE OFFICE OF CONTROLLER GENERAL CONDUCT A FISCAL ANALYSIS TO DETERMINE THE COST OF CREATING AND OPERATING THE DELAWARE DEPARTMENT OF TOURISM.

Representative Smith moved to rescind the voice vote on **HR 10**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle rose on a point of order. Mr. Speaker concurred.

Mr. Speaker Spence assigned **HR 10** to the Tourism Committee.

Mr. Speaker Spence assigned **HB 190, HB 224, HB 238, SS 1 for SB 33 & SB 111** to the Appropriations Committee.

Representative Miro requested that he be marked present.

The Majority Leader moved to recess for caucus at 2:58 p.m.

The House reconvened at 5:33 p.m. with Representative Oberle as Acting Speaker.

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

HEALTH & HUMAN DEVELOPMENT: HB 241 - 4M; SB 109 w/SA 1 - 4M; SB 122 - 4M; SB 155 - 4M.

Representative Smith brought **Consent Agenda B**, which requires a two-thirds vote, before the House for consideration.

Representative Smith requested that **HB 214** be removed from **Consent Agenda B**.

HB 214 – ROY; SENATOR DELUCA; REPRESENTATIVE LOFINK - An Act to Amend Title 21 of the Delaware Code Relating to Toll Evasion at the Delaware Memorial Bridge, the Delaware River and Bay Authority, and Prescribing Penalties for Failure to Pay Toll and for Offensive Conduct Against Toll Collectors. (2/3 bill)

SB 104 – BUNTING & REPRESENTATIVE WEST - An Act to Amend An Act Being Chapter 138, Volume 68, Laws of Delaware, as Amended, Entitled "An Act to Incorporate the Town of Dagsboro" to Increase the Amount of Funds that the Town May Borrow on Its Full Faith and Credit. (2/3 bill)

SB 140 w/SA 1 – VAUGHN & REPRESENTATIVE CATHCART - An Act to Amend Chapter 128, Volume 33, Laws of Delaware as Amended, Entitled "An Act to Re-Incorporate the Town of Middletown", To Eliminate Provisions Requiring Votes to be Weighted on the Basis of Property Tax Payments in Special Elections Approving Borrowings, to Allow the Town to Incur Indebtedness in Anticipation of Tax Collections and Other Revenues, to Increase the Debt Limit, and to Clarify Certain Provisions Regarding Refinancing of Indebtedness by the Town. (2/3 bill)

Representative Smith announced that he will not be voting on **Consent Agenda B** because of a possible conflict of interest regarding **SB 140**.

The roll call on **Consent Agenda B** was taken and revealed:

YES: 38.

NOT VOTING: Representative Smith - 1.

ABSENT: Representatives D. Ennis & West - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 104 & SB 140 w/SA 1** were returned to the Senate.

Representatives Cathcart, Williams & Plant requested that they be marked present during the roll call.

Representative Smith deferred to Representative Roy.

Representative Roy brought **HB 156** before the House for consideration.

HB 156 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY COUNCIL REDISTRICTING.

Representative Roy made comments. Representative Roy introduced and brought **HA 1 to HB 156** before the House for consideration. Representative Roy made comments. **HA 1** was adopted by voice vote. Representative Gilligan made comments.

The roll call on **HB 156 w/HA 1** was taken and revealed:

YES: 36.

NO: Representatives B. Ennis & Scott - 2.

NOT VOTING: Representative Brady - 1.

ABSENT: Representative D. Ennis - 4.

Therefore, having received a constitutional majority, **HB 156 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HB 223**, jointly sponsored by Senator Cook & Representatives Brady, Carey, D. Ennis, Fallon, Houghton, Hudson, Keeley, Miro, Mulrooney, Scott & Valihura, before the House for consideration.

HB 223 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURABLE INTEREST.

Mr. Speaker Spence resumed the Chair. Representatives Stone & Maier made comments.

The roll call on **HB 223** was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis & West - 2.

Therefore, having received a constitutional majority, **HB 223** was sent to the Senate for concurrence.

Representative Smith brought **SB 25**, jointly sponsored by Senator Sharp & Representative Spence & Senators Adams, Vaughn, Amick & Sorenson & Representatives Lee, Gilligan & VanSant, before the House for consideration.

SB 25 - AN ACT TO AMEND CHAPTER 101, TITLE 29, DELAWARE CODE RELATING TO ADOPTION OF REGULATIONS.

Representative Smith made comments.

The roll call on **SB 25** was taken and revealed:

YES: 40.

ABSENT: Representative West - 1.

Therefore, having received a constitutional majority, **SB 25** was returned to the Senate.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **HS 1 for HB 85**, jointly sponsored by Senator Adams & Representatives Spence, Smith, Lee, Boulden, Buckworth, Carey, Cathcart, DiPinto, D. Ennis, Ewing, Fallon, Lavelle, Maier, Miro, Quillen, Stone, Ulbrich, Valihura & Wagner & Senators Bunting, Amick, Cloutier, Connor, Sorenson & Winslow, before the House for consideration.

HB 85 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO §§22 AND 23, ARTICLE III, AND ARTICLE IV OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE APPOINTMENT BY THE COURT OF CHANCERY OF A REGISTER IN CHANCERY AND THE POWERS AND DUTIES OF THE REGISTER IN CHANCERY. (2/3 bill) (F/N)

Representatives Hudson & Houghton made comments. Representative Houghton requested and was granted privilege of the floor for Chancellor William B. Chandler, III, Court of Chancery. Representatives Houghton & Price made comments.

The roll call on **HS 1 for HB 85** was taken and revealed:

YES: 29.

NO: Representatives B. Ennis, Keeley, Mulrooney, Plant, Price, Scott, VanSant, Viola, West & Williams - 10.

NOT VOTING: Representative Brady - 1.

ABSENT: Representative Reynolds - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HS 1 for HB 85** was sent to the Senate for concurrence.

The correct roll call on **HB 156** was announced by the Chief Clerk:

YES: 37.

NO: Representatives B. Ennis & Scott - 2.

NOT VOTING: Representative Brady - 1.

ABSENT: Representative D. Ennis - 1.

Representative Hudson brought **HB 226**, jointly sponsored by Representative Schroeder, before the House for consideration.

HB 226 - AN ACT TO AMEND TITLES 9, 10, 15, AND 29 OF THE DELAWARE CODE RELATING TO THE REGISTER IN CHANCERY OFFICE. (F/N)

Representative Hudson made a comment.

The roll call on **HB 226** was taken and revealed:

YES: 29.

NO: Representatives B. Ennis, Keeley, Mulrooney, Plant, Price, Scott, VanSant, Viola, West & Williams - 10.

NOT VOTING: Representative Brady - 1.

ABSENT: Representative Reynolds - 1.

Therefore, having received a constitutional majority, **HB 226** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 22**, jointly sponsored by Representative Williams & Representative Spence & Senator Henry & Representatives Buckworth, Carey, D. Ennis, Ewing, Hudson, Maier, Miro, Quillen, Wagner, Gilligan, Price, Brady, DiLiberto, Schroeder, Scott & Valihura & Senators Blevins, Bunting, Cloutier, Connor & Winslow & cosponsored by Representatives Keeley, Stone, Ulbrich, Lofink & B. Ennis, before the House for consideration.

HB 22 - AN ACT TO AMEND TITLE 14, DELAWARE CODE ESTABLISHING THE AL O. PLANT, SR. MEMORIAL SCHOLARSHIP FUND. (F/N)

Representative Oberle brought **HA 1 to HB 22** before the House for consideration. Representative Oberle made comments. **HA 1** was adopted by voice vote. Representatives Oberle, Gilligan, Mr. Speaker Spence, Representatives Williams, DiPinto & Oberle made comments.

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

YES: 39.

ABSENT: Representatives Hudson & Reynolds - 2.

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

Representative Smith deferred to Representative Roy.

Representative Roy brought **HB 214**, jointly sponsored by Senator DeLuca, before the House for consideration.

HB 214 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TOLL EVASION AT THE DELAWARE MEMORIAL BRIDGE, THE DELAWARE RIVER AND BAY AUTHORITY, AND DESCRIBING PENALTIES FOR FAILURE TO PAY TOLL AND FOR OFFENSIVE CONDUCT AGAINST TOLL COLLECTORS. (2/3 bill)

Representative Roy introduced and brought **HA 1 to HB 214** before the House for consideration.

Representative Roy made a comment. **HA 1** was adopted by voice vote. Representative Roy made a comment.

The roll call on **HB 214 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Gilligan, Hudson & Reynolds - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 214 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought **SB 105 w/SA 1**, sponsored by Senator DeLuca & Representative Spence & Senators Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Henry, McDowell, Simpson, Sokola, Sorenson, Still, Vaughn, Venables & Winslow & Representatives Boulden, Brady, Carey, DiLiberto, B. Ennis, Ewing, Fallon, Gilligan, Houghton, Hudson, Keeley, Lavelle, Maier, Mulrooney, Price, Roy, Schroeder, Ulbrich, Valihura, Viola, Wagner & Williams, before the House for consideration.

SB 105 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PLANNING COORDINATION. (F/N)

Representative Cathcart made comments.

The roll call on **SB 105 w/SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Gilligan, Hudson & Reynolds - 3.

Therefore, having received a constitutional majority, **SB 105 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth brought **HB 106**, jointly sponsored by Senator McBride & Representatives Maier & DiLiberto & Senator Bonini & cosponsored by Representative Ulbrich & Senator Adams, before the House for consideration.

HB 106 - AN ACT TO AMEND TITLES 14 AND 29 OF THE DELAWARE CODE RELATING TO LEAVE FOR STATE EMPLOYEES, TEACHERS AND SCHOOL EMPLOYEES. (F/N)

Representative Buckworth brought **HA 1 to HB 106** before the House for consideration. Representative Buckworth made a comment. **HA 1** was adopted by voice vote. Representatives Buckworth, Price, Smith & Scott made comments.

The roll call on **HB 106 w/HA 1** was taken and revealed:

YES: 37.

NO: Representative Price - 1.

ABSENT: Representatives Gilligan, Hudson & Reynolds - 3.

Therefore, having received a constitutional majority, **HB 106 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 165**, jointly sponsored by Representatives Ewing & Stone & Senators Bonini, Henry, Simpson & Winslow, before the House for consideration.

HB 165 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE SUSPENSIONS FOR NONPAYMENT OF JUDGMENTS.

Representatives Valihura, Boulden, DiLiberto, Oberle, Ulbrich & Valihura made comments.

The roll call on **HB 165** was taken and revealed:

YES: Representatives Brady, DiPinto, D. Ennis, Ewing, Fallon, Lee, Roy, Spence & Valihura - 9

NO: 27.

ABSENT: Representatives Buckworth, Gilligan, Hudson, Lofink & Reynolds - 5.

Therefore, not having received a constitutional majority, **HB 165** was declared defeated.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Mr. Acting Speaker & Representative Smith made comments.

Representative Smith deferred to Representative Spence.

Representative Spence brought **HB 240**, jointly sponsored by Representatives Smith, Lee & Gilligan & Senator Amick, before the House for consideration.

HB 240 - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO THE NATIONAL GUARD.

Representative Spence made comments.

The roll call on **HB 240** was taken and revealed:

YES: 36.

ABSENT: Representatives Buckworth, Gilligan, Hudson, Lofink & Reynolds - 5.

Therefore, having received a constitutional majority, **HB 240** was sent to the Senate for concurrence.

Representative Smith deferred to Representative VanSant.

Representative VanSant brought **HB 221**, jointly sponsored by Senator Venables & Representatives Brady, Buckworth, DiPinto, B. Ennis, Ewing, Fallon, Houghton, Quillen, Thornburg & West & Senators Simpson & Winslow, before the House for consideration.

HB 221 - AN ACT TO AMEND CHAPTER 1 OF PART I OF TITLE 10 OF THE DELAWARE CODE DEALING WITH APPEALS TO THE SUPREME COURT.

Representative VanSant made comments.

The roll call on **HB 221** was taken and revealed:

YES: 35.

ABSENT: Representatives Buckworth, Gilligan, Hudson, Lofink, Quillen & Reynolds - 6.

Therefore, having received a constitutional majority, **HB 221** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Roy.

Mr. Speaker Spence resumed the Chair.

Representative Roy brought **HB 254**, jointly sponsored by Representative Wagner & Senator McBride, before the House for consideration.

HB 254 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE BY ESTABLISHING A TECHNOLOGY INVESTMENT COUNCIL.

Representatives Roy, Wagner & DiPinto made comments.

The roll call on **HB 254** was taken and revealed:

YES: 34.

ABSENT: Representatives Buckworth, Fallon, Gilligan, Hudson, Lofink, Quillen & Reynolds - 7.

Therefore, having received a constitutional majority, **HB 254** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Lee.

Representative Lee introduced and brought **HR 15**, jointly sponsored by Representatives Spence, Smith, Gilligan & VanSant, before the House for consideration.

HR 15 - PERTAINING TO THE RELEASE OF LISTS OF HIGH SCHOOL GRADUATES TO THE HOUSE OF REPRESENTATIVES.

Representative Lee made comments.

HR 15 was adopted by voice vote.

Mr. Speaker Spence reassigned **SB 189** to the Telecommunications, Internet & Technology Committee.

Representative Maier requested that **HB 68** be stricken.

The Majority Leader moved to recess to the call of the Chair at 7:07 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:14 p.m. on June 12, 2001.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SS 1 for SB 92, SB 150 w/SA 1, SB 117 w/SA 1, SB 151, SB 119, SB 142, SB 175 w/SA 1, SB 185 w/SA 1 & SB 218 & SB 188** and requests the concurrence of the House; **HB 140, HB 93 w/HA 1 & HA 1 to HA 1 & HB 101 w/SA 1** and is returning same to the House.

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

**34th LEGISLATIVE DAY - 141st GENERAL ASSEMBLY - FIRST SESSION
June 12, 2001**

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Hudson & Smith -2.

A prayer was offered by Representative Clifford G. Lee, Fortieth Representative District.

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

The following prefiled legislation was introduced:

HB 268 - LAVELLE & SENATOR WINSLOW - TRANSPORTATION - An Act Establishing a State Drainage Fund and Making a Supplementary Appropriation.

HB 269 - MAIER & REPRESENTATIVE BUCKWORTH & SENATOR MCDOWELL; REPRESENTATIVES ULBRICH, DILIBERTO, KEELEY; SENATORS BLEVINS, MCBRIDE, SORENSON, BONINI, CLOUTIER, CONNOR, SIMPSON, STILL, WINSLOW - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Guardianships and Permanent Guardianships.

HB 270 - QUILLEN - PUBLIC SAFETY - An Act to Amend Title 21, Delaware Code Relating to Handicapped Persons Special Registration Plates.

HB 271 - SPENCE & SENATOR MCBRIDE & REPRESENTATIVE BOULDEN - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Regarding Substitution of Drugs.

HB 272 - WAGNER & SENATOR VAUGHN - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Crimes of Possession of a Deadly Weapon During the Commission of a Felony and Possession of a Firearm During the Commission of a Felony.

HB 273 - SPENCE & REPRESENTATIVE GILLIGAN & SENATOR MCDOWELL & SENATOR HENRY & SENATOR MARSHALL & SENATOR AMICK & SENATOR SORENSON - HOUSE ADMINISTRATION - An Act to Amend Volume 63, Laws of Delaware, Chapter 135, Relating to the Title of Property Known as 1300 West Seventh Street, Wilmington, Delaware.

HB 274 - WAGNER & SENATOR HENRY - LABOR - An Act to Amend Chapter 59, Title 29 of the Delaware Code Relating to the Merit System of Personnel Administration.

HA 1 to HB 150 - MAIER - Placed with the Bill.

HA 1 to HB 181 - CATHCART - Placed with the Bill.

HA 2 to HB 192 - CAULK - Placed with the Bill.

HA 1 to HB 211 - B. ENNIS - Placed with the Bill.

HA 1 to HB 236 - DIPINTO - Placed with the Bill.

HA 1 to HB 255 - CATHCART - Placed with the Bill.

HCR 18 - OBERLE; REPRESENTATIVE CATHCART & REPRESENTATIVE MAIER & REPRESENTATIVE VIOLA & SENATOR CONNOR & SENATOR SOKOLA - EDUCATION - Directing the

Department of Education to Conduct a Comprehensive Study of Educational Support Employee Salaries in Delaware Schools and to Report Same to the General Assembly.

SB 117 w/SA 1 - BUNTING & REPRESENTATIVE SCHROEDER - HOUSE ADMINISTRATION - An Act to Amend an Act Being Chapter 504, Volume 57, Laws of Delaware, as Amended, Entitled "An Act to Incorporate the Town of Henlopen Acres" to Clarify Qualifications of Voters in Municipal Elections. (2/3 bill)

SB 119 - MCBRIDE & REPRESENTATIVE QUILLEN; SENATOR CONNOR; REPRESENTATIVES MULROONEY & PRICE - WATER QUALITY - An Act to Amend Chapter 60, Title 7, of the Delaware Code Relating to the Formulation and Implementation of a Source Water Protection Program.

SB 142 - SOKOLA & REPRESENTATIVE MIRO - PUBLIC SAFETY - An Act to Amend Chapter 25, Title 29 of the Delaware Code Relating to Subpoenas.

SB 151 - DELUCA & REPRESENTATIVE ULBRICH; SENATORS BUNTING, SOKOLA, SIMPSON & STILL; REPRESENTATIVES HUDSON, VALIHURA, DILIBERTO & KEELEY - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 14, Title 24 of the Delaware Code Relating to the Board of Electrical Examiners.

SB 175 w/SA 1 - BLEVINS & REPRESENTATIVE MAIER; SENATOR CONNOR - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Contagious Diseases Generally.

SB 185 w/SA 1 - MCBRIDE & REPRESENTATIVE QUILLEN - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Oysters. (2/3 bill)

SB 188 - DELUCA & REPRESENTATIVE OBERLE; SENATORS HENRY, SOKOLA, CONNOR & STILL; REPRESENTATIVES MIRO, REYNOLDS, ROY, BRADY, B. ENNIS, GILLIGAN, MULROONEY, PRICE & VIOLA - LAND USE AND INFRASTRUCTURE - An Act to Amend Title 29 of the Delaware Code, Relating to Applications for Re-zoning, Variances and Subdivision Approval.

SB 218 - SOKOLA & REPRESENTATIVE WAGNER - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Malicious Obstruction of Emergency Telephone Calls and Falsely Reporting an Incident. (2/3 bill)

HA 1 to SB 41 - VALIHURA - Placed with the Bill.

HA 1 to SB 99 - WAGNER & REPRESENTATIVE FALLON & REPRESENTATIVE STONE - Placed with the Bill.

HA 1 to SB 116 - SPENCE - Placed with the Bill.

HA 1 to SB 189 - VALIHURA - Placed with the Bill.

The Reading Clerk read the following communications into the record:

June 12, 2001

The Hon. Terry R. Spence
Speaker of the House
House of Representatives
Legislative Hall
Dover, DE 19901

Dear Speaker Spence:

Due to a sudden family illness I will miss session today and hope to be back tomorrow.

Sincerely,
Wayne A. Smith
House Majority Leader
7th District Representative
MEMORANDUM

TO: The Honorable Terry R. Spence

Speaker of the House
FROM: Representative Deborah D. Hudson
DATE: June 12, 2001
RE: Absence from Session

Please be advised that I will be unable to attend session today, Tuesday, June 12, 2001 due to illness.

Thank you.

Dear Joe,

Thank you for your note of congratulations.

I am so proud of my team and all of their accomplishments. They have represented Notre Dame well, and we have had a lot of fun along the way.

GO IRISH!!

Muffet McGraw, Women's Basketball, University of Notre Dame.

Representative Ewing made comments. Representatives VanSant & Houghton requested that they be marked present. Representative Maier requested and was granted personal privilege of the floor to introduce guests. Representatives Plant & Scott requested that they be marked present.

Mr. Acting Speaker assigned **HJR 11** to the House Administration Committee & **SB 181** to the Appropriations Committee.

Representative Williams requested that he be marked present.

The Majority Whip moved to recess for caucus at 2:25 p.m.

The House reconvened at 4:23 p.m.

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

APPROPRIATIONS: **HB 113** - 5F, 1M; **HB 192** - 2F, 3M; **SS 1** for **SB 33 w/SA 2** - 6F; **SB 111** - 6M.

The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Pam Maier, do hereby request that my name be removed as a co-sponsor of **HB 198**.

Date: June 12, 2001

Signed: Pam Maier

Representative Lee deferred to Representative Ewing. Representative Ewing made an announcement.

Representative Lee deferred to Representative Lavelle.

Representative Lavelle moved to lift **HB 213 w/HA 1** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Lavelle brought **HB 213 w/HA 1**, jointly sponsored by Senator Henry & Representatives Ewing, Thornburg & Keeley & Senator Cloutier, before the House for consideration.

HB 213 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO OCCUPANT PROTECTION SYSTEM SAFETY ACT.

Representative Lavelle made comments. Representative DiLiberto requested that **HA 2** to **HB 213** be stricken. Representative Lavelle brought **HA 3** to **HB 213** before the House for consideration. Representative Lavelle made comments. **HA 3** was adopted by voice vote. Representative Lavelle made comments.

The roll call on **HB 213 w/HA 1 & 3** was taken and revealed:

YES: 36.

NO: Representatives Brady, Caulk & Williams - 3.

ABSENT: Representatives Hudson & Smith - 2.

Therefore, having received a constitutional majority, **HB 213 w/HA 1 & 3** was sent to the Senate for concurrence.

Representatives Boulden, Cathcart, Gilligan, Mulrooney, Price, Reynolds, Schroeder, Spence, Stone, Viola, Wagner & West requested that they be marked present during the roll call.

Representatives Lavelle & Price made comments.

Representative Lee deferred to Representative Quillen.

Representative Quillen moved to lift **HB 122 w/HA 1** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Quillen brought **HB 122 w/HA 1**, jointly sponsored by Representative Spence & Senators Simpson & McDowell & Representatives Ewing, Fallon & West & cosponsored by Representative Lavelle, before the House for consideration.

HB 122 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATED TO SPECIFIC OFFENSES.

Representative Quillen deferred to Representative Williams. Representative Williams brought **HA 2 to HB 122** before the House for consideration. Representative Williams made comments. **HA 2** was adopted by voice vote.

The roll call on **HB 122 w/HA 1 & 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Hudson & Smith - 2.

Therefore, having received a constitutional majority, **HB 122 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Lee deferred to Representative DiPinto.

Representative DiPinto brought **HB 236**, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 236 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TOBACCO PRODUCT TAX. (2/3 bill)

Representative DiPinto brought **HA 1 to HB 236** before the House for consideration. Representative DiPinto made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 236 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Hudson & Smith - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 236 w/HA 1** was sent to the Senate for concurrence.

Representative Valihura requested that **HB 258** be stricken.

Representative Lee deferred to Representative Spence.

Representative Spence brought **HB 231**, jointly sponsored by Senator Cook & Senator Bonini & Representatives Lee, Boulden, Buckworth, Carey, Cathcart, DiPinto, D. Ennis, Ewing, Lofink, Quillen, Reynolds, Thornburg, Ulbrich, Wagner, VanSant, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Mulrooney, Plant, Price, Schroeder, Viola & Williams & Senators Adams, McDowell, Blevins, Bunting, DeLuca, Henry, Marshall, McBride, Sokola, Amick, Connor & Simpson, before the House for consideration.

HB 231 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF CORRECTION.

Representative Spence made comments.

The roll call on **HB 231** was taken and revealed:

YES: 38.

ABSENT: Representatives Hudson, Roy & Smith - 3.

Therefore, having received a constitutional majority, **HB 231** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Williams.

Representative Williams brought **HB 143**, jointly sponsored by Representative Keeley & Representatives Brady, Carey, Caulk, DiLiberto, B. Ennis, Ewing, Fallon, Houghton, Mulrooney, Oberle, Plant, Price, Quillen, Reynolds, Schroeder, Scott, Stone, Ulbrich, VanSant, Viola, Wagner & West & Senator Henry, before the House for consideration.

HB 143 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROTECTION OF WITNESSES. (F/N)

Representative Williams brought **HA 1** to **HB 143** before the House for consideration. Representative Williams made comments. **HA 1** was adopted by voice vote. Representative Williams made comments.

The roll call on **HB 143 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Hudson, Smith & Viola - 3.

Therefore, having received a constitutional majority, **HB 143 w/HA 1** was sent to the Senate for concurrence.

Representative Williams made comments.

Representative Lee deferred to Representative Wagner.

Representative Wagner brought **HB 92**, jointly sponsored by Senator Henry & Representatives Boulden, Buckworth, Carey, DiLiberto, D. Ennis, Ewing, Quillen & Ulbrich, before the House for consideration.

HB 92 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING SPECIFIC OFFENSES.

Representative Wagner made comments.

The roll call on **HB 92** was taken and revealed:

YES: 37.

ABSENT: Representatives D. Ennis, Hudson, Roy & Smith - 4.

Therefore, having received a constitutional majority, **HB 92** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Cathcart.

Representative Cathcart brought **HB 181**, jointly sponsored by Senator Vaughn & Representatives Brady, Buckworth, Carey, Caulk, DiPinto, Ewing, Fallon, Houghton, Hudson, Lavelle, Lee, Price, Quillen, Reynolds, Spence, Ulbrich, VanSant & Viola & Senator Venables & cosponsored by Senator Connor, before the House for consideration.

HB 181 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT PAYMENTS.

Representative Cathcart brought **HA 1** to **HB 181** before the House for consideration. Representative Cathcart made comments. **HA 1** was adopted by voice vote. Representatives Maier & Cathcart made comments.

The roll call on **HB 181 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Hudson, Roy & Smith - 3.

Therefore, having received a constitutional majority, **HB 181 w/HA 1** was sent to the Senate for concurrence.

Mr. Acting Speaker made an announcement.

Representative Lee deferred to Representative B. Ennis.

Representative B. Ennis brought **HB 211**, jointly sponsored by Senator Blevins & Representatives Brady, Ewing, Houghton, Lee, Spence & VanSant & Senators Bunting & Vaughn, before the House for consideration.

HB 211 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PARAMEDIC AND OTHER EMERGENCY MEDICAL SERVICE SYSTEMS.

Representative B. Ennis brought **HA 1** to **HB 211** before the House for consideration. Representative B. Ennis made comments. **HA 1** was adopted by voice vote. Representatives B. Ennis & Maier made comments.

The roll call on **HB 211 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Hudson & Smith - 2.

Therefore, having received a constitutional majority, **HB 211 w/HA 1** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Caulk.

Representative Caulk brought **HB 206**, jointly sponsored by Senator Bunting, before the House for consideration.

HB 206 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL FARM VEHICLE REGISTRATION. (2/3 bill)

Representative Caulk made comments.

The roll call on **HB 206** was taken and revealed:

YES: 37.

NOT VOTING: Representatives Brady & Plant - 2.

ABSENT: Representatives Hudson & Smith - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 206** was sent to the Senate for concurrence.

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

Representative Quillen made comments.

Mr. Acting Speaker declared a recess at 5:15 p.m. for the purpose of changing the recording tape.

The House reconvened at 5:28 p.m.

Representative Lee deferred to Representative Roy.

Representative Roy brought **HB 235**, jointly sponsored by Senator Blevins & Representatives Caulk, Ewing, Fallon, Lofink, Quillen, Keeley, Gilligan, VanSant, Houghton, Price, Schroeder, Viola & West & Senators DeLuca, Marshall, Sokola, Simpson & Winslow, before the House for consideration.

HB 235 - AN ACT TO AMEND CHAPTER 91, TITLE 29 OF THE DELAWARE CODE RELATING TO DEVELOPMENT OF IMPACT FEES.

Representative Roy made comments. Representative Roy introduced and brought **HA 1 to HB 235** before the House for consideration. Representatives Roy & Schroeder made comments. **HA 1** was adopted by voice vote.

Representative Roy introduced and brought **HA 2 to HB 235** before the House for consideration. Representative Roy made comments. **HA 2** was adopted by voice vote. Representative Roy made comments.

The roll call on **HB 235 w/HA 1 & 2** was taken and revealed:

YES: 36.

ABSENT: Representatives D. Ennis, Hudson, Miro, Smith & Williams - 5.

Therefore, having received a constitutional majority, **HB 235 w/HA 1 & 2** was sent to the Senate for concurrence.

Representatives Lee, Roy, Reynolds, Lofink & Maier made announcements.

Representative Miro introduced **HB 280**, jointly sponsored Representatives DiPinto, Hudson & Plant.

HB 280 - AN ACT TO AMEND TITLES 28 AND 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF VIDEO LOTTERIES IN QUALIFIED ENTERTAINMENT ZONES.

Mr. Acting Speaker assigned **HB 280** to the Gaming & Parimutuels Committee.

Representative Wagner made an announcement.

The Majority Whip moved to recess to the call of the Chair at 5:41 p.m.

Mr. Acting Speaker Roy called the House to order at 2:17 p.m. on June 13, 2001.

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

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SS 1 for SB 53 & SB 176** and requests the concurrence of the House; **HB 220** and is returning same to the House.

Representative Wagner made an announcement.

Representative Wagner introduced **HS 1 for HB 232**, jointly sponsored by Representatives Buckworth, Carey, Ewing, Lee, Maier, Oberle, Spence & Stone & Senators Vaughn & Winslow.

HB 232 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO UNINSURED/UNDERINSURED VEHICLE COVERAGE.

Mr. Acting Speaker assigned **HS 1 for HB 232** to the Economic Development/Banking & Insurance Committee.

Representative Wagner made an announcement.

Representative Wagner introduced **HB 285**, jointly sponsored by Senator Cook & Representatives D. Ennis, Miro, VanSant, B. Ennis, Plant & Williams & Senators Marshall & Sokola.

HB 285 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO EXEMPT POSITIONS.

Mr. Acting Speaker assigned **HB 285** to the Labor Committee.

Representative Wagner made comments.

Representative DiLiberto introduced **HR 18**.

HR 18 - CONDUCTING A STUDY INTO THE BENEFITS OF ELECTRONIC VOTING IN THE HOUSE OF REPRESENTATIVES IN LIEU OF ROLL CALL VOTING.

Mr. Acting Speaker assigned **HR 18** to the House Administration Committee.

Representative DiLiberto, Mr. Acting Speaker Roy, Representatives Smith & DiLiberto made comments.

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

35th LEGISLATIVE DAY - 141st GENERAL ASSEMBLY - FIRST SESSION

June 13, 2001

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives D. Ennis & Hudson - 2.

A prayer was offered by Representative Arthur L. Scott, Third Representative District.

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

The minutes of the two previous legislative days were approved as posted.

The following prefiled legislation was introduced:

HB 81 - OBERLE & SENATOR MARSHALL; REPRESENTATIVES SPENCE, LOFINK, VANSANT, HOUGHTON, KEELEY, PLANT, PRICE, SCOTT, VIOLA, WEST, WILLIAMS; SENATORS MCDOWELL, BLEVINS, DELUCA, HENRY, MCBRIDE, CONNOR - LABOR - An Act to Amend Titles 19 and 29 of the Delaware Code Relating to the Public Employment Relations Act and the Merit System.

HB 275 - WAGNER & SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Proceedings in the Family Court of the State of Delaware.

HB 276 - SCOTT & REPRESENTATIVE HUDSON & SENATOR BLEVINS - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Labor; and Establishing a Victims of Violent Crime Employment Leave Act.

HB 277 - MAIER & SENATOR CLOUTIER; REPRESENTATIVES DIPINTO, MIRO, STONE; SENATORS AMICK, HENRY, WINSLOW - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Employment of Resident Attendants.

HB 278 - MAIER & SENATOR CLOUTIER; REPRESENTATIVES DIPINTO, MIRO, STONE; SENATORS AMICK, HENRY, WINSLOW - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - Amend Title 24 of the Delaware Code Relating to Nursing and the Pronouncement of Death.

HB 279 - OBERLE & REPRESENTATIVE PRICE & REPRESENTATIVE SCHROEDER; SENATOR BUNTING - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 29 and Title 30 of the Delaware Code Relating to the Preservation of the Inland Bays, the Realty Transfer Tax and Public Accommodations Tax, and Revenue Bonds.

HB 281 - D. ENNIS & REPRESENTATIVE B. ENNIS & SENATOR COOK & SENATOR MARSHALL; REPRESENTATIVES WAGNER, PLANT, VANSANT, WILLIAMS; SENATOR SOKOLA - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to the Creation of a Statewide Labor Management Committee and Merit Advisory Council.

HB 282 - CAULK & SENATOR BUNTING; REPRESENTATIVES CAREY, B. ENNIS, PRICE, QUILLEN, SCHROEDER, THORNBURG, WEST; SENATORS ADAMS, COOK, SIMPSON, STILL, VENABLES - AGRICULTURE - An Act to Amend Title 7 of the Delaware Code Relating to Water Allocation Permits for Agricultural Wells.

HB 286 - HUDSON & REPRESENTATIVE LEE & SENATOR MARSHALL & SENATOR VENABLES - REVENUE & FINANCE - An Act To Amend Chapter 43, Title 30 of the Delaware Code Relating to Use Tax on Leases of Tangible Personal Property.

HA 1 to HB 176 - HOUGHTON - Placed with the Bill.

HA 1 to HB 225 - STONE - Placed with the Bill.

HA 3 to HB 255 - CATHCART - Placed with the Bill.

HCR 19 - WAGNER & SENATOR SOKOLA - EDUCATION - Requesting the Department of Education and the Professional Standards Board to Promulgate Regulations that Would Permit Fully Certified Teachers in a Secondary Content Area to Teach Occupational-Vocational Courses.

HJR 12 - CAULK & SENATOR BUNTING; REPRESENTATIVES CAREY, PRICE, QUILLEN, SCHROEDER, THORNBURG, WEST; SENATORS ADAMS, COOK, SIMPSON, STILL, VENABLES - AGRICULTURE - Reconstituting the Task Force for the Future of Delaware Agriculture.

SS 1 for SB 53 - HENRY & SENATOR SORENSON; REPRESENTATIVE HUDSON; SENATORS BLEVINS, COOK, MARSHALL, MCDOWELL, SOKOLA, CLOUTIER, CONNOR; REPRESENTATIVES FALLON, MAIER, STONE, ULBRICH, WAGNER, KEELEY, PLANT & PRICE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Creating an Office of Women's Health.

SB 176 - SOKOLA & REPRESENTATIVE REYNOLDS; REPRESENTATIVE ULBRICH - EDUCATION - An Act to Amend Chapter 294, Volume 72, Laws of Delaware and Title 14 of the Delaware Code Relating to Implementation of the Professional Standards Board

HA 2 to SB 99 - B. ENNIS; REPRESENTATIVES BRADY, BUCKWORTH, CAREY, CAULK, DIPINTO, D. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, LEE, LOFINK, QUILLEN, SCOTT, SPENCE, THORNBURG, VANSANT, VIOLA, WEST - Placed with the Bill.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence
Speaker of the House of Representatives
FROM: Representative Deborah D. Hudson
DATE: June 13, 2001
RE: Absence from Session

Please be advised that I will be unable to attend session today, Wednesday, June 13, 2001 due to illness.

Thank you.

Representative Lofink requested that he be marked present. Representative Smith deferred to Representative Schroeder. Representative Schroeder requested and was granted personal privilege of the floor to introduce guests. Representative Ulbrich requested that she be marked present. Representative Quillen made an announcement.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #26

DATE: June 13, 2001

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

Number	Sponsor	Date	Type	Description
H141-576	Caulk cosponsor: Rep. Wagner	6/12/2001	T	Frank Gieske/Retirement/34 Years/Capital School District

H141-577	Wagner	6/12/2001	T	Carl Fennell/Retirement/32 Years/Capital Schools
H141-578	Stone	6/12/2001	T	Patricia Russell/Retirement/35 Years/Capital School District
H141-579	Wagner	6/12/2001	T	Meriam Moyer/Retirement/32 Years/Capital Schools
H141-580	Wagner	6/12/2001	T	Geneva Fennell/Retirement/32 Years/Capital Schools
H141-581	Fallon	5/19/2001	T	Jane Short/President/Business & Professional Women
H141-582	B. Ennis	5/21/2001	T	Mandy Blevins/Graduation/DelTech/Dean's List
H141-583	B. Ennis	5/22/2001	T	Juliane Friedrich/Exchange Student/Germany
H141-584	D. Ennis	5/23/2001	T	Reverend Stanley Russell/40th Anniversary/Ordination
H141-585	Quillen	5/17/2001	T	James Flood, Jr./Small Business Person of the Year
H141-586	Stone	5/18/2001	T	Mildred Bergold/Woman of the Year
	cosponsors: Reps. Wagner & Quillen			
H141-587	Wagner	6/2/2001	T	Jacquelyn Malcolm & Kimeau Boynton/Marriage
H141-588	Wagner	5/19/2001	M	Winifred C. Harris
H141-589	Quillen	5/29/2001	T	James Moore/Loyal Spartan Fan
H141-590	Quillen	5/29/2001	T	Christine Minner/President/Lake Forest Athletic Boosters
H141-591	Quillen	5/2/2001	T	Lindsey Hobbs/Secretary of Education Scholar
H141-592	Quillen	5/10/2001	T	James Gage Williams/Birth
H141-593	Ewing	5/26/2001	T	Ruth & Stanley King/25th Wedding Anniversary
	cosponsor: Rep. West			
H141-594	Hudson	4/18/2001	T	Caroline & Rinaldo DiBattista/50th Wedding Anniversary
H141-595	Hudson	5/19/2001	M	Andrew D. Aiello
H141-596	D. Ennis	5/19/2001	T	Fraternal Order of Eagles, Aerie #74/100th Anniversary
H141-597	Quillen	5/29/2001	T	Neshia Giddens/100 Meter Championship

HOUSE TRIBUTE ANNOUNCEMENT #27

DATE: June 13, 2001

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

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
H141-598	Quillen	5/29/2001	T	Stephanie Thompson/Championship/Discus Throwing/Shotput
H141-599	Quillen	5/29/2001	T	Girls Track Team/Lake Forest High/Henlopen Conference State Champions
H141-600	Price	5/30/2001	T	Lord Baltimore Elementary School/Blue Ribbon School
H141-601	Wagner	5/22/2001	M	Nelson J. Forney, Jr.
H141-602	Quillen	5/23/2001	M	Yvonne MacDonald
	cosponsor: Rep. Stone			
H141-603	Spence	6/2/2001	T	Colby Lee Shaw/Eagle Scout
H141-604	Wagner	6/3/2001	T	James O'Connor/Dover City Manager/Leadership/8 Years
H141-605	Wagner	6/12/2001	T	David Vaughn/Retirement/25 Years/Capital Schools
H141-606	Wagner	6/12/2001	T	Margaret Long/Retirement/28 Years/Capital Schools
H141-607	Wagner	6/12/2001	T	Jim Orth/Retirement/30 Years/Capital Schools
H141-608	Wagner	6/9/2001	T	Elizabeth Reynolds/Sean Christiansen/Marriage
H141-609	Wagner	6/13/2001	T	Brian Walsh/Eagle Scout

H141-610	Wagner	5/30/2001	M	Allen S. Hedgecock, Jr.
	cosponsor: Rep. Stone			
H141-611	VanSant	6/29/2001	T	Anthony Facciolo/Eagle Scout
H141-612	Caulk	6/5/2001	T	Jack Tarburton/8 Years/Secretary of Agriculture
H141-613	Caulk	6/5/2001	T	Penny Saroukos/Exceptional Work/Task Force Report
H141-614	Brady	6/5/2001	T	Mary Taddei/Retirement/32+ Years/Brandywine Schools
H141-615	Brady	6/2/2001	T	Isabelle Francisco/70th Birthday
H141-616	Brady	4/8/2001	T	Jane & Joseph Fitzgerald, Jr./40th Wedding Anniversary
H141-617	Brady	6/5/2001	T	Kathleen Reynolds/Retirement/20+ Years/Brandywine Senior Center
	cosponsor: Rep. Reynolds			
H141-618	B. Ennis	6/11/2001	T	Lloyd Massey/Eagle Scout
H141-619	B. Ennis	7/11/2001	T	Ruth & Gilbert Clampitt/50th Wedding Anniversary
H141-620	West	7/7/2001	T	Reverend Charles Carroll/Retirement/44 Years/Wesleyan Churches

T- Tribute

M - Memoriam

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

The Majority Leader moved to recess to the call of the Chair at 2:34 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:34 p.m.: Representatives Boulden, Brady, Buckworth, Cathcart, DiPinto, Fallon, Houghton, Keeley, Oberle, Reynolds & Spence.

Mr. Acting Speaker Quillen called the House to order at 2:07 p.m. on June 14, 2001.

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

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 245** - 4M; **SB 185 w/SA 1** - 4M.

APPROPRIATIONS: **HB 30** - 1F, 4M; **HB 84** - 5M; **HB 100** - 5M; **HB 190** - 5M; **SB 160** - 5M; **SB 181 w/SA 1** - 5M.

PUBLIC SAFETY: **SB 113** - 5M; **SB 142** - 5M.

JUDICIARY: **HB 227** - 2F, 3M; **HB 247** - 1F, 4M, 1U; **HB 266** - 5M; **HB 267** - 5M; **HB 272** - 5M; **SB 152 w/SA 1** - 1F, 5M; **SB 158** - 5M; **SB 164** - 5M; **SB 173** - 5M; **SB 177** - 5M; **SB 178 w/SA 1** - 5M; **SB 218** - 5M.

WATER QUALITY: **SB 119** - 4M.

EDUCATION: **HB 201** - 1F, 4M, 1U; **HB 209** - 1F, 5M; **HB 246** - 4F, 3M; **HB 248** - 2F, 5M; **HB 256** - 6M; **HCR 18** - 3F, 3M.

HEALTH & HUMAN DEVELOPMENT: **SB 99 w/SA 1 & 4** - 5M; **SB 175 w/SA 1** - 5M.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **SS 1 for SB 146** - 6M; **SB 125** - 6M; **HB 249** - 6M; **HB 250** - 6M.

HOUSING & COMMUNITY AFFAIRS: **HB 253** - 6M.

REVENUE & FINANCE: **HB 252** - 6M; **HB 257** - 6M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 192 w/SA 1**, **SB 46**, **SB 144 w/SA 1** & **SB 183 w/SA 1**, **SB 118** & **SB 182** and requests the concurrence of the House; **HB 171**, **HB 27 w/HA 1 & 2**, **HB 62**, **HB 133 w/HA 1** & **HB 188 w/SA 1** and is returning same to the House.

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

36th LEGISLATIVE DAY - 141st GENERAL ASSEMBLY - FIRST SESSION

June 14, 2001

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Hudson - 1.

A prayer was offered by Representative Stephanie A. Ulbrich, Twenty-Fifth Representative District.

Representative Smith requested and was granted privilege of the floor for Major General Francis T. Vavala and Members of the Delaware Air National Guard Base Honor Guard who presented a history of the United States flag, presented the colors and led those present in a pledge of allegiance to the American Flag.

Members of the House sang Happy Birthday to the United States Army. Major General Vavala conducted the "Putting on the Berets" ceremony with members of the Delaware Army National Guard. Representative Smith requested and was granted privilege of the floor to present a House Tribute to Major General Vavala.

The following prefiled legislation was introduced:

HB 283 - DIPINTO; SENATOR ADAMS - TELECOMMUNICATIONS INTERNET & TECHNOLOGY - An Act to Amend Chapters 100 and 101 of Title 16 of the Delaware Code to Provide for State Plans for the Implementation of Wireless E-911 Service and an Integrated Wireline and Wireless E-911 System and for the Funding Thereof. (3/5 bill)

HB 284 - SCHROEDER & SENATOR SOKOLA; REPRESENTATIVES BOULDEN, BUCKWORTH, CAREY, CATHCART, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, HUDSON, MAIER, PLANT, SPENCE, ULBRICH, VALIHURA - EDUCATION - An Act to Amend Title 14 and Title 21 of the Delaware Code Relating to the Suspension of a Driver's License, Permit, or Driving Privileges Because of Truancy.

HB 287 - MAIER & SENATOR BLEVINS & REPRESENTATIVE HUDSON & SENATOR MCDOWELL - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Child Protection Accountability Commission.

HB 288 - BUCKWORTH & SENATOR SOKOLA; REPRESENTATIVES REYNOLDS, MULROONEY, SCHROEDER, ULBRICH; SENATOR SIMPSON - EDUCATION - An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to School Secretaries.

HB 289 - LEE; REPRESENTATIVES THORNBURG, VANSANT; SENATOR BUNTING - PUBLIC SAFETY - An Act to Amend Chapter 21, Title 21, Delaware Code Relating to Special License Plates for Members of the National Rifle Association. (3/5 bill)

HB 290 - BUCKWORTH & SENATOR SOKOLA; REPRESENTATIVES MULROONEY, REYNOLDS, SCHROEDER, ULBRICH; SENATOR SIMPSON - EDUCATION - An Act to Amend Chapter 1, Subchapter III, Title 14, of the Delaware Code Relating to Education and Assistant Principals.

HA 1 to HB 149 - WAGNER - Placed with the Bill.

HA 2 to HB 149 - WAGNER - Placed with the Bill.

HA 2 to HB 210 - LAVELLE & REPRESENTATIVE ROY - Placed with the Bill.

HA 1 to HB 252 - VALIHURA - Placed with the Bill.

HA 1 to HB 280 - CAULK - Placed with the Bill.

HJR 13 - WAGNER & REPRESENTATIVE D. ENNIS & SENATOR MCDOWELL; REPRESENTATIVES BOULDEN, CAREY, EWING, FALLON, LEE, LOFINK, QUILLEN, ROY, THORNBURG, VALIHURA - TRANSPORTATION - Commending and Supporting the Wilmington Trolley Project.

HJR 14 - WEST - BUSINESS/CORPORATIONS/COMMERCE - Supporting the Use of Renewable Energy Sources in the United States.

SB 46 - SIMPSON & REPRESENTATIVE CAREY - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Use Taxes. (F/N)

SB 118 - MARSHALL & REPRESENTATIVE HUDSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Disclosure of Tax Information.

SB 144 w/SA 2 - BLEVINS & REPRESENTATIVE MAIER; SENATOR HENRY, MARSHALL, MCDOWELL, AMICK, CONNOR, STILL; REPRESENTATIVES BUCKWORTH, CATHCART, FALLON,

HUDSON, LOFINK, ROY, SMITH, SPENCE, STONE, ULBRICH, VALIHURA, WAGNER, PRICE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Titles 16, 22, 29 and 31 of the Delaware Code Relating to Persons with Mental Retardation or Other Specific Developmental Disabilities.

SB 182 - MARSHALL & REPRESENTATIVE HUDSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Tax Returns and Payments.

SB 183 w/SA 1 - MARSHALL & REPRESENTATIVE DIPINTO; SENATORS BLEVINS, HENRY, MCBRIDE, MCDOWELL, SHARP, WINSLOW; REPRESENTATIVES CATHCART, D. ENNIS, VALIHURA, WILLIAMS - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Chapter 91 of Title 7 of the Delaware Code to Define Brownfield and to Authorize the Secretary of the Department of Natural Resources and Environmental Control to Certify Real Property as a Brownfield, to Amend Subchapter I-B, Chapter 50, Title 29 of the Delaware Code to Authorize the Delaware Economic Development Authority to Make Grants from the Delaware Strategic Fund to Defray a Part of the Costs for the Environmental Assessment and Remediation of Brownfields, and to Amend Section 2010 of Title 30 of the Delaware Code to Conform the Definition of Brownfield to the Definition Set Forth in Chapter 91 of Title 7 of the Delaware Code. (3/4 bill)

SB 192 w/SA 1 - BLEVINS & REPRESENTATIVE ULBRICH; SENATORS BONINI, BUNTING, CONNOR, HENRY, SOKOLA, WINSLOW; REPRESENTATIVES B. ENNIS, GILLIGAN, HUDSON, KEELEY, MAIER, MIRO, VIOLA, WILLIAMS - WATER QUALITY - An Act to Amend Title 16 of the Delaware Code Regarding Notification of Drinking Water Contaminants and the Establishment of the Safe Drinking Water Information System. (2/3 bill)

Representative Smith deferred to Representative Thornburg. Representative Thornburg introduced guests.

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

Representative Smith introduced guests. Representative Smith deferred to Representative Wagner.

Representative Wagner introduced guests. Representative DiLiberto requested that he be marked present.

Representative Smith deferred to Representative Roy. Representative Roy requested and was granted personal privilege of the floor to introduce guests. Representative Smith deferred to Representative Scott. Representative Scott requested that he be marked present. Representative Scott requested and was granted personal privilege of the floor to make an announcement. Representatives Williams & Mulrooney requested that they be marked present.

Representative Ulbrich requested and was granted personal privilege of the floor to introduce guests. Representative Gilligan requested that he be marked present. Representative Wagner introduced a guest.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence
Speaker of the House of Representatives
FROM: Representative Deborah D. Hudson
DATE: June 14, 2001
RE: Absence from Session

Please be advised that I will be unable to attend session today, Thursday, June 14, 2001 due to illness.

Thank you.

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 132** - 3M; **SB 150 w/SA 1** - 3M.

Mr. Acting Speaker assigned **HB 256** to the Appropriations Committee.

The Majority Leader moved to recess for caucus at 2:41 p.m.

The House reconvened at 4:46 p.m. with Representative Oberle as Acting Speaker.

Representatives Spence, Buckworth & DiPinto requested that they be marked present. Mr. Acting Speaker introduced guests.

Representative Smith introduced and brought **HR 17**, jointly sponsored by Representative Spence & Representative Lee & Representative DiPinto on behalf of All Representatives, before the House for consideration.

HR 17 - HONORING ELEANOR L. CAIN FOR HER TIRELESS EFFORTS ON BEHALF OF SENIORS DURING HER TENURE AS DELAWARE'S FIRST DIRECTOR OF THE DIVISION OF SERVICES FOR AGING AND ADULTS WITH PHYSICAL DISABILITIES.

Representative Smith requested and was granted privilege of the floor for Eleanor L. Cain and her family and Mr. Richard W. Johnson, former President, American Association of Retired Persons. Representatives Smith, DiPinto & Mr. Acting Speaker made comments. Representative Price requested that she be marked present and made comments. Representative Cathcart requested that he be marked present.

HR 17 was adopted by voice vote.

Representative Lavelle requested and was granted personal privilege of the floor to introduce a guest. Representatives B. Ennis & Brady requested that they be marked present. Representative Smith deferred to Representative Lee. Representative Lee requested and was granted privilege of the floor to present a House Tribute to the Delaware Tech Owens Campus National Division II for Junior Colleges World Series Championship Baseball team. Representatives Ewing, Fallon & Brady made comments. The team members announced their names for the record.

Representative Smith moved to lift **HB 216 w/HA 1** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Smith brought **HB 216 w/HA 1**, jointly sponsored by Senator McBride & Representatives Spence, Lee, Fallon, Hudson, Thornburg, Ulbrich, B. Ennis, Brady, Gilligan, Price, Schroeder & West & Senators Bunting, Vaughn, Amick, Bonini, Cloutier, Connor, Sorenson, Still & Winslow, before the House for consideration.

HB 216 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE PREVENTION. (F/N)

Representative Smith made comments. Representative Smith requested and was granted privilege of the floor for Willard F. Preston, III, incoming State Fire Marshall. Representatives Smith, Wagner & DiPinto made comments. Representative Miro requested that he be marked present and made comments. Representative B. Ennis made comments. Representative Stone requested that she be marked present and made comments. Representative Price made comments. Representative Maier requested that she be marked present and made comments. Representative Miro made comments. Representative Fallon requested that she be marked present.

The roll call on **HB 216 w/HA 1** was taken and revealed:

YES: 38.

NO: Representatives Quillen & Roy - 2.

ABSENT: Representative Hudson - 1.

Therefore, having received a constitutional majority, **HB 216 w/HA 1** was sent to the Senate for concurrence.

Representatives Houghton, Schroeder & Boulden requested that they be marked present during the roll call.

Representative Smith deferred to Representative Maier.

Representative Maier brought **HB 150**, jointly sponsored by Representative Miro & Representative Oberle & Senator Sokola & Representatives Lavelle, Ulbrich, Boulden, Valihura, Keeley & Viola & Senator Blevins & cosponsored by Senator Cloutier, before the House for consideration.

HB 150 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CERTAIN LOCAL SCHOOL BOARDS.

Representative Maier brought **HA 1** to **HB 150** before the House for consideration. Representative Maier requested that **HA 1** be stricken. Representative Maier deferred to Representative Lavelle. Representative Lavelle introduced and brought **HA 2** to **HB 150**, jointly sponsored by Representative Maier, before the House for consideration. Representatives Lavelle, Cathcart, Boulden, DiLiberto, Mr. Acting Speaker, Representatives Roy, Viola, Maier, Lavelle, Viola, Miro, Wagner & Boulden made comments.

The roll call on **HA 2 to HB 150** was taken and revealed:

YES: 21.

NO: Representatives DiPinto, B. Ennis, D. Ennis, Fallon, Gilligan, Houghton, Keeley, Mulrooney, Plant, Quillen, Scott, VanSant, Viola, West & Williams - 15.

NOT VOTING: Representatives Cathcart, Schroeder & Wagner - 3.

ABSENT: Representatives Hudson & Spence - 2.

Therefore, having received a constitutional majority, **HA 2 to HB 150** was adopted.

Mr. Acting Speaker declared a recess at 5:56 p.m.

The House reconvened at 6:16 p.m.

Representative Smith introduced a guest.

Representative Smith deferred to Representative Maier.

Representative Maier moved to place **HB 150 w/HA 2** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought **HB 217**, jointly sponsored by Representative Valihura & Representatives Spence, Lee, Boulden, Buckworth, Carey, Cathcart, DiPinto, Hudson, Lavelle, Lofink, Maier, Miro, Quillen, Reynolds, Stone, Thornburg, B. Ennis, Price & Viola & Senators Amick, Sorenson, Cloutier, Connor & Winslow, before the House for consideration.

HB 217 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO SPECIAL ELECTIONS.

Representative Ulbrich introduced and brought **HA 1 to HB 217** before the House for consideration.

Representative Ulbrich made a comment. Representative Ulbrich requested and was granted privilege of the floor for Thomas J. Cook, Commissioner of Elections. Representative Ulbrich made a comment. **HA 1** was adopted by voice vote.

The roll call on **HB 217 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives DiPinto, Ewing, Hudson & West - 4.

Therefore, having received a constitutional majority, **HB 217 w/HA 1** was sent to the Senate for concurrence.

Mr. Acting Speaker introduced a guest.

Representative Smith deferred to Representative Schroeder.

Representative Schroeder brought **HB 192**, jointly sponsored by Senator McBride & Senator Sharp & Representatives Carey, DiPinto, B. Ennis, Fallon, Keeley, Plant, Price, Quillen, VanSant & Viola & Senators Blevins, Bunting, DeLuca, Henry, Sokola, Venables, Amick, Bonini, Cloutier, Connor, Sorenson, Still & Winslow & cosponsored by Senator Simpson, before the House for consideration.

HB 192 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE REALTY TRANSFER TAX. (F/N)

Representative Schroeder brought **HA 1 to HB 192** before the House for consideration. Representative Schroeder made a comment. **HA 1** was adopted by voice vote. Representative Schroeder deferred to Representative Caulk. Representative Caulk brought **HA 2 to HB 192** before the House for consideration. Representatives Caulk & Schroeder made comments. Mr. Speaker Spence resumed the Chair. Representatives Caulk & Schroeder made comments. Representative Caulk moved to place **HA 2** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote. Representative Schroeder made comments.

The roll call on **HB 192 w/HA 1** was taken and revealed:

YES: 35.

ABSENT: Representatives DiPinto, Ewing, Hudson, Scott, VanSant & West - 6.

Therefore, having received a constitutional majority, **HB 192 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 149**, jointly sponsored by Senator Henry & Representatives Buckworth, Caulk, D. Ennis, Ewing, Lavelle, Maier, Quillen, Reynolds, B. Ennis & Houghton, before the House for consideration.

HB 149 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PROCEEDINGS IN THE FAMILY COURT OF THE STATE OF DELAWARE.

Representative Wagner made comments. Representative Wagner brought **HA 1 to HB 149** before the House for consideration. **HA 1** was adopted by voice vote. Representative Wagner made a comment. Representative Wagner requested that **HA 2 to HB 149** be stricken.

The roll call on **HB 149 w/HA 1** was taken and revealed:

YES: 36.

ABSENT: Representatives DiPinto, Ewing, Hudson, VanSant & West - 5.

Therefore, having received a constitutional majority, **HB 149 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 113**, jointly sponsored by Representative Spence & Representative Lofink & Senator Sharp & Senator Winslow, before the House for consideration.

HB 113 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES. (F/N)

Representative Oberle made comments.

The roll call on **HB 113** was taken and revealed:

YES: 36.

ABSENT: Representatives DiPinto, Ewing, Hudson, VanSant & West - 5.

Therefore, having received a constitutional majority, **HB 113** was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Maier.

Representative Maier moved to lift **HB 150 w/HA 2** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Maier brought **HB 150 w/HA 2**, jointly sponsored by Representative Miro & Representative Oberle & Senator Sokola & Representatives Lavelle, Ulbrich, Boulden, Valihura, Keeley & Viola & Senator Blevins & cosponsored by Senator Cloutier, before the House for consideration.

HB 150 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CERTAIN LOCAL SCHOOL BOARDS.

Representative Maier introduced and brought **HA 3 to HB 150** before the House for consideration.

Representative Maier made comments. **HA 3** was adopted by voice vote. Representatives Viola, Maier, D. Ennis & Maier made comments.

The roll call on **HB 150 w/HA 2 & 3** was taken and revealed:

YES: 23.

NO: Representatives Gilligan, Houghton, Lee, Mulrooney, Plant, Roy, Scott & Williams - 8.

NOT VOTING: Representatives Buckworth, Carey, D. Ennis, Fallon & Schroeder - 5.

ABSENT: Representatives DiPinto, Ewing, Hudson, VanSant & West - 5.

Therefore, having received a constitutional majority, **HB 150 w/HA 2 & 3** was sent to the Senate for concurrence.

Representative Smith made comments.

Representative Smith deferred to Representative Fallon.

Representative Fallon introduced & brought **HCR 20**, jointly sponsored by Representative Wagner & Senator Blevins & Senator Sorenson & Senator Cloutier & Representatives Hudson, Maier, Stone, Ulbrich, Keeley & Price, on

behalf of All Representatives & Senators Cook & Henry & cosponsored by Representative Thornburg, before the House for consideration.

HCR 20 - RECOGNIZING SUNDAY, JUNE 17, 2001, AS FATHER'S DAY IN DELAWARE AND COMMENDING ALL FATHERS FOR THEIR SUPPORT IN THEIR CHILDREN'S LIVES.

Representative Fallon made comments.

HCR 20 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Buckworth requested that **HB 51** be stricken.

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

EDUCATION: **SB 176** - 1F, 5M.

HEALTH & HUMAN DEVELOPMENT: **HB 269** - 4M; **HB 287** - 4M.

TELECOMMUNICATIONS, INTERNET & TECHNOLOGY: **HB 283** - 5M.

The Majority Leader moved to recess to the call of the Chair at 6:59 p.m.

Mr. Acting Speaker Quillen called the House to order at 2:10 p.m. on June 19, 2001.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 123, SB 198, SB 211, SB 124, SB 184, SB 196, SB 199, SB 201 & SB 223 w/SA 1** and requests the concurrence of the House.

MEMORANDUM

TO: BERNARD J. BRADY, SECRETARY OF THE SENATE

FROM: SENATOR MARGARET ROSE HENRY

SUBJECT: HOUSE BILL 280

DATE: 06/14/01

My name has been printed as a cosponsor of **House Bill 280**. I became aware of this when I was approached to sign the original backer. I did not sign and would like my name removed from the record as cosponsor. Please request the necessary changes be made in the house.

Thank you for your kind attention to this request.

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

The Majority Leader moved to adjourn at 2:12 p.m., thereby ending the current legislative day. The House reconvened at 2:13 p.m.

37th LEGISLATIVE DAY - 141st GENERAL ASSEMBLY - FIRST SESSION June 19, 2001

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Bruce C. Reynolds, Fifteenth Representative District.

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

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

The following prefiled legislation was introduced:

HB 146 - WAGNER & SENATOR COOK; REPRESENTATIVES D. ENNIS, MIRO, VANSANT, B. ENNIS, PLANT, WILLIAMS; SENATORS MARSHALL, SOKOLA - LABOR - An Act to Amend Title 29 of the Delaware Code, Relating to the Merit System of Personnel Administration.

HB 291 - LEE & REPRESENTATIVE B. ENNIS; REPRESENTATIVES SPENCE, SMITH, BUCKWORTH, CAREY, CAULK, DIPINTO, D. ENNIS, EWING, FALLON, HUDSON, LOFINK, MIRO, ROY, VALIHURA, WAGNER, VANSANT, DILIBERTO, HOUGHTON, KEELEY, PLANT; SENATORS BUNTING, CLOUTIER, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Safety.

HB 292 - WEST; REPRESENTATIVES CAREY, CAULK, B. ENNIS, FALLON, KEELEY, PLANT, PRICE, QUILLEN, SCHROEDER, SCOTT, WILLIAMS; SENATORS BUNTING, SIMPSON - HOUSING &

COMMUNITY AFFAIRS - An Act to Amend Title 9, Chapter 70 of the Delaware Code Relating to the Councilmanic Districts of Sussex County.

HB 293 - WEST; REPRESENTATIVES BRADY, CAREY, CAULK, B. ENNIS, EWING, FALLON, HOUGHTON, MULROONEY, PLANT, PRICE, QUILLEN, SCHROEDER, SCOTT, SMITH, WILLIAMS; SENATORS BUNTING, VENABLES - HOUSE ADMINISTRATION - An Act to Incorporate the Town of Gumboro. (2/3 bill)

HB 294 - VANSANT & REPRESENTATIVE WILLIAMS; REPRESENTATIVES BRADY, BUCKWORTH, CAREY, CATHCART, CAULK, B. ENNIS, EWING, HOUGHTON, LEE, SCHROEDER, SPENCE, THORNBURG, WEST; SENATORS COOK, VENABLES - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Relating to the Sale, Delivery or Other Transfer of a Firearm by an Unlicensed Person at a Gun Show. (2/3 bill)

HB 295 - OBERLE & SENATOR VAUGHN - TELECOMMUNICATIONS INTERNET & TECHNOLOGY - An Act to Amend Title 6 of the Delaware Code Relating to Telephone Privacy.

HA 1 to HB 138 - VALIHURA - Placed with the Bill.

HA 2 to HB 176 - SCOTT - Placed with the Bill.

HA 2 to HB 255 - MULROONEY - Placed with the Bill.

HA 4 to HB 255 - CATHCART - Placed with the Bill.

HA 5 to HB 255 - CATHCART - Placed with the Bill.

HA 6 to HB 255 - STONE - Placed with the Bill.

HA 7 to HB 255 - DIPINTO - Placed with the Bill.

HA 8 to HB 255 - ULBRICH & REPRESENTATIVE BOULDEN & REPRESENTATIVE MULROONEY - Placed with the Bill.

HA 9 to HB 255 - STONE - Placed with the Bill.

HA 1 to HB 269 - MAIER - Placed with the Bill.

SB 123 - MCBRIDE & REPRESENTATIVE QUILLEN; SENATORS VENABLES & SIMPSON; REPRESENTATIVES CAREY, MULROONEY, PRICE, WEST - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Food Fishing Licenses and Food Fishing Equipment Permits.

SB 124 - COOK & REPRESENTATIVE LAVELLE - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Overtaking and Passing School Buses. (2/3 bill)

SB 184 - MCBRIDE & REPRESENTATIVE QUILLEN; SENATORS ADAMS & DELUCA; REPRESENTATIVES CAREY, EWING & SCHROEDER - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to the Recycling of Out of State Recyclable Materials at Delaware Solid Waste Authority Facilities.

SB 196 - MCDOWELL & SENATOR BLEVINS & REPRESENTATIVE GILLIGAN; SENATORS CONNOR, HENRY, SHARP, SORENSON; REPRESENTATIVES HUDSON, KEELEY, MAIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to the Delaware Child Care Act. (2/3 bill)

SB 198 - DELUCA & REPRESENTATIVE ULBRICH; SENATORS BUNTING, SOKOLA, SIMPSON, STILL; REPRESENTATIVES HUDSON, VALIHURA, DILIBERTO, KEELEY - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 4 of the Delaware Code Relating to Appeals from Decisions of the Alcoholic Beverage Control Commissioner.

SB 199 - DELUCA & REPRESENTATIVE ULBRICH; SENATORS BUNTING, SOKOLA, SIMPSON, STILL; REPRESENTATIVES HUDSON, VALIHURA, DILIBERTO, KEELEY - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 4 of the Delaware Code Relating to Bonding of the Employees of Alcoholic Beverage Control

SB 201 - DELUCA & REPRESENTATIVE ULBRICH; SENATORS BUNTING, SOKOLA, SIMPSON, STILL; REPRESENTATIVES HUDSON, VALIHURA, DILIBERTO, KEELEY, PRICE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 4 of the Delaware Code Relating to Alcohol Licenses.

SB 211 - VAUGHN; REPRESENTATIVE CATHCART - HOUSE ADMINISTRATION - An Act to Amend Chapter 141, Volume 68, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Odessa". (2/3 bill)

SB 223 w/SA 1 - BLEVINS & REPRESENTATIVE HUDSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Health Care Commission.

HA 1 to SB 80 - DIPINTO - Placed with the Bill.

HA 1 to HA 1 to SB 99 - VIOLA - Placed with the Bill.

HA 3 to SB 99 - VIOLA - Placed with the Bill.

The Reading Clerk read the following communication into the record:

June 15, 2001

LEGISLATIVE ADVISORY #13

Governor Ruth Ann Minner signed the following legislation on the dates indicated: 6/11/01 - **HB 140 & HB 152**; 6/13/01 - **HB 58 aab HA 1 & 2**; 6/14/01 - **SB 105 aab SA 1**.

Representatives Fallon & Smith requested and were granted personal privilege of the floor to introduce guests. Representatives Gilligan & Miro requested that they be marked present. Representative Ulbrich requested and was granted personal privilege of the floor to introduce guests. Representatives Ulbrich & Wagner presented a House Tribute to Colonel Thomas C. W. Keitel, retiring Operations Group Commander, DAFB. Representative Wagner made comments.

Representative Williams requested that he be marked present. Representative Smith deferred to Representative Carey. Representative Carey requested and was granted privilege of the floor to present a House Tribute to Rebecca Clendaniel, State Spelling Bee Champion. Margaret Moore-Dean read a poem written in Rebecca's honor. Representatives West, Plant, Buckworth, Mulrooney, B. Ennis & Caulk requested that they be marked present. Representative West requested and was granted personal privilege of the floor to make comments regarding nutrient management. Representatives Caulk & West made comments.

Representative Smith requested and was granted privilege of the floor for Grover Biddle, representing Tech Prep Delaware and students Jessica Mohr and Tim Messick who presented video tapes of the Opening Day ceremonies of the 141st General Assembly to House Members. Representatives Wagner & Lee made comments.

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

LABOR: **HB 135 - 6M; HB 262 - 6M; HB 263 - 6M; HB 274 - 6M; HB 285 - 6M; SB 45 - 6M.**

TELECOMMUNICATIONS, INTERNET & TECHNOLOGY: **SB 189 w/SA 1 -**

5M.

TRANSPORTATION: **HJR 13 - 6M.**

Representative Miro requested that **HB 128** be stricken.

The Majority Leader moved to recess for caucus at 2:50 p.m.

The House reconvened at 5:02 p.m. with Representative Oberle as Acting Speaker.

Representatives Oberle, Maier & Cathcart requested that they be marked present.

Representative Smith deferred to Representative Maier.

Representative Maier brought **HB 30**, jointly sponsored by Senator Blevins & Senators Cloutier, Henry & Winslow & Representatives Boulden, Buckworth, Carey, Cathcart, DiPinto, Hudson, Keeley, Lofink, Smith, Spence, Stone, Ulbrich, Viola & Wagner, before the House for consideration.

HB 30 - AN ACT TO AMEND TITLE 16, 24, AND 29 OF THE DELAWARE CODE RELATING TO COMMUNITY-BASED ATTENDANT SERVICES. (F/N)

Representative Maier made comments and introduced guests. Representative Maier brought **HA 1 to HB 30** before the House for consideration. Representative Maier made a comment. **HA 1** was adopted by voice vote. The roll call on **HB 30 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Buckworth & West - 2.

Therefore, having received a constitutional majority, **HB 30 w/HA 1** was sent to the Senate for concurrence. Representatives Brady, Schroeder, Stone & Spence requested that they be marked present during the roll call. Representative Maier requested and was granted personal privilege of the floor to introduce guests. Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought **HB 255**, jointly sponsored by Senator Sokola & Representatives Lofink, Maier, Quillen & Brady & Senators Bunting & Winslow, before the House for consideration.

HB 255 - AN ACT TO AMEND TITLE 9, TITLE 22, TITLE 29 OF THE DELAWARE CODE RELATING TO LAND-USE, COMPREHENSIVE PLANS, AND ANNEXATIONS. (2/3 bill)

Representative Cathcart brought **HA 1 to HB 255** before the House for consideration. Representative Cathcart made comments. **HA 1** was adopted by voice vote. Representative Cathcart deferred to Representative Mulrooney. Representative Mulrooney brought **HA 2 to HB 255** before the House for consideration. Representative Mulrooney moved to place **HA 2** on the Speaker's Table. The motion was seconded by Representative Cathcart and adopted by voice vote. Representative Cathcart brought **HA 3 to HB 255** before the House for consideration. Representative Cathcart made comments. **HA 3** was adopted by voice vote. Representative Cathcart brought **HA 4 to HB 255** before the House for consideration. Representative Cathcart made comments. **HA 4** was adopted by voice vote. Representative Cathcart brought **HA 5 to HB 255** before the House for consideration. Representative Cathcart moved to place **HA 5** on the Speaker's Table. The motion was properly seconded and adopted by voice vote. Representative Stone brought **HA 6 to HB 255** before the House for consideration. Representatives Stone & Cathcart made comments. **HA 6** was adopted by voice vote. Representative DiPinto brought **HA 7 to HB 255** before the House for consideration. Representatives DiPinto, Lavelle, Scott, Wagner, DiPinto, D. Ennis, Williams, D. Ennis & Williams made comments. Representative Wagner requested and was granted privilege of the floor for Lee Ann Walling, representing the Governor's Office. Representatives Wagner, Miro, DiPinto & Scott made comments. **HA 7** was defeated by voice vote. Representative Ulbrich brought **HA 8 to HB 255**, jointly sponsored by Representatives Boulden & Mulrooney, before the House for consideration. Representative Ulbrich made comments. **HA 8** was adopted by voice vote. Representative Stone brought **HA 9 to HB 255** before the House for consideration. Representative Stone made comments. Representative Cathcart requested and was granted privilege of the floor for Constance C. Holland, Kent County Planning Service Director. Representatives Cathcart, B. Ennis, Wagner & Stone made comments. Representative B. Ennis requested and was granted privilege of the floor for Ron Smith, House Attorney. Representative B. Ennis made comments. **HA 9** was defeated by voice vote. Representative Cathcart introduced and brought **HA 10 to HB 255** before the House for consideration. Representative Cathcart made comments. **HA 10** was adopted by voice vote. Representative Lee introduced and brought **HA 11 to HB 255**, jointly sponsored by Representative Quillen, before the House for consideration. Representatives Lee, Cathcart & Price made comments. Representative Ewing requested and was granted privilege of the floor for Robert L. Stickels, Sussex County Administrator. Representative Ewing made comments. Representative Cathcart requested and was granted privilege of the floor for David S. Hugg, III, State Planning Director. Representative Cathcart made comments.

The roll call on **HA 11 to HB 255** was taken and revealed:

YES: Representatives Buckworth, Carey, Caulk, B. Ennis, D. Ennis, Ewing, Fallon, Lee, Quillen, Stone, Thornburg, Wagner & West - 13.

NO: 27.

ABSENT: Representative DiPinto - 1.

Therefore, not having received a constitutional majority, **HA 11** was declared defeated.

Representative Cathcart made comments. Representative Stone requested and was granted privilege of the floor for Ron Smith, Kent County Levy Court Commissioner. Representatives Stone, Wagner, B. Ennis & Cathcart made comments.

The roll call on **HB 255 w/HA 1, 3, 4, 6, 8 & 10** was taken and revealed:

YES: 25.

NO: Representatives Buckworth, Carey, Caulk, B. Ennis, Ewing, Fallon, Lee, Quillen, Scott, Smith, Stone, Thornburg, Wagner, West & Williams - 15.

ABSENT: Representative Plant - 1.

Therefore, not having received a constitutional majority of at least two-thirds Members of the House, **HB 255 w/HA 1, 3, 4, 6, 8 & 10** was declared defeated.

Representative Smith brought **Consent Agenda C**, which requires a three-fifths vote, before the House for consideration and for concurrence on Senate Amendments.

SB 173 – SHARP & REPRESENTATIVE WAGNER & SENATORS ADAMS, VAUGHN & WINSLOW & REPRESENTATIVES VALIHURA & DILIBERTO - An Act to Amend Title 6 of the Delaware Code Relating to the Regulation, Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Limited Liability Companies. (3/5 bill)

SB 177 – SHARP & REPRESENTATIVE WAGNER & SENATORS ADAMS, VAUGHN & WINSLOW & REPRESENTATIVES VALIHURA & DILIBERTO - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Partnerships and the Registration and Regulation of Foreign Limited Liability Partnerships. (3/5 bill)

SB 178 w/SA 1 – SHARP & REPRESENTATIVE WAGNER & SENATORS ADAMS & VAUGHN & WINSLOW & REPRESENTATIVES VALIHURA & DILIBERTO - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships. (3/5 bill)

HB 101 w/SA 1 – KEELEY & SENATOR BLEVINS & SENATOR HENRY & REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, CAREY, CATHCART, CAULK, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, HUDSON, LAVELLE, MIRO, MULROONEY, PLANT, PRICE, QUILLEN, REYNOLDS, ROY, SCHROEDER, SCOTT, STONE, THORNBURG, ULBRICH, VALIHURA, VANSANT, VIOLA, WAGNER, WEST & WILLIAMS & SENATORS ADAMS, AMICK, BLEVINS, BUNTING, CLOUTIER, CONNOR, COOK, DELUCA, MARSHALL, MCBRIDE, MCDOWELL, SHARP, SOKOLA, SORENSON, STILL, VAUGHN, VENABLES & WINSLOW - An Act To Amend Title 10 of the Delaware Code Relating to References to Non-Marital Children.

HB 188 w/SA 1 – WAGNER & SENATOR HENRY & REPRESENTATIVES SPENCE, BUCKWORTH, HUDSON, MAIER, QUILLEN, REYNOLDS, STONE, ULBRICH, DILIBERTO, B. ENNIS & VANSANT - An Act To Amend Volume 66, Delaware Laws, Chapter 185, Relating to the Offices of the Prothonotaries of the Superior Court.

The roll call on **Consent Agenda C** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 101 w/SA 1 & HB 188 w/SA 1** were sent to the Governor & **SB 173, SB 177 & SB 178 w/SA 1** were returned to the Senate.

Representative Smith brought **Consent Agenda D** before the House for consideration.

SB 166 – ADAMS & REPRESENTATIVE STONE - An Act to Amend Title 12 of the Delaware Code Relating to Fiduciary Administration.

SB 167 – ADAMS & REPRESENTATIVE STONE - An Act to Amend Title 12 of the Delaware Code Relating to Trusts.

SB 169 – ADAMS & REPRESENTATIVE STONE - An Act to Amend Title 12 of the Delaware Code Relating to Trusts.

SB 155 – BLEVINS & REPRESENTATIVE MAIER & SENATORS DELUCA, STILL & WINSLOW - An Act to Amend Title 14 and Title 16 of the Delaware Code Relating to the Childhood Lead Poisoning Prevention Act.

SB 109 w/SA 1 – MCDOWELL & REPRESENTATIVE MAIER & SENATORS HENRY, SOKOLA, BONINI, WINSLOW & CONNOR & REPRESENTATIVES WAGNER & PRICE - An Act to Amend Title 11 of the Delaware Code Relating to Child Sex Abuse Information Repository.

SB 60 w/SA 2 – VAUGHN & REPRESENTATIVE LEE - An Act to Amend Title 11 of the Delaware Code Relating to the Employment of Personnel by the Department of Correction.

SS 1 for SB 146 – COOK & REPRESENTATIVE HUDSON - An Act to Amend Title 18 of the Delaware Code Relating to Licensing of Insurance Agents, Brokers, and Other Licensees of the Insurance Department.

The roll call on **Consent Agenda D** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 166, SB 167, SB 169, SB 155, SB 109 w/SA 1 & SB 60 w/SA 2** were returned to the Senate.

Representative Smith deferred to Representative Buckworth. Representative Buckworth requested that **HB 290** be stricken.

Representative Buckworth introduced **HB 304**, jointly sponsored by Senator Sokola & Representatives Reynolds, Ulbrich, Mulrooney & Schroeder & Senator Simpson.

HB 304 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION AND ASSISTANT PRINCIPALS.

Mr. Acting Speaker assigned **HB 304** to the Education Committee.

Mr. Acting Speaker assigned **HB 274** to the Appropriations Committee.

Mr. Acting Speaker declared a recess at 6:40 p.m.

The House reconvened at 6:50 p.m.

Mr. Speaker Spence resumed the Chair.

Representative Wagner moved to suspend the rules which interfere with introduction of and action on **HB 303**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Wagner introduced and brought **HB 303**, jointly sponsored by Representative Gilligan, before the House for consideration.

HB 303 - AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO THE TRANSITION OF THE OFFICE OF THE REGISTER IN CHANCERY FROM COUNTY TO STATE GOVERNMENT.

Representatives Wagner, Smith, Houghton & Wagner made comments.

The roll call on **HB 303** was taken and revealed:

YES: 34.

NOT VOTING: Representatives Keeley & Price - 2.

ABSENT: Representatives Gilligan, Mulrooney, Quillen, Roy & VanSant - 5.

Therefore, having received a constitutional majority, **HB 303** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HB 225**, jointly sponsored by Senator Cook, before the House for consideration.

HB 225 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO FEES, COSTS, AND CHARGES TO BE COLLECTED BY THE INSURANCE COMMISSIONER. (3/5 bill) (F/I)

Representative Stone brought **HA 1 to HB 225** before the House for consideration. Representative Stone made a comment. **HA 1** was adopted by voice vote. Representative Stone made comments.

The roll call on **HB 225 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Mulrooney, Quillen & VanSant - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 225**

w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 138**, jointly sponsored by Senator Connor & Representatives Buckworth, Carey, Caulk, B. Ennis, Ewing, Houghton, Maier, Price, Roy, Viola, Wagner & West & Senators Simpson, Sokola & Sorenson, before the House for consideration.

HB 138 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO LIENS OF RESIDENTIAL COMMUNITY ORGANIZATIONS.

Representative Valihura brought **HA 1 to HB 138** before the House for consideration. **HA 1** was adopted by voice vote. Representatives Valihura, Schroeder, Miro, Price & Valihura made comments.

The roll call on **HB 138 w/HA 1** was taken and revealed:

YES: 33.

NO: Representatives Keeley & Williams - 2.

NOT VOTING: Representatives Price, Schroeder & Scott - 3.

ABSENT: Representatives Mulrooney, Quillen & VanSant - 3.

Therefore, having received a constitutional majority, **HB 138 w/HA 1** was sent to the Senate for concurrence.

Representative Smith made an announcement.

Representative Smith deferred to Representative Miro.

Representative Miro brought **HB 234**, jointly sponsored by Senator Sokola & Representative Smith, before the House for consideration.

HB 234 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO THE AUTISTIC MONITORING REVIEW BOARD.

Representative Miro made comments.

The roll call on **HB 234** was taken and revealed:

YES: 39.

ABSENT: Representatives Quillen & VanSant - 2.

Therefore, having received a constitutional majority, **HB 234** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Miro.

Representative Miro brought **HB 251**, jointly sponsored by Senator Sokola, before the House for consideration.

HB 251 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STATE APPROPRIATIONS.

Representatives Miro, Wagner & Miro made comments.

The roll call on **HB 251** was taken and revealed:

YES: 39.

ABSENT: Representatives Quillen & VanSant - 2.

Therefore, having received a constitutional majority, **HB 251** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Plant.

Representative Plant brought **HB 215**, jointly sponsored by Representative Gilligan & Representatives Brady, Buckworth, Carey, DiLiberto, DiPinto, B. Ennis, Ewing, Houghton, Keeley, Lofink, Maier, Mulrooney, Price, Schroeder, Scott, Thornburg, VanSant, Viola, West & Williams & Senator Cook, before the House for consideration.

HB 215 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE LENGTH OF TIME FOR MAINTENANCE OF PERSONNEL RECORDS OF SCHOOL DISTRICT EMPLOYEES.

Representatives Plant, Smith, Wagner, Lavelle, DiPinto, Reynolds, Maier & Plant made comments.

Representative Plant requested and was granted privilege of the floor for David Blowman, Executive Assistant to the

Secretary, Department of Education. Representatives Maier, DiPinto, Miro, Plant, Fallon, B. Ennis & Oberle made comments.

The roll call on **HB 215** was taken and revealed:

YES: 39.

ABSENT: Representative Quillen & VanSant - 2.

Therefore, having received a constitutional majority, **HB 215** was sent to the Senate for concurrence.

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

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

HOUSE ADMINISTRATION: **HR 18** - 3M.

REVENUE & FINANCE: **HB 286** - 3F, 3M; **SB 46** - 3F, 3M.

The Majority Leader moved to recess to the call of the Chair at 7:41 p.m.

Mr. Speaker Spence called the House to order at 2:30 p.m. on June 20, 2001.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 110 w/SA 3 & 4, SB 222 w/SA 1, SB 212, SJR 6 & SB 230 w/SA 1** and requests the concurrence of the House; **HB 169 w/SA 1, HB 204 w/HA 1 & SA 1; HB 205, HB 223 & HB 61 w/HA 1 & SA 1 & 2** and is returning same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Terry R. Spence, do hereby request that my name be removed as co-sponsor of **HB 280**.

Date: June 19, 2001

Signed: Terry R. Spence

The Majority Whip moved to adjourn at 2:33 p.m., thereby ending the current legislative day. The House reconvened at 2:34 p.m.

38th LEGISLATIVE DAY - 141st GENERAL ASSEMBLY - FIRST SESSION

June 20, 2001

The Chief Clerk called the roll.

Members Present: 41.

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

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

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

HB 296 - WAGNER & SENATOR SOKOLA; REPRESENTATIVES LEE, BUCKWORTH, CAREY, CATHCART, CAULK, DIPINTO, D. ENNIS, EWING, FALLON, LOFINK, MAIER, REYNOLDS, ROY, ULBRICH, VALIHURA, B. ENNIS, VIOLA, WEST; SENATOR SORENSON - PUBLIC SAFETY - An Act to Amend Title 21 Relating to Rules of the Road.

HB 297 - KEELEY & REPRESENTATIVE DIPINTO & REPRESENTATIVE HOUGHTON & REPRESENTATIVE PLANT & REPRESENTATIVE SCOTT & REPRESENTATIVE WILLIAMS & SENATOR HENRY & SENATOR MARSHALL & SENAOTR MCDOWELL - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Wilmington, Pursuant to 22 Del. C., Section 811, Relating to the Classified Service and the Personnel Department. (2/3 bill)

HB 298 - MAIER & SENATOR SOKOLA; REPRESENTATIVES BOULDEN, LAVELLE, OBERLE, STONE, VANSANT, DILIBERTO, B. ENNIS, PRICE, VIOLA; SENATORS BLEVINS, COOK, CONNOR, STILL - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Public School Elections.

HB 299 - MAIER & REPRESENTATIVE STONE & SENATOR CLOUTIER; REPRESENTATIVES SMITH, BUCKWORTH, CAREY, DIPINTO, EWING, FALLON, MIRO, THORNBURG, ULBRICH, VALIHURA, WAGNER, KEELEY, PRICE; SENATORS BLEVINS, HENRY, AMICK, SORENSON, CONNOR, WINSLOW - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 and Title 29 of the Delaware Code Relating to Midwives. (2/3 bill)

HB 300 - MIRO & REPRESENTATIVE PRICE & SENATOR SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to State Appropriations.

HB 301 - STONE & SENATOR VENABLES - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 4 of the Delaware Code Relating to Brewery-Pubs and Tax on Alcoholic Beverages. (3/5 bill)

HB 302 - B. ENNIS & REPRESENTATIVE D. ENNIS; REPRESENTATIVES BRADY, KEELEY, SPENCE, VANSANT, WAGNER - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to the Merit Employee Relations Board.

HB 306 - DIPINTO & SENATOR MCBRIDE - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Motor Vehicle Document Fees.

HB 307 - DIPINTO; REPRESENTATIVES KEELEY, PLANT, SCOTT, WILLIAMS; SENATORS MCDOWELL, HENRY, MARSHALL - LAND USE AND INFRASTRUCTURE - An Act to Amend Title 22 of the Delaware Code Relating to Municipalities General Provisions.

HA 1 to HB 114 - WAGNER; REPRESENTATIVES BUCKWORTH, CAREY, CAULK, DIPINTO, EWING, QUILLEN, REYNOLDS, VALIHURA, BRADY, B. ENNIS, MULROONEY - Placed with the Bill.

HA 1 to HB 209 - SPENCE - Placed with the Bill.

HA 1 to HB 246 - GILLIGAN & REPRESENTATIVE SMITH - Placed with the Bill.

HA 1 to HB 262 - LOFINK - Placed with the Bill.

HA 1 to HB 271 - SPENCE - Placed with the Bill.

HA 1 to HB 275 - WAGNER - Placed with the Bill.

HA 1 to HB 281 - D. ENNIS - Placed with the Bill.

HA 1 to HB 284 - SCHROEDER - Placed with the Bill.

HA 1 to HB 285 - WAGNER - Placed with the Bill.

HA 1 to HB 287 - MAIER - Placed with the Bill.

HR 19 - WAGNER - EDUCATION - Requesting the Department of Education and the Professional Standards Board to Promulgate Regulations that Would Permit Fully Certified Teachers in a Secondary Content Area to Teach Occupational-Vocational Courses.

SB 110 w/SA 3 & 4 - HENRY & REPRESENTATIVE HUDSON; SENATORS BLEVINS, MARSHALL, MCDOWELL, SOKOLA; REPRESENTATIVES KEELEY, ULBRICH, WAGNER, WILLIAMS - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Relating to Gun Checks For Convicted Felons.

SB 212 - ADAMS & REPRESENTATIVE FALLON; REPRESENTATIVES BUCKWORTH, CAREY, CATHCART, D. ENNIS, HUDSON, LEE, LOFINK, MAIER, MIRO, QUILLEN, ROY, SMITH, SPENCE, STONE, ULBRICH, B. ENNIS, GILLIGAN, HOUGHTON, MULROONEY, PRICE, SCHROEDER, SCOTT, VIOLA; SENATORS BLEVINS, SOKOLA - WATER QUALITY - An Act to Amend Title 26 of the Delaware Code Relating to Distribution System Improvement Charges by Regulated Water Utilities.

SB 222 w/SA 1 - VAUGHN; SENATORS HENRY, MCBRIDE, CONNOR; REPRESENTATIVES LOFINK, REYNOLDS, SMITH, SPENCE, HOUGHTON, MULROONEY - LAND USE AND INFRASTRUCTURE - An Act Relating to Permitting the Colonial School District to Convey to New Castle County the Building at 3601 North DuPont Highway, New Castle, Delaware and to Convey to Delaware City the Building at 5th and Bayard Streets, Delaware City, Delaware. (3/4 bill) (F/N)

SB 230 w/SA 1 - COOK & REPRESENTATIVE CATHCART; SENATORS BUNTING & SIMPSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Titles 1, 14, 16, 29, and 30 of the Delaware Code Creating a New Division Within the Department of Administrative Services by Combining the Powers and Duties of the Division of Support Operations and the Division of Purchasing and Renaming the New Division "The Division of Support Services."

HA 1 to SS 1 to SB 33 - QUILLEN - Placed with the Bill

SJR 6 - MCBRIDE; REPRESENTATIVE QUILLEN; SENATORS VAUGHN, VENABLES, DELUCA, SIMPSON; REPRESENTATIVES DIPINTO, D. ENNIS, MULROONEY, CAREY - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - Extending the Life of the Delaware River and Bay Oversight Committee for the Purpose of Studying and Considering Additional Matters, Including the Effect of the Regulation 24, Section 46 Control of VOC Emissions and the Establishment of a Permanent Delaware River and Bay Oversight Commission.

Mr. Speaker Spence introduced guests. Representative Lavelle requested that he be marked present.

Representative Lee deferred to Representative D. Ennis. Representative D. Ennis requested and was granted privilege of the floor to present a House Tribute to the DuPont Engineering Explorer Post 946. The guests announced their names for the record. Representatives Plant, B. Ennis & Scott requested that they be marked present. Mr. Speaker Spence granted privilege of the floor to Alan Sokolow, Executive Director, Eastern Regional Conference, Council of State Governments. Mr. Speaker Spence made comments. Representative West requested that he be marked present and made comments.

The Majority Whip moved to recess for caucus at 2:50 p.m.

The House reconvened at 5:25 p.m. with Representative Oberle as Acting Speaker.

Representative Oberle requested that he be marked present.

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

HOUSE ADMINISTRATION: **HB 293** - 3M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **SB 123** - 4M; **SB 183 w/SA 1** - 4M; **SB 184** - 4M; **SJR 6** - 4M.

Representative Roy requested that he be marked present.

Representative Smith moved to restore **HB 255 w/HA 1, 3, 4, 6, 8 & 10**. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Smith moved to rescind the roll call on **HB 255 w/HA 1, 3, 4, 6, 8 & 10**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought **HB 255 w/HA 1, 3, 4, 6, 8 & 10**, jointly sponsored by Senator Sokola & Representatives Lofink, Maier, Quillen & Brady & Senators Bunting & Winslow, before the House for consideration.

HB 255 - AN ACT TO AMEND TITLE 9, TITLE 22, TITLE 29 OF THE DELAWARE CODE RELATING TO LAND-USE, COMPREHENSIVE PLANS, AND ANNEXATIONS. (2/3 bill)

Representatives Boulden, Cathcart, Buckworth, Brady, Smith & Schroeder requested that they be marked present. Representative Cathcart introduced and brought **HA 12 to HB 255**, jointly sponsored by Representative Lee & Representative Stone & Representative B. Ennis & Representatives Spence, Smith, Gilligan & Caulk, before the House for consideration. Representative Cathcart made comments. Mr. Speaker Spence resumed the Chair. Representative Cathcart requested and was granted privilege of the floor for Lee Ann Walling, representing the Governor's Office. Representative Cathcart made comments. **HA 12** was adopted by voice vote. Representatives Stone, Cathcart, Oberle & Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for Lee Ann Walling, representing the Governor's Office. Representatives Oberle, Cathcart, Smith & Oberle made comments.

Mr. Speaker Spence declared a recess for caucus at 5:46 p.m.

The House reconvened at 6:12 p.m.

Representative Cathcart moved to place **HB 255 w/HA 1, 3, 4, 6, 8, 10 & 12** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representatives Ulbrich, Stone & Gilligan requested that they be marked present.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 237**, jointly sponsored by Senator Henry, before the House for consideration.

HB 237 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO AGGRESSIVE DRIVING.

Representative Oberle made comments.

The roll call on **HB 237** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 237** was sent to the Senate for concurrence.

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

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #28

DATE: June 20, 2001

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

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
H141-621	Carey	6/3/2001	T	Jessica Fitzpatrick/First Place/Odyssey of the Mind
H141-622	Carey	6/3/2001	T	Jessica Schlegel/First Place/Odyssey of the Mind
H141-623	Carey	6/3/2001	T	Whitney Sturgill/First Place/Odyssey of the Mind
H141-624	Carey	6/3/2001	T	Amanda Currie/First Place/Odyssey of the Mind
H141-625	Carey	6/3/2001	T	Matt Tucker/First Place/Odyssey of the Mind
H141-626	Carey	6/3/2001	T	Tyler Twilley/First Place/Odyssey of the Mind
H141-627	Carey	6/3/2001	T	Nick Silicato/First Place/Odyssey of the Mind
H141-628	Gilligan	5/30/2001	M	Frederick H. Mitsdarfer, Sr.
H141-629	Hudson	6/4/2001	T	Kennett Pike Association/Kennett Pike Improvement Project
H141-630	Hudson	6/4/2001	T	David Damiani/Invaluable Service/Kennett Pike Improvement Project
H141-631	Quillen	5/29/2001	T	Michael Gleeson/State Champ/1600 Meter Run
H141-632	Schroeder	5/29/2001	T	Cape Henlopen High/Boys Lacrosse/State Champs
H141-633	Spence	5/31/2001	T	Zachary William Spence/Birth
H141-634	Spence	6/10/2001	T	William Sharpe/Induction/NCO Hall of Fame
H141-635	Oberle	6/2/2001	T	Leah Rusinko/Salutatorian/Wilmington Christian School
H141-636	Keeley	6/7/2001	T	Melisa Plunkett/Public Allies Class of 2001
H141-637	Keeley	6/7/2001	T	Roger Hesketh, III/Public Allies Class of 2001
H141-638	Keeley	6/7/2001	T	Jay Garman/Public Allies Class of 2001
H141-639	Keeley	6/7/2001	T	Jennifer Dodenhoff/Public Allies Class of 2001
H141-640	Keeley	6/7/2001	T	Michelle Osborne/Public Allies Class of 2001
H141-641	Keeley	6/7/2001	T	Yolanda Davis/Public Allies Class of 2001

HOUSE TRIBUTE ANNOUNCEMENT #29

DATE: June 20, 2001

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

Number	Sponsor	Date	Type	Description
H141-642	Keeley	6/7/2001	T	James Gadsden, Jr./Public Allies Class of 2001
H141-643	Keeley	6/7/2001	T	Natika Hartsock/Public Allies Class of 2001
H141-644	Keeley	6/7/2001	T	Dornisa Graham/Public Allies Class of 2001
H141-645	Keeley	6/7/2001	T	Sandra Hoy/Public Allies Class of 2001
H141-646	Keeley	6/7/2001	T	Jazmaine Sharpe/Public Allies Class of 2001
H141-647	Keeley	6/7/2001	T	Melissa Watson/Public Allies Class of 2001
H141-648	Keeley	6/7/2001		Shannon Woodloe/Public Allies Class of 2001
H141-649	Keeley	6/7/2001	T	Amy Wyatt/Public Allies Class of 2001
H141-650	Keeley	6/7/2001	T	Margaret Zak/Public Allies Class of 2001
H141-651	Keeley	6/7/2001	T	Jason Colatrisano/Public Allies Class of 2001
H141-652	Brady	6/12/2001	T	Joseph Price/Service/31 Years/Brandywine Schools
H141-653	Spence	6/7/2001	T	Honorable Bruce Reynolds/Retirement/Coach/27 Years/William Penn Football
H141-654	Schroeder	6/11/2001	T	Nicola Pizza/30th Anniversary
H141-655	Price	6/23/2001	T	Ward Collins, Jr./Retirement/35 Years/Selbyville
H141-656	VanSant	6/14/2001	T	Carmella DiOssi/75th Birthday
H141-657	Wagner	6/6/2001	M	Evelyn G. Castille
H141-658	B. Ennis	6/8/2001	T	Lieutenant James McGuigan/Retirement/Capitol Police/28 Years
H141-659	Cathcart	6/7/2001	T	Episcopal Diocese of Delaware/England/300th Anniversary
H141-660	Carey	6/19/2001	T	Rebecca Clendaniel/National Spelling Bee
H141-661	B. Ennis	5/24/2001	T	Lydia Callovini/91st Birthday
T - Tribute				
M - Memoriam				

Representative Smith deferred to Representative Lavelle.

Representative Lavelle brought **HB 210**, jointly sponsored by Representative Roy & Senator Sharp & Representatives Lee, Boulden, Buckworth, Carey, Cathcart, D. Ennis, Hudson, Quillen, Reynolds, Stone, Thornburg, Ulbrich & Valihura & Senators Sorenson, Still & Winslow, before the House for consideration.

HB 210 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 22, AND ARTICLE IV OF THE DELAWARE CONSTITUTION OF 1897 RELATING TO THE APPOINTMENT OF A RECORDER OF DEEDS IN EACH COUNTY AND THE POWERS AND DUTIES OF SAID RECORDERS OF DEEDS. (2/3 bill)

Representative Lavelle brought **HA 1 to HB 210** before the House for consideration. Representative Lavelle made comments. **HA 1** was adopted by voice vote. Representative Lavelle brought **HA 2 to HB 210**, jointly sponsored by Representative Roy, before the House for consideration. Representative Lavelle made a comment. **HA 2** was adopted by voice vote. Representative Lavelle deferred to Representative Price. Representative Price introduced

and brought **HA 3 to HB 210** before the House for consideration. Representatives Price & Gilligan made comments. **HA 3** was adopted by voice vote.

The roll call on **HB 210 w/HA 1, 2 & 3** was taken and revealed:

YES: 37.

NO: Representatives Keeley, Plant, Scott & Williams - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 210 w/HA 1, 2 & 3** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner. Representative Wagner requested that **HB 272** be stricken.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 135**, jointly sponsored by Representatives Boulden, Spence, Lee, Buckworth, Cathcart, Carey, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Hudson, Lavelle, Lofink, Maier, Miro, Oberle, Quillen, Reynolds, Stone, Ulbrich, Valihura, Gilligan, VanSant, Brady, B. Ennis, DiLiberto, Houghton, Keeley, Mulrooney, Plant, Price, Schroeder, Scott, Viola, West & Williams, before the House for consideration.

HB 135 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WAGE PAYMENT AND COLLECTION DEFINITION OF TERMS.

Representative Wagner made a comment.

The roll call on **HB 135** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 135** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 285**, jointly sponsored by Senator Cook & Representatives D. Ennis, Miro, VanSant, B. Ennis, Plant & Williams & Senators Marshall & Sokola, before the House for consideration.

HB 285 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO EXEMPT POSITIONS.

Representative Wagner brought **HA 1 to HB 285** before the House for consideration. Representative Wagner made comments. **HA 1** was adopted by voice vote. Representative Wagner made comments. Representative Wagner introduced and brought **HA 2 to HB 285** before the House for consideration. Representative Wagner made comments. **HA 2** was adopted by voice vote. Representative Wagner made a comment.

The roll call on **HB 285 w/HA 1 & 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 285 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Price.

Representative Price brought **HB 245** before the House for consideration.

HB 245 - AN ACT TO AMEND TITLE 7, DELAWARE CODE RELATING TO TAX LAGOONS.

Representatives Price, Quillen & Price made comments.

The roll call on **HB 245** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 245** was sent to the Senate for concurrence.

Representative Smith brought **Consent Agenda E** before the House for consideration.

HJR 13 – WAGNER & REPRESENTATIVE D. ENNIS & SENATOR MCDOWELL & REPRESENTATIVES BOULDEN, CAREY, EWING, FALLON, LEE, LOFINK, QUILLEN, ROY, THORNBURG & VALIHURA - Commending and Supporting the Wilmington Trolley Project.

SB 40 w/SA 1 - CLOUTIER & SENATOR SOKOLA; SENATORS AMICK, BONINI, CONNOR, SIMPSON, SORENSON, STILL & WINSLOW & REPRESENTATIVES BRADY, BUCKWORTH, B. ENNIS, DILIBERTO, EWING, FALLON, HUDSON, KEELEY, LOFINK, MIRO, REYNOLDS, SCHROEDER, VALIHURA, VIOLA &

WEST - An Act to Amend Various Titles of the Delaware Code by Updating and Replacing Remaining References to the "Department of Public Instruction", the "Superintendent of Public Instruction", and the "State Board of Education".

SB 113 - VENABLES; SENATOR STILL; REPRESENTATIVE LEE - An Act to Amend Title 21 of the Delaware Code Relating to Handicapped Persons' Parking Areas.

SB 122 - BLEVINS & REPRESENTATIVE MAIER; SENATORS DELUCA, HENRY, MARSHALL, MCDOWELL & AMICK & REPRESENTATIVES BUCKWORTH, CAREY, FALLON, HUDSON, LAVELLE, LEE, LOFINK, SMITH, SPENCE, STONE, ULBRICH, WAGNER & PRICE - An Act to Amend Title 29 of the Delaware Code Relating to the Deputy Secretary, Division Directors, and Acting Secretary.

SB 125 - COOK & REPRESENTATIVE HUDSON - An Act to Amend Title 18 of the Delaware Code Relating to Surplus Lines Brokers.

SB 142 - SOKOLA & REPRESENTATIVE MIRO - An Act to Amend Chapter 25, Title 29 of the Delaware Code Relating to Subpoenas.

SB 175 w/SA 1 - BLEVINS & REPRESENTATIVE MAIER & SENATOR CONNOR - An Act to Amend Title 16 of the Delaware Code Relating to Contagious Diseases Generally.

Representative Smith requested that **HJR 13** & **SB 113** be removed from **Consent Agenda E**.

The roll call on **Consent Agenda E** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 40 w/SA 1**, **SB 122**, **SB 125**, **SB 142** & **SB 175 w/SA 1** were received to the Senate.

Representative Smith brought **SB 113**, sponsored by Senator Venables & cosponsored by Representative Lee & Senator Still, before the House for consideration.

SB 113 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HANDICAPPED PERSONS' PARKING AREAS.

Representative Smith moved to place **SB 113** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HJR 13**, jointly sponsored by Representative D. Ennis & Senator McDowell & Representatives Boulden, Carey, Ewing, Fallon, Lee, Lofink, Quillen, Roy, Thornburg & Valihura, before the House for consideration.

HJR 13 - COMMENDING AND SUPPORTING THE WILMINGTON TROLLEY PROJECT.

Representative Wagner introduced and brought **HA 1** to **HJR 13** before the House for consideration.

Representative Wagner made a comment. **HA 1** was adopted by voice vote. Representative Wagner made comments.

The roll call on **HJR 13 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HJR 13 w/HA 1** was sent to the Senate for concurrence.

Representative Smith brought **Consent Agenda F**, which requires a two-thirds vote, before the House for consideration and concurrence on Senate Amendments.

HB 266 - WAGNER & SENATOR HENRY - An Act to Amend Title 9 of the Delaware Code Relating to Appeals From Boards of Assessment.

HB 267 - WAGNER & SENATOR BLEVINS - An Act to Amend Title 13 of the Delaware Code Relating to Parents and Children in the Family Court of the State of Delaware.

HB 218 - ULBRICH & SENATOR SIMPSON; REPRESENTATIVES SPENCE, LEE, CAREY, CATHCART, CAULK, DIPINTO, HUDSON, LOFINK, MAIER, REYNOLDS, STONE, THORNBURG, VALIHURA, WAGNER, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, KEELEY, PLANT, PRICE, SCHROEDER, VIOLA & WEST - An Act to Amend Title 14 of the Delaware Code Relating to School Boards of Reorganized School Districts.

HB 250 – STONE & SENATOR COOK - An Act to Amend Title 18 of the Delaware Code Relating to Authorization of Insured

HB 257 – HUDSON & REPRESENTATIVE COOK - An Act to Amend Titles 7, 16, 29; 30 and 31 of the Delaware Code Relating to Delaware Personal Income Tax Checkoff Programs. (2/3 bill)

HB 61 w/HA 1 & SA 1 & 2 - PRICE & SENATOR BUNTING & REPRESENTATIVE LEE & REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, CAREY, CATHCART, CAULK, DIPINTO, B. ENNIS, EWING, FALLON, HOUGHTON, KEELEY, LAVELLE, LOFINK, MULROONEY, ROY, SCHROEDER, SCOTT, SPENCE, THORNBURG, VALIHURA, VANSANT, VIOLA, WAGNER & WEST & SENATORS BLEVINS, DELUCA, HENRY, MARSHALL, CLOUTIER, MCBRIDE, VAUGHN & CONNOR - An Act to Amend Title 16 of the Delaware Code Regarding Exemptions From Civil Liability.

HB 169 w/SA 1 – FALLON & SENATOR VENABLES - 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 Relating to Electric Current". (2/3 bill)

HB 204 w/HA 1 & SA 1 – STONE & SENATOR COOK & REPRESENTATIVES BOULDEN, BRADY, CAREY, CATHCART, CAULK, DILIBERTO, DIPINTO, B. ENNIS, FALLON, GILLIGAN, HOUGHTON, HUDSON, KEELEY, LEE, LOFINK, MAIER, MULROONEY, OBERLE, PLANT, PRICE, REYNOLDS, SCHROEDER, SCOTT, SPENCE, THORNBURG, ULBRICH, VALIHURA, VANSANT, VIOLA, WAGNER, WEST & WILLIAMS & SENATORS CLOUTIER, CONNOR, HENRY, MCDOWELL, SIMPSON, SOKOLA, SORENSON & WINSLOW - An Act to Amend Title 18 of the Delaware Code Relating to Insurance Coverage for Reconstructive Surgery Following Mastectomies. (2/3 bill)

Representative Smith requested that **HB 61 w/HA 1 & SA 1 & 2** be removed from **Consent Agenda F**.

The roll call on **Consent Agenda F** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority at least two-thirds Members of the House, **HB 266, HB 267, HB 218, HB 250 & HB 257** were sent to the Senate for concurrence and **HB 169 w/SA 1 & HB 204 w/HA 1 & SA 1** were sent to the Governor.

Representative Smith brought **HB 61 w/HA 1 & SA 1 & 2**, sponsored by Representative Price & Senator Bunting & Representative Lee & Representatives Boulden, Brady, Buckworth, Carey, Cathcart, Caulk, DiPinto, B. Ennis, Ewing, Fallon, Houghton, Keeley, Lavelle, Lofink, Mulrooney, Roy, Schroeder, Scott, Spence, Thornburg, Valihura, VanSant, Viola, Wagner, West & Senators Blevins, DeLuca, Henry, Marshall, McBride & Vaughn & cosponsored by Senators Cloutier & Connor, before the House for concurrence on **SA 1 & 2**.

HB 61 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE REGARDING EXEMPTIONS FROM CIVIL LIABILITY.

Representative Smith moved to place **HB 61 w/HA 1 & SA 1 & 2** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan brought **HB 246**, jointly sponsored by Representatives Smith, DiPinto, Maier, Miro, Reynolds, Schroeder, Ulbrich, Viola, Wagner & Senators Cook, DeLuca, Sokola, Sorenson & Winslow & cosponsored by Senator Connor, before the House for consideration.

HB 246 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION AND THE EDUCATIONAL BENEFITS FOR CHILDREN OF DECEASED VETERANS AND OTHERS. (F/N)

Representative Gilligan brought **HA 1 to HB 246**, jointly sponsored by Representative Smith, before the House for consideration. Representative Gilligan made a comment. **HA 1** was adopted by voice vote. Representative Gilligan made comments.

The roll call on **HB 246 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 246 w/HA 1** was sent to the Senate for concurrence. Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought **SB 70 w/SA 2**, jointly sponsored by Senator Sokola & Senators Bunting, DeLuca & Simpson & Representatives Miro, Roy, Ulbrich & Valihura & cosponsored by Representative Lavelle, before the House for consideration.

SB 70 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TEACHER CONTROL OF THE CLASSROOM.

Representatives Reynolds & DiLiberto made comments. Representative Reynolds requested and was granted privilege of the floor for Matthew Denn, Counsel to the Governor. Representatives DiLiberto & Reynolds made comments.

The roll call on **SB 70 w/SA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, **SB 70 w/SA 2** was returned to the Senate.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart moved to lift **HB 255 w/HA 1, 3, 4, 6, 8, 10 & 12** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **HB 255 w/HA 1, 3, 4, 6, 8, 10 & 12**, jointly sponsored by Senator Sokola & Representatives Lofink, Maier, Quillen & Brady & Senator Winslow, before the House for consideration.

HB 255 - AN ACT TO AMEND TITLE 9, TITLE 22, TITLE 29 OF THE DELAWARE CODE RELATING TO LAND-USE, COMPREHENSIVE PLANS, AND ANNEXATIONS. (2/3 bill)

Representative Cathcart made a comment. Representative Cathcart requested and was granted privilege of the floor for Lee Ann Walling, representing the Governor's Office. Representatives Cathcart, DiPinto, D. Ennis, Williams, Scott, DiPinto, Oberle, Williams & Scott made comments.

The roll call on **HB 255 w/HA 1, 3, 4, 6, 8, 10 & 12** was taken and revealed:

YES: 39.

NO: Representative Williams - 1.

NOT VOTING: Representative Plant - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 255 w/HA 1, 3, 4, 6, 8, 10 & 12** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought **SB 119**, sponsored by Senator McBride & Representative Quillen & Senator Connor & Representatives Mulrooney & Price, before the House for consideration.

SB 119 - AN ACT TO AMEND CHAPTER 60, TITLE 7, OF THE DELAWARE CODE RELATING TO THE FORMULATION AND IMPLEMENTATION OF A SOURCE WATER PROTECTION PROGRAM.

Representative Cathcart made comments.

The roll call on **SB 119** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 119** was returned to the Senate.

Representative Smith deferred to Representative Schroeder.

Representative Schroeder brought **HB 247**, jointly sponsored by Senator Sokola & Representatives B. Ennis, Houghton, Keeley & Viola, before the House for consideration.

HB 247 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMMUNITY NOTIFICATION OF SEX OFFENDERS.

Representative Price introduced and brought **HA 1 to HB 247** before the House for consideration. Representatives Price, Schroeder, Wagner, Miro & Maier made comments. Representative Price requested and was granted privilege of the floor for Tania Culley, Child Advocate for the State of Delaware. Representatives Price, Schroeder, Viola, D. Ennis, Wagner, Fallon, Miro, Ewing, Price & B. Ennis made comments. Representative Price moved to place **HA 1** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote. Representative Price introduced and brought **HA 2 to HB 247** before the House for consideration. Representatives Price, Schroeder, West, Ewing, D. Ennis, Ulbrich & Price made comments. **HA 2** was adopted by voice vote.

The roll call on **HB 247 w/HA 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 247 w/HA 2** was sent to the Senate for concurrence.

Representative Price made comments.

The Majority Leader moved to recess at 8:05 p.m.

The House reconvened at 8:15 p.m. with Representative Oberle as Acting Speaker.

Representative Smith deferred to Representative Boulden.

Representative Boulden brought **HB 84**, jointly sponsored by Senator Blevins & All Representatives & Senators Amick, Bonini, Connor, Simpson, Sorenson & Winslow, before the House for consideration.

HB 84 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF SERVICE FOR AGING AND ADULTS WITH PHYSICAL DISABILITIES; AND PROVIDING FOR A MONEY MANAGEMENT PROGRAM. (F/N)

Representative Boulden brought **HA 1 to HB 84** before the House for consideration. Representative Boulden made a comment. **HA 1** was adopted by voice vote. Representative Boulden brought **HA 2 to HB 84** before the House for consideration. Representative Boulden made comments. **HA 2** was adopted by voice vote. Representatives Boulden, DiPinto, Smith, Ewing & Boulden made comments.

The roll call on **HB 84 w/HA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative VanSant - 1.

Therefore, having received a constitutional majority, **HB 84 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Boulden requested and was granted personal privilege of the floor to make comments. Mr. Acting Speaker made comments.

Representative Maier brought **HB 269**, jointly sponsored by Representative Buckworth & Senator McDowell & Representatives Ulbrich, DiLiberto & Keeley & Senators Blevins, McBride, Sorenson, Bonini, Cloutier, Connor, Simpson, Still & Winslow, before the House for consideration.

HB 269 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO GUARDIANSHIPS AND PERMANENT GUARDIANSHIPS.

Representative Maier brought **HA 1 to HB 269** before the House for consideration. Representative Maier made comments. **HA 1** was adopted by voice vote. Representative Maier made comments.

The roll call on **HB 269 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative VanSant - 1.

Therefore, having received a constitutional majority, **HB 269 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier brought **HB 287**, jointly sponsored by Senator Blevins & Representative Hudson & Senator McDowell, before the House for consideration.

HB 287 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE CHILD PROTECTION ACCOUNTABILITY COMMISSION.

Representative Maier brought **HA 1 to HB 287** before the House for consideration. Representative Maier made comments. **HA 1** was adopted by voice vote. Representative Maier made comments.

The roll call on **HB 287 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative VanSant - 1.

Therefore, having received a constitutional majority, **HB 287 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 253**, jointly sponsored by Representatives Carey, Cathcart, Caulk, DiPinto, Ewing, Fallon, Maier, Quillen, Reynolds, Stone, Brady, B. Ennis, Price & Scott & Senators Amick, Bonini, Cloutier & Winslow, before the House for consideration.

HB 253 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE STATE FIRE MARSHALL AND STATE FIRE PREVENTION COMMISSION.

Representatives Valihura, DiPinto & Valihura made comments.

The roll call on **HB 253** was taken and revealed:

YES: 40.

ABSENT: Representative VanSant - 1.

Therefore, having received a constitutional majority, **HB 253** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Boulden.

Representative Boulden brought **HB 201** before the House for consideration.

HB 201 - AN ACT TO AMEND PART I, TITLE 14 OF THE DELAWARE CODE TO PROVIDE FOR STUDENT CHOICE TO PARTICIPATE IN ANIMAL EXPERIMENTS.

Representative Maier introduced and brought **HA 1 to HB 201** before the House for consideration.

Representatives Maier & Boulden made comments. **HA 1** was adopted by voice vote. Representative Boulden made a comment.

The roll call on **HB 201 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives VanSant & Williams - 2.

Therefore, having received a constitutional majority, **HB 201 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis brought **HB 241**, jointly sponsored by Senator Blevins & Representatives Ewing & Maier & Senators Simpson & Vaughn, before the House for consideration.

HB 241 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS FOR AMBULANCE ATTENDANTS, EMERGENCY MEDICAL TECHNICIANS, AND PARAMEDICS. (F/N)

Representative B. Ennis made comments.

The roll call on **HB 241** was taken and revealed:

YES: 38.

ABSENT: Representatives Plant, VanSant & Williams - 3.

Therefore, having received a constitutional majority, **HB 241** was sent to the Senate for concurrence.

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

AGRICULTURE: **HB 282** - 2F, 5M; **HJR 12** - 3F, 4M.

HEALTH & HUMAN DEVELOPMENT: **SB 196** - 4M.

LABOR: **HB 276** - 8M; **HB 281** - 6M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 278** - 5M; **SB 151** - 5M; **SB 198** - 5M; **SB 199** - 5M; **SB 201** - 5M.

PUBLIC SAFETY: **SB 110 w/SA 3 & 4** - 5M.

WATER QUALITY: **SB 192 w/SA 1** - 5M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 191** and is returning same to the House; **SB 137 w/SA 1 & 2**, **SB 162 w/SA 1, 2 & 5**, **SB 174**, **SB 98 w/SA 2, 3 & 4** & **SB 126** and requests the concurrence of the House.

Mr. Speaker Spence resumed the Chair.

The Majority Leader moved to recess to the call of the Chair at 8:53 p.m.

Mr. Acting Speaker Quillen called the House to order at 2:17 p.m. on June 21, 2001.

The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: Speaker Terry R. Spence
FROM: Representative J. Benjamin Ewing
DATE: June 19, 2001
RE: **HB 292**

Please remove my name as a co-sponsor on **House Bill 292**.

Thank you.

June 20, 2001

The Honorable Terry R. Spence

Speaker of the House

House of Representatives

Legislative Hall

Dover, DE 19901

Dear Speaker Spence:

I am unable to attend session on June 21, 2001 due to personal business. I intend to return on Tuesday, June 26, 2001.

Thank you for your consideration of this matter.

Sincerely,
Joseph E. Miro
State Representative
22nd District

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Joseph E. Miro, do hereby request that my name be removed as a co-sponsor of **HB 198**.

Date: June 20, 2001

Signed: Joseph E. Miro

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

39th LEGISLATIVE DAY - 141st GENERAL ASSEMBLY - FIRST SESSION

June 21, 2001

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Miro -1.

A prayer was offered by Representative Vincent A. Lofink, Twenty-Seventh Representative District.

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

The following prefiled legislation was introduced:

HB 305 - MAIER & SENATOR BUNTING; REPRESENTATIVES SMITH, LEE, D. ENNIS, EWING, LAVELLE, THORNBURG, ULBRICH, WAGNER; SENATOR VENABLES - JUDICIARY - An Act to Amend Titles 3, 7, and 11 of the Delaware Code Relating to Certain Crimes Involving Animals.

HB 308 - HUDSON & SENATOR MARSHALL - JUDICIARY - An Act to Amend Title 10, Delaware Code Relating to Increasing Various Justice of the Peace Court Costs. (3/5 bill)

HB 309 - PRICE & SENATOR SOKOLA; REPRESENTATIVES CAREY, CAULK, DIPINTO, B. ENNIS, D. ENNIS, EWING, KEELEY, MIRO, PLANT, REYNOLDS, SCOTT, SPENCE; SENATOR WINSLOW - HOUSE ADMINISTRATION - An Act to Amend Title 25 of the Delaware Code Relating to Unit Properties.

HB 310 - HUDSON & SENATOR SORENSON & REPRESENTATIVE MAIER - HEALTH & HUMAN DEVELOPMENT - An Act Amending Title 16, Delaware Code Creating the Commissioner for Men's Health Within the Division of Public Health.

HB 311 - ROY & SENATOR VAUGHN & SENATOR DELUCA - LABOR - An Act to Amend Chapter 58, Title 29 of the Delaware Code Relating to the Conduct of Officers and Employees of the State.

HB 312 - EWING - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

HB 313 - SCHROEDER; REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, CAREY, CATHCART, CAULK, B. ENNIS, D. ENNIS, EWING, HOUGHTON, KEELEY, MAIER, MULROONEY, REYNOLDS, VANSANT, VIOLA; SENATORS BUNTING, SIMPSON, VENABLES - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Cruelty to Animals. (2/3 bill)

HA 1 to HB 33 - MIRO - Placed with the Bill.

HA 1 to HB 248 - SCHROEDER - Placed with the Bill.

HCR 21 - DIPINTO & SENATOR COOK - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - Extending the Library Task Force Reporting Date.

SB 98 w/ SA 2, 3 & 4 - MCDOWELL; SENATORS CONNOR, COOK, HENRY, SOKOLA; REPRESENTATIVES CAREY, DIPINTO, MAIER, WEST - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 16 of the Delaware Code Relating to County and Municipal Building, Plumbing, Electrical and Other Codes. (2/3 bill)

SB 126 - MCDOWELL & REPRESENTATIVE D. ENNIS - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 16 of the Delaware Code Relating to County and Municipal Building, Plumbing, Electrical and Other Codes for Energy Conservation.

SB 137 w/SA 1 & 2 - MARSHALL & REPRESENTATIVE CATHCART - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Criminal Statutes in Which the Victim is an Elderly Person or the Age or Status of the Victim is an Element of an Offense or a Sentencing Enhancer. (2/3 bill)

SB 162 w/SA 1, 2 & 5 - BONINI; SENATORS CLOUTIER, CONNOR, SIMPSON, SORENSON; REPRESENTATIVES BRADY, CAREY, DIPINTO, HOUGHTON, LEE, LOFINK, QUILLEN, SPENCE, WILLIAMS - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Arrests Without Warrant for Motor Vehicle Violations. (2/3 bill)

SB 174 - MARSHALL & REPRESENTATIVE LOFINK - LABOR - An Act to Amend Title 29, Chapter 69 of the Delaware Code Relating to Prevailing Wage Requirements in Public Construction Contracts.

HA 4 to SB 99 - HUDSON & REPRESENTATIVE VALIHURA - Placed with the Bill.

Representative Maier introduced guests.

The Majority Whip moved to recess for caucus at 2:25 p.m.

The House reconvened at 5:17 p.m. with Representative Oberle as Acting Speaker.

Representative Oberle requested that he be marked present.

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

Mr. Acting Speaker assigned **HB 276** to the Appropriations Committee.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 21** and requests the concurrence of the House. Representatives Ulbrich, Cathcart, Valihura, Smith, Roy, Brady, Wagner, Fallon, Mulrooney, Gilligan & Price

requested that they be marked present.

Representative Smith deferred to Representative Houghton.

Representative Houghton brought **HB 176**, jointly sponsored by Representatives Boulden, Brady, Buckworth, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Hudson, Keeley, Lee, Lofink, Mulrooney, Oberle, Price, Quillen, Roy, Schroeder, Smith, Spence, Thornburg, VanSant, Viola, Wagner & West & Senators Adams, Amick, Blevins, Bunting, Cook, DeLuca, Marshall, Sokola, Vaughn, Venables & Winslow, before the House for consideration.

HB 176 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO BOUNTY HUNTERS AND BAIL ENFORCEMENT AGENTS. (3/5 bill) (F/N)

Representative Scott requested that he be marked present.

Representative Houghton brought **HA 1 to HB 176** before the House for consideration. Representative Houghton made comments. **HA 1** was adopted by voice vote. Representative Scott brought **HA 2 to HB 176** before the House for consideration. Representatives Scott & Houghton made comments. **HA 2** was adopted by voice vote. Representative Houghton made comments.

The roll call on **HB 176 w/HA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 176 w/HA 1 & 2** was sent to the Senate for concurrence.

Representatives Plant, Stone, Williams, D. Ennis, Spence & Schroeder requested that they be marked present during the roll call.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto brought **SS 1 for SB 33 w/SA 2**, sponsored by Senator McBride & Representative Quillen & Senators Adams, Blevins, Bunting, Cook, DeLuca, Marshall, McDowell, Sharp, Sokola, Vaughn, Bonini, Cloutier, Connor, Simpson, Sorenson, Still & Winslow & Representatives Carey, Lofink, Oberle, Reynolds, Roy, Spence, Brady, DiLiberto, B. Ennis, Gilligan, Houghton, Keeley, Mulrooney, Price, Schroeder, Scott, VanSant, Viola, West & Williams, before the House for consideration.

SB 33 - AN ACT TO AMEND TITLE 7 AND TITLE 29 OF THE DELAWARE CODE WITH RESPECT TO NOTIFICATION OF ENVIRONMENTAL RELEASES, FACILITY PERFORMANCE, AND ESTABLISHMENT OF THE COMMUNITY INVOLVEMENT ADVISORY COUNCIL. (F/N)

Representative DiPinto deferred to Representative Quillen. Representative Quillen requested that **HA 1 to SS 1 for SB 33** be stricken. Representatives DiPinto, Maier & DiPinto made comments.

The roll call on **SS 1 for SB 33 w/SA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **SS 1 for SB 33 w/SA 2** was returned to the Senate.

Representative Smith deferred to Representative Spence.

Representative Spence brought **HB 209**, jointly sponsored by Senator Blevins, before the House for consideration.

HB 209 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE REPORTING OF CRIMES BY SCHOOL OFFICIALS. (2/3 bill)

Representative Spence brought **HA 1 to HB 209** before the House for consideration. Representative Spence made a comment. **HA 1** was adopted by voice vote. Representative Spence deferred to Representative Reynolds. Representative Reynolds introduced and brought **HA 2 to HB 209**, jointly sponsored by Representative Spence, before

the House for consideration. Representatives Reynolds & Spence made comments. **HA 2** was adopted by voice vote. Representatives Spence, Williams & Spence made comments.

The roll call on **HB 209 w/HA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 209 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Mr. Speaker Spence resumed the Chair.

Representative Wagner brought **SB 138**, jointly sponsored by Senators Blevins, Bonini, Henry, Simpson, Sokola & Sorenson & Representatives Brady, Keeley, Price & Ulbrich, before the House for consideration.

SB 138 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES.

Representative Wagner made comments.

The roll call on **SB 138** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **SB 138** was returned to the Senate.

Representative Smith deferred to Representative Lofink.

Representative Lofink brought **SB 111**, jointly sponsored by Senators Marshall, Adams, Blevins, DeLuca, Henry, McBride, McDowell, Sharp, Vaughn & Winslow & Representatives Oberle, Spence, Keeley, Mulrooney & Scott, before the House for consideration.

SB 111 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO ATTORNEYS' FEES ALLOWED BY THE INDUSTRIAL ACCIDENT BOARD FOR SUCCESSFUL CLAIMANTS. (F/N)

Representative Lofink made comments. Representative Lofink deferred to Representative Stone.

Representative Stone introduced and brought **HA 1 to SB 111** before the House for consideration. Representatives Stone, Wagner, Lofink, Oberle & Wagner made comments. Representative Lofink requested and was granted privilege of the floor for Joseph Weik, past President, Delaware Trial Lawyers Association. Representatives Wagner & Roy made comments. **HA 1** was defeated by voice vote.

The roll call on **SB 111** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **SB 111** was returned to the Senate.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto brought **SB 80 w/SA 1**, jointly sponsored by Senators Adams, Vaughn, Simpson & Still & Representatives Buckworth, Carey, D. Ennis, Ewing, Fallon, Hudson, Maier, Quillen, Spence, Stone, Ulbrich, B. Ennis, Gilligan & Price, before the House for consideration.

SB 80 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE FRANCHISING PRACTICES.

Representative DiPinto brought **HA 1 to SB 80** before the House for consideration. Representative DiPinto made comments. **HA 1** was adopted by voice vote. Representative DiPinto made comments.

The roll call on **SB 80 w/SA 1 & HA 1** was taken and revealed:

YES: 38.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representatives Miro & Williams - 2.

Therefore, having received a constitutional majority, **SB 80 w/SA 1 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **SB 120**, jointly sponsored by Senator Adams & Representative Ewing & Senators Bunting, Vaughn, Venables, Amick, Bonini & Winslow & Representatives B. Ennis, DiLiberto, Gilligan, Keeley, Price & West, before the House for consideration.

SB 120 - AN ACT TO AMEND TITLES 10 AND 29 OF THE DELAWARE CODE RELATING TO ASSIGNMENTS AND PENSIONS OF RETIRED JUSTICES OF THE PEACE TO ACTIVE DUTY. (F/N)

Representative Stone requested that **HA 1 to SB 120** be stricken. Representative Wagner made comments.

The roll call on **SB 120** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **SB 120** was returned to the Senate.

Representatives Valihura, D. Ennis, Reynolds, Wagner & Oberle made comments.

Representative Smith introduced and brought **SCR 21**, jointly sponsored by Senator Simpson on behalf of All Senators & Representative Maier on behalf of All Representatives, before the House for consideration.

SCR 21 - HONORING THE YOUNG WOMEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2001 SESSION OF DELAWARE'S GIRLS' STATE.

Representative Smith made comments.

SCR 21 was adopted by voice vote and was returned to the Senate.

Representative Maier made comments.

Representative Smith brought **Consent Agenda G**, which requires a two-thirds vote, before the House for consideration.

SB 164 - SHARP & REPRESENTATIVE WAGNER & SENATORS ADAMS, VAUGHN & WINSLOW & REPRESENTATIVES VALIHURA & DILIBERTO - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

SB 218 - SOKOLA & REPRESENTATIVE WAGNER - An Act to Amend Title 11 of the Delaware Code Relating to the Malicious Obstruction of Emergency Telephone Calls and Falsely Reporting an Incident. (2/3 bill)

SB 196 - MCDOWELL & SENATOR BLEVINS & REPRESENTATIVE GILLIGAN & SENATORS CONNOR, HENRY, SHARP & SORENSON & REPRESENTATIVES HUDSON, KEELEY & MAIER - An Act to Amend Title 31 of the Delaware Code Relating to the Delaware Child Care Act. (2/3 bill)

SB 157 w/SA 1 - MCBRIDE & REPRESENTATIVE REYNOLDS & SENATORS DELUCA, SOKOLA, SIMPSON, STILL & WINSLOW & REPRESENTATIVES BUCKWORTH, WAGNER, GILLIGAN, PRICE & SCHROEDER - An Act to Amend Title 14 of the Delaware Code Relating to the Data Security of the Delaware Student Testing Program and Data Reporting.

HB 286 - HUDSON & REPRESENTATIVE LEE & SENATOR MARSHALL & SENATOR VENABLES - An Act to Amend Chapter 43, Title 30 of the Delaware Code Relating to Use Tax on Leases of Tangible Personal Property. (2/3 bill)

The roll call on **Consent Agenda G** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **HB 286** was sent to the Senate for concurrence & **SB 164**, **SB 218**, **SB 196** & **SB 157 w/SA 1** were returned to the Senate.

Representative Valihura made comments regarding **SB 164**.

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda H**. The motion was not seconded.

Representative Smith brought **Consent Agenda H** before the House for consideration.

SB 176 - SOKOLA & REPRESENTATIVES REYNOLDS & ULBRICH - An Act to Amend Chapter 294, Volume 72, Laws of Delaware and Title 14 of the Delaware Code Relating to Implementation of the Professional Standards Board (F/N)

SB 132 - DELUCA & REPRESENTATIVE ULBRICH & SENATORS BUNTING, SOKOLA, SIMPSON & STILL & REPRESENTATIVES HUDSON, VALIHURA, DILIBERTO & KEELEY - An Act to Amend Chapter 26 of Title 24 of the Delaware Code Relating to Physical Therapy and Athletic Training. (F/N)

SB 150 w/SA 1 - DELUCA & REPRESENTATIVE ULBRICH & SENATORS BUNTING, SOKOLA, SIMPSON, STILL & REPRESENTATIVES HUDSON, VALIHURA, KEELEY & PRICE - An Act to Amend Chapter 51, Title 24 of the Delaware Code Regarding Cosmetology and Barbering and Certification of Aestheticians. (F/N)

SJR 6 - MCBRIDE & REPRESENTATIVE QUILLEN & SENATORS VAUGHN, VENABLES, DELUCA & SIMPSON & REPRESENTATIVES DIPINTO, D. ENNIS, MULROONEY & CAREY - Extending the Life of the Delaware River and Bay Oversight Committee for the Purpose of Studying and Considering Additional Matters, Including the Effect of the Regulation 24, Section 46 Control of VOC Emissions and the Establishment of a Permanent Delaware River and Bay Oversight Commission. (F/N)

SB 46 - SIMPSON & REPRESENTATIVE CAREY - An Act to Amend Title 30 of the Delaware Code Relating to Use Taxes. (F/N)

SB 45 - WINSLOW & REPRESENTATIVE CATHCART & SENATOR BONINI - An Act to Amend Title 29 of the Delaware Code Relating to Leave to Serve on Veteran Funeral Detail. (F/N)

SB 126 - MCDOWELL & REPRESENTATIVE D. ENNIS - An Act to Amend Title 16 of the Delaware Code Relating to County and Municipal Building, Plumbing, Electrical and Other Codes for Energy Conservation.

HR 18 - DILIBERTO - Conducting a Study Into the Benefits of Electronic Voting in the House of Representatives in Lieu of Roll Call Voting. (F/N)

SB 184 - MCBRIDE & REPRESENTATIVE QUILLEN & SENATORS ADAMS & DELUCA & REPRESENTATIVES CAREY, EWING & SCHROEDER - An Act to Amend Title 7 of the Delaware Code Relating to the Recycling of out of State Recyclable Materials at Delaware Solid Waste Authority Facilities. (F/N)

Representative Smith requested that **SB 126** be removed from **Consent Agenda H**.

The roll call on **Consent Agenda H** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **SB 176**, **SB 132**, **SB 150 w/SA 1**, **SJR 6**, **SB 46**, **SB 45** & **SB 184** were returned to the Senate & **HR 18** was declared passed.

Representatives Oberle, Gilligan, Smith, Quillen & DiLiberto made comments regarding **HR 18**.

The Majority Leader moved to recess at 6:30 p.m.

The House reconvened at 6:47 p.m. with Representative Oberle as Acting Speaker.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **SB 116**, sponsored by Senator Sharp & Representative Spence, before the House for consideration.

SB 116 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF SEX OFFENDERS.

Representative Spence brought **HA 1** to **SB 116** before the House for consideration. Representative Spence made comments. **HA 1** was adopted by voice vote. Representative Wagner made comments.

The roll call on **SB 116 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & West - 2.

Therefore, having received a constitutional majority, **SB 116 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Keeley.

Representative Keeley brought **HB 100**, jointly sponsored by Representative Oberle & Representative Maier & Senator Henry & Senator Blevins & Representatives Buckworth, Carey, Caulk, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Miro, Mulrooney, Plant, Price, Quillen, Reynolds, Roy, Schroeder, Scott, Spence, Stone, Valihura, VanSant, Viola, Wagner, West & Williams & Senators Bunting, Connor, DeLuca, Marshall, McDowell, Sokola, Sorenson, Still, Vaughn, Venables & Winslow, before the House for consideration.

HB 100 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE. (F/N)

Representative Oberle requested that **HA 1 to HB 100** be stricken. Representative Keeley requested that **HA 2 to HB 100** be stricken. Representative Keeley introduced and brought **HA 3 to HB 100**, jointly sponsored by Representative Oberle, before the House for consideration. Representatives Keeley & Oberle made comments. **HA 3** was adopted by voice vote.

The roll call on **HB 100 w/HA 3** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **HB 100 w/HA 3** was sent to the Senate for concurrence.

Representative Maier introduced guests.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought **SB 168 w/SA 2**, jointly sponsored by Senators Sokola, Cook, Simpson & Still & Representatives Gilligan & Viola, before the House for consideration.

SB 168 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS.

Representative Reynolds made comments.

The roll call on **SB 168 w/SA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **SB 168 w/SA 2** was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **SB 158**, jointly sponsored by Senators Sharp, Adams, Vaughn & Winslow & Representatives Valihura & DiLiberto, before the House for consideration.

SB 158 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IX, SECTION 3 OF THE CONSTITUTION OF THE STATE OF DELAWARE OF 1897, AS AMENDED, RELATING TO THE TYPES OF CONSIDERATION THAT MAY BE RECEIVED IN EXCHANGE FOR THE ISSUANCE OF STOCK. (2/3 bill)

Representative Wagner made comments.

The roll call on **SB 158** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 158** was returned to the Senate.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HB 249**, jointly sponsored by Senator Cook, before the House for consideration.

HB 249 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE CREATING A NEW SECTION, CHAPTER 20, ENTITLED RENTAL CAR INSURANCE LIMITED PRODUCER LICENSE ACT. (3/5 bill) (F/I)

Representative Stone introduced and brought **HA 1 to HB 249** before the House for consideration.
Representative Stone made comments. **HA 1** was adopted by voice vote. Representative Stone made comments.
The roll call on **HB 249 w/HA 1** was taken and revealed:
YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 249 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Price.

Representative Price moved to suspend the rules which interfere with action on **HB 309**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Price brought **HB 309**, jointly sponsored by Senator Sokola & Representatives Carey, Caulk, DiPinto, B. Ennis, D. Ennis, Ewing, Keeley, Miro, Plant, Reynolds, Scott & Spence & Senator Winslow, before the House for consideration.

HB 309 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO UNIT PROPERTIES.

Representatives Price & Wagner made comments.

The roll call on **HB 309** was taken and revealed:

YES: 27.

NO: Representatives Boulden, Caulk, Lavelle, Maier, Quillen, Smith, Stone, Ulbrich & Valihura - 9.

NOT VOTING: Representatives Cathcart, D. Ennis, VanSant & Viola - 4.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **HB 309** was sent to the Senate for concurrence.

Mr. Speaker Spence introduced a guest.

Representative Roy made an announcement.

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

HEALTH & HUMAN DEVELOPMENT: **HB 277** - 4M.

HOUSE ADMINISTRATION: **HB 260** - 4M; **HB 261** - 4M; **HB 264** - 4M

JUDICIARY: **HB 145** - 6M; **HB 275** - 6M; **HB 308** - 5M, 1U; **HB 313** - 1F, 5M.

LABOR: **HB 311** - 6M.

LAND USE AND INFRASTRUCTURE: **HB 96** - 7M, 1U; **SB 188** - 4M, 1U;

SB 222 w/SA 1 - 5M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HCR 21** - 2F, 2M.

PUBLIC SAFETY: **HB 289** - 5M; **HB 296** - 5M.

TELECOMMUNICATIONS, INTERNET & TECHNOLOGY: **HB 295** - 5M.

WATER QUALITY: **SB 212** - 4M.

The Majority Leader moved to recess to the call of the Chair at 7:36 p.m.

Mr. Acting Speaker Roy called the House to order at 2:10 p.m. on June 26, 2001.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 217, SB 186, SB 200, SB 227, SB 241, SB 224 w/SA 2 SB 210, SJR 5 w/SA 1 & 2, SB 235 w/SA 1** and requests the concurrence of the House; **HS 1 for HB 85, HB 226, HB 142 w/HA 1 & HB 303** and is returning same to the House.

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

The Majority Leader moved to adjourn at 2:13 p.m. thereby ending the current legislative day. The House reconvened at 2:14 p.m.

40th LEGISLATIVE DAY - 141ST GENERAL ASSEMBLY - FIRST SESSION

June 26, 2001

The Chief Clerk called the roll.

Members Present: 41

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

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

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

The following prefiled legislation was introduced:

HB 314 - OBERLE - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Health Care Insurance.

HB 315 - WAGNER; REPRESENTATIVE KEELEY - JUDICIARY - An Act to Amend Title 10, Delaware Code, to Provide for the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act.

HB 316 - SPENCE & REPRESENTATIVE EWING & REPRESENTATIVE STONE; REPRESENTATIVES SMITH, LEE, BUCKWORTH, CAREY, CATHCART, CAULK, DIPINTO, D. ENNIS, FALLON, HUDSON, LAVELLE, LOFINK, MAIER, MIRO, REYNOLDS, ROY, THORNBURG, ULBRICH, VALIHURA, DILIBERTO, B. ENNIS, GILLIGAN, HOUGHTON, KEELEY, MULROONEY, PRICE, SCHROEDER, SCOTT, VANSANT, VIOLA, WEST, WILLIAMS; SENATORS DELUCA, WINSLOW - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Financial Assistance for Higher Education.

HB 317 - SPENCE - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Education.

HA 1 to HB 283 - DIPINTO - Placed with the Bill.

HA 1 to HB 292 - WEST - Placed with the Bill.

HA 1 to HB 295 - OBERLE - Placed with the Bill.

SB 186 - HENRY & REPRESENTATIVE WILLIAMS; REPRESENTATIVES PLANT, KEELEY - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Establishing Freedom Trail Historical Monuments.

SB 200 - DELUCA & REPRESENTATIVE ULBRICH; SENATORS BUNTING, SOKOLA, SIMPSON, STILL; REPRESENTATIVES HUDSON, VALIHURA, DILIBERTO, KEELEY - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 4 of the Delaware Code Relating to the Alcoholic Beverage Control Commissioner.

SB 210 - VAUGHN & REPRESENTATIVE LEE - CORRECTIONS - An Act to Amend Titles 11 and 14 of the Delaware Code Relating to the Administration of Prison Education Programs.

SB 217 - SHARP & REPRESENTATIVE OBERLE - REVENUE & FINANCE - An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Lottery.

SB 224 w/SA 2 - BLEVINS & REPRESENTATIVE VANSANT; REPRESENTATIVE HOUGHTON - HOUSE ADMINISTRATION - An Act to Amend an Act Being Chapter 3, Volume 68, Laws of Delaware, as Amended Entitled "An Act to Re-Incorporate the Town of Elsmere". (2/3 bill)

SB 227 - COOK & REPRESENTATIVE WAGNER; SENATORS MARSHALL, SOKOLA, SIMPSON; REPRESENTATIVES D. ENNIS, B. ENNIS, PLANT, VANSANT, WILLIAMS - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Eligibility Lists.

SB 235 w/SA 1 - MCDOWELL & REPRESENTATIVE ROY - TELECOMMUNICATIONS INTERNET & TECHNOLOGY - An Act to Amend Titles 26, 29, and 30 of the Delaware Code Relating to Renewable Energy and the State Energy Office.

SB 241 - SOKOLA & REPRESENTATIVE WAGNER - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend the Delaware Code Relating to Professions and Occupations and Creating the Delaware Uniform Athlete Agents Act. (2/3 bill)

HA 1 to SB 192 - CATHCART - Placed with the Bill.

SJR 5 w/SA 1 & 2 - VENABLES; SENATORS BUNTING, BONINI, MARSHALL, SIMPSON, SOKOLA, VAUGHN, WINSLOW; REPRESENTATIVES KEELEY, PRICE, WEST - TELECOMMUNICATIONS, INTERNET

& TECHNOLOGY - Directing the Public Service Commission to Review and Analyze the State's Available Energy Supply and Potential Energy Needs and to Prepare a Report for the General Assembly Identifying Systemic Changes that May be Necessary and Suggesting Legislative Action that Can Address Those Changes.

Representative Smith deferred to Representative Thornburg. Representative Thornburg presented a House Tribute to Jodi Faust, State Homecoming Queen. Representative Thornburg requested and was granted privilege of the floor for Jodi Faust. Representative Smith made comments. Representative Smith requested and was granted personal privilege of the floor to introduce a guest. Representative Gilligan requested that he be marked present. Representative Gilligan requested and was granted personal privilege of the floor to make comments. Representative Reynolds made comments. Representative Wagner requested that she be marked present. Representative Wagner made comments. Representative Gilligan requested and was granted personal privilege of the floor to make comments. Representative DiLiberto requested and was granted personal privilege of the floor to introduce guests.

The Reading Clerk read the following communications into the record:

June 22, 2001

LEGISLATIVE ADVISORY #14

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/21/01 - **SB 106 aab SA 1, SB 109 aab SA 1, SB 155, SB 166, SB 169, HB 62, HB 101 aab SA 1, HB 188 aab SA 1, HB 191, HB 205 & HB 220.**

Representatives Mulrooney, West & Maier requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:25 p.m.

The House reconvened at 5:38 p.m. with Representative Oberle as Acting Speaker.

Representative Oberle requested that he be marked present. Representative Smith deferred to Representative Fallon. Representatives Fallon, DiPinto & Schroeder requested that they be marked present.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on **HB 350**. The motion was properly seconded and adopted by voice vote.

Representative DiPinto made comments.

Representative DiPinto introduced and brought **HB 350** jointly sponsored by Senator Vaughn & Representatives Buckworth, D. Ennis, Fallon, Brady & Houghton & Senators Cook, Henry, McBride, Cloutier & Winslow, before the House for consideration.

HB 350 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2002; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

Representative DiPinto moved to place **HB 350** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative DiPinto & Mr. Acting Speaker made comments.

Representatives Houghton, Williams, Cathcart, Spence, Buckworth, D. Ennis, Plant & Brady requested that they be marked present. Representative Smith requested and was granted privilege of the floor to present a gift to former Representative Charles W. Welch, IV, Common Pleas Court Judge. Representative D. Ennis made comments.

Representative Smith made an announcement regarding **SB 99**.

Representative Smith deferred to Representative Lofink. Representative Lofink made comments.

Representative Lofink brought **HB 263**, jointly sponsored by Representative Oberle & Senator Marshall, before the House for consideration.

HB 263 - AN ACT TO AMEND TITLES 18 AND 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION INSURANCE.

Representative Lofink introduced and brought **HA 1 to HB 263** before the House for consideration. Representative Lofink made a comment. **HA 1** was adopted by voice vote. Representative Lofink made comments. The roll call on **HB 263 w/HA 1** was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, **HB 263 w/HA 1** was sent to the Senate for concurrence. Representative Lofink brought **HB 262**, jointly sponsored by Representative Oberle & Senator Marshall, before the House for consideration.

HB 262 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION. (3/5 bill)

Representative Lofink brought **HA 1 to HB 262** before the House for consideration. Representative Lofink made a comment. **HA 1** was adopted by voice vote. Representative Lofink introduced and brought **HA 2 to HB 262** before the House for consideration. Representative Lofink made a comment. **HA 2** was adopted by voice vote. Representative Lofink made comments.

The roll call on **HB 262 w/HA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 262 w/HA 1 & 2** was sent to the Senate for concurrence.

Mr. Acting Speaker introduced a guest.

Representative Smith deferred to Representative West. Representative West requested and was granted personal privilege of the floor to make comments regarding **HJR 14**. Representative West requested that **HJR 14** be stricken.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto brought **HB 283**, jointly sponsored by Senator Adams, before the House for consideration.

HB 283 - AN ACT TO AMEND CHAPTERS 100 AND 101 OF TITLE 16 OF THE DELAWARE CODE TO PROVIDE FOR STATE PLANS FOR THE IMPLEMENTATION OF WIRELESS E-911 SERVICE AND AN INTEGRATED WIRELINE AND WIRELESS E-911 SYSTEM AND FOR THE FUNDING THEREOF. (3/5 bill)

Representative DiPinto brought **HA 1 to HB 283** before the House for consideration. Representative DiPinto made comments. **HA 1** was adopted by voice vote. Representatives DiPinto & B. Ennis made comments. Representative DiPinto requested and was granted privilege of the floor for Michael Strine, Executive Assistant, Office of the Secretary, Department of Finance. Representative B. Ennis made comments.

The roll call on **HB 283 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 283 w/HA 1** was sent to the Senate for concurrence.

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

EDUCATION: **HCR 19** - 6M.

PUBLIC SAFETY: **HB 294** - 5M.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 242**, jointly sponsored by Representatives Carey, Ewing & Williams & Senators Adams & McDowell, before the House for consideration.

HB 242 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FINES, COSTS, PENALTIES AND FORFEITURES. (2/3 bill)

Representative Oberle introduced and brought **HA 1 to HB 242** before the House for consideration. Representative Oberle made comments. **HA 1** was adopted by voice vote. Representative Oberle introduced and brought **HA 2 to HB 242** before the House for consideration. Representative Oberle made comments. **HA 2** was adopted by voice vote.

Representatives Oberle, Maier, DiPinto, Maier, Oberle & Williams made comments.

The roll call on **HB 242 w/HA 1 & 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 242 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Smith brought **Consent Agenda I**, which requires a three-fourths vote, before the House for consideration.

SB 222 w/SA 1 - VAUGHN & SENATORS HENRY, MCBRIDE & CONNOR & REPRESENTATIVES LOFINK, REYNOLDS, SMITH, SPENCE, HOUGHTON & MULROONEY - An Act Relating to Permitting the Colonial School District to Convey to New Castle County the Building at 3601 North DuPont Highway, New Castle, Delaware and to Convey to Delaware City the Building at 5th and Bayard Streets, Delaware City, Delaware. (F/N) (3/4 bill)

HB 293 - WEST & REPRESENTATIVES BRADY, CARY, CAULK, B. ENNIS, EWING, FALLON, HOUGHTON, MULROONEY, PLANT, PRICE, QUILLEN, SCHROEDER, SCOTT, SMITH & WILLIAMS & SENATORS BUNTING & VENABLES - An Act to Incorporate the Town of Gumboro. (2/3 bill)

SB 183 w/SA 1 - MARSHALL & REPRESENTATIVE DIPINTO & SENATORS BLEVINS, HENRY, MCBRIDE, MCDOWELL, SHARP & WINSLOW & REPRESENTATIVES CATHCART, D. ENNIS, VALIHURA & REYNOLDS - An Act to Amend Chapter 91 of Title 7 of the Delaware Code to Define Brownfield and to Authorize the Secretary of the Department of Natural Resources and Environmental Control to Certify Real Property as a Brownfield, to Amend Subchapter 1-B, Chapter 50, Title 29 of the Delaware Code to Authorize the Delaware Economic Development Authority to Make Grants from the Delaware Strategic Fund to Defray a Part of the Costs for the Environmental Assessment and Remediation of Brownfields, and to Amend Section 2010 of Title 30 of the Delaware Code to Conform the Definition of Brownfield to the Definition Set Forth in Chapter 91 of Title 7 of the Delaware Code. (3/4 bill)

HB 260 - STONE & REPRESENTATIVE WAGNER & SENATOR STILL - An Act to Amend Section 49, Chapter 158, Volume 36, Laws of Delaware, as Amended, being the Charter of the City of Dover, Relating to the Duration of Tax Liens. (2/3 bill)

HB 261 - STONE & REPRESENTATIVE WAGNER & SENATOR STILL - An Act to Amend Section 47, Chapter 158, Volume 36, Laws of Delaware, Being the Charter of the City of Dover, Relating to Ordinances. (2/3 bill)

The roll call on **Consent Agenda I** was taken and revealed:

YES: 41

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 293, HB 260 & HB 261** were sent to the Senate for concurrence & **SB 222 w/SA 1 & SB 183 w/SA 1** were returned to the Senate.

Representative Smith brought **Consent Agenda J** before the House for consideration.

SB 123 - MCBRIDE & REPRESENTATIVE QUILLEN & SENATORS VENABLES & SIMPSON & REPRESENTATIVES CAREY, MULROONEY, PRICE & WEST - An Act to Amend Title 7 of the Delaware Code Relating to Food Fishing Licenses and Food Fishing Equipment Permits.

HJR 12 - CAULK & SENATOR BUNTING & REPRESENTATIVES CAREY, PRICE, QUILLEN, SCHROEDER, THORNBURG & WEST & SENATORS ADAMS, COOK, SIMPSON, STILL & VENABLES - Reconstituting the Task Force for the Future of Delaware Agriculture.

HCR 18 - OBERLE & REPRESENTATIVES CATHCART, MAIER & VIOLA & SENATORS CONNOR & SOKOLA - Directing the Department of Education to Conduct a Comprehensive Study of Educational Support Employee Salaries in Delaware Schools and to Report Same to the General Assembly

SB 110 w/SA 3 & 4 - HENRY & REPRESENTATIVE HUDSON & SENATORS BLEVINS, MARSHALL, MCDOWELL & SOKOLA & REPRESENTATIVES KEELEY, ULBRICH, WAGNER & WILLIAMS - An Act to Amend Title 11 of the Delaware Code Relating to Gun Checks for Convicted Felons.

HB 278 - MAIER & SENATOR CLOUTIER & REPRESENTATIVES DIPINTO, MIRO & STONE & SENATORS AMICK, HENRY & WINSLOW - Amend Title 24 of the Delaware Code Relating to Nursing and the Pronouncement of Death.

SB 151 - DELUCA & REPRESENTATIVE ULBRICH & SENATORS BUNTING, SOKOLA, SIMPSON & STILL & REPRESENTATIVES HUDSON, VALIHURA, DILIBERTO & KEELEY - An Act to Amend Chapter 14, Title 24, of the Delaware Code Relating to the Board of Electrical Examiners.

The roll call on **Consent Agenda J** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HJR 12**, **HCR 18** & **HB 278** were sent to the Senate for concurrence & **SB 123**, **SB 110 w/SA 3 & 4** & **SB 151** were returned to the Senate.

Representative Smith brought **Consent Agenda K**, which requires a two-thirds vote, before the House for consideration.

SB 160 - WINSLOW & REPRESENTATIVE SCOTT - An Act to Amend Title 29 of the Delaware Code Relating to Receiving Service and Disability Pensions.

SB 198 - DELUCA & REPRESENTATIVE ULBRICH & SENATORS BUNTING, SOKOLA, SIMPSON & STILL & REPRESENTATIVES HUDSON, VALIHURA, DILIBERTO & KEELEY - An Act to Amend Title 4 of the Delaware Code Relating to Appeals from Decisions of the Alcoholic Beverage Control Commissioner.

SB 199 - DELUCA & REPRESENTATIVE ULBRICH & SENATORS BUNTING, SOKOLA, SIMPSON & STILL & REPRESENTATIVES HUDSON, VALIHURA, DILIBERTO & KEELEY - An Act to Amend Title 4 of the Delaware Code Relating to Bonding of the Employees of Alcoholic Beverage Control.

HCR 21 - DIPINTO & SENATOR COOK - Extending the Library Task Force Reporting Date.

HB 313 - SCHROEDER & REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, CAREY, CATHCART, CAULK, B. ENNIS, D. ENNIS, EWING, HOUGHTON, KEELEY, MAIER, MULROONEY, REYNOLDS, VANSANT & VIOLA & SENATORS BUNTING, SIMPSON & VENABLES - An Act to Amend Title 11 of the Delaware Code Relating to Cruelty to Animals. (2/3 bill)

SB 192 w/SA 1 - BLEVINS & REPRESENTATIVE ULBRICH & SENATORS BONINI, BUNTING, CONNOR, HENRY, SOKOLA & WINSLOW & REPRESENTATIVES B. ENNIS, GILLIGAN, HUDSON, KEELEY, MAIER, MIRO, VIOLA & WILLIAMS - An Act to Amend Title 16 of the Delaware Code Regarding Notification of Drinking Water Contaminants and the Establishment of the Safe Drinking Water Information System. (2/3 bill)

At the request of Representative Smith, **SB 160** and **SB 192 w/SA 1** were removed from **Consent Agenda K**.

The roll call on **Consent Agenda K** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HCR 21** & **HB 313** were sent to the Senate for concurrence & **SB 198** & **SB 199** were returned to the Senate.

Representative Smith brought **SB 160**, sponsored by Senator Winslow & Representative Scott, before the House for consideration.

SB 160 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO RECEIVING SERVICE AND DISABILITY PENSIONS.

Representative Smith moved to place **SB 160** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought **SB 192 w/SA 1**, sponsored by Senator Blevins & Representative Ulbrich & Senators Bonini, Bunting, Connor, Henry, Sokola & Winslow & Representatives B. Ennis, Gilligan, Hudson, Keeley, Maier, Miro, Viola & Williams, before the House for consideration.

SB 192 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE REGARDING NOTIFICATION OF DRINKING WATER CONTAMINANTS AND THE ESTABLISHMENT OF THE SAFE DRINKING WATER INFORMATION SYSTEM. (2/3 bill)

Representative Cathcart moved to place **SB 192 w/SA 1** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

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

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda L**. The motion was properly seconded and adopted by voice vote.

Representative Smith brought **Consent Agenda L** before the House for consideration.

HB 264 - SCHROEDER; REPRESENTATIVE GILLIGAN; SENATORS BUNTING & SIMPSON - An Act Authorizing the Conveyance of the State of Delaware's Interest, if Any in Certain Lands Located in Sussex County, Delaware

HB 277 - MAIER & SENATOR CLOUTIER & REPRESENTATIVES DIPINTO, MIRO & STONE & SENATORS AMICK, HENRY & WINSLOW - An Act to Amend Title 16 of the Delaware Code Relating to the Employment of Resident Attendants.

HB 311 - ROY & SENATORS VAUGHN & DELUCA - An Act to Amend Chapter 58, Title 29 of the Delaware Code Relating to the Conduct of Officers and Employees of the State.

SB 58 - BUNTING - An Act to Amend Title 3 of the Delaware Code Relating to Licensing of Dealers in Agricultural Products.

SB 217 - SHARP & REPRESENTATIVE OBERLE - An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Lottery.

SB 212 - ADAMS & REPRESENTATIVES FALLON, BUCKWORTH, CAREY, CATHCART, D. ENNIS, HUDSON, LEE, LOFINK, MAIER, MIRO, QUILLEN, ROY, SMITH, SPENCE, STONE, ULBRICH, B. ENNIS, GILLIGAN, HOUGHTON, MULROONEY, PRICE, SCHROEDER, SCOTT & VIOLA & SENATORS BLEVINS & SOKOLA - An Act to Amend Title 26 of the Delaware Code Relating to Distribution System Improvement Charges by Regulated Water Utilities.

Representative Smith requested that **SB 58** be removed from **Consent Agenda L**.

The roll call on **Consent Agenda L** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 264**, **HB 277** & **HB 311** were sent to the Senate for concurrence & **SB 217** & **SB 212** were returned to the Senate.

Representative Smith brought **SB 58**, sponsored by Senator Bunting, before the House for consideration.

SB 58 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO LICENSING OF DEALERS IN AGRICULTURAL PRODUCTS.

Representative Smith made comments.

The roll call on **SB 58** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 58** was returned to the Senate.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart moved to lift **SB 192 w/SA 1** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **SB 192 w/SA 1**, sponsored by Senator Blevins & Representative Ulbrich & Senators Bonini, Bunting, Connor, Henry, Sokola & Winslow & Representatives B. Ennis, Gilligan, Hudson, Keeley, Maier, Miro, Viola & Williams, before the House for consideration.

SB 192 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE REGARDING NOTIFICATION OF DRINKING WATER CONTAMINANTS AND THE ESTABLISHMENT OF THE SAFE DRINKING WATER INFORMATION SYSTEM. (2/3 bill)

Representative Cathcart brought **HA 1 to SB 192** before the House for consideration. Representative Cathcart made comments. **HA 1** was adopted by voice vote. Representatives Cathcart & B. Ennis made comments.

The roll call on **SB 192 w/SA 1 & HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 192 w/SA 1 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Smith deferred to Representative Maier.

Representative Maier brought **SB 181 w/SA 1**, jointly sponsored by Senators Blevins, Cook, Bonini, Bunting, Cloutier, Connor, DeLuca, Henry, Marshall, McDowell, Simpson, Sokola, Sorenson, Venables & Winslow & Representatives DiLiberto, DiPinto, Ewing, Hudson, Price, Viola, Wagner & West, before the House for consideration.

SB 181 - AN ACT TO AMEND TITLES 16 AND 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE. (F/N)

Representatives Maier & Schroeder made comments.

The roll call on **SB 181 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 181 w/SA 1** was returned to the Senate.

The Majority Leader moved to recess for dinner at 7:04 p.m.

The House reconvened at 7:59 p.m. with Representative Oberle as Acting Speaker.

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

HOUSE ADMINISTRATION: **SB 117 w/SA 1** - 3M; **SB 211** - 3M.

LABOR: **HB 302** - 6M; **SB 174** - 6M;

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 271** - 5M; **HB 301** - 5M; **SB 200** - 1F, 4M; **SB 230 w/SA 1** - 5M; **SB 241** - 5M.

Mr. Acting Speaker assigned **HB 296** to the Appropriations Committee.

Representative Smith deferred to Representative Caulk.

Representative Caulk introduced **HB 320** jointly sponsored by Senator Bunting & Representatives Carey, B. Ennis, Ewing, Lee, Price, Quillen, Schroeder, Thornburg & West & Senators Adams, Cook, Simpson, Still & Venables

HB 320 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO WATER ALLOCATION PERMITS.

Mr. Acting Speaker assigned **HB 320** to the Natural Resources & Environmental Management Committee.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought **SB 201**, jointly sponsored by Senators DeLuca, Bunting, Sokola, Simpson & Still & Representatives Hudson, Valihura, DiLiberto, Keeley & Price, before the House for consideration.

SB 201 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOL LICENSES.

Representative Ulbrich introduced and brought **HA 1 to SB 201** before the House for consideration.

Representative Ulbrich made a comment. **HA 1** was adopted by voice vote. Representatives Ulbrich, Scott, Smith & Ulbrich made comments.

The roll call on **SB 201 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 201 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Smith deferred to Representative Quillen.

Representative Quillen brought **SB 185 w/SA 1**, jointly sponsored by Senator McBride, before the House for consideration.

SB 185 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO OYSTERS. (2/3 bill) (F/I)

The Majority Leader moved to recess for caucus at 8:10 p.m.

The House reconvened at 8:17 p.m.

Mr. Speaker Spence resumed the Chair.

Representative Quillen deferred to Representative B. Ennis. Representative B. Ennis introduced and brought **HA 1 to SB 185**, jointly sponsored by Representatives Caulk & Quillen, before the House for consideration. Representatives B. Ennis & Quillen made comments. **HA 1** was adopted by voice vote. Representative Quillen made comments.

The roll call on **SB 185 w/SA 1 & HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 185 w/SA 1 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **SB 152 w/SA 1**, jointly sponsored by Senators Winslow, Adams, Blevins, Bunting, Cloutier, Connor, DeLuca, Sharp, Simpson, Sokola & Vaughn & Representatives Thornburg, Valihura & Williams, before the House for consideration.

SB 152 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO DNA.

Representatives Wagner, Oberle, VanSant, Wagner, DiPinto & Oberle made comments.

Representative Wagner moved to place **SB 152 w/SA 1** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **HB 308**, jointly sponsored by Senator Marshall, before the House for consideration.

HB 308 - AN ACT TO AMEND TITLE 10, DELAWARE CODE RELATING TO INCREASING VARIOUS JUSTICE OF THE PEACE COURT COSTS. (3/5 bill)

Representative Hudson made a comment.

The roll call on **HB 308** was taken and revealed:

YES: 39.

ABSENT: Representatives Carey & Quillen - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 308** was sent to the Senate for concurrence.

Representative Cathcart introduced **HB 325**, jointly sponsored by Representative Lee.

HB 325 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ARREST AND COMMITMENT.

Mr. Speaker Spence assigned **HB 325** to the Public Safety Committee.

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

TELECOMMUNICATIONS, INTERNET & TECHNOLOGY: **SB 235 w/SA 1** - 5M.

HEALTH & HUMAN DEVELOPMENT: **SS 1 for SB 53** - 4M; **HB 291** - 4M.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought **HB 153**, jointly sponsored by Representatives Boulden, Brady, Buckworth, Carey, Caulk, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Hudson, Keeley, Lee, Lofink, Maier, Miro, Plant, Price, Quillen, Reynolds, Roy, Schroeder, Spence, Stone, Thornburg, Ulbrich, Valihura, VanSant, Viola, Wagner, West & Williams & Senators Bonini, Cloutier, Connor, Simpson, Sokola & Sorenson, before the House for consideration.

HB 153 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY AGRICULTURAL LAND PRESERVATION.

Representative Cathcart deferred to Representative Caulk. Representative Oberle rose on a point of order. Mr. Speaker concurred. Representative Caulk moved to suspend the rules which interfere with introduction of and action on **HA 2 to HB 153**. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Caulk introduced and brought **HA 2 to HB 153**, jointly sponsored by Representative Carey & Representative Quillen & Representative Thornburg & Representative Price & Representative Schroeder & Representative West, on behalf of All Representatives, before the House for consideration. Representatives Caulk & Ewing made comments. **HA 2** was adopted by voice vote.

Representative Cathcart moved to place **HB 153 w/HA 2** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

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

BUSINESS/CORPORATIONS/COMMERCE: **SS 1 for SB 92** - 4F, 3M.

The Majority Leader moved to recess to the call of the Chair at 8:45 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:16 p.m. on June 27, 2001.

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

41st LEGISLATIVE DAY - 141ST GENERAL ASSEMBLY - FIRST SESSION

June 27, 2001

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Viola - 1.

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

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

The following prefiled legislation was introduced:

HB 318 - SPENCE - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

HB 319 - EWING - HOUSE ADMINISTRATION - An Act to Amend Title 13 of the Delaware Code Related to Marriage.

HB 321 - KEELEY; REPRESENTATIVES DIPINTO, HOUGHTON, PLANT, SCOTT, WILLIAMS; SENATORS HENRY, MARSHALL, MCDOWELL - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Wilmington, Pursuant to 22 Del. C., Section 811, Relating to Personnel. (2/3 bill)

HB 323 - OBERLE & SENATOR DELUCA; REPRESENTATIVES BUCKWORTH, CATHCART, D. ENNIS, SPENCE, MAIER, MIRO, REYNOLDS, ULBRICH, GILLIGAN, VANSANT, BRADY, DILIBERTO, B. ENNIS, KEELEY, MULROONEY, PLANT, PRICE, SCHROEDER, VIOLA, WEST; SENATORS CONNOR, SIMPSON, STILL, WINSLOW, MCDOWELL, BLEVINS, SOKOLA - EDUCATION - An Act to Amend Chapter 40, Title 14 of the Delaware Code Relating to the Public School Employment Relations Act.

HB 324 - LOFINK & SENATOR MCBRIDE; REPRESENTATIVES SPENCE, BUCKWORTH, EWING, OBERLE, GILLIGAN, VIOLA - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to State Procurement.

HB 326 - SMITH & REPRESENTATIVE BRADY & SENATOR CLOUTIER - TELECOMMUNICATIONS, INTERNET & TECHNOLOGY - An Act to Amend Title 26 of the Delaware Code Relating to Electric Utility Restructuring.

SB 179 - COOK & REPRESENTATIVE WAGNER - JUDICIARY - An Act to Amend Titles 10 and 11 of the Delaware Code Relating to Subpoenas and Warrants in Criminal and Delinquency Cases. (2/3 bill)

SB 202 - BLEVINS & REPRESENTATIVE ULBRICH & REPRESENTATIVE MAIER; SENATORS HENRY, MARSHALL, SOKOLA; REPRESENTATIVES BRADY, BUCKWORTH, B. ENNIS, EWING, GILLIGAN, HUDSON, KEELEY, MIRO, PRICE, SCHROEDER, SCOTT, SPENCE, VIOLA, WEST - SUBSTANCE ABUSE - An Act to Amend Title 16, Chapters 22 and 48, Delaware Code Relating to Substance Abuse. (2/3 bill)

SB 209 - BUNTING; REPRESENTATIVE PRICE - HOUSE ADMINISTRATION - An Act to Amend an Act Entitled; "An Act to Re-incorporate the Town of Bethany Beach", as Amended, Relating to the Town Manager and Chief of Police. (2/3 bill)

SS 1 to SB 215 w/SA 1 & 2 - MCBRIDE & REPRESENTATIVE ROY; SENATORS BLEVINS, HENRY, MCDOWELL, SOKOLA, VAUGHN, CLOUTIER, WINSLOW; REPRESENTATIVES CAREY, CATHCART, DIPINTO, FALLON, HUDSON, LOFINK, OBERLE, WAGNER, GILLIGAN, PRICE, SCHROEDER, VIOLA - TELECOMMUNICATIONS, INTERNET & TECHNOLOGY - An Act to Amend Title 29 of the Delaware Code by Establishing a New Chapter 90c Creating the Department of Technology and information and Defining the Functions of the Chief Information Officer of the State.

SB 238 - BUNTING; SENATOR BLEVINS; REPRESENTATIVES MAIER, SCHROEDER - HEALTH & HUMAN DEVELOPMENT - An Act Authorizing and Directing the Board of Nursing to Waive for Shirley M. Sanders the Requirement that She be a Graduate of and Hold a Certificate from a State Board of Nursing Approved Practical Nursing Education Program.

SB 239 w/SA 1 - HENRY & REPRESENTATIVE MAIER; SENATORS BLEVINS, COOK, MCDOWELL, SOKOLA, AMICK, BONINI, CLOUTIER, CONNOR, SIMPSON, SORENSON, WINSLOW; REPRESENTATIVES HUDSON, KEELEY, PLANT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to the Kinship Care Program.

SB 243 - MARSHALL & SENATOR VENABLES; REPRESENTATIVES OBERLE, LOFINK; SENATORS ADAMS, BLEVINS, BUNTING, COOK, DELUCA, HENRY, MCBRIDE, MCDOWELL, SHARP, SOKOLA, VAUGHN, AMICK, BONINI, CLOUTIER, CONNOR, SIMPSON, SORENSON, STILL, WINSLOW - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Unemployment Compensation.

HA 1 to SB 160 - WILLIAMS - Placed with the Bill.

SCR 20 - SORENSON & SENATOR BLEVINS & REPRESENTATIVE MAIER; SENATORS BONINI, CLOUTIER, CONNOR, HENRY, MCDOWELL, SOKOLA, WINSLOW; REPRESENTATIVES BUCKWORTH, CAREY, CATHCART, B. ENNIS, FALLON, KEELEY, LOFINK, PRICE, STONE, THORNBURG, ULBRICH, VALIHURA, WAGNER, WEST - HEALTH & HUMAN DEVELOPMENT - Requesting the Department of Health and Social Services to Include in the State Plan for Medical Assistance a Provision for Payment of Medical Assistance, Pursuant to the Federal Breast And Cervical Cancer Treatment Act of 2000.

Representative Gilligan requested and was granted personal privilege of the floor to make an announcement. The House observed a moment of silence to remember Representative John J. Viola's mother at the request of Representative Gilligan. Representative Buckworth requested and was granted privilege of the floor to present a House Tribute to Frederick R. Donkin. Representative Smith deferred to Representative Wagner. Representatives Keeley & West requested that they be marked present.

Representative Wagner introduced and brought **HCR 23**, jointly sponsored by Representative D. Ennis, & Senator McDowell & Representatives Lee, Boulden, Carey, Ewing, Fallon, Lofink, Quillen, Roy, Thornburg & Valihura, before the House for consideration.

HCR 23 - COMMENDING AND SUPPORTING THE WILMINGTON TROLLEY PROJECT.

Representative Wagner made comments.

HCR 23 was adopted by voice vote and was sent to the Senate for concurrence.

Representatives Lavelle & Ulbrich requested and were granted personal privilege of the floor to introduce guests.

The Majority Leader moved to recess for caucus at 2:29 p.m.

The House reconvened at 4:12 p.m. with Representative Roy as Acting Speaker.

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

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 320** - 1F, 3M.

TELECOMMUNICATIONS, INTERNET & TECHNOLOGY: **SS 1 for SB 215 w/SA 1 & 2** - 4M.

Representative Smith introduced **HB 329**, jointly sponsored by Senator DeLuca & Representative Ulbrich.

HB 329 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS AND OFF-SITE CATERERS. (3/5 bill)

Mr. Acting Speaker assigned **HB 329** to the House Administration Committee.

Representative Valihura requested that he be marked present.

Representative Smith deferred to Representative Caulk.

Representative Caulk moved to suspend the rules which interfere with introduction of and action on **HJR 18**.

The motion was seconded by Representative Smith and adopted by voice vote.

Representative Caulk introduced and brought **HJR 18**, sponsored on behalf of All Representatives & jointly sponsored by Senator Bunting on behalf of All Senators, before the House for consideration.

HJR 18 - CREATING A TASK FORCE TO STUDY CONTINUING REVENUE SOURCES FOR FARMLAND AND OPEN SPACE PRESERVATION IN DELAWARE.

Representative Caulk made comments.

The roll call on **HJR 18** was taken and revealed:

YES: 39.

ABSENT: Representatives Viola & Williams - 2.

Therefore, having received a constitutional majority, **HJR 18** was sent to the Senate for concurrence.

Representatives Brady, D. Ennis, Maier, Miro, Schroeder, Scott, Stone, Plant, Spence & Cathcart requested that they be marked present during the roll call.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis brought **HB 281**, jointly sponsored by Representative B. Ennis & Senator Cook & Senator Marshall & Representatives Wagner, Plant, VanSant & Williams & Senator Sokola, before the House for consideration.

HB 281 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE CREATION OF A STATEWIDE LABOR MANAGEMENT COMMITTEE AND MERIT ADVISORY COUNCIL.

Representative D. Ennis brought **HA 1 to HB 281** before the House for consideration. Representative D. Ennis made a comment. **HA 1** was adopted by voice vote. Representative D. Ennis introduced and brought **HA 2 to HB 281** before the House for consideration. Representative D. Ennis made comments. **HA 2** was adopted by voice vote.

Representative D. Ennis made comments. Representative D. Ennis deferred to Representative B. Ennis.

Representative B. Ennis made comments.

The roll call on **HB 281 w/HA 1 & 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Viola & West - 2.

Therefore, having received a constitutional majority, **HB 281 w/HA 1 & 2** was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Cathcart.

Representative Cathcart moved to lift **HB 153 w/HA 2** from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Cathcart brought **HB 153 w/HA 2**, jointly sponsored by Representatives Boulden, Brady, Buckworth, Carey, Caulk, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Hudson, Keeley, Lee, Lofink, Maier, Miro, Plant, Price, Quillen, Reynolds, Roy, Schroeder, Spence, Stone, Thornburg, Ulbrich, Valihura, VanSant, Viola, Wagner, West & Williams & Senators Bonini, Cloutier, Connor, Simpson, Sokola & Sorenson, before the House for consideration.

HB 153 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY AGRICULTURAL LAND PRESERVATION.

Representative Cathcart made a comment. Representative Cathcart deferred to Representative Caulk. Representative Caulk introduced and brought **HA 3 to HB 153** before the House for consideration. Representative Caulk requested that **HA 3** be stricken. Representative Caulk introduced and brought **HA 4 to HB 153** before the House for consideration. Representative Caulk made a comment. **HA 4** was adopted by voice vote. Representative Caulk moved to restore **HA 3 to HB 153**. The motion was seconded by Representative Cathcart and adopted by voice vote. Representative Caulk brought **HA 3** before the House for consideration. Representative Caulk made a comment. **HA 3** was adopted by voice vote. Representatives Cathcart, D. Ennis & West made comments.

Representative Smith moved to suspend any rules that interfere with proper enactment of **HB 153** as amended relating to improper presentation of amendments. The motion was seconded by Representative Lee and adopted by voice vote.

The roll call on **HB 153 w/HA 2, 4 & 3** was taken and revealed:

YES: 40.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority, **HB 153 w/HA 2, 4 & 3** was sent to the Senate for concurrence.

Representative Smith made an announcement regarding **SB 99**.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **SB 241**, jointly sponsored by Senator Sokola, before the House for consideration.

SB 241 - AN ACT TO AMEND THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS AND CREATING THE DELAWARE UNIFORM ATHLETE AGENTS ACT. (2/3 bill)

Representative Wagner made comments.

The roll call on **SB 241** was taken and revealed:

YES: 40.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 241** was returned to the Senate.

Representative Smith brought **Consent Agenda M**, which requires a two-thirds vote, before the House for consideration.

SB 211 - VAUGHN & REPRESENTATIVE CATHCART - An Act to Amend Chapter 141, Volume 68, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Odessa". (2/3 bill)

SB 117 w/SA 1 - BUNTING & REPRESENTATIVE SCHROEDER - An Act to Amend An Act Being Chapter 504, Volume 57, Laws of Delaware, as Amended, Entitled "An Act to Incorporate the Town of Henlopen Acres" to Clarify Qualifications of Voters in Municipal Elections. (2/3 bill)

HCR 19 - WAGNER & SENATOR SOKOLA - Requesting the Department of Education and the Professional Standards Board to Promulgate Regulations that Would Permit Fully Certified Teachers in a Secondary Content Area to Teach Occupational Vocational Courses.

Mr. Speaker Spence resumed the Chair

The roll call on **Consent Agenda M** was taken and revealed:

YES: 39.

ABSENT: Representatives Lee & Viola - 2.

Therefore having received a constitutional majority of at least two-thirds Members of the House. **SB 211 & SB 117 w/SA 1** were returned to the Senate & **HCR 19** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Roy.

Representative Roy brought **SB 189 w/SA 1**, jointly sponsored by Senator Adams & Representatives Ewing & West & Senators Cook, McDowell, Vaughn, Venables & Bonini & Representatives Buckworth, Boulden, Carey, Caulk, DiPinto, D. Ennis, Fallon, Hudson, Lee, Lofink, Maier, Oberle, Quillen, Smith, Stone, Thornburg, Brady, B. Ennis, Gilligan, Houghton, Keeley, Plant & VanSant, before the House for consideration.

SB 189 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE PUBLIC SERVICE COMMISSION AND COOPERATIVES.

Representative Valihura requested that **HA 1** be stricken. Representative Roy introduced and brought **HA 2 to SB 189** before the House for consideration. Representative Roy made comments.

Mr. Speaker Spence introduced a guest.

Representative Valihura requested and was granted privilege of the floor for Bruce Burcat, Executive Director, Public Service Commission. Representative Valihura made comments. **HA 2** was adopted by voice vote.

Representative Boulden moved to suspend the rules which interfere with introduction of and action on **HA 4 to SB 189**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Boulden introduced and brought **HA 4 to SB 189** before the House for consideration. Representatives Boulden, Ewing, B. Ennis, Quillen & Boulden made comments. **HA 4** was adopted by voice vote.

Representative Roy made comments.

The Reading Clerk read the following communication at the request of Representative West:

July 7, 2001 [sic]

Rep. Charles P. West

R.D. #3, Box 241

Millsboro, DE 19966

Dear Representative West:

I am writing to you concerning Senate Bill 189. As a customer of Delaware Electric Cooperative I am for this bill on the face of it. The concern I have is that by not being regulated, they will be permitted to extend into other business areas, (Exterminating, Alarms, Heating Oil, Propane, Etc.) They operate with many advantages over other businesses. As they are Federal Tax Exempt, they don't have to earn a profit and borrow money cheaply. With these advantages they should not be permitted to compete against other non-electrical related businesses.

Thank you for your consideration of keeping Delaware a pro-business state.

Sincerely,

Pep-Up, Inc.

William C. Pepper

President

Representatives West & Price made comments.

Representative Roy requested and was granted privilege of the floor for Paul Bienvenue, representing Delaware Electric Co-Operative. Representatives Price & DiLiberto made comments. Representative Price requested and was

granted privilege of the floor for Bruce Burcat, Executive Director, Public Service Commission. Representatives Price & Caulk made comments.

The roll call on **SB 189 w/SA 1 & HA 2 & 4** was taken and revealed:

YES: 33.

NO: Representatives DiLiberto, Mulrooney, Price, Scott, VanSant, West & Williams - 7.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority, **SB 189 w/SA 1 & HA 2 & 4** was returned to the Senate for concurrence on **HA 2 & 4**.

Mr. Speaker Spence introduced a guest.

Representative Smith made an announcement.

Representative Smith deferred to Representative Hudson.

Representative Hudson introduced and brought **HJR 17**, jointly sponsored by Representatives DiPinto & Gilligan & Senators Cook & Still, before the House for consideration.

HJR 17 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 2001.

Representative Hudson moved to suspend the rules which interfere with introduction of and action on **HJR 17**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Hudson made comments.

The roll call on **HJR 17** was taken and revealed:

YES: 40.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority, **HJR 17** was sent to the Senate for concurrence.

Mr. Speaker Spence & Representative D. Ennis made comments.

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

HEALTH & HUMAN DEVELOPMENT: **SB 144 w/SA 2** - 4M; **SB 223 w/SA 1** - 4M; **SB 238** - 4M.

HOUSE ADMINISTRATION: **HB 273** - 4M; **HB 319** - 4M; **HB 321** - 4M; **HB 329** - 4M; **SB 209** - 4M.

JUDICIARY: **SB 137 w/SA 1 & 2** - 6M; **SB 179** - 6M.

LABOR: **SB 227** - 5M.

PUBLIC SAFETY: **HB 325** - 6M; **SB 124** - 5M.

REVENUE & FINANCE: **SB 118** - 6M; **SB 182** - 6M.

Representative Hudson moved to suspend the rules which interfere with introduction of and action on **HJR 16**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Hudson introduced and brought **HJR 16**, jointly sponsored by Representatives DiPinto & Gilligan & Senators Cook & Still, before the House for consideration.

HJR 16 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 2002.

Representative Hudson made comments.

The roll call on **HJR 16** was taken and revealed:

YES: 40.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority, **HJR 16** was sent to the Senate for concurrence.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with lifting **HB 350** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto brought **HB 350**, jointly sponsored by Senator Vaughn & Representatives Buckworth, D. Ennis, Fallon, Brady & Houghton & Senators Cook, Henry, McBride, Cloutier & Winslow, before the House for consideration.

HB 350 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2002; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

Representative DiPinto made comments.

The roll call on **HB 350** was taken and revealed:

YES: 40.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority, **HB 350** was sent to the Senate for concurrence.

Mr. Speaker Spence & Representative DiPinto made comments. Mr. Speaker Spence introduced guests.

Representative Gilligan made comments.

Representative Smith deferred to Representative Price.

Representative Price moved to suspend the rules which would interfere with lifting **HB 61 w/HA 1 & SA 1 & 2** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Price brought **HB 61 w/HA 1 & SA 1 & 2**, jointly sponsored by Senator Bunting & Representative Lee & Representatives Boulden, Brady, Buckworth, Carey, Cathcart, Caulk, DiPinto, B. Ennis, Ewing, Fallon, Houghton, Keeley, Lavelle, Lofink, Mulrooney, Roy, Schroeder, Scott, Spence, Thornburg, Valihura, VanSant, Viola, Wagner & West & Senators Blevins, DeLuca, Henry, Marshall, McBride & Vaughn & cosponsored by Senators Cloutier & Connor, before the House for concurrence on **SA 1 & 2**.

HB 61 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE REGARDING EXEMPTIONS FROM CIVIL LIABILITY.

Representative Price made a comment.

The roll call on **HB 61 w/HA 1 & SA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority, **HB 61 w/HA 1 & SA 1 & 2** was sent to the Governor.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to suspend the rules which would interfere with lifting **SB 152 w/SA 1**. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Wagner brought **SB 152 w/SA 1**, jointly sponsored by Senators Winslow, Adams, Blevins, Bunting, Cloutier, Connor, DeLuca, Sharp, Simpson, Sokola & Vaughn & Representatives Thornburg, Valihura & Williams, before the House for consideration.

SB 152 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO DNA.

Representatives Wagner & Oberle made comments.

The roll call on **SB 152 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Hudson & Viola - 2.

Therefore, having received a constitutional majority, **SB 152 w/SA 1** was returned to the Senate.

Representative Smith made comments.

Representative Smith moved to restore **HB 350**. The motion was properly seconded and adopted by voice vote.

Representative Smith moved to rescind the roll call on **HB 350**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **HB 350**, sponsored by Senator Vaughn & Representative DiPinto & Representatives Buckworth, D. Ennis, Fallon, Brady & Houghton & Senators Cook, Henry, McBride, Cloutier & Winslow, before the House for consideration.

HB 350 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2002; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

Representative Smith deferred to Representative Roy. Representative Roy announced that he will not be voting on **HB 350** because of a possible conflict of interest.

The roll call on **HB 350** was taken and revealed:

YES: 39.

NOT VOTING: Representative Roy - 1.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority, **HB 350** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Caulk. Representative Caulk requested that **HB 282** be stricken.

Representative Caulk moved to suspend the rules which interfere with action on **HB 320**. The motion was properly seconded and adopted by voice vote.

Representative Caulk brought **HB 320**, jointly sponsored by Senator Bunting & Representatives Carey, B. Ennis, Ewing, Lee, Price, Quillen, Schroeder, Thornburg & West & Senators Adams, Cook, Simpson, Still & Venables, before the House for consideration.

HB 320 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO WATER ALLOCATION PERMITS.

Representative Caulk introduced and brought **HA 1 to HB 320** before the House for consideration. Representative Caulk made comments. **HA 1** was adopted by voice vote. Representative Caulk introduced and brought **HA 2 to HB 320** before the House for consideration. Representatives Caulk, Maier, Cathcart, Maier, Smith & Caulk made comments. **HA 2** was adopted by voice vote. Representative Caulk made comments.

The roll call on **HB 320 w/HA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority, **HB 320 w/HA 1 & 2** was sent to the Senate for concurrence.

Mr. Speaker Spence introduced a guest.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which would interfere with lifting **SB 160** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto brought **SB 160**, sponsored by Senator Winslow & Representative Scott, before the House for consideration.

SB 160 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO RECEIVING SERVICE DISABILITY PENSIONS.

Representatives Gilligan, VanSant, D. Ennis, Reynolds, Brady, Lofink, Wagner & Miro announced that they will not be voting on **SB 160** because of a possible conflict of interest. Representative Williams brought **HA 1 to SB 160** before the House for consideration. Representative Williams made a comment. **HA 1** was adopted by voice vote. Representative Smith deferred to Representative Cathcart. Representative Cathcart announced that he will not be voting on **SB 160** because of a possible conflict of interest. Representatives DiPinto & Scott made comments.

The roll call on **SB 160 w/HA 1** was taken and revealed:

YES: 30.

NOT VOTING: Representatives Brady, Cathcart, D. Ennis, Gilligan, Lofink, Miro, Reynolds, Wagner & VanSant - 9.

ABSENT: Representatives B. Ennis & Viola - 2.

Therefore, having received a constitutional majority, **SB 160 w/HA 1** was returned to the Senate for concurrence on HA 1.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HB 301**, jointly sponsored by Senator Venables, before the House for consideration.

HB 301 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO BREWERY-PUBS AND TAX ON ALCOHOLIC BEVERAGES. (3/5 bill)

Representatives Stone, Ulbrich, Valihura, DiLiberto & Stone made comments.

The roll call on **HB 301** was taken and revealed:

YES: 39.

ABSENT: Representatives B. Ennis & Viola - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 301** was sent to the Senate for concurrence.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representative Spence introduced and brought **HR 20**, jointly sponsored by Representative Smith & Representative Lee & Representative Gilligan & Representative VanSant on behalf of All Representatives, before the House for consideration.

HR 20 - HONORING REPRESENTATIVE BRUCE REYNOLDS UPON HIS RETIREMENT AS WILLIAM PENN'S HEAD FOOTBALL COACH.

WHEREAS, in 1974, Representative Bruce Reynolds was appointed to succeed his mentor and coach, Bill Cole Sr., as William Penn's Head Football Coach; and

WHEREAS, in short order Coach Reynolds developed New Castle's William Penn Colonials as one of the premiere high school football programs in the Eastern United States; and

WHEREAS, Coach Reynolds led the Colonials to seven State Championships (1982, 1983, 1987, 1991, 1992, 1995 and 1996), four second place finishes, and nine conference titles in his twenty-seven years as head coach; and

WHEREAS, Coach Reynolds' 218 high school varsity football coaching victories are the most in the history of the First State; and

WHEREAS, Coach Reynolds was named Delaware High School Football Coach of the Year in 1981 and 1995 and is considered to be a model for young coaches and is sought out by his peers for his wise advice and counsel; and

WHEREAS, the William Penn Football program has produced scores of Delaware All-State and All Blue Hen Conference players; and

WHEREAS, on Tuesday, May 22, 2001, Coach Bruce Reynolds announced his retirement as William Penn's Football Coach, turning the coaching reigns over to his former player and team captain Bill Cole Jr.

NOW, THEREFORE:

BE IT RESOLVED that the House of Representatives of the 141st General Assembly of the State of Delaware honors Representative Bruce Reynolds upon his coaching retirement at William Penn.

BE IT FURTHER RESOLVED that the members of the House of Representatives of the 141st General Assembly extend to Representative Reynolds our best wishes for his future and congratulate him on his outstanding teaching and coaching career.

BE IT FURTHER RESOLVED that suitably prepared copies of this Resolution be forwarded to Representative Bruce Reynolds, his father Reverend Brooks Reynolds, the Superintendent of Colonial School District and William Penn High School.

Representatives Spence & Gilligan made comments.

HR 20 was adopted by voice vote.

Representative Lee requested and was granted privilege of the floor to present a House Tribute to Representative Bruce C. Reynolds. Representatives Lee, Reynolds, DiPinto, Spence, D. Ennis, Lee & Reynolds made comments.

Representative Smith deferred to Representative Boulden.

Representative Boulden introduced **HB 331**, jointly sponsored by Representative Valihura & Senator McDowell & Representatives Brady, DiPinto, Ewing, Oberle & Roy & Senator Winslow.

HB 331 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE RULES OF THE ROAD. (2/3 bill)

Mr. Acting Speaker assigned **HB 331** to the Public Safety Committee.

Mr. Acting Speaker reassigned **HB 331** to the Transportation Committee.

Representative Smith deferred to Representative Keeley. Representative Keeley requested that **HB 297** be stricken.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence
Speaker of the House
FROM: John J. Viola
Representative - 26th District
DATE: June 27, 2001
RE: Absence from Session
Mr. Speaker,

Due to family illness, I will be absent from session today, June 27, 2001.

The Majority Leader moved to recess to the call of the Chair at 6:44 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:08 p.m. on June 28, 2001.

The Majority Leader moved to adjourn at 2:09 p.m. thereby ending the current legislative day. The House reconvened at 2:10 p.m.

42nd LEGISLATIVE DAY - 141ST GENERAL ASSEMBLY - FIRST SESSION

June 28, 2001

The Chief Clerk called the roll.

Members Present: 41.

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

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

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

The following prefiled legislation was introduced:

HS 1 for HB 39 - PRICE & SENATOR SHARP; SENATOR SIMPSON; REPRESENTATIVES BRADY, KEELEY, DILIBERTO, B. ENNIS, HOUGHTON, MULROONEY, SCHROEDER, VIOLA, WILLIAMS, WEST, VANSANT, MAIER; SENATORS HENRY, SOKOLA, SORENSON, CLOUTIER, STILL, CONNOR - LAND USE AND INFRASTRUCTURE - An Act to Amend Title 29 of the Delaware Code Relating to the Inland Bays Watershed.

HB 327 - VALIHURA & SENATOR BUNTING - HOUSING & COMMUNITY AFFAIRS - An Act Proposing an Amendment to Article III, Section 22, and Article IV of the Delaware Constitution of 1897 Relating to the Appointment of a Sheriff in Each County and the Powers and Duties of Said Sheriff. (2/3 bill)

HB 328 - STONE & REPRESENTATIVE THORNBURG & SENATOR SIMPSON; REPRESENTATIVES B. ENNIS, LAVELLE, QUILLEN, VALIHURA, WAGNER; SENATOR CLOUTIER - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to the Delaware Solid Waste Authority.

HB 332 - BRADY; REPRESENTATIVES BUCKWORTH, DILIBERTO, B. ENNIS, FALLON, HOUGHTON, KEELEY, MULROONEY, OBERLE, PLANT, PRICE, REYNOLDS, SCOTT, VANSANT, WILLIAMS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to the Statute of Limitations.

HA 1 to HB 296 - WAGNER - Placed with the Bill.

HA 2 to HB 296 - WAGNER - Placed with the Bill.

HR 22 - D. ENNIS & REPRESENTATIVE SMITH & REPRESENTATIVE BRADY - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - Directing the Delaware Economic Development Office to Work with the Residents of Northern Wilmington and Brandywine Hundred to Develop a Strategy for the Economic Revitalization of the Merchant's Square Shopping Center and Overall Economic Development Along the Delaware River.

HR 23 - MAIER - EDUCATION - Convening a Truancy Task Force to Evaluate Truancy Programs and Make Recommendations.

HR 24 - KEELEY & REPRESENTATIVE REYNOLDS - EDUCATION - Establishing a Task Force to Make Recommendations Relating to School District Codes of Conduct.

SB 114 w/SA 1 - BLEVINS & REPRESENTATIVE WAGNER - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Endangering the Welfare of Children.

SB 135 w/SA 5 - MARSHALL & REPRESENTATIVE DIPINTO & SENATOR BLEVINS & REPRESENTATIVE MAIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Residential Health Facilities and Certified Nursing Assistant Training.

SB 170 - VENABLES & REPRESENTATIVE MIRO; SENATORS BLEVINS, BUNTING, MCDOWELL, STILL; REPRESENTATIVES BRADY, PRICE, SMITH, SPENCE, VANSANT, WAGNER - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to School Bus Drivers.

SB 187 w/SA 1 - DELUCA & REPRESENTATIVE MIRO; SENATORS MCBRIDE, MCDOWELL, SOKOLA, CONNOR, WINSLOW; REPRESENTATIVES OBERLE, ROY, SPENCE, ULBRICH, B. ENNIS, GILLIGAN, KEELEY, WILLIAMS - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Civil and Administrative Penalties and Debris Disposal Area Remediation.

SB 244 - SHARP & SENATOR AMICK; REPRESENTATIVES SPENCE & GILLIGAN - HOUSE ADMINISTRATION - An Act to Amend Title 29, Chapter 8, Section 805 Relating to Reapportionment and Redistricting.

SB 246 - BLEVINS & REPRESENTATIVE HUDSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 31 of the Delaware Code Relating to the Delaware State Housing Authority.

SS 1 for SB 251 - COOK; SENATOR SIMPSON; REPRESENTATIVE QUILLEN - HOUSE ADMINISTRATION - An Act to Amend Chapter 115, Volume 69, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the City of Harrington" Relating to Elective Office. (2/3 bill)

SB 253 - COOK & REPRESENTATIVE OBERLE; SENATORS SOKOLA, WINSLOW; REPRESENTATIVE REYNOLDS - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to the Purchase of a Medical Leave of Absence in the State Employees' Pension Plan.

SB 254 - COOK & REPRESENTATIVE OBERLE; SENATORS SHARP, ADAMS, VAUGHN, WINSLOW; REPRESENTATIVES GILLIGAN, WAGNER - JUDICIARY - An Act to Amend Title 29, Delaware Code, Relating to Survivor Benefits in the Revised Judiciary Pension Plan.

HA 1 to SS 1 to SB 92 - SMITH - Placed with the Bill.

HA 2 to SS 1 to SB 92 - SMITH - Placed with the Bill.

HA 1 to SB 235 - ROY - Placed with the Bill.

SJR 8 - SOKOLA & REPRESENTATIVE STONE - REVENUE & FINANCE - Requiring the Secretary of Finance to Form a Committee for the Purpose of Improving Oversight and Making Recommendations Regarding Certain Retirement Benefits for Certain Educational Employees of the State.

Representative Lee requested that he be marked present. Mr. Acting Speaker introduced guests. Representatives Caulk & Hudson requested that they be marked present.

Representative Schroeder requested that **HB 137** be stricken.

Representative Smith introduced a guest. Representative Thornburg requested and was granted personal privilege of the floor to introduce a guest.

Representative Smith made comments regarding **HB 333 & HB 334**.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **HB 333**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith introduced and brought **HB 333**, jointly sponsored by Senator Venables & Representatives Spence, Gilligan, Lee, Boulden, Buckworth, Carey, Cathcart, DiPinto, Ewing, Fallon, Hudson, Lavelle, Lofink, Maier, Stone, Thornburg, Ulbrich, Valihura, Wagner, Brady, B. Ennis, Keeley, Plant & West & Senators Amick & Bonini, before the House for consideration.

HB 333 - AN ACT TO AMEND CHAPTER 69 OF TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCUREMENT.

Representative Smith moved to place **HB 333** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **HB 334**. The motion was seconded by Representative Lee and adopted by voice vote.

Representatives Viola, Mulrooney & Williams requested that they be marked present.

Representative Smith introduced and brought **HB 334**, jointly sponsored by Senator Venables & Representatives Spence, Gilligan, Lee, Boulden, Buckworth, Carey, Cathcart, DiPinto, Ewing, Hudson, Lavelle, Lofink, Maier, Stone, Thornburg, Ulbrich, Valihura, Wagner, Brady, B. Ennis, Keeley, Plant & West & Senators Amick & Bonini, before the House for consideration.

HB 334 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO CREATE AN OFFICE OF FAITH-BASED AND COMMUNITY INITIATIVES.

Representative Smith moved to place **HB 334** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith made comments. Representative Smith requested and was granted privilege of the floor for Dr. Stanley Carlson-Thies, Associate Director for Law and Policy in the White House Office of Faith Based and Community Initiatives. Representative Smith made comments.

Representative Smith moved to lift **HB 333** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith made comments.

Representative Smith brought **HB 333**, jointly sponsored by Senator Venables & Representatives Spence, Gilligan, Lee, Boulden, Buckworth, Carey, Cathcart, DiPinto, Ewing, Fallon, Hudson, Lavelle, Lofink, Maier, Stone, Thornburg, Ulbrich, Valihura, Wagner, Brady, B. Ennis, Keeley, Plant & West & Senators Amick & Bonini, before the House for consideration.

HB 333 - AN ACT TO AMEND CHAPTER 69 OF TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCUREMENT.

The roll call on **HB 333** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 333** was sent to the Senate for concurrence.

Representatives Brady, Buckworth, DiPinto, D. Ennis, Fallon, Houghton, Maier, Miro, Plant, Reynolds, Spence, Stone, Cathcart & Boulden requested that they be marked present during the roll call.

Representative Smith made comments regarding **HB 333**.

Representative Smith moved to lift **HB 334** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **HB 334**, jointly sponsored by Senator Venables & Representatives Spence, Gilligan, Lee, Boulden, Buckworth, Carey, Cathcart, DiPinto, Ewing, Hudson, Lavelle, Lofink, Maier, Stone, Thornburg, Ulbrich, Valihura, Wagner, Brady, B. Ennis, Keeley, Plant & West & Senators Amick & Bonini, before the House for consideration.

HB 334 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO CREATE AN OFFICE OF FAITH-BASED AND COMMUNITY INITIATIVES.

Representatives Smith, Gilligan & Smith made comments.

The roll call on **HB 334** was taken and revealed:

YES: 40.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority, **HB 334** was sent to the Senate for concurrence.

Representative Smith made comments.

Representative Smith requested and was granted privilege of the floor for Pam Price, Director of Research and Constituent Relations, and the 2001 Legislative Fellows. Representative Cathcart made comments. Representatives Cathcart & Boulden presented a House Tribute to Larry Haas. Representatives Hudson, Stone & Valihura made comments. Representative Hudson presented a House Tribute to Wui Ping Yap. Representatives Reynolds, Ulbrich & Maier made comments. Representative Reynolds presented a House Tribute to Susan Keene. Representatives Quillen & Caulk made comments. Representative Quillen presented a House Tribute to James Tobin. Mr. Acting Speaker, Representatives Reynolds, Cathcart, Roy & Gilligan made comments. Representatives Miro, Fallon & Smith made comments. Representative Miro presented a House Tribute to Christina Concilio. Representatives Wagner, Ewing & Lee made comments. Representative Wagner presented a House Tribute to Kimberly Reed. Representative Gilligan made comments. Representative Gilligan presented a House Tribute to Nicole Sappe. Representative Price made comments.

Pam Price introduced a guest. Mr. Acting Speaker, Representatives Smith, Lavelle, D. Ennis & DiLiberto made comments. Representative Smith introduced a guest. The House observed a moment of silence in memory of Representative John J. Viola's mother at the request of Representative Gilligan. Representative DiLiberto made comments.

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

APPROPRIATIONS: **HB 238** - 6M; **HB 296** - 6M.

LABOR: **SB 243** - 5M.

The Majority Leader moved to recess for caucus at 3:13 p.m.

The House reconvened at 5:20 p.m.

Representative Smith brought **Consent Agenda N**, which requires a two-thirds vote, before the House for consideration.

HB 321 - KEELEY & REPRESENTATIVES DIPINTO, HOUGHTON, PLANT, SCOTT & WILLIAMS & SENATORS HENRY, MARSHALL & MCDOWELL - An Act to Amend the Charter of Wilmington, Pursuant to 22 DEL.C., Section 811, Relating to Personnel. (2/3 bill)

SB 209 - BUNTING & REPRESENTATIVE PRICE - An Act to Amend an Act Entitled; "An Act to Re-Incorporate the Town of Bethany Beach", as Amended, Relating to the Town Manager and Chief of Police. (2/3 bill)

HB 319 - EWING - An Act to Amend Title 13 of the Delaware Code Related to Marriage.

SS 1 for SB 53 - HENRY & SENATOR SORENSON & REPRESENTATIVE HUDSON & SENATORS BLEVINS, COOK, MARSHALL, MCDOWELL, SOKOLA, CLOUTIER & CONNOR & REPRESENTATIVES FALLON, MAIER, STONE, ULBRICH, WAGNER, KEELEY, PLANT & PRICE - An Act to Amend Title 29 of the Delaware Code Creating an Office of Women's Health.

SB 230 w/SA 1 - COOK & REPRESENTATIVE CATHCART & SENATORS BUNTING & SIMPSON - An Act to Amend Titles 1, 14, 16, 29, and 20 of the Delaware Code Creating a New Division Within the Department of Administrative Services by Combining the Powers and Duties of the Division of Support Operations and the Division of Purchasing and Renaming the New Division "The Division of Support Services."

SB 223 w/SA 1 - BLEVINS & REPRESENTATIVE HUDSON - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Health Care Commission.

The roll call on **Consent Agenda N** was taken and revealed:

YES: 40.

ABSENT: Representative Viola – 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 321 & HB 319** were sent to the Senate for concurrence and **SB 209, SS 1 for SB 53, SB 230 w/SA 1 & SB 223 w/SA 1** were returned to the Senate.

Mr. Acting Speaker introduced guests.

Representative Smith deferred to Representative Lee. Representative Lee introduced guests.

Representative Lee brought **Consent Agenda O** before the House for consideration.

SB 200 - DELUCA & REPRESENTATIVE ULBRICH & SENATORS BUNTING, SOKOLA, SIMPSON & STILL & REPRESENTATIVES HUDSON, VALIHURA, DILIBERTO & KEELEY - An Act to Amend Title 4 of the Delaware Code Relating to the Alcoholic Beverage Control Commissioner.

HB 302 - B. ENNIS & REPRESENTATIVES D. ENNIS, BRADY, KEELEY, SPENCE, VANSANT & WAGNER - An Act to Amend Title 29 of the Delaware Code Relating to the Merit Employee Relations Board.

SB 227 - COOK & REPRESENTATIVE WAGNER & SENATORS MARSHALL, SOKOLA & SIMPSON & REPRESENTATIVES D. ENNIS, B. ENNIS, PLANT, VANSANT & WILLIAMS - An Act to Amend Title 29 of the Delaware Code Relating to Eligibility Lists.

HB 273 - SPENCE & REPRESENTATIVE GILLIGAN & SENATOR MCDOWELL, HENRY, MARSHALL, AMICK & SORENSON - An Act to Amend Volume 63, Laws of Delaware, Chapter 135, Relating to the Title of Property Known as 1300 West Seventh Street, Wilmington, Delaware.

The roll call on **Consent Agenda O** was taken and revealed:

YES: 40.

ABSENT: Representative Viola – 1.

Therefore, having received a constitutional majority, **SB 200 & SB 227** were returned to the Senate and **HB 302 & HB 273** were sent to the Senate for concurrence.

Representative Smith made an announcement.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 275**, jointly sponsored by Senator Blevins, before the House for consideration.

HB 275 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PROCEEDINGS IN THE FAMILY COURT OF THE STATE OF DELAWARE.

Representative Wagner made comments. Representative Wagner brought **HA 1 to HB 275** before the House for consideration. Representative Wagner made a comment. **HA 1** was adopted by voice vote.

The roll call on **HB 275 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority, **HB 275 w/HA 1** was sent to the Senate for concurrence. Representative Lavelle requested and was granted personal privilege of the floor to introduce guests. Representative Lee deferred to Representative Roy.

Mr. Speaker Spence resumed the Chair.

Representative Roy brought **SS 1 for SB 215 w/SA 1 & 2**, jointly sponsored by Senator McBride & Senators Blevins, Henry, McDowell, Sokola, Vaughn, Cloutier & Winslow & Representatives Carey, Cathcart, DiPinto, Fallon, Hudson, Lofink, Oberle, Wagner, Gilligan, Price, Schroeder & Viola, before the House for consideration.

SB 215 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE BY ESTABLISHING A NEW CHAPTER 90C CREATING THE DEPARTMENT OF TECHNOLOGY AND INFORMATION AND DEFINING THE FUNCTIONS OF THE CHIEF INFORMATION OFFICER OF THE STATE.

Representatives Roy, Wagner & D. Ennis made comments.

The roll call on **SS 1 to SB 215 w/SA 1 & 2** was taken and revealed:

YES: 36.

NO: Representatives B. Ennis, Quillen - 2.

ABSENT: Representatives DiPinto, Smith & Viola - 3.

Therefore, having received a constitutional majority, **SS 1 to SB 215 w/SA 1 & 2** was returned to the Senate.

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

Representative Lee deferred to Representative Wagner.

Representative Wagner brought **HB 296**, jointly sponsored by Senator Sokola & Representatives Lee, Buckworth, Carey, Cathcart, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Lofink, Maier, Reynolds, Roy, Ulbrich, Valihura, B. Ennis, Viola & West & cosponsored by Senator Sorenson, before the House for consideration.

HB 296 - AN ACT TO AMEND TITLE 21 RELATING TO RULES OF THE ROAD. (F/N)

Representative Wagner brought **HA 1 to HB 296** before the House for consideration. Representative Wagner made a comment. **HA 1** was adopted by voice vote. Representative Wagner brought **HA 2 to HB 296** before the House for consideration. Representative Wagner made a comment. **HA 2** was adopted by voice vote. Representative Wagner made comments. Representative Wagner requested and was granted privilege of the floor for Lisa Moore, representing the Department of Public Safety. Representatives Price & Wagner made comments.

The roll call on **HB 296 w/HA 1 & 2** was taken and revealed:

YES: 38.

NO: Representatives Keeley & Price - 2.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority, **HB 296 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Lee brought **HB 291**, jointly sponsored by Representatives B. Ennis, Spence, Smith, Buckworth, Carey, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Hudson, Lofink, Miro, Roy, Valihura, Wagner, VanSant, DiLiberto, Houghton, Keeley & Plant & Senators Bunting & Cloutier & cosponsored by Senator Sorenson, before the House for consideration.

HB 291 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO SAFETY. (F/N)
(2/3 bill)

Representative Lee introduced and brought **HA 1 to HB 291** before the House for consideration.

Representative Lee made a comment. **HA 1** was adopted by voice vote. Representative Lee made comments.

Representative Lee moved to place **HB 291 w/HA 1** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Valihura made comments regarding **HB 291**.

Representative Lee deferred to Representative Lofink.

Representative Lofink brought **SB 174**, jointly sponsored by Senator Marshall, before the House for consideration.

SB 174 - AN ACT TO AMEND TITLE 29, CHAPTER 69 OF THE DELAWARE CODE RELATING TO PREVAILING WAGE REQUIREMENTS IN PUBLIC CONSTRUCTION CONTRACTS.

Representatives Lofink, Smith, Oberle, Smith & Fallon made comments.

Mr. Speaker Spence appointed Representative Quillen as Acting Speaker.

Representative Lofink requested and was granted privilege of the floor for Harold E. Stafford, Secretary, Department of Labor. Representatives Lofink, Wagner, Smith, Stone, Ewing, Lavelle, Valihura, Maier, Lofink, Valihura, Oberle & Smith made comments.

The roll call on **SB 174** was taken and revealed:

YES: 21.

NO: Representatives Boulden, Buckworth, Carey, DiPinto, Ewing, Fallon, Hudson, Lavelle, Lee, Smith, Stone, Thornburg, Valihura, Wagner & Quillen - 15.

NOT VOTING: Representative D. Ennis - 1.

ABSENT: Representatives Miro, Roy, Viola & West - 4.

Therefore, having received a constitutional majority, **SB 174** was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **SB 179**, jointly sponsored by Senator Cook, before the House for consideration.

SB 179 - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO SUBPOENAS AND WARRANTS IN CRIMINAL AND DELINQUENCY CASES. (2/3 bill)

Representative Wagner made comments.

The roll call on **SB 179** was taken and revealed:

YES: 39.

ABSENT: Representatives Viola & West - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 179** was returned to the Senate.

Representative Smith brought **HB 329**, jointly sponsored by Senator DeLuca & Representative Ulbrich, before the House for consideration.

HB 329 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS AND OFF-SITE CATERERS. (3/5 bill) (F/I)

Representatives Smith, D. Ennis, B. Ennis, Fallon, Smith, Maier, Keeley & Smith made comments.

The roll call on **HB 329** was taken and revealed:

YES: 40.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 329** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Spence.

Representative Spence introduced **HB 336**, jointly sponsored by Senator McBride.

HB 336 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO DANGEROUS AND POTENTIALLY DANGEROUS DOGS.

Mr. Acting Speaker assigned **HB 336** to the Natural Resources & Environmental Management Committee. Representatives Spence, Price & D. Ennis made comments regarding **HB 336**.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich moved to suspend the rules which interfere with action on **HB 238**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Ulbrich brought **HB 238**, jointly sponsored by Representative Spence & Senator DeLuca & Senator Marshall & Representatives Buckworth, Hudson, Maier, Stone & Thornburg & Senators Bonini, Sorenson & Winslow, before the House for consideration.

HB 238 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO MOTOR FUEL TAX. (F/N)

Representative Ulbrich made comments.

The roll call on **HB 238** was taken and revealed:

YES: 39.

ABSENT: Representatives B. Ennis & Viola - 2.

Therefore, having received a constitutional majority, **HB 238** was sent to the Senate for concurrence.

Mr. Acting Speaker introduced a guest.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on **SB 256**.

The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle introduced and brought **SB 256**, jointly sponsored by Senator Cook & Senator DeLuca & All Senators & All Representatives, before the House for consideration.

SB 256 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO BENEFITS IN THE STATE EMPLOYEES' PENSION PLAN. (F/N)

Representatives Oberle & Gilligan made comments.

The roll call on **SB 256** was taken and revealed:

YES: 40.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority, **SB 256** was returned to the Senate.

The House observed a moment of silence to remember Rosalie Millman's husband at the request of Mr. Acting Speaker.

Representative DiLiberto introduced and brought **HCR 22**, jointly sponsored by Senator Cook & Representatives B. Ennis & Oberle & Senator Vaughn, before the House for consideration.

HCR 22 - THANKING ANTHONY G. FLYNN, ESQUIRE, FOR HIS EXCEPTIONAL SERVICE TO THE STATE OF DELAWARE AS CHAIRMAN OF THE DELAWARE HARNESS RACING COMMISSION ON THE OCCASION OF HIS RETIREMENT FROM THE COMMISSION.

Representative DiLiberto made comments.

HCR 22 was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Acting Speaker made comments.

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda P**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **Consent Agenda P**, which requires a two-thirds vote, before the House for consideration and for concurrence on a Senate Amendment.

SB 118 - MARSHALL & REPRESENTATIVE HUDSON - An Act to Amend Title 30 of the Delaware Code Relating to Disclosure of Tax Information.

SB 144 w/SA 2 - BLEVINS & REPRESENTATIVE MAIER & SENATORS HENRY, MARSHALL, MCDOWELL, AMICK, CONNOR & STILL & REPRESENTATIVES BUCKWORTH, CATHCART, FALLON, HUDSON, LOFINK, ROY, SMITH, SPENCE, STONE, ULBRICH, VALIHURA, WAGNER & PRICE - An Act to Amend Titles 16, 22, 29 and 31 of the Delaware Code Relating to persons with Mental Retardation or Other Specific Developmental Disabilities.

SB 182 - MARSHALL & REPRESENTATIVE HUDSON - An Act to Amend Title 30 of the Delaware Code Relating to Tax Returns and Payments.

SB 238 - BUNTING & SENATOR BLEVINS & REPRESENTATIVES MAIER & SCHROEDER - An Act Authorizing and Directing the Board of Nursing to Waive for Shirley M. Sanders the Requirement that She be a Graduate of and Hold a Certificate from a State Board of Nursing Approved Practical Nursing Education Program.

HB 318 - SPENCE – An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

HB 163 w/SA 1 – ROY & SENATOR MCBRIDE – An Act to Amend Title 11, Delaware Code Relating to Theft and Related Offenses and Civil Actions. (2/3 bill)

The roll call on **Consent Agenda P** was taken and revealed:

YES: 40.

ABSENT: Representative Viola – 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 118, SB 144 w/SA 2, SB 182 & SB 238** were returned to the Senate & **HB 318** was sent to the Senate for concurrence & **HB 163 w/SA 1** was sent to the Governor.

Representative Miro introduced and brought **HR 25** before the House for consideration.

HR 25 - URGING THE HONORABLE GEORGE W. BUSH, PRESIDENT OF THE UNITED STATES, TO ADD AN OPTION TO THE SCHEDULED NOVEMBER 2001 REFERENDUM IN PUERTO RICO REGARDING FUTURE BOMBING OF THE ISLAND OF VIEQUES BY THE UNITED STATES NAVY.

Representatives Miro & Valihura made comments.

HR 25 was adopted by voice vote.

Representative Smith made an announcement.

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

EDUCATION: **HR 24** - 6M.

HEALTH & HUMAN DEVELOPMENT: **SB 239 w/SA 1** - 4M; **SCR 20** - 4M.

HOUSE ADMINISTRATION: **SS 1 for SB 251** - 3M; **SB 224 w/SA 2** - 3M.

HOUSING & COMMUNITY AFFAIRS: **HB 327** - 5M, 1U.

JUDICIARY: **SB 114 w/SA 1** - 6M; **SB 254** - 5M.

PUBLIC SAFETY: **SB 162 w/SA 1, SA 2 & 5** - 5M.

The Majority Leader moved to recess to the call of the Chair at 7:16 p.m.

Mr. Acting Speaker Oberle called the House to order at 4:15 p.m. on June 30, 2001.

The Majority Leader moved to adjourn at 4:16 p.m. thereby ending the current legislative day. The House reconvened at 4:17 p.m.

43rd LEGISLATIVE DAY - 141ST GENERAL ASSEMBLY - FIRST SESSION

June 30, 2001

The Chief Clerk called the roll.

Members Present: 41.

Representatives Cathcart & D. Ennis requested that they be marked present.

A prayer was offered by Representative David H. Ennis, Sixth Representative District.

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

Representative Gilligan requested that he be marked present.

The following prefiled legislation was introduced:

HB 335 - DIPINTO & SENATOR VAUGHN; REPRESENTATIVES D. ENNIS, BUCKWORTH, FALLON, BRADY, HOUGHTON; SENATORS COOK, MCBRIDE, HENRY, WINSLOW, CLOUTIER - APPROPRIATIONS - An Act Relating to the Office of the Budget Director.

HB 337 - VALIHURA & REPRESENTATIVE STONE & REPRESENTATIVE HUDSON & SENATOR CLOUTIER & SENATOR WINSLOW; REPRESENTATIVES DILIBERTO, B. ENNIS, FALLON, KEELEY, MAIER, MULROONEY, PLANT, PRICE, THORNBURG, ULBRICH, VANSANT, WAGNER, WILLIAMS; SENATOR CONNOR - HOUSE ADMINISTRATION - An Act Proposing an Amendment to Article II, §4 of the

Constitution of the State of Delaware of 1897, as Amended, Relating to the Time and Frequency of Sessions of the General Assembly. (2/3 bill)

HA 3 to HB 176 - SCOTT - Placed with the Bill.
HA 3 to HB 190 - B. ENNIS & REPRESENTATIVE PRICE & REPRESENTATIVE STONE - Placed with the Bill.

HA 2 to HB 227 - B. ENNIS - Placed with the Bill.
HA 2 to HB 252 - VALIHURA - Placed with the Bill.
HR 26 - PRICE - LAND USE AND INFRASTRUCTURE - Recognizing the Inland Bays Watershed as a Critical Area and Creating a Committee for the Purposes of Developing Criteria for Assessing Developmental Impact.

SB 38 w/SA 1 & 3 & SA 1 to SA 3 - SHARP & REPRESENTATIVE LEE; SENATORS BLEVINS, BUNTING, COOK, DELUCA, HENRY, MARSHALL, SOKOLA, VAUGHN, BONINI, CLOUTIER, CONNOR, SORENSON, WINSLOW; REPRESENTATIVES BUCKWORTH, CAREY, CATHCART, EWING, FALLON, HUDSON, OBERLE, STONE, ULBRICH, WAGNER, GILLIGAN, KEELEY, VANSANT, WEST - PUBLIC SAFETY - An Act to Amend Title 22 of the Delaware Code Relating to Speed Enforcement by Municipalities.

SB 133 - COOK & REPRESENTATIVE DIPINTO; SENATORS VAUGHN, SOKOLA, BLEVINS, HENRY, MCBRIDE, CLOUTIER, WINSLOW, VENABLES, BONINI, CONNOR, SORENSON; REPRESENTATIVES ROY, REYNOLDS, BUCKWORTH, D. ENNIS, FALLON, BRADY, HOUGHTON, CAREY, LOFINK, OBERLE, SCHROEDER, WILLIAMS - EDUCATION - An Act to Establish a Public Education School Library Fund.

SB 159 - SHARP & REPRESENTATIVE WAGNER; SENATORS ADAMS, VAUGHN, WINSLOW; REPRESENTATIVES VALIHURA, DILIBERTO - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to the Court of Chancery.

SB 221 - BLEVINS & REPRESENTATIVE DILIBERTO; SENATORS VAUGHN, WINSLOW; REPRESENTATIVES OBERLE, SPENCE, WAGNER, KEELEY - JUDICIARY - An Act Proposing Amendment to Article 1, Section 4 of the Delaware Constitution of 1897, as Amended, Relating to Juries in Civil Trials. (2/3 bill)

SB 245 - BUNTING & REPRESENTATIVE PRICE - HOUSE ADMINISTRATION - An Act to Reincorporate the Town of Ocean View. (2/3 bill)

SB 252 - DELUCA & REPRESENTATIVE ULBRICH; SENATORS BUNTING, SIMPSON, SOKOLA, STILL; REPRESENTATIVES DILIBERTO, HUDSON, KEELEY, VALIHURA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 31, Title 24 of the Delaware Code Relating to Funeral Services.

HA 6 to SB 99 - HUDSON & REPRESENTATIVE VALIHURA - Placed with the Bill.

HA 7 to SB 99 - ROY - Placed with the Bill.

HA 9 to SB 99 - WAGNER & REPRESENTATIVE FALLON - Placed with the Bill.

HA 1 to SB 239 - MAIER - Placed with the Bill.

SJR 9 - SOKOLA & REPRESENTATIVE REYNOLDS - EDUCATION - Creating a Committee to Research and Issue a Report Regarding Issues Relating to Homeschools in the State of Delaware.

The Reading Clerk read the following communications into the record:
HOUSE TRIBUTE ANNOUNCEMENT #30

DATE: June 30, 2001

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

Number	Sponsor	Date	Type	Description
H141-662	Wagner	7/7/2001	T	Mary Dodson & Christopher Fernandez/Marriage
H141-663	Thornburg	4/21/2001	T	Mary Jane & William Burris/Marriage
H141-664	Wagner	6/23/2001	T	Nicole Collins & Scott Pierce/Marriage
H141-665	Wagner	6/16/2001	T	Nicole Alston & John Jackson/Marriage

H141-666	D. Ennis	6/20/2001	T	duPont Engineering Explorer Post #946 and First/Robotics Team/Won National Competition
H141-667	Brady	6/23/2001	T	Danielle Brady & Daniel Stevens/Marriage
H141-668	Lee	6/14/2001	T	DelTech Owens Campus/Baseball Team/Won Junior College World Series
H141-669	Spence	6/14/2001	T	Delaware Army National Guard/Donning the Black Beret
	cosponsors: All Representatives			
H141-670	Quillen	6/23/2001	T	Mr. & Mrs. Bill Harvey/40th Wedding Anniversary
H141-671	DiPinto	6/20/2001	T	Ronald Perkins/50th Birthday
H141-672	Cathcart	6/16/2001	T	Odessa Fire Company/75th Anniversary
H141-673	DiPinto	6/20/2001	T	Rockwood Mansion/Grand Opening/Restoration
H141-674	DiPinto	6/20/2001	T	Thomas Sweeney/32 Years/Chairman/State Chamber of Commerce Tax Committee
H141-675	Ulbrich	6/19/2001	T	Colonel Thomas Keitel/Retirement/US Air Force
H141-676	Wagner	6/16/2001	M	Reverend Rudolph W. Coleman
H141-677	Wagner	4/17/2001	T	Linda Tetrick & Frank Fantini/Marriage
H141-678	D. Ennis	6/13/2001	M	Jackson Yard Wright
H141-679	Buckworth	6/15/2001	T	Michele Rigby/First Team/Girls All-State Softball
H141-680	Buckworth	6/15/2001	T	Catrina Ansbach/First Team/Girls All-State Softball
H141-681	Buckworth	6/15/2001	T	Carol McCray/First Team All-State Softball
H141-682	West	3/24/2001	T	Nancy & Clifford Bell/50th Wedding Anniversary
H141-683	Schroeder	5/18/2001	T	Gaynell & Dominic Fontana/55th Wedding Anniversary
H141-684	B. Ennis	8/23/2001	T	Julia & Emos Mast/60th Wedding Anniversary
H141-685	B. Ennis	5/6/2001	T	Nancy & Morris Jones/40th Wedding Anniversary
H141-686	Scott	6/30/2001	T	Coleman Memorial United Methodist Church/50th Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #31

DATE: June 30, 2001

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

Number	Sponsor	Date	Type	Description
H141-687	Viola	7/21/2001	T	The Frazier Family/6th Family Reunion
H141-688	Buckworth	6/19/2001	T	Honorable James T. Vaughn/Retirement/Family Law Commission
	cosponsors: All Representatives			
H141-689	Keeley	6/2/2001	T	Lucy & Michael Matwey/50th Wedding Anniversary
H141-690	Gilligan	6/2/2001	T	Joseph & Marie Gilbert/50th Wedding Anniversary
H141-691	Houghton	5/30/2001	T	Vera & Thomas McLaughlin/60th Wedding Anniversary
H141-692	Houghton	6/2/2001	T	Eileen & Gregory Corrigan/50th Wedding Anniversary
H141-693	Houghton	5/26/2001	T	Irene & Joseph Hojnicky/50th Wedding Anniversary
H141-694	VanSant	4/14/2001	T	Anna & Joseph McCullen/50th Wedding Anniversary
H141-695	Houghton	6/2/2001	T	Doris & George Whitcoe/50th Wedding Anniversary
H141-696	Brady	5/5/2001	T	Rose & Kenneth Spiess/50th Wedding Anniversary
H141-697	Wagner	6/17/2001	M	Arthur Fauntleroy
H141-698	Hudson	5/25/2001	T	Emma & Raymond Gilbert/55th Wedding Anniversary
H141-699	Oberle	5/26/2001	T	Joanne Cannon/Bachelor of Science/University of Delaware
H141-700	Hudson	4/30/2001	T	Josephine Pribish/Retirement/28 Years/Superior Court

H141-701	VanSant	6/23/2001	T	Carroll Humphrey/Retirement/9 Years/Peniel Band
H141-702	Carey	6/20/2001	T	Karen McColley/Mrs. Delaware International
H141-703	Quillen	6/21/2001	T	Mary Tucker/Appreciation/Leadership/Girls' State
H141-704	Wagner	6/21/2001	T	Reverend Kevin Gilliam/Dedicated Service/Church
H141-705	Scott	6/23/2001	T	Honorable Frank Vari/80th Birthday
H141-706	Spence	7/1/2001	T	Herbert Casalena, D.D.S./State Deputy/Knights of Columbus
H141-707	Carey	6/20/2001	T	Bob Glasco/50 Years of Service/Verizon Delaware
H141-708	Thornburg	6/26/2001	T	Jodi Faust/State Homecoming Queen
H141-709	Wagner	7/12/2001	T	Sondra Payne/Retirement/25 Years/Mental Health
H141-710	Wagner	6/30/2001	T	Ronald Pierce/Retirement/Executive
	cosponsors: All Representatives			Director/DSEA
H141-711	West	6/30/2001	T	Sami Roach/Gold All-Star Child

HOUSE TRIBUTE ANNOUNCEMENT #32

DATE: June 30, 2001

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

Number	Sponsor	Date	Type	Description
H141-712	West	6/30/2001	T	Jack Roach/Gold Team/Blue-Gold All-Star Football
H141-713	Price	7/12/2001	T	Town of Bethany Beach/Centennial Celebration
H141-714	Buckworth	7/7/2001	T	M. F. Chase Unity Memorial Church/Mortgage Burning
H141-715	Carey	6/1/2001	T	Blake Carey/Milford High School/Graduation
H141-716	Thornburg	6/30/2001	T	Arlissa Garrett/Blue-Gold All-Star Football Game
H141-717	DiPinto	6/26/2001	T	Charles Freel/Service/DelDOT/Construction/ Greenville
H141-718	DiPinto	6/26/2001	T	Anne Canby/Conclusion/Construction/Greenville
	cosponsor: Rep. Hudson			
H141-719	Wagner	6/30/2001	T	Kenneth Hogan/Service/Capital School Board
H141-720	Roy	7/14/2001	T	Walter Noll, IV/Eagle Scout
H141-721	Buckworth	3/30/2001	T	Homer Reihm/Retirement/41 Years/ILC Dover
H141-722	Gilligan	6/28/2001	T	Nicole Sappe/Outstanding Performance/Legislative Fellow
	cosponsor: Rep. VanSant			
H141-723	Wagner	6/28/2001	T	Kimberly Reed/Outstanding Performance/Legislative Fellow
	cosponsors: Reps. Buckworth, DiLiberto, Ewing, Keeley, Lee, Plant, Thornburg & Williams			
H141-724	Hudson	6/28/2001	T	Wui Ping Yap/Outstanding Performance/Legislative Fellow
	cosponsors: Reps. Brady, Carey, D. Ennis, Fallon, Houghton, Keeley, Lavelle, Miro, Mulrooney, Scott, Stone & Valihura			
H141-725	Miro	6/28/2001	T	Christina Concilio/Outstanding Performance/Legislative
	cosponsors: Reps. Brady, Buckworth, DiPinto, Fallon, Gilligan, Houghton, Hudson, Keeley, Lavelle, Lee, Maier, Mulrooney, Price, Schroeder, Stone, Thornburg, Ulbrich, VanSant & Wagner			

T- Tribute

M - Memoriam

Representative Smith made an announcement.

The House observed a moment of silence in memory of Judge Arthur F. DiSabatino at the request of Representative DiLiberto.

Representative Schroeder requested that he be marked present.

Representative Boulden requested and was granted personal privilege of the floor to introduce guests. Zachary Boulden sang a song.

Representative Plant requested that she be marked present.

Representative Roy & Mr. Acting Speaker made comments.

Representative Smith deferred to Representative VanSant. Representative VanSant requested and was granted privilege of the floor to present a House Tribute to E. Jean Lanyon, Delaware's retiring Poet Laureate.

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

Representative Scott requested that **HA 3 to HB 176** be stricken.

Representatives Stone and Spence requested that they be marked present.

Representative Smith deferred to Representative Roy. Representative Roy announced that **SB 250** had been introduced in the Senate and asked that copies be distributed to the Members of the House.

Representative Smith deferred to Representative DiPinto. Representative DiPinto requested and was granted privilege of the floor to present a House Tribute to Charles Freel. Representative Hudson, Mr. Acting Speaker & Representative Scott made comments. Representative Carey requested and was granted personal privilege of the floor to introduce a guest. Representative B. Ennis requested that he be marked present. Representatives West & Smith introduced guests. Representative Smith made comments. Representative Gilligan requested and was granted personal privilege of the floor to introduce a guest.

The Majority Leader moved to recess for caucus at 4:39 p.m.

The House reconvened at 6:33 p.m. with Representative Buckworth as Acting Speaker.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 159, SB 187 w/SA 1, SB 133, SB 252, SCR 18 SB 250, SB 220, SB 221, SB 38 w/SA 1 & 3 & SA 1 to SA 3, SB 245, SB 256 & SJR 9** and requests the concurrence of the House; **HB 214 w/HA 1, HB 246 w/HA 1, HB 176 w/HA 1 & 2 & SA 1, HB 107 w/SA 1, HB 57 w/HA 1 & SA 1, HB 241 w/SA 2, HB 231 w/SA 2, HB 209 w/HA 1 & 2, HB 261, HB 293, HCR 12, HCR 16, HCR 17, HCR 19, HCR 20 & HCR 21, HB 106 w/HA 1 & HB 221** and is returning same to the House.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **HJR 20**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith introduced and brought **HJR 20**, jointly sponsored by Senators Sokola & Henry, before the House for consideration.

HJR 20 - DIRECTING THE DEPARTMENT OF EDUCATION TO GIVE EVERY TEACHER A COPY OF THE TEACHER CLASSROOM CONTROL ACT AND THAT A COPY OF THE ACT BE POSTED IN THE FACULTY ROOM OF EVERY PUBLIC SCHOOL IN DELAWARE. (F/N)

Representative Smith made a comment.

Representative Brady requested that he be marked present.

The roll call on **HJR 20** was taken and revealed:

YES: 38.

ABSENT: Representatives Oberle, Spence & Williams - 3.

Therefore, having received a constitutional majority, **HJR 20** was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Cathcart.

Representative Cathcart moved to suspend the rules which interfere with introduction of and action on **HB 338**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart introduced and brought **HB 338**, jointly sponsored by Senator Winslow & Representatives Boulden, Brady, Buckworth, Carey, Caulk, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Hudson, Keeley, Lavelle, Lee, Lofink, Maier, Miro, Mulrooney, Oberle, Plant, Price, Quillen, Reynolds,

Roy, Schroeder, Scott, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura, VanSant, Viola, Wagner & Williams & Senators Amick, Bonini, Bunting, Cloutier, Connor, Simpson, Sorenson & Still, before the House for consideration.

HB 338 - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO THE DELAWARE NATIONAL GUARD.

Representative Cathcart made comments.

The roll call on **HB 338** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 338** was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with action on **HB 305**. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Maier brought **HB 305**, jointly sponsored by Senator Bunting & Representatives Smith, Lee, D. Ennis, Ewing, Lavelle, Thornburg, Ulbrich & Wagner & Senator Venables, before the House for consideration.

HB 305 - AN ACT TO AMEND TITLES 3, 7, AND 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES INVOLVING ANIMALS.

Representatives Maier & Scott made comments. Representative Maier requested and was granted privilege of the floor for Steven Wood, Deputy Attorney General. Representatives Scott, Maier, Williams, Ulbrich, Scott, Plant, Viola, Maier, Keeley & Wagner made comments. Representative West requested and was granted privilege of the floor for Steven Wood, Deputy Attorney General. Representative West made comments.

The roll call on **HB 305** was taken and revealed:

YES: 36.

NO: Representatives Houghton, Plant, Scott & Williams - 4.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority, **HB 305** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought **HB 325**, jointly sponsored by Representative Lee, before the House for consideration.

HB 325 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ARREST AND COMMITMENT.

Representative Cathcart made comments. Representative Cathcart introduced and brought **HA 1 to HB 325**, jointly sponsored by Representative Lee, before the House for consideration. Representative Cathcart made a comment. **HA 1** was adopted by voice vote.

The roll call on **HB 325 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 325 w/HA 1** was sent to the Senate for concurrence.

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

Representative Smith moved to suspend the rules which interfere with introduction of and action on **HJR 21**.

The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith introduced and brought **HJR 21**, jointly sponsored by Senator Adams, before the House for consideration.

HJR 21 - REQUESTING THE GOVERNMENT OF THE UNITED STATES RETURN TO THE STATE OF DELAWARE, DELAWARE'S ORIGINAL COPY OF THE BILL OF RIGHTS.

Representative Smith made comments.

The roll call on **HJR 21** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HJR 21** was sent to the Senate for concurrence. Mr. Speaker Spence resumed the Chair.

Representative Smith brought **Consent Agenda Q**, which requires a three-fifths vote, before the House for concurrence on Senate Amendments.

HB 57 w/HA 1 & SA 1 - WAGNER & REPRESENTATIVE VIOLA & SENATORS BUNTING & CONNOR & REPRESENTATIVES LEE, B. ENNIS, PRICE, MIRO & THORNBURG - An Act to Amend Title 14 of the Delaware Code Related to the Department of Education.

HB 107 w/SA 1 - OBERLE & SENATOR SOKOLA & REPRESENTATIVES SMITH, BUCKWORTH, EWING, FALLON, STONE, VALIHURA, BRADY & PRICE - An Act to Amend Title 10 of the Delaware Code Relating to Executions as Regards the Delaware College Investment Plan.

HB 176 w/HA 1 & 2 & SA 2 - HOUGHTON & REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, HUDSON, KEELEY, LEE, LOFINK, MULROONEY, OBERLE, PRICCE, QUILLEN, ROY, SCHROEDER, SMITH, SPENCE, THORNBURG, VANSANT, VIOLA, WAGNER & WEST & SENATORS ADAMS, AMICK, BLEVINS, BUNTING, COOK, DELUCA, MARSHALL, SOKOLA, VAUGHN, VENABLES & WINSLOW - An Act to Amend Title 24 of the Delaware Code Relating to Bounty Hunters and Bail Enforcement Agents. (3/5 bill) (F/N)

HB 231 w/SA 2 - SPENCE & SENATORS COOK & BONINI & REPRESENTATIVES LEE, BOULDEN, BUCKWORTH, CAREY, CATHCART, DIPINTO, D. ENNIS, EWING, LOFINK, QUILLEN, REYNOLDS, THORNBURG, ULBRICH, WAGNER, VANSANT, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, KEELEY, MULROONEY, PLANT, SCHROEDER, VIOLA & WILLIAMS & SENATORS ADAMS, MCDOWELL, BLEVINS, BUNTING, DELUCA, HENRY, MARSHALL, MCBRIDE, SOKOLA, AMICK, CONNOR & SIMPSON - An Act to Amend Title 29 of the Delaware Code Relating to the Department of Correction.

HB 241 w/SA 2 - B. ENNIS & SENATOR BLEVINS & REPRESENTATIVES EWING & MAIER & SENATORS SIMPSON & VAUGHN - An Act to Amend Title 16 of the Delaware Code Relating to Criminal Background Checks for Ambulance Attendants, Emergency Medical Technicians, and Paramedics. (F/N)

The roll call on **Consent Agenda Q** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 57 w/HA 1 & SA 1**, **HB 107 w/SA 1**, **HB 176 w/HA 1 & 2 & SA 2**, **HB 231 w/SA 2** & **HB 241 w/SA 2** were sent to the Governor.

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda R**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **Consent Agenda R**, which requires a two-thirds vote, before the House for consideration.

SB 254 - COOK & REPRESENTATIVE OBERLE & SENATORS SHARP, ADAMS, VAUGHN & WINSLOW & REPRESENTATIVES GILLIGAN & WAGNER - An Act to Amend Title 29, Delaware Code, Relating to Survivor Benefits in the Revised Judiciary Pension Plan.

SB 253 - COOK & REPRESENTATIVE OBERLE & SENATORS SOKOLA & WINSLOW & REPRESENTATIVE REYNOLDS - An Act to Amend Title 29 of the Delaware Code Relating to the Purchase of a Medical Leave of Absence in the State Employees' Pension Plan.

HB 335 - DIPINTO - An Act Relating to the Office of Budget Director.

SB 224 w/SA 2 - BLEVINS & REPRESENTATIVES VANSANT & HOUGHTON - An Act to Amend an Act Being Chapter 3, Volume 68, Laws of Delaware, as Amended Entitled " An Act to Re-Incorporate the Town of Elsmere". (2/3 bill)

SS 1/SB 251 - COOK & SENATOR SIMPSON & REPRESENTATIVE QUILLEN - An Act to Amend Chapter 115, Volume 69, Laws of Delaware, as Amended, Entitled " An Act to Reincorporate the City of Harrington" Relating to Elective Office. (2/3 bill)

The roll call on **Consent Agenda R** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 254, SB 253, SB 224 w/SA 2 & SS 1 for SB 251** were returned to the Senate & **HB 335** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Roy.

Representative Roy brought **SB 235 w/SA 1**, jointly sponsored by Senator McDowell, before the House for consideration.

SB 235 - AN ACT TO AMEND TITLES 26, 29, AND 30 OF THE DELAWARE CODE RELATING TO RENEWABLE ENERGY AND THE STATE ENERGY OFFICE. (3/4 bill)

Representative Roy made comments. Representative Roy brought **HA 1 to SB 235** before the House for consideration. Representative Roy made comments. **HA 1** was adopted by voice vote. Representative Roy introduced and brought **HA 2 to SB 235** before the House for consideration. Representative Roy made a comment. **HA 2** was adopted by voice vote. Representative Roy deferred to Representative DiPinto. Representative DiPinto introduced and brought **HA 1 to HA 1 to SB 235** before the House for consideration. Representative DiPinto made a comment. **HA 1 to HA 1** was adopted by voice vote. Representative Smith moved to rescind the voice vote on **HA 1**. The motion was seconded by Representative Lee and adopted by voice vote. **HA 1 to HA 1** was adopted by voice vote. **HA 1 w/HA 1** was adopted by voice vote.

The roll call on **SB 235 w/SA 1 & HA 1, HA 1 to HA 1 & HA 2** was taken and revealed:

YES: 40.

NO: Representative West - 1.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SB 235 w/SA 1 & HA 1, HA 1 to HA 1 & HA 2** was returned to the Senate for concurrence on **HA 1 w/HA 1 & HA 2**.

Representatives West & Roy made comments regarding **SB 235**.

Representative Smith deferred to Representative Price.

Representative Price brought **HB 190**, jointly sponsored by Representative B. Ennis & Representative Lee & Representative Viola & Senator Cook & Representatives Buckworth, Carey, Quillen, Thornburg, Valihura, VanSant, West & Williams & Senators Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, DeLuca, Henry, Marshall, McBride, McDowell, Simpson, Sokola, Sorenson, Still, Vaughn, Venables & Winslow & cosponsored by Representative Ewing, before the House for consideration.

HB 190 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE VOLUNTEER FIRE SERVICE REVOLVING LOAN FUND PROGRAM. (F/N)

Representative Price brought **HA 1 to HB 190** before the House for consideration. Representative Price made comments. **HA 1** was adopted by voice vote. Representative Price deferred to Representative B. Ennis. Representative B. Ennis brought **HA 3 to HB 190**, jointly sponsored by Representatives Price & Stone, before the House for consideration. Representative B. Ennis made comments. **HA 3** was adopted by voice vote. Representative Price made comments.

The roll call on **HB 190 w/HA 1 & 3** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 190 w/HA 1 & 3** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier. Representatives Maier & Reynolds requested and were granted personal privilege of the floor to introduce guests.

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

APPROPRIATIONS: **HB 102 - 4M.**

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 252 - 5M.**

The Majority Leader moved to recess at 7:43 p.m.

The House reconvened at 8:52 p.m. with Representative Roy as Acting Speaker.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 202, SS 1 for SB 215 w/SA 1 & 2, SB 179, SB 209, SB 238, SB 239 w/SA 1, SB 243, SCR 20, SB 244, SS 1 to SB 251, SB 246, SB 253, SB 254, SB 170, SB 114 w/SA 1, SB 135 w/SA 5 & SJR 8** and requests the concurrence of the House. **HB 163 w/SA , HB 237 HB 120 w/HA 2 & 3, HB 236 w/HA 1, HB 253, HB 77 w/HA 1, HB 98, HB 174, HB 175 w/HA 1, HCR 23, HB 350. HJR 16, HJR 17, HB 75, HB 158, HB 225 w/HA 1, HB 269 w/HA 1, HB 283 w/HA 1, HB 287 w/HA 1, HB 308 & HB 215** and is returning same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Gerald Buckworth, do hereby request that my name be removed as co-sponsor of **HB 32**.

Date: 6/28/01

Signed: Gerald Buckworth

June 27, 2001

LEGISLATIVE ADVISORY #15

Governor Ruth Ann Minner signed the following legislation on the dates indicated: June 18, 2001 - **SB 25, SB 104, SB 140 aab SA 1, HB 27 aab HA 1 & 2, HB 93 aab HA 1 aab HA 1 to HA 1 & HB 171**. June 22, 2001 - **HB 133 aab HA 1 & HB 223**.

June 28, 2001

LEGISLATIVE ADVISORY #16

Governor Ruth Ann Minner signed the following legislation on the date indicated: June 27, 2001 - **HB 142 aab HA 1, HB 169 aab SA 1, SB 40 aab SA 1, SB 60 aab SA 2, SB 119, SB 122, SB 125, SB 142, SB 167, SB 175 aab SA 1 & SB 178 aab SA 1**.

Representative Lavelle requested and was granted personal privilege of the floor to introduced guests.

Representative Valihura requested that **HB 178** be stricken.

Representative Oberle requested and was granted personal privilege of the floor to introduce guests.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **SB 137 w/SA 1 & 2**, sponsored by Senator Marshall & Representative Cathcart, before the House for consideration.

SB 137 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL STATUTES IN WHICH THE VICTIM IS AN ELDERLY PERSON OR THE AGE OR STATUS OF THE VICTIM IS AN ELEMENT OF AN OFFENSE OR A SENTENCING ENHANCER. (2/3 bill)

Representative Wagner made a comment.

The roll call on **SB 137 w/SA 1 & 2** was taken and revealed:

YES: 39.

NO: Representative Smith - 1.

ABSENT: Representative D. Ennis - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 137 w/SA 1 & 2** was returned to the Senate.

Representative Smith made an announcement.

Representative Smith deferred to Representative Hudson.

Representative Hudson moved to suspend the rules which interfere with introduction of and action on **HJR 19**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Hudson introduced and brought **HJR 19**, jointly sponsored by Representatives Gilligan & DiPinto & Senators Cook & Still, before the House for consideration.

HJR 19 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUE FOR FISCAL YEAR 2002.

Representative Hudson made comments.

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

YES: 40.

ABSENT: Representative D. Ennis - 1.

Therefore, having received a constitutional majority, **HJR 19** was sent to the Senate for concurrence.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on **HB 351**.

The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto introduced and brought **HB 351**, jointly sponsored by Senator Vaughn & Representatives Buckworth, D. Ennis, Fallon, Brady & Houghton & Senators Cook, Henry, McBride, Cloutier & Winslow, before the House for consideration.

HB 351 - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2002; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING THE FISCAL YEAR 2002 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (3/4 bill)

Representative Smith moved to place **HB 351** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Mr. Speaker Spence resumed the Chair. Representatives Price, Oberle, Gilligan & Caulk requested and were granted personal privilege of the floor to introduce guests.

Representative Smith deferred to Representative Lee.

Representative Lee moved to suspend the rules which interfere with action on **SB 210**. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Lee brought **SB 210**, jointly sponsored by Senator Vaughn, before the House for consideration.

SB 210 - AN ACT TO AMEND TITLES 11 AND 14 OF THE DELAWARE CODE RELATING TO THE ADMINISTRATION OF PRISON EDUCATION PROGRAMS.

Representative Lee made comments.

The roll call on **SB 210** was taken and revealed:

YES: 40.

ABSENT: Representative Oberle - 1.

Therefore, having received a constitutional majority, **SB 210** was returned to the Senate.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with introduction of and action on **SB 250**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Roy introduced and brought **SB 250**, jointly sponsored by Senator Blevins & Senators Cook, McBride, Venables, Bonini & Connor & Representatives Carey, Lofink, Oberle, Schroeder, Williams, Cathcart, Miro, Stone & Wagner, before the House for consideration.

SB 250 - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2002; DEAUTHORIZING STATE GUARANTEED BOND AUTHORIZATIONS; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (3/4 bill)

Representatives Roy & Caulk made comments.

The Reading Clerk read the following communication into the record:

DEBT LIMIT STATEMENT FOR FISCAL YEAR 2002

This Debt Limit Statement is to be attached to the Fiscal Year 2002 Bond and Capital Improvements Act as required by §7422, Title 29, Delaware Code.

- (1) **Estimated Net General Fund revenue** for the fiscal year ending June 30, 2002 as per the joint resolution of the House and Senate which will be signed by the Governor in connection with the adoption of the annual Budget Appropriation Bill for that fiscal year. \$ 2,364.8 million
- (2) Multiply by 5% X .05
- (3) Maximum aggregate principal amount of tax-supported obligations which may be authorized by the State in the fiscal year ending June 30, 2002. \$ 118.2 million
- (4) Less: Aggregate principal amount of previously authorized tax-supported obligations subject to debt limit. \$ 0.0 million
- (5) **AVAILABLE DEBT LIMIT** prior to appended legislation (Line 3 minus Line 4). \$ 118.2 million
- (6) Less: Aggregate principal amount of new tax-supported obligations subject to debt limit to be authorized pursuant to appended legislation. \$ 118.2 million
- (7) **REMAINING DEBT LIMIT** (Line 5 minus Line 6). \$ 0.0 million
David W. Singleton
June 30, 2001

The roll call on **SB 250** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SB 250** was returned to the Senate.

Representative Roy requested and was granted personal privilege of the floor to make comments. Mr. Speaker Spence & Representative Oberle made comments. Mr. Speaker Spence introduced guests.

Representative Smith deferred to Representative Wagner.

Representative Wagner introduced and brought **HR 28**, sponsored on behalf of All Representatives, before the House for consideration.

HR 28 - BIDDING A FOND FAREWELL TO NEWS JOURNAL ACE REPORTER JENNIFER PORTMAN.

WHEREAS, once upon a time, little Jennifer Portman ran and played among the stars and the Pacific Ocean in California; and

WHEREAS, after earning a BA from Sarah Lawrence College and Masters Degree from Northwestern University; and

WHEREAS, serving as Assistant Sound Editor for such movies as *The Firm*, *Dave*, *North* and *Wyatt Earp* and being bored as a reporter with the Springfield News-Leader in Mark McGwire's Missouri; and

WHEREAS, one day, while looking through Gannett Co.'s job postings, a new world opened up for Jennifer; that being a job covering the Delaware Legislature. So she traded the good life in Springfield, Missouri for whatever, headed East, and moved to Dover, a small place where everyday people have great opportunities to meet and hobnob with elected officials on both the local and statewide level; and

WHEREAS, in the year she has covered Delaware, Jennifer Portman learned all about elections, tax cuts, access to the floor of the House, Green Delaware, the First Amendment and what constitutes a bill in Delaware; and

WHEREAS, Jennifer Portman has witnessed midnight skits and banter on the last, seemingly endless night of session, which is followed by the Governor's press conference in the wee hours of July 1, at a time when most mortals with day jobs are snoozing and reporters are asking themselves just why they write for a living; and

WHEREAS, the House of Representatives views itself as one large boisterous family and the 41 members are now losing one of the reporters who has covered "the family business" and Jennifer Portman will be solely missed; and

WHEREAS, when Jennifer Portman leaves Delaware, it will be on to bigger (but not necessarily better) things, as she will return to the News-Leader in Springfield, Missouri, the "Show-Me" state where the Clydesdales roam and the electorate favor deceased candidates; and

WHEREAS, as we bid farewell to Jennifer Portman, we hope she remembers her time in Delaware as a bright spot in her career; and

WHEREAS, it is hoped that her replacement will pay the necessary dues of the Legislative Hall Reporters Association.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 141st General Assembly of the State of Delaware that we bid News Journal Reporter Jennifer Portman a fond farewell and let her know she is welcome back in Legislative Hall anytime and remind her that she can visit her adopted east coast state anytime via the Internet and can E-mail us on a regular basis, all brought to you by the folks who made the Legislature user-friendly and open to the public.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be given to Jennifer Portman.

HR 28 was adopted by voice vote.

Representatives Wagner, D. Ennis, Caulk & Mr. Speaker Spence made comments.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to lift **HB 351** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto brought **HB 351**, jointly sponsored by Senator Vaughn & Representatives Buckworth, D. Ennis, Fallon, Brady & Houghton & Senators Cook, Henry, McBride, Cloutier & Winslow, before the House for consideration.

HB 351 - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2002; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING THE FISCAL YEAR 2002 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (3/4 bill)

Representative DiPinto made comments.

The roll call on **HB 351** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 351** was sent to the Senate for concurrence.

Mr. Speaker Spence & Representative DiPinto made comments.

Representative Lee deferred to Representative West.

Representative West moved to suspend the rules which interfere with introduction of and action on **HB 352**.

The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative West introduced and brought **HB 352** before the House for consideration.

HB 352 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF GUMBORO. (2/3 bill)

Representative West made comments.

The roll call on **HB 352** was taken and revealed:

YES: 36.

ABSENT: Representatives Boulden, B. Ennis, Reynolds, Smith & Wagner - 5.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 352** was sent to the Senate for concurrence.

Mr. Speaker Spence introduced a guest. Representative Valihura made comments. Representative Oberle requested and was granted personal privilege of the floor to make comments. Representatives Caulk & West made comments.

Representative Lee deferred to Representative Cathcart.

Representative Cathcart moved to suspend the rules which interfere with introduction of and action on **HR 31**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart introduced and brought **HR 31**, jointly sponsored by Representative Lee & Representative Price & Representative Schroeder & Representatives Boulden, Buckworth, Carey, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Hudson, Lavelle, Miro, Quillen, Reynolds, Thornburg, Brady, B. Ennis, Houghton & West, before the House for consideration.

HR 31 - RECOGNIZING THE DELAWARE INLAND BAYS AS AN ENVIRONMENTALLY SENSITIVE AREA AND CREATING A TASK FORCE TO EVALUATE STATE AND COUNTY LAND USE REVIEW PROCESSES AND DEVELOP CRITERIA TO EVALUATE DEVELOPMENTAL IMPACT ON THIS ENVIRONMENTALLY SENSITIVE AREA.

Representatives Cathcart, Price, Schroeder, Mr. Speaker Spence, Representatives Caulk, Oberle, West, Schroeder, Valihura, Price & Cathcart made comments.

HR 31 was adopted by voice vote.

Representative Lee deferred to Representative Oberle.

Representative Oberle brought **SB 243**, jointly sponsored by Senators Marshall & Venables & Representative Lofink & Senators Adams, Blevins, Bunting, Cook, DeLuca, Henry, McBride, McDowell, Sharp, Sokola, Vaughn, Amick, Bonini, Cloutier, Connor, Simpson, Sorenson, Still & Winslow, before the House for consideration.

SB 243 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (F/N)

Representative Oberle made comments.

The roll call on **SB 243** was taken and revealed:

YES: 39.

ABSENT: Representatives Ewing & Miro - 2.

Therefore, having received a constitutional majority, **SB 243** was returned to the Senate.

Representative Lee deferred to Representative Wagner.

Representative Wagner brought **SB 114 w/SA 1**, jointly sponsored by Senator Blevins, before the House for consideration.

SB 114 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ENDANGERING THE WELFARE OF CHILDREN. (2/3 bill)

Representatives Wagner & D. Ennis made comments. Mr. Speaker Spence ruled that **SB 114** requires a constitutional two-thirds vote.

The roll call on **SB 114 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representatives Ewing - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 114 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart moved to suspend the rules which interfere with introduction of and action on **HB 330**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart introduced and brought **HB 330**, jointly sponsored by Senator Bunting & Representatives Buckworth, Carey, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Lavelle, Lofink, Maier, Miro, Oberle, Quillen, Reynolds, Stone, Thornburg, Valihura, DiLiberto, B. Ennis, Houghton, Mulrooney, Price & Schroeder & Senators Blevins, Sokola, Amick, Sorenson, Bonini, Cloutier, Connor, Simpson & Winslow, before the House for consideration.

HB 330 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO COMBINED SEWERS.

Representatives Cathcart, Williams, Keeley, West, Oberle, Williams & Smith made comments.

Representative Cathcart moved to place **HB 330** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds moved to suspend the rules which interfere with action on **SJR 9**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Reynolds brought **SJR 9**, jointly sponsored by Senator Sokola, before the House for consideration.

SJR 9 - CREATING A COMMITTEE TO RESEARCH AND ISSUE A REPORT REGARDING ISSUES RELATING TO HOMESCHOOLS IN THE STATE OF DELAWARE.

Representatives Reynolds, Wagner & Smith made comments.

The roll call on **SJR 9** was taken and revealed:

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority, **SJR 9** was returned to the Senate.

Representative Smith deferred to Representative Stone.

Representative Stone moved to suspend the rules which interfere with action on **SJR 8**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Stone brought **SJR 8**, jointly sponsored by Senator Sokola, before the House for consideration.

SJR 8 - REQUIRING THE SECRETARY OF FINANCE TO FORM A COMMITTEE FOR THE PURPOSE OF IMPROVING OVERSIGHT AND MAKING RECOMMENDATIONS REGARDING CERTAIN RETIREMENT BENEFITS FOR CERTAIN EDUCATIONAL EMPLOYEES OF THE STATE.

Representative Stone made comments.

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

YES: 39.

ABSENT: Representatives Ewing & Williams - 2.

Therefore, having received a constitutional majority, **SJR 8** was returned to the Senate.

Representative Hudson made comments.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle brought **SB 124**, jointly sponsored by Senator Cook, before the House for consideration.

SB 124 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO OVERTAKING AND PASSING SCHOOL BUSES. (2/3 bill)

Representative Lavelle made comments.

The roll call on **SB 124** was taken and revealed:

YES: 39.

ABSENT: Representatives Ewing & Smith - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 124** was returned to the Senate.

Representative Stone introduced guests. Representative DiPinto requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **SB 154**, jointly sponsored by Senator Sokola, before the House for consideration.

SB 154 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LEAVING THE SCENE OF AN ACCIDENT. (2/3 bill)

Representatives Valihura & D. Ennis made comments.

The roll call on **SB 154** was taken and revealed:

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 154** was returned to the Senate.

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

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with action on **SB 135 w/SA 5**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto brought **SB 135 w/SA 5**, jointly sponsored by Senators Marshall & Blevins & Representative Maier, before the House for consideration.

SB 135 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO RESIDENTIAL HEALTH FACILITIES AND CERTIFIED NURSING ASSISTANT TRAINING.

Representative DiPinto made comments.

The roll call on **SB 135 w/SA 5** was taken and revealed:

YES: 39.

ABSENT: Representatives Ewing & Smith - 2.

Therefore, having received a constitutional majority, **SB 135 w/SA 5** was returned to the Senate.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought **SB 252**, jointly sponsored by Senators DeLuca, Bunting, Simpson, Sokola & Still & Representatives DiLiberto, Hudson, Keeley & Valihura, before the House for consideration.

SB 252 - AN ACT TO AMEND CHAPTER 31, TITLE 24 OF THE DELAWARE CODE RELATING TO FUNERAL SERVICES.

Representative Ulbrich made a comment.

The roll call on **SB 252** was taken and revealed:

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority, **SB 252** was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **SB 81**, sponsored by Senator Cook & Representative Oberle & Senators Adams & McDowell & Representatives Spence & Lee, before the House for consideration.

SB 81 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE JUSTICE OF THE PEACE CONSTABLES.

Representative Wagner made comments.

The roll call on **SB 81** was taken and revealed:

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority, **SB 81** was returned to the Senate.

Representative Smith deferred to Representative Spence.

Representative Spence brought **HB 102**, jointly sponsored by Senator Sharp, before the House for consideration.

HB 102 - AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE RELATING TO CAPITOL POLICE. (F/N)

Representative Spence deferred to Representative Lee. Representative Lee requested that **HA 1 to HB 102** be stricken. Representative Lee introduced and brought **HA 2 to HB 102** before the House for consideration.

Representatives Lee, Spence & DiPinto made comments. **HA 2** was adopted by voice vote. Representatives Spence, Maier, Mr. Acting Speaker, Representatives Lee & DiPinto made comments.

The roll call on **HB 102 w/HA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Ewing & Roy - 2.

Therefore, having received a constitutional majority, **HB 102 w/HA 2** was sent to the Senate for concurrence.

The Majority Leader moved to recess at 11:09 p.m.

The House reconvened at 11:25 p.m. with Representative Roy as Acting Speaker.

Representative Smith moved to suspend the rules which interfere with action on **SB 245**. The motion was properly seconded and adopted by voice vote.

Representative Smith brought **SB 245**, sponsored by Senator Bunting & Representative Price, before the House for consideration.

SB 245 - AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW. (2/3 bill)

Representative Smith made a comment.

The roll call on **SB 245** was taken and revealed:

YES: 37.

ABSENT: Representatives Carey, Ewing, Gilligan & Quillen - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 245** was returned to the Senate.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds moved to suspend the rules which interfere with action on **SB 133**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Reynolds brought **SB 133**, jointly sponsored by Senator Cook & Representative DiPinto & Senators Vaughn, Sokola, Blevins, Henry, McBride, Cloutier, Winslow, Venables, Bonini & Connor & Representatives Roy, Buckworth, D. Ennis, Fallon, Brady, Houghton, Carey, Lofink, Oberle, Schroeder & Williams, before the House for consideration.

SB 133 - AN ACT TO ESTABLISH A PUBLIC EDUCATION SCHOOL LIBRARY FUND. (F/N)

Representative Reynolds made comments.

The roll call on **SB 133** was taken and revealed:

YES: 37.

ABSENT: Representatives Carey, Ewing, Spence & Valihura - 4.

Therefore, having received a constitutional majority, **SB 133** was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to suspend the rules which interfere with action on **SB 159**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Wagner brought **SB 159**, jointly sponsored by Senators Sharp, Adams, Vaughn & Winslow & Representatives Valihura & DiLiberto, before the House for consideration.

SB 159 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE COURT OF CHANCERY.

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

The roll call on **SB 159** was taken and revealed:

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority, **SB 159** was returned to the Senate.

Representative Smith brought **SB 162 w/SA 1, 2 & 5**, sponsored by Senators Bonini, Cloutier, Connor, Simpson & Sorenson & Representatives Brady, Carey, DiPinto, Houghton, Lee, Lofink, Quillen, Spence & Williams, before the House for consideration.

SB 162 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ARRESTS WITHOUT WARRANT FOR MOTOR VEHICLE VIOLATIONS. (2/3 bill)

Representative Smith made comments.

The roll call on **SB 162 w/SA 1, 2 & 5** was taken and revealed:

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 162 w/SA 1, 2 & 5** was returned to the Senate.

Representative Smith brought **HB 262 w/HA 1 & 2 & SA 1**, sponsored by Representatives Lofink & Oberle & Senator Marshall, before the House for concurrence on SA 1.

HB 262 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION. (3/5 bill)

Representative Plant requested and was granted personal privilege of the floor to introduce guests.

The roll call on **HB 262 w/HA 1 & 2 & SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Ewing - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 262 w/HA 1 & 2 & SA 1** was sent to the Governor.

Mr. Speaker Spence introduced a guest.

The Chief Clerk read the following communication into the record:

June 30, 2001

The Hon. Terry Spence

House of Representatives

Dover, DE

Dear Mr. Speaker:

As part of my annual letter to my dear friends in the House I wanted to congratulate you for another successful year as Speaker and I further want to congratulate your colleagues in the caucus for having the sagacity to re-elect you for this session. (Special note to Bill Oberle: sagacity means "wisdom" as in always making sure to ignore Vince Lofink's advice.) Further, I understand that the National Conference of State Legislatures is preparing to give you the "Fidel Castro Tenure Award" for your length of service. It just goes to show that the eerie ability to cloud men's minds can be a powerful tool in politics and can keep you in just about any position forever.

And speaking of eerie abilities, I'd like to send a special hello [to] Bob Gilligan who, along with Lonnie George, Mike Harkins and several others, truly taught me a great deal about politics. I'm not sure of [sic] it was Bob or Lonnie who told me, "once you shoot a guy, he's dead. But if you hold a gun to his head he'll do anything you want". Though the line may sound like something from a Sopranos script, that lesson has been very valuable in raising two beautiful, intelligent and - no surprise here - extremely well-behaved daughters, Audrey and Delaware-native Melanie.

HCR 24 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Smith brought **HB 257 w/SA 1**, sponsored by Representative Hudson & Senator Cook, before the House for concurrence on **SA 1**.

HB 257 - AN ACT TO AMEND TITLES 7, 16, 29, 30 AND 31 OF THE DELAWARE CODE RELATING TO DELAWARE PERSONAL INCOME TAX CHECKOFF PROGRAMS.

Representative Smith deferred to Representative Hudson. Representative Hudson made comments.

Representative Hudson moved to place **HB 257 w/SA 1** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Smith deferred to Representative DiPinto.

Mr. Speaker Spence introduced a guest.

Representative DiPinto introduced and brought **HR 33** before the House for consideration.

HR 33 - ASKING THE DEPARTMENT OF TRANSPORTATION FOR A FEASIBILITY STUDY FOR A GROUND LEVEL BRIDGE ACROSS THE CHESAPEAKE AND DELAWARE CANAL NEAR ROUTE 13 IN ST. GEORGES.

Representative DiPinto made comments.

HR 33 was adopted by voice vote.

Representative Smith moved to suspend the rules which interfere with action on **SB 244**. The motion was seconded by Representative D. Ennis and adopted by voice vote.

Representative Smith brought **SB 244**, sponsored by Senators Sharp & Amick & Representatives Spence & Gilligan, before the House for consideration.

SB 244 - AN ACT TO AMEND TITLE 29, CHAPTER 8, SECTION 805 RELATING TO REAPPORTIONMENT AND REDISTRICTING.

Representative Smith introduced and brought **HA 1 to SB 244** before the House for consideration.

Representative Smith made comments. **HA 1** was adopted by voice vote.

The roll call on **SB 244 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Ewing, Price & Stone - 3.

Therefore, having received a constitutional majority, **SB 244 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Lee deferred to Representative Hudson.

Representative Hudson moved to lift **HB 257 w/SA 1** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Hudson brought **HB 257 w/SA 1**, jointly sponsored by Senator Cook, before the House for concurrence on **SA 1**.

HB 257 - AN ACT TO AMEND TITLES 7, 16, 29, 30 AND 31 OF THE DELAWARE CODE RELATING TO DELAWARE PERSONAL INCOME TAX CHECKOFF PROGRAMS.

The roll call on **HB 257 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority, **HB 257 w/SA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Miro.

Representative Miro moved to suspend the rules which interfere with action on **SB 187 w/SA 1**. The motion was seconded by Representative Roy and adopted by voice vote.

Representative Miro brought **SB 187 w/SA 1**, jointly sponsored by Senator DeLuca & Senators McBride, McDowell, Sokola, Connor & Winslow & Representatives Oberle, Roy, Spence, Ulbrich, B. Ennis, Gilligan, Keeley & Williams, before the House for consideration.

SB 187 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO CIVIL AND ADMINISTRATIVE PENALTIES AND DEBRIS DISPOSAL AREA REMEDIATION.

Representatives Miro, D. Ennis & Oberle made comments. Representative Miro requested and was granted privilege of the floor for Nicholas DiPasquale, Secretary, Department of Natural Resources and Environmental Control. Representatives Miro & D. Ennis made comments.

The roll call on **SB 187 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority, **SB 187 w/SA 1** was returned to the Senate.

Representative Quillen deferred to Representative Quillen.

Representative Quillen moved to suspend the rules which interfere with introduction of and action on **SB 26**.

The motion was seconded by Representative Wagner and adopted by voice vote.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Quillen introduced & brought **SB 26**, sponsored by Senators Still & Vaughn & Representatives B. Ennis, Stone & Wagner, before the House for consideration.

SB 26 - 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.

Representatives Quillen, Schroeder, Price, B. Ennis, West, Valihura, Thornburg & Quillen, made comments.

The roll call on **SB 26** was taken and revealed:

YES: 26.

NO: Representatives DiLiberto, Hudson, Lee, Mulrooney, Plant, Price, Schroeder, Valihura, VanSant, Viola -

10.

NOT VOTING: Representative Keeley, Lavelle - 2.

ABSENT: Representatives Cathcart, Ewing, Gilligan - 3.

Therefore, having received a constitutional majority, **SB 26** was returned to the Senate.

The Majority Leader moved to recess for caucus at 12:53 a.m.

The House reconvened at 1:05 a.m.

Mr. Speaker Spence resumed the Chair.

Representative Smith moved to suspend the rules which interfere with introduction of and action on the following prefiled **Consent Calendar #7**. The motion was seconded by Representative Lee and adopted by voice vote.

HR 22 - D. ENNIS; REPRESENTATIVES SMITH & BRADY - Directing the Delaware Economic Development Office to Work with the Residents of Northern Wilmington and Brandywine Hundred to Develop a Strategy for the Economic Revitalization of the Merchant's Square Shopping Center and Overall Economic Development along the Delaware River.

HR 24 - KEELEY; REPRESENTATIVE REYNOLDS - Establishing a Task Force to Make Recommendations Relating to School District Codes of Conduct.

HR 27 - SCHROEDER - Mourning the Passing of Otis H. Smith While Celebrating the Accomplishments of His Life.

SCR 18 - HENRY; REPRESENTATIVE MAIER - Relating to the Establishment of a Delaware Joint School Safety Committee.

SCR 20 - SORENSON; SENATOR BLEVINS; REPRESENTATIVE MAIER; SENATORS BONINI; CLOUTIER; CONNOR; HENRY; MCDOWELL; SOKOLA; WINSLOW; REPRESENTATIVES BUCKWORTH; CAREY; CATHCART; B. ENNIS; FALLON; KEELEY; LOFINK; PRICE; STONE; THORNBURG; ULBRICH; VALIHURA; WAGNER; WEST - Requesting the Department of Health and Social Services to Include in the State

Plan for Medical Assistance a Provision for Payment of Medical Assistance, Pursuant to the Federal Breast and Cervical Cancer Treatment Act of 2000.

Representative Smith requested that **SCR 18** be removed from **Consent Calendar #7**.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis introduced and brought **HR 30**, jointly sponsored by Representative Stone & Representatives Smith, Lee, Boulden, DiPinto, Ewing, Fallon, Hudson, Lavelle, Maier, Reynolds, Wagner, Keeley, Price, Scott, Viola & West, before the House for consideration.

HR 30 - REQUESTING THE DELAWARE DEPARTMENT OF PUBLIC SAFETY TO STUDY THE SAFETY ISSUES RELATING TO MOTORIZED SCOOTERS, SKATE BOARDS, AND SIMILAR ITEMS USED BY CHILDREN.

HR 30 was placed on **Consent Calendar #7**.

Representative Smith deferred to Representative Wagner.

Representative Wagner introduced and brought **HR 32**, jointly sponsored by Representative Stone, before the House for consideration.

HR 32 - A RESOLUTION CONGRATULATING WILLIAM W. M. HENRY SCHOOL ON ITS 50TH ANNIVERSARY REUNION CELEBRATION.

HR 32 was placed on **Consent Calendar #7**.

Representative Wagner introduced and brought **HR 34** before the House for consideration.

HR 34 - ESTABLISHING THE COMMUTER RAIL TASK FORCE TO EXAMINE THE FEASIBILITY OF ESTABLISHING COMMUTER RAIL TRANSPORTATION BETWEEN KENT AND NEW CASTLE COUNTY AND TO MAKE RECOMMENDATIONS THEREON TO THE DELAWARE GENERAL ASSEMBLY.

HR 34 was placed on **Consent Calendar #7**.

Mr. Speaker Spence assigned **SCR 18** to the House Administration Committee.

Representative Wagner introduced and brought **HR 29** before the House for consideration.

HR 29 - COMMENDING THE JUDICIARY ON ITS RECENT ACCOMPLISHMENTS AND REQUESTING A REPORT ON THE IMPLEMENTATION OF TECHNOLOGY IN THE COURTS.

HR 29 was placed on **Consent Calendar #7**.

Consent Calendar #7 was adopted by voice vote and **SCR 20** was returned to the Senate & **HR 22, HR 24, HR 27, HR 30, HR 32, HR 34 & HR 29** were declared passed.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **SB 261**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith introduced and brought **SB 261**, sponsored by Senator Venables & Representative Fallon, before the House for consideration.

SB 261 - AN ACT TO REINCORPORATE THE TOWN OF BLADES. (2/3 bill)

Representatives Smith & Fallon made comments.

The roll call on **SB 261** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Ewing, Williams - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 261** was returned to the Senate.

Representative Smith deferred to Representative Roy.

Representative Smith brought **HB 235 w/HA 1 & 2 & SA 2**, sponsored by Representative Roy & Senator Blevins & Representatives Caulk, Ewing, Fallon, Lofink, Quillen, Keeley, Gilligan, VanSant, Houghton, Price, Schroeder, Viola & West & Senators DeLuca, Marshall, Sokola, Simpson & Winslow, before the House for concurrence on **SA 2**.

HB 235 - AN ACT TO AMEND CHAPTER 91, TITLE 29 OF THE DELAWARE CODE RELATING TO DEVELOPMENT OF IMPACT FEES.

Representative Smith made comments.

The roll call on **HB 235 w/HA 1 & 2 & SA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority, **HB 235 w/HA 1 & 2 & SA 2** was sent to the Governor.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with introduction of and action on **SB 262 w/SA**

1. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Roy introduced and brought **SB 262 w/SA 1**, jointly sponsored by Senator DeLuca & Senators Amick & Simpson & Representatives Keeley, Caulk, DiLiberto, DiPinto, Ewing, Houghton, Mulrooney, Stone, Valihura, VanSant & Viola, before the House for consideration.

SB 262 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TRAFFIC LIGHT SIGNAL VIOLATION MONITORING SYSTEMS.

Representative Roy made comments.

The roll call on **SB 262 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority, **SB 262 w/SA 1** was returned to the Senate.

Representative Smith brought **HB 247 w/HA 2 & SA 2**, sponsored by Representative Schroeder & Senator Sokola & Representatives B. Ennis, Houghton, Keeley & Viola, before the House for concurrence on **SA 2**.

HB 247 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMMUNITY NOTIFICATION OF SEX OFFENDERS.

Representative Smith made comments.

The roll call on **HB 247 w/HA 2 & SA 2** was taken and revealed:

YES: 37.

ABSENT: Representatives Carey, Caulk, Ewing, Williams - 4.

Therefore, having received a constitutional majority, **HB 247 w/HA 2 & SA 2** was sent to the Governor.

Representative Smith deferred to Representative Miro.

Representative Miro moved to suspend the rules which interfere with action on **SB 170**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Miro brought **SB 170**, jointly sponsored by Senator Venables & Senators Blevins, Bunting, McDowell & Still & Representatives Brady, Price, Smith, Spence, VanSant & Wagner, before the House for consideration.

SB 170 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SCHOOL BUS DRIVERS. (F/N)

Representative Miro made comments.

The roll call on **SB 170** was taken and revealed:

YES: 36.

ABSENT: Representatives Carey, Caulk, Ewing, Ulbrich, Williams - 5.

Therefore, having received a constitutional majority, **SB 170** was returned to the Senate.

Representative Smith moved to suspend the rules which interfere with action on **HB 154 w/HA 2 & SA 1**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **HB 154 w/HA 2 & SA 1**, sponsored by Representative Buckworth & Senator Blevins & Representatives Maier & Price & Senators Amick, Sokola & Sorenson & cosponsored by Representative Schroeder, before the House for concurrence on **SA 1**.

HB 154 - AN ACT TO AMEND CHAPTERS 9 AND 11 OF TITLE 13 OF THE DELAWARE CODE RELATING TO TERMINATION OF PARENTAL RIGHTS AND ADOPTION.

Representative Smith made a comment.

The roll call on **HB 154 w/HA 2 & SA 1** was taken and revealed:

YES: 35.

ABSENT: Representatives Carey, Caulk, Ewing, Miro, Plant, Williams - 6.

Therefore, having received a constitutional majority, **HB 154 w/HA 2 & SA 1** was sent to the Governor.

The Majority Leader moved to recess to the call of the Chair at 1:40 a.m.

141st GENERAL ASSEMBLY - SECOND SPECIAL SESSION - First Legislative Day

November 1, 2001

Mr. Speaker Spence called the House to order at 2:25 p.m.

The Majority Leader moved to adjourn the First Special Session of the 141st General Assembly at 2:26 p.m.

The House reconvened at 2:27 p.m.

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative D. Ennis, Sixth Representative District.

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

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

Representative Oberle requested that he be marked present.

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

Representatives Caulk requested and was granted personal privilege of the floor to make comments. Representative Fallon made comments. Mr. Speaker Spence introduced a guest. Representative Roy requested that he be marked present. The House observed a moment of silence in memory of Patrick J. Breslin, Jr., Doug Webb and Hudson Gruwell at the request of Mr. Speaker Spence & Representative Quillen. Representative Reynolds made comments.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #33

DATE: November 1, 2001

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

Number	Sponsor	Date	Type	Description
H141-726	Carey	6/28/2001	T	James Tobin/Outstanding Performance/Legislative Fellow
H141-727	Cathcart	6/28/2001	T	Larry Haas/Outstanding Performance/Legislative Fellow cosponsors: Reps. Boulden, B. Ennis, Lavelle, Lofink, Miro, Oberle, Plant, Price, Reynolds, Thornburg, Valihura & Viola
H141-728	Reynolds	6/28/2001	T	Susan Keene/Outstanding Performance/Legislative Fellow cosponsors: Reps. Maier, Miro, Mulrooney, Oberle, Price, Schroeder, Scott, Ulbrich, Viola, West
H141-729	Fallon	6/12/2001	T	Georgia Cooperson/Ph.D./Princeton University
H141-730	Spence	8/25/2001	T	Dominick & Lee Paoli/50th Wedding Anniversary
H141-731	Cathcart	6/28/2001	T	Marc Cheban/Dedication/St. Andrew's School Youth
H141-732	DiPinto	6/28/2001	T	Tina Bembry/President/Sarcoidosis Resource Center
H141-733	Carey	6/24/2001	M	Gretchen W. Nyce
H141-734	Buckworth	6/30/2001	T	Megan Collins/All-State Girls Soccer Team

H141-735	Buckworth	6/30/2001	T	Tyresa Smith/All-State Girls Track/High Jump
H141-736	Buckworth	6/30/2001	T	Paula Green/All-State Girls Track/Long Jump
H141-737	Buckworth	6/30/2001	T	Jessica Schultz/All-State Girls Track/1,600 Relay
H141-738	Buckworth	6/30/2001	T	Samantha Morrison/All-State Girls Track/1,600 Relay
H141-739	Buckworth	6/30/2001	T	Antonia Adams/All-State Girls Track/1,600 Relay
H141-740	Buckworth	6/30/2001	T	Rosa White/All-State Girls Track/1,600 Relay
H141-741	Buckworth	6/30/2001	T	Stephen Franklin/All-State Boys Track/Discus
H141-742	Buckworth	6/30/2001	T	Shannon Buck/First Singles Tennis Champion
H141-743	Buckworth	6/30/2001	T	R. W. Rhodes/All-State Baseball First Team
H141-744	Smith	7/10/2001	T	Sherry Smith/Good Citizenship
H141-745	Smith	7/10/2001	T	Guisepppe Spinelli/Good Citizenship
H141-746	VanSant	6/30/2001	T	E. Jean Lanyon/Poet Laureate

HOUSE TRIBUTE ANNOUNCEMENT #34

DATE: November 1, 2001

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

Number	Sponsor	Date	Type	Description
H141-747	Smith	6/30/2001	T	Ray & Judith Hester/Darley Manor Inn/Historic Landmark
H141-748	Gilligan	6/28/2001	M	Marie A. Viola
	cosponsors: All Representatives			
H141-749	VanSant	6/30/2001	T	Linda & Douglas VanSant/39th Wedding Anniversary
H141-750	Fallon	6/13/2001	T	Honorable William V. Roth/Grand Cordon of the
	cosponsors: All Representatives			Order of the Rising Sun Recipient/Japan
H141-751	Wagner	6/30/2001	T	Jennifer Portman/Excellent Coverage of General Assembly
H141-752	Scott	6/30/2001	M	Julia Ann Marion
H141-753	Ulbrich	7/6/2001	T	Darlene Riggs/Employees/Grand Opening/Wawa Store
H141-754	Stone	7/8/2001	M	Heather Covell Torbert
	cosponsor: Rep. Wagner			
H141-755	Gilligan	7/9/2001	M	The Honorable Casimir S. Jonkiert
	cosponsor: Rep. VanSant			
H141-756	Wagner	7/21/2001	T	Heather Kennedy & Walter Dinicola/Marriage
H141-757	Wagner	7/23/2001	T	Helen Downing & Gregory Haughey/Marriage
H141-758	Wagner	8/31/2001	T	William Henry High School/50th Reunion
H141-759	DiPinto	5/17/2001	T	Joe Vattilana/Induction/Highway Hall of Fame
	cosponsor: Rep. Valihura			
H141-760	Wagner	7/31/2001	T	Constance Holland/Valuable Service to Kent County
H141-761	Hudson	6/1/2001	T	Ed & Jean Lefren/Donation/Delaware Nature Society
H141-762	Wagner	7/1/2001	M	Curtis B. Patterson
H141-763	Roy	7/24/2001	T	Ray Harbeson/Retirement/33 Years/DelDOT
	cosponsors: All Representatives			
H141-764	Quillen	7/10/2001	T	Deborah Pope/Outstanding Teacher/Lake Forest
H141-765	Carey	8/4/2001	T	James Hickin/Eagle Scout
H141-766	Quillen	7/21/2001	T	Joseph Kennard/Eagle Scout
H141-767	Wagner	7/13/2001	M	Robert R. Owens
H141-768	Wagner	7/28/2001	T	Caroline Frazier & Jason Locke/Marriage
H141-769	Wagner	7/28/2001	T	Michele Shock & Darin Hobbs/Marriage

HOUSE TRIBUTE ANNOUNCEMENT #35

DATE: November 1, 2001

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

Number	Sponsor	Date	Type	Description
H141-770	Spence	7/15/2001	M	Jeffrey Malloch
	cosponsor: Rep. Viola			
H141-771	West	6/20/2001	T	Virginia & Harold Short/50th Wedding Anniversary
H141-772	Price	5/26/2001	T	Thelma & Edward Ploskon/50th Wedding Anniversary
H141-773	Hudson	6/16/2001	T	Barbara Bordeaux-Baxter & Roy Palo/Marriage
H141-774	DiLiberto	12/29/2000	T	Betty & George Tweed/50th Wedding Anniversary
H141-775	Scott	6/23/2001	T	Irene & William Gorski/50th Wedding Anniversary
H141-776	Houghton	6/30/2001	T	Louise & Anthony Tolino/50th Wedding Anniversary
H141-777	Keeley	6/30/2001	T	Marie & Joseph Bendistis/50th Wedding Anniversary
H141-778	Brady	6/23/2001	T	Mary & Frank Marine/50th Wedding Anniversary
H141-779	VanSant	6/30/2001	T	Jean & Joseph Smith/50th Wedding Anniversary
H141-780	Williams	6/30/2001	T	Lolita & James Lamborn/50th Wedding Anniversary
H141-781	Scott	6/17/2001	T	Annie & Jason Blakeney/50th Wedding Anniversary
H141-782	VanSant	6/29/2001	T	Florence & Frank Fusco/60th Wedding Anniversary
H141-783	Fallon	7/17/2001	T	Doris Mullin/Retirement/Seaford Schools/41 Years
H141-784	Fallon	9/12/2001	T	Auxiliary/Nanticoke Health Services/50th Anniversary
H141-785	West	7/29/2001	T	Anthony Ryan Hall/Eagle Scout
H141-786	Lee	8/16/2001	T	Delaware Memorial Bridge/50th Anniversary
	cosponsors: All Representatives			
H141-787	Ewing	7/20/2001	T	Joanne Jones/Teacher of the Year/Woodbridge
H141-788	Spence	7/20/2001	T	William Brower/Service/Delaware Campaigns
H141-789	Carey	7/22/2001	T	Jean & Nelson Swain/50th Wedding Anniversary
H141-790	Carey	8/2/2001	T	Emily & Herman Black/50th Wedding Anniversary
	cosponsor: Rep. Fallon			
H141-791	Carey	7/31/2001	T	Shirley Hitchens/Retirement/31 Years/DelTech
	cosponsor: Rep. West			
H141-792	Wagner	7/22/2001	M	Emily George Morris
	cosponsors: All Representatives			

HOUSE TRIBUTE ANNOUNCEMENT #36

DATE: November 1, 2001

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

Number	Sponsor	Date	Type	Description
H141-793	Wagner	7/24/2001	M	Robert T. Heckman, M.D.
H141-794	Wagner	7/30/2001	T	Gene Montano/Teacher of the Year/Dover High
H141-795	Wagner	7/30/2001	T	Erika Caldwell/Teacher of the Year/Booker T. Washington Elementary
	cosponsor: Rep. Caulk			
H141-796	Wagner	6/30/2001	T	Orna & George Massey/50th Wedding Anniversary
H141-797	D. Ennis	7/26/2001	M	Alan J. Eichenberger
H141-798	Williams	7/23/2001	M	Akia M. Caulk
H141-799	Cathcart	7/31/2001	T	Lee Cole/Retirement/30 Years/State Purchasing

H141-800	Cathcart	8/17/2001	T	David S. Hugg, III/Retirement/32 Years/Planning Office
H141-801	Plant	8/4/2001	T	Reverend Lewis Johnson/30 Years/Ebenezer Baptist
H141-802	Scott	8/10/2001	T	Sandra Peaks/Outstanding Community Service
H141-803	Plant	8/10/2001	T	Donald Farrell/Outstanding Community Service
H141-804	D. Ennis	8/2/2001	T	Rear Admiral (Retired) John Lee/Decorated Veteran
H141-805	B. Ennis	8/18/2001	T	Alan Robinson, Jr./31 Years/Smyrna School District
H141-806	Quillen	8/25/2001	T	Farmington Volunteer Fire Company/50th Anniversary
H141-807	cosponsor: Rep. Ewing Stone	8/11/2001	T	Karen Griffin & Christopher Kaldahl/Marriage
H141-808	cosponsor: Rep. Wagner Wagner	8/11/2001	T	Holly Spence & Timothy Hudson/Marriage
H141-809	Miro	8/18/2001	T	Robert VanderDecker, III/Eagle Scout
H141-810	Wagner	8/11/2001	T	Morgan Wagner & Michael Holtman/Marriage
	cosponsors: All Representatives			
H141-811	Stone	7/30/2001	T	Jim Long/Teacher of Year/Central Middle School
H141-812	D. Ennis	9/18/2001	T	Professor Hans-Dieter Kunze/65th Birthday
H141-813	Caulk	7/30/2001	T	Vicky Frazier/Teacher of Year/Caesar Rodney District
H141-814	Valihura	8/26/2001	T	Brian Rosen/Eagle Scout
H141-815	Valihura	8/23/2001	T	Luis Giay/International Rotary Chairman/Visit
H141-816	Valihura	8/10/2001	T	Hanby Middle School/Performance/Student Testing Program

HOUSE TRIBUTE ANNOUNCEMENT #37

DATE: November 1, 2001

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

Number	Sponsor	Date	Type	Description
H141-817	Oberle	8/18/2001	T	Nancy Douglas/30 Years/Chrysler Corporation
H141-818	Stone	8/10/2001	M	Mildred L. Hurd
H141-819	cosponsor: Rep. Wagner Buckworth	8/17/2001	T	Melissa Harrington & Colin Bonini/Marriage
	cosponsors: All Representatives			
H141-820	Maier	8/10/2001	M	Mary Jane Minke
H141-821	Brady	8/20/2001	T	Kristine Kolling/21st Birthday
H141-822	Carey	8/18/2001	T	Dale Callaway/Incoming President/Volunteer Fireman's Association
H141-823	B. Ennis	8/18/2001	T	William Carson, Jr./Retirement/31+ Years/DelDOT
H141-824	Quillen	8/24/2001	T	Carl Legates/Retirement/36+ Years/DelDOT
H141-825	cosponsor: Rep. Ewing Thornburg	9/7/2001	T	Hartly Volunteer Fire Company, Inc./75th Anniversary
H141-826	West	7/22/2001	T	Gladys & Charles Covington/50th Wedding Anniversary
H141-827	Schroeder	2/22/2001	T	Rose & Walter Zankowsky/60th Wedding Anniversary
H141-828	Stone	6/9/2001	T	George & Pauline McPhee/50th Wedding Anniversary
H141-829	Stone	8/30/2001	T	Bruce Littleton/Retirement/26+ Years/DelDOT
H141-830	Schroeder	9/5/2001	T	Leon Hall/40+ Years/Indian River Fire Company
H141-831	Brady	8/26/2001	T	William Theis/Retirement/33 Year/Brandywine Schools
H141-832	Stone	7/12/2001	T	Jim Flood, Sr./Person of the Year Award/Dover YMCA

H141-833	Brady	9/1/2001	T	Patricia Guidash/Retirement/29 Years/Brandywine Schools
H141-834	Plant	7/22/2001	T	Delia & Ernest Ballock/53rd Wedding Anniversary
H141-835	Brady	6/12/2001	T	Marianne & Herbert Eleuterio/50th Wedding Anniversary
H141-836	Smith	9/28/2001	T	Gwen Cameron/President/Forwood Manor Residents
H141-837	Spence	7/24/2001	M	Joseph L. Rizzo, Jr.
H141-838	Stone	8/18/2001	M	Dorothy H. Devroude
H141-839	Ewing	8/16/2001	M	Agnes H. Kefauver
H141-840	Carey	9/22/2001	T	Sarah & Elwood Johnson/50th Wedding Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #38

DATE: November 1, 2001

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

Number	Sponsor	Date	Type	Description
H141-841	Hudson	8/31/2001	T	Thomas Meier/50th Anniversary/Winterthur Museum
H141-842	Hudson	8/31/2001	T	Dr. Arthur Frauenfelder/50th Anniversary/Winterthur
H141-843	Hudson	8/31/2001	T	Dr. Martin Haas/50th Anniversary/Winterthur Museum
H141-844	Lee	8/18/2001	M	George William Melson
H141-845	Quillen	9/7/2001	T	Joseph Wutka, Jr./Retirement/30+ Years/DelDOT
H141-846	Ewing	8/23/2001	M	Keith E. Holden
H141-847	Wagner	8/24/2001	M	William H. Valentine
H141-848	Wagner	9/22/2001	T	Erin Cooper/Miss Delaware
H141-849	Ewing	8/31/2001	T	Clifford Edwards/Retirement/25 Years/Accounting
H141-850	DiPinto	9/16/2001	T	Iron Overload Diseases Awareness Week
H141-851	Miro	9/7/2001	T	Latin American Community Center/Hispanic Heritage Month
	cosponsor: Rep. Keeley			
H141-852	Spence	8/31/2001	T	Quest Academy/Opening
H141-853	Wagner	9/1/2001	M	Bjorn Allen Osmundson
H141-854	Lee	9/11/2001	T	9-1-1 Emergency Number Day/Emergency Center Staff
H141-855	Quillen	9/6/2001	T	Lois Curro & John Langrell/Contribution/Harrington Volunteer Fire Company
H141-856	Quillen	9/15/2001	T	Celeste & Ray Roux/50th Wedding Anniversary
H141-857	Fallon	9/15/2001	T	Macedonia A.M.E. Church/140th Anniversary
H141-858	Fallon	9/7/2001	T	Mary Watson/Helen Marie Vojna Recipient
H141-859	Lavelle	10/11/2001	T	Benjamin B. Thompson/Eagle Scout
H141-860	Carey	9/30/2001	T	Milton Fire Department, Inc./100th Anniversary
H141-861	Carey	9/23/2001	T	Charles Christian Dubsky/Eagle Scout
H141-862	B. Ennis	10/5/2001	T	Virginia Allison & G. Burton Powell/60th Anniversary
H141-863	Ulbrich	9/23/2001	T	Memory/PFC. Douglas Alley/Park Dedication
H141-864	Smith	8/19/2001	M	Leon Tanzer
H141-865	Wagner	9/8/2001	M	Gladys E. Brown Connor
H141-866	DiPinto	9/5/2001	M	Carmela Tartaglia Petrillo

HOUSE TRIBUTE ANNOUNCEMENT #39

DATE: November 1, 2001

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

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
H141-867	West	9/27/2001	T	Charles Litsinger Graves, III/Eagle Scout
H141-868	Valihura	9/13/2001	T	Concord High School Cheerleading Squad/Trophy
H141-869	DiPinto	9/22/2001	T	Letha Hammon & Carl Dickey/Marriage
H141-870	cosponsor: Rep. Fallon Lofink	9/21/2001	T	Leukemia & Lymphoma Society/National Light the Night Walk
H141-871	Ewing	9/14/2001	T	Carroll Jester/Fireman of the Year
H141-872	cosponsor: Rep. Quillen Buckworth	9/14/2001	M	William L. Conrad
H141-873	Wagner	9/11/2001	M	Carl W. Roock
H141-874	B. Ennis	9/15/2001	T	James L. Cubbage, Jr./President/Volunteer Firemen's Association
H141-875	Ulbrich	9/11/2001	M	Matthew M. Flocco
H141-876	Buckworth	9/24/2001	T	Holly Jarrell/Kent County Farm Bureau Queen
H141-877	Thornburg	9/24/2001	T	Bobola Family/Kent County Farm Family of Year
H141-878	Fallon	10/3/2001	T	Charles Allen, Jr./Honored/Charitable Achievements
H141-879	Fallon	10/3/2001	T	Warren Allen/Honored/Charitable Achievements
H141-880	DiPinto	9/30/2001	T	Kentmere Nursing Care Center/100th Anniversary
H141-881	cosponsor: Rep. Williams Williams	9/15/2001	M	Pernest O. Holden
H141-882	Stone	9/17/2001	M	James L. Cooke
H141-883	cosponsor: Rep. Buckworth Buckworth	9/18/2001	M	Elizabeth V. Sigler
H141-884	cosponsor: Rep. Thornburg Miro	10/1/2001	T	Mitchell Family/New Castle County Farm Family of Year
H141-885	Carey	9/29/2001	T	Amanda Manship/Sussex County Farm Bureau Queen
H141-886	West	9/29/2001	T	Leolga Wright/Service/Sussex County Agriculture
H141-887	Ewing	9/18/2001	M	Robert Jones Vincent
H141-888	Wagner	9/29/2001	T	Renee Valla & Theodore Zak/Marriage
H141-889	Wagner	9/20/2001	M	Alex Gniesco

HOUSE TRIBUTE ANNOUNCEMENT #40

DATE: November 1, 2001

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

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
H141-890	Fallon	11/10/2001	T	Seaford Volunteer Fire Company/100th Anniversary
H141-891	B. Ennis	9/29/2001	T	George Kirk/Clayton Elementary School Reunion
H141-892	B. Ennis	9/29/2001	T	John Taliferro/Clayton Elementary School Reunion
H141-893	B. Ennis	9/29/2001	T	Frances Haith/Clayton Elementary School Reunion
H141-894	B. Ennis	9/29/2001	T	William Sullivan/Clayton Elementary School Reunion
H141-895	B. Ennis	9/29/2001	T	Geneva Wood/Clayton Elementary School Reunion
H141-896	B. Ennis	9/29/2001	T	Harley Taylor/Clayton Elementary School Reunion
H141-897	B. Ennis	9/29/2001	T	Lorraine Simmons/Clayton Elementary School Reunion
H141-898	B. Ennis	9/29/2001	T	Katherine Ross/Clayton Elementary School Reunion
H141-899	B. Ennis	9/29/2001	T	Willis Powell/Clayton Elementary School Reunion

H141-900	B. Ennis	9/29/2001	T	Courtney Houston/Clayton Elementary School Reunion
H141-901	B. Ennis	9/29/2001	T	Theresa Holmes/Clayton Elementary School Reunion
H141-902	B. Ennis	9/29/2001	T	Virginia Hearn/Clayton Elementary School Reunion
H141-903	B. Ennis	9/29/2001	T	Annie Gillis/Clayton Elementary School Reunion
H141-904	B. Ennis	9/29/2001	T	Inez Burton/Clayton Elementary School Reunion
H141-905	B. Ennis	9/29/2001	T	Beatrice Barrett/Clayton Elementary School Reunion
H141-906	B. Ennis	9/29/2001	T	Mary Richardson/Clayton Elementary School Reunion
H141-907	Reynolds	10/26/2001	T	G. Thomas Taylor/Distinguished Service Award Recipient/School Boards Association
H141-908	Gilligan	9/27/2001	T	Dr. Gail Ames/Retirement/Red Clay Schools/21+ Years
H141-909	Houghton	9/1/2001	T	Aurelia & Ben Alabrudzinski/50th Wedding Anniversary
H141-910	Scott	9/8/2001	T	Mary & John Connor/50th Wedding Anniversary
H141-911	VanSant	8/25/2001	T	Patricia & J. Earl Cummings/50th Wedding Anniversary
H141-912	Brady	8/29/2001	T	Lenora & Milton Cohen/55th Wedding Anniversary
H141-913	VanSant	8/8/2001	T	Katherine & Zebulun Ross/50th Wedding Anniversary
H141-914	Gilligan	8/25/2001	T	Dominick & Violet Paoli/50th Wedding Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #41

DATE: November 1, 2001

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

Number	Sponsor	Date	Type	Description
H141-915	Plant	8/19/2001	T	Joan & Harvey Pizor/50th Wedding Anniversary
H141-916	Gilligan	6/1/2001	T	Frank & Florence Hughto/55th Wedding Anniversary
H141-917	DiLiberto	7/28/2001	T	Susan & John Trembly/50th Wedding Anniversary
H141-918	Price	7/31/2001	T	June & James Himmelreich/50th Wedding Anniversary
H141-919	Price	8/2/2001	T	Dorothy & Robert Peterson/50th Wedding Anniversary
H141-920	Buckworth	10/9/2001	T	Wanda Teaff/Del-Tech/Distinguished Alumni
H141-921	Buckworth	10/9/2001	T	Rebecca Surguy/Del-Tech/Distinguished Alumni
H141-922	Quillen	10/9/2001	T	Rosemarie Pritchett/Del-Tech/Distinguished Alumni
H141-923	Quillen	11/11/2001	T	George Steward/100th Birthday
H141-924	Wagner	10/11/2001	T	Alma Baker/90th Birthday
H141-925	Plant	9/29/2001	T	Congregation/Christian Development Center /Anniversary/Bishop
H141-926	Buckworth	9/27/2001	T	Caesar Rodney Marketing Students/Generosity/9/11 Relief
H141-927	Buckworth	9/27/2001	T	Caesar Rodney Student Council/Generosity/9/11 Relief
H141-928	Spence	10/6/2001	T	City of New Castle/350th Anniversary
cosponsors: All Representatives				
H141-929	Price	10/17/2001	T	Kathy Hudson/Teacher of Year/Indian River Schools
H141-930	Carey	9/29/2001	T	Milford Parks & Recreation Department/25th Anniversary
H141-931	DiLiberto	10/26/2001	T	Kyle West/Eagle Scout
H141-932	DiPinto	10/23/2001	T	Family & Workplace Connection/15th Anniversary
H141-933	Schroeder	10/2/2001	T	Koret/Employer of the Year/Business & Professional Women's Club
H141-934	Schroeder	10/2/2001	T	Tracey Shahan/Woman of the Year/Business & Professional Women's Club
H141-935	Stone	10/6/2001	T	Whitney Ellis & James Arthur/Marriage

cosponsor: Rep. Wagner

H141-936	Scott	9/29/2001	T	Bernard Hopkins/World Middleweight Champion
H141-937	Thornburg	10/3/2001	T	Al Lane/50 Years/Marydel Volunteer Fire Company

HOUSE TRIBUTE ANNOUNCEMENT #42

DATE: November 1, 2001

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

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
H141-938	Price	10/8/2001	T	Governor Ruth Ann Minner/Trailblazer Award Recipient
H141-939	Boulden	10/6/2001	T	Celal Ilgaz/United States Citizenship
H141-940	Maier	10/4/2001	T	Peg Hood/80th Birthday
H141-941	Stone	10/4/2001	T	Shannon Brady/President's Student Service Award Recipient/Girl Scouts
H141-942	Stone	10/4/2001	T	Lauren Galbreath/President's Student Service Award Recipient/Girl Scouts
H141-943	Stone	10/4/2001	T	Julianne Shockley/President's Student Service Award Recipient/Girl Scouts
H141-944	Stone	10/4/2001	T	Vanessa Nutt/President's Student Service Award Recipient/Girl Scouts
H141-945	Stone	10/4/2001	T	Jill Hajec/President's Student Service Award Recipient/Girl Scouts
H141-946	Thornburg	10/8/2001	T	Edward Lewis/Emergency Medical Technician of the Year
H141-947	Thornburg	10/8/2001	T	John Gunter/50 Year Member/Hartly Fire Company
H141-948	Thornburg	10/8/2001	T	William Nickerson/50 Years/Hartly Fire Company
H141-949	Thornburg	10/20/2001	T	Melanie Rawley & Bernard Petrosky/Marriage
H141-950	Stone	10/2/2001	M	Philip P. Cartanza
H141-951	Stone	10/1/2001	M	Joseph C. Gillis
H141-952	Buckworth	10/19/2001	T	Marguerite Smith/Retirement/Legislative Council
H141-953	Spence	8/14/2001	T	Representative G. Wallace Caulk/Legislator of the Year Award Recipient
H141-954	Wagner	10/4/2001	M	Ruth Hendricks
H141-955	Carey	10/23/2001	T	Casa San Francisco/20th Anniversary
H141-956	Quillen	11/9/2001	T	D. Fay Freeman/Organizing Veteran's Day Assembly/Lake Forest Central
H141-957	Ewing	10/10/2001	T	Patti Seymour/Distinguished Service/Delaware Residents
H141-958	Roy	11/24/2001	T	Andrew Bonis/Eagle Scout

HOUSE TRIBUTE ANNOUNCEMENT #43

DATE: November 1, 2001

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

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
H141-959	Wagner	10/10/2001	M	Margaret G. Cooke

H141-960	Carey	9/14/2001	T	Shirley Joseph/President/Ladies Auxiliary/Delaware Volunteer Firemen's Association
H141-961	Brady	11/8/2001	T	Esther Foultz/90th Birthday
H141-962	Buckworth	10/13/2001	M	Sara Caroline Watson
H141-963	Spence	10/12/2001	M	Patrick J. Breslin, Jr.
	cosponsors: All Representatives			
H141-964	Caulk	10/16/2001	T	Doris Timblin/Retirement/Historical & Cultural Affairs
H141-965	Carey	10/20/2001	T	Abbott's Mill Nature Center/20th Anniversary
H141-966	B. Ennis	10/13/2001	T	Reynolds Jones/Induction/Aviation Hall of Fame
H141-967	Thornburg	10/17/2001	T	Kent County Volunteer Fire Companies and EMS Crews/Response to New York City Tragedy
H141-968	B. Ennis	10/16/2001	M	Honorable Hudson E. Gruwell
	cosponsors: All Representatives			
H141-969	DiPinto	9/14/2001	T	Joe Hanson/75th Birthday
H141-970	DiPinto	9/14/2001	T	Nick Grossi/80th Birthday
H141-971	DiPinto	10/18/2001	T	Harry Roosevelt/Leadership/Wilmington Convention & Visitors Bureau
H141-972	DiPinto	10/18/2001	T	Ralph Williams/Leadership/Wilmington Convention & Visitors Bureau
H141-973	Caulk	10/16/2001	M	Doug W. Webb
	cosponsors: All Representatives			
H141-974	Lavelle	10/18/2001	T	Educational Enrichment Center, Inc./Governor's Award for Excellence Recipient
H141-975	Spence	10/27/2001	T	Wilmington Fire Department/80th Anniversary
	cosponsors: All Representatives			
H141-976	Oberle	11/11/2001	T	Lawrence Connor/Retirement/37 Years/United Auto Workers
	cosponsors: All Representatives			
H141-977	Ewing	10/28/2001	T	Greenwood United Methodist Church/100th Anniversary
H141-978	Ewing	11/11/2001	T	Jason M. Deibel/Eagle Scout
H141-979	Lee	10/22/2001	T	Horsey Farms, Inc./Delaware Century Farm
H141-980	Lee	10/22/2001	T	Elliott Family Farm/Delaware Century Farm

T - Tribute

M - Memoriam

Representative Smith deferred to Representative Hudson.

Representative Hudson introduced and brought **HR 36**, cosponsored by Representatives Spence, Carey & Valihura, before the House for consideration.

HR 36 - MOURNING THE DEATH OF IRVING S. SHAPIRO, FORMER CHIEF EXECUTIVE OFFICER OF THE DUPONT COMPANY.

Representative Hudson made comments.

HR 36 was adopted by voice vote.

Mr. Speaker Spence, Representatives D. Ennis & Valihura made comments regarding **HR 36**.

Representative Smith deferred to Representative DiLiberto.

Representative DiLiberto introduced **HB 343**, jointly sponsored by Representative Ewing & Senators Henry & Amick & cosponsored by Representatives Spence, Carey, Williams, Lavelle, Stone & Plant.

HB 343 - AN ACT TO AMEND CHAPTER 90, TITLE 11 OF THE DELAWARE CODE RELATING TO COMPENSATION FOR INNOCENT VICTIMS OF CRIME.

Representative DiLiberto made comments.

Mr. Speaker Spence assigned **HB 343** to the Judiciary Committee.

The Majority Leader moved to recess for caucus at 2:50 p.m.

The House reconvened at 4:34 p.m. with Representative Oberle as Acting Speaker.

Representative Smith deferred to Representative Plant.

Representative Plant introduced **HB 345**, cosponsored by Representative Scott.

HB 345 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE PROVIDING FOR REAPPORTIONMENT OF THE STATE LEGISLATIVE DISTRICTS.

Mr. Acting Speaker assigned **HB 345** to the House Administration Committee.

Representative Smith deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with introduction of and action on **HB 344**.

The motion was seconded by Representative Lee and adopted by voice vote.

Representative Spence introduced and brought **HB 344** before the House for consideration.

HB 344 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE PROVIDING FOR REAPPORTIONMENT OF THE STATE LEGISLATIVE DISTRICTS.

Representative Spence made comments. Representative Spence deferred to Representative Smith.

Representative Smith made comments.

The following communication was read into the record at the request of Representative Smith:

The Honorable Terry R. Spence

Speaker of the House

Delaware House of Representatives

State of Delaware

Legislative Hall

Dover, DE 19901

RE: Redistricting

Dear Mr. Speaker:

As you know, the House of Representatives has engaged this firm to counsel and assist in the development of a plan to redistrict the House in light of the 2000 census. In connection with this assignment, my partner Michael Kirk and I have carefully reviewed the redistricting plan proposed by the House Leadership, both during its development and in its final form. We have also met with responsible Representatives, including Majority Leader Wayne A. Smith and Minority Leader Robert F. Gilligan, as well as staff members from both Caucuses, in an effort to understand the considerations that have guided and informed the redistricting process. Finally we have also studied the redistricting plan offered by Representatives Hazel Plant and Arthur Scott and have compared it to the House Leadership's plan.

Based on our review of the information available to us concerning the redistricting plan proposed by the House Leadership, it is our opinion that the House Leadership's plan complies with all relevant federal statutory and constitutional requirements.

Please let us know if we can be of further assistance to the House in this important matter.

Sincerely,

Charles J. Cooper

Cooper & Kirk Lawyers

Washington, D.C.

Representatives Smith, Williams & Mr. Acting Speaker made comments.

The roll call on **HB 344** was taken and revealed:

YES: 32.

NO: Representatives Caulk, B. Ennis, Maier, Plant, Quillen, Scott, Ulbrich, West & Williams - 9.

Therefore, having received a constitutional majority, **HB 344** was sent to the Senate for concurrence.

Representative Smith introduced **HB 341**, jointly sponsored by Senator McBride & Representatives Brady, Buckworth, DiLiberto, DiPinto, B. Ennis, Ewing, Gilligan, Hudson, Oberle, Reynolds, Spence & Valihura & Senators Amick, Cloutier, Connor, Sokola & Sorenson & cosponsored by Representatives Carey, Price, D. Ennis, VanSant & Schroeder.

HB 341 - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO EMERGENCY INCOME MAINTENANCE FOR MEMBERS OF THE MILITARY RESERVE AND NATIONAL GUARD WHO ARE DELAWARE RESIDENTS AND WHO ARE ON ACTIVE FEDERAL DUTY BECAUSE OF A NATIONAL EMERGENCY. (3/4 bill)

Mr. Acting Speaker assigned **HB 341** to the House Administration Committee.

Representative Smith made comments regarding **HB 341** & **HB 342**.

Representative Smith introduced **HB 342**, jointly sponsored by Senator McBride & Representatives Brady, Buckworth, DiLiberto, DiPinto, B. Ennis, Ewing, Gilligan, Hudson, Oberle, Reynolds, Spence, Ulbrich & Valihura & Senators Amick, Cloutier, Connor, Sokola & Sorenson & cosponsored by Representatives Carey & Quillen.

HB 342 - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE FOR MILITARY RESERVISTS, MEMBERS OF THE NATIONAL GUARD, AND THEIR ELIGIBLE BENEFICIARIES.

Mr. Acting Speaker assigned **HB 342** to the House Administration Committee.

Representative Smith made comments regarding **HB 342**.

Representative Smith deferred to Representative Lofink.

Representative Lofink introduced **HB 346**, jointly sponsored by Representatives Smith & Oberle.

HB 346 - AN ACT TO AMEND TITLES 29 AND 14 OF THE DELAWARE CODE CONCERNING LAWSUITS AGAINST STATE AGENCIES AND LOCAL SCHOOL DISTRICTS.

Mr. Acting Speaker assigned **HB 346** to the House Administration Committee.

Representative Smith deferred to Representative Wagner.

Representative Wagner introduced and brought **HR 37**, jointly sponsored by Representative B. Ennis, before the House for consideration.

HR 37 - REQUESTING THAT THE DEPARTMENT OF EDUCATION ESTABLISH REGULATIONS FOR A LOAN FORGIVENESS PROGRAM FOR TEACHERS WHO BECOME DISABLED AFTER RECEIVING A LOAN FROM THE STATE.

Representative Wagner made comments.

HR 37 was adopted by voice vote.

Representative Smith deferred to Representative West. Representative West requested and was granted personal privilege of the floor to introduce a guest.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis introduced and brought **HR 38**, jointly sponsored by Representatives Brady, Buckworth, Carey, Caulk, D. Ennis, Ewing, Gilligan, Houghton, Keeley, Oberle, Price, Quillen, VanSant, Viola, Wagner & West, before the House for consideration.

HR 38 - REQUESTING THE RECONSIDERATION BY THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF FINANCE OF A LOAN REPAYMENT BY MARGARET MERCHANT DUE TO SEVERE ILLNESS.

Representative B. Ennis made comments.

HR 38 was adopted by voice vote.

Representative D. Ennis made comments.

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

Mr. Speaker Spence called the House to order at 2:15 p.m. on January 8, 2002.

The Majority Leader moved to adjourn the Second Special Session of the 141st General Assembly at 2:16 p.m.

The House reconvened at 2:17 p.m.

**1st LEGISLATIVE DAY - 141st GENERAL ASSEMBLY - SECOND SESSION
January 8, 2002**

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Caulk & Lavelle -2.

Representative Reynolds made an announcement.

A prayer was offered by Representative Bruce C. Reynolds, Fifteenth Representative District.

The Colors were presented by the Delaware Air National Guard Honor Guard and they led those present in the pledge of allegiance to the American Flag.

Chief Master Sergeant Dan Young narrated the history of the flag and described a flag folding ceremony. The folded flag was presented to Speaker Spence by Major General Vavala. The Colors were retired. Mr. Speaker Spence introduced Lori Christensen, Senior Legislative Analyst, Controller General's Office, who sang "America the Beautiful". Representative Miro introduced Dr. Fleda Brown, Delaware's Poet Laureate, who read an original poem. Mr. Speaker Spence introduced Amy Franklin who sang "God Bless America". Representative B. Ennis made comments.

The following out-of-session prefiled legislation was introduced:

January 2, 2002

HB 339 - VALIHURA & SENATOR CLOUTIER; REPRESENTATIVES BOULDEN, BUCKWORTH, CAREY, CAULK, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, HOUGHTON, LAVELLE, LEE, LOFINK, MIRO, MULROONEY, PLANT, SCOTT, STONE; SENATORS SORENSON, WINSLOW - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Vehicles that Must Stop at Railroad Crossings.

HB 340 - CATHCART & SENATOR SIMPSON & SENATOR SOKOLA; REPRESENTATIVES BUCKWORTH, CAREY, DIPINTO, FALLON, LAVELLE, REYNOLDS, VALIHURA, WAGNER, GILLIGAN, HOUGHTON, KEELEY, VIOLA; SENATORS AMICK, CONNOR, SORENSON - WATER QUALITY - An Act to Amend Title 7 of the Delaware Code Relating to Wetlands.

HB 347 - SCHROEDER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend an Act Being Chapter 504, Volume 57, Laws of Delaware, as Amended, Entitled "An Act to Incorporate the Town of Henlopen Acres" to Clarify Qualifications of Commissioners and Mayor. (2/3 bill)

HB 348 - STONE; REPRESENTATIVES HUDSON, SPENCE; SENATORS SHARP, ADAMS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 6 of the Delaware Code Relating to Securitizations of Property, Assets or Rights, to Provide for the Rights of a Transferor of Property, Assets or Rights and the Rights of the Transferor's Creditors or, in any Insolvency Proceeding with Respect to the Transferor or the Transferor's Property, a Bankruptcy Trustee, Receiver, Debtor, Debtor in Possession or Similar Person, in Property, Assets or Rights Purported to be Transferred as a Part of a Securitization Transaction, and to Provide that Certain of these Rights Depend Upon the Provisions Set Forth in the Transaction Documents Relating to the Securitization Transaction.

HB 349 - KEELEY & SENATOR BLEVINS; REPRESENTATIVES GILLIGAN, MAIER, PLANT, VIOLA & SENATORS CLOUTIER, MARSHALL, MCDOWELL - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to A Tobacco Product Tax. (3/5 bill)

HB 353 - WAGNER & REPRESENTATIVE HUDSON & REPRESENTATIVE KEELEY & SENATOR HENRY & SENATOR BONINI; REPRESENTATIVES QUILLEN, VANSANT; SENATOR VAUGHN - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Divorce.

HB 354 - WAGNER; DIPINTO, & HUDSON, & SCHROEDER, & SEN. BUNTING - JUDICIARY - An Act Amend Title 29 of the Delaware Code Relating To State Employee's Pension Plan.

HB 355 - WAGNER & SENATOR BLEVINS; REPRESENTATIVES SPENCE, BUCKWORTH, CAREY, CAULK, DILIBERTO, D. ENNIS, EWING, FALLON, MAIER, OBERLE, REYNOLDS, STONE, ULBRICH, VALIHURA, BRADY, B. ENNIS, HOUGHTON, KEELEY, MULROONEY, PLANT, PRICE, SCHROEDER, SCOTT, VANSANT, VIOLA, WEST, WILLIAMS; SENATOR CONNOR - LABOR - An Act too Amend Title 19 of the Delaware Code Relating to Wage Payment and Collection.

SB 43 - BONINI; SENATORS AMICK, BLEVINS, CLOUTIER, CONNOR, SOKOLA, SORENSON, WINSLOW; REPRESENTATIVES BUCKWORTH, LOFINK, MAIER, MIRO, REYNOLDS, SMITH, SPENCE, STONE - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Passengers in Vehicles; and Prohibiting the Carrying of Passengers in Any Unenclosed Area of a Truck. (2/3 bill)

SB 220 - HENRY & REPRESENTATIVE EWING - PUBLIC SAFETY - An Act to Amend Title 21, of the Delaware Code Relating to the Sale of Motor Vehicles.

SB 231 - BLEVINS & REPRESENTATIVE HUDSON - REVENUE & FINANCE - An Act to Amend Title 30 for the Delaware Code Relating to the Penalties and Enforcement of Prohibitions on Affixing Tobacco Product Tax Stamps.

SB 233 - SORENSON & REPRESENTATIVE BUCKWORTH & SENATOR BONINI; SENATORS AMICK, CLOUTIER, CONNOR, MCDOWELL, SIMPSON, STILL, WINSLOW; REPRESENTATIVES CATHCART, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, FALLON, HOUGHTON, MAIER, MULROONEY, REYNOLDS, SCHROEDER, SCOTT, ULBRICH, VALIHURA, VIOLA, WAGNER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to Child Care.

SB 259 - CONNOR & REPRESENTATIVE MULROONEY - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 29 of the Delaware Code Relating to the Municipal Services Commission of the City of New Castle.

HA 3 to SS 1 for SB 92 - SMITH - Placed with the Bill.

SJR 10 - HENRY & REPRESENTATIVE SMITH - EDUCATION - A Resolution Regarding Expenditures of Remaining Funds Made Available for Study by the Wilmington Neighborhood Schools Committee.

Representatives Quillen, Brady, Plant, Thornburg & D. Ennis requested that they be marked present. Representative D. Ennis requested and was granted personal privilege of the floor to make comments. Representative Reynolds made comments. Representative Smith requested that he be marked present. Representative Maier requested and was granted personal privilege of the floor to introduce guests. Representative Smith made comments.

Representative Smith requested and was granted privilege of the floor for Pam Price, staff member. The 2002 Legislative Fellows introduced themselves and announced their committee assignments.

Representative Stone made an announcement.

The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: Terry R. Spence, Speaker of the House
JoAnn Hedrick, Chief Clerk

FROM: Representative Wallace G. Caulk

DATE: January 3, 2002

SUBJECT: Absence from session

Please be advised that I will be unable to attend session the week of Jan. 7, 2002 due to personal reasons.

MEMORANDUM

TO: Terry R. Spence, Speaker of the House of Representatives
FROM: Representative Gregory F. Lavelle
DATE: January 8, 2002
RE: Absence From Session

Due to illness, I will not be attending Session today, January 8, 2002. Please excuse my absence.

If you require additional information, please let me know.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 43, SB 259, SB 262 w/SA 1, SB 233, SJR 10, SB 261, SB 26 & SB 231** and requests the concurrence of the House: **HB 264, HJR 21, HB 185 w/HA 1, HB 262 w/HA 1 & 2 & SA 1, HB 351, HJR 19, HB 255 w/HA 1, 3, 4, 6, 8, 10 & 12; HB 192 w/HA 1, HB 247 w/HA 2 & SA 2; HB 257 w/SA 1; HB 235 w/HA 1 & 2 & SA 2; HB 154 w/SA 2, HB 250, HB 285 w/HA 1 & 2, HB 311, HB 313, HB 320 w/HA 1 & 2, HB 321, HJR 7 w/HA 1, HB 30 w/HA 1, HB 84 w/HA 1 & 2, HB 100 w/HA 3, HB 117, HB 170, HB 206, HB 240 & HB 249 w/HA 1** and is returning same to the House.

July 5, 2001

LEGISLATIVE ADVISORY #17

Governor Ruth Ann Minner signed the following legislation on the date indicated: **6/28/01 - HJR 16, HJR 17, HB 350 & SB 70 aab SA 2; 6/30/01 - SB 45, SB 46, SB 80 aab SA 1 & HA 1 & SB 120; 7/01/01 - SS1 to SB 146; 6/30/01 - SB 157 aab SA 1, SB 164, SB 173, SB 176 & SB 177; 7/01/01 - SS 1 to SB 215 aab SA 1 & 2; 6/30/01 - SB 218, HB 192 aab HA 1 & HB 204 aab HA 1 & SA 1; 7/01/01 - HB 225 aab HA 1; 6/30/01 - HB 226 & HB 303; 7/01/01 - HB 308, HB 351 & HJR 19; 7/02/01 - SB 250; 7/03/01 - SB 181 aab SA 1 & SB 144 aab SA 2.**

The following amendments to the Delaware Constitution do not require the signature of the Governor: **HS 1 to HB 85, HB 8, HB 10 & SB 158.**

July 10, 2001

LEGISLATIVE ADVISORY #18

Governor Ruth Ann Minner signed the following legislation on the date indicated: **7/9/01 - HB 77 aab HA 1, HB 98, HB 106 aab HA 1, HB 158, HB 163 aab SA 1, HB 174, HB 175 aab HA 1, HB 209 aab HA 1 & 2, HB 215, HB 221, HB 236 aab HA 1, HB 237, HB 261, HB 283 aab HA 1 & HB 287 aab HA 1; 7/6/01 - SS 1 to SB 33 aab SA 2 & SB 192 aab SA 1 & HA 1; 7/9/01 - SS 1 to SB 53, SB 58, SB 111, SB 116 aab HA 1, SB 118, SB 123, SB 132, SB 137 aab SA 1 & SA 2, SB 138, SB 151, SB 174, SB 179, SB 182, SB 185 aab SA 1 & HA 1, SB 198, SB 199, SB 200, SB 201 aab HA 1, SB 210, SB 212, SB 217, SB 222 aab SA 1, SB 223 aab SA 1, SB 227, SB 230 aab SA 1, SB 241, SS 1 to SB 251, SB 256 & SJR 6.**

July 13, 2001

LEGISLATIVE ADVISORY #19

Governor Ruth Ann Minner signed the following legislation on the date indicated: **7/10/01 - HB 61 aab HA 1 & SA 1 & 2, HB 75, HB 253 & HB 269 aab HA 1; 7/11/01 - SB 110 aab SA 3 & 4; 7/10/01 - SB 211, SB 253, SB 254, SB 224 aab SA 2, SB 209, SB 189 aab SA 1 & HA 2 & 4, SB 150 aab SA 1 & SB 117 aab SA 1; 7/11/01 - SB 152 aab SA 1; 7/12/01 - SB 81, SB 135 aab SA 5, SB 154 & SB 168 aab SA 2; 7/9/01 - SB 196; 7/12/01 - SB 238, SJR 8, HB 57 aab HA 1 & SA 1, HB 84 aab HA 1 & 2, HB 107 aab SA 1, HB 117, HB 154 aab HA 2 & SA 1, HB 170, HB 206, HB 214 aab HA 1, HB 231 aab SA 2, HB 241 aab SA 2, HB 247 aab HA 2 & SA 2, HB 250, HB 257 aab SA 1, HB 264, HB 285 aab HA 1 & 2, HB 313 & HJR 21.**

July 23, 2001

LEGISLATIVE ADVISORY #20

Governor Ruth Ann Minner signed the following legislation on the date indicated: **7/13/01 - SB 183 aab SA 1; 7/9/01 - SB 184; 7/13/01 - HB 235 aab HA 1 & 2 & SA 2 & HB 255 aab HA 1, 3, 4, 6, 8, 10 & 12; 7/9/01 - HB 120 aab HA 1, 2 & 3; 7/17/01 - HB 246 aab HA 1, HB 249 aab HA 1, HB 311, HB 320 aab HA 1 & 2, HB 321 & HJR 7 aab HA 1; 7/19/01 - HB 30 aab HA 1, HB 176 aab HA 1 & 2 & SA 2, HB 185 aab HA 1 & HB 262 aab HA 1 &**

2 & SA 1; 7/17/01 - HB 240; 7/19/01 - SB 160 aab HA 1; 7/18/01 - HB 100 aab HA 3; 7/23/01 - SB 133, SB 159, SB 245, SB 252 & SB 262 aab SA 1. The following legislation was returned unsigned and vetoed by Governor Minner on the date indicated: 7/12/01 - **HB 293.**

July 31, 2001

LEGISLATIVE ADVISORY #21

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/24/01 - **SB 170, SB 162 aab SA 1, 2 & 5 & SB 26; 7/30/01 - SB 114 aab SA 1, SB 243, SB 261, SB 124, SB 187 aab SA 1 & SJR 9.**

August 1, 2001

LEGISLATIVE ADVISORY #22

Governor Ruth Ann Minner signed the following legislation on the date indicated: 8/1/01 - **SB 235 aab SA 1, HA 1, HA 1 to HA 1 & HA 2.**

July 11, 2001

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE 141ST GENERAL ASSEMBLY:

Pursuant to Article III, Section 18 of the Delaware Constitution, I am vetoing **House Bill No.293**, entitled "An Act to Incorporate the Town of Gumboro," as received by the Executive Office on June 30, 2001, by returning it to the House of Representatives without my signature for reconsideration.

I do not object to the incorporation of the Town of Gumboro. However, my review of **House Bill No.293**, as passed by the General Assembly, leads me to conclude that the bill includes a potentially dangerous flaw, in that it would incorporate such Town without promptly convening a town government. Most notably, **House Bill No.293** creates an incorporated Town of Gumboro, defines the Town's limits, and vests a Town Council with certain authorities, including authority over planning and zoning. An apparently unintended effect of the legislation as passed would be to divest the Sussex County government of certain powers it has heretofore exercised in the area to be incorporated, most notably the authority to regulate planning and zoning. Under 9 ~, ~, § 6902, the government of Sussex County is precluded from regulating land use and related issues within an incorporated area, except on the express request of such incorporated city or town. In this case, given that there is no lawfully seated government for the incorporated Town, there could be no such request, and as a result, there would be no government with authority to regulate land use, planning and zoning within the newly incorporated area.

The technical flaw existing in **House Bill No. 293** was discovered shortly after the bill's passage and, in the waning hours before adjournment of session, **House Bill No. 352** was introduced to correct the gap inadvertently created by **House Bill No. 293**. **House Bill No. 352** would have left the to-be-incorporated area of Gumboro subject to land use ordinances enacted by Sussex County until such time as the Town duly enacted its own planning and zoning ordinances. Regrettably, **House Bill No. 352** was not considered or passed in the Senate prior to its adjournment. Accordingly, I am returning House Bill No. 293 without signature.

Sincerely,

Ruth Ann Minner

Governor

July 16, 2001

Ms. JoAnn M. Hedrick
Chief Clerk of the House
Delaware House of Representatives
Dover, Delaware 19901
Dear Ms. Hedrick:

This will acknowledge receipt of **House Concurrent Resolution 12**, memorializing the Congress of the United States to enact **H.R. 20**.

Your resolution is being referred to the Speaker of the House for appropriate action.

With best wishes, I am

Sincerely,
Jeff Trandahl
July 24, 2001

The Honorable JoAnn M. Hedrick
Chief Clerk of the House
State of Delaware
Legislative Hall, Room 107
Dover, Delaware 19903

Dear Ms. Hedrick:

Thank you for transmitting **House Concurrent Resolution No. 12**, adopted by the Legislature of Delaware.

Please be assured that this resolution will be presented to the United States Senate and appropriately referred.

With best wishes, I am

Sincerely yours,
Jeri Thomson

September 21, 2001

To: Clerks and Secretaries of the State Legislatures

From: Gregory M. Gray

Transmitted herewith is a certified copy of House Resolution 1, which was adopted during a recent Extraordinary Session of the West Virginia Legislature.

I am directed by the resolution to forward copies to the Presiding Officers of the State Legislatures, and am forwarding the copy directly to you for notation or presentation to your Presiding Officer. Thank you.

State of West Virginia
Legislative Resolution
HOUSE RESOLUTION NO. 1

[By Mr. Speaker, Mr. Kiss, and Delegates Amores, Anderson, Angotti, Armstead, Ashley, Azinger, Beach, Beane, Boggs, Border, Brown, Browning, Butcher, Campbell, Cann, Canterbury, Caputo, Carmichael, Coleman, Compton, Craig, DeLong, Dempsey, Douglas, Doyle, Ellem, Ennis, Evans, Fahey, Faircloth, Ferrell, Flanigan, Fleischauer, Fletcher, Fox, Fragale, Frederick, Givens, Hall, Harrison, Hatfield, Hrutkay, Hubbard, Keener, Kominar, Kuhn, Leach, Leggett, Louisos, Mahan, Manchin, Manuel, Marshall, Martin, Mathews, McGraw, Mezzatesta, Michael, Morgan, Overington, Paxton, Perdue, Perry, Pethtel, Pino, Poling, Proudfoot, Prunty, Riggs, Romine, Schadler, Shaver, Shelton, Smirl, J. Smith, L. Smith, Spencer, Stalnaker, Staton, Stemple, Stephens, Susman, Swartzmiller, R. Thompson, R. M. Thompson, Trump, Tucker, Varner, Walters, Warner, Webb, Webster, C. White, G. White, H. White, Williams, Wills, Wright and Yeager)

[Adopted by the House of Delegates on September 18, 2001]

"Expressing the sense of the House of Delegates and decrying the outrageous terrorist attacks launched against the United States on Tuesday, September 11, 2001, expressing sympathy to the families and friends of those killed or injured, and urging the President of the United States and other federal officials to deal swiftly with those who threaten our freedom."

Whereas, The United States of America stands as the Nation most respected throughout the world for its freedom and its defense of freedom; and

Whereas, Tens of thousands of men and women have fought and died to secure, maintain and guarantee this freedom, and have utilized this freedom to build the most powerful and most successful nation on earth; and

Whereas, On Tuesday, September 11, 2001, enemies of the United States encroached upon the sacred soils of our Nation and conducted a series of the most inhumane, murderous attacks in the history of the world, hijacking and destroying four civilian aircraft, crashing two of them into the World Trade Center Towers in New York City, a third into the Pentagon outside Washington, D. C., and the fourth failing to reach its target and crashing in Pennsylvania,

which monstrous attacks killed and injured thousands of innocent people and completely demolished the World Trade Center Towers and a portion of the Pentagon, symbols of American strength and success; and

Whereas, The freedom fought for, secured and maintained over the past two hundred twenty-five years is threatened by the attackers, by targeting symbols of America, clearly intended to intimidate our Nation and weaken its resolve; therefore, be it

Resolved by the House of Delegates:

That the members of the West Virginia House of Delegates hereby express their deepest, heartfelt sympathy to the families and friends of those killed and injured in the terrorist attacks of Tuesday, September 11, 2001, and the recovery efforts following the attacks;

That the members of the House of Delegates hereby offer collective condolences and unreserved expressions of support to the State and to the City of New York, to the State of Virginia, and to the State of Pennsylvania;

That the House of Delegates of West Virginia hereby condemns in the strongest possible terms the terrorists who contrived and carried out those attacks, as well as their sponsors or any person or nation which harbours terrorists;

That the House hereby commends the heroic actions of the myriad of rescue workers, volunteers and officials who responded to these tragic events with courage, determination and skill;

That we hereby publicly proclaim that we will not forget those who have fought and died to help secure and maintain our freedom, and we further publicly decry and condemn those who plot, plan and execute attacks on our freedom, our citizenry and our way of life;

That our thoughts and prayers go out to all those directly affected by the attacks and to those participating in the recovery from the attacks;

That the President of the United States and the Congress be hereby urged to deal swiftly and judiciously with the situation, that freedom might live; and, be it

Further Resolved, That the Clerk of the House of Delegates forthwith prepare and cause to be delivered certified copies of this resolution to President George W. Bush, to the Honorable Bob Wise, Governor of the State of West Virginia, to U. S. Senators Robert C. Byrd and John D. Rockefeller IV, and to members of the United States House of Representatives Alan B. Mollohan, Shelley M. Capito and Nick Joe Rahall, to the Clerk of the United States House of Representatives and the Secretary of the United States Senate, to the Governor of New York and the Mayor of New York City, to the Governor of Virginia and the Governor of Pennsylvania, and to the Presiding Officers of the Legislatures of all the States in this Nation.

I, Gregory M. Gray, Clerk of Delegates, and as such Clerk, Keeper of the Rolls of the Legislature of West Virginia, hereby certify that the foregoing is a true and correct copy of House Resolution 1, which was adopted by the House of Delegates on the 18th day of September, 2001

Gregory M. Gray
Clerk of the House of Delegates
September 18, 2001

September 26, 2001

Dear Ms. Hedrick:

On behalf of the President, I would like to thank you for forwarding **resolution no. 25**, recently adopted by the Delaware House of Representatives.

I have taken the liberty of sharing your resolution with the appropriate officials for their review and consideration.

If I can be of further assistance, please feel free to contact me. With the President's best wishes,

Sincerely,
Ruben Barrales
Deputy Assistant to the President and
Director of Intergovernmental Affairs

The Honorable JoAnn M. Hedrick
Chief Clerk of the House of Representatives
State of Delaware
Legislative Hall
Dover, Delaware 19901

Representative Scott requested that he be marked present.

Representative Smith made comments.

Representative Wagner requested that **HB 353** & **HB 355** be stricken.

Representative West requested that he be marked present.

Representative Price requested and was granted personal privilege of the floor to introduce guests. The House observed a moment of silence in memory of House Attorney Battle Robinson's mother at the request of Mr. Speaker Spence.

Representative Smith deferred to Representative Miro.

Representative Miro introduced **HB 360**, jointly sponsored by Senator Sokola & Representatives Buckworth, Gilligan & Lavelle & Senator McDowell.

HB 360 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (2/3 bill)

Mr. Speaker Spence assigned **HB 360** to the Public Safety Committee.

The House Members sang Happy Birthday to the Minority Leader.

Mr. Speaker Spence assigned **SS 1 for SB 92** to the House Administration Committee.

The Majority Leader moved to recess for caucus and to the call of the Chair at 3:00 p.m.

Mr. Acting Speaker Buckworth called the House to order at 3:06 p.m. on January 9, 2002.

The Majority Leader moved to adjourn at 3:07 p.m., thereby ending the current legislative day. The House reconvened at 3:08 p.m.

2ND LEGISLATIVE DAY - 141ST GENERAL ASSEMBLY - SECOND SESSION January 9, 2002

The Chief Clerk called the roll.

Members Present: 37.

Members Absent: Representatives Caulk, Lavelle, Price & Thornburg - 4.

A prayer was offered by Representative Tina Fallon, Thirty-Ninth Representative District.

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

The following prefiled legislation was introduced:

HB 356 - PRICE & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 202, Volume 73, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Ocean View". (2/3 bill)

HB 357 - PRICE & SENATOR SIMPSON - LAND USE AND INFRASTRUCTURE - An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Solid Waste Authority.

HB 361 - GILLIGAN & SENATOR SHARP & REPRESENTATIVE HUDSON & REPRESENTATIVE OBERLE & REPRESENTATIVE LEE & REPRESENTATIVE QUILLEN - GAMING & PARIMUTUELS - An Act to Amend Title 3, Chapters 100 and 101 of the Delaware Code Relating to Racing.

HB 362 - BUCKWORTH & SENATOR AMICK & REPRESENTATIVES DILIBERTO, SCOTT & SENATORS BLEVINS, CLOUTIER- HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Foreign Adoptions.

HA 1 to HB 341 - SMITH - Placed with the Bill.

HA 2 to HB 341 - SMITH - Placed with the Bill

HA 1 to HB 342 - SMITH - Placed with the Bill.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #44

DATE: January 9, 2002

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

Number	Sponsor	Date	Type	Description
H141-981	Caulk	10/20/2001	M	Lorraine B. West
	cosponsor: Rep. Carey			
H141-982	Carey	10/21/2001	M	Grace M. Coulbourne
H141-983	Price	10/28/2001	T	Al & Cheryl Gargano/Dedication/Oak Orchard
H141-984	Schroeder	8/25/2001	T	Sally & Armand Zinnato/50th Wedding Anniversary
H141-985	Schroeder	10/5/2001	T	Rosalie & John Atkinson/55th Wedding Anniversary
H141-986	Schroeder	6/2/2001	T	Angela & Irwin Moore/50th Wedding Anniversary
H141-987	Lavelle	10/21/2001	T	Rose Marie & Ralph Pepe/Restoration/Grange Hall
H141-988	Stone	10/26/2001	T	Jennifer Hartman & Michael Turner/Marriage
H141-989	Williams	11/16/2001	T	Elizabeth & Elwood Wilson/50th Wedding Anniversary
H141-990	Keeley	8/23/2001	T	Angeline & Alfonso Simeone/60th Wedding Anniversary
H141-991	Gilligan	8/18/2001	T	Joseph & Irene Mahaney/50th Wedding Anniversary
H141-992	Williams	8/25/2001	T	Jessie & Charles Thomas/50th Wedding Anniversary
H141-993	Gilligan	8/25/2001	T	James & Elizabeth Byrd/50th Wedding Anniversary
H141-994	Gilligan	9/13/2001	T	Peter & Mary Anagnostou/50th Wedding Anniversary
H141-995	VanSant	9/13/2001	T	Madeline & Benjamin Thomasson/60th Anniversary
H141-996	VanSant	9/1/2001	T	Rose Marie & John Zale/50th Wedding Anniversary
H141-997	Gilligan	9/8/2001	T	Robert & Joan Brozek/50th Wedding Anniversary
H141-998	Williams	9/27/2001	T	Helen & David Heaney/60th Wedding Anniversary
H141-999	Houghton	9/22/2001	T	Mary & Leslie Bowen/50th Wedding Anniversary
H141-1000	Scott	9/10/2001	T	Geraldine & Clarence Dorsey/50th Wedding Anniversary
H141-1001	VanSant	9/28/2001	T	Florence & Edward Birowski/55th Wedding Anniversary
H141-1002	Gilligan	10/27/2001	T	Anthony & Dorothy Markese/50th Wedding Anniversary
H141-1003	Mulrooney	7/7/2001	T	Aldona & Robert Marshall/50th Wedding Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #45

DATE: January 9, 2002

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

Number	Sponsor	Date	Type	Description
H141-1004	Buckworth	10/27/2001	T	Emma Craft/Dedication/President/Women's Federation
	cosponsors: Reps. Hudson, Maier, Stone & Thornburg			
H141-1005	Spence	10/14/2001	T	Charles Fisher/Dedication/Medal of Honor Acre
H141-1006	Hudson	10/26/2001	T	Cokesbury Village/Opening/Aqua Center
H141-1007	Ewing	10/13/2001	T	Kay Seitz/First Place/Baking/Apple Scrapple Festival
H141-1008	Spence	11/5/2001	T	Christiana Care Emergency & Trauma Team/Rapid Response/September 11
H141-1009	Brady	9/29/2001	T	Barbara & Alvan Dobson, Jr./50th Wedding Anniversary
H141-1010	Carey	10/8/2001	M	Earl E. Argo
H141-1011	Carey	11/17/2001	T	Milford Historical Society/40th Anniversary
H141-1012	Carey	11/17/2001	T	F. Brooke Clendaniel/Preservation Delaware Award Recipient

H141-1013	DiLiberto	10/29/2001	T	Alda Burrows/86th Birthday
H141-1014	Spence	11/1/2001	T	Gene Reed, Jr./Regulator of the Year/Insurance Administrators
H141-1015	Spence	11/16/2001	T	Colm Connolly/Swearing-In/US Attorney
H141-1016	Spence	11/8/2001	T	Potter Anderson & Corroon, LLP/175th Anniversary
H141-1017	Spence	11/1/2001	T	Mary Mother of Hope House 1/24th Anniversary
H141-1018	Stone	11/2/2001	T	Honorable Jane Maroney/NCCJ Community Builder
	cosponsor: Rep. Valihura			
H141-1019	Keeley	10/22/2001	M	Arlene P. Goebel
H141-1020	Spence	11/2/2001	T	Marcella & Maurice Jacobs/50th Wedding Anniversary
H141-1021	Quillen	9/26/2001	T	Lake Forest Central Elementary School/Ribbon Cutting
H141-1022	Stone	11/2/2001	T	Joseph F. McDonough/Solution of Hope Award Recipient
H141-1023	Stone	10/30/2001	T	Basil Battaglia/Devoted Service
	cosponsors: Reps. DiPinto & Hudson			
H141-1024	Gilligan	11/24/2001	T	Joseph & Catherine Burns/50th Wedding Anniversary
H141-1025	Stone	10/29/2001	M	The Honorable John T. McKenna, Sr.
	cosponsors: All Representatives			
H141-1026	Carey	10/21/2001	T	Boy Scout Troop #198/Service/Milton Fire Company Dinner

HOUSE TRIBUTE ANNOUNCEMENT #46

DATE: January 9, 2002

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

Number	Sponsor	Date	Type	Description
H141-1027	Quillen	11/10/2001	T	Thomas Patrick MacLeish/Eagle Scout
	cosponsor: Rep. Buckworth			
H141-1028	Stone	11/9/2001	T	Raymond Richter/Retirement/30+ Years/DelDOT
H141-1029	Roy	11/7/2001	T	Nathan Jordan/Eagle Scout
H141-1030	Roy	11/7/2001	T	Destin Cox/Eagle Scout
H141-1031	Hudson	11/7/2001	T	Brandon Rains/Eagle Scout
H141-1032	DiPinto	10/30/2001	T	Sacred Heart Village/Dedication
	cosponsor: Rep. Spence			
H141-1033	Lee	11/3/2001	T	Linda Jones/Delmar Citizen of the Year
H141-1034	Ewing	11/9/2001	T	Woodbridge Elementary School/Honor to Veterans
H141-1035	Ewing	11/11/2001	T	St. Johnstown Methodist Church/Historical Marker/222 Years
H141-1036	Smith	11/6/2001	T	Amber Riblett/Delegate/Young Leader's Conference
H141-1037	Ewing	11/14/2001	T	Keller Hopkins/ABC Excellence in Construction Award
H141-1038	Fallon	11/8/2001	T	Rev. B. Leslie James/Who's Who/Professional Management
H141-1039	Hudson	11/8/2001	T	William Walton, Jr./Leadership/September 11 Recovery Effort
H141-1040	Williams	11/5/2001	T	Sean Mulhern, Jr./Public Service Career
	cosponsor: Rep. DiPinto			
H141-1041	Viola	11/17/2001	T	Douglass Ingle/Eagle Scout
H141-1042	Quillen	11/7/2001	T	Zosimo Buendia, M.D./30 Years/Medical Service
H141-1043	Quillen	11/7/2001	T	Lake Forest Field Hockey Team/First Division Championship
H141-1044	Quillen	11/8/2001	T	Louisa Howard/Honored/State Service/40 Years
H141-1045	DiLiberto	11/1/2001	M	David I. Johnston
	cosponsors: All Representatives			
H141-1046	Stone	11/6/2001	M	Catherine M. Goldmeyer

H141-1047	Stone	11/8/2001	T	Greater Dover Boys & Girls Club/10th Anniversary
H141-1048	Brady	11/29/2001	T	Marie Mears/90th Birthday
H141-1049	Carey	11/9/2001	T	June Barto/Retirement/38 Years/Milford City Council Secretary

HOUSE TRIBUTE ANNOUNCEMENT #47

DATE: January 9, 2002

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

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
H141-1050	Spence	11/28/2001	T	Phyllis Baynard/Opportunity Center/20 Years
	cosponsor: Rep. Reynolds			
H141-1051	Spence	11/28/2001	T	Bruce Bartleson/Opportunity Center/15 Years
	cosponsor: Rep. Valihura			
H141-1052	Spence	11/28/2001	T	Alfredia Forrest/Opportunity Center/30 Years
	cosponsor: Rep. Plant			
H141-1053	Spence	11/28/2001	T	Arulah Morris/Opportunity Center/10 Years
	cosponsor: Rep. DiPinto			
H141-1054	Spence	11/28/2001	T	Antoinette Wooten/Opportunity Center/5 Years
	cosponsor: Rep. Keeley			
H141-1055	Spence	11/28/2001	T	Bill Blake/Opportunity Center/5 Years
	cosponsor: Rep. D. Ennis			
H141-1056	Spence	11/28/2001	T	Lisa Clark/Opportunity Center/5 Years
	cosponsor: Rep. Gilligan			
H141-1057	Spence	11/28/2001	T	Dee Rash/Opportunity Center/15 Years
	cosponsor: Reps. Keeley			
H141-1058	Spence	11/28/2001	T	Joe Evans/Opportunity Center/40 Years
	cosponsor: Rep. Plant			
H141-1059	Spence	11/28/2001	T	Antonio Knotts/Opportunity Center/5 Years
H141-1060	Spence	11/28/2001	T	Gilbert Sammons/Opportunity Center/5 Years
	cosponsor: Rep. Plant			
H141-1061	Spence	11/28/2001	T	Steve Grier/Opportunity Center/5 Years
	cosponsor: Rep. Scott			
H141-1062	Spence	11/28/2001	T	Willie Richardson/Opportunity Center/15 Years
	cosponsor: Rep. Reynolds			
H141-1063	Wagner	11/10/2001	T	Rachel Medford & John Leone, Jr./Marriage
H141-1064	Spence	11/13/2001	T	Jack Chiang/Appointment/Director General/Taipei Office
	cosponsors: Reps. DiPinto, Hudson, Roy & Stone			
H141-1065	Carey	12/6/2001	T	Milford Public Library Volunteers
H141-1066	Quillen	11/10/2001	T	August Knox/Induction/National Honor Society
H141-1067	Quillen	11/10/2001	T	Lake Forest Cross Country Team/State Championship

HOUSE TRIBUTE ANNOUNCEMENT #48

DATE: January 9, 2002

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

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
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H141-1068	Wagner	11/9/2001	M	Janice Marie Traynor
	cosponsor: Rep. Lavelle			
H141-1069	Smith	11/15/2001	T	David Scott/Service to Democracy/Ardentown President
H141-1070	Buckworth	11/28/2001	T	Holly Jarrell/State Farm Bureau Queen
H141-1071	Thornburg	11/28/2001	T	Bobola Family/Farm Family of the Year
H141-1072	West	12/31/2001	T	Lorene Breasure/Retirement/Sussex County Board of Elections/20 Years
H141-1073	Buckworth	12/1/2001	T	Kay Wood Bailey/Communicator of Achievement Award Recipient
	cosponsor: Rep. Quillen			
H141-1074	Stone	11/15/2001	T	Roy Klein/Distinguished Citizen Award Recipient/Dover Air Base
	cosponsor: Rep. Wagner			
H141-1075	Wagner	11/15/2001	T	Dr. William DeLauder/Edgar Buchanan Award Recipient
	cosponsor: Rep. Stone			
H141-1076	Oberle	11/9/2001	T	David & Pamela Horack/25th Wedding Anniversary
H141-1077	B. Ennis	11/26/2001	T	Memory/Lincoln Guappe/September 11/Tree Planting
H141-1078	Wagner	10/20/2001	T	Jennifer Alexander & Todd Elgart/Marriage
H141-1079	B. Ennis	10/14/2001	T	Laverne & Jimmie Dykes/50th Wedding Anniversary
H141-1080	Hudson	11/27/2001	T	David Dietz/Brandywine Brewing/Top Watering Hole
H141-1081	Ulbrich	12/8/2001	T	Brigadier General Peter Sullivan/Commander/Dover Base
H141-1082	DiPinto	11/29/2001	T	Charles Hopkins/Deputy Budget Director/Retirement/24 Years
H141-1083	Price	10/6/2001	T	Betty & Edwin Dzielak/50th Wedding Anniversary
H141-1084	Gilligan	9/29/2001	T	Alphonsus & Lois Evanousky/50th Wedding Anniversary
H141-1085	Brady	9/29/2001	T	Barbara & Alvan Dobson/50th Wedding Anniversary
H141-1086	Gilligan	11/3/2001	T	Myles & Virgel Dickerson/50th Wedding Anniversary
H141-1087	Houghton	11/3/2001	T	Patricia & Francis Fitzpatrick/50th Wedding Anniversary
H141-1088	Brady	11/8/2001	T	June & Herb Beardsley/60th Wedding Anniversary
H141-1089	Plant	10/20/2001	T	Kathryn & Arthur Samuelsohn/55th Wedding Anniversary
H141-1090	Houghton	10/13/2001	T	Lois & George Sturgis/50th Wedding Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #49

DATE: January 9, 2002

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

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
H141-1091	Wagner	12/1/2001	T	Patricia Beaulieu & David Ulp/Marriage
H141-1092	Valihura	11/28/2001	T	Hanby Middle School Field Hockey Team/Perfect Record
H141-1093	Wagner	12/1/2001	T	Richard Headley/Retirement/30 Years/Capital School District
H141-1094	Spence	6/27/2001	T	Kevin Sweet/Co-Speaker/Delaware General Assembly/Gettysburg College
H141-1095	Scott	11/30/2001	T	Edward Boyer/Outstanding Community Service
H141-1096	Lee	12/7/2001	T	Everett LeCates, Sr./Retirement/32 Years/DELDOT
H141-1097	Carey	12/7/2001	T	Harry Banks/Retirement/40 Years/DelDOT
H141-1098	Quillen	12/15/2001	T	Melvin Wyatt/75th Birthday
H141-1099	Maier	12/5/2001	T	Madelyn Johnston/Induction/Special Olympics Hall of Fame
	cosponsor: Rep. Valihura			
H141-1100	Maier	12/5/2001	T	John Miller/Induction/Special Olympics Hall of Fame
	cosponsor: Rep. Valihura			

H141-1101	Ulbrich	12/10/2001	T	Tubby Raymond/300 Career Victories
	cosponsors: All Representatives			
H141-1102	Schroeder	12/9/2001	T	Charles Arnold, Jr./Delaware's 100th EMT-B
H141-1103	Williams	12/4/2001	T	Joseph Brunskill/Leadership to Community
H141-1104	Williams	12/4/2001	T	Mr. & Mrs. Purcell Wyatt/Pillars of Community
H141-1105	Williams	12/4/2001	T	Linda Smith/Leadership to Community
H141-1106	Williams	12/4/2001	T	Mr. & Mrs. Clifton Lewis/Outstanding Leadership
H141-1107	Williams	12/4/2001	T	Halvin Blocksom/Commitment/Educate Children
H141-1108	Williams	12/4/2001	T	David Dixon/Retirement/Chrysler Corporation
H141-1109	Williams	12/4/2001	T	Mr. & Mrs. Saul Sophrin/Commitment to Community
H141-1110	West	12/12/2001	T	Lawrence Sammons/65 Years' Service/Volunteer Fire Company
H141-1111	Williams	12/4/2001	T	Honorable Charles Potter, Jr./Leadership/City of Wilmington
H141-1112	Williams	12/4/2001	T	Honorable Penrose Hollins/Retirement/DuPont Company
H141-1113	Gilligan	12/3/2001	T	Leslie Warrick/Chief/Cranston Heights Fire Company
H141-1114	Reynolds	12/4/2001	T	G. Thomas Taylor/Distinguished Service Award Recipient/DSBA

T - Tribute

M - Memoriam

Representative Smith moved to suspend the rules which interfere with introduction of and action on **Consent Calendar #8**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith introduced and brought **Consent Calendar #8** before the House for consideration.

HR 21 - D. ENNIS -Honoring and Commemorating Retired Admiral John E. Lee.

HR 39 - WAGNER & REPRESENTATIVE D. ENNIS & REPRESENTATIVE BOULDEN & REPRESENTATIVE BRADY - Establishing the Commuter Task Force to Examine the Feasibility of Establishing Commuter Rail Service Between Kent and New Castle Counties and to Make Recommendations Thereon to the Delaware General Assembly.

HCR 25 - SPENCE; REPRESENTATIVES SMITH, LEE, GILLIGAN, VANSANT & SENATORS SHARP, ADAMS, MARSHALL, AMICK, SORENSON - Providing that a Joint Session of the House of Representatives and the Senate be Convened for the Purpose of Receiving the Annual State of the State Address by the Honorable Ruth Ann Minner, Governor of the State of Delaware.

Consent Calendar #8 was adopted by voice vote and **HR 21** & **HR 39** were declared passed and **HCR 25** was sent to the Senate for concurrence.

The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: Terry R. Spence
Speaker of the House

FROM: Shirley A. Price
Representative, 38th District

DATE: January 8, 2002

RE: Absence from Session

I will be absent from the House on Wednesday, January 9, 2002, for personal business.

MEMORANDUM

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

FROM: Representative Pamela J. Thornburg

RE: Absence from Session

DATE: January 9, 2002

Please be advised that I will be unable to attend session today, Wednesday, January 9, 2002 due to illness.

Thank you.

The minutes of the previous two legislative days were approved as posted.

Representative Smith made an announcement. Representatives Plant, Carey & Maier requested that they be marked present.

Representative D. Ennis requested and was granted personal privilege of the floor to make comments regarding

HR 21.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 3:15 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 3:15 p.m.: Representatives Cathcart, Lofink, Oberle, Roy, Spence & West.

Mr. Acting Speaker Roy called the House to order at 2:04 p.m. on January 10, 2002.

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

HOUSE ADMINISTRATION: **HB 341** - 2F, 1M; **HB 342** - 2F, 1M; **HB 356** - 3M.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 348** - 6F, 1M.

JUDICIARY: **HB 315** - 7M; **HB 343** - 2F, 5M; **HB 354** - 7F; **SB 221** - 4F, 1M, 2U.

The Majority Leader moved to adjourn at 2:06 p.m., thereby ending the current legislative day. The House reconvened at 2:07 p.m.

3RD LEGISLATIVE DAY - 141ST GENERAL ASSEMBLY - SECOND SESSION

January 10, 2002

The Chief Clerk called the roll.

Members Present: 38.

Members Absent: Representatives Caulk, D. Ennis & Price – 3.

A prayer was offered by Representative Timothy U. Boulden, Twenty-Third Representative District.

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

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

The following prefiled legislation was introduced:

HB 358 - B. ENNIS & SENATOR VAUGHN; REPRESENTATIVES BUCKWORTH, CAULK, EWING, QUILLEN, STONE, THORNBURG, WAGNER; SENATOR COOK - HOUSE ADMINISTRATION - An Act to Amend Chapter 339, Volume 62, Laws of Delaware, as Amended, Entitled: "An Act to Re-incorporate the Town of Smyrna" Relating to the Town Manager and Chief of Police. (2/3 bill)

HB 359 - HOUGHTON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 194, Volume 73, Laws of Delaware, Relating to Bounty Hunters and Bail Enforcement Agents.

HB 363 - QUILLEN; SENATOR COOK - HOUSE ADMINISTRATION - An Act to Amend Chapter 50, Volume 57, Laws of Delaware, as Amended, Relating to the Charter of the Town of Viola. (2/3 bill)

HA 1 to HB 244 - SCOTT - Placed with the Bill.

SB 271 w/SA 1 & 2 - SHARP & REPRESENTATIVE ROY; SENATORS DELUCA & WINSLOW; REPRESENTATIVES SPENCE & SMITH - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 22 of the Delaware Code Relating to Annexations. (2/3 bill)

SB 272 w/SA 1 - COOK & REPRESENTATIVE WAGNER; SENATORS SHARP, ADAMS, MARSHALL, AMICK, BLEVINS, BONINI, BUNTING, CLOUTIER, CONNOR, DELUCA, HENRY, MCBRIDE, MCDOWELL, SOKOLA, SORENSON, STILL, VAUGHN, VENABLES, WINSLOW; REPRESENTATIVES SPENCE, SMITH, LEE, GILLIGAN, STONE, BRADY, BOULDEN, BUCKWORTH, CAREY, CATHCART, CAULK, DILIBERTO,

DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, HOUGHTON, HUDSON, WEST, KEELEY, LAVELLE, LOFINK, MAIER, MIRO, MULROONEY, OBERLE, PLANT, PRICE, QUILLEN, REYNOLDS, ROY, SCHROEDER, SCOTT, THORNBURG, ULBRICH, VALIHURA, VANSANT, VIOLA, WILLIAMS - APPROPRIATIONS - An Act to Amend Title 14 and Title 29 Relating to Leave of Absence for Military Service.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 272 w/SA 1** & **SB 271 w/SA 1 & 2** and requests the concurrence of the House.

Memorandum

TO: Terry R. Spence, Speaker of the House of Representatives
FROM: Representative Dave Ennis
DATE: January 9, 2002
RE: Absence from Session

Please excuse my absence from session tomorrow, January 10, 2002, as I will be travelling out of town to attend the funeral of a family member.

If you require additional information, please let me know.

Representative Smith deferred to Representative DiPinto. Representative DiPinto requested and was granted personal privilege of the floor to introduce guests. Representatives Oberle & Ulbrich requested that they be marked present.

Representative DiPinto introduced and brought **HCR 27**, sponsored on behalf of All Representatives & jointly sponsored by Senator Sokola on behalf of All Senators, before the House for consideration.

HCR 27 - ESTABLISHING THE MONTH OF JANUARY AS DELAWARE MENTORING MONTH.

HCR 27 was adopted by voice vote and was sent to the Senate for concurrence.

Representatives Miro & Schroeder requested that they be marked present.

Representative DiPinto requested and was granted personal privilege of the floor to make comments regarding **HCR 27**. Representative DiPinto requested and was granted privilege of the floor for Kent Riegel, Co-chair, Delaware Mentoring Council.

Representative Viola requested that he be marked present. Representative Wagner requested and was granted personal privilege of the floor to make comments.

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

The House reconvened at 4:09 p.m. with Representative Buckworth as Acting Speaker.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 315**, cosponsored by Representative Keeley, before the House for consideration.

HB 315 - AN ACT TO AMEND TITLE 10, DELAWARE CODE, TO PROVIDE FOR THE UNIFORM INTERSTATE ENFORCEMENT OF DOMESTIC VIOLENCE PROTECTION ORDERS ACT.

Representative Brady requested that he be marked present.

Representative Wagner introduced and brought **HA 1 to HB 315** before the House for consideration.

Representative Wagner made a comment. **HA 1** was adopted by voice vote. Representative Wagner made comments. Representatives Spence, Reynolds, Keeley, Hudson & Lofink requested that they be marked present.

The roll call on **HB 315 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, D. Ennis & Price - 3.

Therefore, having received a constitutional majority, **HB 315 w/HA 1** was sent to the Senate for concurrence.

Representatives Plant, Valihura & Williams requested that they be marked present during the roll call.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with action on **SB 271 w/SA 1 & 2**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Roy brought **SB 271 w/SA 1 & 2**, jointly sponsored by Senator Sharp & Senators DeLuca & Winslow & Representatives Spence & Smith, before the House for consideration.

SB 271 - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO ANNEXATIONS. (2/3 bill)

Representative Roy made comments. Representative Roy deferred to Representative Cathcart. Representatives Cathcart, VanSant, Ulbrich, Cathcart & Roy made comments.

The roll call on **SB 271 w/SA 1 & 2** was taken and revealed:

YES: 33.

NO: Representatives Plant & Scott - 2.

NOT VOTING: Representatives B. Ennis & Williams - 2.

ABSENT: Representatives Caulk, D. Ennis, Price & Stone - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 271 w/SA 1 & 2** was returned to the Senate.

Representative Roy moved to suspend the rules which interfere with introduction of and tabling of **HB 364**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Roy made an announcement.

Representative Roy introduced and brought **HB 364**, jointly sponsored by Senator Blevins & Representatives Carey, Lofink, Oberle, Schroeder, Williams, Cathcart, Miro, Stone, Wagner & Keeley & Senators Cook, Venables, Bonini & Connor, before the House for consideration.

HB 364 - AN ACT TRANSFERRING FUNDS IN THE FISCAL YEAR 2002 BOND AND CAPITAL IMPROVEMENTS ACT RELATING TO PUBLIC EDUCATION SCHOOL CONSTRUCTION; AMENDING THE FISCAL YEAR 2002 BOND AND CAPITAL IMPROVEMENTS ACT RELATING TO TRANSPORTATION; AMENDING TITLE 29 RELATING TO THE DEPARTMENT OF PUBLIC SAFETY AND AMENDING TITLE 29 RELATING TO THE DEVELOPMENT OF IMPACT FEES. (3/4 bill)

Representative Roy moved to place **HB 364** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HB 348**, jointly sponsored by Representatives Hudson & Spence & Senators Sharp & Adams, before the House for consideration.

HB 348 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO SECURITIZATIONS OF PROPERTY, ASSETS OR RIGHTS, TO PROVIDE FOR THE RIGHTS OF A TRANSFEROR OF PROPERTY, ASSETS OR RIGHTS AND THE RIGHTS OF THE TRANSFEROR'S CREDITORS OR, IN ANY INSOLVENCY PROCEEDING WITH RESPECT TO THE TRANSFEROR OR THE TRANSFEROR'S PROPERTY, A BANKRUPTCY TRUSTEE, RECEIVER, DEBTOR, DEBTOR IN POSSESSION OR SIMILAR PERSON, IN PROPERTY, ASSETS OR RIGHTS PURPORTED TO BE TRANSFERRED AS A PART OF A SECURITIZATION TRANSACTION, AND TO PROVIDE THAT CERTAIN OF THESE RIGHTS DEPEND UPON THE PROVISIONS SET FORTH IN THE TRANSACTION DOCUMENTS RELATING TO THE SECURITIZATION TRANSACTION.

Representative Stone made comments.

The roll call on **HB 348** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, D. Ennis & Price - 3.

Therefore, having received a constitutional majority, **HB 348** was sent to the Senate for concurrence.

Representative Smith moved to suspend the rules which interfere with action on **HB 356** in Representative Price's absence. The motion was seconded by Representative Gilligan and adopted by voice vote.

Representative Smith brought **HB 356**, sponsored by Representative Price & Senator Bunting, before the House for consideration.

HB 356 - AN ACT TO AMEND CHAPTER 202, VOLUME 73, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW". (2/3 bill)

Representative Smith made comments.

The roll call on **HB 356** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, D. Ennis & Price - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 356** was sent to the Senate for concurrence.

Mr. Speaker Spence assigned **HB 343** to the Appropriations Committee.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 354**, jointly sponsored by Representatives DiPinto, Hudson & Schroeder & Senator Bunting, before the House for consideration.

HB 354 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE EMPLOYEE'S PENSION PLAN.

Representative Wagner introduced and brought **HA 1** to **HB 354** before the House for consideration.

Representative Wagner made comments. **HA 1** was adopted by voice vote. Representative Wagner made comments.

The roll call on **HB 354 w/HA 1** was taken and revealed:

YES: 36.

ABSENT: Representatives Caulk, D. Ennis, Maier, Price & Smith - 5.

Therefore, having received a constitutional majority, **HB 354 w/HA 1** was sent to the Senate for concurrence.

The Majority Whip moved to recess to the call of the Chair at 4:40 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:05 p.m. on January 15, 2002.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HCR 25 & HCR 27** and is returning same to the House.

Representative Smith deferred to Representative Wagner.

Representative Wagner introduced **HB 371**, jointly sponsored by Senator Blevins & Representatives Buckworth, Carey, DiPinto, D. Ennis, Ewing, Hudson, Lofink, Maier, Miro, Quillen, Reynolds, Stone, Ulbrich, Brady, Houghton, Keeley, Price, Viola, West & Williams.

HB 371 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PROCEEDINGS IN THE FAMILY COURT OF THE STATE OF DELAWARE.

Mr. Acting Speaker assigned **HB 371** to the Judiciary Committee.

Representative Wagner introduced **HB 372**, jointly sponsored by Senator Blevins.

HB 372 - AN ACT TO AMEND CHAPTER 18, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES. (2/3 bill)

Mr. Acting Speaker assigned **HB 372** to the Judiciary Committee.

Representative Wagner introduced **HB 373**, jointly sponsored by Senator Blevins.

HB 373 - AN ACT TO AMEND CHAPTER 17, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. (2/3 bill)

Mr. Acting Speaker assigned **HB 373** to the Judiciary Committee.

Mr. Acting Speaker made an announcement.

Representative Wagner introduced **HB 374**, jointly sponsored by Senator Blevins.

HB 374 - AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS. (2/3 bill)

Mr. Acting Speaker assigned **HB 374** to the Judiciary Committee.

The Majority Leader moved to adjourn at 2:12 p.m., thereby ending the current legislative day. The House reconvened at 2:13 p.m.

4TH LEGISLATIVE DAY - 141ST GENERAL ASSEMBLY - SECOND SESSION

January 15, 2002

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Gerald A. Buckworth, Thirty-Fourth Representative District.

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

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

The following prefiled legislation was introduced:

HB 365 - GILLIGAN & SENATOR WINSLOW - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Relating to Survivor Benefits in the Closed State Police Pension Plan.

HB 366 - EWING & REPRESENTATIVE QUILLEN - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Habitual Offenders.

HB 367 - LEE & SENATOR VAUGHN; REPRESENTATIVES B. ENNIS, OBERLE, VANSANT, WEST - GAMING & PARIMUTUELS - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

HB 369 - CAREY & SENATOR ADAMS - HOUSE ADMINISTRATION - An Act to Amend an Act Being Chapter 326 of Volume 71, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Milton" to Provide for Increasing the Pay of the Mayor and Council Members for Attending Regular and Special Meetings.

HA 1 to SB 272 - SMITH - Placed with the Bill.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 254** and is returning same to the House.

January 11, 2002

LEGISLATIVE ADVISORY #23

Governor Ruth Ann Minner signed the following legislation on the date indicated: 1/10/02 - **SB 271 aab SA 1 & 2**.

Representative Smith deferred to Representative West. Representative West requested and was granted privilege of the floor to present a House Tribute to staff member Nathaniel B. (Bucky) Speaks, Silver Medallist, 2001 Senior Olympics. Mr. Acting Speaker made comments.

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

The House reconvened at 4:05 p.m.

Representative Wagner requested that **HB 129, HB 114, HB 145, HB 203 & HB 371** be stricken.

Representatives Valihura, Lavelle, Brady, Lofink, B. Ennis, Hudson, Ulbrich DiLiberto & Schroeder requested that they be marked present.

Representative Smith brought **HB 341**, jointly sponsored by Senator McBride & Representatives Brady, Buckworth, DiLiberto, DiPinto, B. Ennis, Ewing, Gilligan, Hudson, Oberle, Reynolds, Spence & Valihura & Senators Amick, Cloutier, Connor, Sokola & Sorenson & cosponsored by Representatives Carey, D. Ennis, Price, Schroeder & VanSant, before the House for consideration.

HB 341 - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO EMERGENCY INCOME MAINTENANCE FOR MEMBERS OF THE MILITARY RESERVE AND NATIONAL GUARD WHO ARE DELAWARE RESIDENTS AND WHO ARE ON ACTIVE FEDERAL DUTY BECAUSE OF A NATIONAL EMERGENCY. (3/4 bill) (F/I)

Representative Smith made comments. Representative Smith requested and was granted personal privilege of the floor for Christine Wesley, representing National Guard and Reserve families. Representative Smith made comments. Representative Smith brought **HA 1 to HB 341** before the House for consideration. Representative Smith made comments. **HA 1** was adopted by voice vote. Representative Smith brought **HA 2 to HB 341** before the House for consideration. Representative Smith made comments. **HA 2** was adopted by voice vote. Representative Smith made comments.

The roll call on **HB 341 w/HA 1 & 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 341 w/HA 1 & 2** was sent to the Senate for concurrence.

Representatives Keeley, Reynolds, Spence & Gilligan requested that they be marked present during the roll call.

Representative Smith deferred to Representative Fallon. Representative Fallon requested and was granted privilege of the floor to make a presentation to Nathaniel B. (Bucky) Speaks, Silver Medallist, 2001 Senior Olympics. Representative Smith made a comment.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 342**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith introduced and brought **HS 1 for HB 342**, jointly sponsored by Senator McBride & Representatives Brady, Buckworth, DiLiberto, DiPinto, B. Ennis, Ewing, Gilligan, Hudson, Oberle, Reynolds, Spence, Ulbrich & Valihura & Senators Amick, Cloutier, Connor, Sokola & Sorenson & cosponsored by Representatives D. Ennis, Schroeder & VanSant, before the House for consideration.

HB 342 - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE FOR MILITARY RESERVISTS, MEMBERS OF THE NATIONAL GUARD, AND THEIR ELIGIBLE BENEFICIARIES.

Representative Smith made comments.

The roll call on **HS 1 for HB 342** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HS 1 for HB 342** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Wagner.

Representative Wagner brought **HB 126**, jointly sponsored by Senator Henry & Representatives Cathcart & DiPinto, before the House for consideration.

HB 126 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PAYMENT OF FINES AND COSTS.

Mr. Speaker Spence resumed the Chair.

Representative Wagner introduced and brought **HA 1 to HB 126** before the House for consideration.

Representative Wagner made comments. **HA 1** was adopted by voice vote. Representatives Wagner & Houghton made comments. Representative Wagner requested and was granted privilege of the floor for Chief Magistrate Patricia Griffin, Justice of the Peace Court. Representative Houghton made comments.

The roll call on **HB 126 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Smith - 1.

Therefore, having received a constitutional majority, **HB 126 w/HA 1** was sent to the Senate for concurrence.

The Majority Whip moved to recess to the call of the Chair at 4:41 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:10 p.m. on January 16, 2002.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 232 w/SA 1, 2 & 3, SB 278, SB 280 & SJR 12** and requests the concurrence of the House.

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

**5TH LEGISLATIVE DAY - 141ST GENERAL ASSEMBLY - SECOND SESSION
January 16, 2002**

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Lofink & Roy – 2.

A prayer was offered by Representative Helene M. Keeley, Fifth Representative District.

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

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

The following prefiled legislation was introduced:

HB 368 - WAGNER; SENATOR BUNTING; REPRESENTATIVES FALLON, MAIER, SPENCE - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road.

HB 370 - VALIHURA & REPRESENTATIVE SMITH; REPRESENTATIVES DIPINTO, FALLON, HUDSON, LAVELLE, LEE, STONE, WAGNER; SENATORS CLOUTIER, CONNOR, SORENSON, WINSLOW - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Marriage.

HA 1 to HB 369 - CAREY - Placed with the Bill.

SB 232 w/SA 1, 2 & 3 - HENRY & REPRESENTATIVE OBERLE - PUBLIC SAFETY - An Act to Amend Title 21 Relating to Motor Vehicle Voluntary Assessment Procedures and the Uniform Traffic Complaint and Summons.

SB 278 - SENATOR BUNTING; REPRESENTATIVE PRICE - HOUSE ADMINISTRATION - An Act to Amend an Act Being Chapter 2 of Volume 73, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Selbyville" to Provide for Refunding All Outstanding Bonds or Other Indebtedness of the Town to Include Refinancing Such Bonds or Other Evidences of Indebtedness. (2/3 bill)

SB 280 - BUNTING & REPRESENTATIVE PRICE - HOUSE ADMINISTRATION - An Act to Amend Chapter 295, Volume 65, Laws of Delaware, as Amended, Being an Act Entitled: "An Act to Reincorporate the Town of Bethany Beach," To Authorize the Town Council to Change the Date for the Annual Election in Any Year by Vote Taken Not Later than July 1st of that Year. (2/3 bill)

SJR 12 - HENRY - SUBSTANCE ABUSE - Extending the Time for the Treatment Task Force Established by the 141st General Assembly Senate Joint Resolution No. 4, to Report on Drug Treatment Availability for Those Persons Suffering from Substance Abuse.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: Terry R. Spence
Speaker of the House of Representatives
FROM: Representative Roger Roy
RE: Absence from Session
DATE: January 16, 2002

Please be advised that I will be unable to attend session today, Wednesday, January 16, 2002 due to illness.
Thank you.