

SA 1 to SB 294 - Sponsor: Senator Vaughn. Placed with the bill.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 318, HB 356 w/HA 1, HB 441, HB 435, HB 417 w/HA 1 & 2, HJR 16.**

At 4:31 p.m. on motion of Senator Martin, the Senate recessed for Party Caucus.

At 5:54 p.m. the Senate reconvened with Senator Cordrey presiding.

At 5:54 p.m. on motion of Senator Martin, the Senate recessed until 2:00 p.m. April 28, 1994.

The Senate reconvened at 2:08 p.m. April 28, 1994 with Senator Cordrey presiding.

SA 1 to HB 416, Sponsor, Senator Torbert was introduced and placed with the bill.

SB 319 was introduced and assigned to the Health and Social Services Committee.

SB 319 - AN ACT TO AMEND THE DELAWARE INSURANCE CODE TO REQUIRE COVERAGE OF THE CA-125 TEST FOR MONITORING OVARIAN CANCER TREATMENT. Sponsors: Senator Blevins and Representative Taylor; Senator Sokola; Representatives Gilligan and Wojewodski.

SB 320 was introduced and assigned to the Natural Resources Committee.

SB 320 - AN ACT TO AMEND CHAPTER 47, TITLE 7 OF THE DELAWARE CODE RELATING TO STATE PARKS. Sponsors: Senator Blevins; Representative Caulk.

SB 321 was introduced and assigned to the Insurance/Elections Committee.

SB 321 - AN ACT TO AMEND CHAPTERS 3 AND 17, TITLE 15, DELAWARE CODE TO ELIMINATE THE DISQUALIFICATION OF VOTERS WHO DID NOT VOTE IN THE LAST TWO (2) PRECEDING GENERAL ELECTIONS. Sponsors: Senator Vaughn; Representative Ewing.

Senators McDowell and Knox marked present.

SB 322 was introduced and assigned to the Judiciary Committee.

SB 322 - AN ACT TO AMEND CHAPTER 148 OF VOLUME 57 OF THE LAWS OF DELAWARE RELATING TO THE GENERAL CORPORATION LAW. (2/3 vote) Sponsor: Senator Sharp.

SB 323 was introduced and assigned to the Judiciary Committee.

SB 323 - AN ACT TO AMEND CHAPTER 1, TITLE 8, SECTION 145, OF THE DELAWARE CODE, RELATING TO INDEMNIFICATION OF OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS OF DELAWARE CORPORATIONS. (2/3 vote) Sponsor: Senator Sharp.

SB 324 was introduced and assigned to the Judiciary Committee.

SB 324 - AN ACT TO AMEND CHAPTER 1, TITLE 8, SECTION 262, OF THE DELAWARE CODE, RELATING TO APPRAISAL RIGHTS UNDER THE GENERAL CORPORATION LAW. (2/3 vote) Sponsor: Senator Sharp.

SB 325 was introduced and assigned to the Judiciary Committee.

SB 325 - AN ACT TO AMEND CHAPTER 1, TITLE 8, SECTION 151, DELAWARE CODE, RELATING TO CLASSES AND SERIES OF STOCK OF DELAWARE CORPORATIONS. (2/3 vote) Sponsor: Senator Sharp.

The Secretary announced that a message from the House informed the Senate that it had passed **HCR 58, HCR 59, SCR 71.**

The following committee reports were announced:

From Health and Social Services: **SB 293** - 3 Merits.

From Natural Resources: **SB 248** - 3 Merits.

At 2:12 p.m. on motion of Senator Martin, the Senate adjourned to immediately convene for the 22nd Legislative Day.

22ND LEGISLATIVE DAY

April 28, 1994

The Senate convened at 2:12 p.m. with Senator Cordrey presiding.

A prayer was offered by Senator Martin.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

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

SB 280 - AN ACT TO AMEND CHAPTER 5 OF TITLE 11 OF THE DELAWARE CODE RELATING TO THE PURCHASE OF HANDGUNS.

Senator Sokola was marked present.

Senator McBride was marked present.

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

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

At 2:28 p.m., Lt. Governor Minner presiding.

Senator Blevins requested the privilege of the floor for Col. Clifford M. Graviet, representing the Delaware State Police.

Several Senators questioned the witness. The privilege of the floor was requested by Senator Blevins for Lt. David Deputy, representing the Delaware State Police.

Several Senators engaged in a discussion with the witnesses, after which both witnesses were excused. **SB 280** was laid on the table.

Senator Cordrey requested the privilege of the floor for Jennifer Lin Kaczmarczyk, Miss Delaware. A tribute for Miss Kaczmarczyk was read into the record.

On motion of Senator Blevins, **SB 280** was lifted from the table and brought before the Senate for consideration.

The privilege of the floor was granted to Deputy Attorney General, Steven Wood.

Senator Still marked present.

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

The privilege of the floor was granted to Thomas A. Foley, representing the Attorney General's Office.

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

Senator Venables requested the privilege of the floor for Ray Stevens, representing Delaware State Sportsman Association.

On motion of Senator Cordrey, the Senate recessed for 5 minutes for the purpose of a tape change.

At 4:36 p.m. the Senate reconvened with Lt. Governor Minner presiding.

Senators Marshall and Connor marked present.

Senator Venables requested the privilege of the floor for John J. Thompson, representing the Delaware State Sportsman's Association.

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

Senator Blevins again requested the privilege of the floor for Steven Wood.

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

SB 280 was laid on the table on motion of Senator Blevins.

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

SB 294 - AN ACT TO AMEND CHAPTER 42, OF TITLE 11, DELAWARE CODE RELATING TO THE EARLY RELEASE FROM INCARCERATION OF CONVICTED OFFENDERS.

SA 1 to SB 294, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Vaughn.

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

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

The amendment and the bill were laid on the table.

Senator Voshell requested the privilege of the floor for Colonel Clifford M. Graviet. A commendation was read to Col. Graviet.

Several Senators rose to comment. Colonel Graviet was then excused.

SB 294 and **SA 1 to SB 294** was lifted from the table and brought before the Senate for consideration on motion of Senator Vaughn.

The privilege of the floor was granted to Peter Letang, representing the Department of Justice.

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

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Adams, Neal) ABSENT; therefore, **SA 1 to SB 294** was declared part of the bill.

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

Senator McDowell commented. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Adams, Neal) ABSENT; therefore, **SB 294 w/SA 1** was declared passed the Senate and sent to the House for consideration.

HB 416 w/HA 1 & 3 was brought before the Senate for consideration on motion of the floor manager, Senator Torbert.

HB 416 w/HA 1 & 3 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 11, TITLE 28, DELAWARE CODE RELATING TO BINGO AND CHARITABLE GAMES.

SA 1 to HB 416, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Torbert.

SA 1 to HB 416 was laid on the table on motion of Senator Torbert.

Senators Connor, Venables and McBride commented. A roll call vote was taken and revealed 18 Senators voting YES, 3 (Adams, Bair, Neal) ABSENT; therefore, **HB 416 w/HA 1 & 3** was declared passed the Senate and returned to the House.

SENATE CONSENT CALENDAR #17 was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

SCR 73 - SUPPORTING FEDERAL LEGISLATION (S.1842) WHICH WOULD REMOVE CERTAIN

PENALTIES OF THE INTERMODAL SURFACE TRANSPORTATION ACT (ISTEA) OF 1991 FOR STATES FAILING TO MEET REQUIREMENTS RELATING TO MOTORCYCLE HELMET LAWS IF SAID STATES HAVE IN EFFECT A MOTORCYCLE SAFETY PROGRAM, AND DELAY THE EFFECTIVE DATE OF PENALTIES FOR STATES THAT FAIL TO MEET REQUIREMENTS FOR MOTORCYCLE SAFETY AND SEAT BELT LAWS. Sponsors: Senator Voshell; Representative Davis; Senators Vaughn, Blevins, Martin, Connor, Venables, McBride, Torbert; Representatives Banning, Lee, Buckworth, Mack, Spence, B. Ennis, D. Ennis, Bennett, Van Sant, Caulk, Oberle, Plant, DiLiberto, Gilligan, Clark, Brady, West.

HCJR 55 - RECOGNIZING APRIL 28, 1994 AS WORKERS MEMORIAL DAY ON BEHALF OF OUR COLLEAGUES, CO-WORKERS, AND OTHERS WHO HAVE BEEN EITHER INJURED, MADE SICK OR DIED ON THE JOB. Sponsors: Representative Oberle, Senator Sharp.

HCJR 58 - HONORING THOSE INDIVIDUALS WHO HAVE BEEN SELECTED AS RECIPIENTS OF THE DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE. Sponsors: Representative Spence, on behalf of All Representatives; and Senator Cordrey, on behalf of All Senators.

HCJR 59 - RECOGNIZING NATIONAL NURSES WEEK, MAY 6-7, 1994, AND HONORING NURSES EVERYWHERE FOR THEIR UNSELFISH DEDICATION AS HEALTH CARE PROFESSIONALS. Sponsors: Representative Bradley; Representatives Banning, Bennett, Brady, Buckworth, Bunting, Carey, Caulk, Clark, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, J. Ewing, Fallon, Gilligan, Holloway, Houghton, Jonkier, Lee, Mack, Maroney, Oberle, Petrilli, Plant, Quillen, Schroeder, Sorenson, Spence, Taylor, Van Sant, Wagner, West, Wojewodzki; Senators Blevins, Cook, Connor, Cordrey, Henry, Neal, Still, Torbert, Vaughn, Voshell.

Senator Hauge commented. A roll call vote was taken on **SENATE CONSENT CALENDAR #17** and revealed 18 Senators voting YES, 3 (Adams, Bair, Neal) ABSENT; therefore, the Consent Calendar was declared adopted by the Senate. The Senate Concurrent Resolution was sent to the House for consideration and the House Concurrent Resolutions were returned to the House.

Senator Cordrey commented a death in the family of the Secretary of the Senate, Bernard J. Brady.

At 6:13 p.m. on motion of Senator Martin, the Senate recessed until 3:30 p.m. May 2, 1994

The Senate reconvened at 3:50 p.m. May 2, 1994 with Lt. Governor Minner presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 433, HB 195 w/HA 2, HB 434, HB 423, HB 443 w/HA 1 aab HA 1, HA 2, 3 & 4.**

Senator Adams marked present.

The following committee reports were announced:

From Natural Resources: **SB 8** - 3 Merits; **SB 320** - 3 Merits.

From Public Safety: **SB 315** - 4 Merits; **HB 374 w/HA 1 & 2** - 4 Merits; **HB 386 w/HA 1** - 4 Merits; **HB 417 w/HA 1 & 2** - 4 Merits.

From Judiciary: **HB 413 w/HA 1** - 4 Merits; **HB 318** - 3 Merits; **SB 214** - 3 Merits; **SB 244** - 4 Merits; **SB 300** - 4 Merits; **SB 301** - 3 Merits; **SB 310** - 4 Merits; **SB 311** - 4 Merits; **SB 312** - 4 Merits; **SB 302** - 4 Merits; **SB 309** - 4 Merits; **SB 322** - 4 Merits; **SB 323** - 3 Merits; **SB 314** - 4 Merits; **SB 324** - 4 Merits; **SB 325** - 4 Merits; **SB 321** - 4 Merits.

At 3:54 p.m. on motion of Senator Martin, the Senate adjourned to immediately convene for the 23rd Legislative Day.

23RD LEGISLATIVE DAY

May 2, 1994

The Senate convened at 3:54 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Henry.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 20, 1 (Neal) ABSENT.

The journal of the previous day was approved as read on motion of Senator Cordrey. No objection.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

May 2, 1994

The following legislation was introduced and assigned:

SB 326 - AN ACT TO AMEND CHAPTER 1, TITLE 8, SECTION 218, DELAWARE CODE, RELATING TO VOTING TRUSTS AND OTHER VOTING AGREEMENTS. (2/3 vote) Sponsors: Senator Sharp;

Representative Smith. To: **Judiciary**.

SB 327 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE TO MAKE IT UNLAWFUL TO SELL CANISTERS CONTAINING BUTANE GAS TO PERSONS UNDER THE AGE OF 21. (2/3 vote)

Sponsors: Senator Voshell and Representative Ewing; Representative Carey. To: **Public Safety**.

SB 328 - AN ACT TO AMEND CHAPTER 63, TITLE 18, DELAWARE CODE, RELATING TO HEALTH SERVICE CORPORATIONS AND THE FILING OF ANNUAL REPORTS. Sponsors: Senator Vaughn; Representative D. Ennis. To: **Judiciary**.

SB 329 - AN ACT TO AMEND TITLE 18, DELAWARE CODE, TO INCLUDE HEALTH MAINTENANCE ORGANIZATIONS UNDER THE INSURANCE CODE'S HOLDING COMPANY SYSTEM REGISTRATION ACT. Sponsors: Senator Vaughn; Representative D. Ennis. To:

Insurance/Elections.

SB 330 - AN ACT TO AMEND §8009, CHAPTER 80, TITLE 29 OF THE DELAWARE CODE (67 Del. Laws Chapter 430, §2) RELATING TO THE PARKS AND RECREATION COUNCIL. Sponsors: Senators McBride, Voshell, Vaughn, and Knox; Reps. Carey and Schroeder. To: **Natural Resources**.

SJR 32 - ESTABLISHING A COMMISSION TO REVIEW AND CONSIDER ALTERNATIVES FOR FUTURE FUNDING OF PUBLIC EDUCATION IN THE STATE OF DELAWARE. Sponsors: Senators Voshell, Blevins, Cook, and Sokola; Reps. Brady, DiLiberto, Bradley, Plant, Reynolds, Sorenson and Wojewodzki. To: **Education**.

HB 195 w/HA 2 - AN ACT TO AMEND CHAPTERS 27 AND 41, TITLE 21, DELAWARE CODE RELATING TO DRIVER'S LICENSE AND OPERATION OF A VEHICLE WHILE UNDER THE INFLUENCE OF INTOXICANTS. (2/3 vote) Sponsors: Representative Davis; Reps. Spence, Amick, Buckworth, DiPinto, Ewing, Lofink, Maroney, Oberle, Quillen, Taylor, Wagner, Houghton; Senators Venables, Voshell. To: **Public Safety**.

HB 423 - AN ACT TO AMEND CHAPTER 21, TITLE 13, DELAWARE CODE RELATING TO THE DOMESTIC VIOLENCE COORDINATING COUNCIL. Sponsors: Representative Sorenson; Senator Blevins. To: **Judiciary**.

HB 433 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF FIREARMS BY CRIMINALS DURING FELONIES. Sponsors: Representatives Brady and Schroeder; Reps. Amick, Banning, Bennett, Bradley, Buckworth, Bunting, Carey, Caulk, Clark, Davis, DiLiberto, DiPinto, B. Ennis, J. Ewing, Fallon, George, Gilligan, Jonkiert, Lee, Lofink, Mack, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Roy, Sorenson, Smith, Spence, Taylor, Van Sant, Wagner, West; Senators Adams, Bair, Blevins, Connor, Knox, Marshall, Martin, McBride, Sokola, Torbert, Vaughn, Venables. To: **Public Safety**.

HB 434 - AN ACT TO AMEND TITLE 11 AND TITLE 29 OF THE DELAWARE CODE RELATING TO COMPENSATION FOR INNOCENT VICTIMS OF CRIME, AND PROVIDING FOR CLAIMS TO BE FILED BY CLAIM NUMBER. Sponsors: Representative Banning and Senator Vaughn; Representatives Bennett, Bradley, Bunting, Caulk, Clark, Davis, DiLiberto, B. Ennis, D. Ennis, Ewing, Fallon, Jonkiert, Lee, Lofink, Maroney, Plant, Quillen, Reynolds, Roy, Schroeder, Sorenson, Van Sant, West. To: **Judiciary**.

HB 443 w/HA1 aab HA 1, w/HA 2, 3 & 4 - AN ACT TO AMEND CHAPTER 48, TITLE 29, DELAWARE CODE, RELATING TO COIN-OPERATED-LOTTERIES AT RACETRACKS, AND TO AMEND CHAPTER 101, TITLE 3 AND CHAPTER 4, TITLE 28, DELAWARE CODE, RELATING TO HORSE RACING AND CHAPTER 100, TITLE 3 RELATING TO HARNESS HORSE RACING. Sponsors: Reps. Oberle, Gilligan, Quillen, Spence; Senators Adams, Sharp. To: **Agriculture**.

SA 3 to SB 260 - Sponsors: Senator Vaughn. Placed with the bill.

SA 1 to HB 328 - Sponsors: Senator McBride. Placed with the bill.

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SB 280 was lifted from the table and brought before the Senate for consideration on motion of Senator Blevins.

SB 280 - AN ACT TO AMEND CHAPTER 5 OF TITLE 11 OF THE DELAWARE CODE RELATING TO THE PURCHASE OF HANDGUNS.

SA 1 to SB 280 was introduced and brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Neal) ABSENT; therefore, **SA 1 to SB 280** was declared part of the bill.

SB 280 w/SA 1 was now before the Senate.

Several Senators commented. A roll call vote was taken and revealed 10 Senators (Bair, Blevins, Connor, Hauge, Henry, Knox, Marshall, Martin, McDowell, Sokola) voting YES, 10 (Adams, Cook, Cordrey, McBride, Sharp, Still, Torbert, Vaughn, Venables, Voshell) NO, 1 (Neal) ABSENT. The roll call resulted in a tie vote therefore, Lt. Governor Minner cast a vote of YES. The roll call count was 11 Senators voting YES, 10 NO, 1 ABSENT; therefore, **SB 280 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 122 w/HA 1, which was returned from the House with an Amendment, was brought before the Senate for

reconsideration on motion of Senator Vaughn.

SB 122 w/HA 1 - AN ACT TO AMEND CHAPTER 23, SUBCHAPTER III, TITLE 19, DELAWARE CODE RELATING TO A REASONABLE FEE TO CLAIMANT'S ATTORNEY FOR SERVICES ON AN APPEAL.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Cordrey) NO, 1 (Neal) ABSENT; therefore, **SB 122 w/HA 1** was declared passed the Senate and sent to the Governor.

HB 129 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

HB 129 w/HA 1 - AN ACT TO AMEND CHAPTERS 1, AND 21, TITLE 21 OF THE DELAWARE CODE RELATING TO RECREATIONAL TRAILERS.

Senator Sokola commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Neal) ABSENT; therefore, **HB 129 w/HA 1** was declared passed the Senate and returned to the House.

HB 343 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

HB 343 w/HA 1 - AN ACT TO AMEND CHAPTER 68, TITLE 21 OF THE DELAWARE CODE RELATING TO OFF-HIGHWAY VEHICLES. (2/3 vote)

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Neal) ABSENT; therefore, **HB 343 w/HA 1** was declared passed the Senate and returned to the House.

SB 306 was brought before the Senate for consideration on motion of Senator Marshall.

SB 306 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

The privilege of the floor was granted to W. Thomas MacPherson, representing the Division of Unemployment Insurance.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Neal) ABSENT; therefore, **SB 306** was declared passed the Senate and sent to the House for consideration.

SB 307 was brought before the Senate for consideration on motion of Senator Marshall.

SB 307 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

The privilege of the floor was granted to W. Thomas MacPherson, representing the Division of Unemployment Insurance.

The witness was excused. A roll call vote was taken and revealed 18 Senators voting YES, 2 (McBride, Sharp) NO, 1 (Neal) ABSENT; therefore, **SB 307** was declared passed the Senate and sent to the House for consideration.

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

SB 308 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

Senator Sharp commented. The privilege of the floor was granted again to W. Thomas MacPherson.

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

SB 308 was laid on the table on motion of Senator Marshall.

SB 287 was brought before the Senate for consideration on motion of Senator Vaughn.

SB 287 - AN ACT TO AMEND CHAPTER 27, TITLE 18 OF THE DELAWARE CODE RELATING TO THE INSURANCE CONTRACT.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Henry, McDowell) NO, 1 (Neal) ABSENT; therefore, **SB 287** was declared passed the Senate and sent to the House for consideration.

SR 33 was introduced and brought before the Senate for consideration on motion of Senator Vaughn.

SR 33 - IN RECOGNITION OF NATIONAL CORRECTIONAL OFFICER'S WEEK, MAY 1 THROUGH MAY 7TH. Sponsor: Senator Vaughn.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Neal) ABSENT; therefore, **SR 33** was declared adopted by the Senate.

SS 1 TO SB 272 was read and adopted in lieu of the original.

SS 1 TO SB 272 - AN ACT TO AMEND CHAPTER 83, TITLE 9 OF THE DELAWARE CODE RELATING TO VALUATION AND ASSESSMENT OF PROPERTY. Sponsor: Senators Vaughn and Adams; Representatives Carey, Caulk, Clark, Schroeder, B. Ennis and Banning.

At 4: 57 p.m. on motion of Senator Martin the Senate recessed until 2:00 p.m. on May 3, 1994.

The Senate reconvened at 2:14 p.m. on May 3, 1994 with Lt. Governor Minner presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 416 w/HA 1 & 3, HB 394 w/HA 1, HB 439 w/HA 1, HB 391 w/HA 1, HCR 60, SB 122 w/HA 1.**

SB 331 was introduced and assigned to the Public Safety Committee.

SB 331 - AN ACT TO AMEND CHAPTERS 82 AND 21 OF TITLE 29, DELAWARE CODE AND CHAPTERS 83 AND 85 OF TITLE 11, DELAWARE CODE RELATING TO THE TRANSFERENCE OF THE DELAWARE STATE POLICE, ITS POWERS, AUTHORITY AND ORGANIZATION FROM THE

DEPARTMENT OF PUBLIC SAFETY TO THE EXECUTIVE DEPARTMENT. Sponsors: Senator Voshell, Representative Quillen.

The following amendments were introduced and placed with the bill.

SA 1 to HB 374 Sponsor: Senator Voshell.

SA 1 to SB 298 Sponsor: Senator Torbert.

SA 2 to SB 298 Sponsor: Senator Torbert.

SA 1 to HB 273 Sponsor: Senator Blevins.

A messenger from the Governor was announced and admitted.

The following letters of nominations from the Governor were read and assigned to the Executive Committee.

STATE OF DELAWARE

Office of the Governor

May 3, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Dr. Robert J. McMahon, P.O. Box 612, Millsboro, Delaware 19966, as a member of the Public Service Commission for a term expiring May 1, 1996 to replace Mr. Donald D. Phillips, who resigned.

Your consideration of this nomination is appreciated.

Sincerely,

(Signed) Tom Carper
Governor

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STATE OF DELAWARE

Office of the Governor

May 3, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Mr. Theodore W. Ryan, 128 Lake Valley Road, Lake Valley Estates, Townsend, Delaware 19734, to be reappointed as a Director of the Delaware Solid Waste Authority to serve a three year term.

Your consideration of this nomination is appreciated.

Sincerely,

(Signed) Tom Carper
Governor

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STATE OF DELAWARE

Office of the Governor

May 3, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Hon. Myron T. Steele, One Wesley Street, Camden, Delaware 19934, to be appointed as a Vice Chancellor of the Court of Chancery for a twelve year term replacing Hon. Maurice Hartnett.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
May 3, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and reappoint for the consent and confirmation of the Senate the following:
Hon. Kathleen C. Lucas, 2805 Faulkland Road, Wilmington, Delaware 19808, to be reappointed as a Justice of the Peace for New Castle County for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
May 3, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and reappoint for the consent and confirmation of the Senate the following:
Hon. Edward M. Poling, 910 Fifth Street, Delaware City, Delaware 19706, to be reappointed as a Justice of the Peace for New Castle County for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
May 3, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and reappoint for the consent and confirmation of the Senate the following:
Hon. Ellis B. Parrott, 166 Royal Grant Way, Dover, Delaware 19901, to be reappointed as a Justice of the Peace for Kent County for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
May 3, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Hon. Barbara C. Hughes, 902 Blackshire Road, Wilmington, Delaware 19805, to be reappointed as a Justice of the Peace for New Castle County for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

STATE OF DELAWARE
Office of the Governor
May 3, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Hon. Russell T. Rash, 240 Old North Road, Camden, Delaware 19934, to be reappointed as a Justice of the Peace for Kent County for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

STATE OF DELAWARE
Office of the Governor
May 3, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Hon. Richard D. Comly, Jr., 825 E. Market Street, Georgetown, Delaware 19947, to be reappointed as a Justice of the Peace for Sussex County for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

Senator Adams rose to introduce students from Mexico who were present in the chamber.

At 2:28 p.m. on motion of Senator Martin, the Senate adjourned to immediately convene for the 24th Legislative Day.

24TH LEGISLATIVE DAY
May 3, 1994

The Senate convened at 2:28 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Marshall.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 20, 1 (McDowell) ABSENT.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

LEGISLATIVE ADVISORIES #42 through #43 from the Office of Counsel to the Governor were announced for the record, partially read and copies made available to the members upon request.

LEGISLATIVE ADVISORY #42, dated April 29, 1994. The following legislation was signed by Governor Thomas R. Caper on the date indicated:

HB 205 aab HA 1 - 04/28/94 - AN ACT TO AMEND CHAPTER 17, TITLE 14 OF THE DELAWARE CODE RELATING TO THE GUARANTEED UNIT COUNT. (Reps. Davis & Sorenson & Maroney & Sens. Bair & Sokola; Reps. Smith, Oberle, Wagner, D. Ennis, Brady, Bradley, B. Ennis; Sens. Blevins, Holloway, Venables, Connor, Hauge.) (Volume 69, Chapter 212, Laws of Delaware.)

HS 1 to HB 199 aab SA 1 - 04/28/94 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE RELATING TO THE PROSECUTION OF HOMICIDES COMMITTED BY JUVENILES. (Rep. B. Ennis and Rep. Wagner and Sen. Vaughn; Reps. Ewing, Lee, Van Sant, Banning, West, Clark, Amick, Spence, Caulk, Davis, Lofink, Oberle, Petrilli, Sorenson, Taylor, DiPinto, Reynolds, Jonkiert, Gilligan; Sens. Torbert, Blevins, Cook, Holloway, Sokola, Voshell, Bair, Knox) (Volume 69, Chapter 213, Laws of Delaware.)

HB 82 aab SA 1 - 04/28/94 - AN ACT TO AMEND CHAPTER 41, TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. (Reps. Spence, Mack and Sen. Sharp) (Volume 69, Chapter 214, Laws of Delaware.)

HB 409 - 04/28/94 - AN ACT TO AMEND CHAPTER 166, VOLUME 37, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF SELBYVILLE", TO INCREASE THE AMOUNT OF FINES THAT MAY BE IMPOSED. (Rep. Bunting and Sens. Cordrey) (Volume 69, Chapter 215, Laws of Delaware.)

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LEGISLATIVE ADVISORY #43, dated May 2, 1994. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

HB 416 aab HA 1 & 3 - 04/29/94 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 11, TITLE 28, DELAWARE CODE RELATING TO BINGO AND CHARITABLE GAMES. (Rep. B. Ennis - Sen. Torbert; Sens. Vaughn, Knox, Still, Reps. Banning, Bennett, Brady, Gilligan, Van Sant, Caulk, Oberle) (Volume 69, Chapter 216, Laws of Delaware.)

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SB 332 was introduced and assigned to the Natural Resources Committee.

SB 332 - AN ACT TO AMEND SUBCHAPTER V, CHAPTER 60, TITLE 7, DELAWARE CODE RELATING TO THE ISSUANCE OF CERTIFICATE OF PUBLIC CONVENIENCE REGARDING WATER SUPPLY. Sponsors: Senator Vaughn; Reps. Banning, B. Ennis.

SS 1 for SB 272 was brought before the Senate for consideration on motion of Senator Vaughn.

SS 1 for SB 272 - AN ACT TO AMEND CHAPTER 83, TITLE 9 OF THE DELAWARE CODE RELATING TO VALUATION AND ASSESSMENT OF PROPERTY.

SA 1 to SB 272 was stricken on motion of Senator Vaughn.

The privilege of the floor was granted to Michael Parkowski, Esq.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SS 1 for SB 272** was declared passed the Senate and sent to the House for consideration.

Senators McBride, Torbert and Blevins marked present during the above roll call.

HB 374 w/HA 1 & 2 was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

HB 374 w/HA 1 & 2 - AN ACT TO AMEND TITLE 11 AND TITLE 16 OF THE DELAWARE CODE RELATING TO INVOLUNTARY COMMITMENT RECORD CHECKS FOR SALES OF FIREARMS.

SA 1 to HB 374, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Voshell.

A roll call was taken and revealed 19 Senators voting YES, 1 (Bair) NOT VOTING, 1 (McDowell) ABSENT; therefore, **SA 1 to HB 374** was declared part of the bill.

HB 374 w/HA 1 & 2, w/SA 1 was now before the Senate.

Senator Bair commented. Senator Voshell requested the privilege of the floor for John Cordrey, Senate Attorney.

Senator Cordrey presiding at 2:49 p.m.

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

Senators Knox and Venables commented. Senator Voshell again requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused. A roll call vote was taken and revealed 16 Senators voting YES, 4 (Bair, Henry, Knox, Torbert) NOT VOTING, 1 (McDowell) ABSENT; therefore, **HB 374 w/HA 1 & 2, w/SA 1** was declared passed the Senate and sent to the House for the reconsideration.

HB 386 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

HB 386 w/HA 1 - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **HB 386 w/HA 1** was declared passed the Senate and returned to the House.

SB 260 w/SA 2 was lifted from the table and brought before the Senate for consideration on motion of Senator Connor.

SB 260 - AN ACT TO AMEND CHAPTER 13, TITLE 9, OF THE DELAWARE CODE RELATING TO THE NEW CASTLE COUNTY PLANNING BOARD.

SA 3 to SB 260 was brought before the Senate for consideration on motion of Senator Vaughn.

SA 1 to SA 3 to SB 260 was brought before the Senate for consideration on motion of Senator Connor. Senators Martin, Marshall and Sokola commented. A roll call vote was taken and revealed 19 Senators voting YES, 1 (Sharp) NOT VOTING, 1 (McDowell) ABSENT; therefore, **SA 1 to SA 3 to SB 260** was declared part of the amendment.

SA 3 w/SA 1 to SB 260 was laid on the table on motion of Senator Vaughn.

SB 260 w/SA 2 was laid on the table on motion of Senator Connor.

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

At 4:36 p.m. the Senate reconvened with Senator Cordrey presiding.

Lt. Governor Minner presiding at 4:36 p.m.

SB 321 was brought before the Senate for consideration on motion of Senator Vaughn.

SB 321 - AN ACT TO AMEND CHAPTERS 3 AND 17, TITLE 15, DELAWARE CODE TO ELIMINATE THE DISQUALIFICATION OF VOTERS WHO DID NOT VOTE IN THE LAST TWO (2) PRECEDING GENERAL ELECTIONS.

Senator Bair requested the privilege of the floor for Richard Dillard, Senate Attorney.

Senator Vaughn moved that **SB 321** be laid on the table before the witness took the floor.

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

SB 315 - AN ACT TO AMEND CHAPTER 26, TITLE 21, DELAWARE CODE DELETING WAIVER OF TEST FOR THE CDL LICENSE AND CHANGING LATE FEES. (3/5 vote)

SA 1 to SB 315 was brought before the Senate on motion of Senator Voshell.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SA 1 to SB 315** was declared part of the bill.

SB 315 w/SA 1 was now before the Senate. A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SB 315 w/SA 1** was declared passed the Senate and sent to the House for consideration.

HB 417 w/HA 1 & 2 was brought before the Senate for consideration on motion of Senator Voshell.

HB 417 w/HA 1 & 2 - AN ACT TO AMEND SUBCHAPTER VII, CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO BOMB THREATS.

Senator Knox commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **HB 417 w/HA 1 & 2** was declared passed the Senate and returned to the House.

SS 1 for SB 215 was introduced and adopted in lieu of the original and brought before the Senate for consideration on motion of Senator Sokola. (3/5 vote)

SS 1 for SB 215 - AN ACT TO AMEND CHAPTER 9 AND CHAPTER 11, TITLE 13, OF THE DELAWARE CODE RELATING TO ADOPTION AND PROVIDING THAT ADOPTEES AND BIRTH PARENTS HAVE ACCESS TO CERTAIN INFORMATION.

Senator Sokola requested the privilege of the floor for Barbara Busharis, representing the Adoption Forum.

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

Senator Sokola requested the privilege of the floor for Carol King, representing the Department/Services for Children, Youth, and their Families.

The witness was excused.

Senator Sokola requested the privilege of the floor for Lydi Durbin, representing Family and Children Services of Delaware. The witness was excused, after addressing the Senate.

Senator Sokola requested the privilege of the floor for Vincent Poppitti, Chief Judge of the Family Court. The witness was excused, after addressing the Senate.

Senator McBride requested that his name be added as a co-sponsor. No objection.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (McDowell, Neal) ABSENT; therefore, **SS 1 for SB 215** was declared passed the Senate and sent to the House for consideration.

At 5:19 p.m. on motion of Senator Martin the Senate recessed until 2:00 p.m. May 4, 1994.

The Senate reconvened at 3:00 p.m. on May 4, 1994 with Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 440 w/HA 1, HB 395 w/HA 1 & 2, HB 446, HCR 62, HCR 47, HCR 63.**

Senator McDowell marked present.

The following committee report was announced:
From Health and Social Services: **HB 359 w/HA 2** - 4 Merits.

The following amendments were introduced and placed with the bill.

SA 1 to SB 300 - Sponsor: Senator Sharp.

SA 1 to SB 301 - Sponsor: Senator Sharp.

SA 1 to SB 314 - Sponsor: Senator Sharp.

HCR 62 was introduced and brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HCR 62 - JOINING IN RECOGNITION OF NATIONAL TEACHER DAY, MAY 3, 1994, AND COMMENDING DELAWARE TEACHERS FOR THEIR DEDICATION IN PERFORMING THE SIGNIFICANT ROLE OF EDUCATING FUTURE GENERATIONS OF DELAWAREANS. Sponsors: Representative Sorenson and Senator Sokola; On behalf of All Representatives and Senators.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HCR 62** was declared adopted by the Senate and returned to the House.

SCR 74 was introduced and brought before the Senate for consideration on motion of Senator Torbert.

SCR 74 - CONGRATULATING DR. MAHEDEO P. VERNA, DIRECTOR OF DELAWARE'S PUBLIC HEALTH LABORATORIES, ON HIS SELECTION AS LABORATORIAN OF THE YEAR BY THE DELAWARE LABORATORIANS ASSOCIATION AND RECOGNIZING HIS DEDICATION AND TIMELESS EFFORTS DIRECTED TOWARD QUALITY PRACTICE OF LABORATORY MEDICINE. Sponsors: Senator Torbert, on behalf of all Senators; Representative Bennett, on behalf of all Representatives.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 74** was declared adopted by the Senate and sent to the House for consideration.

HCR 63 was introduced and brought before the Senate for consideration on motion of Senator Knox.

HCR 63 - MOURNING THE DEATH OF LILLIAN TURNER PETERSON, FORMER FIRST LADY OF DELAWARE 1969-1973, AND WIFE OF FORMER GOVERNOR RUSSELL W. PETERSON. Sponsors: Representative DiPinto, On Behalf of All Representatives; Senator Knox, on Behalf of All Senators:

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HCR 63** was declared adopted by the Senate and returned to the House.

SS 1 for SB 198 was adopted in lieu of the original on motion of Senator Voshell.

At 3:09 p.m. on motion of Senator Martin, the Senate adjourned to immediately convene for the 25th Legislative Day.

25TH LEGISLATIVE DAY

May 4, 1994

The Senate convened at 3:09 p.m. with Senator Cordrey presiding.

A prayer was offered by Senator Venables.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

May 4, 1994

The following legislation was introduced and assigned:

SB 333 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN REQUIRED REGISTRATIONS. (2/3 vote) Sponsors: Senators Bair & Representative B. Ennis; Senators Connor, Martin, Torbert, Voshell; Representatives Brady, Caulk, Houghton, Quillen, Smith. To:

Small Business.

SB 334 - AN ACT TO AMEND CHAPTERS 4 AND 5, TITLE 13 OF THE DELAWARE CODE, RELATING TO CHILD SUPPORT, TO PROVIDE FOR ENHANCED MEDICAL SUPPORT ENFORCEMENT AS REQUIRED BY FEDERAL LAW. Sponsors: Senator Blevins and Representatives Maroney and Wojewodzki; Senators Martin, Voshell, Marshall, Torbert, Neal, Still, Connor, Bair; Representatives Davis, DiPinto, D. Ennis, Petrilli, Plant, Sorenson, Wagner. To: **Health and Social Services.**

HB 395 w/ HA 1, 2 - AN ACT TO AMEND SECTION 2708, CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO SCHOOL BUS DRIVER QUALIFICATIONS AND A CONVICTION RELATING TO DRUG PARAPHERNALIA. Sponsor: Representative Wagner. To: **Committee to Combat Drug Abuse.**

HB 440 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO INTENTIONAL CRUELTY TO ANIMALS. Sponsors: Representatives Smith; Gilligan, George, Brady. To: **Agriculture.**

HB 446 - AN ACT TO AMEND CHAPTER 5, TITLE 29, OF THE DELAWARE CODE RELATING TO STATE HISTORICAL OBJECTS. Sponsors: Representatives Quillen & DiPinto; Senator McBride. To: **Administrative Services.**

SA 1 to SB 252 - Sponsor: Senator Cordrey. Placed with the bill.

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SB 291 was brought before the Senate for consideration on motion of Senator McBride.

SB 291 - AN ACT TO AMEND CHAPTER 60, TITLE 7, DELAWARE CODE RELATING TO THE ENVIRONMENTAL APPEALS BOARD.

Senator Neal commented. A roll call vote was taken and revealed 16 Senators voting YES, 5 (Bair, Cook, Henry, Knox, Neal) NOT VOTING; therefore, **SB 291** was declared passed the Senate and sent to the House for consideration.

The Secretary announced that a message from the House informed the Senate that it had passed **HCR 64.**

HCR 64 was introduced and brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

HCR 64 - COMMENDING THE NEW CASTLE COUNTY POLICE UNDER THE ABLE LEADERSHIP OF COLONEL THOMAS GORDON, AND ESPECIALLY DETECTIVES BRUCE PINKETT AND QUINTON WATSON FOR THEIR SKILLFULL APPREHENSION AND ARREST OF LARRY DONALD GEORGE, A FUGITIVE FROM JUSTICE AND ONE OF AMERICA'S MOST WANTED CRIMINALS. Sponsors: Representative Holloway; Senators Marshall; Representatives Ewing, George, Quillen, Lee, Buckworth, Wagner, Caulk, Carey, Van Sant, DiLiberto, Fallon, Jonkiert, D. Ennis, Mack, DiPinto, Bennett, Smith, Plant, B. Ennis, West, Lofink, Houghton, Wojewodzki, Clark, Banning, Bradley, Schroeder, Bunting, Brady, Reynolds, Petrilli, Spence, All Senators.

Senator Marshall requested the privilege of the floor for Col. Thomas Gordon, Detective Bruce Pinkett and Detective Quinton Watson.

Senator McBride commented. The witnesses were excused.

Several Senators commented. All Senators were added as co-sponsors.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HCR 64** was declared adopted by the Senate and returned to the House.

HB 413 w/HA 1 was brought before the Senate on motion of the floor manager, Senator Sharp.

HB 413 w/HA 1 - AN ACT TO AMEND CHAPTER 1, TITLE 8, OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (3/5 vote)

Senator Sokola commented. Senator Sharp requested privilege of the floor for George Coyle, Assistant Secretary of State.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 413 w/HA 1** was declared passed the Senate and returned to the House.

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

SB 300 - AN ACT TO AMEND CHAPTER 1, TITLE 8, SECTION 136, OF THE DELAWARE CODE RELATING TO RESIGNATION OF CORPORATION REGISTERED AGENTS NOT COUPLED WITH APPOINTMENT OF SUCCESSOR. (2/3 vote)

SA 1 to SB 300, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 300** was declared part of the bill.

SB 300 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 300 w/SA 1** was declared passed the Senate and sent to the House for consideration.

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

SB 301 - AN ACT TO AMEND CHAPTER 1, TITLE 8, SECTION 371, OF THE DELAWARE CODE RELATING TO QUALIFICATION TO DO BUSINESS IN STATE. (2/3 vote)

SA 1 to SB 301, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 301** was declared part of the bill.

SB 301 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Torbert) ABSENT; therefore, **SB 301 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 314 was brought before the Senate for consideration on motion of Senator Sharp.

SB 314 - AN ACT TO AMEND CHAPTER 1, TITLE 8, OF THE DELAWARE CODE RELATING TO GENERAL CORPORATION LAW. (2/3 vote)

SA 1 to SB 314 was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Torbert) ABSENT; therefore, **SA 1 to SB 314** was declared part of the bill.

SB 314 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Torbert) ABSENT; therefore, **SB 314 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 321 was lifted from the table and brought before the Senate for consideration on motion of Senator Vaughn.

SB 321 - AN ACT TO AMEND CHAPTERS 3 AND 17, TITLE 15, DELAWARE CODE TO ELIMINATE THE DISQUALIFICATION OF VOTERS WHO DID NOT VOTE IN THE LAST TWO (2) PRECEDING GENERAL ELECTIONS.

The privilege of the floor was granted to Donald McArdle, Commissioner of Elections.

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

Senator Bair requested the privilege of the floor for Richard Dillard, Senate Attorney. Senator Cook questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 14 Senators voting YES, 5 (Bair, Hauge, Knox, Neal, Still) NO, 1 (Connor) NOT VOTING, 1 (Torbert) ABSENT; therefore, **SB 321** was declared passed the Senate and sent to the House for consideration.

Senator Martin requested privilege of the floor for Laura Randa, representing Delaware Teacher's Academy for Service Learning. The following students addressed the Senate: Vaughn Watson, Chere M. Wing, Alison Danko, Adam Kalkstein, Anupa Chacko, Mary Beth White, Amanda Tobiansky, Mark Dudek, Isom Anderson, Raymond Speakman, Dubard McGriff, LaTanya Hill, Jaclyn Starke, Jodi Campbell, Merrill Young.

The witnesses were excused after addressing the Senate.

The Secretary announced that a message from the House informed the Senate that it had passed **HCR 65, HCR 66, HCR 57**.

HCR 65 was introduced and brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HCR 65 - COMMENDING THE STUDENTS SELECTED AS STATE SUPERINTENDENT'S SCHOLARS OF 1994. Sponsors: Representative Sorenson & Senator Sokola; On Behalf of All Representatives and Senators.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Torbert) ABSENT; therefore, **HCR 65** was declared adopted by the Senate and returned to the House.

HCR 57 was introduced and brought before the Senate for consideration on motion of the floor manager, Senator McBride.

HCR 57 - URGENTLY REQUESTING CONRAIL, A PENNSYLVANIA CORPORATION, TO COMPLY EXPEDITIOUSLY WITH AN AGREEMENT ENTERED INTO BACK IN 1979 WITH THE CITY OF DOVER CONCERNING SWITCHING OPERATIONS WITHIN THE CITY LIMITS DURING CERTAIN HOURS. Sponsors: Representative Bennett; Senator Torbert.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Torbert) ABSENT; therefore, **HCR 57** was declared adopted by the Senate and returned to the House.

HCR 60 was introduced and brought before the Senate for consideration on motion of the floor manager, Senator McBride.

HCR 60 - CONGRATULATING MAJOR SHERRY L. FREEBERY UPON HER RECEIPT OF THE PRESIDENT'S CITATION. Sponsors: Representative Van Sant and Senator McBride; Representatives Houghton, B. Ennis; Senators Sharp, Vaughn.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Torbert) ABSENT; therefore, **HCR 60** was declared adopted by the Senate and returned to the House.

SB 335 was introduced and assigned to the Health and Social Services Committee.

SB 335 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE FOR CHILDREN AND MEDICAID RECIPIENTS. Sponsors: Senator Blevins and Representatives Maroney and Wojewodzki; Senators Martin, Marshall, Torbert, Voshell, Bair, Connor, Henry; Representatives Spence, B. Ennis.

SB 336 was introduced and assigned to the Labor Committee.

SB 336 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO CHANGING CRIMINAL PENALTIES TO CIVIL PENALTIES FOR VIOLATIONS OF LABOR LAWS. Sponsors: Senator Marshall; Representative Oberle.

HCR 66 was introduced and brought before the Senate on motion of the floor manager, Senator Still.

HCRC 66 - CELEBRATING THE 25TH ANNIVERSARY OF THE MODERN MATURITY CENTER. Sponsors: Representative Wagner and Senator Still; Representatives Buckworth, Caulk, Ewing, Quillen, Bennett, Clark, B. Ennis; Senators Cook, Torbert, Vaughn, Voshell.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Torbert) ABSENT; therefore, **HCRC 66** was declared adopted by the Senate and returned to the House.

At 4:32 p.m. on motion of Senator Martin the Senate recessed until 2:00 p.m. May 10, 1994.

The Senate reconvened at 2:20 p.m. May 10, 1994 with Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 373 w/HA 1, HB 407 w/HA 2, HB 436 w/HA 2, SB 285**.

The following committee reports were announced:

From Children, Youth and Families: **SB 298** - 3 Merits, 1 Unfavorable.

From Labor: **SB 336** - 3 Merits.

A withdrawal of sponsorship requested was read removing Representative Oberle's name as a sponsor of **SB 336**.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION May 10, 1994

The following legislation was introduced and assigned:

SB 337 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES INVOLVING DEADLY WEAPONS AND DANGEROUS INSTRUMENTS. Sponsors: Senator Marshall; Senator Martin; Reps. Banning, Bennett, Brady, Buckworth, DiPinto, Ewing, Jonkiert, Lofink, Petrilli, Quillen, Roy, Wagner and Spence. To: **Public Safety**.

HB 373 w/HA 1 - AN ACT TO AMEND CHAPTER 39, TITLE 18 OF THE DELAWARE CODE PERTAINING TO UNDERINSURED MOTORIST COVERAGE. Sponsors: Representative Amick and Senator Sharp; Representatives Ewing, Plant, Buckworth, Brady, Spence, Houghton, DiLiberto, Van Sant; Senators Torbert, Vaughn, Blevins, Holloway, Marshall, Martin, McBride, Knox, Connor, Hauge, McDowell. To: **Insurance/Elections**.

HB 407 w/HA 2 - AN ACT TO AMEND CHAPTER 63, TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH SERVICE CORPORATIONS. Sponsor: Representative George (By request) To: **Insurance/Elections**.

HB 436 w/HA 2 - AN ACT TO AMEND CHAPTER 5, TITLE 16 OF THE DELAWARE CODE RELATING TO TUBERCULOSIS CONTROL. Sponsors: Representative Maroney and Senators Blevins and Bair; Representatives Petrilli, Quillen, Spence, D. Ennis, Reynolds, Roy, Wagner, DiPinto, Ewing, Buckworth, Davis, Sorenson, Bradley, Brady, Bunting, Gilligan, Jonkiert, West, Senators Marshall, McBride, Venables, Sokola, McDowell, Martin, Neal, Connor. To: **Health and Social Services**.

HCRC 47 - URGING THE JOINT FINANCE COMMITTEE TO RE-EXAMINE ITS FORMULA FOR ALLOCATIONS OF GRANT-IN-AID FUNDS FOR SENIOR CENTERS WITHIN THE STATE. Sponsors: Representatives Quillen, West, Ewing, Wagner, Schroeder, B. Ennis, Bennett, Carey; Senators Voshell, Still. To: **Finance**.

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The following bills were introduced and assigned to the Community/County Affairs Committee:

SB 338 - AN ACT TO AMEND CHAPTER 70 OF TITLE 9 OF THE DELAWARE CODE RELATING TO THE LIMITATION ON SUSSEX COUNTY IN THE PROCUREMENT OF SERVICES AND SUPPLIES. Sponsors: Senator Adams; Representatives Ewing and Lee, Senators Venables, Voshell and Cordrey.

SB 339 - AN ACT TO AMEND SUBCHAPTER I, CHAPTER 69 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE RENTAL AND PURCHASE OF MOTOR VEHICLES AND EXCEPTIONS THERETO. Sponsors: Senator Cordrey; Representatives Ewing and Lee, Senators Adams, Venables, and Voshell.

SB 340 - AN ACT TO AMEND CHAPTER 87 OF TITLE 9 OF THE DELAWARE CODE RELATING TO COLLECTION OF DELINQUENT TAXES AND PROVIDING FOR ATTORNEY FEES INCURRED BY SUSSEX COUNTY TO BE TAXED IN ALL PROCEEDINGS UNDER SUBCHAPTER II THEREOF. Sponsors: Senator Cordrey; Representatives Ewing and Lee, Senators Adams and Voshell.

At 2:24 p.m. on motion of Senator Martin the Senate adjourned to immediately convene for the 26th Legislative Day.

**26TH LEGISLATIVE DAY
May 10, 1994**

The Senate convened at 2:24 p.m. with Senator Cordrey presiding.
A prayer was offered by Senator Adams.
Pledge of allegiance to the Flag.
Call of the roll for the Legislative Day revealed the following attendance:
PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.
The journal of the previous day was approved as read on motion of Senator Martin. No objection.
Senator Sharp marked present.
Senator Martin presiding at 2:28 p.m.
SB 252 was brought before the Senate for consideration on motion of Senator Cordrey.
SB 252 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 29, TITLE 24, DELAWARE CODE RELATING TO REGULATION OF REAL ESTATE APPRAISERS.
SA 1 to SB 252, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Cordrey.
A roll call vote was taken and revealed 20 Senators voting YES, 1 (Hauge) ABSENT; therefore, **SA 1 to SB 252** was declared part of the bill.
Senators Blevins, McBride and McDowell marked present during the above roll call.
SB 252 w/SA 1 was now before the Senate.
Senator Marshall commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Hauge) ABSENT; therefore, **SB 252 w/SA 1** was declared passed the Senate and sent to the House for consideration.
At 2:35 p.m. on motion of Senator Cordrey the Senate recessed for Party Caucus.
The Senate reconvened at 4:18 p.m. with Senator Cordrey presiding.
Senator Hauge marked present.
The necessary rules were suspended on motion of Senator Connor to lift **SB 260 w/SA 2** from the table and bring the legislation before the Senate for consideration.
SB 260 w/SA 2 - AN ACT TO AMEND CHAPTER 13, TITLE 9, OF THE DELAWARE CODE RELATING TO THE NEW CASTLE COUNTY PLANNING BOARD.
SA 3 w/SA 1 to SB 260 was lifted from the table and stricken on motion of Senator Vaughn.
The roll call vote on **SA 2 to SB 260** was rescinded and stricken on motion of Senator Connor.
Senator Sokola requested the privilege of the floor for John Cordrey, Senate Attorney.
The witness was excused, after briefly addressing the Senate.
A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 260** was declared passed the Senate and sent to the House for consideration.
At 4:27 p.m. on motion of Senator Martin the Senate recessed until 4:00 p.m. May 11, 1994.
The Senate reconvened at 4:18 p.m. on May 11, 1994 with Senator Cordrey presiding.
The Secretary announced that a message from the House informed the Senate that it had passed **HB 442 w/HA 1, HS 1 to HB 219, HB 398, HB 457, HCR 54 w/HA 1, HJR 17**.
LEGISLATIVE ADVISORY #44 from the Office of Counsel to the Governor was announced for the record, partially read and copies made available to the members upon request.
LEGISLATIVE ADVISORY #44, dated May 10, 1994. The following legislation was signed by Governor Thomas R. Carper on the date indicated:
HB 129 aab HA 1 - 05/04/94 - AN ACT TO AMEND CHAPTERS 1, AND 21, TITLE 21 OF THE DELAWARE CODE RELATING TO RECREATIONAL TRAILERS. (Reps. Lee, Carey, Caulk, Ewing, Fallon, Wagner, Bennett, Bunting, Schroeder, West, and Senators Venables and Voshell) (Volume 69, Chapter 217, Laws of Delaware.)
SB 122 aab HA 1 - 05/10/94 - AN ACT TO AMEND CHAPTER 23, SUBCHAPTER III, TITLE 19, DELAWARE CODE RELATING TO A REASONABLE FEE TO CLAIMANT'S ATTORNEY FOR SERVICES ON AN APPEAL. (Sen. Vaughn and Rep. D. Ennis; Reps. Ewing, Houghton, Spence) (Volume 69, Chapter 218, Laws of Delaware.)
HB 343 aab HA 1 - 05/10/94 - AN ACT TO AMEND CHAPTER 68, TITLE 21 OF THE DELAWARE CODE RELATING TO OFF-HIGHWAY VEHICLES. (Rep. Clark; Reps. Banning, B. Ennis) (Volume 69, Chapter 219, Laws of Delaware.)
HB 386 aab HA 1 - 05/10/94 - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. (Rep. Van Sant; Reps. Houghton, B. Ennis, West, Brady, Oberle, Lee and Sen. Vaughn. (Volume 69, Chapter 220, Laws of Delaware.)
HB 413 aab HA 1 - 05/10/94 - AN ACT TO AMEND CHAPTER 1, TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (Rep. Smith and Sen. Sharp) (Volume 69, Chapter 221, Laws of Delaware.)

A messenger from the Governor was announced and admitted.

The following committee reports were announced:

From Health and Social Services: **SB 319** - 5 Merits; **HB 11 w/HA 1 & 2** - 5 Merits.

From Natural Resources: **SB 330** - 3 Merits.
From Small Business: **SB 333** - 4 Merits.
From Community/County Affairs: **SB 338** - 3 Merits; **SB 339** - 3 Merits; **SB 340** - 3 Merits.
From Judiciary: **HS 1 for HB 305** - 4 Merits.
From Education: **HB 391 w/HA 1** - 3 Merits.
From Corrections: **HB 439** - 4 Merits.
From Agriculture: **HB 443 w/HA 1 w/HA 1, w/HA 2, 3 & 4** - 1 Favorable, 4 Merits.
From Public Safety: **HB 433** - 4 Merits; **HB 394 w/HA 1** - 4 Merits; **SB 337** - 4 Merits; **HS 1 for HB 234** - 4 Merits; **SB 327** - 3 Merits; **HB 271 w/HA 1** - 4 Merits; **HB 367** - 4 Merits.
The following letters of nomination by the Governor were read and assigned to the Executive Committee.

STATE OF DELAWARE
Office of the Governor
May 11, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Mr. John R. Hudson, 415 Hazzard Street, Milton, Delaware 19968, to be appointed as a Justice of the Peace for Sussex County for a four year term to fill a vacancy.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

STATE OF DELAWARE
Office of the Governor
May 11, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and reappoint for the consent and confirmation of the Senate the following:
Hon. Joseph E. Maybee, 10 S. Bradford Street, Dover, Delaware 19901, to be reappointed as a Justice of the Peace for Kent County for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION May 11, 1994

The following legislation was introduced and assigned:

HS 1 to HB 219 - AN ACT TO AMEND CHAPTER 30, TITLE 30, DELAWARE CODE RELATING TO MOTOR VEHICLE DEALER LICENSE FEE. Sponsors: Representative B. Ennis; Senator Vaughn; Representatives Banning, Houghton, West. To: **Public Safety**.

HB 398 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. Sponsor: Representative Oberle. To: **Judiciary**.

HB 442 w/HA 1 - AN ACT TO AMEND CHAPTERS 13, 44, AND 63 OF TITLE 9, DELAWARE CODE

REQUIRING BUILDING INSPECTORS IN ALL THREE COUNTIES TO BE NATIONALLY CERTIFIED AND AMENDING TITLE 29 OF THE DELAWARE CODE BY PLACING THE CERTIFICATION PROCESS UNDER THE AUSPICES OF THE DIVISION OF PROFESSIONAL REGULATION. Sponsors: Representatives B. Ennis, Jonkiert, D. Ennis, Brady, Clark, Van Sant, Banning, DiLiberto, West, Wojewodzki, Houghton, Amick. To: Community/County Affairs.

HB 457 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO THE IMPROPER LABELING OF TAPES, RECORDS AND OTHER ARTICLES WHICH CONTAIN RECORDED SOUNDS. Sponsors: Representative Jonkiert, Senator Marshall. To: Judiciary.

HJR 17 - CALLING FOR DELAWARE RECOGNITION OF NATIONAL PUBLIC WORKS WEEK, TO BE RECOGNIZED FROM MAY 15 THROUGH MAY 21. Sponsors: Representative Schroeder; Representatives Banning, Bennett, Bradley, Brady, Buckworth, Bunting, Clark, DiLiberto, B. Ennis, Ewing, Fallon, Houghton, Plant, Quillen, Van Sant, Wagner, West, Wojewodzki; Senators Blevins, Cordrey, Marshall, Sokola, Vaughn, Voshell. To: Laid on the Table.

HCR 54 w/HA 1 - CREATING A SCHOOL TAX EQUITY TASK FORCE TO STUDY AND REPORT ON ALTERNATIVES TO PROPERTY TAXES FOR FUNDING THE LOCAL PORTION OF PUBLIC SCHOOL FUNDING. Sponsors: Representatives Brady and Smith and Senators Voshell and Bair; Representatives Banning, Bradley, Buckworth, Bunting, Carey, Caulk, Clark, Davis, DiLiberto, DiPinto, B. Ennis, Ewing, Fallon, Houghton, Jonkiert, Lee, Lofink, Maroney, Petrilli, Quillen, Reynolds, Schroeder, Sorenson, Spence, Taylor, Van Sant, Wagner, West; Senators Adams, Blevins, Cook, Connor, McBride, Neal, Still, Vaughn. To: Education.

SA 1 to HB 318 - Sponsor: Senator Vaughn. Placed with the bill.

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At 4:34 p.m. on motion of Senator Martin the Senate adjourned to immediately convene for the 27th Legislative Day.

27TH LEGISLATIVE DAY

May 11, 1994

The Senate convened at 4:34 p.m. with Senator Cordrey presiding.

A prayer was offered by Senator Hauge.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

On motion of Senator Adams and without objection, the necessary rules were suspended to consider the following nominations by the Governor.

Dr. Robert J. McMahon - 21 Senators voting YES. Appointment confirmed.

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

Hon. Myron T. Steele - 21 Senators voting YES. Appointment confirmed.

Senator Adams requested privilege of the floor for the Honorable Myron T. Steele. Judge Steele commented. The witness was excused.

Senator Martin rose to make announcement of Senator Cook's birthday.

Senator Martin presiding at 4:38 p.m.

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

SB 339 - AN ACT TO AMEND SUBCHAPTER I, CHAPTER 69 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE RENTAL AND PURCHASE OF MOTOR VEHICLES AND EXCEPTIONS THERETO.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 339** was declared passed the Senate and sent to the House for consideration.

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

SB 340 - AN ACT TO AMEND CHAPTER 87 OF TITLE 9 OF THE DELAWARE CODE RELATING TO COLLECTION OF DELINQUENT TAXES AND PROVIDING FOR ATTORNEY FEES INCURRED BY SUSSEX COUNTY TO BE TAXED IN ALL PROCEEDINGS UNDER SUBCHAPTER II THEREOF.

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

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

SB 338 - AN ACT TO AMEND CHAPTER 70 OF TITLE 9 OF THE DELAWARE CODE RELATING TO THE LIMITATION ON SUSSEX COUNTY IN THE PROCUREMENT OF SERVICES AND SUPPLIES.

Senator Cordrey presiding at 4:42 p.m.

Senator Connor commented. Senator Adams requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 338** was declared passed the Senate and sent to the House for consideration.

On motion of Senator Voshell, the necessary rules were suspended and **HJR 17** was lifted from the table and brought before the Senate for consideration.

HJR 17 - CALLING FOR DELAWARE RECOGNITION OF NATIONAL PUBLIC WORKS WEEK, TO BE RECOGNIZED FROM MAY 15 THROUGH MAY 21.

Senator Bair commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HJR 17** was declared passed the Senate and returned to the House.

At 4:53 p.m. on motion of Senator Martin the Senate recessed until 2:00 p.m. May 12, 1994.

The Senate reconvened at 2:19 p.m. May 12, 1994 with Senator Cordrey presiding.

The following corrected committee reports were announced:

From Public Safety: **HB 433** - 4 Merits.

From Agriculture: **HB 443 w/HA 1 w/HA 1, w/HA 2, 3 & 4** - 1 Favorable, 4 Merits.

From Public Safety: **HB 195 w/HA 2** - 4 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed **SCR 74**.

At 2:21 p.m. on motion of Senator Martin the Senate adjourned to immediately convene for the 28th Legislative Day.

28TH LEGISLATIVE DAY MAY 12, 1994

The Senate convened at 2:21 p.m. with Senator Cordrey presiding.

A prayer was offered by Senator Adams.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION May 12, 1994

The following legislation was introduced and assigned:

SB 341 - AN ACT TO AMEND CHAPTER 25, TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH CARE DECISIONS. Sponsors: Senators McBride and Bair; Representatives Brady and Maroney. To: **Health and Social Services**.

SB 342 - AN ACT TO AMEND TITLE 30, CHAPTER 23 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL LICENSES AND FEES. Sponsor: Senator Sharp. To: **Administrative Services**.

SB 343 - AN ACT TO AMEND CHAPTER 38 OF TITLE 12 OF THE DELAWARE CODE RELATING TO BUSINESS TRUSTS. Sponsors: Senators Sharp, Vaughn; Representatives Smith, Buckworth. To: **Judiciary**.

SB 344 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Senator Voshell; Representatives D. Ennis and B. Quillen. To: **Labor and Industrial Relations**.

SA 1 to HB 11 - Sponsor: Senator Blevins. Placed with the bill.

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A messenger from the Governor was announced and admitted.

From Community/County Affairs: **HB 442 w/HA 1** - 3 Merits.

From Public Safety: **HS 1 for HB 219** - 3 Merits.

Senator McBride marked present.

HB 359 w/HA 2 was brought before the Senate for consideration on motion of Senator Blevins, the floor manager.

HB 359 w/HA 2 - AN ACT TO AMEND TITLE 18, DELAWARE CODE RELATING TO THE PHARMACY ACCESS ACT.

Senator Blevins requested the privilege of the floor for Tom Dolan, representing Delaware Pharmaceutical Society.

Senators Connor and Adams questioned the witness, after which the witness was excused.
Senator Blevins requested the privilege of the floor for Calvin Freedman, also representing the Delaware Pharmaceutical Society.

Several Senators questioned the witness.

Senator Torbert marked present.

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

Senator Blevins requested the privilege of the floor for John McDowell.

Several Senators entered into a discussion with the witness, after which the witness was excused.

SA 1 to HB 359 was stricken on motion of Senator Blevins.

SA 2 to HB 359 was introduced and brought before the Senate for consideration on motion of Senator Blevins.

Senator Bair commented. Senator Blevins requested the privilege of the floor for Jack Cordrey, Senate Attorney.

The witness was excused.

Senator Sharp requested the privilege of the floor for Calvin Freedman. The witness was excused, after briefly addressing the Senate.

Senator Marshall marked present.

Senator Blevins requested the privilege of the floor for John Cordrey, Senate Attorney. The witness was excused.

Senator McBride commented.

At 3:53 p.m. on motion of Senator Cordrey the Senate recessed for five minutes for the purpose of changing the tape.

The Senate reconvened at 3:59 p.m. with Senator Cordrey presiding.

SA 2 to HB 359 was still before the Senate.

Senator Torbert commented. A roll call vote was taken and revealed 13 Senators voting YES, 8 (Connor, Henry, McBride, McDowell, Neal, Sharp, Torbert, Vaughn) NO; therefore, **SA 2 to HB 359** was declared part of the bill.

Senator McDowell marked present during the above roll call.

HB 359 w/HA 2, w/SA 2 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 359 w/HA 2, w/SA 2** was declared passed the Senate and returned to the House for reconsideration.

At 4:03 p.m. on motion of Senator Martin the Senate recessed for Party Caucus.

At 4:50 p.m. the Senate reconvened with Senator Cordrey presiding.

The Secretary announced that a message from the Chief Clerk of the House indicated that Representative DiPinto signed **SB 288** as an additional co-sponsor on May 12, 1994.

On motion of Senator Martin, the President Pro Tempore's List of Pre-Filed Legislation (Part 2) was introduced for the permanent record, partially read and copies were made available.

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION PART 2

May 12, 1994

The following legislation was introduced and assigned:

SB 345 - AN ACT TO AMEND CHAPTER 33, TITLE 12 RELATING TO INVESTMENT ADVISERS.
Sponsors: Senator Cordrey and Representative D. Ennis. To: **Banking**.

SB 346 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE REGARDING UNINSURED MOTORISTS. Sponsors: Senator Cordrey, Senators Adams, Sharp, Still; Representatives Davis, Spence, Petrilli. To: **Insurance and Elections**.

SB 347 - AN ACT TO AMEND ARTICLE III, SECTION 21 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE OFFICE OF INSURANCE COMMISSIONER. (2/3 vote)
Sponsors: Senator Vaughn; Representative Clark; Representatives George, Bennett, Banning, Bradley, West, Jonkiert, Wojewodzki, B. Ennis. To: **Insurance and Elections**.

SB 348 - AN ACT TO AMEND CHAPTER 46, TITLE 6, DELAWARE CODE, RELATING TO EQUAL RIGHTS TO HOUSING. Sponsors: Senator Marshall and Representative DiPinto. To: **Community/County Affairs**.

SB 349 - AN ACT TO AMEND TITLE 19, OF THE DELAWARE CODE RELATING TO LOCATION OF INDUSTRIAL ACCIDENT BOARD HEARINGS. Sponsors: Senator Torbert; Representative Buckworth.
To: **Administrative Services**.

SB 350 - AN ACT TO AMEND THE STATUTORY PROVISIONS OF §106(a), TITLE 13, OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF KIMBERLY FAITH OBERLY AND STEVEN B. LACORTE-KENNEDY. Sponsors: Senator Blevins and Representative George. To: **Executive**.

SB 351 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD

CUSTODY AND VISITATION IN CASES OF DOMESTIC VIOLENCE. Sponsors: Senator Blevins and Representative Sorenson and Representative Maroney; Senators Bair, Knox, Marshall, Martin, Neal, Sokola and Voshell; Representatives Bennett, Bradley, Brady, Gilligan, Jonkiert, Taylor, Wagner and Wojewodzki. To: Children, Youth, and Families.

SA 1 to SB 303 - Sponsor: Senator Torbert. Placed with the bill.

SA 1 to SB 319 - Sponsor: Senator Blevins. Placed with the bill.

SA 1 to SB 331 - Sponsor: Senator McBride. Placed with the bill.

The following letters of nomination from the Governor were read and assigned to the Executive Committee.

STATE OF DELAWARE

Office of the Governor

May 12, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Hon. Ernst M. Arndt, 112 W. Howard Street, Box 94, Viola, Delaware 19979, to be reappointed as a Justice of the Peace for Kent County for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,

(Signed) Tom Carper
Governor

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STATE OF DELAWARE

Office of the Governor

May 12, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Hon. Francis G. Charles, P.O. Box 823, Bethany Beach, Delaware 19930, to be reappointed as a Justice of the Peace for Sussex County for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,

(Signed) Tom Carper
Governor

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STATE OF DELAWARE

Office of the Governor

May 12, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Hon. Ronald E. Cheeseman, 572 Old Summit Bridge Road, Middletown, Delaware 19709, to be reappointed as a Justice of the Peace for New Castle County for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,

(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
May 12, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Hon. Walter J. Godwin, 8 Fairway East, Georgetown, Delaware 19947, to be reappointed as a Justice of the Peace for Sussex County for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,

(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
May 12, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Hon. Wayne R. Hanby, 2 Turnbridge Road, Newark, Delaware 19713, to be reappointed as a Justice of the Peace for New Castle County for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,

(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
May 12, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Hon. Rosalie O. Rutkowski, 2205 W. 9th Street, Wilmington, Delaware 19805, to be reappointed as a Justice of the Peace for New Castle County for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,

(Signed) Tom Carper
Governor

STATE OF DELAWARE
Office of the Governor
May 12, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Hon. David R. Skelley, 61 Christiana Road, New Castle, Delaware 19720, to be reappointed as a Justice of the Peace for New Castle County for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,

(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
May 12, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Hon. Alice W. Stark, 223 Wyoming Avenue, Dover, Delaware 19901, to be reappointed as a Justice of the Peace for Kent County for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,

(Signed) Tom Carper
Governor

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HB 439 w/HA 1 was brought before the Senate for consideration on motion of Senator Vaughn, the floor manager.

HB 439 w/HA 1 - AN ACT TO AMEND SECTION 4322 (a), CHAPTER 43, TITLE 11 OF THE DELAWARE CODE RELATING TO PROTECTION OF RECORDS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 439 w/HA 1** was declared passed the Senate and returned to the House.

HS 1 for HB 305 w/HA 1 was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

HS 1 for HB 305 w/HA 1 - AN ACT TO AMEND CHAPTER 43, TITLE 10 OF THE DELAWARE CODE RELATING TO CHAIN OF CUSTODY.

Senator Sharp requested that the following communication from the office of Judge Norman A. Barron be read in its entirety and made part of the record. No objection.

SUPERIOR COURT
OF THE
STATE OF DELAWARE

May 6, 1994

The Honorable Thomas B. Sharp
Delaware State Senate
Legislative Hall
Dover, DE 19901

RE: House Substitute No. 1 for House Bill No. 305

Dear Senator Sharp:

I write to voice the support of the Superior Court Criminal Rules Committee in the above legislation now before the Senate. This bill also has the support of the Attorney General and the Office of the Chief Medical Examiner. Under this bill, in most cases there would be no need for the toxicologists and chemists in the Medical Examiner's Office to come to court to testify as to their analyses of controlled substances. Their time is better spent analyzing the drug samples delivered to their office for analysis. Further, police officers who participated in the chain of custody of the drugs would also be spared in most cases from having to give actual trial testimony.

House Bill No. 305 was taken in large part from Maryland law (Maryland Courts and Judicial Proceeding Code Ann. §§ 10-1001 to 10-1003). As with its Maryland counterpart, House Bill No. 305 is intended to greatly reduce the number of police witnesses and State chemists from testifying at criminal trials involving violations of Delaware's drug laws. It streamlines the process for introducing evidence of drug testing at trial without undermining the integrity of this evidence.

I am hopeful that you will lend your support to this worthwhile legislation.

Very truly yours,
(Signed) Norman Barron

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Senators Vaughn, Neal and Knox commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, HS 1 for HB 305 w/HA 1 was declared passed the Senate and returned to the House.

HB 433 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 433 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF FIREARMS BY CRIMINALS DURING FELONIES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, HB 433 was declared passed the Senate and returned to the House.

At 5:04 p.m. on motion of Senator Martin the Senate recessed until 2:00 p.m. May 17, 1994.

The Senate reconvened at 2:03 p.m. May 17, 1994 with Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HS 1 for HB 183 w/HA 1 & 2, HB 451 w/HA 1, SB 288.

LEGISLATIVE ADVISORIES #45 and #46 from the Office of Counsel to the Governor were announced for the record, partially read and copies made available to the members upon request.

LEGISLATIVE ADVISORY #45, dated May 13, 1994. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

SB 288 - 05/12/94 - AN ACT TO AMEND CHAPTER 61, TITLE 29, DELAWARE CODE, REGARDING THE CREATION OF THE TWENTY-FIRST CENTURY FUND. (Sens. Cordrey, Martin, Marshall, Cook, Sharp, Bair and Connor; Reps. Petrilli, Spence, Quillen, Davis, Roy, Smith, George and Gilligan; Reps. Bennett, DiPinto) (Volume 69, Chapter 222, Laws of Delaware.)

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LEGISLATIVE ADVISORY #46, dated May 16, 1994. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

HB 417 aab HA 1 and 2 - 05/13/94 - AN ACT TO AMEND SUBCHAPTER VII, CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO BOMB THREATS. (Rep. Schroeder, Rep. Bunting and Sens. Cordrey and Voshell) (Volume 69, Chapter 223, Laws of Delaware.)

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The Secretary announced that a message from the Chief Clerk of the House indicated that Representative Bennett signed SB 288 as an additional co-sponsor on May 12, 1994.

The following committee reports were announced:

From Administrative Services: SB 286 - 4 Merits.

From Health/Social Services: HB 33 - 4 Merits; HB 102 - 4 Merits

From Highways/Transportation: HB 264 - 4 Merits; HB 378 w/HA 1 - 4 Merits.

At 2:04 p.m. on motion of Senator Martin the Senate adjourned to immediately convene for the 29th Legislative Day.

29TH LEGISLATIVE DAY
MAY 17, 1994

The Senate convened at 2:04 p.m. with Senator Cordrey presiding.
A prayer was offered by Senator Martin.
Pledge of allegiance to the Flag.
Call of the roll for the Legislative Day revealed the following attendance:
PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Holloway, Knox, Marshall, Martin, McBride, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 20, 1 (McDowell) ABSENT.
The journal of the previous day was approved as read on motion of Senator Martin. No objection.
On motion of Senator Martin, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

May 17, 1994

The following legislation was introduced and assigned:

SB 352 - AN ACT TO AMEND CHAPTER 28, TITLE 24, DELAWARE CODE RELATING TO PROFESSIONAL ENGINEERS. Sponsors: Senators Blevins, Neal, McBride; Representatives Buckworth, Petrilli. To: **Sunset**.

HS 1 to HB 183 w/HA 1 & 2 - AN ACT TO AMEND CHAPTER 14, TITLE 14 OF THE DELAWARE CODE RELATING TO THE FAIR DISMISSAL OF TEACHERS. Sponsors: Representative Oberle & Senator McDowell; Representatives Spence, Bennett; Senator Still. To: **Judiciary**.

HB 451 w/HA 1 - AN ACT TO AMEND CHAPTER 14, TITLE 14, DELAWARE CODE, RELATING TO TEACHER CERTIFICATION. Sponsors: Representatives Petrilli and Spence; Representatives Davis, Ewing, Quillen, Banning, Clark; Senators Knox, Neal, Adams, Sokola, Vaughn. To: **Education**.

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Senator Hauge marked present.

HB 443 w/HA 1 w/HA 1, w/HA 2, 3 & 4 was brought before the Senate for consideration on motion of Senator Adams, the floor manager.

HB 443 W/HA 1 w/HA 1, w/HA 2, 3 & 4 - AN ACT TO AMEND CHAPTER 48, TITLE 29, DELAWARE CODE, RELATING TO COIN-OPERATED-LOTTERIES AT RACETRACKS, AND TO AMEND CHAPTER 101, TITLE 3 AND CHAPTER 4, TITLE 28, DELAWARE CODE, RELATING TO HORSE RACING AND CHAPTER 100, TITLE 3 RELATING TO HARNESS HORSE RACING.

On motion of Senator Adams, the privilege of the floor was granted to William M. Richman, representing Delaware Park.

While the witness remained on the floor, a short film was shown to the members of the Senate.

Senator Knox marked present and questioned the witness.

Senator Sokola marked present and questioned the witness.

Lt. Governor Minner presiding at 2:38 p.m.

Senators McBride, Voshell and Sharp questioned the witness.

Senators Blevins and Torbert marked present.

Several Senators questioned the witness.

Senator Martin presiding at 4:06 p.m.

Lt. Governor Minner presiding at 4:12 p.m.

The witness was excused. Senator Martin moved for a short recess

At 4:22 p.m. the Senate reconvened with Lt. Governor Minner presiding.

HB 443 W/HA 1 w/HA 1, w/HA 2, 3 & 4 was still before the Senate.

Senator Cordrey requested privilege of the floor for Denis McGlynn, representing Dover Downs.

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

Senator Knox requested the privilege of the floor for John Stapleford, representing the University of Delaware.

Several Senators entered into discussion with the witness, after which the witness was excused.

Senator Adams moved that **HB 443 w/HA 1 w/HA 1, w/HA 2, 3 & 4** be laid on the table.

At 5:34 p.m. on motion of Senator Martin the Senate recessed until 4:00 p.m. May 18, 1994.

The Senate reconvened at 4:08 p.m., May 18, 1994 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Natural Resources: **SB 88** - 3 Merits; **SB 305** - 3 Merits.

From Public Safety: **SB 284** - 4 Merits; **SB 303** - 4 Merits.

From Judiciary: **SB 326** - 4 Merits; **SB 343** - 4 Merits.

From Insurance and Elections: **SB 329** - 4 Merits; **SB 346** - 4 Merits; **SB 347** - 4 Merits.

From Banking: **SB 345** - 4 Merits.

From Executive: **SB 350** - 1 Favorable, 4 Merits.

From Committee to Combat Drug Abuse: **HB 441** - 3 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed: **HB 424 w/HA 1 & 2, HB 459, HB 456, HB 355, SB 69, SB 21 w/SA 1, SB 277 w/SA 1, SB 300 w/SA 1, SB 301 w/SA 1, SB 314 w/SA 1, SB 287, SJR 29.**

The Secretary announced that a message from the Chief Clerk of the House informed the Senate that Representative DiPinto signed **SB 300, SB 301, SB 314** as an additional co-sponsor on Tuesday, May 17, 1994.

At 4:10 p.m. on motion of Senator Martin the Senate adjourned to immediately convene for the 30th Legislative Day.

30TH LEGISLATIVE DAY

MAY 18, 1994

The Senate convened at 4:10 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Bair.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION **PART 2**

May 17, 1994

The following amendments were introduced and placed with the bill:

SA 1 to SB 286 - Sponsor: Senator Blevins.

SA 1 to SB 309 - Sponsor: Senator McBride.

SA 1 to HB 443 - Sponsor: Senator Marshall.

SA 1 to SA 1 to HB 443 - Sponsor: Senator Marshall.

SA 2 to HB 443 - Sponsors: Senators Torbert; Still.

SA 1 to SA 2 to HB 443 - Sponsor: Senator Torbert.

SA 3 to HB 443 - Sponsor: Senator Connor.

SA 4 to HB 443 - Sponsor: Senator Connor.

SA 5 to HB 443 - Sponsor: Senator Blevins.

SA 6 to HB 443 - Sponsor: Senator Sokola.

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

May 18, 1994

The following legislation was introduced and assigned:

SB 353 - AN ACT TO AMEND AN ACT, BEING CHAPTER 276, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF GEORGETOWN" TO ESTABLISH THE MONITION METHOD AS A PROCEDURE FOR THE COLLECTION OF DELINQUENT TAXES AND OTHER CHARGES DUE THE TOWN OF GEORGETOWN. (2/3 vote) Sponsors: Senator Adams, Representatives Carey, West. To: **Community/County Affairs.**

SJR 33 - PROVIDING FOR THE ESTABLISHMENT OF A COMMITTEE TO DEVELOP GUIDELINES FOR THE ADMINISTRATION OF THE SPECIAL FUNDS AS MARKED FOR PHARMACEUTICAL ASSISTANCE AND OTHER PROGRAMS FOR THE ELDERLY CREATED BY HOUSE BILL NO. 443 AS AMENDED. Sponsor: Senator Marshall. To: **Health and Social Services.**

SJR 34 - AUTHORIZING AND DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO NAME THE WHITE CLAY CREEK STATE PARK IN HONOR OF DOROTHY "DOTTIE" MILLER, WHOSE TIRELESS EFFORTS OVER THE PAST 25 YEARS HAVE LED THE EFFORT TO PRESERVE THE WHITE CLAY VALLEY AGAINST THE TWIN TIDES OF URBAN AND INDUSTRIAL DEVELOPMENT IN ONE OF THE MOST HIGHLY DEVELOPED AREAS IN THE NATION. Sponsors: Senator Martin, Representative Amick; Senators Connor, Marshall, Knox, Blevins, Sokola, Cook; Representatives B. Ennis, Davis, Reynolds, Lofink, Wojewodzki, Banning, Petrilli, Spence, West; Senators Bair, Hauge, Henry, McBride, McDowell, Torbert, Venables, Voshell. To: **Natural Resources.**

HB 355 - AN ACT TO AMEND CHAPTER 7, TITLE 24, DELAWARE CODE, RELATING TO

INSURANCE AND THE BOARD OF CHIROPRACTIC. Sponsor: Representative Roy. To:

Insurance/Elections

HB 424 w/HA 1 & 2 - AN ACT TO AMEND §730, TITLE 7 OF THE DELAWARE CODE RELATING TO THE DISCHARGE OF A FIREARM NEAR AN OCCUPIED DWELLING. Sponsors: Representative Banning and Senator Vaughn; Representatives B. Ennis, Fallon, West, Wojewodzki; Senators Bair, Hauge. To: **Public Safety**.

HB 456 - AN ACT TO AMEND CHAPTER 6, TITLE 31 OF THE DELAWARE CODE RELATING TO THE FOOD STAMP PROGRAM. Sponsors: Representative Smith; Representatives Lofink, Wagner, Brady, Clark; Senator McDowell. To: **Health and Social Services**.

HB 459 - AN ACT TO AMEND CHAPTER 11, TITLE 18 OF THE DELAWARE CODE RELATING TO THE INSURANCE CODE AND ASSETS AND LIABILITIES. Sponsors: Representatives D. Ennis, Smith, Bennett and Senator Vaughn; Representatives Wagner, DiPinto, Jonkiert, Houghton. To: **Insurance and Elections**.

* * * * *

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

SB 333 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN REQUIRED REGISTRATIONS. (2/3 vote)

Senator Bair requested the privilege of the floor for Andrew Bayer. Senator Adams questioned the witness, after which the witness was excused.

SA 1 to SB 333 was introduced and brought before the Senate for consideration on motion of Senator Bair.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Cook, McDowell, Sharp, Venables) ABSENT; therefore, **SA 1 to SB 333** was declared part of the bill.

Senators Blevins, Marshall, Torbert and Hauge marked present during the above roll call.

SB 333 w/SA 1 was now before the Senate.

Senator Sokola commented. A roll call vote was taken and revealed 17 Senators voting YES, 4 (Cook, McDowell, Sharp, Venables) ABSENT; therefore, **SB 333 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 8 was brought before the Senate for consideration on motion of Senator McBride.

SB 8 - AN ACT TO AMEND CHAPTER 64, TITLE 7 OF THE DELAWARE CODE RELATING TO THE DELAWARE SOLID WASTE AUTHORITY.

Senator McBride requested the privilege of the floor for Pasquale S. Canzano, representing the Delaware Solid Waste Authority.

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

SA 1 to SB 8 was introduced and brought before the Senate for consideration on motion of Senator McBride.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Henry, McDowell) ABSENT; therefore, **SA 1 to SB 8** was declared part of the bill.

Senators Cook, Sharp and Venables marked present during the above roll call.

SB 8 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 6 Senators (Cook, Marshall, McBride, Sharp, Torbert, Voshell) voting YES, 12 NO, 1 (Hauge) NOT VOTING, 2 (Henry, McDowell) ABSENT; therefore, **SB 8 w/SA 1** was declared defeated.

HB 394 w/HA 1 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 394 w/HA 1 - AN ACT TO AMEND SECTION 2708, CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO SCHOOL BUS DRIVER QUALIFICATIONS AND DRUG TESTING.

Senator Neal commented. Senator Voshell requested the privilege of the floor for Peter Ross, representing the Controller General's Office.

The witness was excused.

HB 394 w/HA 1 was laid on the table on motion of Senator Voshell.

HB 11 w/HA 1 & 2 was brought before the Senate for consideration on motion of Senator Blevins, the floor manager.

HB 11 w/HA 1 & 2 - AN ACT TO AMEND CHAPTER 6, TITLE 13, DELAWARE CODE RELATING TO UNIFORM INTERSTATE FAMILY SUPPORT.

SA 1 to HB 11, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Henry, McDowell) ABSENT; therefore, **SA 1 to HB 11** was declared part of the bill.

HB 11 w/HA 1 & 2, w/SA 1 was now before the Senate.

Senator Blevins requested the privilege of the floor for Barbara A. Paulin, representing Delaware Health. Several Senators questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Henry, McDowell, Sharp) ABSENT; therefore, **HB 11 w/HA 1 & 2, w/SA 1** was declared passed the Senate and returned to the House for

reconsideration.

At 5:31 p.m. on motion of Senator Martin the Senate recessed until May 19, 1994 at 2:00 p.m.

The Senate reconvened on May 19, 1994 at 2:11 p.m. with Senator Cordrey presiding.

Senator McDowell marked present.

A communication from Senator Marshall was read requesting that Representative Oberle's name be re-added as a co-sponsor of **SB 336**. The communication also noted that Senators Martin and Blevins previously signed on as co-sponsors.

The following committee reports were announced:

From Community/County Affairs: **SB 353** - 3 Merits.

From Judiciary: **HB 171 w/HA 1** - 4 Merits.

From Education: **HCR 54 w/HA 1** - 3 Merits.

From Administrative Services: **HB 446** - 3 Merits.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

May 19, 1994

The following amendments were introduced and placed with the bill on May 18, 1994:

SA 1 to HB 33 - Sponsor: Senator Blevins.

SA 1 to HB 442 - Sponsor: Senator Voshell.

The following legislation was introduced and assigned on May 19, 1994:

SB 354 - AN ACT TO AMEND CHAPTER 5, TITLE 17 OF THE DELAWARE CODE RELATING TO DEVELOPERS DEDICATING NEW ROADS FOR STATE MAINTENANCE. Sponsors: Senator Sokola and Representative Roy; Senators Blevins and Martin; Representatives Petrilli and Taylor. To: **Highways and Transportation**.

SB 355 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO RETENTION OF EXPIRED TIME REMAINING ON A REGISTRATION PLATE. Sponsors: Senators Voshell and Adams. To: **Public Safety**.

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At 2:12 p.m. on motion of Senator Martin the Senate adjourned to immediately convene for the 31st Legislative Day.

31ST LEGISLATIVE DAY

May 19, 1994

The Senate convened at 2:12 p.m. with Senator Cordrey presiding.

A prayer was offered by Senator Adams.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

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

John R. Hudson. Senators Hauge and Blevins marked present. 18 Senators voting YES, 3 (Knox, McBride, Torbert) ABSENT. Appointment confirmed.

Senators Cook and Connor marked present during the above roll call.

SS 1 for SB 198 was brought before the Senate for consideration on motion of Senator Voshell.

SS 1 for SB 198 - AN ACT TO AMEND CHAPTERS 16, 25 AND 58, TITLE 29, DELAWARE CODE AND CHAPTER 417, VOLUME 67, LAWS OF DELAWARE BY ESTABLISHING THE STATE PUBLIC INTEGRITY COMMISSION AND DEFINING ITS AUTHORITY AND RESPONSIBILITIES, AND THE DUTIES OF PERSON SUBJECT TO ITS AUTHORITY.

Senator Voshell requested the privilege of the floor for Art Connolly, Jr., representing the State Ethics Commission.

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

Senator Bair requested the privilege of the floor for former Senator Robert J. Berndt, also representing the State Ethics Commission.

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

Senators Torbert and McBride marked present.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Knox) ABSENT; therefore, SS 1 for SB 198 was declared passed the Senate and sent to the House for consideration.

HB 443 w/HA 1 w/HA 1, w/HA 2, 3 & 4 was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Adams.

HB 443 w/HA 1 w/HA 1, w/HA 2, 3 & 4 - AN ACT TO AMEND CHAPTER 48, TITLE 29, DELAWARE CODE, RELATING TO COIN-OPERATED-LOTTERIES AT RACETRACKS, AND TO AMEND CHAPTER 101, TITLE 3 AND CHAPTER 4, TITLE 28, DELAWARE CODE, RELATING TO HORSE RACING AND CHAPTER 100, TITLE 3 RELATING TO HARNESS HORSE RACING.

Lt. Governor Minner presiding at 2:44 p.m.

SA 1 to HB 443, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Marshall.

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

Senator Neal commented. A roll call vote was taken and revealed 9 Senators (Bair, Connor, Hauge, Henry, Knox, Marshall, Martin, Venables, Voshell) voting YES, 12 NO; therefore, SA 1 to SA 1 to HB 443 was declared defeated.

Senator Knox marked present during the above roll call.

A roll call vote was then taken and revealed 7 Senators (Bair, Connor, Henry, Marshall, Neal, Venables, Voshell) voting YES, 14 NO; therefore, SA 1 to HB 443 was declared defeated.

SA 2 to HB 443 was laid on the table on motion of Senator Torbert.

SA 1 to SA 2 to HB 443 was laid on the table on motion of Senator Torbert.

SA 2 to SA 2 to HB 443 was laid on the table on motion of Senator Torbert.

SA 3 to HB 443 was brought before the Senate for consideration on motion of Senator Connor.

Several Senators commented. A roll call vote was taken and revealed 10 Senators (Bair, Connor, Hauge, Henry, Knox, Marshall, McDowell, Neal, Sokola, Voshell) voting YES, 11 (Adams, Blevins, Cook, Cordrey, Martin, McBride, Sharp, Still, Torbert, Vaughn, Venables) NO; therefore, SA 3 to HB 443 was declared defeated.

SA 4 to HB 443 was brought before the Senate for consideration on motion of Senator Connor.

Senators Neal and McDowell commented. A roll call vote was taken and revealed 4 Senators (Bair, Connor, Henry, Marshall) voting YES, 17 NO; therefore, SA 4 to HB 443 was declared defeated.

SA 5 to HB 443 was laid on the table on motion of Senator Blevins.

SA 6 to HB 443 was laid on the table on motion of Senator Sokola.

SA 7 to HB 443 was introduced and brought before the Senate for consideration on motion of Senator Sokola.

Several Senators commented. Senator Sokola requested the privilege of the floor for William Rickman, representing Delaware Park.

The witness was excused.

Several Senators commented. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cordrey, Neal) NO; therefore, SA 7 to HB 443 was declared part of the bill.

SA 5 to HB 443 was lifted from the table and brought before the Senate for consideration on motion of Senator Blevins.

Senator Connor commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, SA 5 to HB 443 was declared part of the bill.

Senator Voshell requested the privilege of the floor for Captain Raymond Hancock, representing the Delaware State Police.

Senator Cordrey presiding at 3:55 p.m.

Senator Sharp questioned the witness.

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

Senator Sokola raised a point of order.

Several Senators entered into a discussion with Captain Hancock. The witness was excused.

SA 8 to HB 443 was introduced and brought before the Senate for consideration on motion of Senator Sokola.

The privilege of the floor was granted to William E. Manning, representing Dover Downs.

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

SA 8 to HB 443 was laid on the table on motion of Senator Sokola.

SA 9 to HB 443 was stricken on motion of Senator Sokola.

A roll call vote on HB 443 w/HA 1 w/HA 1, w/HA 2, 3 & 4, w/SA 7 & 5 was taken, however was tabled before it was announced.

SB 336 was brought before the Senate for consideration on motion of Senator Marshall.

SB 336 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO CHANGING CRIMINAL PENALTIES TO CIVIL PENALTIES FOR VIOLATIONS OF LABOR LAWS.

The privilege of the floor was granted to Karen Peterson, representing the Department of Labor.
The witness was excused. A roll call vote was taken and revealed 18 Senators voting YES, 1 (Neal) NO, 2 (Connor, Torbert) ABSENT; therefore, **SB 336** was declared passed the Senate and sent to the House for consideration.

SB 309 was brought before the Senate for consideration on motion of Senator McBride.

SB 309 - AN ACT TO AMEND CHAPTER 94, TITLE 11 OF THE DELAWARE CODE RELATING TO VICTIMS' BILL OF RIGHTS.

SA 1 to SB 309, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator McBride.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Connor) ABSENT; therefore, **SA 1 to SB 309** was declared part of the bill.

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

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Connor, Venables) ABSENT; therefore, **SB 309 w/SA 1** was declared passed the Senate and sent to the House for consideration.

HB 394 w/HA 1 was lifted from the table and brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 394 w/HA 1 - AN ACT TO AMEND SECTION 2708, CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO SCHOOL BUS DRIVER QUALIFICATIONS AND DRUG TESTING.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Connor) ABSENT; therefore, **HB 394 w/HA 1** was declared passed the Senate and returned to the House.

SCR 75 was brought before the Senate for consideration on motion of Senator Blevins.

SCR 75 - COMMENDING ALBERT LEE BARKER AND ROBERT R. OSGOOD, 1994 RECIPIENTS OF THE SECOND ANNUAL MARY CUSTIS "CUSTIE" STRAUGHN MEMORIAL AWARD IN RECOGNITION OF THEIR SERVICE TO DISABLED DELAWAREANS. Sponsors: Senator Blevins, Representative Maroney.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Connor) ABSENT; therefore, **SCR 75** was declared adopted by the Senate and sent to the House for consideration.

On motion of Senator Martin the Senate recessed at 5:17 p.m. until May 31, 1994 at 2:00 p.m.

The Senate reconvened at 2:11 p.m. May 31, 1994 with Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 427 w/HA 4, HB 460 w/HA 3**.

The Secretary announced that a message from the Chief Clerk of the House indicated that Representatives Roy and Bradley signed **SB 277** as additional co-sponsors on May 18, 1994.

LEGISLATIVE ADVISORIES #47 and #48 from the Office of Counsel to the Governor were announced for the record, partially read and copies were made available to the members upon request.

LEGISLATIVE ADVISORY #47, dated May 20, 1994. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

HB 374 aab HA 1, 2 and SA 1 - 05/20/94 - AN ACT TO AMEND TITLE 11 AND TITLE 16 OF THE DELAWARE CODE RELATING TO INVOLUNTARY COMMITMENT RECORD CHECKS FOR SALES OF FIREARMS. (Rep. Van Sant; Reps. Houghton, B. Ennis, West, Brady, Oberle, Lee and Sen. Vaughn) (Volume 69, Chapter 224, Laws of Delaware.)

SB 285 - 05/20/94 - AN ACT TO AMEND CHAPTER 87, TITLE 29 DELAWARE CODE RELATING TO THE COMMISSION ON VETERAN'S AFFAIRS. (Sens. Vaughn, McBride; Reps. Spence, B. Ennis, Brady, Banning) (Volume 69, Chapter 225, Laws of Delaware.)

HJR 17 - 05/20/94 - CALLING FOR DELAWARE RECOGNITION OF NATIONAL PUBLIC WORKS WEEK, TO BE RECOGNIZED FROM MAY 15 THROUGH MAY 21. (Rep. Schroeder; Reps. Banning, Bennett, Bradley, Brady, Buckworth, Bunting, Clark, DiLiberto, B. Ennis, Ewing, Fallon, Houghton, Plant, Quillen, Van Sant, Wagner, West, Wojewodzki; Sens. Blevins, Cordrey, Marshall, Sokola, Vaughn, Voshell)

HB 439 aab HA 1 - 05/20/94 - AN ACT TO AMEND SECTION 4322(a), CHAPTER 43, TITLE 11 OF THE DELAWARE CODE RELATING TO PROTECTION OF RECORDS. (Rep. Buckworth & Sen. Sharp) (Volume 69, Chapter 226, Laws of Delaware.)

LEGISLATIVE ADVISORY #48, dated May 27, 1994. The following legislation was signed by Governor Thomas R. Carper on the dates indicated:

HB 359 aab HA 2 & SA 2 - 05/26/94 - AN ACT TO AMEND TITLE 18, DELAWARE CODE RELATING TO THE PHARMACY ACCESS ACT. (Rep. Wagner & Sen. Venables; Reps. Spence, Quillen, Buckworth, Caulk, Davis, D. Ennis, Ewing, Lee, Mack, Carey, Fallon, Amick, Reynolds, Lofink, Taylor, Oberle, DiPinto, Smith, Sorenson, DiLiberto, Bennett, Brady, Bunting, Wojewodzki; Sens. Blevins, Torbert, Connor, Still) (Volume 69, Chapter 227, Laws of Delaware.)

SB 277 aab SA 1 - 05/26/94 - AN ACT TO AMEND CHAPTER 87, TITLE 29 DELAWARE CODE RELATING TO THE DELAWARE COMMISSION ON VETERANS' AFFAIRS. (Sens. Vaughn, Voshell, McBride; Reps. B. Ennis, Brady, Spence, Roy, Bradley) (Volume 69, Chapter 228, Laws of Delaware.)

HB 433 - 05/27/94 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF FIREARMS BY CRIMINALS DURING FELONIES. (Reps. Brady and Schroeder, Reps. Amick, Banning, Bennett, Bradley, Buckworth, Bunting, Carey, Caulk, Clark, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, J. Ewing, Fallon, George, Gilligan, Jonkiert, Lee, Lofink, Mack, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Roy, Sorenson, Smith, Spence, Taylor, Van Sant, Wagner, West; Sens. Adams, Bair, Blevins, Connor, Knox, Marshall, Martin, McBride, Sokola, Torbert, Vaughn, and Voshell) (Volume 69, Chapter 229, Laws of Delaware.)

SB 21 aab SA 1 - 05/27/94 - AN ACT TO AMEND CHAPTER 51, TITLE 29, DELAWARE CODE, RELATING TO PROTECTION OF PUBLIC EMPLOYEES REPORTING SUSPECTED VIOLATION OF LAW. (Sen. Torbert and Sen. Still; Rep. Wagner) (Volume 69, Chapter 230, Laws of Delaware.)

SB 69 - 05/27/94 - AN ACT TO AMEND, CHAPTER 39, TITLE 11, AND CHAPTER 9, TITLE 10, DELAWARE CODE, TO PROVIDE FOR MANDATORY HUMAN IMMUNODEFICIENCY VIRUS TESTING OF CERTAIN SEX CRIME OFFENDERS. (Sen. Sharp; Rep. Spence; Sens. Blevins, Holloway, McBride, Vaughn) (Volume 69, Chapter 231, Laws of Delaware.)

SB 287 - 05/27/94 - AN ACT TO AMEND CHAPTER 27, TITLE 18 OF THE DELAWARE CODE RELATING TO THE INSURANCE CONTRACT. (Sen. Vaughn; Reps. D. Ennis, Bennett, DiPinto, Smith, and Van Sant) (Volume 69, Chapter 232, Laws of Delaware.)

SB 300 aab SA 1 - 05/27/94 - AN ACT TO AMEND CHAPTER 1, TITLE 8, SECTION 136, OF THE DELAWARE CODE RELATING TO RESIGNATION OF CORPORATION REGISTERED AGENTS NOT COUPLED WITH APPOINTMENT OF SUCCESSOR. (Sen. Sharp; Rep. DiPinto) (Volume 69, Chapter 233, Laws of Delaware.)

SB 301 aab SA 1 - 05/27/94 - AN ACT TO AMEND CHAPTER 1, TITLE 8, SECTION 371, OF THE DELAWARE CODE RELATING TO QUALIFICATION TO DO BUSINESS IN STATE. (Sen. Sharp; Rep. DiPinto) (Volume 69, Chapter 234, Laws of Delaware.)

SB 314 aab SA 1 - 05/27/94 - AN ACT TO AMEND CHAPTER 1, TITLE 8, OF THE DELAWARE CODE RELATING TO GENERAL CORPORATION LAW. (Sen. Sharp; Rep. DiPinto) (Volume 69, Chapter 235, Laws of Delaware.)

SJR 29 - 05/27/94 - PROVIDING FOR THE ESTABLISHMENT OF A BLUE RIBBON TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS TO THE GOVERNOR AND THE DELAWARE GENERAL ASSEMBLY FOR A STATEWIDE, COMPREHENSIVE POLICY ON RECYCLING EFFORTS THROUGHOUT THE STATE. (Sen. McBride & Rep. Schroeder; Sens. Knox, Sokola, Voshell, Reps. Mack, Reynolds, Bradley, DiPinto, Lofink)

HB 394 aab HA 1 - 05/27/94 - AN ACT TO AMEND SECTION 2708, CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO SCHOOL BUS DRIVER QUALIFICATIONS AND DRUG TESTING. (Rep. Wagner) (Volume 69, Chapter 236, Laws of Delaware.)

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION May 31, 1994

The following amendments were introduced and placed with the bill on May 26, 1994:

SA 1 to SB 353 - Sponsor: Senator Adams.

SA 1 to HS 1 to HB 183 - Sponsor: Senator Connor.

SA 1 to SA 1 to HB 318 - Sponsor: Senator Vaughn.

SA 2 to HB 318 - Sponsor: Senator Sharp.

SA 2 to HB 442 - Sponsor: Senator Voshell.

The following legislation was introduced and assigned on May 31, 1994:

HB 427 w/HA 4 - AN ACT TO AMEND TITLES 18 AND 24 OF THE DELAWARE CODE RELATING TO NURSING BY CHANGING THE QUALIFICATIONS AND AUTHORIZATION TO PRACTICE OF ADVANCED NURSES. Sponsors: Representatives Amick and Oberle; Spence; Petrilli, Caulk, Ewing, Lee, D. Ennis, Fallon, Wagner, Carey, Reynolds, Lofink, Smith, Banning, Bennett, Bradley, Brady, B. Ennis, Wojewodzki; Senators McBride, Sokola, Neal, Connor. To: **Health and Social Services**.

HB 460 w/HA 4 - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO STATE LANGUAGE. Sponsors: Representative W. Smith and Senator Venables; Representatives Petrilli, Quillen, Spence, Buckworth, Carey, Davis, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Oberle, Reynolds, Roy, Wagner, Banning, Bennett, Brady, Clark, B. Ennis, Houghton, Plant, Van Sant, West; and Senators Adams,

Cordrey, Torbert, Vaughn, Bair, Connor, Hauge, Knox, Neal, Still. To: Executive.

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At 2:11 p.m. on motion of Senator Martin, the Senate adjourned to immediately convene for the 32nd Legislative Day.

32ND LEGISLATIVE DAY
May 31, 1994

The Senate convened at 2:11 p.m. with Senator Cordrey presiding.

A prayer was offered by Senator Torbert.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

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

SB 350 - AN ACT TO AMEND THE STATUTORY PROVISIONS OF §106(a), TITLE 13, OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF KIMBERLY FAITH OBERLY AND STEVEN B. LACORTE-KENNEDY.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Knox) ABSENT; therefore, SB 350 was declared passed the Senate and sent to the House for consideration.

Senator Hauge marked present during the above roll call.

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

SB 286 - AN ACT TO AMEND CHAPTER 95, TITLE 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION.

Lt. Governor Minner presiding at 2:20 p.m.

SA 1 to SB 286, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (McDowell, Vaughn) NO, 1 (Knox) ABSENT; therefore, SA 1 to SB 286 was declared part of the bill.

SB 286 w/SA 1 was now before the Senate.

Senator Blevins requested the privilege of the floor for John Paradee, Senate Attorney. The witness was excused after he briefly addressed the Senate.

Senator Blevins moved to lay SB 286 w/SA 1 on the table.

Senator Martin deferred to Senator Hauge for the purpose of working HB 264.

HB 264 was brought before the Senate for consideration on motion of the floor manager, Senator Hauge.

HB 264 - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO VACATION AND ABANDONMENT OF ROADS, BRIDGES, AND OTHER RIGHTS OF WAY.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, HB 264 was declared passed the Senate and returned to the House.

Senator Knox marked present during the above roll call.

HB 378 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Martin.

HB 378 w/HA 1 - AN ACT TO AMEND SECTION 4126 OF TITLE 21 OF THE DELAWARE CODE RELATING TO BICYCLE USE OF CONTROLLED ACCESS HIGHWAYS.

Several Senators commented.

HB 378 w/HA 1 was laid on the table on motion of Senator Martin.

HB 308 was brought before the Senate for consideration on motion of Senator Sokola, the floor manager.

HB 308 - AN ACT TO AMEND TITLE 14, DELAWARE CODE PERTAINING TO EDUCATION AND THE PROMOTION OF VOLUNTEERISM AMONG HIGH SCHOOL STUDENTS AND THE DELAWARE OFFICE OF VOLUNTEERISM.

SA 1 to HB 308, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Sokola.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, SA 1 to HB 308 was declared part of the bill.

HB 308 w/SA 1 was now before the Senate.

Several Senators commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, HB 308 w/SA 1 was declared passed the Senate and returned to the House for the reconsideration.

HB 318 was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

HB 318 - AN ACT TO AMEND CHAPTER 47, TITLE 29 OF THE DELAWARE CODE RELATING TO DNA ANALYSIS AND DATA BANK, AND TO AMEND CHAPTER 35, TITLE 11 OF THE DELAWARE CODE TO PROVIDE DNA PROFILE ADMISSIBILITY. (2/3 vote)

SA 1 to HB 318 was brought before the Senate for consideration on motion of Senator Vaughn.

SA 1 to SA 1 to HB 318 was brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, SA 1 to SA 1 to HB 318 was declared part of the amendment.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, SA 1 w/SA 1 to HB 318 was declared part of the bill.

SA 2 to HB 318 was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, SA 2 to HB 318 was declared part of the bill.

HB 318 w/SA 1, SA 1 to SA 1, & SA 2 was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) NOT VOTING; therefore, HB 318 w/SA 1, SA 1 to SA 1, & SA 2 was declared passed the Senate and sent to the House for reconsideration.

SB 345 was brought before the Senate for consideration on motion of Senator Cordrey.

SB 345 - AN ACT TO AMEND CHAPTER 33, TITLE 12 RELATING TO INVESTMENT ADVISORS.

The privilege of the floor was granted to Joseph M. Moran.

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

A roll call vote was taken and revealed 17 Senators voting YES, 2 (McDowell, Sokola) NO, 2 (Sharp, Still) NOT VOTING; therefore, SB 345 was declared passed the Senate and sent to the House for consideration.

At 3:03 p.m. on motion of Senator Martin the Senate recessed for Party Caucus.

At 4:59 p.m. the Senate reconvened with Lt. Governor Minner presiding.

HB 441 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HB 441 - AN ACT TO AMEND CHAPTER 71 OF TITLE 10, DELAWARE CODE RELATING TO ILLEGAL DRUG ACTIVITY AND NUISANCE.

SA 1 to HB 441 was stricken on motion of Senator Sharp.

SA 2 to HB 441 was introduced and brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore, SA 2 to HB 441 was declared part of the bill.

HB 441 w/SA 2 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, HB 441 w/SA 2 was declared passed the Senate and returned to the House for reconsideration.

HB 378 w/HA 1 was lifted from the table on motion of Senator Martin.

The privilege of the floor was granted to Representative Roger Roy.

The witness was excused. A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) NO; therefore, HB 378 w/HA 1 was declared passed the Senate and returned to the House.

SB 329 was brought before the Senate for consideration on motion of Senator Vaughn.

SB 329 - AN ACT TO AMEND TITLE 18, DELAWARE CODE, TO INCLUDE HEALTH MAINTENANCE ORGANIZATIONS UNDER THE INSURANCE CODE'S HOLDING COMPANY SYSTEM REGISTRATION ACT.

SA 1 to SB 329 was introduced and brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Still) NO, 1 (Knox) ABSENT; therefore, SA 1 to SB 329 was declared part of the bill.

SB 329 w/SA 1 was now before the Senate. Senator Neal commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) NOT VOTING; therefore, SB 329 w/SA 1 was declared passed the Senate and sent to the House for consideration.

At 5:19 p.m. on motion of Senator Martin the Senate recessed until 4:00 p.m. June 1, 1994.

The Senate reconvened at 4:05 p.m. June 1, 1994 with Lt. Governor Minner presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 473, HB 484, HS 1 for HB 36, HB 467 w/HA 1, SS 1 for SB 272, SB 199, SB 321, HB 479 w/HA 1.

LEGISLATIVE ADVISORY #49 from the Office of Counsel to the Governor was announced for the record, partially read and copies made available to the members upon request.

LEGISLATIVE ADVISORY #49, dated June 1, 1994. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

HS 1/HB 305 aab HA 1 - 05/31/94 - AN ACT TO AMEND CHAPTER 43, TITLE 10 OF THE DELAWARE CODE RELATING TO CHAIN OF CUSTODY. (Reps. Bennett, Amick; Reps. Banning, Bradley, Clark, Gilligan, Houghton, Jonkiert, West) (Volume 69, Chapter 237, Laws of Delaware.)

HB 11 aab HA 1 and 2 & SA 1 - 05/31/94 - AN ACT TO AMEND CHAPTER 6, TITLE 13, DELAWARE CODE RELATING TO UNIFORM INTERSTATE FAMILY SUPPORT. (Rep. Maroney; Sen. Holloway) (Volume 69, Chapter 238, Laws of Delaware.)

On motion of Senator Martin, the President Pro Tempore's List of Pre-Filed Legislation was introduced for

the permanent record, partially read and copies were made available.

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION PART 2

May 31, 1994

The following legislation was introduced and assigned:

SB 356 - AN ACT TO AMEND CHAPTER 90, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES. Sponsors:

Senator McDowell and Representative Maroney. To: **Children, Youth and Families**.

SB 357 - AN ACT TO AMEND CHAPTER 1, TITLE 8 OF THE DELAWARE CODE, RELATING TO THE GENERAL CORPORATION LAW. (2/3 vote) Sponsor: Senator Sharp. To: **Judiciary**.

SB 358 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL EXEMPTIONS. Sponsors: Senators Marshall & Cook; Senators Adams, Blevins, Cordrey, Martin, McBride, McDowell, Hauge, Knox, Sokola, Torbert, Vaughn, Neal, Venables, Voshell; Reps. Amick, Buckworth, Banning, Bennett, Bradley, Brady, Bunting, Carey, Caulk, DiPinto, D. Ennis, Clark, DiLiberto, B. Ennis, George, Ewing, Fallon, Lee, Gilligan, Holloway, Mack, Maroney, Quillen, Reynolds, Houghton, Jonkiert, Plant, Schroeder, Sorenson, Taylor, West, Wagner, Wojewodski. **PLEASE NOTE:** The following legislators removed their names as co-sponsors: Senators Bair, Connor, Henry, Still; Representatives Davis, Lofink, Oberle, Petrilli, Roy, Smith, Spence. To: **Revenue and Taxation**.

SB 359 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE RELATING TO THE PROSECUTION OF CRIMES COMMITTED BY JUVENILES. Sponsors: Senator Vaughn, Representative B. Ennis and Representative Wagner; Senators Torbert, Blevins, Cook, Sokola, Voshell, Bair and Knox; Representatives Ewing, Lee, Van Sant, Banning, West, Clark, Spence, Amick, Caulk, Davis, Lofink, Oberle, Petrilli, Sorenson, Taylor, DiPinto, Reynolds, Jonkiert and Gilligan. To: **Corrections**.

The following amendments were introduced and placed with the bill.

SA 1 to SB 88 - Sponsor: Senator McBride.

SA 1 to SB 284 - Sponsor: Senator McBride.

SA 2 to SB 284 - Sponsor: Senator McBride.

SA 2 to SB 319 - Sponsor: Senator Blevins.

SA 1 to SB 327 - Sponsor: Senator Voshell.

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The following committee report was announced:

From Natural Resources: **SB 332** - 3 Merits.

A messenger from the Governor was announced and admitted.

At 4:09 p.m. on motion of Senator Martin the Senate adjourned to immediately convene for the 33rd Legislative Day.

33RD LEGISLATIVE DAY

June 1, 1994

The Senate convened at 4:09 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Martin.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Cordrey. No objection.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

June 1, 1994

The following legislation was introduced and assigned:

SB 360 - AN ACT TO REINCORPORATE THE TOWN OF SOUTH BETHANY. (2/3 vote) Sponsors: Senator Cordrey; Representative Bunting. To: **Community/County Affairs**.

HS 1 for HB 36 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE BY CREATING THE JUDICIAL OFFICE OF SENIOR

JUDGE. (2/3 vote) Sponsor: Representative Amick. To: **Judiciary**.

HB 467 w/HA 1 - AN ACT TO AMEND CHAPTER 27, TITLE 25 OF THE DELAWARE CODE RELATING TO MECHANICS' LIENS. Sponsors: Representative Banning; Representatives Buckworth, Clark, B. Ennis, Houghton, Plant, Van Sant, West; Senators Henry, Sokola, Torbert, Vaughn, Voshell. To: **Judiciary**.

HB 473 - AN ACT TO AMEND CHAPTER 74, TITLE 7 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNDERGROUND STORAGE TANK ACT. Sponsor: Representative Carey and Senator Vaughn. To: **Natural Resources**.

HB 479 w/HA 1 - AN ACT TO AMEND TITLES 24 AND 29 OF THE DELAWARE CODE RELATING TO OCCUPATIONS AND PROFESSIONS AND PROVIDING FOR THE CERTIFICATION OF DIETITIANS/NUTRITIONISTS. (3/5 vote) Sponsors: Representative Maroney and Senator Blevins; Representatives Buckworth, Taylor, Smith, Banning; Senators Sharp, Connor. To: **Health and Social Services**.

HB 484 - AN ACT TO AMEND CHAPTER 87, TITLE 29, DELAWARE CODE, RELATING TO THE DIVISION OF LIBRARIES. Sponsors: Representatives Fallon and Wojewodzki; Senators Blevins, Sokola, Henry. To: **Administrative Services**.

* * * * *

Senators Marshall, Cook and McDowell marked present.

The following letters of nomination from the Governor were read and assigned to the Executive Committee.

STATE OF DELAWARE
Office of the Governor
June 1, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Mr. Herman G. Hagan, 23 Red Mill Drive, Lewes, Delaware 19958, to be appointed as a Justice of the Peace in Sussex County for a four year term to fill a vacancy.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

* * * * *

STATE OF DELAWARE
Office of the Governor
June 1, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate the following, elected by the Board of Trustees to be members of the Board:

Dr. Howard E. Simmons
Post Office Box 3874
Wilmington, Delaware 19807

appointed as a member of the Board
of Trustees of the University of
Delaware to serve a six year term to
expire on May 18, 2000.

Dr. Ilona E. Holland
505 Seabury Avenue
Milford, Delaware 19963

appointed as a member of the Board
of Trustees of the University of
Delaware to serve a six year term to
expire on May 18, 2000.

Ms. Maria Barriocanal
64 North Shore Drive

appointed as a member of the Board of Trustees
of the University of Delaware to serve

The above appointees are not gubernatorial appointments.

Your consideration of these nominations is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

* * * * *

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

SB 346 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE REGARDING UNINSURED MOTORISTS.

Senator Cordrey moved that **SB 346** be laid on the table.

Senator Adams requested privilege of the floor for Alan V. Sokolow, representing the Council of State Governments.

Senators Bair and Connor commented.

The witness was excused.

SB 346 was lifted from the table and brought before the Senate for consideration on motion of Senator Cordrey.

Senator Cordrey requested that a communication written to Representative Richard Davis be read in its entirety regarding uninsured motorists. A copy of this letter is on file for this legislative day.

Senator Cordrey requested privilege of the floor for W. Laird Stabler, III, representing State Farm Insurance Company.

Senator Sokola marked present.

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

Senator Cordrey requested the privilege of the floor for Beverly Bove, representing the Delaware Trial Lawyers Association.

Several Senators questioned the witness, after which the witness was excused. A roll call vote was taken and revealed 11 Senators voting YES, 9 (Blevins, Cook, Henry, Marshall, Martin, McBride, McDowell, Torbert, Vaughn) NO, 1 (Sharp) ABSENT; therefore, **SB 346** was declared passed the Senate and sent to the House for consideration.

Senators Hauge, Neal and Voshell marked present during the above roll call.

HCR 54 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HCR 54 w/HA 1 - CREATING A SCHOOL TAX EQUITY TASK FORCE TO STUDY AND REPORT ON ALTERNATIVES TO PROPERTY TAXES FOR FUNDING THE LOCAL PORTION OF PUBLIC SCHOOL FUNDING.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HCR 54 w/HA 1** was declared adopted by the Senate and returned to the House.

Senator Sharp marked present during the above roll call.

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

SB 353 - AN ACT TO AMEND AN ACT, BEING CHAPTER 276, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF GEORGETOWN" TO ESTABLISH THE MONITION METHOD AS A PROCEDURE FOR THE COLLECTION OF DELINQUENT TAXES AND OTHER CHARGES DUE THE TOWN OF GEORGETOWN. (2/3 vote)

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

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

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

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

HS 1 for HB 219 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HS 1 for HB 219 - AN ACT TO AMEND CHAPTER 30, TITLE 30, DELAWARE CODE RELATING TO MOTOR VEHICLE DEALER LICENSE FEE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HS 1 for HB 219** was declared passed the Senate and returned to the House.

SCR 77 was introduced and brought before the Senate for consideration on motion of Senator McDowell.

SCR 77 - URGING THE UNIVERSITY OF DELAWARE TO IMMEDIATELY DISCONTINUE CONSTRUCTION PLANS THAT WOULD IMPACT THE OLD FIRST PRESBYTERIAN CHURCH IN NEWARK. Sponsors: Senator McDowell and Senator Neal and Representative Wojewodzki.

Senator Sharp commented.

Senator Adams requested the privilege of the floor for Rick Armitage, representing the University of Delaware.

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

Senator McDowell moved that **SCR 77** be laid on the table.

At 5:48 p.m. on motion of Senator Martin the Senate recessed until June 2, 1994 at 2:00 p.m.

The Senate reconvened at 2:09 p.m. June 2, 1994 with Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **HCR 68**,

SCR 75.

The following committee reports were announced:

From Administrative Services: **SB 292** - 3 Merits.

From Health/Social Services: **SB 334** - 4 Merits; **SB 335** - 4 Merits; **HB 331 w/HA 1, 3, 5, 7 & 8** - 4 Merits; **HB 435** - 4 Merits.

At 2:09 p.m. on motion of Senator Martin, the Senate adjourned to immediately convene for the 34th Legislative Day.

34TH LEGISLATIVE DAY

June 2, 1994

The Senate convened at 2:09 p.m. with Senator Cordrey presiding.

A prayer was offered by Senator Henry.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

At 2:11 p.m. Lt. Governor Minner presiding.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

June 2, 1994

The following amendment was introduced and placed with the bill on June 1, 1994:

SA 1 to HB 216 - Sponsor: Senator Marshall.

The following legislation was introduced and assigned:

SB 361 - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO THEFT AND RELATED OFFENSES. Sponsor: Senator Sharp. To: **Judiciary**.

SB 362 - AN ACT TO AMEND CHAPTER 92, TITLE 10 DELAWARE CODE RELATING TO THE ORGANIZATION AND OPERATION OF THE JUSTICE OF THE PEACE COURTS AND CHAPTER 66, TITLE 18, DELAWARE CODE RELATING TO LINE-OF-DUTY DEATH BENEFITS. Sponsors: Senator Sharp; Representative Amick. To: **Judiciary**.

SB 363 - AN ACT TO AMEND CHAPTER 27, TITLE 11, DELAWARE CODE TO GRANT JUSTICE OF THE PEACE COURTS JURISDICTION TO HEAR, TRY AND FINALLY DETERMINE ADDITIONAL MISDEMEANORS THAN THEY PRESENTLY HAVE JURISDICTION TO HEAR, TRY AND FINALLY DETERMINE. (2/3 vote) Sponsors: Senators Sharp, McBride; Representative Amick. To: **Judiciary**.

SB 364 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. Sponsors: Senator Voshell and Representative Ewing. To: **Public Safety**.

Senator Knox marked present.

SB 310 was brought before the Senate for consideration on motion of Senator Sharp.

SB 310 - 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, AND TO AMEND CHAPTER 23, TITLE 6 OF THE DELAWARE CODE RELATING TO

THE AVAILABILITY OF THE DEFENSE OF USURY. (3/5 vote)

Senator Neal commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Torbert) ABSENT; therefore, **SB 310** was declared passed the Senate and sent to the House for consideration.

Senators Marshall and Blevins present during the above roll call.

SB 311 was brought before the Senate for consideration on motion of Senator Sharp.

SB 311 - AN ACT TO AMEND CHAPTER 15 OF TITLE 6 OF THE DELAWARE CODE RELATING TO THE REGISTRATION AND REGULATION OF REGISTERED LIMITED LIABILITY PARTNERSHIPS. (3/5 vote)

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Torbert) ABSENT; therefore, **SB 311** was declared passed the Senate and sent to the House for consideration.

SB 312 was brought before the Senate for consideration on motion of Senator Sharp.

SB 312 - AN ACT TO AMEND CHAPTER 18, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES. (3/5 vote)

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Torbert) ABSENT; therefore, **SB 312** was declared passed the Senate and sent to the House for consideration.

SB 322 was brought before the Senate for consideration on motion of Senator Sharp.

SB 322 - AN ACT TO AMEND CHAPTER 148 OF VOLUME 57 OF THE LAWS OF DELAWARE RELATING TO THE GENERAL CORPORATION LAW. (2/3 vote)

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Hauge, Torbert) ABSENT; therefore, **SB 322** was declared passed the Senate and sent to the House for consideration.

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

SB 323 - AN ACT TO AMEND CHAPTER 1, TITLE 8, SECTION 145, OF THE DELAWARE CODE, RELATING TO INDEMNIFICATION OF OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS OF DELAWARE CORPORATIONS. (2/3 vote)

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

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

SB 324 - AN ACT TO AMEND CHAPTER 1, TITLE 8, SECTION 262, OF THE DELAWARE CODE, RELATING TO APPRAISAL RIGHTS UNDER THE GENERAL CORPORATION LAW. (2/3 vote)

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Torbert) ABSENT; therefore, **SB 324** was declared passed the Senate and sent to the House for consideration.

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

SB 325 - AN ACT TO AMEND CHAPTER 1, TITLE 8, SECTION 151, DELAWARE CODE, RELATING TO CLASSES AND SERIES OF STOCK OF DELAWARE CORPORATIONS. (2/3 vote)

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Torbert) ABSENT; therefore, **SB 325** was declared passed the Senate and sent to the House for consideration.

SB 357 was brought before the Senate for consideration on motion of Senator Sharp, under the suspension of the necessary rules.

SB 357 - AN ACT TO AMEND CHAPTER 1, TITLE 8 OF THE DELAWARE CODE, RELATING TO THE GENERAL CORPORATION LAW. (2/3 vote)

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Still) NOT VOTING, 1 (Torbert) ABSENT; therefore, **SB 357** was declared passed the Senate and sent to the House for consideration.

HB 442 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

HB 442 w/HA 1 - AN ACT TO AMEND CHAPTERS 13, 44 AND 63 OF TITLE 9, DELAWARE CODE REQUIRING BUILDING INSPECTORS IN ALL THREE COUNTIES TO BE NATIONALLY CERTIFIED AND AMENDING TITLE 29 OF THE DELAWARE CODE BY PLACING THE CERTIFICATION PROCESS UNDER THE AUSPICES OF THE DIVISION OF PROFESSIONAL REGULATION.

SA 1 to HB 442 was stricken on motion of Senator Voshell.

SA 2 to HB 442, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Voshell.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to HB 442** was declared part of the bill.

Senator Torbert marked present during the above roll call.

HB 442 w/HA 1, w/SA 2 was now before the Senate.

Several Senators commented. Senator Voshell moved to lay the bill on the table.

Senator Sokola requested the privilege of the floor for Delaware Teachers of the Year, who briefly addressed the Senate: Becky King, Edna K. Turner, Diane Sterling, Jo-Ann Tindall, Emily S. Brownson, Cynthia B. Clay, Sheila Crumley, Allen Bernstein, Nancy L. Battaglini, Diane K. Pase, Otelia K. Oliver and Pat Buchanan.

The witnesses were excused, after which comments were made by Senator Martin.

HCR 69 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.
HCR 69 - COMMENDING PATRICE BUCHANAN FOR BEING SELECTED DELAWARE TEACHER OF THE YEAR, 1994. Sponsors: Representative Sorenson and Senator Sokola, on behalf of All Representatives and Senators.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, Venables) ABSENT; therefore, **HCR 69** was declared adopted by the Senate and returned to the House.

HB 442 w/HA 1, w/SA 2 was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

The privilege of the floor was granted to Representative Bruce Ennis, sponsor of the legislation.

Several Senators commented. Representative Ennis remained on the floor while the privilege of the floor was granted to Robert Maxwell.

The witnesses were excused. A roll call vote was taken on **HB 442 w/HA 1, & SA 2**, however, it was tabled before it was announced.

SB 303 was brought before the Senate for consideration on motion of Senator Torbert.

SB 303 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIFIED SPEED LIMITS.

SA 1 to SB 303 was brought before the Senate for consideration on motion of Senator Torbert.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 303** was declared part of the bill.

SA 2 to SB 303 was brought before the Senate for consideration on motion of Senator Torbert.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to SB 303** was declared part of the bill.

SB 303 w/SA 1 & 2 was now before the Senate.

Senator Torbert requested the privilege of the floor for Kathi Ann Karsnitz, representing the Department of Transportation.

Senators Martin and Knox questioned the witness, after which the witness was excused.

Senators McBride and Marshall commented.

SB 303 w/SA 1 & 2 was laid on the table on motion of Senator Torbert.

At 4:05 p.m. on motion of Senator Martin the Senate recessed for Party Caucus.

At 4:27 p.m. the Senate reconvened with Lt. Governor Minner presiding.

SB 284 was laid on the table on motion of Senator McBride.

SB 284 - AN ACT TO AMEND CHAPTER 3, TITLE 21, DELAWARE CODE RELATING TO REGISTRATION, LICENSE AND DRIVER'S PERFORMANCE RECORDS.

SB 327 was brought before the Senate for consideration on motion of Senator Voshell.

SB 327 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE TO MAKE IT UNLAWFUL TO SELL CANISTERS CONTAINING BUTANE GAS TO PERSONS UNDER THE AGE OF 21. (2/3 vote)

SA 1 to SB 327, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Voshell.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, Neal) ABSENT; therefore, **SA 1 to SB 327** was declared part of the bill.

SB 327 w/SA 1 was now before the Senate.

Senator Connor commented. The privilege of the floor was granted to John Cordrey, Senate Attorney. Several Senators questioned the witness, after which the witness was excused.

Senator McBride commented. A roll call vote was taken on **SB 327 w/SA 1** however, it was tabled before it was announced.

HB 216 w/HA 1 was lifted from the table and returned to the Revenue and Taxation Committee.

HB 216 w/HA 1 - AN ACT TO AMEND CHAPTER 20, TITLE 30, DELAWARE CODE CONCERNING TAX CREDITS AND THE DONATION OF COMPUTERS TO SCHOOL DISTRICTS.

SENATE CONSENT CALENDAR #18 was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

SCR 76 - CONGRATULATING DR. MAHADEO P. VERMA, DIRECTOR OF DELAWARE'S PUBLIC HEALTH LABORATORIES, ON HIS SELECTION AS LABORATORIAN OF THE YEAR BY THE DELAWARE LABORATORIANS ASSOCIATION AND RECOGNIZING HIS DEDICATION AND TIMELESS EFFORTS DIRECTED TOWARD QUALITY PRACTICE OF LABORATORY MEDICINE.

Sponsors: Senator Torbert on behalf of All Senators; Representative Bennett on behalf of All Representatives.

HCR 68 - IN MEMORY OF ROBERT O'BRIEN WHO PASSED AWAY ON SATURDAY, MAY 21, 1994 AT THE AGE OF 59 YEARS. Sponsor: Representative Bennett; Senators Torbert, Cook, Blevins, Representative Sorenson.

A roll call vote was taken on **SENATE CONSENT CALENDAR #18** and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, the Consent Calendar was declared adopted by the Senate. The Senate Concurrent Resolution was sent to the House for consideration and the House Concurrent Resolution was returned to the House.

At 5:06 p.m. on motion of Senator Martin the Senate recessed until 2:00 p.m. June 7, 1994.

The Senate reconvened at 2:08 p.m. with Lt. Governor Minner presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 364 w/HA 2, HJR 20, SJR 25, HCR 69.**

The following committee reports were announced:

From Community/County Affairs: **SB 360** - 3 Merits.

From Judiciary: **HB 434** - 4 Merits.

At 2:10 p.m. on motion of Senator Martin, the Senate adjourned to immediately convene for the 35th Legislative Day.

35TH LEGISLATIVE DAY

June 7, 1994

The Senate convened at 2:10 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Voshell.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Torbert, Vaughn, Venables, Voshell - 20, 1 (Still) ABSENT.

The journal of the previous day was approved as read on motion of Senator Cordrey. No objection.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

June 7, 1994

The following legislation was introduced and assigned:

SB 365 - AN ACT TO AMEND CHAPTER 72, TITLE 18 OF THE DELAWARE CODE RELATING TO SMALL EMPLOYER HEALTH INSURANCE. Sponsors: Senator Vaughn; Representative D. Ennis. To: **Insurance/Elections.**

SB 366 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING THE JURISDICTION OF THE STATE POLICE. Sponsors: Senators Adams, Vaughn, Cordrey and Cook; Representatives Ewing, B. Ennis and Spence. To: **Public Safety.**

SB 367 - AN ACT TO AMEND CHAPTER 25, TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH CARE DECISIONS. Sponsors: Senators McBride and Bair; Representatives Brady and Maroney. To: **Health and Social Services.**

SB 368 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE COLLECTION OF DEBTS OWED TO STATE AGENCIES. Sponsors: Senators Cook, McBride, McDowell, Neal, Still and Vaughn; Representatives Buckworth, Davis, DiPinto, Maroney, Van Sant and West. To: **Finance.**

HB 364 w/HA 2 - AN ACT TO AMEND SUBCHAPTER II, TITLE 11 OF THE DELAWARE CODE RELATING TO DEATH OR SERIOUS PHYSICAL INJURY CAUSED BY A DRIVER OF A MOTOR VEHICLE. Sponsor: Representative George. To: **Judiciary.**

HJR 20 - DIRECTING THE DEPARTMENT OF TRANSPORTATION TO NAME THE KIRKWOOD HIGHWAY BRIDGE OVER RED CLAY CREEK IN HONOR OF THE LATE JOHN T. DAVIS. Sponsors: Representative Roy and Senator Cook; Representatives Spence, Petrilli, Oberle, Taylor, George, Gilligan; Senators Martin, Sokola, Bair. To: **Highways/Transportation.**

SA 1 to SB 269 - Sponsor: Senator Voshell. Placed with the bill.

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

SB 319 - AN ACT TO AMEND THE DELAWARE INSURANCE CODE TO REQUIRE COVERAGE OF THE CA-125 TEST FOR MONITORING OVARIAN CANCER TREATMENT.

SA 1 to SB 319 was brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SA 1 to SB 319** was declared part of the bill.

Senators Bair, Hauge, Marshall, McBride, McDowell, Sharp, Torbert and Voshell marked present during the above roll call.

SA 2 to SB 319 was brought before the Senate for consideration on motion of Senator Blevins.

Senator Neal commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SA 2 to SB 319** was declared part of the bill.

SB 319 w/SA 1 & 2 was now before the Senate.

Senator Blevins requested the privilege of the floor for Gemma Buckley.

The witness was excused.

Senator Blevins requested the privilege of the floor for Generosa Grana.

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

Senators Voshell and McBride commented. A roll call vote was taken and revealed 19 Senators voting YES, 1 (Neal) NO, 1 (Still) ABSENT; therefore, **SB 319 w/SA 1 & 2** was declared passed the Senate and sent to the House for consideration.

SB 88 was brought before the Senate for consideration on motion of Senator McBride.

SB 88 - AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE, RELATING TO CRIMINAL PENALTIES FOR VIOLATION OF THAT CHAPTER. (2/3 vote)

SA 1 to SB 88, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator McBride.

Senator Bair commented. Senator McBride requested the privilege of the floor for John Paradee, Senate Attorney.

Senator Bair questioned the witness, after which the witness was excused. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SA 1 to SB 88** was declared part of the bill.

SB 88 w/SA 1 was now before the Senate.

Senator McBride requested the privilege of the floor for Christophe Tulou, Secretary of the Department of Natural Resources and Environmental Control.

Several Senators entered into a discussion with the witness, after which the witness was excused.

Senator McBride requested the privilege of the floor for John Paradee, Senate Attorney. The witness was excused after briefly addressing the Senate.

A roll call vote on **SB 88 w/SA 1** was taken, however, it was tabled before it was announced.

HB 446 was brought before the Senate for consideration on motion of the floor manager, Senator Torbert.

HB 446 - AN ACT TO AMEND CHAPTER 5, TITLE 29, OF THE DELAWARE CODE RELATING TO STATE HISTORICAL OBJECTS.

Senator Torbert requested the privilege of the floor for C. Russell McCabe, representing the Division of Historical and Cultural Affairs.

The witness was excused. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **HB 446** was declared passed the Senate and returned to the House.

At 3:41 p.m. on motion of Senator Martin the Senate recessed for Party Caucus.

At 4:23 p.m. the Senate reconvened with Senator Cordrey presiding.

SB 372 was introduced and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Sokola.

SB 372 - AN ACT TO AMEND 69 DEL. LAWS, CHAPTER 144, SECTION 6, RELATING TO THE EFFECTIVE DATE OF REGULATIONS ENACTED BY THE STATE BOARD OF EDUCATION, PURSUANT TO CHAPTER 85 OF TITLE 11 OF THE DELAWARE CODE, IN REGARD TO CRIMINAL BACKGROUND CHECKS FOR PERSONS WHO HAVE REGULAR DIRECT ACCESS TO CHILDREN IN THE PUBLIC SCHOOLS, BUT WHO ARE NOT EMPLOYEES OR CONTRACTORS. Sponsors: Senator Sokola and Representative Sorenson.

Lt. Governor Minner presiding at 4:25 p.m.

A roll call vote was taken and revealed 17 Senators voting YES, 3 (McDowell, Sharp, Vaughn) NO, 1 (Still) ABSENT; therefore, **SB 372** was declared passed the Senate and sent to the House for consideration.

SB 305 was brought before the Senate for consideration on motion of Senator McBride.

SB 305 - AN ACT TO AMEND CHAPTER 53, TITLE 7 OF THE DELAWARE CODE RELATING TO ARCHAEOLOGICAL SITES. (2/3 vote)

SA 1 to SB 305 was introduced and brought before the Senate on motion of Senator McBride.

SA 1 to SB 305 was laid on the table on motion of Senator McBride.

SB 305 was laid on the table on motion of Senator McBride.

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

SB 326 - AN ACT TO AMEND CHAPTER 1, TITLE 8, SECTION 218, DELAWARE CODE, RELATING TO VOTING TRUSTS AND OTHER VOTING AGREEMENTS. (2/3 vote)

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SB 326** was declared passed the Senate and sent to the House for consideration.

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

SB 343 - AN ACT TO AMEND CHAPTER 38 OF TITLE 12 OF THE DELAWARE CODE RELATING TO BUSINESS TRUSTS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SB 343** was declared passed the Senate and sent to the House for consideration.

HJR 22 was brought before the Senate for consideration on motion of the floor manager, Senator Adams, under the suspension of the necessary rules.

HJR 22 - RELATING TO THE FIRST SUSSEX COUNTY ECONOMY AND EDUCATION CONFERENCE TO DETERMINE A PATH FORWARD FROM SCHOOL TO WORK FOR STUDENTS OF ALL AGES. Sponsors: Representative Fallon, Senator Adams.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **HJR 22** was declared passed the Senate and returned to the House.

SB 305 was lifted from the table and brought before the Senate on motion of Senator McBride.

SA 1 to SB 305 was lifted from the table and brought before the Senate on motion of Senator McBride.

Senator McBride requested privilege of the floor for Dan Griffith, representing the Division of Historical and Cultural Affairs.

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

A roll call vote was taken and revealed 15 Senators voting YES, 5 (Adams, McDowell, Sokola, Vaughn, Venables, Voshell) NO, 1 (Still) ABSENT; therefore, **SA 1 to SB 305** was declared part of the bill.

SB 305 w/SA 1 was now before the Senate.

Senator Cordrey commented. Senator McBride requested the privilege of the floor for Dan Griffith.

Senator Bair questioned the witness, after which the witness was excused. A roll call vote was taken and revealed 12 Senators voting YES, 8 (Adams, Cordrey, McDowell, Sharp, Sokola, Vaughn, Venables, Voshell) NO, 1 (Still) ABSENT; therefore, **SB 305 w/SA 1** was declared defeated.

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

SB 337 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES INVOLVING DEADLY WEAPONS AND DANGEROUS INSTRUMENTS.

Senator Marshall requested the privilege of the floor for Colonel Thomas P. Gordon, representing the New Castle County Police Department.

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

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

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

A roll call vote was taken on **SB 337**, however it was tabled before it was announced.

The roll call vote was lifted on **SB 337** on motion of Senator Marshall and announced. The roll call revealed 12 Senators voting YES, 8 (Bair, Cordrey, Hauge, Henry, Knox, McDowell, Neal, Venables) NO, 1 (Still) ABSENT; therefore, **SB 337** was declared passed the Senate and sent to the House for consideration.

At 5:47 p.m. on motion of Senator Martin the Senate recessed until 4:00 p.m. on June 8, 1994.

The Senate reconvened at 4:10 p.m. on June 8, 1994 with Lt. Governor Minner presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **HJR 22, HB 505, HB 474, HB 487, HB 363 w/HA 1 & 2, HB 471 w/HA 1, HB 414, HB 393 w/HA 2, HB 496 w/HA 1, HB 455 w/HA 1, HB 482, HB 468, HB 495, HB 475 w/HA 6, 7, 8 & 9, HCR 56.**

On motion of Senator Martin, the President Pro Tempore's List of Pre-Filed Legislation, Part 2, was introduced for the permanent record, partially read and copies were made available

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION (PART 2)

June 7, 1994

The following legislation was introduced and assigned:

SS 1 to SB 320 - AN ACT TO AMEND CHAPTER 47, TITLE 7 OF THE DELAWARE CODE RELATING TO STATE PARKS. Sponsors: Senator Blevins; Representative Caulk. To: **Adopted in lieu of the original.**

SB 369 - AN ACT TO AMEND TITLE 18, DELAWARE CODE RELATING TO THE PHARMACY ACCESS ACT. Sponsor: Senator Cordrey. To: **Executive.**

SB 370 - AN ACT TO AMEND CHAPTER 7, TITLE 4, OF THE DELAWARE CODE, RELATING TO THE SALE AND DELIVERY OF ALCOHOLIC LIQUOR BY THE DELAWARE ALCOHOLIC BEVERAGE CONTROL COMMISSION. Sponsors: Senator Torbert; Representative Petrilli. To: **Administrative Services.**

SB 371 - AN ACT TO AMEND TITLE 29 AND TITLE 14 OF THE DELAWARE CODE RELATING TO POST-RETIREMENT LUMP SUM DEATH BENEFITS. Sponsors: Senator Cook and Representative Oberle, Senators McBride, McDowell, Neal, Still and Vaughn; Representatives Buckworth, Davis, DiPinto, Maroney, Van Sant and West. To: **Finance.**

SB 373 - AN ACT TO AMEND CHAPTER 13, TITLE 24, DELAWARE CODE RELATING TO PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES. (2/3 vote) Sponsors: Senator Vaughn; Representative Amick; Representatives D. Ennis, B. Ennis, Ewing, Van Sant, Lee. To: **Administrative Services.**

SB 374 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF SPECIAL REGISTRATION PLATES. (3/5 vote) Sponsors: Senators Bair and Senator McBride; Representatives Brady, Carey, Caulk. To: **Public Safety.**

SA 1 to SB 293 - Sponsor: Senator Blevins. Placed with the bill.
SA 1 to SB 352 - Sponsor: Senator Neal. Placed with the bill.
SA 1 to HB 479 - Sponsor: Senator Blevins. Placed with the bill.

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The following committee reports were announced:

From Public Safety: **SB 130** - 4 Merits; **HB 424 w/HA 1 & 2** - 4 Merits.

From Judiciary: **SB 289** - 4 Merits; **SB 290** - 4 Merits; **HB 175** - 4 Merits; **HB 238 w/HA 1** - 4 Merits; **HB 467 w/HA 1** - 4 Merits.

From Labor: **SB 344** - 3 Merits, **HB 303 w/HA 1** - 1 Favorable, 2 Merits; **HB 468** - 3 Merits; **HB 471 w/HA 1** - 3 Merits.

From Community/County Affairs: **SB 348** - 4 Merits.

From Administrative Services: **SB 349** - 3 Merits.

From Corrections: **SB 359** - 3 Merits.

From Insurance/Elections: **SB 365** - 4 Merits; **HB 373 w/HA 1** - 4 Merits.

From Agriculture: **HB 93** - 4 Merits; **HB 440 w/HA 1** - 4 Merits.

From Executive: **HB 460 w/HA 3** - 4 Merits.

At 4:15 p.m. on motion of Senator Martin, the Senate adjourned to immediately convene for the 36th Legislative Day.

36TH LEGISLATIVE DAY

June 8, 1994

The Senate convened at 4:15 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Neal.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Torbert, Vaughn, Venables, Voshell - 20, 1 (Still) ABSENT.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

June 8, 1994

The following legislation was introduced and assigned:

HB 363 w/HA 1 & 2 - AN ACT TO AMEND CHAPTER 5, TITLE 22 OF THE DELAWARE CODE RELATING TO PARKING AUTHORITIES. Sponsors: Representatives Amick, Wojewodzki; Senators Neal, Martin, Vaughn. To: **Community/County Affairs**.

HB 393 w/HA 2 - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR SALES OF FIREARMS. Sponsors: Representative Van Sant and Senator Sharp; Representatives Bennett, Brady, B. Ennis, Houghton, Lee, Oberle, Spence and West; Senator Vaughn. To: **Public Safety**.

HB 414 - AN ACT TO AMEND CHAPTER 19, TITLE 14 OF THE DELAWARE CODE RELATING TO LOCAL SCHOOL TAXES. Sponsors: Representative Mack and Senator Connor; Representatives Amick, Buckworth, Davis, Reynolds, Smith, Brady, Houghton. To: **Education**.

HB 455 w/HA 1 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FEES FOR PERMITS, LICENSES, AND CERTIFICATIONS BY THE STATE FIRE PREVENTION COMMISSION. (3/5 vote) Sponsors: Representative DiPinto; Representatives D. Ennis, Lee, B. Ennis; Senators Vaughn, Still. To: **Administrative Services**.

HB 468 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsor: Representative Petrilli. To: **Labor**.

HB 471 w/HA 1 - AN ACT TO AMEND CHAPTER 59 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION. Sponsor: Representative Wagner and Senator Torbert; Representatives Quillen, Spence, Lofink, Smith, Ewing, DiPinto, Caulk, Carey, Lee, D. Ennis, Buckworth, Oberle, Davis, Bennett, Houghton, Plant, West, Banning, Bunting, Senators Henry, Still, Hauge, Connor. To: **Labor**.

HB 474 - AN ACT TO AMEND CHAPTER 72, TITLE 18 OF THE DELAWARE CODE RELATING TO SMALL EMPLOYER HEALTH INSURANCE. Sponsors: Representatives D. Ennis and Bennett. To: **Small**

Business

HB 482 - AN ACT TO AMEND CHAPTER 7, TITLE 18 OF THE DELAWARE CODE TO CHANGE THE DATES ON WHICH QUARTERLY TAX PAYMENTS ARE DUE AND HOW UNDERPAYMENTS ARE DETERMINED. Sponsors: Representatives D. Ennis and Senator Vaughn; Representatives Smith, Wagner, DiPinto, Bennett, Houghton, Jonkiert. To: **Revenue and Taxation**.

HB 487 - AN ACT TO AMEND CHAPTER 45 AND CHAPTER 49 OF TITLE 15 OF THE DELAWARE CODE RELATING TO CERTIFICATES OF ELECTION. Sponsors: Representatives Davis and Van Sant; Representatives Petrilli, Spence, Quillen, George, Gilligan; Senators Blevins, McDowell, Vaughn, Still. To: **Insurance/Elections**.

HB 495 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE APPROPRIATIONS. Sponsors: Representative Sorenson and Senator Sokola. To: **Education**.

HB 496 w/HA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO INMATE FURLOUGHS. Sponsors: Representative Davis; Representatives Ewing and Lee; Senator Vaughn. To: **Corrections**.

HB 505 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE, RELATING TO CRIMES AND CRIMINAL PROCEDURE. Sponsor: Representative George. To: **Judiciary**.

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SENATE CITATION ANNOUNCEMENT # 5 containing S137:253-347 inclusive was introduced and a copy made available to each Senator.

A messenger from the Governor was announced and admitted.

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

SB 349 - AN ACT TO AMEND TITLE 19, OF THE DELAWARE CODE RELATING TO LOCATION OF INDUSTRIAL ACCIDENT BOARD HEARINGS.

Senator Connor commented. The privilege of the floor was granted to Joyce Wright, on motion of Senator Torbert.

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

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Henry, Still) ABSENT; therefore, **SB 349** was declared passed the Senate and sent to the House for consideration.

Senators Blevins, Cook, Marshall and Adams marked present during the above roll call.

SB 360 was brought before the Senate for consideration on motion of Senator Cordrey.

SB 360 - AN ACT TO REINCORPORATE THE TOWN OF SOUTH BETHANY. (2/3 vote)

Senator Cordrey requested that the Reading Clerk read the bill in its entirety, then withdrew his motion.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SB 360** was declared passed the Senate and sent to the House for consideration.

SB 248 was brought before the Senate for consideration on motion of Senator Sokola.

SB 248 - AN ACT TO AMEND TITLE 7, DELAWARE CODE, RELATING TO FRESHWATER WETLANDS.

The privilege of the floor was granted to David E. Saveikis, representing Department of Natural Resources and Environmental Control.

Several Senators entered into a discussion with the witness, after which the witness was excused.

Senator McDowell commented and stated that he would be not voting on this legislation.

A roll call vote was taken and revealed 11 Senators voting YES, 7 (Adams, Cook, Cordrey, Sharp, Vaughn, Venables, Voshell) NO, 2 (McDowell, Torbert) NOT VOTING, 1 (Still) ABSENT; therefore, **SB 248** was declared passed the Senate and sent to the House for consideration.

The roll call vote was lifted on **SB 88 w/SA 1** and announced on motion of Senator McBride.

SB 88 w/SA 1 - AN ACT TO AMEND CHAPTER 60 TITLE 7 OF THE DELAWARE CODE, RELATING TO CRIMINAL PENALTIES FOR VIOLATION OF THAT CHAPTER. (2/3 vote)

The roll call revealed 4 Senators (Connor, Marshall, McBride, Sharp) voting YES, 16 NO, 1 (Still) ABSENT; therefore, **SB 88 w/SA 1** was declared defeated.

Senator McDowell moved to rescind the roll call on **SB 88 w/SA 1**.

Senator McBride moved to return **SB 88 w/SA 1** to the calendar. No objections.

Senator McBride moved to lift the roll call on **SB 305 w/SA 1**.

SB 305 w/SA 1 - AN ACT TO AMEND CHAPTER 53, TITLE 7 OF THE DELAWARE CODE RELATING TO ARCHAEOLOGICAL SITES. (2/3 vote)

Senator McDowell moved to rescind the roll call and return **SB 305 w/SA 1** to the calendar. No objections.

Senator McBride moved to place **SB 88** on the ready list.

Senator McBride moved to place **SB 305** on the ready list.

At 5:56 p.m. on motion of Senator Martin the Senate recessed until 2:00 p.m. on June 9, 1994.

The Senate reconvened at 2:06 p.m. June 9, 1994 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Judiciary - **HB 295** - 4 Merits.

From Sunset - **SB 228** - 4 Merits; **SB 318** - 4 Merits; **SB 352** - 4 Merits.

From Highways - **SB 354** - 4 Merits.

From Administrative Services - **SB 373** - 3 Merits.

From Children, Youth, and their Families - **SB 351** - 5 Merits; **SB 356** - 5 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed **HCR 72, SCR 76**.

At 2:10 p.m. on motion of Senator Martin, the Senate adjourned to immediately convene for the 37th Legislative Day.

37TH LEGISLATIVE DAY

June 9, 1994

The Senate convened at 2:10 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Venables.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

June 9, 1994

The following legislation was introduced and assigned:

SB 375 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT-INITIATED VOLUNTARY PRAYER ON PUBLIC SCHOOL PROPERTY, OTHER PUBLIC PROPERTY OR OTHER PROPERTY AT SCHOOL-RELATED ACTIVITIES. Sponsors: Senator Venables, Senators Adams, Bair, Connor, Cordrey, Hauge, Henry, Marshall, McBride, Neal, Sharp, Still, Torbert, Vaughn; Representatives Bunting, D. Ennis, Ewing. To: **Executive**.

SB 376 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE TO ESTABLISH A GRIEVANCE PROCEDURE FOR PRISONERS, A MECHANISM FOR SANCTIONING FRIVOLOUS PRISONER LITIGATION, AND THE AUTHORITY TO RECOUP CERTAIN EXPENSES FROM PRISONERS. Sponsors: Senators Sharp, Vaughn, Still; Representatives Spence, Oberle. To: **Corrections**.

SB 377 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HATE CRIMES. Sponsors: Senators Sharp, Vaughn; Representatives Spence, Oberle. To: **Judiciary**.

SB 378 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HATE CRIMES. Sponsors: Senators Sharp, Vaughn; Representatives Spence, Oberle. To: **Judiciary**.

HB 475 w/HA 6, 7, 8 & 9 - AN ACT TO AMEND CHAPTER 21, TITLE 24 OF THE DELAWARE CODE RELATING TO OPTOMETRY. Sponsors: Representatives D. Ennis and Senator Blevins; Representatives Petrilli, Quillen, Davis, Ewing, Fallon, Lee, Lofink, Mack, Reynolds, Brady, Bradley, Banning, Bunting, B. Ennis, Houghton, Plant, Van Sant, West; Senators Marshall, McBride, Sharp, Torbert, Vaughn, Hauge, Still. To: **Health and Social Services**.

SA 3 to SB 298 - Sponsor: Senator Torbert. Placed with the bill.

SA 1 to SB 356 - Sponsor: Senator McDowell. Placed with the bill.

The following letters of nomination for appointment from the Governor were assigned to the Executive Committee.

STATE OF DELAWARE

Office of the Governor

June 8, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Mr. Clarence S. Bennett, 903-D Cloister Road, Wilmington, Delaware 19809, to be appointed as a Justice of

the Peace for New Castle County for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
June 8, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and reappoint for the consent and confirmation of the Senate the following:
Mr. Stephen L. Manista, 300 Taylor Road, Wilmington, Delaware 19804, to be reappointed to the Violent Crimes Compensation Board for a three year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
June 8, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Ms. Katherine B. Ross, 1030 Boxwood Road, Wilmington, Delaware 19804, to be appointed as a Justice of the Peace for New Castle County for a four year term to fill a vacancy.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
June 8, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and reappoint for the consent and confirmation of the Senate the following:
Ms. Karen Wright, 4501 Channing Road, Wilmington, Delaware 19802, to be reappointed as a member of the Industrial Accident Board for a six year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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

SB 293 - AN ACT TO AMEND CHAPTER 79, TITLE 29, AND CHAPTER 29, TITLE 31, OF THE DELAWARE CODE, RELATING TO THE DIVISION OF AGING IN DELAWARE, THE COMMISSION FOR THE AGING AND THE COUNCIL ON AGING.

SA 1 to SB 293, which had been previously placed with the bill, was stricken on motion of Senator Blevins.

The privilege of the floor was granted to Eleanor L. Cain, representing the Department of Health and Social Services, Division of Aging.

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

SB 293 was laid on the table on motion of Senator Blevins.

HCR 72 was brought before the Senate for consideration on motion of Senator Vaughn.

HCR 72 - HONORING THE DELAWARE VETERAN'S MEMORIAL CEMETARY FOR RECEIVING A COMMENDATION AS A PREMIER VETERAN'S CEMETARY FROM THE U.S. DEPARTMENT OF VETERAN'S AFFAIRS. Sponsors: Representative Lofink; Senator Vaughn.

Senator Martin requested to be added as a co-sponsor.

Senator Adams requested to be added as a co-sponsor.

All remaining Senators requested to be added as co-sponsors.

Senators Sharp and Torbert commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **HCR 72** was declared adopted by the Senate and returned to the House.

Senators Connor, Hauge, McBride and Sharp marked present during the above roll call.

HB 460 w/HA 3 was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

HB 460 w/HA 3 - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO STATE LANGUAGE.

Senator Adams requested the privilege of the floor for William E. Anderson, representing the American Legion. Senator Bair questioned the witness, after which the witness was excused.

Senator Adams requested the privilege of the floor for Ron Pospichal, representing the American Legion. The witness was excused after addressing the Senate.

Senator Adams requested the privilege of the floor for Jane T. Mitchell, representing the Delaware State Grange. The witness was excused after addressing the Senate.

Senator Adams requested the privilege of the floor for Vanessa Dixon, representing U.S. English.

Senators Marshall and McDowell questioned the witness.

Senator Sharp raised a point of order.

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

Senator Adams requested the privilege of the floor for Benjamin Pernol, Jr., representing the Veterans of Foreign Wars.

The witness was excused after addressing the Senate.

Senator Adams requested the privilege of the floor for Reese E. Phillips, representing the Delaware Commission of Veterans Affairs.

The witness was excused after addressing the Senate.

SA 1 to HB 460 was laid on the table on motion of Senator Sokola.

HB 460 w/HA 3 was laid on the table on motion of Senator Adams.

Senator Cordrey introduced several students from Delaware's Vocational-Technical schools and requested the privilege of the floor for remarks made by various students.

The students then presented the Senators with flowers to show their appreciation of the Senate's support.

The Secretary announced that a message from the House informed the Senate that it had passed **HCR 73**.

HCR 73 was brought before the Senate for consideration on motion of Senator Cordrey, the floor manager.

HCR 73 - EXTENDING "MANY THANKS" TO THE DELAWARE VOCATIONAL STUDENT ORGANIZATIONS OF DELAWARE FOR THE GERANIUMS GIVEN AND EXTENDING BEST WISHES AND SUCCESS TO EACH OF YOU IN YOUR CHOSEN CAREERS. Sponsors: Representatives Petrilli, Spence, Quillen, George, and Gilligan on behalf of All Representatives; Senators Cordrey, Martin, Marshall, Bair and Connor on behalf of All Senators.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **HCR 73** was declared adopted by the Senate and returned to the House.

HB 460 w/HA 3 was lifted from the table on motion of the floor manager, Senator Adams and brought before the Senate for consideration.

SA 1 to HB 460 was lifted from the table and brought before the Senate for consideration on motion of Senator Sokola.

Senator Sharp commented. A roll call vote was taken and revealed 14 Senators voting YES, 5 (Henry, McBride, Neal, Sharp, Vaughn) NO, 1 (Torbert) NOT VOTING, 1 (Still) ABSENT; therefore, **SA 1 to HB 460** was declared part of the bill.

SA 2 to HB 460 was introduced and brought before the Senate for consideration on motion of Senator McDowell.

SA 2 to HB 460 was laid on the table on motion of Senator McDowell.

Senator Voshell requested the privilege of the floor for John Paradee, Senate Attorney.

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

Senator Knox requested that his name be removed as a co-sponsor.

Senator Bair requested the privilege of the floor for Representative Smith, the sponsor of the legislation.

Senators Blevins and McBride commented.

Senator Sokola raised a point of order.

Several Senators continued questioning the witness.

The witness was excused.

SA 3 to HB 460 was introduced and brought before the Senate for consideration on motion of Senator Connor.

Senator Adams requested the privilege of the floor for Carmen R. Nazario, Secretary of the Department of Health and Social Services.

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

Senator Bair requested the privilege of the floor for Vanessa Dixon. The witness was excused after she addressed the Senate.

SA 3 to HB 460 was stricken on motion of Senator Connor.

SA 4 to HB 460 was introduced and brought before the Senate for consideration on motion of Senator Marshall.

Senators Neal and Venables commented. A roll call vote was taken and revealed 8 Senators (Blevins, Cook, Henry, Knox, Marshall, Martin, McDowell, Sokola) voting YES, 11 NO, 1 (Torbert) NOT VOTING, 1 (Still) ABSENT; therefore, **SA 4 to HB 460** was declared defeated.

SA 5 to HB 460 was introduced and brought before the Senate for consideration on motion of Senator Cook.

A roll call vote was taken and revealed 18 Senators voting YES, 1 (Henry) NO, 1 (McDowell) NOT VOTING, 1 (Still) ABSENT; therefore, **SA 5 to HB 460** was declared part of the bill.

HB 460 w/HA 3, w/SA 1 & 5 was laid on the table on motion of Senator Adams.

SB 293 was lifted from the table and brought before the Senate for consideration on motion of Senator Blevins.

SA 2 to SB 293 was introduced and brought before the Senate for consideration on motion of Senator Cordrey.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SA 2 to SB 293** was declared part of the bill.

SA 3 to SB 293 was introduced and stricken on motion of Senator Blevins.

SA 4 to SB 293 was introduced and brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SA 4 to SB 293** was declared part of the bill.

SB 293 w/SA 2 & 4 was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SB 293 w/SA 2 & 4** was declared passed the Senate and sent to the House for consideration.

At 4:53 p.m. on motion of Senator Martin the Senate recessed.

The Senate reconvened at 5:02 p.m. with Lt. Governor Minner presiding.

HB 460 w/HA 3, w/SA 1 & 5 was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Adams.

SA 6 to HB 460 was introduced and brought before the Senate for consideration on motion of Senator Bair.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SA 6 to HB 460** was declared part of the bill.

HB 460 w/HA 3, w/SA 1, 5 & 6 was now before the Senate.

A roll call vote was taken and revealed 16 Senators voting YES, 4 (Henry, Knox, Marshall, McDowell) NO, 1 (Still) ABSENT; therefore, **HB 460 w/HA 3, w/SA 1, 5 & 6** was declared passed the Senate and returned to the House for reconsideration.

Lt. Governor Minner commented on Senate Rule #12. Several Senators commented.

HB 331 w/HA 1, 3, 5, 7 & 8 was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

HB 331 w/HA 1, 3, 5, 7 & 8 - AN ACT TO AMEND CHAPTER 93, TITLE 16, DELAWARE CODE RELATING TO HEALTH PLANNING AND RESOURCES MANAGEMENT.

Senator Bair commented. Senator Blevins requested the privilege of the floor for Robert I. Welch, representing the Bureau of Health Planning and Resource Management.

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

A roll call vote was taken and revealed 17 Senators voting YES, 1 (Bair) NO, 1 (Torbert) NOT VOTING, 2 (McDowell, Still) ABSENT; therefore, **HB 331 w/HA 1, 3, 5, 7 & 8** was declared passed the Senate and returned to the House.

HB 434 was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

HB 434 - AN ACT TO AMEND TITLE 11 AND TITLE 29 OF THE DELAWARE CODE RELATING TO COMPENSATION FOR INNOCENT VICTIMS OF CRIME, AND PROVIDING FOR CLAIMS TO BE FILED BY CLAIM NUMBER.

Senator Sharp requested the privilege of the floor for Ann Del Negro, representing the Violent Crimes Compensation Board.

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

SENATE CONSENT CALENDAR #19 was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

SCR 78 - CREATING A HEALTH CARE DIRECTIVES TASK FORCE TO STUDY AND RECOMMEND TO THE GENERAL ASSEMBLY A POLICY FOR THE ROLE OF SURROGATES IN HEALTH CARE DECISIONS AND OTHER ISSUES IMPACTING ADVANCE HEALTH CARE DECISIONS. Sponsors: Senator McBride & Senator Bair; Representatives Brady & Maroney.

HCR 56 - APPLYING TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR THE PURPOSE OF PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO PROVIDE THAT NO FEDERAL TAX SHALL BE IMPOSED FOR THE PERIOD BEFORE THE DATE OF ENACTMENT OF THE TAX. Sponsors: Representative Smith and Senator Venables.

A roll call vote was taken on **SENATE CONSENT CALENDAR #19** and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, the Consent Calendar was declared adopted by the Senate. **HCR 56** was returned to the House and **SCR 78** was sent to the House for consideration.

SS 1 for SB 33 was introduced and adopted in lieu of the original on motion of Senator McBride.

SS 1 for SB 33 - AN ACT TO AMEND CHAPTER 60 AND CHAPTER 63, TITLE 7 OF THE DELAWARE CODE, RELATING TO CRIMINAL PENALTIES FOR VIOLATIONS OF THE PROVISION OF SAID CHAPTERS. Sponsors: Senator McBride; Senator Connor; Representatives Bunting and Schroeder.

At 5:41 p.m. on motion of Senator Martin the Senate recessed until 2:00 p.m. June 14, 1994.

The Senate reconvened at 2:19 p.m. with Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **HJR 19 w/HA 1 & 2**.

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

LEGISLATIVE ADVISORY #50, dated June 10, 1994, the Governor signed the following legislation:

HB 264 - 06/09/94 - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO VACATION AND ABANDONMENT OF ROADS, BRIDGES, AND OTHER RIGHTS OF WAY (Rep. Bradley; Senator Sokola, Rep. Amick) (Volume 69, Chapter 239, Laws of Delaware.)

HS 1 to HB 219 - 06/09/94 - AN ACT TO AMEND CHAPTER 30, TITLE 30, DELAWARE CODE RELATING TO MOTOR VEHICLE DEALER LICENSE FEE. (Rep. B. Ennis; Sen. Vaughn; Reps. Banning, Houghton, West) (Volume 69, Chapter 240, Laws of Delaware.)

SS 1 to SB 272 - 06/09/94 - AN ACT TO AMEND CHAPTER 83, TITLE 9 OF THE DELAWARE CODE RELATING TO VALUATION AND ASSESSMENT OF PROPERTY. (Sens. Vaughn, Adams; Reps. Carey, Caulk, Clark, B. Ennis, Banning, Schroeder) (Volume 69, Chapter 241, Laws of Delaware.)

SB 321 - 06/09/94 - AN ACT TO AMEND CHAPTERS 3, AND 17, TITLE 15, DELAWARE CODE TO ELIMINATE THE DISQUALIFICATION OF VOTERS WHO DID NOT VOTE IN THE LAST TWO (2) PRECEDING GENERAL ELECTIONS. (Sen. Vaughn; Rep. Ewing) (Volume 69, Chapter 242, Laws of Delaware.)

HB 378 aab HA 1 - 06/09/94 - AN ACT TO AMEND SECTION 4126 OF TITLE 21 OF THE DELAWARE CODE RELATING TO BICYCLE USE OF CONTROLLED ACCESS HIGHWAYS. (Reps. Roy, Taylor, Gilligan; Sen. Sokola) (Volume 69, Chapter 243, Laws of Delaware.)

SB 199 - 06/09/04 - AN ACT TO AMEND CHAPTER 31, TITLE 15, DELAWARE CODE, RELATING TO NOMINATIONS OF CANDIDATES BY PARTIES. (Sen. Vaughn & Rep. Spence) (Volume 69, Chapter 244, Laws of Delaware.)

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At 2:20 p.m. Lt. Governor Minner presides.

The following committee reports were announced:

From Judiciary: **SB 328** - 4 Merits.

From Public Safety: **HB 393 w/HA 2** - 5 Merits.

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

38TH LEGISLATIVE DAY

June 14, 1994

The Senate convened at 2:21 p.m. with Lt. Governor Minner presiding.
A prayer was offered by Senator Torbert.
Pledge of allegiance to the Flag.
Call of the roll for the Legislative Day revealed the following attendance:
PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.
The journal of the previous day was approved as read on motion of Senator Martin. No objection.
On motion of Senator Martin, The President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

June 14, 1994

The following amendments were introduced and placed with the bill on June 9, 1994:

SA 2 to SB 88 - Sponsor: Senator McBride.

SA 1 to SB 289 - Sponsor: Senator Sharp.

SA 1 to SB 318 - Sponsor: Senator Blevins.

SA 1 to HB 295 - Sponsor: Senator Henry.

The following legislation was introduced and assigned:

SB 379 - AN ACT TO AMEND §4702, CHAPTER 47, TITLE 7 OF THE DELAWARE CODE RELATING TO PARKING VIOLATIONS IN STATE PARKS. (2/3 vote) Sponsors: Senators Voshell and Sokola; Representatives Carey, Quillen and Lee. To: **Natural Resources and Environmental Control**.

SB 380 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE TAX APPEAL BOARD. Sponsors: Senator Marshall and Representative Smith. To: **Revenue and Taxation**.

SB 381 - AN ACT TO AMEND CHAPTER 43, TITLE 11 OF THE DELAWARE CODE RELATING TO SENTENCING, PROBATION, PAROLE AND PARDONS NOTIFICATION REQUIREMENTS. Sponsors: Senators Sharp, Vaughn, McBride, Still; Representatives Spence, Oberle, Taylor, Gilligan. To: **Judiciary**.

SB 382 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURT FILING FEES AND COSTS. Sponsors: Senators Sharp, Vaughn; Representatives Spence, Oberle. To: **Judiciary**.

SB 383 - AN ACT TO AMEND CHAPTER 9, SUBCHAPTER 1 TITLE 26, OF THE DELAWARE CODE RELATING TO EASEMENTS FOR PUBLIC UTILITIES ACROSS RAILROAD PROPERTY. Sponsors: Senator Sharp; Representatives Spence, Roy, Petrilli. To: **Highways and Transportation**.

SB 384 - AN ACT TO AMEND CHAPTER 9, TITLE 13, OF THE DELAWARE CODE RELATING TO ADOPTION; AND GRANTING TO THE FAMILY COURT EXCLUSIVE JURISDICTION OVER ALL PETITIONS TO INSPECT ADOPTION RECORDS. Sponsors: Senators Sharp, Vaughn, and Bair; Representatives Amick and DiLiberto. To: **Judiciary**.

SB 385 - AN ACT TO AMEND ARTICLE IV, SECTION 29 OF THE CONSTITUTION OF THE STATE OF DELAWARE TO DESIGNATE THE TERM OF OFFICE FOR JUSTICES OF THE PEACE. (2/3 vote) Sponsors: Senators Sharp and Vaughn; Representatives Amick and DiLiberto. To: **Judiciary**.

SB 386 - AN ACT TO AMEND CHAPTER 47, TITLE 16, DELAWARE CODE RELATING TO JURISDICTION OVER DRUG VIOLATIONS. (2/3 vote) Sponsors: Senator Sharp and Representative Amick; Senators Vaughn and Bair; Representative DiLiberto. To: **Committee to Combat Drug Abuse**.

SB 387 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE, SECTIONS 2734, 2744, 2804, 2805, 2806, AND 2810 RELATING TO JURISDICTION OF THE COURT OF COMMON PLEAS. (2/3 vote) Sponsors: Senator Sharp and Representative Amick; Senators Vaughn and Bair; Representative DiLiberto. To: **Judiciary**.

SB 388 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO STATE FORESTRY AND SEDIMENTATION AND EROSION CONTROL. Sponsors: Senators Adams, Cook, Cordrey, Vaughn, Venables and Still; Representatives Caulk, Carey, Fallon, Lofink, Bunting, Clark and Schroeder. To: **Agriculture**.

SB 389 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. Sponsors: Senator Cordrey; Representatives Schroeder, Mack and Roy. To: **Laid on the Table**.

SB 390 - AN ACT TO AMEND CHAPTER THREE, TITLE 4, OF THE DELAWARE CODE, RELATING TO THE ABILITY OF THE DELAWARE ALCOHOLIC BEVERAGE CONTROL COMMISSION'S AUTHORITY TO ENFORCE ITS SUBPOENAS IN THE SUPERIOR COURT. Sponsors: Senator Torbert; Representative Petrilli. To: **Administrative Services**.

SB 391 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE COVERAGE. Sponsors: Senator Voshell; Senator Blevins; Senators Bair and Henry; Representatives Bradley and Sorenson. To: **Health and Social Services**.

SJR 35 - REQUESTING GOVERNOR CARPER AND THE JOINT FINANCE COMMITTEE TO TAKE IMMEDIATE ACTION TO ADVANCE AFFIRMATIVE ACTION AND DIVERSITY IN STATE GOVERNMENT. Sponsors: Senator Henry & Representative Sorenson; Senators Bair, Connor, Marshall, McDowell, Neal; Representatives Amick, Plant, Maroney. To: **Finance**.

HJR 19 w/HA 1 & 2 - CREATING A SMART CARD TASK FORCE TO INVESTIGATE AND REPORT ON OPPORTUNITIES AVAILABLE TO THE STATE OF DELAWARE TO USE SMART CARD TECHNOLOGY IN STATE OPERATIONS AND TO ATTRACT SMART CARD INDUSTRY EMPLOYMENT OPPORTUNITIES. Sponsors: Representatives Wagner and D. Ennis; Representatives Spence, Petrilli, Buckworth, Carey, Caulk, Davis, DiPinto, Ewing, Lee, Lofink, Maroney, Reynolds, Roy, Smith, Sorenson, Banning, Bennett, Bradley, Brady, Bunting, Clark, DiLiberto, B. Ennis, George, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Wojewodzki; Senators Blevins, Sokola, Bair, Connor, Hauge, Henry, Still. To: **Executive**.

SA 1 to SB 365 - Sponsor: Senator Vaughn. Placed with the bill.

The necessary rules were suspended on motion of Senator Sharp, in order to bring **SB 392** before the Senate for consideration.

SB 392 - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO ISSUING COPIES OF RECORDS OF DELAWARE CORPORATIONS. Sponsors: Senator Sharp, Rep. Smith.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore, **SB 392** was declared passed the Senate and sent to the House for consideration.

Senators Adams, McDowell and Still marked present during the above roll call.

SB 351 was brought before the Senate for consideration on motion of Senator Blevins.

SB 351 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD CUSTODY AND VISITATION IN CASES OF DOMESTIC VIOLENCE.

SA 1 to SB 351 was introduced and brought before the Senate on motion of Senator Blevins.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Sharp, Vaughn) ABSENT; therefore, **SA 1 to SB 351** was declared part of the bill.

SB 351 w/SA 1 was now before the Senate.

Senator Blevins requested the privilege of the floor for Vincent J. Poppiti, Chief Judge of the Family Court.

The witness was excused after addressing the Senate.

Senator Blevins requested the privilege of the floor for Raina Fishbane, representing the Domestic Violence Coordinating Council.

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

Senator Blevins again requested the privilege of the floor for Chief Judge Vincent J. Poppiti.

The witness was excused.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Neal) ABSENT; therefore, **SB 351 w/SA 1** was declared passed the Senate and sent to the House for consideration.

Senator Still rose to express his appreciation to the Senate regarding the kindness they bestowed upon his family at the death of his father.

SJR 36 was brought before the Senate for consideration on motion of Senator Adams, under the suspension of the necessary rules.

SJR 36 - ESTABLISHING JUNE, 1994, AS FATHERHOOD MONTH IN THE STATE OF DELAWARE.

Sponsors: Senator Adams, on behalf of All Senators; Representative Spence, on behalf of All Representatives.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SJR 36** was declared passed the Senate and sent to the House for consideration.

Senator Cordrey requested that a memoriam be read to the Senate in its entirety for Senator John C. Still, Jr., Senator Still's father.

A copy of this memoriam is on file for this legislative day.

At 3:48 p.m. on motion of Senator Martin the Senate recessed for Party Caucus.

At 4:46 p.m. the Senate reconvened with Lt. Governor Minner presiding.

On motion of Senator Adams and without objection, the necessary rules were suspended to consider the following nominations by the Governor.

Herman G. Hagan - 20 Senators voting YES, 1 (Neal) ABSENT. Appointment confirmed.

Hon. Joseph W. Maybee - 21 Senators voting YES. Appointment confirmed.

Hon. Ellis B. Parrott - 20 Senators voting YES, 1 (McDowell) ABSENT. Appointment confirmed.

Theodore W. Ryan - 21 Senators voting YES. Appointment confirmed.

Stephen L. Manista - 21 Senators voting YES. Appointment confirmed.

HJR 16 was brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Sharp, the floor manager.

HJR 16 - RELATING TO THE CONSTRUCTION AND ENFORCEMENT OF FEDERAL CHILD PORNOGRAPHY LAW.

Senator Sharp yielded to Senator Venables.

Senator McBride commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HJR 16** was declared passed the Senate and returned to the House.

A messenger from the Governor was announced and admitted.

SS 1 for SB 320 was brought before the Senate for consideration on motion of Senator Blevins.

SS 1 for SB 320 - AN ACT TO AMEND CHAPTER 47, TITLE 7 OF THE DELAWARE CODE RELATING TO STATE PARKS.

Several Senators commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SS 1 for SB 320** was declared passed the Senate and sent to the House for consideration.

SB 348 was brought before the Senate for consideration on motion of Senator Marshall.

SB 348 - AN ACT TO AMEND CHAPTER 46, TITLE 6, DELAWARE CODE, RELATING TO EQUAL RIGHTS TO HOUSING.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SB 348** was declared passed the Senate and sent to the House for consideration.

HB 424 w/HA 1 & 2 was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

HB 424 w/HA 1 & 2 - AN ACT TO AMEND SECTION 730, TITLE 7 OF THE DELAWARE CODE RELATING TO THE DISCHARGE OF A FIREARM NEAR AN OCCUPIED DWELLING. (2/3 vote)

SA 1 to HB 424 was introduced and brought before the Senate for consideration on motion of Senator Voshell.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SA 1 to HB 424** was declared part of the bill.

HB 424 w/HA 1 & 2, & SA 1 was now before the Senate.

Senators Neal and Venables commented. A roll call vote was taken and revealed 18 Senators voting YES, 2 (Neal, Venables) NO, 1 (Still) NOT VOTING; therefore, **HB 424 w/HA 1 & 2, & SA 1** was declared passed the Senate and returned to the House for reconsideration.

SS 1 for SB 289 was adopted in lieu of the original on motion of Senator Sharp.

SS 1 for SB 289 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO INSTITUTIONAL VANDALISM. (2/3 vote) Sponsors: Senator Sharp; Senator Vaughn; Representative Spence.

HB 175 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HB 175 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BAIL FOR PERSON CONVICTED OF A FELONY FOR WHICH A MANDATORY JAIL SENTENCE IS REQUIRED.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 175** was declared passed the Senate and returned to the House.

HB 295 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HB 295 - AN ACT TO AMEND CHAPTER 41 OF TITLE 11 OF THE DELAWARE CODE BY REQUIRING THE REGISTRATION OF CONVICTED SEXUAL OFFENDERS.

SA 1 to HB 295, which had been previously placed with the bill, was stricken on motion of Senator Henry.

SA 2 to HB 295 was introduced and brought before the Senate for consideration on motion of Senator Henry.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to HB 295** was declared part of the bill.

HB 295 w/SA 2 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 295 w/SA 2** was declared passed the Senate and returned to the House for reconsideration.

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

SB 359 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE RELATING TO THE PROSECUTION OF CRIMES COMMITTED BY JUVENILES.

Senator Vaughn requested the privilege of the floor for John Cordrey, Senate Attorney. The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 359** was declared passed the Senate and sent to the House for consideration.

SB 365 was brought before the Senate for consideration on motion of Senator Vaughn.

SB 365 - AN ACT TO AMEND CHAPTER 72, TITLE 18 OF THE DELAWARE CODE RELATING TO SMALL EMPLOYER HEALTH INSURANCE.

SA 1 to SB 365 was introduced and brought before the Senate for consideration on motion of Senator Vaughn. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 365** was declared part of the bill.

SA 2 & 3 to SB 365 were introduced and laid on the table on motion of Senator Still.

SB 365 w/SA 1 was now before the Senate.

Senator Still commented. Senator Vaughn requested the privilege of the floor for Sarah Jackson, Secretary of Finance.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 365 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SA 2 & 3 to SB 365 were stricken on motion of Senator Still.

At 5:53 p.m. on motion of Senator Martin the Senate recessed until 4:00 p.m. June 15, 1994.

The Senate reconvened at 4:19 p.m. June 15, 1994 with Lt. Governor Minner presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 499, HB 510 w/HA 1, HB 501 w/HA 1, HB 507, HB 412 w/HA 1, 2 & 3, HJR 18 w/HA 1, SB 350, SB 392, SJR 36.**

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

LEGISLATIVE ADVISORY #51, dated June 15, 1994, the Governor signed the following legislation on the date indicated:

HJR 22 - 06/10/94 - RELATING TO THE FIRST SUSSEX COUNTY ECONOMY AND EDUCATION CONFERENCE TO DETERMINE A PATH FORWARD FROM SCHOOL TO WORK FOR STUDENTS OF ALL AGES. (Rep. Fallon and Sen. Adams)

SJR 25 - 06/14/94 - AUTHORIZING AND DIRECTING THE COMMISSION OF CORRECTIONS, ROBERT J. WATSON, TO NAME THE WOMEN'S CORRECTIONAL INSTITUTION LOCATED AT 660 BAYLOR BOULEVARD, NEW CASTLE, DELAWARE, AS THE DELORES J. BAYLOR WOMEN'S CORRECTIONAL INSTITUTION. (Sen. McBride and Sens. Holloway, Adams, Blevins, Cook, Cordrey, Marshall, Martin, McDowell, Sharp, Sokola, Torbert, Vaughn, Venables, Voshell)

SB 392 - 06/15/94 - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO ISSUING COPIES OF RECORDS OF DELAWARE CORPORATIONS. (Sen. Sharp; Rep. Smith) (Volume 69, Chapter 245, Laws of Delaware.)

HB 308 aab SA 1 - 06/15/94 - AN ACT TO AMEND TITLE 14, DELAWARE CODE PERTAINING TO EDUCATION AND THE PROMOTION OF VOLUNTEERISM AMONG HIGH SCHOOL STUDENTS AND THE DELAWARE OFFICE OF VOLUNTEERISM. (Rep. Smith & Sen. Sokola) (Volume 69, Chapter 246, Laws of Delaware.)

HB 446 - 06/15/94 - AN ACT TO AMEND CHAPTER 5, TITLE 29, OF THE DELAWARE CODE RELATING TO STATE HISTORICAL OBJECTS. (Reps. Quillen & DiPinto; Sen. McBride) (Volume 69, Chapter 247, Laws of Delaware.)

The following committee reports were announced:

From Community/County Affairs: **SB 304** - 3 Merits;

From Health/Social Services: **SB 367** - 4 Merits, 1 Unfavorable; **SB 391** - 5 Merits; **HB 427 w/HA 4** - 4 Merits; **HB 436 w/HA 2** - 4 Merits; **HB 456** - 4 Merits; **HB 475 w/HA 6, 7, 8 & 9** - 5 Merits; **HB 479 w/HA 1** - 4 Merits.

From Administrative Services: **SB 370** - 3 Merits; **SB 390** - 3 Merits; **SB 396** - 4 Merits; **HB 455 w/HA 1** - 3 Merits.

From Agriculture: **SB 388** - 3 Merits; **SB 394** - 3 Merits; **SB 395** - 3 Merits.

From Executive: **SB 375** - 2 Favorable, 2 Merits; **HB 510 w/HA 1** - 4 Merits.

From Corrections: **SB 376** - 4 Merits.

From Revenue and Taxation: **HB 216 w/HA 1** - 3 Merits; **HB 482** - 3 Merits.

From Small Business: **HB 474** - 5 Merits.

From Education: **HB 495** - 3 Merits.

A messenger from the Governor was announced and admitted.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

June 15, 1994

The following legislation was introduced and assigned on June 14, 1994 (**PART 2**):

SB 393 - AN ACT TO AMEND CHAPTERS 13, 18 AND 19 OF TITLE 2 AND CHAPTER 84 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE TRANSPORTATION AUTHORITY, THE DEPARTMENT OF TRANSPORTATION REGULATION OF PUBLIC CARRIERS AND EMPLOYEE COMMUTE OPTION AND THE REORGANIZATION THEREOF AND THE CREATION OF THE DELAWARE TRANSIT CORPORATION. Sponsors: Senator McDowell and Representative Lofink; Senators Martin, Sokola, Voshell and Bair; Representatives Roy, Taylor, George, Wojewodzki, Amick, Bennett, Brady, Buckworth, Carey, Caulk, Davis, B. Ennis, D. Ennis, Houghton, Jonkiert, Lee, Mack, Oberle, Reynolds, Smith, Van Sant and West. To: **Laid on the Table**.

SB 394 - AN ACT TO AMEND TITLE 25, DELAWARE CODE RELATING TO AGRICULTURAL

LEASLS. Sponsor: Senator Cordrey. To: **Agriculture**.

SB 395 - AN ACT TO AMEND TITLE 7, DELAWARE CODE RELATING TO EROSION AND SEDIMENTATION CONTROL. Sponsor: Senator Adams. To: **Agriculture**.

SB 396 - AN ACT TO AMEND CHAPTER 12, TITLE 20, OF THE DELAWARE CODE RELATING TO THE INTERMENT OF NATIONAL GUARD AND RESERVE. Sponsors: Senators Vaughn, McBride, Voshell; Representatives B. Ennis, Spence, Ewing, Brady. To: **Administrative Services**.

SB 397 - AN ACT TO AMEND CHAPTER 39, TITLE 18 OF THE DELAWARE CODE REGARDING UNINSURED VEHICLE COVERAGE. Sponsors: Senators Marshall and Martin; Representatives Spence and Jonkiert. To: **Public Safety**.

SB 398 - AN ACT TO AMEND CHAPTER 42, TITLE 11 OF THE DELAWARE CODE RELATING TO THE MODIFICATION OF SENTENCES FOR GOOD CAUSE. Sponsors: Senator Vaughn; Senator Sharp. To: **Corrections**.

SB 399 - AN ACT TO AMEND CHAPTER 17, TITLE 7, DELAWARE CODE, RELATING TO BITING DOGS. (2/3 vote) Sponsor: Senator Torbert. To: **Natural Resources**.

SB 400 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT; AND PROVIDING FOR THE EXPUNGEMENT OF CERTAIN ADULT CRIMINAL RECORDS. Sponsors: Senator Sharp and Representative Amick; Senators Vaughn and Bair; Representative DiLiberto. To: **Judiciary**.

SB 401 - AN ACT TO AMEND CHAPTERS 13, TITLE 19 OF THE DELAWARE CODE RELATING TO THE RIGHT OF PUBLIC EMPLOYEES TO ORGANIZE FOR PURPOSES OF COLLECTIVE BARGAINING. Sponsors: Senator Marshall and Representative Oberle; Senators Blevins, Connor, Henry, Martin, McBride, McDowell, Torbert, Vaughn and Voshell; Representatives Banning, Bradley, Brady, Davis, Houghton, Jonkiert, Lofink, Mack, Petrilli, Plant, Reynolds, Spence and Van Sant. To: **Labor**.

HB 499 - AN ACT TO AMEND CHAPTER 41, TITLE 14, DELAWARE CODE RELATING TO PERMISSION OF NONSECTARIAN, NONPROSELYTIZING, STUDENT-INITIATED VOLUNTARY PRAYER ON PUBLIC SCHOOL PROPERTY, OTHER PUBLIC PROPERTY OR OTHER PROPERTY AT SCHOOL-RELATED ACTIVITIES, INCLUDING STUDENT SPORTING EVENTS, GRADUATION OR COMMENCEMENT CEREMONIES AND OTHER STUDENT ASSEMBLIES AND EVENTS. Sponsors: Representatives Holloway, Spence, Jonkiert; Senator Marshall. To: **Executive**.

HB 501 w/HA 1 - AN ACT TO AMEND CHAPTER 7, TITLE 13, DELAWARE CODE RELATING TO CUSTODY DISPUTES BETWEEN A NATURAL PARENT AND A STEPPARENT UPON THE DEATH OR DISABILITY OF THE CUSTODIAL OR PRIMARY PLACEMENT PARENT. Sponsor: Representative Amick. To: **Children, Youth and Their Families**.

HB 507 - AN ACT TO AMEND CHAPTER 20, TITLE 16, DELAWARE CODE RELATING TO UNIFORM HEALTH DATA. Sponsors: Representative Maroney and Senator Blevins; Representatives Sorenson, Bradley; Senators Henry, Sokola. To: **Health and Social Services**.

HB 510 w/HA 1 - AN ACT TO REDESIGNATE EXISTING CHAPTER 74A OF TITLE 16 OF THE DELAWARE CODE AS CHAPTER 100 OF TITLE 16 OF THE DELAWARE CODE, AND TO ADD A NEW CHAPTER 101 TO TITLE 16 OF THE DELAWARE CODE TO PROVIDE AUTHORITY FOR EACH COUNTY OF THIS STATE TO ESTABLISH AND OPERATE A FUND TO BE USED TO REIMBURSE COUNTY AND LOCAL GOVERNMENTAL COSTS ASSOCIATED WITH 911 EMERGENCY REPORTING SYSTEMS FUND. Sponsors: Representative Ewing and Senator Adams; Representatives Spence, Petrilli, Quillen, Lofink, Oberle; Senator Sharp. To: **Executive**.

The following amendments were introduced and Placed with the bill on June 14, 1994:

SA 1 to SS 1 to SB 33 - Sponsor: Senator McBride.

SA 3 to SB 88 - Sponsor: Senator McBride.

SA 1 to SB 373 - Sponsor: Senator Vaughn.

SA 1 to HB 440 - Sponsor: Senator Connor.

The following letters of nomination for appointment from the Governor were read and assigned to the Executive Committee.

STATE OF DELAWARE
Office of the Governor
June 14, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint

for the consent and confirmation of the Senate the following:

Hon. Carolyn Berger, 800 Edgehill Road, Westover Hills, Wilmington, Delaware 19807-2925, to be appointed to a twelve year term to be a Justice of the Supreme Court to replace Andrew G. T. Moore, II.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

STATE OF DELAWARE
Office of the Governor
June 14, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Mr. Edward J. Freel, 904 W. 23rd Street, Wilmington, Delaware 19802, to be appointed as Secretary of the Department of State to serve a term during the pleasure of the Governor beginning July 1, 1994 to replace the Hon. William T. Quillen who has tendered his resignation effective June 30, 1994 and which I accept on such date.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

The following legislation was introduced and assigned on June 15, 1994:

HJR 18 w/HA 1 - DIRECTING THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES AND THE DEPARTMENT OF PUBLIC SAFETY TO JOINTLY EXAMINE THE FEASIBILITY OF CROSS-REFERENCING THE NAMES OF THOSE INDIVIDUALS RECEIVING GOVERNMENTAL ASSISTANCE AGAINST THE NAMES OF THOSE INDIVIDUALS WITH OUTSTANDING ARREST WARRANTS. Sponsors: Representative Brady; Representatives Banning, Bennett, Bradley, Buckworth, Bunting, Carey, Clark, Davis, DiPinto, B. Ennis, Ewing, Fallon, Houghton, Jonkiert, Lee, Maroney, Plant, Quillen, Schroeder, Smith, Van Sant, West; Senators Adams, Bair, Cook, Connor, Henry, Martin, Neal, Still, Torbert, Vaughn, Venables, Voshell. To: **Health and Social Services**.

HB 412 w/HA 1, 2 & 3 - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO THE UNLAWFUL TRANSFER OF FIREARMS AND DANGEROUS WEAPONS. Sponsors: Representatives Taylor, Lee, Smith, Quillen, Carey, Amick, Petrilli, Sorenson, Plant, Bradley, Wojewodzki; Senators Blevins, Sokola, Bair, Knox. To: **Public Safety**.

At 4:26 p.m. on motion of Senator Martin, the Senate adjourned to immediately convene for the 39th Legislative Day.

39TH LEGISLATIVE DAY June 15, 1994

The Senate convened at 4:26 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Marshall.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

HB 373 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

HB 373 w/HA 1 - AN ACT TO AMEND CHAPTER 39, TITLE 18 OF THE DELAWARE CODE PERTAINING TO UNDERINSURED MOTORIST COVERAGE.

Senator Knox commented. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cordrey, Marshall) ABSENT; therefore, **HB 373 w/HA 1** was declared passed the Senate and returned to the House. Senators Hauge, Still, Venables Cook and McDowell marked present during the above roll call.

HB 238 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HB 238 w/HA 1 - AN ACT TO AMEND THE MODEL DEFENDER ACT, CHAPTER 46, TITLE 29, DELAWARE CODE.

SA 1 to HB 238 was brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **SA 1 to HB 238** was declared part of the bill.

SA 2 to HB 238 was stricken on motion of Senator Vaughn.

HB 238 w/HA 1, & SA 1 was now before the Senate.

Senator Venables commented. Senator Sokola requested the privilege of the floor for John Paradee, Senate Attorney.

The witness was excused. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **HB 238 w/HA 1, w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

SB 130 was brought before the Senate for consideration on motion of Senator Voshell.

SB 130 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE QUALIFICATIONS.

Senator Bair commented. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cordrey, McDowell) ABSENT; therefore, **SB 130** was declared passed the Senate and sent to the House for consideration.

SB 344 was brought before the Senate for consideration on motion of Senator Voshell.

SB 344 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

Senator Still requested that his name be added as a co-sponsor.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cordrey, McDowell) ABSENT; therefore, **SB 344** was declared passed the Senate and returned to the House.

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

SB 364 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cordrey and McDowell) ABSENT; therefore, **SB 364** was declared passed the Senate and sent to the House for consideration.

SB 228 was brought before the Senate for consideration on motion of Senator Blevins.

SB 228 - AN ACT TO AMEND CHAPTER 14 OF TITLE 24 OF THE DELAWARE CODE RELATING TO THE APPOINTMENT OF MEMBERS TO THE BOARD OF ELECTRICAL EXAMINERS.

Senators Adams and Sharp commented. Senator Blevins requested the privilege of the floor for Mary Ann McGonegal, representing the Joint Sunset Committee.

The witness was excused. A roll call vote was taken and revealed 18 Senators voting YES, 3 (Cordrey, McDowell, Torbert) ABSENT; therefore, **SB 228** was declared passed the Senate and sent to the House for consideration.

SB 318 was brought before the Senate for consideration on motion of Senator Blevins.

SB 318 - AN ACT TO AMEND CHAPTER 27, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF LAND SURVEYORS.

SA 1 to SB 318, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Cordrey, McDowell, Still) ABSENT; therefore, **SA 1 to SB 318** was declared part of the bill.

SB 318 w/SA 1 was now before the Senate. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cordrey, McDowell) ABSENT; therefore, **SB 318 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 352 was brought before the Senate for consideration on motion of Senator Blevins.

SB 352 - AN ACT TO AMEND CHAPTER 28, TITLE 24, DELAWARE CODE RELATING TO PROFESSIONAL ENGINEERS.

SA 1 to SB 352, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Neal.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, the **SA 1 to SB 352** was declared part of the bill.

SB 352 w/SA 1 was now before the Senate. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **SB 352 w/SA 1** was declared passed the Senate and sent to the House for consideration.

Senator Marshall rose to comment on **SB 29** and moved for a roll call to override the Governor's veto. Senator Martin moved to recess for Party Caucus.

Senator Bair objected.

Lt. Governor Minner ruled that a motion to recess supersedes any other motion.

At 5:12 p.m. on motion of Senator Martin the Senate recessed for Party Caucus.

At 5:39 p.m. the Senate reconvened with Lt. Governor Minner presiding.

Senator Marshall moved to lay the motion to override the Governor's veto on **SB 29** on the table.

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

SB 354 - AN ACT TO AMEND CHAPTER 5, TITLE 17 OF THE DELAWARE CODE RELATING TO DEVELOPERS DEDICATING NEW ROADS FOR STATE MAINTENANCE.

Several Senators commented. Senator Sokola requested the privilege of the floor for Kathy Karsnitz, representing Delaware Department of Transportation.

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

A roll call vote was taken and revealed 15 Senators voting YES, 3 (Adams, Vaughn, Venables) NO, 3 (Cordrey, Henry, Still) ABSENT; therefore, **SB 354** was declared passed the Senate and sent to the House for consideration.

At 6:08 p.m. on motion of Senator Martin the Senate recessed until 2:00 p.m. June 16, 1994.

The Senate reconvened at 2:13 p.m. June 16, 1994 with Senator Cordrey presiding.

Senator Cordrey marked present.

The Secretary announced that a message from the House informed the Senate that it had passed **HCR 75, & HCR 76**.

A corrected committee report was announced:

From Health and Social Services: **SB 367** - 3 Merits, 1 Unfavorable.

A messenger from the Governor was announced and admitted.

Lt. Governor Minner presiding at 2:14 p.m.

At 2:14 p.m. on motion of Senator Martin, the Senate adjourned to immediately convene for the 40th Legislative Day.

40TH LEGISLATIVE DAY

June 16, 1994

The Senate convened at 2:14 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Still.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

Senator McDowell marked present.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

June 16, 1994

The following amendments were introduced and Placed with the bill on June 15, 1994:

SA 2 to SB 305 - Sponsor: Senator McBride.

SA 1 to SB 332 - Sponsor: Senator Vaughn.

SA 2 to SB 373 - Sponsor: Senator Vaughn.

SA 3 to SB 373 - Sponsor: Senator Vaughn.

SA 4 to SB 373 - Sponsor: Senator Vaughn.

SA 1 to HB 435 - Sponsor: Senator Blevins.

SA 1 to HB 436 - Sponsor: Senator Blevins.

SA 1 to HB 475 - Sponsor: Senator Bair.

The following legislation was introduced and assigned on June 16, 1994:

SB 402 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. Sponsors: Senators Vaughn, Torbert, Voshell, Adams; Representatives Bennett, Ewing, West and Quillen. To: **Executive**.

SB 403 - AN ACT TO AMEND CHAPTER 43, TITLE 11, DELAWARE CODE RELATING TO MENTAL

HEALTH EVALUATIONS REQUIRED PRIOR TO PAROLE. Sponsors: Senator Vaughn; Representative Lee. To: Corrections.

SB 404 - AN ACT TO AMEND CHAPTER 137, VOLUME 61, LAWS OF DELAWARE, AS AMENDED, BEING THE TOWN CHARTER OF THE TOWN OF DELMAR, RELATING TO STREETS. (2/3 vote) Sponsors: Senator Venables; Representative Lee. To: Community/County Affairs.

SB 405 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 1, PART I, TITLE 16 OF THE DELAWARE CODE RELATING TO SANITARY FACILITIES. Sponsor: Senator Torbert. To: Natural Resources.

SB 406 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A DELAWARE VOLUNTARY PURCHASING ALLIANCE, ITS AUTHORITIES AND RESPONSIBILITIES. Sponsors: Senator Blevins and Representative Maroney; Senators Bair, Henry, Knox, Marshall, and Sokola; Representatives Bennett, Bradley, DiPinto, Holloway and West. To: Health/Social Services.

The following letters of nomination for appointment from the Governor were read and assigned to the Executive Committee.

STATE OF DELAWARE
Office of the Governor
June 15, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Ms. Mary Jane Behrens, 13 E. Commerce Street, Smyrna, Delaware 19977, to be reappointed to the Kent County Board of Elections for a four-year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
June 15, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Mr. H. Dawson Shulties, R.D. 3, Box 94A, Wyoming, Delaware 19934, to be reappointed to the Kent County Board of Elections for a four-year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

* * * * *

HB 33 was brought before the Senate for consideration on motion of Senator Blevins, the floor manager.

HB 33 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO LIMITING EXPOSURE TO TOBACCO SMOKE IN PUBLIC PLACES THROUGH THE CREATION OF A CLEAN INDOOR AIR ACT.

SA 1 to HB 33, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Blevins.

Senators Sokola and Neal commented. Senator Blevins requested the privilege of the floor for John Cordrey, Senate Attorney.

Senator Still questioned the witness, after which the witness was excused.
Senator Bair requested the privilege of the floor for Patricia Hoge, representing the American Cancer Society.

Senator Knox marked present.

Senators Knox and Blevins questioned the witness.

Senators Bair and Sharp marked present.

Senator Sharp questioned the witness, after which the witness was excused. A roll call vote was taken and revealed 13 Senators voting YES, 8 (Bair, Hauge, Henry, Knox, Neal, Sharp, Sokola, Voshell) NO; therefore, **SA 1 to HB 33** was declared part of the bill.

Senators Cook and Hauge marked present during the above roll call.

SA 2 to HB 33 was introduced and brought before the Senate for consideration on motion of Senator Hauge.

Senator Knox requested the privilege of the floor for Representative Roy.

The witness was excused. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to HB 33** was declared part of the bill.

HB 33 w/SA 1 & 2 was now before the Senate.

Senator Bair requested the privilege of the floor for Patricia Hoge.

Senators Neal and Martin questioned the witness, after which the witness was excused.

Senator Blevins requested the privilege of the floor for Representative Roy, the Sponsor of the bill.

The witness was excused. A roll call vote was taken and revealed 17 Senators voting YES, 2 (Bair, Knox) NO, 2 (Henry, Marshall) ABSENT; therefore, **HB 33 w/SA 1 & 2** was declared passed the Senate and returned to the House for reconsideration.

SB 88 w/SA 1 was brought before the Senate for consideration on motion of Senator McBride.

SB 88 w/SA 1 - AN ACT TO AMEND CHAPTER 60 TITLE 7 OF THE DELAWARE CODE, RELATING TO CRIMINAL PENALTIES FOR VIOLATION OF THAT CHAPTER. (2/3 vote)

SA 2 to SB 88, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator McBride.

Senator McBride requested the privilege of the floor for John Paradee, Senate Attorney.

The witness was excused. A roll call vote was taken and revealed 8 Senators (Connor, Cook, Marshall, McBride, McDowell, Sharp, Sokola, Torbert) YES, 13 NO; therefore, **SA 2 to SB 88** was declared defeated.

SB 88 w/SA 1 was laid on the table on motion of Senator McBride.

SB 305 w/SA 1 was brought before the Senate for consideration on motion of Senator McBride.

SB 305 w/SA 1 - AN ACT TO AMEND CHAPTER 53, TITLE 7 OF THE DELAWARE CODE RELATING TO ARCHAEOLOGICAL SITES. (2/3 vote)

SA 2 to SB 305, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator McBride.

Senator Martin commented. Senator McBride requested the privilege of the floor for Dan Griffith, representing the Department of State.

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

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Knox, Sharp) ABSENT; therefore, **SA 2 to SB 305** was declared part of the bill.

SB 305 w/SA 1 & 2 was now before the Senate.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Adams, Vaughn) NO, 1 (Sharp) ABSENT; therefore, **SB 305 w/SA 1 & 2** was declared passed the Senate and sent to the House for consideration.

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

SB 373 - AN ACT TO AMEND CHAPTER 13, TITLE 24, DELAWARE CODE RELATING TO PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES.

SA 1 to SB 373, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Cordrey, McDowell, Sharp) ABSENT; therefore, **SA 1 to SB 373** was declared part of the bill.

SA 2 to SB 373, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (McDowell, Sharp, Still) ABSENT; therefore, **SA 2 to SB 373** was declared part of the bill.

SA 3 to SB 373 was stricken on motion of Senator Vaughn.

SA 4 to SB 373, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SA 4 to SB 373** was declared part of the bill.

SA 5 to SB 373 was introduced and brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SA 5 to**

SB 373 was declared part of the bill.

SA 6 to SB 373 was introduced and brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SA 6 to SB 373** was declared part of the bill.

SB 373 w/SA 1, 2, 4, 5 & 6 was now before the Senate.

Senator Vaughn requested the privilege of the floor for Lt. Gary Gray, representing the Delaware State Police.

The witness was excused. A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SB 373 w/SA 1, 2, 4, 5 & 6** was declared passed the Senate and sent to the House for consideration.

HB 93 was brought before the Senate for consideration on motion of Senator Adams, the floor manager.

HB 93 - AN ACT TO AMEND CHAPTER 33, TITLE 24, DELAWARE CODE, RELATING TO THE BOARD OF VETERINARIANS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **HB 93** was declared passed the Senate and returned to the House.

HB 440 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

HB 440 w/HA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO INTENTIONAL CRUELTY TO ANIMALS.

SA 1 to HB 440, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Connor.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) NO; therefore, **SA 1 to HB 440** was declared part of the bill.

HB 440 w/HA 1, & SA 1 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 440 w/HA 1, & SA 1** was declared passed the Senate and returned to the House for reconsideration.

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

At 4:15 p.m. the Senate reconvened with Senator Cordrey presiding.

SB 356 was brought before the Senate for consideration on motion of Senator McDowell.

SB 356 - AN ACT TO AMEND CHAPTER 90, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES.

SA 1 to SB 356, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator McDowell.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SA 1 to SB 356** was declared part of the bill.

SB 356 w/SA 1 was now before the Senate.

Lt. Governor Minner presiding at 4:18 p.m.

Senators McBride and Blevins commented. A roll call vote was taken and revealed 14 Senators voting YES, 7 (Blevins, Marshall, McBride, Sharp, Sokola, Still, Venables) NO; therefore, **SB 356 w/SA 1** was declared passed the Senate and sent to the House for consideration.

On motion of Senator Adams, the necessary rules were suspended and the roll call vote was lifted on **HB 443 w/HA 1 aab HA 1, HA 2, 3, 4, SA 7 & 5** and revealed 13 Senators voting YES, 8 (Bair, Connor, Cordrey, Hauge, Knox, Neal, Venables, Voshell) NO; therefore, **HB 443 w/HA 1 aab HA 1, HA 2, 3, 4, SA 7 & 5** was declared passed the Senate and returned to the House for reconsideration.

SB 328 was brought before the Senate for consideration on motion of Senator Vaughn.

SB 328 - AN ACT TO AMEND CHAPTER 63, TITLE 18, DELAWARE CODE, RELATING TO HEALTH SERVICE CORPORATIONS AND THE FILING OF ANNUAL REPORTS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SB 328** was declared passed the Senate and sent to the House for consideration.

SB 332 was brought before the Senate for consideration on motion of Senator Vaughn.

SB 332 - AN ACT TO AMEND SUBCHAPTER V, CHAPTER 60, TITLE 7, DELAWARE CODE RELATING TO THE ISSUANCE OF CERTIFICATE OF PUBLIC CONVENIENCE REGARDING WATER SUPPLY.

SA 1 to SB 332, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 332** was declared part of the bill.

SB 332 w/SA 1 was now before the Senate.

Senator Vaughn requested the privilege of the floor for David W. Baker, representing the Delaware Council of Farm Organizations.

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

Senator Vaughn requested the privilege of the floor for John Paradee, Senate Attorney.

The witness was excused after addressing the Senate.

Senator Martin requested the privilege of the floor for Christophe Tulou, Secretary, Department of Natural Resources and Environmental Control.

The witness was excused after addressing the Senate.

Senator McDowell requested the privilege of the floor for C. Malcolm Cochran, IV, representing Tidewater Utilities.

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

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Bair, Connor, Still) NO; therefore, **SB 332 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 390 was brought before the Senate for consideration on motion of Senator Torbert.

SB 390 - AN ACT TO AMEND CHAPTER THREE, TITLE 4 OF THE DELAWARE CODE, RELATING TO THE ABILITY OF THE DELAWARE ALCOHOLIC BEVERAGE CONTROL COMMISSION'S AUTHORITY TO ENFORCE ITS SUBPOENAS IN THE SUPERIOR COURT.

Senator Sharp commented. Senator Torbert requested the privilege of the floor for David Bowman.

The witness was excused. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore, **SB 390** was declared passed the Senate and sent to the House for consideration.

SB 370 was brought before the Senate for consideration on motion of Senator Torbert.

SB 370 - AN ACT TO AMEND CHAPTER 7, TITLE 4, OF THE DELAWARE CODE, RELATING TO THE SALE AND DELIVERY OF ALCOHOLIC LIQUOR BY THE DELAWARE ALCOHOLIC BEVERAGE CONTROL COMMISSION.

Senator Torbert requested the privilege of the floor for Don Bowman.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 370** was declared passed the Senate and sent to the House for consideration.

SENATE CONSENT CALENDAR #20 was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

HCR 75 - MOURNING THE LOSS OF JULE DE FORD, A DIRECT DESCENDANT OF PHILIP BARRATT WHO DONATED THE LAND FOR BARRATT'S CHAPEL. Sponsors: Representative Wagner & Senator Still.

HCR 76 - COMMENDING THE FREDERICA ADULT CENTER, LOCATED AT 201 SOUTH MARKET STREET, FREDERICA, DELAWARE ON ITS 20TH ANNIVERSARY AND EXTENDING BEST WISHES FOR A PROSPEROUS FUTURE. Sponsors: Representatives Bennett, Caulk; Senator Torbert.

A roll call vote was taken on **SENATE CONSENT CALENDAR # 20** and revealed 21 Senators voting YES; therefore, the Consent Calendar was declared adopted by the Senate. The House Concurrent Resolutions were returned to the House.

At 5:48 p.m. on motion of Senator Martin the Senate recessed until 2:00 p.m. June 21, 1994.

The Senate reconvened at 2:06 p.m. June 21, 1994 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Judiciary: **SB 238** - 4 Merits; **SB 313** - 4 Merits; **SB 316** - 4 Merits; **SB 361** - 4 Merits; **SB 362** - 4 Merits; **SB 363** - 4 Merits; **SB 377** - 4 Merits; **SB 378** - 4 Merits; **SB 381** - 4 Merits; **SB 382** - 4 Merits; **SB 384** - 4 Merits; **SB 387** - 4 Merits; **SB 400** - 4 Merits; **HB 364 w/HA 1** - 4 Merits; **HB 457** - 4 Merits; **HB 505** - 4 Merits.

From Administrative Services: **SB 342** - 3 Merits.

From Committee to Combat Drug Abuse: **SB 386** - 4 Merits.

From Public Safety: **SB 397** - 4 Merits; **HB 412 w/HA 1, 2 & 3** - 4 Merits.

From Natural Resources: **SB 399** - 4 Merits; **SB 405** - 4 Merits; **HB 473** - 5 Merits.

From Labor and Industrial Relations: **SB 401** - 2 Favorable, 1 Merits.

From Community/County Affairs: **SB 404** - 4 Merits; **SB 363 w/HA 1 & 2** - 3 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 116 w/HA 1**, **HB 117 w/HA 1**, **HB 247 w/HA 1**, **HB 387 w/HA 2**, **HB 418 w/HA 1**, **HB 466 w/HA 1**, **HB 494**, **HB 536**, **HB 324 w/HA 1**.

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

LEGISLATIVE ADVISORY #52, dated June 21, 1994. The following legislation was signed by Governor Thomas R. Carper on the dates indicated:

HB 441 aab SA 2 - 06/17/94 - AN ACT TO AMEND CHAPTER 71 OF TITLE 10, DELAWARE CODE RELATING TO ILLEGAL DRUG ACTIVITY AND NUISANCE. (Rep. George & Sen. McDowell) (Volume 69, Chapter 248, Laws of Delaware.)

SJR 36 - 06/19/94 - ESTABLISHING JUNE, 1994, AS FATHERHOOD MONTH IN THE STATE OF DELAWARE. (Sen. Adams, on behalf of all Senators; Rep. Spence, on behalf of all Representatives.)

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At 2:12 p.m. on motion of Senator Martin, the Senate adjourned to immediately convene for the 41st Legislative Day.

41ST LEGISLATIVE DAY
June 21, 1994

The Senate convened at 2:12 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Connor.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
June 21, 1994

The following amendments were introduced and Placed with the bill on June 16, 1994:

SA 4 to SB 298 - Sponsor: Senator Torbert.

SA 1 to SB 334 - Sponsor: Senator Blevins.

SA 2 to HB 435 - Sponsor: Senator Blevins.

The following legislation was introduced and assigned on June 21, 1994:

SS 1 to SB 88 - AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE, RELATING TO CRIMINAL PENALTIES FOR VIOLATION OF THAT CHAPTER. Sponsor: Senator McBride. To:

Adopted in lieu of the original.

SB 407 - AN ACT TO PAY CERTAIN FUNDS TO FRANK J. CARELLO, JR. FOR HIS SERVICES AS A MEMBER OF THE UNEMPLOYMENT COMPENSATION COMMISSION. Sponsors: Senator McBride; Representative Houghton (by request). To: **Insurance**.

SB 408 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. Sponsor: Senator Cordrey. To: **Administrative Services**.

SB 409 - AN ACT TO AMEND CHAPTER 14, TITLE 14 OF THE DELAWARE CODE RELATING TO THE TERMINATION OF NON-TENURED TEACHERS AT THE END OF A SCHOOL YEAR AND CHAPTER 17, TITLE 14 RELATING TO STATE APPROPRIATIONS. Sponsors: Senator McDowell and Representative Oberle; Senators Sokola and Still; Representatives Bennett, Sorenson and Spence. To: **Education**.

HB 116 w/HA 1 - AN ACT TO AMEND CHAPTER 40, TITLE 31 RELATING TO WELFARE AND THE DEPARTMENT OF HOUSING. Sponsor: Representative Roy. To: **Administrative Services**.

HB 117 w/HA 1 - AN ACT TO AMEND CHAPTER 13, TITLE 2, DELAWARE CODE RELATING TO AUDITING AND THE DELAWARE TRANSPORTATION AUTHORITY. Sponsors: Representative Roy; Representative Davis; Senators Cook, Martin. To: **Highways/Transportation**.

HB 247 w/HA 1 - AN ACT TO AMEND TITLE 14, DELAWARE CODE, BY ADDING A NEW CHAPTER 16 AND BY AMENDING CHAPTERS 13 AND 17, RELATING TO THE ESTABLISHMENT OF A COMPREHENSIVE STATEWIDE PROGRAM TO IMPROVE STUDENT DISCIPLINE IN THE PUBLIC SCHOOLS. Sponsors: Representatives Petrilli & Spence; Representatives Buckworth, Carey, Caulk, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maroney, Oberle, Quillen, Reynolds, Roy, Smith, Sorenson, Taylor, Wagner, Banning, Bennett, Bradley, Brady, Bunting, Clark, DiLiberto, B. Ennis, George, Gilligan, Holloway, Jr., Houghton, Jonkiert, Schroeder, Van Sant, West, Wojewodzki; Senators Adams, Blevins, Holloway, Sr., Marshall, McDowell, Sharp, Sokola, Torbert, Vaughn, Voshell, Bair, Connor, Hauge, Knox, Neal, Still. To: **Education**.

HB 324 w/HA 1 - AN ACT TO AMEND TITLE 14, DELAWARE CODE RELATING TO ESTABLISHING A SPEECH LANGUAGE PATHOLOGIST INCENTIVE PROGRAM. Sponsor: Representative Mack. To: **Education**.

HB 387 w/HA 2 - AN ACT TO AMEND TITLES 10 and 22, DELAWARE CODE, AUTHORIZING THE FORMATION OF MUNICIPAL BUSINESS IMPROVEMENT DISTRICTS. (2/3 vote) Sponsors: Representatives DiPinto and Senator Marshall; Representatives Amick, Buckworth, Davis, Maroney, Smith, Wagner, Bennett, George, Gilligan, Holloway, Plant; Senators Holloway, McDowell, Bair, Connor, Knox, Neal, Still, Venables. To: **Community/County Affairs**.

HB 418 w/HA 1 - AN ACT TO AMEND CHAPTER 83 OF TITLE 11 OF THE DELAWARE CODE RELATING TO THE STATE POLICE. Sponsors: Representatives Spence and Davis and Senator Sharp; Representatives Petrilli, Quillen, Amick, Buckworth, Carey, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maroney, Mack, Oberle, Reynolds, Smith, Sorenson, Taylor, Wagner, Banning, Bennett, Bradley, Brady, Bunting, DiLiberto, B. Ennis, George, Gilligan, Holloway, Jr., Houghton, Plant, Schroeder, Van Sant, West; Senators Adams, Cook, McBride, McDowell, Vaughn, Voshell, Bair, Connor, Hauge. To: **Public Safety**.

HB 466 w/HA 1 - AN ACT TO AMEND CHAPTER 35, TITLE 11 AND CHAPTER 41 OF TITLE 21 OF THE DELAWARE CODE RELATING TO CHAIN OF CUSTODY. Sponsors: Representative Van Sant; Representatives Banning, Bennett, Bradley, Brady, Buckworth, Bunting, Carey, Caulk, Clark, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, George, Gilligan, Holloway, Houghton, Jonkiert, Lee, Lofink, Mack, Plant, Reynolds, Schroeder, Sorenson, Wagner, West; Senators Blevins, Connor, Hauge, Knox, Sokola, Still, Torbert, Voshell. To: **Public Safety**.

HB 494 - AN ACT TO AMEND SUBPART D, SUBCHAPTER III, CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO THEFT AND RELATED OFFENSES. (2/3 vote) Sponsors: Representative Spence and Senator Vaughn. To: **Judiciary**.

HB 536 - AN ACT TO AMEND, CHAPTER 17, TITLE 24 OF THE DELAWARE CODE RELATING TO THE PHYSICIAN'S ASSISTANT REGULATORY COUNCIL, PRESCRIPTIVE AUTHORITY AND SCOPE OF PRACTICE OF LICENSED PHYSICIAN'S ASSISTANTS. Sponsors: Representative Bennett and Senator Blevins; Representatives Buckworth, Caulk, Oberle, B. Ennis; Senators Martin, Sokola, Voshell. To: **Administrative Services**.

The following letter of nomination for appointment from the Governor was read and assigned to the Executive Committee.

STATE OF DELAWARE
Office of the Governor
June 16, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Mr. Edmund S. Krzyzanowski, 914 Marshall Street, Wilmington, Delaware 19805, to be reappointed as a member of the New Castle County Board of Elections for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

* * * * *

A messenger from the Governor was announced and admitted.

SS 1 for SB 289 was brought before the Senate for consideration on motion of Senator Sharp.

SS 1 for SB 289 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO INSTITUTIONAL VANDALISM. (2/3 vote)

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SS 1 for SB 289** was declared passed the Senate and sent to the House for consideration.

Senators Hauge, Sokola and Blevins marked present during the above roll call.

SB 334 was brought before the Senate for consideration on motion of Senator Blevins.

SB 334 - AN ACT TO AMEND CHAPTERS 4 AND 5, TITLE 13 OF THE DELAWARE CODE, RELATING TO CHILD SUPPORT, TO PROVIDE FOR ENHANCED MEDICAL SUPPORT ENFORCEMENT AS REQUIRED BY FEDERAL LAW.

Senator Cordrey commented. Senator Blevins requested privilege of the floor for Barbara A. Paulin, representing DCSE.

The witness was excused after addressing the Senate.

SA 1 to SB 334, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 334** was declared part of the bill.

Senator McDowell marked present during the above roll call.

SA 2 to SB 334 was introduced and brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to SB 334** was declared part of the bill.

SB 334 w/SA 1 & 2 was now before the Senate.

Senator Connor commented. Senator Blevins requested the privilege of the floor for Barbara Paulin.

Senator Still commented. The witness was excused.

Senator McDowell requested the privilege of the floor for Barbara Corrozi.

The witness was excused. A roll call vote was taken and revealed 18 Senators voting YES, 2 (Adams, Vaughn) NO, 1 (Sharp) NOT VOTING; therefore, **SB 334 w/SA 1 & 2** was declared passed the Senate and sent to the House for consideration.

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

SB 335 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE FOR CHILDREN AND MEDICAID RECIPIENTS.

Senator Johnson requested the privilege of the floor for Sherri Schaeffer, Senate Attorney.

The witness was excused. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 335** was declared passed the Senate and sent to the House for consideration.

HB 435 was brought before the Senate for consideration on motion of Senator Blevins, the floor manager.

HB 435 - AN ACT TO AMEND CHAPTER 8, TITLE 13 OF THE DELAWARE CODE RELATING TO PATERNITY; AND INCLUDING PROVISIONS FOR THE VOLUNTARY ACKNOWLEDGMENT OF PATERNITY; AND TO AMEND CHAPTER 31, TITLE 16 OF THE DELAWARE CODE, RELATING TO VITAL STATISTICS, TO PROVIDE FOR AN IN-HOSPITAL PROCEDURE FOR VOLUNTARY ACKNOWLEDGMENT OF PATERNITY; AND TO AMEND CHAPTER 13, TITLE 13 OF THE DELAWARE CODE RELATING TO ILLEGITIMATE CHILDREN.

SA 1 to HB 435, which had been previously placed with the bill, was stricken on motion of Senator Blevins.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SA 2 to HB 435** was declared part of the bill.

HB 435 w/SA 2 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 435 w/SA 2** was declared passed the Senate and returned to the House for reconsideration.

HB 393 w/HA 2 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 393 w/HA 2 - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR SALES OF FIREARMS.

Senators McBride, Torbert and Knox commented.

Senator Voshell requested the privilege of the floor for Lt. David E. Deaty, representing Delaware State Police.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 393 w/HA 2** was declared passed the Senate and returned to the House.

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

SB 298 - AN ACT TO AMEND PART C, CHAPTER 9, TITLE 10, DELAWARE CODE, RELATING TO GRANDPARENTAL VISITATION RIGHTS.

SA 1 to SB 298, which had been previously placed with the bill, was stricken on motion of Senator Torbert.

SA 2 to SB 298, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Torbert.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore, **SA 2 to SB 298** was declared part of the bill.

SA 3 to SB 298, which had been previously placed with the bill, was stricken on motion of Senator Torbert.

SA 4 to SB 298, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Torbert.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 4 to SB 298** was declared part of the bill.

SB 298 w/SA 2 & 4 was now before the Senate.

Senator Henry commented. Senator Torbert requested the privilege of the floor for John Paradee, Senate Attorney.

The witness was excused. Senator Torbert requested the privilege of the floor for John Cordrey, Senator Attorney.

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

Senator Torbert moved to lay **SB 298 w/SA 2 & 4** on the table.

HB 455 w/HA 1 was brought before the Senate for consideration on motion of Senator Torbert, the floor manager.

HB 455 w/HA 1 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FEES FOR PERMITS, LICENSES, AND CERTIFICATIONS BY THE STATE FIRE PREVENTION COMMISSION. (3/5 vote)

Senator Torbert requested the privilege of the floor for Donald P. Donovan, representing the State Fire Marshall's Office.

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

Senator Torbert requested the privilege of the floor for John Paradee, Senate Attorney.

The witness was excused. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Knox) ABSENT; therefore, **HB 455 w/HA 1** was declared passed the Senate and returned to the House.

SB 298 w/SA 2 & 4 was lifted from the table and brought before the Senate for consideration on motion of Senator Torbert.

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

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SB 298 w/SA 2 & 4** was declared passed the Senate and sent to the House for consideration.

SB 391 was brought before the Senate for consideration on motion of Senator Voshell.

SB 391 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE COVERAGE.

Senator Neal commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Neal) NO; therefore, **SB 391** was declared passed the Senate and sent to the House for consideration.

SB 304 was brought before the Senate for consideration on motion of Senator Connor.

SB 304 - AN ACT TO AMEND VOLUME 27, CHAPTER 216, LAWS OF DELAWARE, AS AMENDED, BEING THE CHARTER OF THE CITY OF NEW CASTLE AND RELATING TO THE ACTING TREASURER AND THE SALARY OF THE CITY CLERK. (2/3 vote)

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 304** was declared passed the Senate and sent to the House for consideration.

At 4:04 p.m. on motion of Senator Martin the Senate recessed for Party Caucus.

At 5:20 p.m. the Senate reconvened with Lt. Governor Minner presiding.

SB 396 was brought before the Senate for consideration on motion of Senator Vaughn.

SB 396 - AN ACT TO AMEND CHAPTER 12, TITLE 20, OF THE DELAWARE CODE RELATING TO THE INTERMENT OF NATIONAL GUARD AND RESERVE.

SA 1 to SB 396 was brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 396** was declared part of the bill.

SB 396 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 396 w/SA 1** was declared passed the Senate and sent to the House for consideration.

HB 315 w/HA 1 & 2 was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

HB 315 w/HA 1 & 2 - AN ACT TO AMEND CHAPTER 19, PART II, TITLE 7, DELAWARE CODE AND ADD A NEW CHAPTER 28 TO PART II, TITLE 7, DELAWARE CODE RELATING TO FISHING, POTTING, OR DREDGING FOR CONCHS. (2/3 vote)

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 315 w/HA 1 & 2** was declared passed the Senate and returned to the House.

HB 427 w/HA 4 was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

HB 427 w/HA 4 - AN ACT TO AMEND TITLES 18 AND 24 OF THE DELAWARE CODE RELATING TO NURSING BY CHANGING THE QUALIFICATIONS AND AUTHORIZATION TO PRACTICE OF ADVANCED NURSES.

Senator Blevins requested the privilege of the floor for Judy Hendricks, representing the Board of Nursing.

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

HB 427 w/HA 4 was laid on the table on motion of Senator Blevins.

A messenger from the Governor was announced and admitted.

At 6:04 p.m. on motion of Senator Martin the Senate recessed until 4:00 p.m. June 22, 1994.

The Senate reconvened at 4:20 p.m. June 22, 1994 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Corrections: **SB 398** - 1 Favorable, 3 Merits; **SB 403** - 4 Merits.

From Executive: **SB 402** - 6 Merits.

From Insurance/Elections: **SB 407** - 4 Merits.

From Education: **SB 409** - 3 Merits; **HB 247 w/HA 1** - 4 Merits; **HB 324 w/HA 1** - 4 Merits.

From Children/Youth and Families: **HB 316** - 3 Merits.

From Revenue and Taxation: **HB 426 w/HA 1** - 3 Merits.

From Labor and Industrial Relations: **HB 518 w/HA 1** - 3 Merits; **HB 528 w/HA 1** - 3 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 528 w/HA 1, HB 62 w/HA 1, HB 515 w/HA 1, HB 426 w/HA 1, HB 533 w/HA 1, HB 579, HB 523, HB 524, HB 551, HB 490 w/HA 3, HB 565 w/HA 1, HB 512 w/HA 1, HB 504, HB 518 w/HA 1, HB 561, HB 520, HB 408, HS 2 for HB 352, HB 587, HB 544, HB 527, HB 526, HB 477, HB 540, HB 453, HB 478, SB 336 w/HA 1, SB 353 w/SA 1, SB 360, SB 357, SB 343, SB 326, SB 325, SB 324, SB 323, SB 312, SB 311, SB 310, SB 188.**

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

LEGISLATIVE ADVISORY #53, dated June 21, 1994. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

HB 318 aab SA 1 aab SA 1 to SA 1 & SA 2 - 06/16/94 - AN ACT TO AMEND CHAPTER 47, TITLE 29 OF THE DELAWARE CODE RELATING TO DNA ANALYSIS AND DATA BANK, AND TO AMEND CHAPTER 35, TITLE 11 OF THE DELAWARE CODE TO PROVIDE DNA PROFILE ADMISSIBILITY. (Reps. Brady and Schroeder; Reps. Banning, Bennett, Bradley, Bunting, Clark, B. Ennis, Houghton, Jonkiert, Van Sant, West, Amick, Carey, Caulk, Davis, D. Ennis, J. Ewing, Lee, Lofink, Mack, Oberle, Quillen, Reynolds, Roy, Sorenson, Smith, Spence, Wagner; Sens. Holloway, Sokola, Vaughn, Voshell, Knox, Neal, Still) (Volume 69, Chapter 249, Laws of Delaware.)

HB 434 - 06/21/94 - AN ACT TO AMEND TITLE 11 AND TITLE 29 OF THE DELAWARE CODE RELATING TO COMPENSATION FOR INNOCENT VICTIMS OF CRIME, AND PROVIDING FOR CLAIMS TO BE FILED BY CLAIM NUMBER. (Rep. Banning and Sen. Vaughn; Reps. Bennett, Bradley, Bunting, Caulk, B. Ennis, D. Ennis, Ewing, Fallon, Jonkiert, Lee, Lofink, Maroney, Plant, Quillen, Reynolds, Roy, Schroeder, Sorenson, Van Sant, West) (Volume 69, Chapter 250, Laws of Delaware.)

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At 4:24 p.m. on motion of Senator Martin, the Senate adjourned to immediately convene for the 42nd Legislative Day.

42ND LEGISLATIVE DAY

June 22, 1994

The Senate convened at 4:24 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Cordrey.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

June 22, 1994

The following amendments were introduced and Placed with the bill on June 21, 1994:

SA 1 to SB 368 - Sponsor: Senator Neal.

SA 1 to SB 374 - Sponsor: Senator Bair.

SA 1 to SB 377 - Sponsor: Senator McDowell

SA 1 to SB 378 - Sponsor: Senator McDowell

SA 1 to SB 379 - Sponsor: Senator Voshell.

SA 1 to SB 399 - Sponsor: Senator Torbert.

SA 1 to SB 401 - Sponsor: Senator Marshall.

SA 1 to SB 402 - Sponsor: Senator Vaughn.

The following legislation was reassigned on June 21, 1994:

HB 536 - AN ACT TO AMEND, CHAPTER 17, TITLE 24 OF THE DELAWARE CODE RELATING TO THE PHYSICIAN'S ASSISTANT REGULATORY COUNCIL, PRESCRIPTIVE AUTHORITY AND SCOPE OF PRACTICE OF LICENSED PHYSICIAN'S ASSISTANTS. Sponsors: Representative Bennett and Senator

Blevins; Representatives Buckworth, Caulk, Oberle, B. Ennis; Senators Martin, Sokola, Voshell. Reassigned to: **Health and Social Services**.

The following legislation was introduced and assigned on June 22, 1994:

SB 410 - AN ACT TO AMEND CHAPTER 83, TITLE 11 OF THE DELAWARE CODE RELATING TO STATE POLICE. Sponsor: Senator Sharp. To: **Public Safety**.

SB 411 - AN ACT TO AMEND CHAPTER 8, TITLE 26 OF THE DELAWARE CODE RELATING TO UNDERGROUND UTILITY DAMAGE PREVENTION AND SAFETY. Sponsors: Senators Sharp, Representatives Petrilli, Roy. To: **Administrative Services**.

SB 412 - AN ACT TO AMEND AN ACT BEING CHAPTER 428, VOLUME 50 OF THE LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF ELSMERE, NEW CASTLE COUNTY" TO PERMIT REGULAR MUNICIPAL ELECTIONS FOR ELECTED OFFICIALS OF THE TOWN OF ELSMERE EVERY FOUR YEARS. (2/3 vote) Sponsors: Senator Blevins and Representative Van Sant and Representative Houghton. To: **Community/County Affairs**.

SB 413 - AN ACT TO AMEND THE DELAWARE CODE RELATING TO THE NAME OF THE DELAWARE DEVELOPMENT OFFICE. Sponsors: Senator Venables; Representatives D. Ennis, DiPinto, Smith, Wagner, Houghton, Jonkiert, and Bennett. To: **Executive**.

HB 62 w/HA 1 - AN ACT TO AMEND TITLE 19 AND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE LABOR LAWS. Sponsor: Representative Oberle. To: **Small Business**.

HS 2 to HB 352 - AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE, RELATING TO BUMPER, FRAME RAIL AND BODY HEIGHTS. (2/3 vote) Sponsors: Representative Quillen, Representative DiPinto; Senator Connor. To: **Public Safety**.

HB 408 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF LEWES, BEING CHAPTER 196, VOLUME 22 OF THE LAWS OF DELAWARE, AS AMENDED, RELATING TO THE BOARD OF PUBLIC WORKS. (2/3 vote) Sponsors: Representative Schroeder and Senator Voshell. To: **Community/County Affairs**.

HB 426 w/HA 1 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. Sponsors: Representative Banning and B. Ennis; Senator Vaughn. To: **Revenue and Taxation**.

HB 453 - AN ACT TO AMEND CHAPTER 19, TITLE 7 OF THE DELAWARE CODE RELATING TO THE COMMERCIAL CRAB POT LICENSE. Sponsors: Representative Carey; Representative Bunting; Senator Venables. To: **Natural Resources**.

HB 477 - AN ACT TO AMEND CHAPTER 5, TITLE 10 OF THE DELAWARE CODE TO PROVIDE FOR COMMISSIONERS OF THE SUPERIOR COURT AND THE COURT OF COMMON PLEAS. Sponsors: Representatives Buckworth and Ewing; Senator Martin. To: **Judiciary**.

HB 478 - AN ACT TO AMEND CHAPTER 9, TITLE 18 OF THE DELAWARE CODE RELATING TO THE STANDARDS FOR CREDIT REINSURANCE. Sponsors: Representative D. Ennis and Senator Vaughn; Representatives Smith, DiPinto, Wagner, Bennett, Houghton, Jonkiert. To: **Insurance/Elections**.

HB 490 w/HA 3 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD RESTRAINT LAWS. Sponsors: Representative Maroney and Senator Voshell; Representative Spence, Petrilli, Buckworth, Carey, Davis, DiPinto, D. Ennis, Mack, Reynolds, Roy, Sorenson, Taylor, Banning, Bradley, Bunting, George, Gilligan, Plant, Schroeder, Wojewodzki; Senators Blevins, Sokola, Bair, Neal, Henry, Knox. To: **Public Safety**.

HB 504 - AN ACT PROPOSING THE DELETION OF ARTICLE XII OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE STATE BOARD OF HEALTH. (2/3 vote) Sponsors: Representative Maroney and Senator Blevins; Representatives Buckworth, Davis, DiPinto, D. Ennis, Ewing, Lee, Quillen, Reynolds, Smith, Sorenson, Wagner, Banning, Bradley, Bunting, B. Ennis, Houghton, Schroeder, Van Sant, Wojewodzki. (2/3 vote) To: **Health/Social Services**.

HB 512 w/HA 1 - AN ACT TO AMEND TITLES 7, 16, AND 29 OF THE DELAWARE CODE RELATING TO THE TRANSFER OF CERTAIN RESPONSIBILITIES FROM THE STATE BOARD OF HEALTH TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. Sponsors: Representatives Schroeder and Carey and Senator McBride; Representatives Bradley, Bunting, Clark, Wojewodzki, Jonkiert, Amick; Senators Sokola, Cordrey, Knox, Voshell. To: **Natural Resources**.

HB 515 w/HA 1 - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORK CONTRACTS. Sponsors: Representative Oberle and Senator Marshall. To: **Small Business**.

HB 518 w/HA 1 - AN ACT TO AMEND CHAPTER 59, TITLE 29, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A MERIT EMPLOYEE RELATIONS BOARD AND THE ADMINISTRATION OF THE MERIT SYSTEM. Sponsors: Representatives Wagner and Oberle and Senator Marshall; Representatives Spence, Petrilli, Buckworth, Carey, Caulk, Davis, DiPinto, D. Ennis, Fallon, Mack, Quillen, Reynolds, Sorenson, Banning, Bennett, Bradley, Brady, Bunting, Clark, B. Ennis, George, Gilligan, Houghton,

Jonkiert, Plant, Van Sant, West, Wojewodzki. To: Labor.

HB 520 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF FELTON", BEING CHAPTER 349, 63 LAWS OF DELAWARE. (2/3 vote) Sponsors: Representative Quillen and Senator Cook. To: Community/County Affairs.

HB 523 - AN ACT TO AMEND TITLES 4 AND 29 OF THE DELAWARE CODE RELATING TO THE TRANSFER OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO THE DEPARTMENT OF PUBLIC SAFETY. Sponsors: Representative Van Sant; Representatives Amick, Banning, Bradley, Clark, B. Ennis, Ewing, Gilligan, Houghton, Jonkiert, West; Senators Torbert, Voshell. To: Public Safety.

HB 524 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF FIREARMS BY CERTAIN PROHIBITED INDIVIDUALS. Sponsors: Representatives Bradley and Schroeder; Representatives Banning, Bennett, Bradley, Buckworth, Bunting, Carey, Caulk, Clark, B. Ennis, D. Ennis, Ewing, Gilligan, Holloway, Houghton, Jonkiert, Lofink, Plant, Plant, Sorenson, Smith, Spence, Van Sant, Wagner, West, Wojewodzki; Senators Blevins, Henry, Knox, Sokola, Still, Vaughn, Voshell. To: Public Safety.

HB 526 - AN ACT TO AMEND §5301(a), TITLE 11 OF THE DELAWARE CODE RELATING TO JURIES IN CRIMINAL TRIALS IN THE COURT OF COMMON PLEAS IN NEW CASTLE COUNTY. Sponsor: Representative DiLiberto; Representative Amick, Senators Sharp, Vaughn, Bair. To: Judiciary.

HB 527 - AN ACT TO AMEND §1314, TITLE 10 OF THE DELAWARE CODE RELATING TO THE AMOUNT IN CONTROVERSY FOR CIVIL JURISDICTION OF THE COURT OF COMMON PLEAS. Sponsors: Representative DiLiberto; Representative Amick; Senators Sharp, Vaughn, Bair. To: Judiciary.

HB 528 w/HA 1 - AN ACT TO AMEND SECTION 6912, TITLE 29 OF THE DELAWARE CODE, RELATING TO PREVAILING WAGE. Sponsors: Representative Oberle and Senator Marshall. To: Labor.

HB 533 w/HA 1 - AN ACT TO AMEND TITLES 2, 3, 7, 10, 11, 16, 17, 24 AND 31 OF THE DELAWARE CODE, TO PROVIDE THAT APPEALS FROM THE JUSTICE OF THE PEACE COURTS SHALL BE VESTED IN THE COURT OF COMMON PLEAS. Sponsors: Representative Amick, and Senator Sharp; Representative Di Liberto; Senators Vaughn and Bair. To: Judiciary.

HB 540 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE PRESERVATION OF INLAND BAYS, AND CREATING THE INLAND BAYS' WATERSHED ENHANCEMENT ACT. Sponsors: Representative Schroeder; Representatives Bunting, Carey, Ewing, Fallon, Lee, Schroeder, West; Senators Cordrey, Venables, Voshell. To: Natural Resources.

HB 544 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE TO RAISE THE CIVIL JURISDICTION OF THE JUSTICE OF THE PEACE COURT FROM \$5,000 TO \$15,000. Sponsors: Representative Amick and Senator Sharp; Representative DiLiberto; Senators Vaughn and Bair. To: Judiciary.

HB 551 - AN ACT TO AMEND CHAPTER 45, TITLE 10 OF THE DELAWARE CODE RELATING TO COMPENSATION OF JURORS. Sponsors: Representative DiLiberto; Representative Amick. To: Judiciary.

HB 561 - AN ACT TO AMEND TITLES 11 AND 24 OF THE DELAWARE CODE RELATING TO THE TRANSFER OR SALE OF FIREARMS BY UNLICENSED PERSONS. Sponsor: Representative Van Sant. To: Public Safety.

HB 565 w/HA 1 - AN ACT TO AMEND ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE TO PROVIDE FOR THE INCLUSION OF THE FAMILY COURT AND THE COURT OF COMMON PLEAS AS COURTS ESTABLISHED BY THE CONSTITUTION OF THE STATE OF DELAWARE. (2/3 vote) Sponsors: Representative DiLiberto; Representative Amick; Senators Sharp, Vaughn, Bair. To: Judiciary.

HB 579 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE, TO PROVIDE THAT APPEALS FROM THE JUSTICE OF THE PEACE COURT SHALL BE VESTED IN THE COURT OF COMMON PLEAS. Sponsors: Representative DiLiberto and Senator Sharp; Representative Amick; Senators Vaughn and Bair. To: Judiciary.

HB 587 - AN ACT TO AMEND CHAPTER 45, TITLE 10 OF THE DELAWARE CODE RELATING TO SELECTION AND SUMMONING OF JURY PANELS. Sponsors: Representative DiLiberto; Representative Amick and Senators Bair, Sharp and Vaughn. To: Judiciary.

The following letters of nomination for appointment from the Governor were read and assigned to the Executive Committee.

STATE OF DELAWARE
Office of the Governor
June 21, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Ms. Jeni L. Coffelt, R.D. 2, Box 226K, Millsboro, Delaware 19966 to be appointed as a Justice of the Peace for Sussex County for a four year term to replace William W. Henning, Jr.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
June 21, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Lozelle J. DeLuz, Ph.D., 110 Lovering Avenue, #1210, Wilmington, Delaware 19806, to be appointed to the University of Delaware Board of Trustees for a six-year term to replace Ruth Oates-Graham.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
June 21, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and reappoint for the consent and confirmation of the Senate the following:
Mr. Gary E. Grubb, 254 Pine Valley Road, Dover, Delaware 19901, to be reappointed as a Family Court Commissioner for a four-year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
June 21, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Mr. John P. Healy, 104 Dasher Avenue, Bear, Delaware 19701, to be appointed as a Director of the Delaware Solid Waste Authority for a three-year term to replace Robert J. Hanson.

Your consideration of this nomination is appreciated.

Sincerely,

(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
June 21, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Mr. W. Allen Jones, 57 Pine Reach, Rehoboth Beach, Delaware 19971, to be reappointed as a member of the Unemployment Insurance Appeals Board for a six-year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
June 21, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Mr. Fred Kenney, 9 Belmont Drive, Wilmington, Delaware 19808, to be reappointed as a Family Court Commissioner for a four-year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

* * * * *
STATE OF DELAWARE
Office of the Governor
June 21, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Mr. Joseph R. Slights, Jr., 30 Hazel Road, Dover, Delaware 19901, to be reappointed as a member of the Kent County Board of Elections for a four-year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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The necessary rules were suspended on motion of Senator Marshall in order to bring **SB 336 w/HA 1** before the Senate for consideration.

SB 336 w/HA 1 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO CHANGING CRIMINAL PENALTIES TO CIVIL PENALTIES FOR VIOLATIONS OF LABOR LAWS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 336 w/HA 1** was declared passed the Senate and sent to the Governor.

Senators Cook, Hauge and McDowell marked present during the above roll call.

A messenger from the Governor was announced and admitted.

HB 510 w/HA 1 was brought before the Senate for consideration on motion of Senator Adams, the floor manager.

HB 510 w/HA 1 - AN ACT TO REDESIGNATE EXISTING CHAPTER 74A OF TITLE 16 OF THE DELAWARE CODE AS CHAPTER 100 OF TITLE 16 OF THE DELAWARE CODE, AND TO ADD A NEW CHAPTER 101 TO TITLE 16 OF THE DELAWARE CODE TO PROVIDE AUTHORITY FOR EACH COUNTY OF THIS STATE TO ESTABLISH AND OPERATE A FUND TO BE USED TO REIMBURSE COUNTY AND LOCAL GOVERNMENTAL COSTS ASSOCIATED WITH 911 EMERGENCY REPORTING SYSTEMS FUND.

Senator Sokola commented. Senator Adams requested the privilege of the floor for Bob Maxwell, representing New Castle County.

Several Senators questioned the witness, after which the witness was excused. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Neal) NO; therefore, **HB 510 w/HA 1** was declared passed the Senate and returned to the House.

HB 427 w/HA 4 was lifted from the table and brought before the Senate for consideration on motion of Senator Blevins, the floor manager.

HB 427 w/HA 4 - AN ACT TO AMEND TITLES 18 AND 24 OF THE DELAWARE CODE RELATING TO NURSING BY CHANGING THE QUALIFICATIONS AND AUTHORIZATION TO PRACTICE OF ADVANCED NURSES.

Senator Blevins requested the privilege of the floor for Jorge A. Pereira-Ogan, M.D., representing the Medical Society of Delaware.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 427 w/HA 4** was declared passed the Senate and returned to the House.

HB 479 w/HA 1 was brought before the Senate for consideration on motion of Senator Blevins, the floor manager.

HB 479 w/HA 1 - AN ACT TO AMEND TITLES 24 AND 29 OF THE DELAWARE CODE RELATING TO OCCUPATIONS AND PROFESSIONS AND PROVIDING FOR THE CERTIFICATION OF DIETITIANS/NUTRITIONISTS. (3/5 vote)

SA 1 to HB 479, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Blevins.

Senator Bair commented. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Sharp, Venables) ABSENT; therefore, **SA 1 to HB 479** was declared part of the bill.

SA 2 to HB 479 was stricken on motion of Senator Blevins.

Senator Blevins requested the privilege of the floor for Linda Brugler, representing the Delaware Dietetic Association.

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

Senators McDowell and Vaughn commented. Senator Blevins again requested the privilege of the floor for Linda Brugler. The witness was excused after addressing the Senate.

Senator Blevins requested the privilege of the floor for Sherri Schaeffer, Senate Attorney.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 479 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

HB 436 w/HA 2 was brought before the Senate for consideration on motion of Senator Blevins, the floor manager.

HB 436 w/HA 2 - AN ACT TO AMEND CHAPTER 5, TITLE 16 OF THE DELAWARE CODE RELATING TO TUBERCULOSIS CONTROL.

SA 1 to HB 436, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 436** was declared part of the bill.

HB 436 w/HA 2 & SA 1 was now before the Senate.

Senator Blevins requested the privilege of the floor for Charles Konigsberg, Jr., M.D., representing the Division of Public Health.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 436 w/HA 2 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

SB 388 was brought before the Senate for consideration on motion of Senator Adams.

SB 388 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO STATE

FORESTRY AND SEDIMENTATION AND EROSION CONTROL.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 388** was declared passed the Senate and sent to the House for consideration.

SB 394 was brought before the Senate for consideration on motion of Senator Cordrey.

SB 394 - AN ACT TO AMEND TITLE 25, DELAWARE CODE RELATING TO AGRICULTURAL LEASES.

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

Senators Connor and McDowell questioned the witness, after which the witness was excused. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 394** was declared passed the Senate and sent to the House for consideration.

SB 395 was brought before the Senate for consideration on motion of Senator Adams.

SB 395 - AN ACT TO AMEND TITLE 7, DELAWARE CODE RELATING TO EROSION AND SEDIMENTATION CONTROL.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 395** was declared passed the Senate and sent to the House for consideration.

SB 422 was introduced and brought before the Senate for consideration on motion of Senator Sharp, under the suspension of the necessary rules.

SB 422 - AN ACT TO AMEND TITLE 11 AND TITLE 29 OF THE DELAWARE CODE TO ESTABLISH A GRIEVANCE PROCEDURE FOR PRISONERS, A MECHANISM FOR SANCTIONING FRIVOLOUS PRISONER LITIGATION, AND THE AUTHORITY TO RECOUP CERTAIN EXPENSES FROM PRISONERS. Sponsors: Sens. Sharp, Vaughn, Still, Reps. Spence, Oberle.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) NOT VOTING; therefore, **SB 422** was declared passed the Senate and sent to the House for consideration.

SB 376 was stricken on motion of Senator Sharp.

On motion of Senator McBride, under the suspension of the necessary rules, **SS 1 for SB 33** was brought before the Senate for consideration.

SS 1 to SB 33 - AN ACT TO AMEND CHAPTER 60 AND CHAPTER 63, TITLE 7 OF THE DELAWARE CODE, RELATING TO CRIMINAL PENALTIES FOR VIOLATIONS OF THE PROVISIONS OF SAID CHAPTERS.

SA 1 to SB 33 was introduced and brought before the Senate for consideration on motion of Senator McBride.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 33** was declared part of the bill.

SA 2 to SB 33 was introduced and brought before the Senate for consideration on motion of Senator McBride.

Senators Knox, Adams and Torbert commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to SB 33** was declared part of the bill.

SS 1 to SB 33 w/SA 1 & 2 was now before the Senate.

At 6:00 p.m. on motion of Senator Martin the Senate recessed for the purpose of changing the tape.

At 6:05 p.m. the Senate reconvened with Lt. Governor Minner presiding.

SS 1 to SB 33 w/SA 1 & 2 was still before the Senate.

Senator McBride requested the privilege of the floor for Marilyn O'Neal, representing the Chesapeake Water Environment Association.

The witness was excused after addressing the Senate.

Several Senators commented. Senator McBride requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused. A roll call vote was taken and revealed 18 Senators voting YES; 3 (Adams, Cordrey, Vaughn) NO; therefore, **SS 1 to SB 33 w/SA 1 & 2** was declared passed the Senate and sent to the House for consideration.

At 6:18 p.m. on motion of Senator Martin the Senate recessed until 2:00 p.m. June 23, 1994.

The Senate reconvened at 2:25 p.m. June 23, 1994 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Health and Social Services: **SB 406** - 5 Merits; **HB 536** - 4 Merits.

From Administrative Services: **SB 411** - 3 Merits.

From Community/County Affairs: **SB 412** - 3 Merits; **HB 408** - 4 Merits; **HB 520** - 4 Merits.

From Public Safety: **HS 2 for HB 352** - 3 Merits; **HB 418 w/HA 1** - 3 Merits; **HB 490 w/HA 3** - 3 Merits; **HB 523** - 4 Merits; **HB 524** - 4 Merits; **HB 561** - 4 Merits.

From Labor and Industrial Relations: **HB 466 w/HA 1** - 4 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 517, HB 569, HB 401, HB 570, HB 276, HB 241, HB 602, HB 537, HB 288 w/HA 3, 5, 7 & 9, HS 1 to HB 344 w/HA 1, SB 44 w/SA 2 & 4, HA 1 & 2, SB 339, SB 338, SB 299, SB 345, SB 373 w/SA 1, 2, 4, 5 & 6, SB 333 w/SA 1, SB 340, SB 306, SB 307, SB 283 w/SA 3, SCR 73, HCR 74, HCR 77.**

LEGISLATIVE ADVISORY #54 from the Office of Counsel to the Governor was announced for the record, partially read and copies made available to the members upon request.

LEGISLATIVE ADVISORY #54, dated June 23, 1994. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

HB 331 aab HA 1, 3, 5, 7 & 8 - 06/22/94 - AN ACT TO AMEND CHAPTER 93, TITLE 16, DELAWARE CODE RELATING TO HEALTH PLANNING AND RESOURCES MANAGEMENT. (Rep. Maroney and Rep. Gilligan and Sen. Holloway, Sr.; Reps. DiPinto, Jonkiert, Bradley) (Volume 69, Chapter 251, Laws of Delaware.)

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At 2:27 p.m. on motion of Senator Martin, the Senate adjourned to immediately convene for the 43rd Legislative Day.

43RD LEGISLATIVE DAY

June 23, 1994

The Senate convened at 2:27 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Adams.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

June 23, 1994

The following amendments were introduced and Placed with the bill on June 22, 1994:

SA 2 to SB 399 - Sponsor: Senator Torbert.

SA 2 to SB 401 - Sponsor: Senator Marshall.

SA 1 to SB 406 - Sponsor: Senator Blevins.

SA 1 to SB 409 - Sponsor: Senator McDowell.

SA 1 to HB 127 - Sponsor: Senator Vaughn.

SA 1 to HB 324 - Sponsor: Senator Sokola.

The following legislation was introduced and assigned on June 23, 1994:

SS 1 TO SB 85 - AN ACT TO AMEND CHAPTER 12, TITLE 14 OF THE DELAWARE CODE RELATING TO PROVISIONAL CERTIFICATES. Sponsors: Senator Hauge, Senator Neal; Representative Fallon. To: **Adopted in lieu of the original**.

SB 414 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE EXERCISE OF FIRST AMENDMENT RIGHTS BY PUBLIC SCHOOL STUDENTS. Sponsors: Senator Venables and Representative Holloway; Senators Adams, Bair, Connor, Cordrey, Hauge, Henry, Marshall, McBride, Neal, Sharp, Sokola, Still, Torbert, Vaughn; Representatives Amick, Bunting, D. Ennis, Ewing, Jonkiert, Maroney, Sorenson, Spence. To: **Laid on the Table**.

SB 415 - AN ACT TO AMEND CHAPTER 42, TITLE 11 OF THE DELAWARE CODE. (2/3 vote) Sponsors: Senator McDowell and Senator Blevins and Representatives Van Sant and Representatives Sorenson, Lee, Buckworth and Maroney. To: **Children/Youth and Their Families**.

SB 416 - AN ACT TO AMEND CHAPTER 21, TITLE 11 OF THE DELAWARE CODE. (2/3 vote) Sponsors: Senator McDowell and Senator Blevins and Representative Van Sant and Representative Sorenson, Representatives Lee, Buckworth and Maroney. To: **Children/Youth and Their Families**.

SB 417 - AN ACT TO AMEND TITLE 18 AND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE EMPLOYEE BENEFITS. Sponsors: Senator Marshall; Representative Bennett; Senators Torbert, Voshell, Sokola, Blevins; Representatives Gilligan, Clark, Schroeder, B. Ennis, Banning, George, Bradley, Wojewodzki, Amick, Jonkiert, West. (Representative Gilligan requested that his name be removed as a co-sponsor.) To: **Labor**.

SB 418 - AN ACT TO AMEND CHAPTER 44, TITLE 6 OF THE DELAWARE CODE RELATING TO HOME SOLICITATION SALES. Sponsors: Senator Connor and Senator McBride; Representatives DiPinto, D. Ennis, Reynolds, Houghton. To: **Banking**.

SB 419 - AN ACT TO AMEND CHAPTER 11, TITLE 19 OF THE DELAWARE CODE RELATING TO

WAGE PAYMENT. Sponsors: Senator Connor; Representative Lofink. To: **Banking**

SB 423 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN THE CITY OF WILMINGTON, KNOWN AS THE BRIDGE HOUSE. Sponsors: Senator Marshall; Senators McBride, McDowell, Vaughn, Connor and Henry; Representatives Bunting, George, Holloway, Jonkiert, Plant and DiPinto. (Representative George requested that his name be removed as a co-sponsor.) To: **Community/County Affairs**.

SB 424 - AN ACT TO AMEND CHAPTER 29, TITLE 30 OF THE DELAWARE CODE RELATING TO TAX ON WHOLESALERS' RECEIPTS. Sponsors: Senator Voshell; Senators Adams, Bair, Blevins, Cordrey, Cook, Connor, Marshall, Martin, McBride, Neal, Sokola, Still, Torbert, Venables and Vaughn; Representatives Amick, Bennett, Brady, Caulk, Holloway, Houghton, Schroeder, Van Sant, Wagner and West. To: **Laid on the Table**.

SB 425 - AN ACT TO AMEND CHAPTER 29, TITLE 30 OF THE DELAWARE CODE RELATING TO TAX ON WHOLESALERS' GROSS RECEIPTS. Sponsors: Senator Voshell; Senators Adams, Bair, Blevins, Cordrey, Cook, Connor, Marshall, Martin, McBride, Neal, Sokola, Still, Torbert, Venables, Vaughn; Representatives Amick, Bennett, Brady, Caulk, Holloway, Houghton, Schroeder, Van Sant, Wagner and West. To: **Revenue and Taxation**.

HB 288 w/HA 3, 5, 7 & 9 - AN ACT TO AMEND CHAPTER 17, TITLE 24, AND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO NOTICE OF ABORTIONS PERFORMED ON MINORS. Sponsors: Representative Taylor and Senator Torbert; Representatives Spence, Petrilli, Buckworth, Carey, Caulk, Davis, DiPinto, D. Ennis, Lee, Lofink, Jonkiert, Plant, West, Senators Connor, Still, Adams, Marshall. To: **Health/Social Services**.

HS 1 TO HB 344 w/HA 1 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE FRAUD. (3/5 vote) Sponsors: Representative Bradley and Senators Vaughn, Sokola, and Blevins; Representatives Bennett, Brady, Bunting, Gilligan, Wojewodzki, D. Ennis, Senator Still. To: **Insurance**.

HB 401 - AN ACT TO AMEND CHAPTER 97, TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE EMERGENCY MEDICAL SERVICE ADVISORY COUNCIL. Sponsors: Representative B. Ennis; Senator Torbert; Representatives Banning, Van Sant, West, Clark, Brady, Ewing; Senator Vaughn. To: **Health/Social Services**.

HB 517 - AN ACT TO AMEND CHAPTER 74, TITLE 7 OF THE DELAWARE CODE RELATING TO UNDERGROUND STORAGE TANKS. Sponsors: Representatives Mack and Carey; Senator McBride. To: **Natural Resources**.

HB 537 - AN ACT TO WAIVE THE STATUTORY PROVISIONS OF §107(a), TITLE 13, OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF ROBERT CHRISTIAN ACKERMAN AND KAREN SMOLSKIS. Sponsor: Representative Bunting. To: **Executive**.

HB 569 - AN ACT TO AMEND CHAPTER 50, TITLE 29 RELATING TO AUDITING THE DELAWARE ECONOMIC DEVELOPMENT AUTHORITY. Sponsors: Representatives Bennett & Vaughn; Representatives Amick, Schroeder, Wojewodzki, Gilligan, Bunting, West, Banning, Bradley, Clark, B. Ennis, Jonkiert, Van Sant, Smith; Senator Voshell. To: **Banking**.

HB 570 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, ESTABLISHING A WASTEWATER FACILITIES ADVISORY COUNCIL AND PRESCRIBING ITS DUTIES AND FISCAL RESPONSIBILITIES. Sponsors: Representative Schroeder; Representatives Bennett, Bradley, Bunting, Jonkiert, Van Sant, West; Senator Vaughn. To: **Natural Resources**.

HB 602 - AN ACT AMENDING CHAPTER 84 OF TITLE 29, DELAWARE CODE, RELATING TO THE CAPITOL IMPROVEMENT PROGRAM OF THE DEPARTMENT OF TRANSPORTATION. Sponsors: Representative Roy and Senator Sharp; Representatives Taylor, Oberle, Carey, Jonkiert, B. Ennis; Senators Cook, McBride, Venables, Hauge and Knox. To: **Highways/Transportation**.

The following letters of nomination for appointment from the Governor were read and assigned to the Executive Committee.

STATE OF DELAWARE
Office of the Governor
June 22, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and reappoint for the consent and confirmation of the Senate the following:
Hon. William W. Brittingham, F-43 Rehoboth Bay M.H.P., Rehoboth, Delaware, 19971, to be reappointed as a Justice of the Peace for Sussex County for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
June 22, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Mr. Mark Buckworth, 5 Sunrise Drive, Newark, Delaware 19711, to be appointed as an Associate Judge of the Family Court of the State of Delaware for a twelve year term to replace Robert W. Wakefield.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
June 22, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Hon. Jay H. Conner, 118 Hitching Post Drive, Surrey Park, Wilmington, Delaware 19803, to be reappointed as an Associate Judge of the Family Court of the State of Delaware for a twelve-year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
June 22, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Hon. Alfred Fraczkowski, 1402 Woodlawn Avenue, Wilmington, Delaware 19806, to be reappointed Chief Judge of the Municipal Court for the City of Wilmington to serve a twelve-year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

* * * * *
STATE OF DELAWARE

Office of the Governor
June 22, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Pamela Deeds Holloway, R.D. 3, Box 392, Milford, Delaware 19963, to be reappointed as a Family Court Commissioner for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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SB 424 was stricken on motion of Senator Voshell.

SB 366 was stricken on motion of Senator Adams.

HB 475 w/HA 6, 7, 8 & 9 was brought before the Senate for consideration on motion of Senator Blevins, the floor manager.

HB 475 w/HA 6, 7, 8 & 9 - AN ACT TO AMEND CHAPTER 21, TITLE 24 OF THE DELAWARE CODE RELATING TO OPTOMETRY.

SA 1 to HB 475, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Bair.

Senator McBride marked present.

Senator Bair requested the privilege of the floor for Steven R. Permut, M.D., representing the Medical Society of Delaware.

Several Senators entered into a discussion with the witness, after which the witness was excused.

Senator Bair requested the privilege of the floor for Dr. Andreas Rauer, representing the Delaware Academy of Ophthalmology.

The witness was excused after addressing the Senate.

Senator Blevins requested the privilege of the floor for Dr. Carl Maschauer, representing the Delaware Optometric Association.

The witness was excused after addressing the Senate.

Senators McBride and Sokola commented. A roll call vote was taken and revealed 5 Senators (Bair, Cook, Knox, Martin, Neal) voting YES, 16 NO; therefore, **SA 1 to HB 475** was declared defeated.

Senators Hauge and Still marked present during the above roll call.

SA 2 to HB 475 was stricken on motion of Senator Martin.

HB 475 w/HA 6, 7, 8 & 9 was now before the Senate.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Bair, Cook, Knox, Neal) NO; therefore, **HB 475 w/HA 6, 7, 8 & 9** was declared passed the Senate and returned to the House.

A messenger from the Governor was announced and admitted.

SB 214 was brought before the Senate for consideration on motion of Senator McBride.

SB 214 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE, RELATING TO THE OFFENSE OF PATRONIZING A PROSTITUTE. (2/3 vote)

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 214** was declared passed the Senate and sent to the House for consideration.

SB 330 was brought before the Senate for consideration on motion of Senator McBride.

SB 330 - AN ACT TO AMEND §8009, CHAPTER 80, TITLE 29 OF THE DELAWARE CODE (67 Del. Laws Chapter 430, §2) RELATING TO THE PARKS AND RECREATION COUNCIL.

Senator McDowell commented.

SB 330 was laid on the table on motion of Senator McBride.

SB 375 was stricken on motion of Senator Venables.

SB 414 was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Venables.

SB 414 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE EXERCISE OF FIRST AMENDMENT RIGHTS BY PUBLIC SCHOOL STUDENTS.

Senator Bair commented. Senator Venables requested the privilege of the floor for John Paradee, Senate Attorney.

The witness was excused after addressing the Senate.

Senator Knox requested the privilege of the floor for Reverend Vin A. Harwell, representing the Presbyterian Church.

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

Senator Marshall commented.

SA 1 to SB 414 was introduced and brought before the Senate for consideration on motion of Senator Venables.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 414** was declared part of the bill.

SB 414 w/SA 1 was now before the Senate.

Senator McDowell commented. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Knox, McDowell) NO; therefore, **SB 414 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 330 was lifted from the table and brought before the Senate for consideration on motion of Senator McBride.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (McDowell, Venables) NO; therefore, **SB 330** was declared passed the Senate and sent to the House for consideration.

SB 399 was brought before the Senate for consideration on motion of Senator Torbert.

SB 399 - AN ACT TO AMEND CHAPTER 17, TITLE 7, DELAWARE CODE, RELATING TO BITING DOGS.

SA 1 to SB 399, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Torbert.

Senator Bair commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 399** was declared part of the bill.

SA 2 to SB 399, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Torbert.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to SB 399** was declared part of the bill.

SB 399 w/SA 1 & 2 was now before the Senate.

Senator Torbert requested the privilege of the floor for John T. Bailey, representing the U.S. Postal Service.

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

Senator Torbert requested the privilege of the floor for John Paradee, Senate Attorney.

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

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

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

Senator Torbert again requested the privilege of the floor for John Paradee, Senate Attorney.

The witness was excused. A roll call vote was taken and revealed 14 Senators voting YES, 5 (Hauge, Knox, McDowell, Sharp, Venables) NO, 2 (Bair, Cook) ABSENT; therefore, **SB 399 w/SA 1 & 2** was declared passed the Senate and sent to the House for consideration.

At 4:47 p.m. on motion of Senator Martin the Senate recessed for Party Caucus.

The Senate reconvened at 5:07 p.m. with Lt. Governor Minner presiding.

HB 528 w/HA 1 was brought before the Senate for consideration on motion of Senator Marshall, the floor manager.

HB 528 w/HA 1 - AN ACT TO AMEND SECTION 6912, TITLE 29 OF THE DELAWARE CODE, RELATING TO PREVAILING WAGE.

A roll call vote was taken and revealed 12 Senators voting YES, 6 (Adams, Bair, Cordrey, Hauge, Knox, Neal) NO, 2 (Connor, Still) NOT VOTING, 1 (Cook) ABSENT; therefore, **HB 528 w/HA 1** was declared passed the Senate and returned to the House.

SB 367 was brought before the Senate for consideration on motion of Senator McBride.

SB 367 - AN ACT TO AMEND CHAPTER 25, TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH CARE DECISIONS.

Senator McBride yielded to Senator Bair.

Senators McDowell and Connor commented. Senator Bair requested the privilege of the floor for Richard Dillard, Senate Attorney.

The witness was excused after addressing the Senate.

Several Senators commented. A roll call vote was taken and revealed 17 Senators voting YES, 4 (Connor, Marshall, McDowell, Venables) NO; therefore, **SB 367** was declared passed the Senate and sent to the House for consideration.

SB 401 was brought before the Senate for consideration on motion of Senator Marshall.

SB 401 - AN ACT TO AMEND CHAPTERS 13, TITLE 19 OF THE DELAWARE CODE RELATING TO THE RIGHT OF PUBLIC EMPLOYEES TO ORGANIZE FOR PURPOSES OF COLLECTIVE BARGAINING.

Senator Sharp commented. Senator Marshall requested the privilege of the floor for Vance E. Sulsky, representing the Delaware Public Employees Council 81 of the AFL-CIO.

The witness was excused after addressing the Senate.

SA 1 to SB 401, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Marshall.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Neal, Still) NO, 1 (Bair) ABSENT; therefore, **SA 1 to SB 401** was declared part of the bill.

SA 2 to SB 401, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Marshall.

A roll call vote was taken and revealed 14 Senators voting YES, 5 (Cordrey, Hauge, Knox, Still, Venables) NO, 2 (Bair, Cook) ABSENT; therefore, **SA 2 to SB 401** was declared part of the bill.

A roll call vote was then taken and revealed 11 Senators voting YES, 9 (Adams, Bair, Cordrey, Hauge, Knox, Neal, Sharp, Vaughn, Venables) NO, 1 (Still) NOT VOTING; therefore, **SB 401 w/SA 1 & 2** was declared passed the Senate and sent to the House for consideration.

SB 404 was brought before the Senate for consideration on motion of Senator Venables.

SB 404 - AN ACT TO AMEND CHAPTER 137, VOLUME 61, LAWS OF DELAWARE, AS AMENDED, BEING THE TOWN CHARTER OF THE TOWN OF DELMAR, RELATING TO STREETS. (2/3 vote)

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 404** was declared passed the Senate and sent to the House for consideration.

HB 363 w/HA 1 & 2 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 363 w/HA 1 & 2 - AN ACT TO AMEND CHAPTER 5, TITLE 22 OF THE DELAWARE CODE RELATING TO PARKING AUTHORITIES.

Several Senators commented. A roll call vote was taken and revealed 15 Senators voting YES, 5 (Henry, McBride, McDowell, Sharp, Still) NO, 1 (Bair) ABSENT; therefore, **HB 363 w/HA 1 & 2** was declared passed the Senate and returned to the House.

The Secretary announced that a message from the House informed the Senate that it had passed **SB 152 w/HA 3, SB 78 w/SA 1 & 2 & HA 4 aab HA 2**.

SB 78 w/SA 1 & 2 & HA 4 aab HA 2, which was returned from the House with Amendments, was brought before the Senate for reconsideration under the suspension of the necessary rules, on motion of Senator Blevins.

SB 78 w/SA 1 & 2 & HA 4 aab HA 2 - AN ACT TO AMEND TITLE 16 AND TITLE 18 OF THE DELAWARE CODE PROVIDING FOR A CHILDHOOD LEAD POISONING PREVENTION ACT RELATING TO MANDATORY LEAD POISONING TESTING AND HEALTH INSURANCE COVERAGE.

Several Senators commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 78 w/SA 1 & 2 & HA 4 aab HA 2** was declared passed the Senate and sent to the Governor.

SB 44 w/SA 2 & 4, HA 1 & 2, which was returned from the House with Amendments, was brought before the Senate for reconsideration on motion of Senator Voshell, under the suspension of the necessary rules.

SB 44 w/SA 2 & 4, HA 1 & 2 - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE, RELATING TO INCREASED FINES FOR ALTERED OR FICTITIOUS VEHICLE REGISTRATIONS AND/OR REGISTRATION PLATES AND VIOLATIONS OF REGISTRATION PROVISIONS.

Senator McBride commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) NO; therefore, **SB 44 w/SA 2 & 4, HA 1 & 2** was declared passed the Senate and sent to the Governor.

SB 152 w/HA 3, which was returned from the House with an Amendment, was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Sokola.

SB 152 w/HA 3 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CONDEMNATION PROCEDURES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 152 w/HA 3** was declared passed the Senate and sent to the Governor.

At 6:18 p.m. on motion of Senator Martin the Senate recessed until 2:00 p.m. June 27, 1994.

The Senate reconvened at 2:50 p.m. June 27, 1994 with Senator Cordrey presiding.

The following committee reports were announced:

From Revenue and Taxation: **SB 380** - 3 Merits.

From Administrative Services: **SB 408** - 4 Merits.

From Labor and Industrial Relations: **SB 417** - 3 Merits.

From Community/County Affairs: **SB 423** - 3 Merits; **HB 387 w/HA 2** - 3 Merits.

From Committee to Combat Drug Abuse: **HB 20 w/HA 1** - 3 Merits; **HB 395 w/HA 1 & 2** - 3 Merits.

From Judiciary: **HB 22 w/HA 2** - 4 Merits; **HS 1 for HB 36** - 4 Merits; **HB 233** - 4 Merits; **HB 302** - 4 Merits; **HB 314** - 4 Merits; **HB 333** - 4 Merits; **HB 361** - 4 Merits; **HB 398** - 4 Merits; **HB 423** - 4 Merits; **HB 477** - 4 Merits; **HB 494** - 4 Merits; **HB 526** - 4 Merits; **HB 527** - 4 Merits; **HB 533 w/HA 1** - 4 Merits; **HB 551** - 4 Merits; **HB 544** - 4 Merits; **HB 565 w/HA 1** - 4 Merits; **HB 579** - 4 Merits; **HB 587** - 4 Merits.

From Natural Resources and Environmental Control: **HB 72 w/HA 1, 2 & 3** - 5 Merits.

From Health and Social Services: **HB 401** - 4 Merits; **HB 504** - 3 Merits; **HB 507** - 4 Merits; **HJR 18 w/HA 1** - 4 Merits.

From Public Safety: **HB 574** - 4 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 554 w/HA 1, HB 557, HB 500 w/HA 1, HB 530 w/HA 1, HB 550, HB 574, HB 272, HB 583 w/HA 1, HB 489, HCR 79, HCR 80, HCR 81, SB 351 w/SA 1, SB 294 w/SA 1 & HA 1.**

LEGISLATIVE ADVISORY #55 from the Office of Counsel to the Governor was announced for the record, partially read and copies made available to the members upon request.

LEGISLATIVE ADVISORY #55, dated June 27, 1994. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

HB 175 - 06/23/94 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BAIL FOR PERSONS CONVICTED OF A FELONY FOR WHICH A MANDATORY JAIL SENTENCE IS REQUIRED. (Rep. Gilligan and Rep. George and Rep. Brady (by request)) (Volume 69, Chapter 252, Laws of Delaware.)

HJR 16 - 06/23/94 - RELATING TO THE CONSTRUCTION AND ENFORCEMENT OF FEDERAL CHILD PORNOGRAPHY LAW. (Rep. Fallon; Senator Venables)

HB 373 aab HA 1 - 06/23/94 - AN ACT TO AMEND CHAPTER 39 TITLE 18 OF THE DELAWARE CODE PERTAINING TO UNDERINSURED MOTORIST COVERAGE. (Reps. Amick & Sen. Sharp; Reps. Ewing, Plant, Buckworth, Brady, Spence, Houghton, DiLiberto, Van Sant; Sens. Torbert, Vaughn, Blevins, Holloway, Marshall, Martin, McBride, Knox, Connor, Hauge, McDowell) (Volume 69, Chapter 253, Laws of Delaware.)

SB 350 - 06/24/94 - AN ACT TO AMEND THE STATUTORY PROVISIONS OF §106(a), TITLE 13, OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF KIMBERLY FAITH OBERLY AND STEVEN B. LACORTE-KENNEDY. (Sen. Blevins and Rep. George) (Volume 69, Chapter 254, Laws of Delaware.)

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At 2:58 p.m. on motion of Senator Martin, the Senate adjourned to immediately convene for the 44th Legislative Day.

44TH LEGISLATIVE DAY June 27, 1994

The Senate convened at 2:58 p.m. with Senator Cordrey presiding.

A prayer was offered by Senator Adams.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

A messenger from the Governor was announced and admitted.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION June 27, 1994

The following amendments were introduced and Placed with the bill on June 23, 1994:

SA 1 to SB 363 - Sponsor: Senator Sharp.

SA 2 to SB 402 - Sponsor: Senator Vaughn.

SA 1 to SB 405 - Sponsor: Senator Torbert.

SA 1 to SB 408 - Sponsor: Senator Cordrey.

SA 1 to SB 423 - Sponsor: Senator Marshall.

SA 1 to SB 425 - Sponsor: Senator Voshell.

SA 1 to HB 102 - Sponsor: Senator McBride.

The following legislation was introduced and assigned on June 27, 1994:

SB 426 - AN ACT TO AMEND CHAPTER 39, TITLE 18 OF THE DELAWARE CODE REGARDING UNINSURED OR UNDERINSURED VEHICLE COVERAGE. Sponsors: Senators Marshall and Martin; Representatives Spence and Jonkiert. To: **Insurance and Elections.**

SB 427 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO JURISDICTION

OF THE COURT OF COMMON PLEAS. (2/3 vote) Sponsors: Senator Sharp and Representative Amick; Senators Vaughn and Bair; Representative DiLiberto. To: **Judiciary**.

HB 272 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CIVIL LIABILITY FOR CERTAIN CRIMINAL OFFENDERS. Sponsors: Representatives Amick and Jonkiert. To: **Judiciary**.

HB 489 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE AND CREATING THE HIV TESTING FOR INSURANCE ACT. Sponsors: Representative Davis; Representatives D. Ennis, DiPinto, Oberle, Jonkiert, Van Sant; Senators Blevins, McDowell, Vaughn, Still. To: **Insurance and Elections**.

HB 500 w/HA 1 - AN ACT TO AMEND, TITLE 11 AND TITLE 14 OF THE DELAWARE CODE RELATING TO ARREST WITHOUT WARRANT AND REPORTING OF THE CRIMINAL ACTIVITY OF STUDENTS. Sponsors: Representative Buckworth and Ewing; Representatives Spence, Reynolds, Wagner, Bennett, Bradley; Senators Torbert, Voshell. To: **Education**.

HB 530 w/HA 1 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, BY ADDING THERETO A NEW CHAPTER AUTHORIZING A LEAVE OF ABSENCE WITH PAY FOR STATE EMPLOYEES PARTICIPATING IN SPECIALIZED DISASTER RELIEF SERVICES FOR THE AMERICAN RED CROSS. (2/3 vote) Sponsors: Representative Oberle and Senator Sharp. To: **Labor**.

HB 550 - AN ACT TO AMEND §937, TITLE 10 OF THE DELAWARE CODE RELATING TO HOUSE ARREST FOR ADJUDICATED JUVENILES. Sponsors: Representative Houghton; Representatives Banning, Bennett, Bradley, Brady, Bunting, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, George, Gilligan, Holloway, Jonkiert, Lofink, Mack, Maroney, Oberle, Petrilli, Plant, Reynolds, Schroeder, Spence, Van Sant, Wagner, West, Wojewodzki; Senators Adams, Blevins, Knox, Marshall, Martin, Torbert, Voshell. To: **Corrections**.

HB 554 w/HA 1 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE TO PROVIDE FOR COMMISSIONERS OF THE COURT OF COMMON PLEAS. Sponsors: Representative Amick and Senator Sharp; Representative DiLiberto; Senators Vaughn and Bair. To: **Judiciary**.

HB 557 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ASSAULT IN THE SECOND DEGREE. Sponsors: Representatives Sorenson & Maroney; Senator Blevins; Representatives DiPinto, Wagner, Bradley, Brady, Gilligan, Jonkiert, Wojewodzki; Senators Marshall, Martin, Sokola, Voshell, Bair, Knox and Neal. To: **Judiciary**.

HB 574 - AN ACT TO AMEND SUBCHAPTER VI, CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION. (2/3 vote) Sponsors: Representative Spence and Senator Sharp. To: **Public Safety**.

HB 583 w/HA 1 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO QUALIFICATIONS OF CHIROPRACTIC LICENSURE APPLICANTS. Sponsors: Representative Maroney; Senators McBride and Knox. To: **Health and Social Services**.

The following letters of nomination for appointment from the Governor were read and assigned to the Executive Committee.

STATE OF DELAWARE
Office of the Governor
June 24, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Mr. Robert W. Allen, 916 Midway Lane, Seaford, Delaware 19973 to be reappointed as a member of the Board of Pension Trustees for a four-year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
June 24, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Dr. Paul K. Weatherly, RD 2, Box 329E, Georgetown, Delaware 19947, to be appointed to the Delaware Technical and Community College Board of Trustees for a term ending February 5, 1995 to fill the unexpired term of Mr. Wilbur S. Shockley.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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HB 412 w/HA 1, 2 & 3 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 412 w/HA 1, 2 & 3 - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO THE UNLAWFUL TRANSFER OF FIREARMS AND DANGEROUS WEAPONS.

Senators McDowell and Hauge marked present.

A roll call vote was taken and revealed 17 Senators voting YES, 1 (Neal) NO, 2 (Vaughn, Venables) NOT VOTING, 1 (Sharp) ABSENT; therefore, **HB 412 w/HA 1, 2 & 3** was declared passed the Senate and returned to the House.

Senator Marshall marked present during the above roll call.

HB 102 was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

HB 102 - AN ACT TO AMEND CHAPTER 26, TITLE 6 OF THE DELAWARE CODE RELATING TO UNFAIR CIGARETTE SALES ACT.

SA 1 to HB 102, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator McBride.

Senator Bair requested the privilege of the floor for Richard Dillard, Senate Attorney.

The witness was excused after addressing the Senate.

Senator Blevins requested the privilege of the floor for Sherri Schaeffer, Senate Attorney.

The witness was excused after addressing the Senate.

SA 1 to HB 102 was laid on the table on motion of Senator McBride.

HB 102 was laid on the table on motion of Senator Blevins.

SB 423 was brought before the Senate for consideration on motion of Senator Marshall.

SB 423 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN THE CITY OF WILMINGTON, KNOWN AS THE BRIDGE HOUSE. (3/4 vote)

SA 1 to SB 423 was brought before the Senate for consideration on motion of Senator Marshall.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SA 1 to SB 423** was declared part of the bill.

SB 423 w/SA 1 was now before the Senate.

Several Senators commented. A roll call vote was taken and revealed 19 Senators voting YES, 1 (Still) NO, 1 (Sharp) ABSENT; therefore, **SB 423 w/SA 1** was declared passed the Senate and sent to the House for consideration.

Senator Adams presiding at 3:27 p.m.

SB 408 was brought before the Senate for consideration on motion of Senator Cordrey.

SB 408 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.

SA 1 to SB 408, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Cordrey.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Blevins, McDowell) NO, 1 (Sharp) ABSENT; therefore, **SA 1 to SB 408** was declared part of the bill.

SB 408 w/SA 1 was now before the Senate. Senator Cordrey requested the privilege of the floor for John Cordrey, Senate Attorney.

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

Senator Venables commented. A roll call vote was taken and revealed 19 Senators voting YES, 2 (McDowell, Sharp) ABSENT; therefore, **SB 408 w/SA 1** was declared passed the Senate and sent to the House for consideration.

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

SB 347 - AN ACT TO AMEND ARTICLE III, SECTION 21 OF THE DELAWARE CONSTITUTION OF

1897, AS AMENDED, RELATING TO THE OFFICE OF INSURANCE COMMISSIONER. (2/3 vote)

SA 1 to SB 347 was brought before the Senate for consideration on motion of Senator Vaughn.

Several Senators commented. Senator Bair requested the privilege of the floor for John Paradee, Senate Attorney.

Lt. Governor Minner presiding at 3:51 p.m.

Senators Neal and Cordrey questioned the witness, after which the witness was excused.

Senator Sokola commented. A roll call vote was taken and revealed 6 Senators (Adams, Cook, Martin, McDowell, Sharp, Vaughn) voting YES, 15 NO; therefore, **SA 1 to SB 347** was declared defeated.

Senator Sharp marked present during the above roll call.

SB 347 was before the Senate.

Senator Bair requested the privilege of the floor for Donna Lee Williams, Insurance Commissioner.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 6 Senators (Adams, Cook, Cordrey, Martin, Sharp, Vaughn) voting YES, 15 NO; therefore, **SB 347** was declared defeated.

SB 425 was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Voshell.

SB 425 - AN ACT TO AMEND CHAPTER 29, TITLE 30 OF THE DELAWARE CODE RELATING TO TAX ON WHOLESALERS' GROSS RECEIPTS.

SA 1 to SB 425, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Voshell.

Senator McBride commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 425** was declared part of the bill.

SB 425 w/SA 1 was now before the Senate.

Senators Hauge and McDowell commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Hauge) NOT VOTING; therefore, **SB 425 w/SA 1** was declared passed the Senate and sent to the House for consideration.

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

SB 361 - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO THEFT AND RELATED OFFENSES.

Several Senators commented. Senator Sharp requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Neal, Venables) NO; therefore, **SB 361** was declared passed the Senate and sent to the House for consideration.

SB 362 was brought before the Senate for consideration on motion of Senator Sharp.

SB 362 - AN ACT TO AMEND CHAPTER 92, TITLE 10 DELAWARE CODE RELATING TO THE ORGANIZATION AND OPERATION OF THE JUSTICE OF THE PEACE COURTS AND CHAPTER 66, TITLE 18, DELAWARE CODE RELATING TO LINE-OF-DUTY DEATH BENEFITS.

SA 1 to SB 362 was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 362** was declared part of the bill.

SB 362 w/SA 1 was now before the Senate. Senators Sokola and Connor commented. Senator Sharp requested the privilege of the floor for John Cordrey, Senate Attorney.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Knox) ABSENT; therefore, **SB 362 w/SA 1** was declared passed the Senate and sent to the House for consideration.

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

SB 363 - AN ACT TO AMEND CHAPTER 27, TITLE 11, DELAWARE CODE TO GRANT JUSTICE OF THE PEACE COURTS JURISDICTION TO HEAR, TRY AND FINALLY DETERMINE ADDITIONAL MISDEMEANORS THAN THEY PRESENTLY HAVE JURISDICTION TO HEAR, TRY AND FINALLY DETERMINE. (2/3 vote)

SA 1 to SB 363, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES, therefore, **SA 1 to SB 363** was declared part of the bill.

SB 363 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 363 w/SA 1** was declared passed the Senate and sent to the House for consideration.

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

SB 377 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HATE CRIMES. **SA 1 to SB 377**, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator McDowell.

SA 1 to SB 377 was laid on the table on motion of Senator McDowell.

SB 377 was laid on the table on motion of Senator Sharp.

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

SB 381 - AN ACT TO AMEND CHAPTER 43, TITLE 11 OF THE DELAWARE CODE RELATING TO SENTENCING, PROBATION, PAROLE AND PARDONS NOTIFICATION REQUIREMENTS.

Senator Blevins commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 381** was declared passed the Senate and sent to the House for consideration.

SB 382 was brought before the Senate for consideration on motion of Senator Sharp.

SB 382 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURT FILING FEES AND COSTS.

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

Senator McDowell questioned the witness, after which the witness was excused. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Knox) ABSENT; therefore, **SB 382** was declared passed the Senate and sent to the House for consideration.

SB 384 was brought before the Senate for consideration on motion of Senator Sharp.

SB 384 - AN ACT TO AMEND CHAPTER 9, TITLE 13, OF THE DELAWARE CODE RELATING TO ADOPTION; AND GRANTING TO THE FAMILY COURT EXCLUSIVE JURISDICTION OVER ALL PETITIONS TO INSPECT ADOPTION RECORDS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Knox) ABSENT; therefore, **SB 384** was declared passed the Senate and sent to the House for consideration.

SB 387 was stricken on motion of Senator Sharp.

SB 427 was introduced and brought before the Senate for consideration on motion of Senator Sharp, under the suspension of the necessary rules.

SB 427 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO JURISDICTION OF THE COURT OF COMMON PLEAS. (2/3 vote) Sponsors:

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Knox) ABSENT; therefore, **SB 427** was declared passed the Senate and sent to the House for consideration.

SB 426 was brought before the Senate for consideration on motion of Senator Marshall, under the suspension of the necessary rules.

SB 426 - AN ACT TO AMEND CHAPTER 39, TITLE 18 OF THE DELAWARE CODE REGARDING UNINSURED OR UNDERINSURED VEHICLE COVERAGE.

Senator Marshall requested the privilege of the floor for Sherri Schaeffer, Senate Attorney.

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

Senator Cordrey commented. Senator Marshall requested the privilege of the floor for Donna Lee Williams, Insurance Commissioner.

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

SB 426 was laid on table on motion of Senator Marshall.

SB 397 was stricken on motion of Senator Marshall.

SA 1 to HB 216 was stricken on motion of Senator Marshall.

SB 294 w/SA 1 & HA 1, which was returned from the House with an Amendment, was brought before the Senate for reconsideration on motion of Senator Vaughn.

SB 294 w/SA 1 & HA 1 - AN ACT TO AMEND CHAPTER 42 OF TITLE 11, DELAWARE CODE RELATING TO THE EARLY RELEASE FROM INCARCERATION OF CONVICTED OFFENDERS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cook) ABSENT; therefore, **SB 294 w/SA 1 & HA 1** was declared passed the Senate and sent to the Governor.

SB 398 was brought before the Senate for consideration on motion of Senator Vaughn.

SB 398 - AN ACT TO AMEND CHAPTER 42, TITLE 11 OF THE DELAWARE CODE RELATING TO THE MODIFICATION OF SENTENCES FOR GOOD CAUSE.

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

The witness was excused. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 398** was declared passed the Senate and sent to the House for consideration.

SB 400 was brought before the Senate for consideration on motion of Senator Sharp.

SB 400 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT; AND PROVIDING FOR THE EXPUNGEMENT OF CERTAIN ADULT CRIMINAL RECORDS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 400** was declared passed the Senate and sent to the House for consideration.

SB 402 was brought before the Senate for consideration on motion of Senator Vaughn.

SB 402 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FREEDOM OF INFORMATION ACT.

SA 1 to SB 402, which had been previously placed with the bill, was stricken on motion of Senator Vaughn.

SA 2 to SB 402, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Blevins, Sokola) NO, 1 (McDowell) NOT VOTING; therefore, **SA 2 to SB 402** was declared part of the bill.

SB 402 w/SA 2 was now before the Senate. Senator Vaughn requested the privilege of the floor for Joyce L. Wright, Chairman of the Industrial Accident Board.

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

Senator Marshall commented.

Senator Blevins requested the privilege of the floor for John Paradee, Senate Attorney.

The witness was excused. A roll call vote was taken and revealed 17 Senators voting YES, 3 (Marshall, Sokola, Still) NO, 1 (McDowell) NOT VOTING; therefore, **SB 402 w/SA 2** was declared passed the Senate and sent to the House for consideration.

SB 403 was brought before the Senate for consideration on motion of Senator Vaughn.

SB 403 - AN ACT TO AMEND CHAPTER 43, TITLE 11, DELAWARE CODE RELATING TO MENTAL HEALTH EVALUATIONS REQUIRED PRIOR PAROLE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 403** was declared passed the Senate and sent to the House for consideration.

SB 406 was brought before the Senate for consideration on motion of Senator Blevins.

SB 406 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A DELAWARE VOLUNTARY PURCHASING ALLIANCE, ITS AUTHORITIES AND RESPONSIBILITIES.

SA 1 to SB 406, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 406** was declared part of the bill.

SB 406 w/SA 1 was now before the Senate.

Senator Blevins requested the privilege of the floor for Carmen Nazario, Secretary of the Department of Health and Social Services.

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

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Sharp, Torbert) ABSENT; therefore, **SB 406 w/SA 1** was declared passed the Senate and sent to the House for consideration.

On motion of Senator Marshall, the roll call vote on **HB 528 w/HA 1** was rescinded and the bill was brought before the Senate for consideration.

HB 528 w/HA 1 - AN ACT TO AMEND §6912, TITLE 29 OF THE DELAWARE CODE, RELATING TO PREVAILING WAGE.

Senator Cordrey commented.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Adams, Bair, Cordrey, Neal) NO; therefore, **HB 528 w/HA 1** was declared passed the Senate and returned to the House.

At 6:32 p.m. on motion of Senator Martin the Senate recessed until 2:00 p.m. on June 28, 1994.

The Senate reconvened on June 28, 1994 at 2:14 p.m. with Senator Cordrey presiding.

Lt. Governor Minner presiding at 2:14 p.m.

The following committee reports were announced:

From Insurance and Elections: **HS 1 for HB 344 w/HA 1** - 5 Merits.

From Education: **HB 500 w/HA 1** - 4 Merits.

LEGISLATIVE ADVISORY #56 from the Office of Counsel to the Governor was announced for the record, partially read and copies made available to the members upon request.

LEGISLATIVE ADVISORY #56, dated June 27, 1994. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

HB 93 - 06/27/94 - AN ACT TO AMEND CHAPTER 33, TITLE 24, DELAWARE CODE, RELATING TO THE BOARD OF VETERINARIANS. (Rep. Amick) (Volume 69, Chapter 255, Laws of Delaware.)

HB 510 aab HA 1 - 06/27/94 - AN ACT TO REDESIGNATE EXISTING CHAPTER 74A OF TITLE 16 OF THE DELAWARE CODE AS CHAPTER 100 OF TITLE 16 OF THE DELAWARE CODE, AND TO ADD A NEW CHAPTER 101 TO TITLE 16 OF THE DELAWARE CODE TO PROVIDE AUTHORITY FOR EACH COUNTY OF THIS STATE TO ESTABLISH AND OPERATE A FUND TO BE USED TO REIMBURSE COUNTY AND LOCAL GOVERNMENTAL COSTS ASSOCIATED WITH 911 EMERGENCY REPORTING SYSTEMS FUND. (Rep. Ewing and Sen. Adams; Reps. Spence, Petrilli, Quillen, Lofink, Oberle; Sen. Sharp) (Volume 69, Chapter 256, Laws of Delaware.)

SB 188 - 06/27/94 - AN ACT TO AMEND CHAPTER 87, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF STATE. (Sen. Venables) (Volume 69, Chapter 257, Laws of Delaware.)

SB 310 - 06/27/94 - 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 REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS, AND TO AMEND CHAPTER 23, TITLE 6 OF THE DELAWARE CODE RELATING TO THE AVAILABILITY OF THE DEFENSE OF USURY. (Sen. Sharp; Rep. Smith) (Volume 69, Chapter 258, Laws of Delaware.)

SB 311 - 06/27/94 - AN ACT TO AMEND CHAPTER 15 OF TITLE 6 OF THE DELAWARE CODE RELATING TO THE REGISTRATION AND REGULATION OF REGISTERED LIMITED LIABILITY PARTNERSHIPS. (Sen. Sharp; Rep. Smith) (Volume 69, Chapter 259, Laws of Delaware.)

SB 312 - 06/27/94 - 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. (Sen. Sharp; Rep. Smith) (Volume 69, Chapter 260, Laws of Delaware.)

SB 323 - 06/27/94 - AN ACT TO AMEND CHAPTER 1, TITLE 8, SECTION 145, OF THE DELAWARE CODE, RELATING TO INDEMNIFICATION OF OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS OF DELAWARE CORPORATIONS. (Sen. Sharp) (Volume 69, Chapter 261, Laws of Delaware.)

SB 324 - 06/27/94 - AN ACT TO AMEND CHAPTER 1, TITLE 8, SECTION 262, OF THE DELAWARE CODE, RELATING TO APPRAISAL RIGHTS UNDER THE GENERAL CORPORATION LAW. (Sen. Sharp) (Volume 69, Chapter 262, Laws of Delaware.)

SB 326 - 06/27/94 - AN ACT TO AMEND CHAPTER 1, TITLE 8, SECTION 218, DELAWARE CODE, RELATING TO VOTING TRUSTS AND OTHER VOTING AGREEMENTS. (Sen. Sharp; Rep. Smith) (Volume 69, Chapter 263, Laws of Delaware.)

SB 325 - 06/27/94 - AN ACT TO AMEND CHAPTER 1, TITLE 8, SECTION 151, DELAWARE CODE, RELATING TO CLASSES AND SERIES OF STOCK OF DELAWARE CORPORATIONS. (Sen. Sharp) (Volume 69, Chapter 264, Laws of Delaware.)

SB 343 - 06/27/94 - AN ACT TO AMEND CHAPTER 38 OF TITLE 12 OF THE DELAWARE CODE RELATING TO BUSINESS TRUSTS. (Sen. Sharp, Vaughn; Reps. Smith, Buckworth) (Volume 69, Chapter 265, Laws of Delaware.)

SB 357 - 06/27/94 - AN ACT TO AMEND CHAPTER 1, TITLE 8 OF THE DELAWARE CODE, RELATING TO THE GENERAL CORPORATION LAW. (Sen. Sharp) (Volume 69, Chapter 266, Laws of Delaware.)

SB 353 aab SA 1 - 06/27/94 - AN ACT TO AMEND AN ACT, BEING CHAPTER 276, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF GEORGETOWN" TO ESTABLISH THE MONITION METHOD AS A PROCEDURE FOR THE COLLECTION OF DELINQUENT TAXES AND OTHER CHARGES DUE THE TOWN OF GEORGETOWN. (Sen. Adams; Reps. Carey, West) (Volume 69, Chapter 267, Laws of Delaware.)

SB 360 - 06/27/94 - AN ACT TO REINCORPORATE THE TOWN OF SOUTH BETHANY. (Sen. Cordrey; Rep. Bunting) (Volume 69, Chapter 268, Laws of Delaware.)

SB 241 - 06/27/94 - AN ACT TO AMEND CHAPTER 64, TITLE 7 OF THE DELAWARE CODE TO REQUIRE THE DELAWARE SOLID WASTE AUTHORITY TO CONDUCT AN ENVIRONMENTAL STUDY, FOCUSING UPON THE DANGERS AND COSTS OF ANY PROPOSED RESOURCE RECOVERY FACILITY OR ANY PROPOSED WASTE INCINERATOR, BEFORE PROCEEDING WITH SITE SELECTION AND CONSTRUCTION OF SAME. (Sens. Torbert, McBride, Blevins and Voshell; Reps. Carey and Caultk) (Volume 69, Chapter 269, Laws of Delaware.)

SB 276 - 06/27/94 - AN ACT TO AMEND CHAPTER 88, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF ADMINISTRATIVE SERVICES. (Sen. Cordrey; Rep. Bunting) (Volume 69, Chapter 270, Laws of Delaware.)

SB 283 aab SA 3 - 06/27/94 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ABSENTEE VOTERS IN SCHOOL DISTRICT ELECTIONS. (Sens. Voshell, Adams, Blevins, Marshall, Martin, McDowell, Sharp, Sokola, Torbert, Venables, Bair, Hauge, Knox, Neal and Still; Reps. Carey, Buckworth, DiPinto, D. Ennis, Ewing, Fallon, Lee, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Smith, Sorenson, Spence, Taylor, Wagner, Banning, Bennett, Bradley, Brady, Bunting, Clark, DiLiberto, B. Ennis, George, Gilligan, Holloway, Houghton, Jonkiert, Lofink, Plant, Schroeder, West and Wojewodzki) (Volume 69, Chapter 271, Laws of Delaware.)

SB 299 - 06/27/94 - AN ACT TO AMEND CHAPTER 27, TITLE 14 OF THE DELAWARE CODE RELATING TO COMPULSORY SCHOOL ATTENDANCE REQUIREMENTS. (Sen. Sokola; Rep. Sorenson) (Volume 69, Chapter 272, Laws of Delaware.)

SB 306 - 06/27/94 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (Sen. Marshall & Rep. Oberle) (Volume 69, Chapter 273, Laws of Delaware.)

SB 307 - 06/27/94 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (Sen. Marshall & Rep. Oberle) (Volume 69, Chapter 274, Laws of Delaware.)

SB 333 aab SA 1 - 06/27/94 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE

CODF RELATING TO CERTAIN REQUIRED REGISTRATIONS. (Sen. Bair & Rep. B. Ennis; Sens. Connor, Martin, Torbert, Voshell; Reps. Brady, Caulk, Houghton, Quillen, Smith) (Volume 69, Chapter 275, Laws of Delaware.)

SB 338 - 06/27/94 - AN ACT TO AMEND CHAPTER 70 OF TITLE 9 OF THE DELAWARE CODE RELATING TO THE LIMITATION ON SUSSEX COUNTY IN THE PROCUREMENT OF SERVICES AND SUPPLIES. (Sen. Adams; Reps. Ewing and Lee; Sens. Venables, Voshell and Cordrey) (Volume 69, Chapter 276, Laws of Delaware.)

SB 339 - 06/27/94 - AN ACT TO AMEND SUBCHAPTER I, CHAPTER 69 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE RENTAL AND PURCHASE OF MOTOR VEHICLES AND EXCEPTIONS THERETO. (Sen. Cordrey; Reps. Ewing and Lee; Sens. Adams, Venables and Voshell) (Volume 69, Chapter 277, Laws of Delaware.)

SB 340 - 06/27/94 - AN ACT TO AMEND CHAPTER 87, OF TITLE 9 OF THE DELAWARE CODE RELATING TO COLLECTION OF DELINQUENT TAXES AND PROVIDING FOR ATTORNEY FEES INCURRED BY SUSSEX COUNTY TO BE TAXED IN ALL PROCEEDINGS UNDER SUBCHAPTER II THEREOF. (Sen. Cordrey; Reps. Ewing and Lee; Sens. Adams and Voshell) (Volume 69, Chapter 278, Laws of Delaware.)

SB 345 - 06/27/94 - AN ACT TO AMEND CHAPTER 33 TITLE 12 RELATING TO INVESTMENT ADVISORS. (Sen. Cordrey and Rep. D. Ennis) (Volume 69, Chapter 279, Laws of Delaware.)

HB 440 aab HA 1 and SA 1 - 06/27/94 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO INTENTIONAL CRUELTY TO ANIMALS. (Reps. Smith; Gilligan, George, Brady) (Volume 69, Chapter 280, Laws of Delaware.)

HB 424 aab HA 1 and 2 and SA 1 - 06/27/94 - AN ACT TO AMEND SECTION 730, TITLE 7 OF THE DELAWARE CODE RELATING TO THE DISCHARGE OF A FIREARM NEAR AN OCCUPIED DWELLING. (Rep. Banning and Sen. Vaughn; Reps. B. Ennis, Fallon, West, Wojewodski; and Sens. Bair, Hauge) (Volume 69, Chapter 281, Laws of Delaware.)

HB 295 aab SA 2 - 06/27/94 - AN ACT TO AMEND CHAPTER 41 OF TITLE 11 OF THE DELAWARE CODE BY REQUIRING THE REGISTRATION OF CONVICTED SEXUAL OFFENDERS. (Rep. Holloway and Sen. Holloway) (Volume 69, Chapter 282, Laws of Delaware.)

HB 455 aab HA 1 - 06/27/94 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FEES FOR PERMITS, LICENSES, AND CERTIFICATIONS BY THE STATE FIRE PREVENTION COMMISSION. (Rep. DiPinto; Reps. D. Ennis, Lee, B. Ennis; Sens. Vaughn, Still) (Volume 69, Chapter 283, Laws of Delaware.)

HB 315 aab HA 1 and 2 - 06/27/94 - AN ACT TO AMEND CHAPTER 19, PART II, TITLE 78, DELAWARE CODE AND A NEW CHAPTER 28 TO PART II, TITLE 7, DELAWARE CODE RELATING TO FISHING, POTTING, OR DREDGING FOR CONCH. (Rep. Carey) (Volume 69, Chapter 284, Laws of Delaware.)

SB 373 aab SA 1, 2, 4, 5, 6 - 06/27/94 - AN ACT TO AMEND CHAPTER 13 TITLE 24, DELAWARE CODE RELATING TO PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES. (Sen. Vaughn; Rep. Amick; Reps. D. Ennis, B. Ennis, Ewing, Van Sant, Lee) (Volume 69, Chapter 285, Laws of Delaware.)

HB 238 aab HA 1 and SA 1 - 06/27/94 - AN ACT TO AMEND THE MODEL DEFENDER ACT, CHAPTER 46, TITLE 29, DELAWARE CODE. (Rep. Houghton; Reps. Banning, Bennett, Bradley, Brady, Clark, B. Ennis, Van Sant, West, Amick, Buckworth, Davis, DiPinto, Ewing, Mack, Oberle, Reynolds, Smith, Spence, Taylor; Sens. Blevins, Sokola, Vaughn, Voshell) (Volume 69, Chapter 286, Laws of Delaware.)

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At 2:14 p.m. on motion of Senate Martin the Senate adjourned to immediately convene for the 45th Legislative Day.

45TH LEGISLATIVE DAY June 28, 1994

The Senate convened at 2:14 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Martin.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

June 28, 1994

The following amendments were introduced and Placed with the bill on June 27, 1994:

SA 2 to SB 377 - Sponsor: Senator Bair.
SA 2 to SB 378 - Sponsor: Senator Bair.
SA 2 to SB 405 - Sponsor: Senator Torbert.
SA 2 to SB 409 - Sponsor: Senator Connor.
SA 1 to SB 411 - Sponsor: Senator Sharp.
SA 1 to HB 195 - Sponsor: Senator Voshell.
SA 1 to HB 288 - Sponsor: Senator Hauge.
SA 2 to HB 288 - Sponsor: Senator Hauge.
SA 3 to HB 288 - Sponsor: Senator Hauge.
SA 4 to HB 288 - Sponsor: Senator Bair.
SA 5 to HB 288 - Sponsor: Senator Bair.
SA 6 to HB 288 - Sponsor: Senator Bair.
SA 7 to HB 288 - Sponsor: Senator Blevins.
SA 8 to HB 288 - Sponsor: Senator Blevins.
SA 9 to HB 288 - Sponsor: Senator Blevins.
SA 10 to HB 288 - Sponsor: Senator Blevins.
SA 11 to HB 288 - Sponsor: Senator Blevins.
SA 12 to HB 288 - Sponsor: Senator Blevins.
SA 13 to HB 288 - Sponsor: Senator Bair.
SA 14 to HB 288 - Sponsor: Senator Bair.
SA 15 to HB 288 - Sponsor: Senator Bair.
SA 1 to HB 466 - Sponsor: Senator Voshell.

The following letters of nomination for appointment from the Governor were read and assigned to the Executive Committee on June 27, 1994.

STATE OF DELAWARE
Office of the Governor
June 27, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Mr. Charles M. Cawley, 400 Christiana Road, Newark, Delaware 19806, to be appointed to the University of Delaware Board of Trustees for a six-year term to replace Mr. William Sharp.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
June 27, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Mr. Armand F. Cocco, Sr., 5 Brighton Avenue, Wilmington, Delaware 19805, to be appointed to the Industrial Accident Board for a six-year term to fill a vacant position.

Your consideration of this nomination is appreciated.

Sincerely,

(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
June 27, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Mr. Timothy R. McTaggart, 330 Commerce Street, Alexandria, Virginia 22314, to be appointed as State Bank Commissioner for a term expiring January 29, 1997 to fill the unexpired term of Keith H. Ellis, who resigned.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
June 27, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Mr. N. Maxson Terry, Jr., 36 The Green, Dover, Delaware 19901, to be appointed as a Resident Associate Judge of the Superior Court for Kent County for a twelve-year term to replace Hon. Myron T. Steele, who resigned.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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The following legislation was introduced and assigned on June 28, 1994:

SB 428 - AN ACT TO AMEND SUBCHAPTER V, CHAPTER 5, TITLE 11 OF THE DELAWARE CODE, RELATING TO OFFENSES RELATING TO CHILDREN AND INCOMPETENTS. Sponsor: Senator Torbert. To: **Administrative Services**.

SB 429 - AN ACT TO AMEND CHAPTER 14, TITLE 14 OF THE DELAWARE CODE RELATING TO THE TERMINATION OF TEACHERS AT THE END OF A SCHOOL YEAR AND CHAPTER 17, TITLE 14 RELATING TO STATE APPROPRIATIONS. Sponsors: Senator McDowell and Representative Oberle; Senators Sokola and Still; Representatives Bennett, Sorenson and Spence. To: **Education**.

SB 430 - AN ACT TO AMEND CHAPTER 74, TITLE 29, OF THE DELAWARE CODE RELATING TO BONDS AND NOTES OF THE STATE. Sponsors: Senators Sharp and Cook; Representative Roy. To: **Finance**.

SB 431 - AN ACT TO AMEND CHAPTER 48 OF TITLE 29 OF THE DELAWARE CODE, RELATING TO LOTTERIES, TO PROVIDE FOR THE AUTOMATIC PAYMENT OF CHILD SUPPORT ARREARS OR RETROACTIVE SUPPORT FROM LOTTERY PRIZES DUE A CHILD SUPPORT OBLIGOR. Sponsor: Senator Blevins. To: **Health/Social Services**.

SB 432 - AN ACT TO AMEND CHAPTER 5, TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT, AND TO AMEND CHAPTER 88, TITLE 29 OF THE DELAWARE CODE, RELATING TO CERTAIN PROFESSIONS AND OCCUPATIONS, TO PROVIDE FOR THE DENIAL OR SUSPENSION OF PROFESSIONAL, OCCUPATIONAL, OR BUSINESS LICENSES OF DELINQUENT CHILD SUPPORT OBLIGORS. Sponsor: Senator Blevins. To: **Health/Social Services**.

SB 433 - AN ACT TO AMEND CHAPTER 5 OF TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT; AND TO AMEND CHAPTER 23 OF TITLE 19 OF THE DELAWARE CODE RELATING TO WORKMEN'S COMPENSATION; AND TO AMEND CHAPTER 41 OF TITLE 11 OF THE DELAWARE CODE RELATING TO THE SPECIAL LAW ENFORCEMENT ASSISTANCE FUND; AND TO AMEND CHAPTER 9 OF TITLE 10 OF THE DELAWARE CODE RELATING TO JURISDICTION OF THE FAMILY COURT; AND TO AMEND CHAPTER 21 OF TITLE 12 OF THE DELAWARE CODE RELATING TO DESCENDANT'S ESTATES TO PROVIDE FOR ENHANCED REMEDIES TO ENFORCE CHILD SUPPORT ORDERS IN CASES ADMINISTERED BY THE DIVISION OF CHILD SUPPORT ENFORCEMENT. Sponsor: Senator Blevins. To: Health/Social Services.

SB 434 - AN ACT TO AMEND AN ACT BEING CHAPTER 3, VOLUME 68 OF THE LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF ELSMERE, NEW CASTLE COUNTY" TO PERMIT REGULAR MUNICIPAL ELECTIONS FOR ELECTED OFFICIALS OF THE TOWN OF ELSMERE EVERY FOUR YEARS. (2/3 vote) Sponsors: Senator Blevins and Representative Van Sant and Representative Houghton. To: Community/County Affairs.

SB 435 - AN ACT PROPOSING AN AMENDMENT TO §2, ARTICLE X OF THE DELAWARE CONSTITUTION RELATING TO ELIMINATING THE UNCONSTITUTIONAL REQUIREMENT OF RACIALLY SEGREGATED SCHOOLS. (2/3 vote) Sponsor: Senator Henry and Senator Blevins; Senator McDowell, Marshall, Sokola; Representatives Sorenson, Plant, Maroney. To: Education.

SB 436 - AN ACT TO AMEND AN ACT BEING CHAPTER 196, VOLUME 22, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO AUTHORIZE THE COMMISSIONERS OF LEWES TO APPOINT A BOARD OF PUBLIC WORKS FOR THE TOWN OF LEWES, WHICH SHALL ESTABLISH, CONTROL AND REGULATE AN ELECTRIC LIGHT PLANT, WATER WORKS AND A SEWER SYSTEM FOR SAID TOWN; PRESCRIBING THE POWERS AND DUTIES OF SAID BOARD AND PROVIDING FOR THE ELECTION OF THEIR SUCCESSORS" TO ELIMINATE AS A QUALIFICATION FOR ELECTION TO THE BOARD OF PUBLIC WORKS THAT A CANDIDATE BE A FREEHOLDER OR LEASEHOLDER, TO PROVIDE FOR ABSENTEE BALLOTS AND TO ESTABLISH THE TIME FOR THE OPENING AND CLOSING OF POLLS AT THE ANNUAL ELECTION. (2/3 vote) Sponsors: Senator Voshell and Representative Schroeder. To: Community/County Affairs.

SA 1 to HS 1 to HB 344 - Sponsor: Senator Vaughn - Placed with the bill.

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Corrected committee reports were announced:

SB 380 was inadvertently read as **SB 280**.

HB 79 was inadvertently read as **HB 72**.

SB 407 was brought before the Senate for consideration on motion of Senator McBride.

SB 407 - AN ACT TO PAY CERTAIN FUNDS TO FRANK J. CARELLO, JR. FOR HIS SERVICES AS A MEMBER OF THE UNEMPLOYMENT COMPENSATION COMMISSION.

Senator Cordrey commented. A roll call vote was taken and revealed 11 Senators voting YES, 3 (Cordrey, Neal, Venables) NO, 7 (Bair, Blevins, Hauge, Henry, Knox, Martin, Sokola) NOT VOTING; therefore, **SB 407** was declared passed the Senate and sent to the House for consideration.

Senators Knox, McDowell, Neal, Blevins and Hauge marked present during the above roll call.

SB 411 was brought before the Senate for consideration on motion of Senator Sharp.

SB 411 - AN ACT TO AMEND CHAPTER 8, TITLE 26 OF THE DELAWARE CODE RELATING TO UNDERGROUND UTILITY DAMAGE PREVENTION AND SAFETY.

SA 1 to SB 411, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 411** was declared part of the bill.

SB 411 w/SA 1 was now before the Senate.

Senators Neal and Venables commented. Senator Sharp requested the privilege of the floor for Joseph Farley.

Senator Sharp then corrected himself and requested the privilege of the floor for Thomas E. Cope, Jr.

The witness was excused. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 411 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 434 was brought before the Senate for consideration on motion of Senator Blevins, under the suspension of the necessary rules.

SB 434 - AN ACT TO AMEND AN ACT BEING CHAPTER 3, VOLUME 68 OF THE LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF ELSMERE, NEW CASTLE COUNTY" TO PERMIT REGULAR MUNICIPAL ELECTIONS FOR ELECTED OFFICIALS OF THE TOWN OF ELSMERE EVERY FOUR YEARS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 434** was declared passed the

Senate and sent to the House for consideration.

SB 412 was stricken on motion of Senator Blevins.

SB 436 was brought before the Senate for consideration on motion of Senator Voshell, under the suspension of the necessary rules.

SB 436 - AN ACT TO AMEND AN ACT BEING CHAPTER 196, VOLUME 22, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO AUTHORIZE THE COMMISSIONERS OF LEWES TO APPOINT A BOARD OF PUBLIC WORKS FOR THE TOWN OF LEWES, WHICH SHALL ESTABLISH, CONTROL AND REGULATE AN ELECTRIC LIGHT PLANT, WATER WORKS AND A SEWER SYSTEM FOR SAID TOWN; PRESCRIBING THE POWERS AND DUTIES OF SAID BOARD AND PROVIDING FOR THE ELECTION OF THEIR SUCCESSORS" TO ELIMINATE AS A QUALIFICATION FOR ELECTION TO THE BOARD OF PUBLIC WORKS THAT A CANDIDATE BE A FREEHOLDER OR LEASEHOLDER, TO PROVIDE FOR ABSENTEE BALLOTS AND TO ESTABLISH THE TIME FOR THE OPENING AND CLOSING OF POLLS AT THE ANNUAL ELECTION. (2/3 vote)

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 436** was declared passed the Senate and sent to the House for consideration.

HB 466 w/HA 1 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 466 w/HA 1 - AN ACT TO AMEND CHAPTER 35, TITLE 11 AND CHAPTER 41 OF TITLE 21 OF THE DELAWARE CODE RELATING TO CHAIN OF CUSTODY.

SA 1 to HB 466, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Voshell.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SA 1 to HB 466** was declared part of the bill.

HB 466 w/HA 1, w/SA 1 was now before the Senate.

Senator McDowell commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **HB 466 w/HA 1, w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

HB 505 was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

HB 505 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE, RELATING TO CRIMES AND CRIMINAL PROCEDURE.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Neal) ABSENT; therefore, **HB 505** was declared passed the Senate and returned to the House.

HB 523 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 523 - AN ACT TO AMEND TITLES 4 AND 29 OF THE DELAWARE CODE RELATING TO THE TRANSFER OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO THE DEPARTMENT OF PUBLIC SAFETY.

Senators Sharp and McDowell commented. Senator Voshell requested the privilege of the floor for Lee Ann Walling, representing Lt. Governor Minner's office.

Senator McBride questioned the witness, after which the witness was excused. A roll call vote was taken and revealed 15 Senators voting YES, 5 (Adams, McBride, McDowell, Sharp, Vaughn) NO, 1 (Venables) ABSENT; therefore, **HB 523** was declared passed the Senate and returned to the House.

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

HB 524 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF FIREARMS BY CERTAIN PROHIBITED INDIVIDUALS.

Senator Voshell requested the privilege of the floor for Stephen Wood, representing the Attorney General's Office.

Senators Neal and Torbert questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **HB 524** was declared passed the Senate and returned to the House.

HB 536 was brought before the Senate for consideration on motion of Senator Blevins, the floor manager.

HB 536 - AN ACT TO AMEND, CHAPTER 17, TITLE 24 OF THE DELAWARE CODE RELATING TO THE PHYSICIAN'S ASSISTANT REGULATORY COUNCIL, PRESCRIPTIVE AUTHORITY AND SCOPE OF PRACTICE OF LICENSED PHYSICIAN'S ASSISTANTS.

SA 1 to HB 536 was brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **SA 1 to HB 536** was declared part of the bill.

HB 536 w/SA 1 was now before the Senate.

Senator McDowell commented. A roll call vote was taken and revealed 19 Senators voting YES, 1 (Adams) NO, 1 (Venables) ABSENT; therefore, **HB 536 w/SA 1** was declared passed the Senate and returned to the House for the reconsideration.

HB 561 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 561 - AN ACT TO AMEND TITLES 11 AND 24 OF THE DELAWARE CODE RELATING TO THE

TRANSFER OR SALE OF FIREARMS BY UNLICENSED PERSONS.

Senator Bair commented. Senator Voshell requested the privilege of the floor for John Paradee, Senate Attorney.

Senator McDowell raised a point of order.

Senator Knox presiding at 3:24 p.m.

Senator Voshell moved to lay **HB 561** on the table. The witness was excused.

SB 405 was brought before the Senate for consideration on motion of Senator Torbert.

SB 405 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 1, PART I, TITLE 16 OF THE DELAWARE CODE RELATING TO SANITARY FACILITIES.

SA 1 to SB 405 was stricken on motion of Senator Torbert.

SA 2 to SB 405, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Torbert.

Senators McBride and Bair commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **SA 2 to SB 405** was declared part of the bill.

SB 405 w/SA 2 was now before the Senate.

Senator Bair commented. Senator Sharp raised a point of order.

Senator Bair requested the privilege of the floor for John Paradee, Senate Attorney.

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

Senators Hauge and Neal commented. A roll call vote was taken and revealed 8 Senators (Connor, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn) voting YES, 11 NO, 2 (Blevins, Still) NOT VOTING; therefore, **SB 405 w/SA 2** was declared defeated.

HB 316 was brought before the Senate for consideration on motion of Senator McDowell, the floor manager.

HB 316 - AN ACT TO AMEND SUBCHAPTER V, CHAPTER 85, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS FOR CHILD CARE PROVIDERS.

Lt. Governor Minner presiding at 4:52 p.m.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Torbert) ABSENT; therefore, **HB 316** was declared passed the Senate and returned to the House.

At 3:54 p.m. on motion of Senator Martin the Senate recessed for Party Caucus.

The Senate reconvened at 4:41 p.m. with Lt. Governor Minner presiding.

HB 473 was brought before the Senate for consideration on motion of Senator McBride, the floor manager.

HB 473 - AN ACT TO AMEND CHAPTER 74, TITLE 7 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNDERGROUND STORAGE TANK ACT.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Adams, Sharp, Venables) NO; therefore, **HB 473** was declared passed the Senate and returned to the House.

HB 495 was brought before the Senate for consideration on motion of Senator Sokola, the floor manager.

HB 495 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE APPROPRIATIONS.

Senator Torbert presiding at 4:46 p.m.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 495** was declared passed the Senate and returned to the House.

HB 520 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 520 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF FELTON", BEING CHAPTER 349, 63 LAWS OF DELAWARE. (2/3 vote)

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 520** was declared passed the Senate and returned to the House.

SS 1 for SB 88 was lifted from the table and brought before the Senate for consideration on motion of Senator McBride.

SS 1 for SB 88 - AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE, RELATING TO CRIMINAL PENALTIES FOR VIOLATION OF THAT CHAPTER. (2/3 vote)

Senator Sokola requested the privilege of the floor for John Paradee, Senate Attorney.

The witness was excused after addressing the Senate.

Senator Cordrey commented. The bill was laid on the table on motion of Senator McBride.

HB 102 was lifted from the table and returned to the Health and Social Services Committee.

HB 102 - AN ACT TO AMEND CHAPTER 26, TITLE 6 OF THE DELAWARE CODE RELATING TO UNFAIR CIGARETTE SALES ACT.

HB 474 was brought before the Senate for consideration on motion of Senator Venables, the floor manager.

HB 474 - AN ACT TO AMEND CHAPTER 72, TITLE 18 OF THE DELAWARE CODE RELATING TO SMALL EMPLOYER HEALTH INSURANCE.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **HB 474** was declared passed the Senate and returned to the House.

SB 342 was brought before the Senate for consideration on motion of Senator Sharp.

SB 342 - AN ACT TO AMEND TITLE 30, CHAPTER 23 OF THE DELAWARE CODE RELATING TO

OCCUPATIONAL LICENSES AND FEES.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SB 342** was declared passed the Senate and sent to the House for consideration.

SB 316 was brought before the Senate for consideration on motion of Senator Voshell.

SB 316 - AN ACT TO AMEND CHAPTER 7, TITLE 21, OF THE DELAWARE CODE RELATING TO ENFORCEMENT; ARREST, BAIL, AND APPEAL.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SB 316** was declared passed the Senate and sent to the House for consideration.

SB 429 was brought before the Senate for consideration on motion of Senator Cordrey.

SB 429 - AN ACT TO AMEND CHAPTER 14, TITLE 14 OF THE DELAWARE CODE RELATING TO THE TERMINATION OF TEACHERS AT THE END OF A SCHOOL YEAR AND CHAPTER 17, TITLE 14 RELATING TO STATE APPROPRIATIONS.

SA 1 to SB 429 was brought before the Senate for consideration on motion of Senator Connor.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Sharp) NO, 1 (Sokola) NOT VOTING; therefore, **SA 1 to SB 429** was declared part of the bill.

SB 429 w/SA 1 was now before the Senate.

Senator Neal commented. Senator McDowell requested the privilege of the floor for Dennis Crowley.

Lt. Governor Minner presiding at 5:16 p.m.

The witness was excused. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 429 w/SA 1** was declared passed the Senate and sent to the House for consideration.

HB 561 was lifted from the table and brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

SA 1 to HB 561 was introduced and brought before the Senate for consideration on motion of Senator Voshell.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 561** was declared part of the bill.

HB 561 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 561 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

A messenger from the Governor was announced and admitted.

On motion of Senator Adams and without objection, the necessary rules were suspended to consider the following nominations by the Governor.

Dr. Howard E. Simmons - 21 Senators voting YES. Appointment confirmed.

Dr. Ilona E. Holland - 21 Senators voting YES. Appointment confirmed.

Senator Neal presiding at 5:23 p.m.

Ms. Maria Barriocanal - 21 Senators voting YES. Appointment confirmed.

Charles M. Cawley - 21 Senators voting YES. Appointment confirmed.

Lozelle J. DeLuz, Ph.D. - 21 Senators voting YES. Appointment confirmed.

Hon. Ernst M. Arndt - 21 Senators voting YES. Appointment confirmed.

Ms. Jeni L. Coffelt - 21 Senators voting YES. Appointment confirmed.

Hon. Russell T. Rash - 21 Senators voting YES. Appointment confirmed.

Dr. Paul K. Weatherly - 21 Senators voting YES. Appointment confirmed.

Lt. Governor Minner presiding at 5:42 p.m.

Timothy R. McTaggart - 21 Senators voting YES. Appointment confirmed.

Hon. Jay H. Conner - 21 Senators voting YES. Appointment confirmed.

Hon. Alfred Fraczkowski - 21 Senators voting YES. Appointment confirmed.

Mr. W. Allen Jones - 21 Senators voting YES. Appointment confirmed.

SB 374 was brought before the Senate for consideration on motion of Senator Bair, under the suspension of the necessary rules.

SB 374 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF SPECIAL REGISTRATION PLATES.

SA 1 to SB 374, which had been previously placed with the bill, was brought before the Senate on motion of Senator Bair.

Senator Bair requested the privilege of the floor for Christophe A. G. Tulou, Secretary of the Department of Natural Resources and Environmental Control.

The witness was excused. A roll call vote was taken and revealed 10 Senators (Adams, Bair, Connor, Hauge, Henry, Knox, Marshall, Neal, Still, Venables) voting YES, 11 NO; therefore, **SA 1 to SB 374** was declared defeated.

SB 374 was now before the Senate. Senator Cook requested the privilege of the floor for Kathi A. Karsnitz, representing the Department of Transportation.

Several Senators entered into a discussion with the witness, after which the witness was excused.

Senator Bair commented. The bill was laid on the table on motion of Senator Bair.

SB 418 was brought before the Senate for consideration on motion of Senator Connor, under the suspension of the necessary rule.

SB 418 - AN ACT TO AMEND CHAPTER 44, TITLE 6 OF THE DELAWARE CODE RELATING TO HOME SOLICITATION SALES.

Senators Cordrey and Still commented. Senator Connor requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused. The bill was stricken on motion of Senator Connor.

SB 419 was brought before the Senate for consideration on motion of Senator Connor, under the suspension of the necessary rules.

SB 419 - AN ACT TO AMEND CHAPTER 11, TITLE 19 OF THE DELAWARE CODE RELATING TO WAGE PAYMENT.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Blevins, Knox, Torbert) ABSENT; therefore, **SB 419** was declared passed the Senate and sent to the House for consideration.

At 6:30 p.m. on motion of Senator Martin the Senate recessed until 2:00 p.m. June 29, 1994.

The Senate reconvened June 29, 1994 at 2:42 p.m. with Lt. Governor Minner presiding.

The following committee reports were announced:

From Highways and Transportation: **SB 383** - 1 Favorable, 3 Merits.

From Finance: **SB 368** - 4 Merits; **SB 371** - 4 Merits.

From Children, Youth, and Families: **SB 415** - 3 Merits; **SB 416** - 3 Merits.

From Corrections: **HB 550** - 4 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 312 w/HA 1, HS 1 for HB 483 w/HA 1, HS 1 for HB 332, HB 516 w/HA 1, HB 568 w/HA 1, HB 543 w/HA 1, HB 438 w/HA 1, HB 431 w/HA 1, 3 & 4, HB 437 w/HA 1, 2 & 4, HB 511 w/HA 1 & 2, HB 545 w/HA 1, HB 578 w/HA 1, HB 596 w/HA 1, HB 595, HB 563, HB 589, HB 594, HB 582, HB 562, HB 546, HB 519 w/HA 1, 2 & 3, HS 1 for HB 458, HB 516 w/HA 1, HB 568 w/HA 1, HCR 61, HCR 78, HJR 24.**

The following committee reports were announced:

From Administrative Services: **HB 484** - 3 Merits; **HB 116 w/HA 1** - 3 Merits.

At 2:46 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 46th Legislative Day.

46TH LEGISLATIVE DAY

June 29, 1994

The Senate convened at 2:46 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Henry.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

June 29, 1994

The following amendments were introduced and Placed with the bill on June 28, 1994:

SA 1 to SB 383 - Sponsor: Senator Sharp.

SA 1 to SB 415 - Sponsor: Senator McDowell

SA 1 to SB 416 - Sponsor: Senator McDowell.

SA 16 to HB 288 - Sponsor: Senator Blevins.

The following letters of nomination for appointment from the Governor were read and assigned to the Executive Committee on June 28, 1994.

STATE OF DELAWARE

Office of the Governor

June 28, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and reappoint for the consent and confirmation of the Senate the following:
Mr. John E. Burris, Sr., 714 North Shore Drive, Milford, Delaware 19963, to be reappointed to the State Ethics Commission for a seven-year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
June 28, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Mr. James F. Jestice, R.D. 1, Box 238 A, Laurel, Delaware 19956, to be appointed to the Board of Parole for a four-year term to replace Mr. Norman Powell.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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STATE OF DELAWARE
Office of the Governor
June 28, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Mr. Donald J. Verrico, 17 Harvest Lane, Newark, Delaware 19711, to be appointed to the State Coastal Zone Industrial Control Board for a five-year term to replace Mr. John D. Super, who resigned.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

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The following legislation was introduced and assigned on June 29, 1994:

SB 420 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1995; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sponsors: Senators Cook, McBride, McDowell, Neal, Still, Vaughn; Representatives Davis, Buckworth, DiPinto, Maroney, Van Sant, West. To: **Laid on the Table**.

SB 437 - AN ACT TO AMEND CHAPTER 48, TITLE 9, DELAWARE CODE, RELATING TO KENT COUNTY REGIONAL PLANNING. Sponsor: Senator Torbert; Representative Quillen. To: **Community/County Affairs**.

HB 312 w/HA 1 - AN ACT TO AMEND CHAPTER 13, TITLE 10, DELAWARE CODE RELATING TO JUDGES OF THE COURT OF COMMON PLEAS. Sponsors: Representative Jonkiert and Senator Marshall;

Representatives Banning, Bennett, Bradley, Bunting, DiLiberto, B. Ennis, George, Gilligan, Schroeder, Van Sant, West, Wojewodzki, Carey, Caulk, J. Ewing, Fallon, Roy; Senators Adams, Cordrey. To: **Judiciary**.

HS 1 to HB 332 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. (3/5 vote) Sponsors: Representative Spence; Representatives Petrilli, Amick, Carey, D. Ennis, Lee, Oberle, Banning, B. Ennis, Houghton, Bennett; Senators Adams, Cook, Cordrey, McBride, Sharp, Vaughn. To: **Judiciary**.

HB 431 w/HA 1, 3 & 4 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REPORTING OF VEHICULAR ACCIDENTS. Sponsor: Representative Ewing. To: **Public Safety**.

HB 437 w/HA 1, 2 & 4 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE BY ADDING A NEW CHAPTER 50 RELATING TO THE REQUIREMENTS OF THE OMNIBUS BUDGET RECONCILIATION ACT OF 1993 FOR STATE MEDICAID PROGRAMS TO SEEK ADJUSTMENT OR RECOVERY OF ANY MEDICAL ASSISTANCE CORRECTLY PAID ON BEHALF OF INDIVIDUALS RECEIVING LONG-TERM CARE SERVICES UNDER THE STATE PLAN FOR TITLE XIX OF THE SOCIAL SECURITY ACT. Sponsor: Representative Maroney and Senator Blevins; Representatives Petrilli, Quillen, Buckworth, D. Ennis, Ewing, Plant; Senators Martin, Torbert, Voshell, Bair, Neal, Still. To: **Health/Social Services**.

HB 438 w/HA 1 - AN ACT TO AMEND TITLES 30 AND 31 OF THE DELAWARE CODE RELATING TO THE FEDERAL EARNED INCOME TAX CREDIT. Sponsors: Representative Maroney; Representatives Spence, Petrilli, Quillen, Buckworth, Carey, Caulk, Davis, DiPinto, Ewing, Lee, Lofink, Smith, Sorenson, Wagner, Banning, DiLiberto, B. Ennis, Houghton, Plant, West, Wojewodzki; Senator Knox. To: **Revenue/Taxation**.

HS 1 for HB 458 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE BY CREATING THE OFFENSE OF HOME IMPROVEMENT FRAUD. (2/3 vote) Sponsors: Representative Roy; Representatives Petrilli, Spence, Quillen, Buckworth, Carey, Caulk, Davis, DiPinto, D. Ennis, Ewing, Lee, Mack, Maroney, Oberle, Reynolds, Smith, Sorenson, Taylor, Wagner, Banning, Bennett, Bradley, Brady, Bunting, Clark, DiLiberto, B. Ennis, George, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Van Sant, West; Wojewodzki; Senators Blevins, Cook, Sokola, Torbert, Vaughn, Venables, Voshell, Bair, Connor, Hauge, Henry, Knox, Neal, Still. To: **Community/County Affairs**.

HS 1 to HB 483 w/HA 1 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EARLY CHILDHOOD EDUCATION. Sponsors: Representatives Bradley and Senator Blevins; Representatives Amick, Banning, Bennett, Buckworth, Bunting, Carey, Caulk, Clark, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, George, Gilligan, Holloway, Houghton, Jonkiert, Lee, Lofink, Mack, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Roy, Schroeder, Sorenson, Smith, Spence, Taylor, Van Sant, Wagner, West, Wojewodzki; Senators Adams, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Sokola, Still, Torbert, Vaughn, Voshell. To: **Education**.

HB 511 w/HA 1 & 2 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DUTIES OF THE SECRETARY OF PUBLIC SAFETY. Sponsors: Representatives Ewing, Amick, Banning, Clark, DiLiberto, B. Ennis, Gilligan, Houghton, Jonkiert, Van Sant, West; Senators Blevins, Voshell. To: **Public Safety**.

HB 516 w/HA 1 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR CARRIER SAFETY. Sponsors: Representative Ewing and Senator Voshell. To: **Public Safety**.

HB 519 w/HA 1, 2 & 3 - AN ACT TO AMEND CHAPTER 5, TITLE 4, DELAWARE CODE, RELATING TO LICENSES AND TAXES. (3/5 vote) Sponsors: Representatives Di Pinto, Spence, and Senator Sharp. To: **Small Business**.

HB 543 w/HA 1 - AN ACT TO AMEND TITLE 10, CHAPTER 5, SUBCHAPTER III OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE SUPERIOR COURT. Sponsor: Representative Amick; Representative DiLiberto, Senators Vaughn and Bair. To: **Judiciary**.

HB 545 w/HA 1 - AN ACT TO AMEND TITLE 11, CHAPTER 5, DELAWARE CODE, RELATING TO THE CRIME OF POSSESSING A GAMBLING DEVICE. Sponsors: Representatives Amick, Senator Vaughn. To: **Laid on the table**.

HB 546 - AN ACT TO AMEND CHAPTER 62, TITLE 10 OF THE DELAWARE CODE RELATING TO VACATING THE DEDICATION OF OPEN SPACE AND PARKLAND. Sponsor: Representative Amick. To: **Judiciary**.

HB 562 - AN ACT TO AMEND CHAPTER 5, SUBCHAPTER VII, SUBPART E, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. Sponsor: Representative Van Sant. To: **Public Safety**.

HB 563 - AN ACT TO AMEND SUBCHAPTER II, SUBPART D, SECTION 761 (g) OF TITLE 11 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF "WITHOUT CONSENT" IN SEX CRIME PROSECUTIONS. Sponsors: Representative Brady and Schroeder; Representatives Banning, Davis, B. Ennis, Ewing, Reynolds. To: **Judiciary**.

HB 568 w/HA 1 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO ACCEPTANCE OF ELECTRONIC INFORMATION. Sponsor: Representative Jonkiert. To: **Banking**.

HB 575 - AN ACT TO AMEND CHAPTER 66, TITLE 16 RELATING TO FIRE PREVENTION.

Sponsors: Representative Spence; Senator Vaughn. To: **Public Safety**.

HB 578 w/HA 1 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE TRAVELINK TRAFFIC MITIGATION ACT. Sponsor: Representative Taylor and Senator Martin. To: **Highways and Transportation**.

HB 582 - AN ACT TO AMEND TITLE 18 TO ADOPT RISK-BASED CAPITAL STANDARDS FOR LIFE AND HEALTH AND PROPERTY AND CASUALTY INSURERS. Sponsors: Representative D. Ennis; Senators Adams, Blevins, Cordrey, Marshall, McDowell, Sokola, Torbert, Vaughn, Sharp, Still. To:

Insurance and Elections.

HB 589 - AN ACT TO AMEND CHAPTER 95 OF TITLE 10 OF THE DELAWARE CODE RELATING TO PROCEDURES OF THE JUSTICE OF THE PEACE COURT. Sponsors: Representative Amick and Senator Sharp; Representative DiLiberto; Senators Vaughn and Bair. To: **Judiciary**.

HB 594 - AN ACT TO AMEND CHAPTERS 1 AND 23, TITLE 21 OF THE DELAWARE CODE RELATING TO PARK TRAILERS. Sponsors: Representative West; Banning, Brady, Caulk, Clark, DiPinto, B. Ennis, Fallon, Houghton, Lee, Lofink, Plant, Van Sant; Senators Cook, Vaughn. To: **Public Safety**.

HB 595 - AN ACT TO AMEND CHAPTER 93, TITLE 9 OF THE DELAWARE CODE RELATING TO THE DUTIES AND POWERS OF COUNTY COMPTROLLERS. Sponsors: Representative B. Ennis and Senator Torbert. To: **Community/County Affairs**.

HB 596 w/HA 1 - AN ACT TO AMEND CHAPTER 21, TITLE 25 OF THE DELAWARE CODE RELATING TO MORTGAGE SATISFACTIONS. Sponsors: Representatives Wojewodzki and DiPinto and Senators McDowell and Voshell; Representatives Amick, Banning, Bradley, Brady, Bunting, Davis, DiLiberto, B. Ennis, Fallon, George, Gilligan, Holloway, Houghton, Oberle, Schroeder, Van Sant, West; Senators Bair, Henry, Martin, Sokola. To: **Community/County Affairs**.

HJR 24 - CREATING A PUBLIC EMPLOYEE RETIREMENT FUNDS TASK FORCE TO INVESTIGATE AND REPORT ON THE MANAGEMENT OF RETIREMENT FUNDS OF EMPLOYEES OF STATE GOVERNMENTAL SUBDIVISIONS. Sponsors: Representative Spence and Senator Cordrey. To: **Executive**.

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A messenger from the Governor was announced and admitted.

Senator Hauge and Blevins marked present.

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

Edward J. Freel - 21 Senators voting YES. Appointment confirmed.

Senator Marshall marked present during the above roll call.

SB 368 was brought before the Senate for consideration on motion of Senator Cook.

SB 368 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE COLLECTION OF DEBTS OWED TO STATE AGENCIES.

SA 1 to SB 368, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Neal.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 368** was declared part of the bill.

SB 368 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 368 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 371 was brought before the Senate for consideration on motion of Senators Cook.

SB 371 - AN ACT TO AMEND TITLE 29 AND TITLE 14 OF THE DELAWARE CODE RELATING TO POST-RETIREMENT LUMP SUM DEATH BENEFITS.

Senator Bair commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 371** was declared passed the Senate and sent to the House for consideration.

SS 1 for SB 85 was brought before the Senate for consideration on motion of Senator Hauge, under the suspension of the necessary rules.

SS 1 for SB 85 - AN ACT TO AMEND CHAPTER 12, TITLE 14 OF THE DELAWARE CODE RELATING TO PROVISIONAL CERTIFICATES.

Several Senators commented. A roll call vote was taken and revealed 12 Senators voting YES, 6 (Connor, Martin, McBride, McDowell, Voshell) NO, 2 (Blevins, Torbert) NOT VOTING, 1 (Henry) ABSENT; therefore, **SS 1 for SB 85** was declared passed the Senate and sent to the House for consideration.

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

N. Maxson Terry, Jr. - 21 Senators voting YES. Appointment confirmed.

SB 380 was brought before the Senate for consideration on motion of Senator Marshall.

SB 380 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE TAX

APPEAL BOARD.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 380** was declared passed the Senate and sent to the House for consideration.

SB 417 was brought before the Senate for consideration on motion of Senator Marshall.

SB 417 - AN ACT TO AMEND TITLE 18 AND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE EMPLOYEE BENEFITS.

Senator Still commented. A roll call vote was taken and revealed 12 Senators voting YES, 8 (Bair, Connor, Hauge, Henry, Knox, McBride, Neal, Still) NO, 1 (Sharp) ABSENT; therefore, **SB 417** was declared passed the Senate and sent to the House for consideration.

SB 393 was lifted from the table and brought before the Senate for consideration on motion of Senator McDowell, under the suspension of the necessary rules.

SB 393 - AN ACT TO AMEND CHAPTERS 13, 18 AND 19 OF THE TITLE 2 AND CHAPTER 84 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE TRANSPORTATION AUTHORITY, THE DEPARTMENT OF TRANSPORTATION REGULATION OF PUBLIC CARRIERS AND EMPLOYEE COMMUTE OPTION AND THE REORGANIZATION THEREOF AND THE CREATION OF THE DELAWARE TRANSIT CORPORATION.

Senator Still commented. Senator McDowell requested the privilege of the floor for Kathi Karsnitz, representing the Department of Transportation.

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

Senator Still requested the privilege of the floor for Richard Dillard, Senate Attorney.

The witness was excused. The bill was laid on the table on motion of Senator McDowell.

SB 415 was brought before the Senate for consideration on motion of Senator McDowell.

SB 415 - AN ACT TO AMEND CHAPTER 42, TITLE 11 OF THE DELAWARE CODE. (2/3 vote)

SA 1 to SB 415 was brought before the Senate for consideration on motion of Senator McDowell.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Neal) ABSENT; therefore, **SA 1 to SB 415** was declared part of the bill.

SB 415 w/SA 1 was now before the Senate.

Senator Sharp commented. Senator McDowell requested the privilege of the floor for Guy H. Sapp, representing the Division of Youth Rehabilitative Services.

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

A roll call vote was taken and revealed 17 Senators voting YES, 3 (Marshall, McBride, Sharp) NO, 1 (Cook) ABSENT; therefore, **SB 415 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 416 was brought before the Senate for consideration on motion of Senator McDowell.

SB 416 - AN ACT TO AMEND CHAPTER 21, TITLE 11 OF THE DELAWARE CODE. (2/3 vote)

SA 1 to SB 416 was brought before the Senate for consideration on motion of Senator McDowell.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) NO; therefore, **SA 1 to SB 416** was declared part of the bill.

SB 416 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SB 416 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 393 was lifted from the table and brought before the Senate for consideration on motion of Senator McDowell.

SA 1 to SB 393 was introduced and brought before the Senate for consideration on motion of Senator Cook.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) NOT VOTING; therefore, **SA 1 to SB 393** was declared part of the bill.

SB 393 w/SA 1 was now before the Senate.

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

The witness was excused.

Senator Still commented. A roll call vote was taken and revealed 19 Senators voting YES, 2 (McBride, Still) NOT VOTING; therefore, **SB 393 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 383 was brought before the Senate for consideration on motion of Senator Sharp.

SB 383 - AN ACT TO AMEND CHAPTER 9, SUBCHAPTER 1 TITLE 26, OF THE DELAWARE CODE RELATING TO EASEMENTS FOR PUBLIC UTILITIES ACROSS RAILROAD PROPERTY.

SA 1 to SB 383 was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) NOT VOTING; therefore, **SA 1 to SB 383** was declared part of the bill.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 383 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 386 was stricken on motion of Senator Sharp.

SB 413 was brought before the Senate for consideration on motion of Senator Venables, under the suspension of the necessary rules.

SB 413 - AN ACT TO AMEND THE DELAWARE CODE RELATING TO THE NAME OF THE DELAWARE DEVELOPMENT OFFICE.

Senators Marshall and Sharp commented. Senator Venables requested the privilege of the floor for Robert Coy, representing the Delaware Development Office.

The witness was excused. A roll call vote was taken and revealed 15 Senators voting YES, 4 (McBride, Neal, Sharp, Vaughn) NO, 1 (Torbert) NOT VOTING, 1 (Still) ABSENT; therefore, **SB 413** was declared passed the Senate and sent to the House for consideration.

SB 374 was lifted from the table and brought before the Senate for consideration on motion of Senator Bair.

SB 374 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF SPECIAL REGISTRATION PLATES.

SA 2 to SB 374 was stricken on motion of Senator Bair.

SA 3 to SB 374 was brought before the Senate for consideration on motion of Senator Bair.

Senator Bair requested the privilege of the floor for Kathi Karsnitz, representing the Department of Transportation. The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SA 3 to SB 374** was declared part of the bill.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SB 374 w/SA 3** was declared passed the Senate and sent to the House for consideration.

HS 1 for HB 344 w/HA 1 was brought before the Senate for consideration on motion of Senator Vaughn, the floor manager.

HS 1 for HB 344 w/HA 1 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE FRAUD.

SA 1 to HS 1 for HB 344 was stricken on motion of Senator Vaughn.

SA 2 to HS 1 for HB 344 was brought before the Senate for consideration on motion of Senator Vaughn.

Senator Bair commented. Senator Vaughn requested the privilege of the floor for Dan Lyons, representing the Delaware Trial Lawyers.

The witness was excused. A roll call vote was taken and revealed 19 Senators voting YES, 1 (Cordrey) NO, 1 (McBride) ABSENT; therefore, **SA 2 to HS 1 for HB 344** was declared part of the bill.

Senator Vaughn requested the privilege of the floor for Donna Lee Williams, Delaware Insurance Commissioner.

The witness was excused.

HS 1 for HB 344 w/HA 1, w/SA 2 was laid on the table.

HB 551 was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

HB 551 - AN ACT TO AMEND CHAPTER 45, TITLE 10 OF THE DELAWARE CODE RELATING TO COMPENSATION OF JURORS.

Senator Sharp requested the privilege of the floor for G. Francis Biondi, representing the Commission on Delaware Courts 2000.

Several Senators commented. The witness was excused. A roll call vote was taken and revealed 19 Senators voting YES, 1 (Sharp) NOT VOTING, 1 (Still) ABSENT; therefore, **HB 551** was declared passed the Senate and returned to the House.

HS 1 for HB 344 w/HA 1, w/SA 2 was lifted from the table and brought before the Senate for consideration on motion of Senator Vaughn.

SA 3 to HS 1 for HB 344 was introduced and brought before the Senate for consideration on motion of Senator Cook.

Senator Neal commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SA 3 to HS 1 for HB 344** was declared part of the bill.

A roll call vote was then taken and revealed 21 Senators voting YES; therefore, **HS 1 for HB 344 w/HA 1, SA 2 & 3** was declared passed the Senate and returned to the House for reconsideration.

HB 387 w/HA 2 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 387 w/HA 2 - AN ACT TO AMEND TITLES 10 AND 22, DELAWARE CODE, AUTHORIZING THE FORMATION OF MUNICIPAL BUSINESS IMPROVEMENT DISTRICTS.

Senator Voshell yielded to Senator Marshall.

Senator Sharp commented. Senator Marshall requested the privilege of the floor for David Swayze, representing Wilmington 2000.

The witness was excused. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) NO; therefore, **HB 387 w/HA 2** was declared passed the Senate and returned to the House.

HB 401 was brought before the Senate for consideration on motion of Senator Blevins, the floor manager.

HB 401 - AN ACT TO AMEND CHAPTER 97, TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE EMERGENCY MEDICAL SERVICE ADVISORY COUNCIL.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 401** was declared passed the Senate and returned to the House.

HB 484 was brought before the Senate for consideration on motion of Senator Torbert.

HB 484 - AN ACT TO AMEND CHAPTER 87, TITLE 29, DELAWARE CODE, RELATING TO THE DIVISION OF LIBRARIES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 484** was declared passed the Senate and returned to the House.

At 5:48 p.m. on motion of Senator Martin the Senate recessed for Party Caucus and reconvened at 6:08 p.m. with Lt. Governor Minner presiding.

On motion of Senator Adams and without objection, the necessary rules were suspended to consider the following nominations by the Governor.

Mr. Robert W. Allen - 20 Senators voting YES, 1 (Blevins) ABSENT. Appointment confirmed.

William W. Brittingham - 21 Senators voting YES. Appointment confirmed.

Mr. John E. Burris, Sr. - 21 Senators voting YES. Appointment confirmed.

Hon. Francis G. Charles - 21 Senators voting YES. Appointment confirmed.

Hon. Richard D. Comly, Jr. - 21 Senators voting YES. Appointment confirmed.

Hon. Walter J. Godwin - 21 Senators voting YES. Appointment confirmed.

Mr. Gary E. Grubb - 21 Senators voting YES. Appointment confirmed.

Mr. John P. Healy - 21 Senators voting YES. Appointment confirmed.

Ms. Pamela Deeds Holloway - 21 Senators voting YES. Appointment confirmed.

Mr. Fred Kenney - 21 Senators voting YES. Appointment confirmed.

Mr. Donald J. Verrico - 21 Senators voting YES. Appointment confirmed.

Ms. Karen Wright - 21 Senators voting YES. Appointment confirmed.

HB 229 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 229 - AN ACT AUTHORIZING AND DIRECTING THE SECRETARY OF STATE TO CONVEY TO THE CITY OF NEW CASTLE TITLE TO TWO PARCELS OF LAND BOTH OF WHICH ARE LOCATED IN THE CITY OF NEW CASTLE, DELAWARE, ONE OF WHICH IS COMMONLY KNOWN AS BULL HILL, AND THE OTHER BEING A SMALL TRIANGULAR PARCEL OF LAND LOCATED ADJACENT TO ROUTE 9, SAID LANDS HAVING BEEN GIVEN TO THE COMMISSIONERS OF THE TOWN OF NEW CASTLE IN TRUST BY TWO SEPARATE ACTS OF THE DELAWARE LEGISLATURE, BEING CHAPTER 587, VOLUME 10, LAWS OF DELAWARE, AND A SUBSEQUENT SUPPLEMENT TO THE ACT, BEING CHAPTER 654, VOLUME 10, LAWS OF DELAWARE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 229** was declared passed the Senate and returned to the House.

HB 517 was brought before the Senate for consideration on motion of the floor manager, Senator McBride, under the suspension of the necessary rules.

HB 517 - AN ACT TO AMEND CHAPTER 74, TITLE 7 OF THE DELAWARE CODE RELATING TO UNDERGROUND STORAGE TANKS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 517** was declared passed the Senate and returned to the House.

HB 504 was brought before the Senate for consideration on motion of Senator Blevins, the floor manager.

HB 504 - AN ACT PROPOSING THE DELETION OF ARTICLE XII OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE STATE BOARD OF HEALTH.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) NO; therefore, **HB 504** was declared passed the Senate and returned to the House.

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

HB 507 - AN ACT TO AMEND CHAPTER 20, TITLE 16, DELAWARE CODE RELATING TO UNIFORM HEALTH DATA.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 507** was declared passed the Senate and returned to the House.

HB 271 w/HA 1 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 271 w/HA 1 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE QUALIFICATIONS.

Senator Neal commented. Senator Voshell requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused. Senator Still commented.

A roll call vote was taken and revealed 17 Senators voting YES, 3 (McDowell, Sokola, Still) NO, 1 (Hauge) ABSENT; therefore, **HB 271 w/HA 1** was declared passed the Senate and returned to the House.

HB 116 w/HA 1 was brought before the Senate for consideration on motion of Senator Torbert, the floor manager.

HB 116 w/HA 1 - AN ACT TO AMEND CHAPTER 40, TITLE 31 RELATING TO WELFARE AND THE DEPARTMENT OF HOUSING.

Senator McDowell commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore,

HB 116 w/HA 1 was declared passed the Senate and returned to the House.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 214 w/HA 1, HB 502, HB 503, HB 605, HB 600, HB 603, HB 611, HB 354, HB 616, HB 536 w/SA 1, w/HA 1 & 2, HB 463 w/HA 1, HB 615 w/HA 1 & 2, SB 365 w/SA 1, SB 404, SB 304, SB 305 w/SA 1 & 2, SB 427, SB 408, SB 179 w/SA 1, SB 334 w/SA 1 & 2, SB 352 w/SA 1, SB 411 w/SA 1, SB 330, SB 403, SB 394, SB 395, SB 275, SB 384, SB 400, SB 388, SB 13 w/SA 1, w/HA 1, SB 91 w/HA 1, SB 281 w/SA 1 & 2, w/HA 1, SB 309 w/SA 1, SB 118 w/HA 1, SB 92 w/SA 1, w/HA 1, SB 252 w/SA 1, SCR 49 w/HA 1.**

SCR 49 w/HA 1, which was returned from the House with an Amendment, was brought before the Senate for reconsideration on motion of Senator Martin.

SCR 49 w/HA 1 - CALLING FOR THE CREATION OF A COMMITTEE TO DRAFT LEGISLATION ADDRESSING THE PROBLEM OF ILLEGAL DISPOSAL OF USED TIRES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 49 w/HA 1** was declared adopted as amended by the Senate.

SB 281 w/SA 1 & 2, w/HA 1, which was returned from the House with an Amendment, was brought before the Senate for reconsideration on motion of Senator Martin, under the suspension of the necessary rules.

SB 281 w/SA 1 & 2, w/HA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF HANDGUNS BY JUVENILES.

Senator Neal commented. Senator Martin requested the privilege of the floor for Sherri Schaeffer, Senate Attorney.

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

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

The witness was excused. A roll call vote was taken; however it was tabled before it was announced.

SB 13 w/SA 1, w/HA 1, which was returned from the House with an Amendment, was brought before the Senate for reconsideration on motion of Senator McBride, under the suspension of the necessary rules.

SB 13 w/SA 1, w/HA 1 - AN ACT TO AMEND CHAPTER 79, TITLE 16, OF THE DELAWARE CODE, RELATING TO PLUMBING.

Senator Hauge commented. A roll call vote was taken and revealed 17 Senators voting YES, 4 (Adams, Neal, Vaughn, Venables) NO; therefore, **SB 13 w/SA 1 w/HA 1** was declared passed the Senate and sent to the Governor.

SB 92 w/SA 1, w/HA 1, which was returned from the House with an Amendment, was brought before the Senate for reconsideration on motion of Senator Sharp, under the suspension of the necessary rules.

SB 92 w/SA 1, w/HA 1 - AN ACT TO AMEND CHAPTER 42, TITLE 11, DELAWARE CODE, RELATING TO STATUTORY AGGRAVATING CIRCUMSTANCES IN CAPITAL MURDER PROSECUTIONS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 92 w/SA 1, w/HA 1** was declared passed the Senate and sent to the Governor.

SA 2 to SB 92 was stricken on motion of Senator Sharp.

SB 91 w/HA 1, which was returned from the House with an Amendment, was brought before the Senate for reconsideration on motion of Senator Venables, under the suspension of the necessary rules.

SB 91 w/HA 1 - AN ACT TO AMEND CHAPTER 28, TITLE 21 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS.

The bill was laid on the table on motion of Senator Venables.

SB 118 w/HA 1, which was returned from the House with an Amendment, was brought before the Senate for reconsideration on motion of Senator Blevins, under the suspension of the necessary rules.

SB 118 w/HA 1 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO SUSPENSION OR REVOCATION.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 118 w/HA 1** was declared passed the Senate and sent to the Governor.

HB 536 w/SA 1, w/HA 1 & 2 was brought before the Senate for reconsideration on motion of the floor manager, Senator Blevins, under the suspension of the necessary rules.

HB 536 w/SA 1, w/HA 1 & 2 - AN ACT TO AMEND, CHAPTER 17, TITLE 24 OF THE DELAWARE CODE RELATING TO THE PHYSICIAN'S ASSISTANT REGULATORY COUNCIL, PRESCRIPTIVE AUTHORITY AND SCOPE OF PRACTICE OF LICENSED PHYSICIAN'S ASSISTANTS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 536 w/SA 1, w/HA 1 & 2** was declared passed the Senate and returned to the House.

The roll call vote was lifted on **HB 200 w/HA 1, w/SA 1** on motion of Senator Blevins and was announced.

HB 200 w/HA 1, w/SA 1 - AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE RELATING TO WHEN LIGHTED LAMPS ARE REQUIRED. (2/3 vote)

The roll call vote was announced as 9 Senators (Bair, Blevins, Connor, Knox, Martin, McDowell, Sokola, Vaughn, Voshell) voting YES; 10 (Adams, Cook, Cordrey, Hauge, Marshall, McBride, Neal, Sharp, Torbert, Venables) NO, 1 (Still) NOT VOTING, 1 SEAT VACANT; therefore, **HB 200 w/HA 1, w/SA 1** was declared

defeated by the Senate.

Senator Marshall moved to reconsider HB 200 w/HA 1, w/SA 1.

Senator Blevins moved to rescind the roll call vote on HB 200 w/HA 1, SA 1.

A roll call vote was taken and revealed 15 Senators voting YES, 6 (Adams, Cordrey, Neal, Sharp, Still, Venables) NO; therefore, HB 200 w/HA 1, w/SA 1 was declared passed the Senate and returned to the House for reconsideration.

SB 91 w/HA 1 was lifted from the table and brought before the Senate for consideration on motion of Senator Venables.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, SB 91 w/HA 1 was declared passed the Senate and sent to the Governor.

HCR 79 was brought before the Senate for consideration on motion of Senator Sokola, the floor manager.

HCR 79 - COMMENDING THE DELEGATES OF THE 1994 BOYS' STATE PROGRAM AND THANKING THE AMERICAN LEGION, DEPARTMENT OF DELAWARE, FOR SPONSORING THIS MOST EDUCATIONAL EXPERIENCE FOR THE BOYS' STATE PARTICIPANTS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, HCR 79 was declared adopted by the Senate and returned to the House.

HCR 81 was brought before the Senate for consideration on motion of Senator Sokola, the floor manager.

HCR 81 - COMMENDING THE 1994 PARTICIPANTS OF GIRL'S STATE AND EXTENDING MANY THANKS TO THE LADIES AUXILIARY OF THE DELAWARE CHAPTER OF THE AMERICAN LEGION FOR PROVIDING SUCH A REWARDING EXPERIENCE FOR THE STATE'S YOUTH.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, HCR 81 was declared adopted by the Senate and returned to the House.

SB 308 was lifted from the table and brought before the Senate for consideration on motion of Senator Marshall.

SB 308 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

Senator McDowell commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, SB 308 was declared passed the Senate and sent to the House for consideration.

SCR 79 was brought before the Senate for consideration on motion of Senator Marshall.

SCR 79 - URGING GOVERNOR THOMAS R. CARPER, THE DEPARTMENT OF TRANSPORTATION AND THE DELAWARE DEVELOPMENT OFFICE TO MAKE EVERY EFFORT TO BREAK AMTRAK'S HIGH SPEED RAIL MANUFACTURING AND MAINTENANCE OPERATIONS TO THE STATE OF DELAWARE.

SCR 79 was laid on the table on motion of Senator Marshall.

The roll call vote was lifted on SB 281 w/SA 1 & 2, w/HA 1 on motion of Senator Martin and announced as 12 Senators voting YES, 8 (Adams, Cordrey, Henry, McBride, Neal, Sharp, Vaughn, Venables) NO, 1 (Bair) NOT VOTING; therefore, SB 281 w/SA 1 & 2, w/HA 1 was declared passed the Senate and sent to the Governor.

At 7:47 p.m. on motion of Senator Martin the Senate recessed until 2:00 p.m. June 30, 1994.

The Senate reconvened at 2:08 p.m. June 30, 1994 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Community/County Affairs: SB 437 - 3 Merits; HB 595 - 3 Merits; HB 596 w/HA 1 - 3 Merits.

From Highways/Transportation: HB 117 w/HA 1 - 3 Merits; HB 602 - 5 Merits.

From Corrections: HB 127 w/HA 1 - 4 Merits; HB 397 w/HA 1 & 3 - 4 Merits.

From Insurance and Elections: HB 355 - 5 Merits; HB 356 w/HA 1 - 5 Merits; HB 459 - 5 Merits; HB 478 - 5 Merits; HB 487 - 4 Merits; HB 489 - 5 Merits.

From Education: HB 414 - 3 Merits; HB 451 w/HA 1 - 3 Merits; HS 1 for HB 483 w/HA 1 - 3 Merits.

From Public Safety: HB 431 w/HA 1, 3 & 4 - 4 Merits; HB 511 w/HA 1 & 2 - 4 Merits; HB 516 w/HA 1 - 4 Merits; HB 562 - 4 Merits; HB 575 - 4 Merits; HB 594 - 3 Merits.

From Health/Social Services: HB 437 w/HA 1, 2 & 4 - 4 Merits.

From Small Business: HB 519 w/HA 1, 2 & 3 - 6 Merits.

SB 440 was laid on the table on motion of Senator Cook.

SB 440 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 1995; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

The Secretary announced that a message from the House informed the Senate that it had passed SB 348, SB 396 w/SA 1, SB 390, SB 329 w/SA 1, SB 328, SB 208, SB 109, SB 349, SB 293 w/SA 2 & 4, SS 1 to SB 33 w/SA 1 & 2, SB 362 w/SA 1, SB 363 w/SA 1.

HCR 77 was brought before the Senate for consideration on motion of Senator Cordrey, the floor manager.

HCR 77 - CREATING A TASK FORCE FOR PURPOSES OF IDENTIFYING AND EVALUATING ECONOMICALLY EFFICIENT AND ENVIRONMENTALLY PRUDENT APPROACHES TO

REPLENISHING THE ERODING BEACHES ALONG DELAWARE'S COASTLINE.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Bair, Cook, Venables) ABSENT; therefore, **HCRR 77** was declared adopted by the Senate and returned to the House.

HB 611 was lifted from the table and brought before the Senate for consideration on motion of Senator Cordrey, under the suspension of the necessary rules.

HB 611 - AN ACT TO AMEND CHAPTER 181, VOL. 69, LAWS OF DELAWARE RELATING TO IMPLEMENTATION DATE OF THE STATE REGISTER OF REGULATIONS.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, Cook) ABSENT; therefore, **HB 611** was declared passed the Senate and returned to the House.

SB 421 was lifted from the table and brought before the Senate for consideration on motion of Senator Cordrey, under the suspension of the necessary rules.

SB 421 - AN ACT TO AMEND CHAPTER 34, TITLE 14, DELAWARE CODE RELATING TO THE ESTABLISHMENT OF THE HERMAN M. HOLLOWAY, SR. MEMORIAL SCHOLARSHIP FUND AND THE ADMINISTRATION THEREFOR.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, Cook) ABSENT; therefore, **SB 421** was declared passed the Senate and sent to the House for consideration.

SB 443 was lifted from the table and stricken on motion of Senator Cordrey.

SB 443 - AN ACT TO AMEND CHAPTER 34, TITLE 14, DELAWARE CODE RELATING TO THE ESTABLISHMENT OF THE HERMAN M. HOLLOWAY, SR. MEMORIAL SCHOLARSHIP FUND AND THE ADMINISTRATION THEREFOR.

SCR 82 was brought before the Senate for consideration on motion of Senator Marshall.

SCR 82 - URGING GOVERNOR THOMAS R. CARPER, THE DEPARTMENT OF TRANSPORTATION AND THE DELAWARE DEVELOPMENT OFFICE TO MAKE EVERY EFFORT TO BRING AMTRAK'S HIGH SPEED RAIL MANUFACTURING AND MAINTENANCE OPERATIONS TO THE STATE OF DELAWARE.

Senator McDowell commented. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, Cook) ABSENT; therefore, **SCR 82** was declared adopted by the Senate and sent to the House for consideration.

The following committee reports were announced:

From Public Safety: **SB 446** - 4 Merits.

From Natural Resources: **SB 379** - 3 Merits.

From Community/County Affairs: **HB 463 w/HA 1** - 3 Merits.

At 2:27 p.m. on motion of Senator Martin, the Senate adjourned to immediately convene for the 47th Legislative Day.

47TH LEGISLATIVE DAY

June 30, 1994

The Senate convened at 2:27 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Torbert.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Martin. No objection.

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

PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

June 30, 1994

The following amendments were introduced and Placed with the bill on June 29, 1994:

SA 1 to HB 288 - Sponsor: Senator Bair.

SA 1 to HB 423 - Sponsor: Senator Blevins.

SA 1 to HS 1 for HB 458 - Sponsor: Senator Still.

SA 2 to HS 1 for HB 458 - Sponsor: Senator Still.

The following letter of nomination for appointment from the Governor was read and assigned to the Executive Committee on June 29, 1994.

STATE OF DELAWARE

Office of the Governor
June 29, 1994

To the Senate of the 137th General Assembly
of the State of Delaware:

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

Ms. Emilie E. Tugend, 436 Colony Drive, A-II Bay Colony, Dagsboro, Delaware 19939, to be reappointed to the Unemployment Insurance Appeals Board for a six-year term.

Your consideration of this nomination is appreciated.

Sincerely,
(Signed) Tom Carper
Governor

* * * * *

The following legislation was introduced and assigned on June 30, 1994:

SB 421 - AN ACT TO AMEND CHAPTER 34, TITLE 14, DELAWARE CODE RELATING TO THE ESTABLISHMENT OF THE HERMAN M. HOLLOWAY, SR. MEMORIAL SCHOLARSHIP FUND AND THE ADMINISTRATION THEREFOR. Sponsor: Senator Cordrey; Representative Bennett; Senator Cook; Representatives Spence in behalf of All Senators, and in behalf of All Representatives. To: **Laid on the Table**.

SB 438 - AN ACT TO AMEND TITLE 7, CHAPTER 60, DELAWARE CODE RELATING TO THE FUNDING OF THE CLEAN AIR ACT TITLE V OPERATING PERMIT PROGRAM TO COMPLY WITH THE FEDERAL CLEAN AIR ACT AMENDMENTS OF 1990. (3/5 vote) Sponsor: Senator McBride. To: **Natural Resources**.

SB 439 - AN ACT TO AMEND CHAPTER 13, TITLE 2 OF THE DELAWARE CODE RELATING TO THE DELAWARE TRANSPORTATION AUTHORITY. Sponsor: Senator Vaughn. To: **Highways/Transportation**.

SB 441 - AN ACT AUTHORIZING AND DIRECTING THE STATE BOARD OF EDUCATION TO RELEASE INCREASED ACADEMIC EXCELLENCE BLOCK GRANT FUNDING FOR FISCAL YEAR 1995 OVER AND ABOVE THE LEVEL OF FUNDING CONTAINED IN THE FISCAL YEAR 1994 GENERAL FUND BUDGET OF THE STATE OF DELAWARE ONLY TO THOSE SCHOOL DISTRICTS CERTIFYING THAT THEY EMPLOY NO FEWER ELEMENTARY SCHOOL COUNSELORS THAN THEY DID DURING FISCAL YEAR 1994. Sponsors: Senator McDowell; Senators Torbert and Still; Representatives Buckworth and Bennett. To: **Laid on the Table**.

SB 442 - AN ACT RELATING TO PERMITTING THE COLONIAL SCHOOL DISTRICT TO CONVEY TO THE ROSE HILL COMMUNITY CENTER, INC. THE BUILDING AT 19 LAMBSON LANE, NEW CASTLE, DELAWARE AND TO CONVEY TO THE HOWARD J. WESTON COMMUNITY AND SENIOR CENTER, INC. THE BUILDING AT BASSET AVENUE, MANOR PARK, NEW CASTLE, DELAWARE. Sponsors: Senator McBride and Senator Henry; Representatives Houghton, Holloway. To: **Executive**.

SB 443 - AN ACT TO AMEND CHAPTER 34, TITLE 14, DELAWARE CODE RELATING TO THE ESTABLISHMENT OF THE HERMAN M. HOLLOWAY, SR. MEMORIAL SCHOLARSHIP FUND AND THE ADMINISTRATION THEREFOR. Sponsors: Senator Cordrey; Representative Bennett; Senator Cook; Representative Spence in behalf of All Senators, and in behalf of All Representatives. To: **Laid on the Table**.

SB 444 - AN ACT TO AMEND CHAPTER 83, TITLE 11, AND CHAPTERS 55 AND 56, TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS WHO RETIRED ON OR BEFORE DECEMBER 1, 1990. Sponsors: Senators Cook, McBride, McDowell, Vaughn, Neal, Still in behalf of All Senators; Representatives Davis, Buckworth, DiPinto, Maroney, Van Sant, West, Oberle in behalf of All Representatives. To: **Finance**.

SB 445 - AN ACT TO DECLARE A FOUR-YEAR MORATORIUM ON THE DREDGING OF CRABS IN THE DELAWARE RIVER AND BAY. Sponsors: Senator McBride; Senators McDowell, Sharp and Venables. To: **Natural Resources**.

SB 446 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REQUIREMENT OF INSURANCE FOR ALL MOTOR VEHICLES REQUIRED TO BE REGISTERED. Sponsors: Senators Blevins; Senator Still; Representative Buckworth. To: **Public Safety**.

HB 214 w/HA 1 - AN ACT TO AMEND TITLE 13, CHAPTER 5 OF THE DELAWARE CODE RELATING TO SUPPORT. Sponsors: Representative Schroeder; Representative Davis. To: **Health/Social Services**.

HB 354 - AN ACT TO AMEND CHAPTER 65, TITLE 11 OF THE DELAWARE CODE RELATING TO

THE DEFINITION OF "IMMEDIATE FAMILY". Sponsor: Representative Plant. To: Judiciary.

HB 463 w/HA 1 - AN ACT TO AMEND TITLE 25, CHAPTER 1, SECTION 158 OF THE DELAWARE CODE RELATING TO THE ENFORCEABILITY OF CERTAIN LEASES AND DOCUMENTS PERTAINING TO LANDS AND TENEMENTS. Sponsors: Representative Buckworth and Senator Vaughn. To: Community/County Affairs.

HB 502 - AN ACT TO AMEND CHAPTER 23, TITLE 12 OF THE DELAWARE CODE RELATING TO ACCOUNTING AND DISTRIBUTION. Sponsors: Representative Smith and Senator Vaughn. To: Revenue/Taxation.

HB 503 - AN ACT TO AMEND CHAPTER 13, TITLE 30 OF THE DELAWARE CODE RELATING TO INHERITANCE TAX. Sponsors: Representative Smith and Senator Vaughn. To: Revenue and Taxation.

HB 600 - AN ACT TO WAIVE THE STATUTORY PROVISIONS OF §107(a), TITLE 13 OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF LESLIE ANN ASTORGA AND RICHARD J. CONNEELY. Sponsor: Representative DiPinto. To: Executive.

HB 603 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO INFORMATION AND TECHNOLOGY AND TO CREATE AN OFFICE OF INFORMATION SYSTEMS ADVISORY COMMITTEE. Sponsors: Representative Petrilli; Representatives Amick, Banning, Bradley, Brady, Bunting, Clark, B. Ennis, George, Gilligan, Houghton, Jonkiert, Schroeder, Van Sant, West, Wojewodzki; Senators Blevins, Torbert, Voshell, Bair. To: Executive.

HB 605 - AN ACT TO AMEND CHAPTER 41, TITLE 9 OF THE DELAWARE CODE RELATING TO THE GOVERNMENT OF KENT COUNTY. Sponsors: Representatives Wagner and Bennett and Buckworth; Representatives Clark, B. Ennis, Quillen; Senator Still. To: Finance.

HB 611 - AN ACT TO AMEND CHAPTER 181, VOL. 69, LAWS OF DELAWARE RELATING TO IMPLEMENTATION DATE OF THE STATE REGISTER OF REGULATIONS. Sponsors: Representative Spence and Senator Cordrey; Representative Clark and Senator Cook. To: Laid on the Table.

HB 615 w/HA 1 & 2 - AN ACT TO AMEND TITLE 18 RELATING TO EMPLOYER OWNED LIFE INSURANCE POLICIES AND TRUST OWNED LIFE INSURANCE POLICIES ISSUED IN THIS STATE. Sponsors: Representatives Spence and D. Ennis and Senators Cordrey and Vaughn; Representatives Quillen, Amick, Davis, DiPinto, Buckworth, Ewing, Lofink, Smith, Wagner, Bennett, Bradley, Jonkiert, Van Sant; Senators Connor, Still. To: Insurance and Elections.

HB 617 - AN ACT TO AMEND §508 AND §518, TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSE FEES FOR NONRESIDENTS. (3/5 vote) Sponsors: Representative West; Representatives Banning, Bradley, Brady, Bunting, Carey, Caulk, Clark, B. Ennis, Ewing, Houghton, Jonkiert, Lee, Mack, Plant, Reynolds, Schroeder, Van Sant; Senators Adams, Hauge, Henry, Knox, Vaughn. To: Natural Resources.

SA 18 to HB 288 - Sponsor: Senator Blevins. Placed with the bill.

SA 1 to HB 583 - Sponsor: Senator Blevins. Placed with the bill.

At 2:33 p.m. on motion of Senator Martin the Senate recessed and reconvened at 2:40 p.m. with Lt. Governor Minner presiding.

HB 117 w/HA 1 was brought before the Senate for consideration on motion of Senator Martin, the floor manager.

HB 117 w/HA 1 - AN ACT TO AMEND CHAPTER 13, TITLE 2, DELAWARE CODE RELATING TO AUDITING AND THE DELAWARE TRANSPORTATION AUTHORITY.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Adams) ABSENT; therefore, **HB 117 w/HA 1** was declared passed the Senate and returned to the House.

HB 602 was brought before the Senate for consideration on motion of Senator Martin, the floor manager.

HB 602 - AN ACT AMENDING CHAPTER 84 OF TITLE 29, DELAWARE CODE, RELATING TO THE CAPITOL IMPROVEMENT PROGRAM OF THE DEPARTMENT OF TRANSPORTATION.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Hauge) ABSENT; therefore, **HB 602** was declared passed the Senate and returned to the House.

HB 512 w/HA 1 was brought before the Senate on motion of the floor manager, Senator McBride, under the suspension of the necessary rules.

HB 512 w/HA 1 - AN ACT TO AMEND TITLES 7, 16, AND 29 OF THE DELAWARE CODE RELATING TO THE TRANSFER OF CERTAIN RESPONSIBILITIES FROM THE STATE BOARD OF HEALTH TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.

Senators Bair and Venables commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 512 w/HA 1** was declared passed the Senate and returned to the House.

HB 565 w/HA 1 was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

HB 565 w/HA 1 - AN ACT TO AMEND ARTICLE IV OF THE CONSTITUTION OF THE STATE OF

DELAWARE TO PROVIDE FOR THE INCLUSION OF THE FAMILY COURT AND THE COURT OF COMMON PLEAS AS COURTS ESTABLISHED BY THE CONSTITUTION OF THE STATE OF DELAWARE.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) NO; therefore, **HB 565 w/HA 1** was declared passed the Senate and returned to the House.

HB 302 was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

HB 302 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURES.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Venables) NO, 1 (Marshall) ABSENT; therefore, **HB 302** was declared passed the Senate and returned to the House.

HB 418 w/HA 1 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 418 w/HA 1 - AN ACT TO AMEND CHAPTER 83 OF TITLE 11 OF THE DELAWARE CODE RELATING TO THE STATE POLICE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 418 w/HA 1** was declared passed the Senate and returned to the House.

HB 494 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HB 494 - AN ACT TO AMEND SUBPART D, SUBCHAPTER III, CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO THEFT AND RELATED OFFENSES.

Senator Sharp yielded to Senator Vaughn.

Senators McDowell and Neal commented. Senator Vaughn requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused. Senator Venables commented.

A roll call vote was taken and revealed 14 Senators voting YES, 7 (Blevins, McDowell, Neal, Sokola, Still, Torbert, Venables) NO; therefore, **HB 494** was declared passed the Senate and returned to the House.

On motion of Senator Adams and without objection, the necessary rules were suspended to consider the following nominations by the Governor.

Mark Buckworth - 21 Senators voting YES. Appointment confirmed.

Senator Sokola requested the privilege of the floor for the Honorable Mark Buckworth to comment on his confirmation. The witness was excused.

Hon. Carolyn Berger - 21 Senators voting YES. Appointment confirmed.

Senator Adams requested the privilege of the floor for The Honorable Carolyn Berger to give comments on her confirmation. The witness was excused.

Clarence S. Bennett - 20 Senators voting YES, 1 (Sharp) ABSENT. Appointment confirmed.

Hon. Ronald E. Cheeseman - 21 Senators voting YES. Appointment confirmed.

Armand F. Cocco, Sr. - 20 Senators voting YES; 1 (Sharp) ABSENT. Appointment confirmed.

Hon. Wayne R. Hanby - 20 Senators voting YES; 1 (Neal) ABSENT. Appointment confirmed.

Hon. Barbara C. Hughes - 21 Senators voting YES. Appointment confirmed.

James F. Jestice - 20 Senators voting YES; 1 (Torbert) ABSENT. Appointment confirmed.

Edmund S. Krzyzanowski - 21 Senators voting YES. Appointment confirmed.

Hon. Kathleen C. Lucas - 21 Senators voting YES. Appointment confirmed.

Katherine B. Ross - 21 Senators voting YES. Appointment confirmed.

Hon. Rosalie D. Rutkowski - 21 Senators voting YES. Appointment confirmed.

Hon. David R. Skelley - 21 Senators voting YES. Appointment confirmed.

Hon. Alice W. Stark - 21 Senators voting YES. Appointment confirmed.

Emilie E. Tugend - 20 Senators voting YES; 1 (Hauge) ABSENT. Appointment confirmed.

HB 518 w/HA 1 was brought before the Senate for consideration on motion of Senator Marshall, the floor manager.

HB 518 w/HA 1 - AN ACT TO AMEND CHAPTER 59, TITLE 29, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A MERIT EMPLOYEE RELATIONS BOARD AND THE ADMINISTRATION OF THE MERIT SYSTEM.

Senator Neal commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 518 w/HA 1** was declared passed the Senate and returned to the House.

HB 519 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator McDowell.

HB 519 w/HA 1 - AN ACT TO AMEND CHAPTER 5, TITLE 4, DELAWARE CODE, RELATING TO LICENSES AND TAXES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 519 w/HA 1** was declared passed the Senate and returned to the House.

Senator Cordrey and Senator Bair requested the privilege of the floor for Debra Brucker and Christopher Greenfield, Legislative Fellows for the purpose of presenting tributes.

The witness were excused.

A copy of these tributes is on file for this legislative day.

At 4:05 p.m. on motion of Senator Martin the Senate recessed for Party Caucus and reconvened at 4:52 p.m. with Lt. Governor Minner presiding.

SB 445 was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator McBride.

SB 445 - AN ACT TO DECLARE A FOUR-YEAR MORATORIUM ON THE DREDGING OF CRABS IN THE DELAWARE RIVER AND BAY.

Several Senators commented. Senator Voshell requested the privilege of the floor for Charles A. Lesser, representing the Division of Fish and Wildlife.

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

Senator Voshell requested the privilege of the floor for Julie A. Wagner, representing herself.

The witness was excused. A roll call vote was taken; however it was table before it was announced.

SB 446 was brought before the Senate for consideration on motion of Senator Blevins.

SB 446 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REQUIREMENT OF INSURANCE FOR ALL MOTOR VEHICLES REQUIRED TO BE REGISTERED.

SA 1 to SB 446 was brought before the Senate for consideration on motion of Senator Still.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 446** was declared part of the bill.

SB 446 w/SA 1 was now before the Senate.

A roll call vote was taken on and revealed 21 Senators voting YES; therefore, **SB 446 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 444 was brought before the Senate for consideration on motion of Senator Cook, under the suspension of the necessary rules.

SB 444 - AN ACT TO AMEND CHAPTER 83, TITLE 11, AND CHAPTERS 55 AND 56, TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS WHO RETIRED ON OR BEFORE DECEMBER 1, 1990.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 444** was declared passed the Senate and sent to the House for consideration.

SB 442 was brought before the Senate for consideration on motion of Senator McBride, under the suspension of the necessary rules.

SB 442 - AN ACT RELATING TO PERMITTING THE COLONIAL SCHOOL DISTRICT TO CONVEY TO THE ROSE HILL COMMUNITY CENTER, INC. THE BUILDING AT 19 LAMBSON LANE, NEW CASTLE, DELAWARE AND TO CONVEY TO THE HOWARD J. WESTON COMMUNITY AND SENIOR CENTER, INC. THE BUILDING AT BASSET AVENUE, MANOR PARK, NEW CASTLE, DELAWARE.

Several Senators commented. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Martin, Sharp) ABSENT; therefore, **SB 442** was declared passed the Senate and sent to the House for consideration.

SB 441 was brought before the Senate for consideration on motion of Senator McDowell, under the suspension of the necessary rules.

SB 441 - AN ACT AUTHORIZING AND DIRECTING THE STATE BOARD OF EDUCATION TO RELEASE INCREASED ACADEMIC EXCELLENCE BLOCK GRANT FUNDING FOR FISCAL YEAR 1995 OVER AND ABOVE THE LEVEL OF FUNDING CONTAINED IN THE FISCAL YEAR 1994 GENERAL FUND BUDGET OF THE STATE OF DELAWARE ONLY TO THOSE SCHOOL DISTRICTS CERTIFYING THAT THEY EMPLOY NO FEWER ELEMENTARY SCHOOL COUNSELORS THAN THEY DID DURING FISCAL YEAR 1994.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Knox) ABSENT; therefore, **SB 441** was declared passed the Senate and sent to the House for consideration.

SB 428 was laid on the table on motion of Senator Torbert.

SB 428 - AN ACT TO AMEND SUBCHAPTER V, CHAPTER 5, TITLE 11 OF THE DELAWARE CODE, RELATING TO OFFENSES RELATING TO CHILDREN AND INCOMPETENTS.

SB 437 was brought before the Senate for consideration on motion of Senator Torbert.

SB 437 - AN ACT TO AMEND CHAPTER 48 TITLE 9, DELAWARE CODE, RELATING TO KENT COUNTY REGIONAL PLANNING.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SB 437** was declared passed the Senate and sent to the House for consideration.

SB 379 was brought before the Senate for consideration on motion of Senator Voshell.

SB 379 - AN ACT TO AMEND SECTION 4702, CHAPTER 47, TITLE 7 OF THE DELAWARE CODE RELATING TO PARKING VIOLATIONS IN STATE PARKS.

SA 1 to SB 379, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Voshell.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 379** was declared part of the bill.

SB 379 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 379 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SCR 81 was brought before the Senate for consideration on motion of Senator Adams.

SCR 81 - ESTABLISHING A TASK FORCE TO STUDY EXISTING STATE LAWS GOVERNING THE TRANSFER OF SCHOOL TRANSPORTATION CONTRACTS AND RECOMMEND NECESSARY CHANGES IN THE LAW.

Senator Neal commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 81** was declared passed the Senate and sent to the House for consideration.

SB 217 w/SA 1, w/HA 1, which was returned from the House with an Amendment, was brought before the Senate for reconsideration on motion of Senator Marshall, under the suspension of the necessary rules.

SB 217 w/SA 1, w/HA 1 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO DISTRIBUTION, DELIVERY, OR POSSESSION OF CONTROLLED SUBSTANCES IN OR WITHIN 300 FEET OF A PARK OR RECREATION AREA.

The Secretary announced that a message from the House informed the Senate that it had passed **SB 217 w/SA 1, w/HA 1**.

Senator McDowell commented. The privilege of the floor for John Cordrey, Senate Attorney, on motion of Senator McDowell.

The witness was excused. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 217 w/SA 1, w/HA 1** was declared passed the Senate and sent to the Governor.

SB 159 was brought before the Senate for consideration on motion of Senator Sharp.

SB 159 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE ADMINISTRATION AND ENFORCEMENT OF THE REVENUE LAWS OF THE STATE OF DELAWARE.

SA 1 to SB 159 was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 159** was declared part of the bill.

SB 159 w/SA 1 was now before the Senate.

Senator Marshall commented. Senator Sharp requested the privilege of the floor for Bill Remington, representing the Division of Revenue.

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

A roll call vote was taken and revealed 17 Senators voting YES, 3 (Marshall, McDowell, Venables) NO, 1 (Torbert) NOT VOTING; therefore, **SB 159 w/SA 1** was declared passed the Senate and sent to the House for consideration.

At 6:13 p.m. on motion of Senator Martin the Senate recessed.

The Senate reconvened at 9:05 p.m. with Lt. Governor Minner presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **HJR 27, HJR 21 w/HA 1, SB 383 w/SA 1, SB 436, SB 434, SB 260, SB 429 w/SA 1, SB 332 w/SA 1, SS 1 to SB 215, SB 372.**

LEGISLATIVE ADVISORY #57 from the Office of Counsel to the Governor was announced for the record, partially read and copies were made available to the members upon request.

LEGISLATIVE ADVISORY #57, dated June 29, 1994, the following legislation was signed by Governor Thomas R. Carper on the date indicated:

HB 33 aab SA 1, 2 - 06/28/94 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO LIMITING EXPOSURE TO TOBACCO SMOKE IN PUBLIC PLACES THROUGH THE CREATION OF A CLEAN INDOOR AIR ACT. (Reps. Roy & Gilligan; Reps. Amick, Carey, Davis, D. Ennis, Lee, Mack, Caulk, Maroney, Taylor; Sens. Marshall, Knox, Bair, Connor, Sokola) (Volume 69, Chapter 287, Laws of Delaware.)

The following legislation was vetoed by Governor Thomas R. Carper on the date indicated:

HB 443 aab HA 1 aab HA1 to HA 1 and HA 2, 3, 4 and SA 7, 5 - 06/28/94 - AN ACT TO AMEND CHAPTER 48, TITLE 29, DELAWARE CODE, RELATING TO COIN-OPERATED LOTTERIES AT RACETRACKS, AND TO AMEND CHAPTER 101, TITLE 3 AND CHAPTER 4, TITLE 28, DELAWARE CODE, RELATING TO HORSE RACING AND CHAPTER 100, TITLE 3 RELATING TO HARNESS HORSE RACING. (Rep. Oberle; Reps. Gilligan, Quillen, Spence; Sens. Adams, Sharp)

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HB 545 w/HA 1 was lifted from the table and brought before the Senate for consideration, on motion of Senator Sharp, the floor manager, under the suspension of the necessary rules.

HB 545 w/HA 1 - AN ACT TO AMEND TITLE 11, CHAPTER 5, DELAWARE CODE, RELATING TO THE CRIME OF POSSESSING A GAMBLING DEVICE.

A roll call vote was taken and revealed 18 Senators voting YES, 1 (Neal) NO, 2 (Blevins, Still) ABSENT;

therefore, **HB 545 w/HA 1** was declared passed the Senate and returned to the House.

Senator Sharp requested the privilege of the floor for Francis Biondi for the presentation of a tribute.

HB 533 w/HA 1 was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

HB 533 w/HA 1 - AN ACT TO AMEND TITLES 2, 3, 7, 10, 11, 16, 17, 24 AND 31 OF THE DELAWARE CODE, TO PROVIDE THAT APPEALS FROM THE JUSTICE OF THE PEACE COURTS SHALL BE VESTED IN THE COURT OF COMMON PLEAS.

Senator Sharp requested the privilege of the floor for Mr. Francis Biondi.

The witness was excused. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 533 w/HA 1** was declared passed the Senate and returned to the House.

HB 544 was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

HB 544 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE TO RAISE THE CIVIL JURISDICTION OF THE JUSTICE OF THE PEACE COURT FROM \$5,000 TO \$15,000.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore, **HB 544** was declared passed the Senate and returned to the House.

HB 554 w/HA 1 was brought before the Senate on motion of the floor manager, Senator Sharp, under the suspension of the necessary rules.

HB 554 w/HA 1 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE TO PROVIDE FOR COMMISSIONERS OF THE COURT OF COMMON PLEAS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 554 w/HA 1** was declared passed the Senate and returned to the House.

HB 526 was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

HB 526 - AN ACT TO AMEND SUBSECTION 5301(A), TITLE 11 OF THE DELAWARE CODE RELATING TO JURIES IN CRIMINAL TRIALS IN THE COURT OF COMMON PLEAS IN NEW CASTLE COUNTY.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 526** was declared passed the Senate and returned to the House.

HB 527 was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

HB 527 - AN ACT TO AMEND SUBSECTION 1314, TITLE 10 OF THE DELAWARE CODE RELATING TO THE AMOUNT IN CONTROVERSY FOR CIVIL JURISDICTION OF THE COURT OF COMMON PLEAS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 527** was declared passed the Senate and returned to the House.

HB 579 w/HA 1 was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

HB 579 w/HA 1 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE, TO PROVIDE THAT APPEALS FROM THE JUSTICE OF THE PEACE COURT SHALL BE VESTED IN THE COURT OF COMMON PLEAS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 579 w/HA 1** was declared passed the Senate and returned to the House.

HB 587 was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

HB 587 - AN ACT TO AMEND CHAPTER 45, TITLE 10 OF THE DELAWARE CODE RELATING TO SELECTION AND SUMMONING OF JURY PANELS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Connor) ABSENT; therefore, **HB 587** was declared passed the Senate and returned to the House.

HB 160 w/HA 1 was brought before the Senate for consideration on motion of Senator Blevins, the floor manager.

HB 160 w/HA 1 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO NURSING.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Connor) ABSENT; therefore, **HB 160 w/HA 1** was declared passed the Senate and returned to the House.

HB 328 w/HA 1 was brought before the Senate for consideration on motion of Senator McBride, the floor manager.

HB 328 w/HA 1 - AN ACT TO AMEND CHAPTER 7, TITLE 7 OF THE DELAWARE CODE RELATING TO THE USE OF FIREARMS FOR HUNTING.

SA 1 to HB 328 was brought before the Senate for consideration on motion of Senator McBride.

Senator McBride requested the privilege of the floor for John Baker, representing the Division of Fish and Wildlife.

Senator Torbert questioned the witness, after which the witness was excused. A roll call vote taken and revealed 17 Senators voting YES, 4 (Henry, Marshall, Martin, McDowell) NO; therefore, **SA 1 to HB 328** was declared part of the bill.

HB 328 w/HA 1, w/SA 1 was now before the Senate. Several Senators commented. Senator Neal requested

the privilege of the floor for John Baker.

The witness was excused. A roll call vote was taken and revealed 9 Senators (Adams, Blevins, Cordrey, Hauge, Knox, McBride, Vaughn, Venables, Voshell) voting YES, 10 (Bair, Connor, Henry, Marshall, Martin, McDowell, Neal, Sokola, Still, Torbert) NO, 2 (Cook, Sharp) ABSENT; therefore, **HB 328 w/HA 1, w/SA 1** was declared defeated by the Senate and returned to the House.

HB 324 w/HA 1 was brought before the Senate for consideration on motion of Senator Sokola, the floor manager.

HB 324 w/HA 1 - AN ACT TO AMEND TITLE 14, DELAWARE CODE RELATING TO ESTABLISHING A SPEECH LANGUAGE PATHOLOGIST INCENTIVE PROGRAM.

SA 1 to HB 324, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Sokola.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 324** was declared part of the bill.

HB 324 w/HA 1, w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) NOT VOTING; therefore, **HB 324 w/HA 1, w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

HB 303 w/HA 1 was brought before the Senate for consideration on motion of Senator Marshall, the floor manager.

HB 303 w/HA 1 - AN ACT TO AMEND CHAPTER 69, TITLE 29, DELAWARE CODE RELATING TO THE AWARD OF PUBLIC WORKS CONTRACTS.

Senators Hauge and Venables commented.

SA 1 to HB 303 was brought before the Senate for consideration on motion of Senator Hauge.

Senator Sharp moved that **SA 1 to HB 303** be laid on the table.

A roll call vote was taken on the motion to lay **SA 1 to HB 303** on the table and revealed 14 Senators voting YES, 7 (Bair, Blevins, Hauge, Henry, Knox, Neal, Still) NO; therefore, **SA 1 to HB 303** was declared laid on the table.

HB 303 w/HA 1 was laid on the table on motion of Senator Marshall.

HB 247 w/HA 1 was brought before the Senate for consideration on motion of Senator Sokola, the floor manager.

HB 247 w/HA 1 - AN ACT TO AMEND TITLE 14, DELAWARE CODE, BY ADDING A NEW CHAPTER 16 AND BY AMENDING CHAPTERS 13 AND 17, RELATING TO THE ESTABLISHMENT OF A COMPREHENSIVE STATEWIDE PROGRAM TO IMPROVE STUDENT DISCIPLINE IN THE PUBLIC SCHOOLS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 247 w/HA 1** was declared passed the Senate and returned to the House.

HB 468 was brought before the Senate for consideration on motion of Senator Marshall, the floor manager.

HB 468 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 468** was declared passed the Senate and returned to the House.

HB 361 was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

HB 361 - AN ACT TO AMEND CHAPTER 11, TITLE 25, DELAWARE CODE RELATING TO THE UNAUTHORIZED REMOVAL OR ALTERATION OF BOUNDARY LANDMARKS.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Marshall, Venables) NO; therefore, **HB 361** was declared passed the Senate and returned to the House.

HB 456 was brought before the Senate for consideration on motion of Senator Blevins, the floor manager.

HB 456 - AN ACT TO AMEND CHAPTER 6, TITLE 31 OF THE DELAWARE CODE RELATING TO THE FOOD STAMP PROGRAM.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 456** was declared passed the Senate and returned to the House.

HB 48 was brought before the Senate for consideration on motion of Senator Martin, the floor manager.

HB 48 - AN ACT TO AMEND CHAPTER 5, TITLE 11, DELAWARE CODE RELATING TO RECEIVING STOLEN PROPERTY.

SA 1 to HB 48, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Martin.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 48** was declared part of the bill.

HB 48 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 48 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

HB 391 w/HA 1 was lifted from the table and brought before the Senate for consideration on motion of Senator Sokola, the floor manager.

Senator Sokola requested the privilege of the floor for John Paradee, Senate Attorney.

The witness was excused. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 391 w/HA 1** was declared passed the Senate and returned to the House.

HB 628 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Adams, under the suspension of the necessary rules.

HB 628 w/HA 1 - AN ACT TO AMEND TITLES 3, 28 AND 29 OF THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO THE ESTABLISHMENT OF VIDEO LOTTERIES AT RACETRACKS, THE ADMINISTRATION OF SUCH LOTTERIES, AND HORSE RACING AND HARNESS RACING.

Senator Neal commented. Senator Adams requested the privilege of the floor for William Rickman, representing Delaware Park.

Senators Bair and McDowell commented. The witness was excused. A roll call vote was taken and revealed 13 Senators voting YES, 6 (Bair, Connor, Knox, Neal, Venables, Voshell) NO, 1 (Hauge) NOT VOTING, 1 (Cordrey) ABSENT; therefore, **HB 628 w/HA 1** was declared passed the Senate and returned to the House.

SB 450 was brought before the Senate for consideration on motion of Senator Marshall, under the suspension of the necessary rules.

SB 450 - AN ACT TO AMEND CHAPTER 57, TITLE 11 OF THE DELAWARE CODE RELATING TO FEES, COSTS AND CHARGES OF THE MUNICIPAL COURT FOR THE CITY OF WILMINGTON.

Senators Still and McBride commented. Senator Marshall requested the privilege of the floor for John Paradee, Senate Attorney.

The witness was excused after addressing the Senate.

Senator McBride requested the privilege of the floor for John Paradee, Senate Attorney.

The witness was excused. A roll call vote was taken and revealed 15 Senators voting YES, 6 (Adams, Cordrey, McBride, Sharp, Vaughn, Venables) NO; therefore, **SB 450** was declared passed the Senate and sent to the House for consideration.

HCR 74 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HCR 74 - REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REVIEW THE ENFORCEMENT POLICY RELATING TO 21 DEL. C. SUBSECTION 4114(B) AND TO MAKE RECOMMENDATIONS REGARDING EDUCATION AND ENFORCEMENT OF EXISTING LAW TO PROVIDE FOR MORE UNIVERSAL COMPLIANCE AND GREATER SAFETY ON DELAWARE HIGHWAYS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **HCR 74** was declared adopted by the Senate and returned to the House.

SB 449 was brought before the Senate for consideration on motion of Senator McDowell, under the suspension of the necessary rules.

SB 449 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO RUSSELL DINEEN AND DEAN T. STEELE, APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE; AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE MADE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE.

Senator Sokola commented. A roll call vote was taken; however it was table before it was announced.

SB 435 was brought before the Senate for consideration on motion of Senator Henry, under the suspension of the necessary rules.

SB 435 - AN ACT PROPOSING AN AMENDMENT TO SECTION 2, ARTICLE X OF THE DELAWARE CONSTITUTION RELATING TO ELIMINATING THE UNCONSTITUTIONAL REQUIREMENT OF RACIALLY SEGREGATED SCHOOLS.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Sharp, Venables) ABSENT; therefore, **SB 435** was declared passed the Senate and sent to the House for consideration.

SCR 80 was brought before the Senate for consideration on motion of Senator Henry.

SCR 80 - REQUESTING THE CONSUMER PROTECTION DIVISION, OFFICE OF THE ATTORNEY GENERAL, TO INVESTIGATE REPORTS OF DISCRIMINATORY PRICING OF PRESCRIPTION DRUGS IN DELAWARE.

Senator Sokola commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SCR 80** was declared adopted by the Senate and sent to the House for consideration.

At 11:25 p.m. on motion of Senator Martin, the Senate recessed and reconvened at 11:46 p.m. with Lt. Governor Minner presiding.

HB 127 w/HA 1 was brought before the Senate for consideration on motion of Senator Vaughn, the floor manager.

HB 127 w/HA 1 - AN ACT TO AMEND CHAPTER 43, TITLE 11 OF THE DELAWARE CODE, RELATING TO THE COMPENSATION OF MEMBERS OF THE BOARD OF PAROLE.

SA 1 to HB 127 was brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SA 1 to HB**

127 was declared part of the bill.

HB 127 w/HA 1, w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, HB 127 w/HA 1, w/SA 1 was declared passed the Senate and returned to the House for reconsideration.

HB 355 was brought before the Senate for consideration on motion of Senator Vaughn, the floor manager.

HB 355 - AN ACT TO AMEND CHAPTER 7, TITLE 24, DELAWARE CODE, RELATING TO INSURANCE AND THE BOARD OF CHIROPRACTIC.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, HB 355 was declared passed the Senate and returned to the House.

HB 356 w/HA 1 was brought before the Senate for consideration on motion of Senator Vaughn, the floor manager.

HB 356 w/HA 1 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE INSURANCE CODE TO LIMIT THE AMOUNT OF SURPLUS IN A SINGLE INVESTMENT.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, HB 356 w/HA 1 was declared passed the Senate and returned to the House.

HB 459 was brought before the Senate for consideration on motion of Senator Vaughn, the floor manager.

HB 459 - AN ACT TO AMEND CHAPTER 11, TITLE 18 OF THE DELAWARE CODE RELATING TO THE INSURANCE CODE AND ASSETS AND LIABILITIES.

Senator Vaughn requested the privilege of the floor for Donna Lee Williams, Insurance Commissioner.

The witness was excused. The bill was laid on the table on motion of Senator Vaughn.

At 12:00 a.m. on motion of Senator Martin, the 2nd Session of the 137th General Assembly was adjourned.

2ND SPECIAL SESSION

JULY 1, 1994

STATE OF DELAWARE OFFICE OF THE LIEUTENANT GOVERNOR

TO: Members of the 137th General Assembly

FROM: Ruth Ann Minner, Lt. Governor, State of Delaware
Terry R. Spence, Speaker of the House of Representatives

SUBJECT: Special Session

DATE: June 30, 1994, 12 o'clock

Pursuant to the provisions of Article II, Section 4 of the Constitution of the State of Delaware of 1897, as amended, we hereby declare the 137th General Assembly of the State of Delaware in Special Session.

(Signed) Ruth Ann Minner
Lt. Governor, State of Delaware

(Signed) Terry R. Spence
Speaker of the House of Representatives

* * * * *

Pursuant to the above proclamation, the Senate convened at midnight, July 1, 1994 with Lt. Governor Minner presiding.

A prayer was offered by Senator Voshell.

Pledge of allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Still, Torbert, Vaughn, Venables, Voshell - 21.

The journal of the previous day was approved as read on motion of Senator Cordrey. No objection.

The Secretary announced that a message from the House informed the Senate that it had passed SB 371 w/HA 1, SS 1 to SB 198 w/HA 1 & 2, SB 381, SB 335, SB 401w/SA 1 & 2, SB 415 w/SA 1, SB 308, HB 627, HB 606 w/HA 1, HB 601 w/HA 1 & 2, HB 628 w/HA 1, HB 622, HB 618, HJR 28, HJR 29.

HB 459 was lifted from the table and brought before the Senate for consideration on motion of Senator Vaughn, the floor manager.

HB 459 - AN ACT TO AMEND CHAPTER 11, TITLE 18 OF THE DELAWARE CODE RELATING TO THE INSURANCE CODE AND ASSETS AND LIABILITIES.

Senator Vaughn requested the privilege of the floor for Donna Lee Williams, Insurance Commissioner.

Senator Sokola questioned the witness, after which the witness was excused. A roll call vote was taken and revealed 16 Senators voting YES, 3 (McDowell, Sokola, Venables) NO, 2 (McBride, Sharp) ABSENT; therefore, **HB 459** was declared passed the Senate and returned to the House.

At 12:09 a.m. on motion of Senator Martin the Senate recessed for Party Caucus.

The Senate reconvened at 12:18 a.m. with Senator Martin presiding.

HB 627 was brought before the Senate for consideration on motion of the floor manager, Senator Cordrey, under the suspension of the necessary rules.

HB 627 - AN ACT TO AMEND TITLES 7 AND 30 OF THE DELAWARE CODE AND CHAPTER 80, VOLUME 68 OF THE LAWS OF DELAWARE RELATING TO TAXES ON GROSS RECEIPTS. Sponsors: Representative Smith; Representatives Spence, Petrilli, Quillen, Davis, George, Gilligan, Cordrey, Cook, Martin, Marshall, Bair, Connor.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore, **HB 627** was declared passed the Senate and returned to the House.

SB 447 was brought before the Senate for consideration on motion of the floor manager, Senator Cordrey, under the suspension of the necessary rules.

SB 447 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE PUBLIC UTILITY TAX. Sponsors: Senator Cordrey, Martin, Marshall, Cook, Bair, Connor; Representatives Petrilli, Spence, Quillen, George, Gilligan, Davis.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) NOT VOTING; therefore, **SB 447** was declared passed the Senate and sent to the House for consideration.

SJR 38 was brought before the Senate for consideration on motion of Senator Cordrey, under the suspension of the necessary rules.

SJR 38 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1994. Sponsors: Senator Cordrey; Senators Cook, Neal; Representatives Petrilli, Davis, George.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SJR 38** was declared passed the Senate and sent to the House for consideration.

SJR 37 was brought before the Senate for consideration on motion of Senator Cordrey, under the suspension of the necessary rules.

SJR 37 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1995. Sponsors: Senator Cordrey; Senators Cook, Neal; Representatives Petrilli, Davis, George.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SJR 37** was declared passed the Senate and sent to the House for consideration.

SB 420 was lifted from the table and brought before the Senate for consideration on motion of Senator Cook.

SB 420 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1995; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

Senators Cordrey and Neal commented.

Lt. Governor Minner presiding at 12:30 a.m.

Senator McBride commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 420** was declared passed the Senate and sent to the House for consideration.

SB 440 was lifted from the table and brought before the Senate for consideration on motion of Senator Cook, under the suspension of the necessary rules.

SB 440 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 1995; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 440** was declared passed the Senate and sent to the House for consideration.

SB 448 was brought before the Senate for consideration on motion of Senator Cordrey, under the suspension of the necessary rules.

SB 448 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION TO THE DELAWARE LAND AND WATER CONSERVATION TRUST FUND FOR THE FISCAL YEAR ENDING JUNE 30, 1995, DEAUTHORIZING \$20,000,000 OF THE REVENUE BONDS AND AMENDING SUBCHAPTER II, CHAPTER 54, TITLE 30 OF THE DELAWARE CODE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 448** was declared passed the Senate and sent to the House for consideration.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 448** was declared passed the Senate and sent to the House for consideration.

SS 1 for SB 198 w/HA 1 & 2, which was returned from the House with Amendments, was brought before the Senate for reconsideration on motion of Senator Voshell, under the suspension of the necessary rules.

SS 1 for SB 198 w/HA 1 & 2 - AN ACT TO AMEND CHAPTERS 16, 25 AND 58, TITLE 29, DELAWARE CODE AND CHAPTER 417, VOLUME 67, LAWS OF DELAWARE BY ESTABLISHING THE STATE PUBLIC INTEGRITY COMMISSION AND DEFINING ITS AUTHORITY AND RESPONSIBILITIES, AND THE DUTIES OF PERSONS SUBJECT TO ITS AUTHORITY.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SS 1 for SB 198 w/HA 1 & 2** was declared passed the Senate and sent to the Governor.

SB 371 w/HA 1, which was returned from the House with an Amendment, was brought before the Senate for reconsideration on motion of Senator Cook, under the suspension of the necessary rules.

SB 371 w/HA 1 - AN ACT TO AMEND TITLE 29 AND TITLE 14 OF THE DELAWARE CODE RELATING TO POST-RETIREMENT LUMP SUM DEATH BENEFITS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 371 w/HA 1** was declared passed the Senate and sent to the Governor.

HS 1 for HB 332 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp, under the suspension of the necessary rules.

HS 1 for HB 332 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. (3/5 vote)

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HS 1 for HB 332** was declared passed the Senate and returned to the House.

HB 575 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 575 - AN ACT TO AMEND CHAPTER 66, TITLE 16 RELATING TO FIRE PREVENTION.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 575** was declared passed the Senate and returned to the House.

HB 615 was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn, under the suspension of the necessary rules.

HB 615 - AN ACT TO AMEND TITLE 18 RELATING TO EMPLOYER OWNED LIFE INSURANCE POLICIES AND TRUST OWNED LIFE INSURANCE POLICIES ISSUED IN THIS STATE.

Senator Vaughn requested the privilege of the floor for Francis J. O'Neill, Jr. representing the Insurance Industry Economic Development.

The witness was excused. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **HB 615** was declared passed the Senate and returned to the House.

HJR 24 was brought before the Senate for consideration on motion of the floor manager, Senator Adams, under the suspension of the necessary rules.

HJR 24 - CREATING A PUBLIC EMPLOYEE RETIREMENT FUNDS TASK FORCE TO INVESTIGATE AND REPORT ON THE MANAGEMENT OF RETIREMENT FUNDS OF EMPLOYEES OF STATE GOVERNMENTAL SUBDIVISIONS.

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

HS 1 for HB 483 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HS 1 for HB 483 w/HA 1 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EARLY CHILDHOOD EDUCATION.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HS 1 for HB 483 w/HA 1** was declared passed the Senate and returned to the House.

HB 569 was brought before the Senate for consideration on motion of the floor manager, Senator Cordrey, under the suspension of the necessary rules.

HB 569 - AN ACT TO AMEND CHAPTER 50, TITLE 29 RELATING TO AUDITING THE DELAWARE ECONOMIC DEVELOPMENT AUTHORITY.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 569** was declared passed the Senate and returned to the House.

HS 1 for HB 234 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HS 1 for HB 234 - AN ACT TO AMEND TITLE 11, CHAPTER 92, RELATING TO LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS.

Senator McBride commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HS 1 for HB 234** was declared passed the Senate and returned to the House.

HB 477 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HB 477 - AN ACT TO AMEND CHAPTER 5, TITLE 10 OF THE DELAWARE CODE TO PROVIDE FOR COMMISSIONERS OF THE SUPERIOR COURT AND THE COURT OF COMMON PLEAS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 477** was declared passed the Senate and returned to the House.

HB 537 was brought before the Senate for consideration on motion of the floor manager, Senator Adams, under the suspension of the necessary rules.

HB 537 - AN ACT TO WAIVE THE STATUTORY PROVISIONS OF SUBSECTION 107 (A), TITLE 13, OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF ROBERT CHRISTIAN ACKERMAN AND KAREN SMOLSKIS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **HB 537** was declared passed the Senate and returned to the House.

HB 622 was brought before the Senate for consideration on motion of the floor manager, Senator McDowell, under the suspension of the necessary rules.

HB 622 - AN ACT TO AMEND THE STATUTORY PROVISIONS OF SUBSECTION 106 (A), TITLE 13, OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF ROBIN FRANCES HEFRON AND E. STEVEN ROME. Sponsors: Representative DiPinto; Senator McDowell.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **HB 622** was declared passed the Senate and returned to the House.

HB 195 w/HA 2 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 195 w/HA 2 - AN ACT TO AMEND CHAPTERS 27 AND 41, TITLE 21, DELAWARE CODE RELATING TO DRIVER'S LICENSE AND OPERATION OF A VEHICLE WHILE UNDER THE INFLUENCE OF INTOXICANTS.

SA 1 to HB 195, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Voshell.

Senator Still commented. Senator Voshell requested the privilege of the floor for Stephen Wood, representing the Attorney General's Office.

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

A roll call vote was taken and revealed 12 Senators voting YES, 8 (Adams, Cook, Cordrey, McBride, McDowell, Torbert, Vaughn, Venables) NO, 1 (Sharp) ABSENT; therefore, **SA 1 to HB 195** was declared part of the bill.

HB 195 w/HA 2, w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 10 Senators (Bair, Blevins, Connor, Hauge, Knox, Marshall, Neal, Sokola, Still, Voshell) voting YES, 10 (Adams, Cook, Cordrey, Henry, Martin, McBride, McDowell, Torbert, Vaughn, Venables) NO, 1 (Sharp) ABSENT; therefore, **HB 195 w/HA 2, w/SA 1** was declared defeated by the Senate and was returned to the House.

HB 595 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 595 - AN ACT TO AMEND CHAPTER 93, TITLE 9 OF THE DELAWARE CODE RELATING TO THE DUTIES AND POWERS OF COUNTY COMPTROLLERS.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Neal, Sharp) ABSENT; therefore, **HB 595** was declared passed the Senate and returned to the House.

HB 511 w/HA 1 & 2 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 511 w/HA 1 & 2 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DUTIES OF THE SECRETARY OF PUBLIC SAFETY.

A roll call vote was taken and revealed 13 Senators voting YES, 6 (Cook, Henry, McBride, McDowell, Still, Vaughn) NO, 2 (Neal, Sharp) ABSENT; therefore, **HB 511 w/HA 1 & 2** was declared passed the Senate and returned to the House.

HB 414 was brought before the Senate for consideration on motion of Senator Sokola, the floor manager.

HB 414 - AN ACT TO AMEND CHAPTER 19, TITLE 14 OF THE DELAWARE CODE RELATING TO LOCAL SCHOOL TAXES.

Senators McBride and McDowell commented. Senator Sokola yielded to Senator Connor.

A roll call vote was taken and revealed 10 Senators (Bair, Blevins, Connor, Hauge, Henry, Knox, Martin, McBride, Sokola, Still, Torbert) voting YES, 10 (Adams, Cook, Cordrey, Marshall, McDowell, Neal, Vaughn, Venables, Voshell) NO, 1 (Sharp) ABSENT. Lt. Governor Minner broke the tie with a NO vote; therefore, the roll call vote revealed 10 YES, 11 NO, 1 ABSENT; therefore, **HB 414** was declared defeated by the Senate.

HB 437 w/HA 1, 2 & 4 was brought before the Senate for consideration on motion of Senator Blevins, the floor manager.

HB 437 w/HA 1, 2 & 4 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE BY ADDING A NEW CHAPTER 50 RELATING TO THE REQUIREMENTS OF THE OMNIBUS BUDGET RECONCILIATION ACT OF 1993 FOR STATE MEDICAID PROGRAMS TO SEEK ADJUSTMENT OR RECOVERY OF ANY MEDICAL ASSISTANCE CORRECTLY PAID ON BEHALF OF INDIVIDUALS RECEIVING LONG-TERM CARE SERVICES UNDER THE STATE PLAN FOR TITLE XIX OF THE SOCIAL SECURITY ACT.

Senators Hauge and Venables commented. A roll call vote was taken and revealed 18 Senators voting YES, 1 (Venables) NO, 2 (Neal, Sharp) ABSENT; therefore, **HB 437 w/HA 1, 2 & 4** was declared passed the Senate and returned to the House.

HB 490 w/HA 3 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 490 w/HA 3 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD RESTRAINT LAWS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **HB 490 w/HA 3** was declared passed the Senate and returned to the House.

HS 2 for HB 352 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HS 2 for HB 352 - AN ACT TO AMEND CHAPTER 43, TITLE 21, OF THE DELAWARE CODE, RELATING TO BUMPER, FRAME RAIL AND BODY HEIGHTS.

Senator Cordrey commented. A roll call vote was taken however, it was tabled before it was announced.

Senator Neal moved to rescind the roll call on **HB 414**. No objections.

Senator Neal moved to return **HB 414** to the calendar. No objections.

A roll call vote was taken and revealed 10 Senators (Bair, Connor, Hauge, Henry, Knox, Marshall, McBride, Neal, Sokola, Still) voting YES; 10 (Adams, Blevins, Cook, Cordrey, Martin, McDowell, Torbert, Vaughn, Venables, Voshell) NO, 1 (Sharp) ABSENT; therefore, it was a tie vote. Lt. Governor cast her vote as NO; therefore, **HS 2 for HB 352** was declared defeated by the Senate and returned to the House.

HB 214 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Cordrey, under the suspension of the necessary rules.

HB 214 w/HA 1 - AN ACT TO AMEND TITLE 13, CHAPTER 5, DELAWARE CODE RELATING TO SUPPORT.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Henry, Neal) NO, 1 (Sharp) ABSENT; therefore, **HB 214 w/HA 1** was declared passed the Senate and returned to the House.

HB 216 w/HA 1 was brought before the Senate for consideration on motion of Senator Marshall, the floor manager.

HB 216 w/HA 1 - AN ACT TO AMEND CHAPTER 20, TITLE 30, DELAWARE CODE CONCERNING TAX CREDITS AND THE DONATION OF COMPUTERS TO SCHOOL DISTRICTS.

A roll call vote was taken and revealed 16 Senators voting YES, 4 (Adams, Cook, Cordrey, Vaughn) NO, 1 (Sharp) ABSENT; therefore, **HB 216 w/HA 1** was declared passed the Senate and returned to the House.

HB 583 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Blevins, under the suspension of the necessary rules.

HB 583 w/HA 1 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO QUALIFICATIONS OF CHIROPRACTIC LICENSURE APPLICANTS.

SA 1 to HB 583 was stricken on motion of Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SA 1 to HB 583** was declared passed the Senate and returned to the House.

HB 540 was brought before the Senate for consideration on motion of the floor manager, Senator McBride, under the suspension of the necessary rules.

HB 540 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE PRESERVATION OF INLAND BAYS, AND CREATING THE INLAND BAYS' WATERSHED ENHANCEMENT ACT.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **HB 540** was declared passed the Senate and returned to the House.

HCR 83 was brought before the Senate for consideration on motion of Senator Blevins, the floor manager.

HCR 83 - REQUESTING AN OPINION OF THE SUPREME COURT REGARDING ART XV, § 5.

Sponsors: Representative Amick, Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **HCR 83** was declared adopted by the Senate and returned to the House.

HCR 80 was brought before the Senate for consideration on motion of Senator Sokola, the floor manager.

HCR 80 - HONORING DR. JAMES L. SPARTZ AS HE EMBARKS ON THE NEW CAREER OF RETIREMENT. Sponsors: Representative D. Ennis on behalf of All Representatives; Senator Sokola on behalf of All Senators.

Senators McBride and Cook commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **HCR 80** was declared adopted by the Senate and returned to the House.

HJR 28 was brought before the Senate for consideration on motion of the floor manager, Senator McBride, under the suspension of the necessary rules.

HJR 28 - HONORING THE LATE SENATOR HERMAN M. HOLLOWAY, SR., A NATIVE DELAWAREAN FOR HIS OUTSTANDING CONTRIBUTIONS AND APPOINTING A COMMITTEE TO RAISE THE NECESSARY FUNDS TO COMMISSION AN ARTIST TO DO A PORTRAIT OF THE LATE

SENATOR HERMAN M. HOLLOWAY SR. TO BE HUNG IN THE GALLERY OF LEGISLATIVE HALL AMONG OTHER DISTINGUISHED DELAWAREANS. Sponsors: Representative Holloway; Representative Plant on behalf of All Representatives; Senators Henry and Cordrey on behalf of All Senators.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **HJR 28** was declared passed the Senate and returned to the House.

At 2:23 a.m. on motion of Senator Martin the Senate recessed.

At 2:36 a.m. the Senate reconvened with Lt. Governor Minner presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 626, HCR 83, SB 442, SB 370, SB 228, SB 159 w/SA 1, SB 437, SB 446 w/SA 1, SB 331, SB 380, SB 61 w/SA 1 & 2, SB 319 w/SA 1 & 2, SB 413, SB 344, SJR 23, SCR 81.**

HB 603 was brought before the Senate on motion of the floor manager, Senator Cook, under the suspension of the necessary rules.

HB 603 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO INFORMATION AND TECHNOLOGY AND TO CREATE AN OFFICE INFORMATION SYSTEMS ADVISORY COMMITTEE.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Still) NOT VOTING, 1 (Sharp) ABSENT; therefore, **HB 603** was declared passed the Senate and returned to the Senate.

HB 626 was brought before the Senate for consideration on motion of the floor manager, Senator McBride, under the suspension of the necessary rules.

HB 626 - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 1995; DEAUTHORIZING STATE GUARANTEED BOND AUTHORIZATIONS AND DEAUTHORIZING, REAUTHORIZING AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; DEAUTHORIZING AND REAUTHORIZING OF CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; CREATING 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; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (3/4 vote) Sponsors: Representatives Roy, Carey, B. Ennis, Jonkiert, Oberle, Taylor; Senators Sharp, Cook, Hauge, Knox, McBride, Venables.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **HB 626** was declared passed the Senate and returned to the House.

HB 601 w/HA 1 & 2 was brought before the Senate for consideration on motion of the floor manager, Senator Cordrey, under the suspension of the necessary rules.

HB 601 w/HA 1 & 2 - AN ACT TO AMEND CHAPTER 1, TITLE 16 OF THE DELAWARE CODE RELATING TO THE STATE BOARD OF HEALTH. Sponsors: Representative Schroeder; Representatives Bradley, Buckworth, Carey, DiLiberto, Ewing, Houghton, Jonkiert, Spence, Wagner; Senators Cook, Knox.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **HB 601 w/HA 1 & 2** was declared passed the Senate and returned to the House.

HB 570 was brought before the Senate for consideration on motion of the floor manager, Senator Cordrey, under the suspension of the necessary rules.

HB 570 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, ESTABLISHING A WASTEWATER FACILITIES ADVISORY COUNCIL AND PRESCRIBING ITS DUTIES AND FISCAL RESPONSIBILITIES.

Senator Cordrey yielded to Senator McBride. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **HB 570** was declared passed the Senate and returned to the House.

HB 543 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator McBride, under the suspension of the necessary rules.

HB 543 w/HA 1 - AN ACT TO AMEND TITLE 10, CHAPTER 5, SUBCHAPTER III OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE SUPERIOR COURT.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Sokola) NO, 1 (Sharp) ABSENT; therefore, **HB 543 w/HA 1** was declared passed the Senate and returned to the House.

HB 589 was brought before the Senate for consideration on motion of the floor manager, Senator McBride, under the suspension of the necessary rules.

HB 589 - AN ACT TO AMEND CHAPTER 95 OF TITLE 10 OF THE DELAWARE CODE RELATING TO PROCEDURES OF THE JUSTICE OF THE PEACE COURT.

Senator McDowell commented. Senator Bair requested the privilege of the floor for Patricia Griffin, representing the Justice of the Peace Courts.

The witness was excused. A roll call vote was taken and revealed 19 Senators voting YES, 1 (McDowell)

NO, 1 (Sharp) ABSENT; therefore, **HB 589** was declared passed the Senate and returned to the House.

HJR 27 was brought before the Senate for consideration on motion of the floor manager, Senator Neal, under the suspension of the necessary rules.

HJR 27 - ESTABLISHING THE EDUCATION TECHNOLOGY COMMITTEE. Sponsors: Representatives Wojewodzki, Sorenson; Senators Cook, Neal.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **HJR 27** was declared passed the Senate and returned to the House.

HJR 29 was brought before the Senate for consideration on motion of the floor manager, Senator Cook, under the suspension of the necessary rules.

HJR 29 - MEMORIALIZING THE INTENT OF THE 137TH GENERAL ASSEMBLY IN THE MATTER RELATING TO THE FISCAL YEAR 1995 \$70-MILLION DOLLAR BUDGET SURPLUS. Sponsors: Representative Petrilli; Senator Cook; Representatives Spence, Quillen, Davis, George, Gilligan; Senator Cordrey, Martin, Marshall, Bair, Connor; Representatives Mack and Brady.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **HJR 29** was declared passed the Senate and returned to the House.

HB 438 w/HA 1 was brought before the Senate on motion of the floor manager, Senator Marshall, under the suspension of the necessary rules.

HB 438 w/HA 1 - AN ACT TO AMEND TITLES 30 AND 31 OF THE DELAWARE CODE RELATING TO THE FEDERAL EARNED INCOME TAX CREDIT.

A roll call vote was taken and revealed 17 Senators voting YES, 3 (McDowell, Still, Venables) NO, 1 (Sharp) ABSENT; therefore, **HB 438 w/HA 1** was declared passed the Senate and returned to the House.

HB 596 w/HA 1 was brought before the Senate for consideration on motion of Senator Marshall, the floor manager.

HB 596 w/HA 1 - AN ACT TO AMEND CHAPTER 21, TITLE 25 OF THE DELAWARE CODE RELATING TO MORTGAGE SATISFACTIONS.

Senator Neal commented. Senator Marshall requested the privilege of the floor for Paulette Moore, representing the Recorder of Deeds.

The witness was excused. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Adams, Sharp) ABSENT; therefore, **HB 596 w/HA 1** was declared passed the Senate and returned to the House.

HB 594 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 594 - AN ACT TO AMEND CHAPTERS 1 AND 23, TITLE 21 OF THE DELAWARE CODE RELATING TO PARK TRAILERS.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Adams, Sharp) ABSENT; therefore, **HB 594** was declared passed the Senate and returned to the House.

HB 568 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Cordrey, under the suspension of the necessary rules.

HB 568 w/HA 1 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO ACCEPTANCE OF ELECTRONIC INFORMATION.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Adams, McDowell, Sharp) ABSENT; therefore, **HB 568 w/HA 1** was declared passed the Senate and returned to the House.

HB 563 was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

HB 563 - AN ACT TO AMEND SUBCHAPTER II, SUBPART D, SECTION 761(G) OF TITLE 11 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF "WITHOUT CONSENT" IN SEX CRIME PROSECUTIONS.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Adams, Sharp) ABSENT; therefore, was **HB 563** declared passed the Senate and returned to the House.

HB 426 w/HA 1 was brought before the Senate for consideration on motion of Senator Vaughn, the floor manager.

HB 426 w/HA 1 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Adams, Sharp) ABSENT; therefore, **HB 426 w/HA 1** was declared passed the Senate and returned to the House.

HB 478 was brought before the Senate for consideration on motion of Senator Vaughn, the floor manager.

HB 478 - AN ACT TO AMEND CHAPTER 9, TITLE 18 OF THE DELAWARE CODE RELATING TO THE STANDARDS FOR CREDIT FOR REINSURANCE.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Adams, Sharp) ABSENT; therefore, **HB 478** was declared passed the Senate and returned to the House.

HB 487 was brought before the Senate for consideration on motion of Senator Vaughn, the floor manager.

HB 487 - AN ACT TO AMEND CHAPTER 45 AND CHAPTER 49 OF TITLE 15 OF THE DELAWARE CODE RELATING TO CERTIFICATES OF ELECTION.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Adams, Sharp) ABSENT; therefore, **HB 487** was declared passed the Senate and returned to the House.

SP 25 was brought before the Senate for consideration on motion of Senator Cordrey.

SR 35 - RECOGNIZING THIRTEEN YEARS OF OUTSTANDING SERVICE IN THE STATE SENATE BY SEN. WILLIAM C. "BILL" TORBERT OF DOVER AND EXPRESSING BEST WISHES AS HE PREPARES TO RETIRE FROM PUBLIC SERVICE. Sponsors: Senator Cordrey on behalf of All Senators.

Senator Marshall presented gifts to Senator Torbert on behalf of the Senate.

Senators McBride, Sokola and Still commented on the career of Senator Torbert.

Senator Torbert commented.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Adams, Sharp) ABSENT; therefore, **SR 35** was declared adopted by the Senate.

SR 36 was brought before the Senate for consideration on motion of Senator Bair.

SR 36 - EXTENDING CONGRATULATIONS TO SENATOR ANDREW G. KNOX OF CENTREVILLE FOR HIS DISTINGUISHED CAREER AS A MEMBER OF THE DELAWARE GENERAL ASSEMBLY.

Sponsors: Senators Bair, Connor, Cordrey, Martin, Marshall.

Senator Knox rose to make comments. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Adams, Sharp) ABSENT; therefore, **SR 36** was declared adopted by the Senate.

SR 37 was brought before the Senate for consideration on motion of Senator Bair.

SR 37 - EXTENDING CONGRATULATIONS TO OUR COLLEAGUE JAMES PRESTON NEAL, IV, SENATOR FROM NEWARK, FOR 16 YEARS OF DISTINGUISHED SERVICE IN THE DELAWARE GENERAL ASSEMBLY. Sponsors: Senators Bair, Connor, Cordrey, Martin, Marshall.

Senator Neal rose to make comments.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Adams, Sharp) ABSENT; therefore, **SR 37** was declared adopted by the Senate.

Senator Cordrey presented tributes to Senators Torbert, Knox and Neal.

At 3:50 a.m. on motion of Senator Martin the Senate recessed to the call of the President Pro Tempore.

The Senate reconvened on September 19, 1994 at 5:07 p.m. with Lt. Governor Minner presiding.

HJR 20 was brought before the Senate for consideration on motion of the floor manager, Senator Cook, under the suspension of the necessary rules.

HJR 20 - DIRECTING THE DEPARTMENT OF TRANSPORTATION TO NAME THE KIRKWOOD HIGHWAY BRIDGE OVER RED CLAY CREEK IN HONOR OF THE LATE JOHN T. DAVIS.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Connor, Still) ABSENT; therefore, **HJR 20** was declared passed the Senate and returned to the House.

The Secretary announced that a message from the House informed the Senate that it had passed **SB 379 w/SA 1, SB 447, SB 440, SB 420, SS 1 to SB 85, SB 368 w/SA 1, SB 441, SB 421, SB 354, SB 444, SB 435, SB 450, SB 17 w/SA 2, SB 423 w/SA 1, SB 425 w/SA 1, SB 298 w/SA 2 & 4, SB 356 w/SA 1, SB 280 w/SA 1, HA 2 & 3, SB 406 w/SA 1, w/HA 1.**

LEGISLATIVE ADVISORIES #58 through #69 from the Office of Counsel to the Governor were announced for the record, partially read and copies were made available to the members upon request.

LEGISLATIVE ADVISORY #58, dated July 5, 1995, the following legislation was signed by Governor Thomas R. Carper on the dates indicated:

HB 475 aab HA 6, 7, 8, & 9 - 06/30/94 - AN ACT TO AMEND CHAPTER 21, TITLE 24 OF THE DELAWARE CODE RELATING TO OPTOMETRY. (Rep. D. Ennis & Sen. Blevins; Reps. Petrilli, Quillen, Davis, Ewing, Fallon, Lee, Lofink, Mack, Reynolds, Brady, Bradley, Banning, Bunting, B. Ennis, Houghton, Plant, Van Sant, West; Sens. Marshall, McBride, Sharp, Torbert, Vaughn, Hauge, Still) (Volume 69, Chapter 288, Laws of Delaware.)

HB 627 - 07/01/94 - AN ACT TO AMEND TITLES 7 AND 30 OF THE DELAWARE CODE AND CHAPTER 80, VOLUME 68 OF THE LAWS OF DELAWARE RELATING TO TAXES ON GROSS RECEIPTS. (Rep. Smith; Reps. Spence, Petrilli, Quillen, Davis, George, Gilligan; Sens. Cordrey, Cook, Martin, Marshall, Bair, Connor) (Volume 69, Chapter 289, Laws of Delaware.)

SB 447 - 07/01/94 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE PUBLIC UTILITY TAX. (Sens. Cordrey, Martin, Marshall, Cook, Bair and Connor; Reps. Petrilli, Spence, Quillen, George, Gilligan and Davis) (Volume 69, Chapter 290, Laws of Delaware.)

SJR 38 - 07/01/94 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1994. (Sens. Cordrey, Cook, Neal; Reps. Petrilli, Davis, George)

SJR 37 - 07/01/94 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1995. (Sens. Cordrey, Cook, Neal; Reps. Petrilli, Davis, George)

SB 420 - 07/01/94 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1995, SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sens. Cook, McBride, McDowell, Neal, Still, Vaughn; Reps. Davis, Buckworth, DiPinto, Maroney, Van Sant, West) (Volume 69, Chapter 291, Laws of Delaware.)

SB 440 - 07/01/94 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION FOR CERTAIN

GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 1995; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Sens. Cook, McBride, McDowell, Neal, Still, Vaughn; Reps. Davis, Buckworth, DiPinto, Maroney, Van Sant, West) (Volume 69, Chapter 292, Laws of Delaware.)

Governor Carper vetoed the following legislation on the date indicated:

HB 460 aab HA 3 & SA 1, 5, & 6 - 07/01/94 - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO STATE LANGUAGE. (Rep. Smith & Sen. Venables; Reps. Petrilli, Quillen, Spence, Buckworth, Carey, Davis, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Oberle, Reynolds, Roy, Wagner, Banning, Bennett, Brady, Clark, B. Ennis, Houghton, Van Sant, West; Sens. Adams, Cordrey, Torbert, Vaughn, Bair, Connor, Hauge, Neal, Still)

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LEGISLATIVE ADVISORY #59, dated July 5, 1994. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

HB 383 aab HA 2 - 07/05/94 - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR SALES OF FIREARMS. (Rep. Van Sant and Sen. Sharp; Reps. Bennett, Brady, B. Ennis, Houghton, Lee, Oberle, Spence, West, Sen. Vaughn) (Volume 69, Chapter 293, Laws of Delaware.)

SB 336 aab HA 1 - 07/05/94 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO CHANGING CRIMINAL PENALTIES TO CIVIL PENALTIES FOR VIOLATIONS OF LABOR LAWS. (Sen. Marshall; Rep. Oberle) (Volume 69, Chapter 294, Laws of Delaware.)

HB 528 aab HA 1 - 07/05/94 - AN ACT TO AMEND SECTION 6912, TITLE 29 OF THE DELAWARE CODE, RELATING TO PREVAILING WAGE. (Rep. Oberle and Sen. Marshall) (Volume 69, Chapter 295, Laws of Delaware.)

HB 435 aab SA 2 - 07/05/94 - AN ACT TO AMEND CHAPTER 8, TITLE 13 OF THE DELAWARE CODE RELATING TO PATERNITY; AND TO AMEND CHAPTER 31, TITLE 16 OF THE DELAWARE CODE, RELATING TO VITAL STATISTICS, TO PROVIDE FOR AN IN-HOSPITAL PROCEDURE FOR VOLUNTARY ACKNOWLEDGMENT OF PATERNITY; AND TO AMEND CHAPTER 13, TITLE 13 OF THE DELAWARE CODE RELATING TO ILLEGITIMATE CHILDREN. (Rep. Maroney, Rep. D. Ennis) (Volume 69, Chapter 296, Laws of Delaware.)

HB 537 - 07/05/94 - AN ACT TO WAIVE THE STATUTORY PROVISIONS OF SUBSECTION 107(A), TITLE 13, OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF ROBERT CHRISTIAN ACKERMAN AND KAREN SMOLSKIS. (Rep. Bunting) (Volume 69, Chapter 297, Laws of Delaware.)

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LEGISLATIVE ADVISORY #60, dated July 8, 1994. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

HS 1 to HB 234 - 07/07/94 - AN ACT TO AMEND TITLE 11, CHAPTER 92, RELATING TO THE LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS. (Rep. Buckworth; Sens. Vaughn & Voshell; Reps. Spence, DiPinto, D. Ennis, Lee, Lofink, Oberle, Smith, Banning, Bennett, Clark, B. Ennis, Jonkiert, Van Sant, West) (Volume 69, Chapter 298, Laws of Delaware.)

HS 1 for HB 332 - 07/07/94 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. (Rep. Spence; Reps. Petrilli, Amick, Carey, D. Ennis, Lee, Oberle, Banning, B. Ennis, Houghton, Bennett; Sens. Adams, Cook, Cordrey, McBride, Sharp, Vaughn) (Volume 69, Chapter 299, Laws of Delaware.)

SB 362 aab SA 1 - 07/07/94 - AN ACT TO AMEND CHAPTER 92, TITLE 10 DELAWARE CODE RELATING TO THE ORGANIZATION AND OPERATION OF THE JUSTICE OF THE PEACE COURTS AND CHAPTER 66, TITLE 18, DELAWARE CODE RELATING TO LINE-OF-DUTY DEATH BENEFITS. (Sen. Sharp; Rep. Amick) (Volume 69, Chapter 300, Laws of Delaware.)

SB 363 aab SA 1 - 07/07/94 - AN ACT TO AMEND CHAPTER 27, TITLE 11, DELAWARE CODE TO GRANT JUSTICE OF THE PEACE COURTS JURISDICTION TO HEAR, TRY AND FINALLY DETERMINE ADDITIONAL MISDEMEANORS THAN THEY PRESENTLY HAVE JURISDICTION TO HEAR, TRY AND FINALLY DETERMINE. (Sens. Sharp, McBride; Rep. Amick) (Volume 69, Chapter 301, Laws of Delaware.)

HB 512 aab HA 1 - 07/07/94 - AN ACT TO AMEND TITLES 7, 16 AND 29 OF THE DELAWARE CODE RELATING TO THE TRANSFER OF CERTAIN RESPONSIBILITIES FROM THE STATE BOARD OF HEALTH TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. (Reps. Schroeder and Carey and Sen. McBride; Reps. Bradley, Bunting, Clark, Wojewodzki, Jonkiert, Amick; Sens. Sokola, Cordrey, Knox, Voshell) (Volume 69, Chapter 302, Laws of Delaware.)

HB 570 - 07/07/94 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, ESTABLISHING A WASTEWATER FACILITIES ADVISORY COUNCIL AND PRESCRIBING ITS DUTIES AND FISCAL RESPONSIBILITIES. (Rep. Schroeder; Reps. Bennett, Bradley, Bunting, Jonkiert, Van Sant, West; Sen. Vaughn) (Volume 69, Chapter 303, Laws of Delaware.)

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LEGISLATIVE ADVISORY #61, dated July 8, 1994. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

HB 363 aab HA 1 and 2 - 07/08/94 - AN ACT TO AMEND CHAPTER 5, TITLE 22 OF THE DELAWARE CODE RELATING TO PARKING AUTHORITIES. (Reps. Amick, Wojewodzki; Sens. Neal, Martin, Vaughn) (Volume 69, Chapter 304, Laws of Delaware.)

HB 436 aab HA 2 and SA 1 - 07/08/94 - AN ACT TO AMEND CHAPTER 5, TITLE 16 OF THE DELAWARE CODE RELATING TO TUBERCULOSIS CONTROL. (Rep. Maroney and Sens. Blevins and Bair; Reps. Petrilli, Quillen, Spence, D. Ennis, Reynolds, Roy, Wagner, DiPinto, Ewing, Buckworth, Davis, Sorenson, Bradley, Brady, Bunting, Gilligan, Jonkiert, West; Sens. Marshall, McBride, Venables, Sokola, McDowell, Martin, Neal, Connor) (Volume 69, Chapter 305, Laws of Delaware)

HB 479 aab HA 1 and SA 1 - 07/08/94 - AN ACT TO AMEND TITLES 24 AND 29 OF THE DELAWARE CODE RELATING TO OCCUPATIONS AND PROFESSIONS AND PROVIDING FOR THE CERTIFICATION OF DIETITIANS/NUTRITIONISTS. (Rep. Maroney and Sen. Blevins; Reps. Buckworth, Taylor, Smith, Banning; Sens. Sharp, Connor) (Volume 69, Chapter 306, Laws of Delaware.)

SB 44 aab SA 2, 4 and HA 1, 2 - 07/08/94 - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE, RELATING TO INCREASED FINES FOR ALTERED OR FICTITIOUS VEHICLE REGISTRATIONS AND/OR REGISTRATION PLATES AND VIOLATIONS OF REGISTRATION PROVISIONS. (Sen. Voshell; Rep. Ewing, Sen. Blevins) (Volume 69, Chapter 307, Laws of Delaware.)

SB 152 aab HA 3 - 07/08/94 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CONDEMNATION PROCEDURES. (Sens. Sokola, Blevins and Venables; Reps. Davis and Wojewodzki) (Volume 69, Chapter 308, Laws of Delaware.)

SB 351 aab SA 1 - 07/08/94 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD CUSTODY AND VISITATION IN CASES OF DOMESTIC VIOLENCE. (Sen. Blevins and Rep. Sorenson and Rep. Maroney; Sens. Bair, Knox, Marshall, Martin, Neal, Sokola and Voshell; Reps. Bennett, Bradley, Brady, Gilligan, Jonkiert, Taylor, Wagner and Wojewodzki) (Volume 69, Chapter 309, Laws of Delaware.)

SB 78 w/SA 1, 2 and HA 4 aab HA 2 to HA 4 - 07/08/94 - AN ACT TO AMEND TITLE 16 AND TITLE 18 OF THE DELAWARE CODE PROVIDING FOR A CHILDHOOD LEAD POISONING PREVENTION ACT RELATING TO MANDATORY LEAD POISONING TESTING AND HEALTH INSURANCE COVERAGE. (Sens. Blevins, Connor and Holloway; Reps. Bradley, Brady, Gilligan) (Volume 69, Chapter 310, Laws of Delaware.)

SB 294 w/SA 1 & HA 1 - 07/08/94 - AN ACT TO AMEND CHAPTER 42, OF TITLE 11, DELAWARE CODE RELATING TO THE EARLY RELEASE FROM INCARCERATION OF CONVICTED OFFENDERS. (Sens. Vaughn, Sharp & Reps. B. Ennis, Davis, Lee) (Volume 69, Chapter 311, Laws of Delaware.)

HB 412 aab HA 1, 2, and 3 - 07/08/94 - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO THE UNLAWFUL TRANSFER OF FIREARMS AND DANGEROUS WEAPONS. (Reps. Taylor, Lee, Smith, Quillen, Carey, Amick, Petrilli, Sorenson, Plant, Bradley, Wojewodzki; Sens. Blevins, Sokola, Bair, Knox) (Volume 69, Chapter 312, Laws of Delaware.)

HB 524 - 07/08/94 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF FIREARMS BY CERTAIN PROHIBITED INDIVIDUALS. (Reps. Brady and Schroeder; Reps. Banning, Bennett, Bradley, Buckworth, Bunting, Carey, Caulk, Clark, B. Ennis, D. Ennis, Ewing, Gilligan, Holloway, Houghton, Jonkiert, Lofink, Plant, Sorenson, Smith, Spence, Van Sant, Wagner, West, Wojewodzki; Sens. Blevins, Henry, Knox, Sokola, Still, Vaughn, Voshell) (Volume 69, Chapter 313, Laws of Delaware.)

HB 523 - 07/08/94 - AN ACT TO AMEND TITLES 4 AND 29 OF THE DELAWARE CODE RELATING TO THE TRANSFER OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO THE DEPARTMENT OF PUBLIC SAFETY. (Rep. Van Sant; Reps. Amick, Banning, Bradley, Clark, B. Ennis, Ewing, Gilligan, Houghton, Jonkiert, West; Sens. Torbert, Voshell) (Volume 69, Chapter 314, Laws of Delaware.)

HB 505 - 07/08/94 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE, RELATING TO CRIMES AND CRIMINAL PROCEDURE. (Rep. George) (Volume 69, Chapter 315, Laws of Delaware.)

HB 316 - 07/08/94 - AN ACT TO AMEND SUBCHAPTER V, CHAPTER 85, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS FOR CHILDCARE PROVIDERS. (Rep. Maroney and Sen. Sokola) (Volume 69, Chapter 316, Laws of Delaware.)

SB 252 aab SA 1 - 07/08/94 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 29, TITLE 24, DELAWARE CODE RELATING TO REGULATION OF REAL ESTATE APPRAISERS. (Sen. Cordrey) (Volume 69, Chapter 317, Laws of Delaware.)

SB 309 aab SA 1 - 07/08/94 - AN ACT TO AMEND CHAPTER 94, TITLE 11 OF THE DELAWARE CODE RELATING TO VICTIMS' BILL OF RIGHTS. (Sen. McBride & Rep. Spence; Sens. Adams, Bair, Blevins, Connor, Cook, Hauge, Henry, Knox, Marshall, Martin, McDowell, Neal, Sokola, Torbert, Vaughn, Venables, Voshell; Reps. Banning, Bennett, Bradley, Brady, Buckworth, Clark, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, George, Houghton, Jonkiert, Mack, Maroney, Oberle, Smith, Sorenson, Van Sant, Wagner, West, Wojewodzki) (Volume 69, Chapter 318, Laws of Delaware.)

HB 427 aab HA 4 - 07/08/94 - AN ACT TO AMEND TITLES 18 AND 24 OF THE DELAWARE CODE RELATING TO NURSING BY CHANGING THE QUALIFICATIONS AND AUTHORIZATION TO PRACTICE OF ADVANCED NURSES. (Reps. Amick and Oberle; Reps. Spence, Petrilli, Caulk, Ewing, Lee, D. Ennis, Fallon, Wagner, Carey, Reynolds, Lofink, Smith, Banning, Bennett, Bradley, Brady, B. Ennis, Wojewodzki; Sens. McBride, Sokola, Neal, Connor) (Volume 69, Chapter 319, Laws of Delaware.)

HB 495 - 07/08/94 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE APPROPRIATIONS. (Rep. Sorenson and Sen. Sokola) (Volume 69, Chapter 320, Laws of Delaware.)

HB 473 - 07/08/94 - AN ACT TO AMEND CHAPTER 74, TITLE 7 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNDERGROUND STORAGE TANK ACT. (Rep. Carey and Sen. Vaughn) (Volume 69, Chapter 321, Laws of Delaware.)

HB 520 - 07/08/94 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF FELTON", BEING CHAPTER 349, 63 LAWS OF DELAWARE. (Rep. Quillen & Sen. Cook) (Volume 69, Chapter 322, Laws of Delaware.)

HB 474 - 07/08/94 - AN ACT TO AMEND CHAPTER 72, TITLE 18 OF THE DELAWARE CODE RELATING TO SMALL EMPLOYER HEALTH INSURANCE. (Reps. D. Ennis and Bennett) (Volume 69, Chapter 323, Laws of Delaware.)

HB 561 aab SA 1 - 07/08/94 - AN ACT TO AMEND TITLES 11 AND 24 OF THE DELAWARE CODE RELATING TO THE TRANSFER OR SALE OF FIREARMS BY UNLICENSED PERSONS. (Rep. Van Sant) (Volume 69, Chapter 324, Laws of Delaware.)

HB 466 aab HA 1 and SA 1 - 07/08/94 - AN ACT TO AMEND CHAPTER 35, TITLE 11 AND CHAPTER 41 OF TITLE 21 OF THE DELAWARE CODE RELATING TO CHAIN OF CUSTODY. (Rep. Van Sant; Reps. Banning, Bennett, Bradley, Brady, Buckworth, Bunting, Carey, Caulk, Clark, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, George, Gilligan, Holloway, Houghton, Jonkiert, Lee, Lofink, Mack, Plant, Reynolds, Schroeder, Sorenson, Wagner, West; Sens. Blevins, Connor, Hauge, Knox, Sokola, Still, Torbert, Voshell) (Volume 69, Chapter 325, Laws of Delaware.)

HB 401 - 07/08/94 - AN ACT TO AMEND CHAPTER 97, TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE EMERGENCY MEDICAL SERVICE ADVISORY COUNCIL. (Rep. B. Ennis; Sen. Torbert; Reps. Banning, Van Sant, West, Clark, Brady, Ewing; Sen. Vaughn) (Volume 69, Chapter 326, Laws of Delaware.)

HB 271 aab HA 1 - 07/08/94 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE QUALIFICATIONS. (Rep. B. Reynolds; Reps. Spence, Ewing, Mack) (Volume 69, Chapter 327, Laws of Delaware.)

HB 387 aab HA 2 - 07/08/94 - AN ACT TO AMEND TITLES 10 AND 22, DELAWARE CODE, AUTHORIZING THE FORMATION OF MUNICIPAL BUSINESS IMPROVEMENT DISTRICTS. (Rep. DiPinto & Sen. Marshall; Reps. Amick, Buckworth, Davis, Maroney, Smith, Wagner, Bennett, George, Gilligan, Holloway, Plant; Sens. Holloway, McDowell, Bair, Connor, Knox, Neal, Still, Venables) (Volume 69, Chapter 328, Laws of Delaware.)

HB 229 - 07/08/94 - AN ACT AUTHORIZING AND DIRECTING THE SECRETARY OF STATE TO CONVEY TO THE CITY OF NEW CASTLE TITLE TO TWO PARCELS OF LAND BOTH OF WHICH ARE LOCATED IN THE CITY OF NEW CASTLE, ONE OF WHICH IS COMMONLY KNOWN AS BULL HILL, AND THE OTHER BEING A SMALL TRIANGULAR PARCEL OF LAND LOCATED ADJACENT TO ROUTE 9, SAID LANDS HAVING BEEN GIVEN TO THE COMMISSIONERS OF THE TOWN OF NEW CASTLE IN TRUST BY TWO SEPARATE ACTS OF THE DELAWARE LEGISLATURE, BEING CHAPTER 587, VOLUME 10, LAWS OF DELAWARE, AND A SUBSEQUENT SUPPLEMENT TO THE ACT, BEING CHAPTER 654, VOLUME 10, LAWS OF DELAWARE. (Rep. Mack and Sen. Connor) (Volume 69, Chapter 329, Laws of Delaware.)

HB 517 - 07/08/94 - AN ACT TO AMEND CHAPTER 74, TITLE 7 OF THE DELAWARE CODE RELATING TO UNDERGROUND STORAGE TANKS. (Reps. Mack & Carey; Sen. McBride) (Volume 69, Chapter 330, Laws of Delaware.)

HB 551 - 07/08/94 - AN ACT TO AMEND CHAPTER 45, TITLE 10 OF THE DELAWARE CODE RELATING TO COMPENSATION OF JURORS. (Rep. DiLiberto; Rep. Amick) (Volume 69, Chapter 331, Laws of Delaware.)

SB 275 - 07/08/94 - AN ACT TO AMEND CHAPTER 70, TITLE 29 OF THE DELAWARE CODE

RELATING TO THE SALE OF STATE-OWNED MATERIAL. (Sen. Cordrey; Rep. Bunting) (Volume 69, Chapter 332, Laws of Delaware.)

SB 427 - 07/08/94 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE COURT OF COMMON PLEAS. (Sen. Sharp and Rep. Amick; Sens. Vaughn and Bair; Rep. DiLiberto) (Volume 69, Chapter 333, Laws of Delaware.)

SB 208 - 07/08/94 - AN ACT TO AMEND CHAPTER 9, TITLE 19, OF THE DELAWARE CODE RELATING TO THE MINIMUM WAGE. (Sen. Marshall & Rep. Oberle) (Volume 69, Chapter 334, Laws of Delaware.)

SB 400 - 07/08/94 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT AND PROVIDING FOR THE EXPUNGEMENT OF CERTAIN ADULT CRIMINAL RECORDS. (Sen. Sharp and Rep. Amick; Sens. Vaughn and Bair; Rep. DiLiberto) (Volume 69, Chapter 335, Laws of Delaware.)

SB 403 - 07/08/94 - AN ACT TO AMEND CHAPTER 43, TITLE 11, DELAWARE CODE RELATING TO MENTAL HEALTH EVALUATIONS REQUIRED PRIOR TO PAROLE. (Sen. Vaughn; Rep. Lee) (Volume 69, Chapter 336, Laws of Delaware.)

SB 404 - 07/08/94 - AN ACT TO AMEND CHAPTER 137, VOLUME 61, LAWS OF DELAWARE, AS AMENDED BEING THE TOWN CHARTER OF THE TOWN OF DELMAR, RELATING TO THE STREETS. (Sen. Venables; Rep. Lee) (Volume 69, Chapter 337, Laws of Delaware.)

SB 408 aab SA 1 - 07/08/94 - AN ACT TO AMEND THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (Sen. Cordrey) (Volume 69, Chapter 338, Laws of Delaware.)

SB 394 - 07/08/94 - AN ACT TO AMEND TITLE 25, DELAWARE CODE RELATING TO AGRICULTURAL LEASES. (Sen. Cordrey) (Volume 69, Chapter 339, Laws of Delaware.)

SB 390 - 07/08/94 - AN ACT TO AMEND CHAPTER THREE, TITLE 4, OF THE DELAWARE CODE RELATING TO THE ABILITY OF THE DELAWARE ALCOHOLIC BEVERAGE CONTROL COMMISSION'S AUTHORITY TO ENFORCE ITS SUBPOENAS IN THE SUPERIOR COURT. (Sen. Torbert; Rep. Petrilli) (Volume 69, Chapter 340, Laws of Delaware.)

SB 384 - 07/08/94 - AN ACT TO AMEND CHAPTER 9, TITLE 13, OF THE DELAWARE CODE RELATING TO ADOPTION: AND GRANTING TO THE FAMILY COURT EXCLUSIVE JURISDICTION OVER ALL PETITIONS TO INSPECT ADOPTION RECORDS. (Sens. Sharp, Vaughn and Bair; Reps. Amick and DiLiberto) (Volume 69, Chapter 341, Laws of Delaware.)

SB 330 - 07/08/94 - AN ACT TO AMEND §8009, CHAPTER 80, TITLE 29 OF THE DELAWARE CODE (67 Del. Laws, Chapter 430 §2) RELATING TO THE PARKS AND RECREATION COUNCIL. (Sens. McBride, Voshell, Vaughn, and Knox; Reps. Carey and Schroeder) (Volume 69, Chapter 342, Laws of Delaware.)

SB 328 - 07/08/94 - AN ACT TO AMEND CHAPTER 63, TITLE 18, DELAWARE CODE, RELATING TO HEALTH SERVICE CORPORATIONS AND THE FILING OF ANNUAL FEES. (Sen. Vaughn; Rep. D. Ennis) (Volume 69, Chapter 343, Laws of Delaware.)

SB 304 - 07/08/94 - AN ACT TO AMEND VOLUME 27, CHAPTER 216, LAWS OF DELAWARE, AS AMENDED, BEING THE CHARTER OF THE CITY OF NEW CASTLE AND RELATING TO THE ACTING TREASURER AND THE SALARY OF THE CITY CLERK. (Sen. Connor & Rep. Mack) (Volume 69, Chapter 344, Laws of Delaware.)

SB 293 aab SA 2, 4 - 07/08/94 - AN ACT TO AMEND CHAPTER 79, TITLE 29, AND CHAPTER 29, TITLE 31, OF THE DELAWARE CODE, RELATING TO THE DIVISION OF AGING OF DELAWARE, THE COMMISSION FOR THE AGING AND THE COUNCIL ON AGING. (Sens. Blevins, Marshall, Martin, McBride, Venables, Voshell, Bair, Knox, and Neal; Reps. Maroney, Banning, Bradley, Brady, Buckworth, Bunting, Davis, DiLiberto, DiPinto, B. Ennis, Ewing, Fallon, Holloway, Jr., Houghton, Jonkiert, Mack, Plant, Quillen, Reynolds, Schroeder, Smith, Sorenson, Wagner and Wojewodzki) (Volume 69, Chapter 345, Laws of Delaware.)

HB 484 - 07/08/94 - AN ACT TO AMEND CHAPTER 87, TITLE 29, DELAWARE CODE, RELATING TO THE DIVISION OF LIBRARIES. (Reps. Fallon and Wojewodzki; Sens. Blevins, Sokola, Henry) (Volume 69, Chapter 346, Laws of Delaware.)

HB 507 - 07/08/94 - AN ACT TO AMEND CHAPTER 20, TITLE 16, DELAWARE CODE RELATING TO UNIFORM HEALTH DATA. (Rep. Maroney & Sen. Blevins; Reps. Sorenson, Bradley; Sen. Henry, Sokola) (Volume 69, Chapter 347, Laws of Delaware.)

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LEGISLATIVE ADVISORY #62, dated July 13, 1994. The following legislation was signed by Governor Thomas R. Carper on the dates indicated:

SB 448 - 07/11/94 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION TO THE DELAWARE LAND AND WATER CONSERVATION TRUST FUND FOR THE FISCAL YEAR ENDING JUNE 30, 1995, DEAUTHORIZING \$20,000,000 OF THE REVENUE BONDS AND AMENDING SUBCHAPTER II, CHAPTER 54, TITLE 30 OF THE DELAWARE CODE. (Sens. Cordrey, Martin, Marshall, Cook, Bair and Connor; Reps. Petrilli, Spence, Quillen, Davis, George and Gilligan) (Volume 69,

Chapter 348, Laws of Delaware.)

SB 395 - 07/11/94 - AN ACT TO AMEND TITLE 7, DELAWARE CODE RELATING TO EROSION AND SEDIMENTATION CONTROL. (Sen. Adams) (Volume 69, Chapter 349, Laws of Delaware.)

SB 388 - 07/11/94 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO STATE FORESTRY AND SEDIMENTATION AND EROSION CONTROL. (Sens. Adams, Cook, Cordrey, Vaughn, Venables, and Still; Reps. Caulk, Carey, Fallon, Lofink, Bunting, Clark and Schroeder) (Volume 69, Chapter 350, Laws of Delaware.)

HS 1 to HB 483 aab HA 1 - 07/12/94 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EARLY CHILDHOOD EDUCATION (Rep. Bradley and Sen. Blevins; Reps. Amick, Banning, Bennett, Buckworth, Bunting, Carey, Caulk, Clark, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, George, Gilligan, Holloway, Houghton, Jonkiert, Lee, Lofink, Mack, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Roy, Schroeder, Sorenson, Smith, Spence, Taylor, Van Sant, Wagner, West, Wojewodzki; Sens. Adams, Cook, Cordrey, Hauge, Henry, Knox, Marshall, Martin, McBride, McDowell, Sokola, Still, Torbert, Vaughn, Voshell) (Volume 69, Chapter 351, Laws of Delaware.)

SB 356 aab SA 1 - 07/12/94 - AN ACT TO AMEND CHAPTER 90, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES. (Sen. McDowell and Rep. Maroney) (Volume 69, Chapter 352, Laws of Delaware.)

SB 415 aab SA 1 - 07/12/94 - AN ACT TO AMEND CHAPTER 42, TITLE 11 OF THE DELAWARE CODE. (Sen. McDowell & Sen. Blevins & Rep. Van Sant & Rep. Sorenson; Reps. Lee, Buckworth and Maroney) (Volume 69, Chapter 353, Laws of Delaware.)

SB 416 aab SA 1 - 07/12/94 - AN ACT TO AMEND CHAPTER 21, TITLE 11 OF THE DELAWARE CODE. (Sen. McDowell & Sen. Blevins & Rep. Van Sant & Rep. Sorenson; Reps. Lee, Buckworth and Maroney) (Volume 69, Chapter 354, Laws of Delaware.)

HB 536 aab SA 1 and HA 1 and 2 - 07/12/94 - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE RELATING TO THE PHYSICIAN'S ASSISTANT REGULATORY COUNCIL, PRESCRIPTIVE AUTHORITY AND SCOPE OF PRACTICE OF LICENSED PHYSICIAN'S ASSISTANTS. (Rep. Bennett & Sen. Blevins; Reps. Buckworth, Caulk, Oberle, B. Ennis, Sens. Martin, Sokola, Voshell) (Volume 69, Chapter 355, Laws of Delaware.)

HB 116 aab HA 1 - 07/12/94 - AN ACT TO AMEND CHAPTER 40, TITLE 31 RELATING TO WELFARE AND THE DEPARTMENT OF HOUSING. (Rep. Roy) (Volume 69, Chapter 356, Laws of Delaware.)

HB 468 - 07/12/94 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (Rep. Petrilli) (Volume 69, Chapter 357, Laws of Delaware.)

HB 611 - 07/12/94 - AN ACT TO AMEND CHAPTER 181, VOLUME 69, LAWS OF DELAWARE RELATING TO IMPLEMENTATION DATE OF THE STATE REGISTER OF REGULATIONS. (Rep. Spence and Sen. Cordrey, Rep. Clark and Sen. Cook) (Volume 69, Chapter 358, Laws of Delaware.)

HB 361 - 07/12/94 - AN ACT TO AMEND CHAPTER 11, TITLE 25, DELAWARE CODE RELATING TO THE UNAUTHORIZED REMOVAL OR ALTERATION OF BOUNDARY LANDMARKS. (Rep. Quillen) (Volume 69, Chapter 359, Laws of Delaware.)

HB 302 - 07/12/94 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURES. (Reps. Spence and Sen. Sharp; Reps. Petrilli, Amick, Buckworth, Davis, D. Ennis, Ewing, Lofink, Quillen, Roy, Taylor, Wagner, Bennett, Bradley, George, Gilligan, Houghton, Jonkiert, Wojewodzki; Sen. Connor) (Volume 69, Chapter 360, Laws of Delaware.)

HB 519 aab HA 1, 2, 3 - 07/12/94 - AN ACT TO AMEND CHAPTER 5, TITLE 4, DELAWARE CODE, RELATING TO LICENSES AND TAXES. (Reps. DiPinto, Spence and Sen. Sharp) (Volume 69, Chapter 361, Laws of Delaware.)

HB 602 - 07/12/94 - AN ACT AMENDING CHAPTER 84 OF TITLE 29, DELAWARE CODE, RELATING TO THE CAPITOL IMPROVEMENT PROGRAM OF THE DEPARTMENT OF TRANSPORTATION. (Rep. Roy and Sen. Sharp; Reps. Taylor, Oberle, Carey, Jonkiert, B. Ennis; Sens. Cook, McBride, Venables, Hauge, and Knox) (Volume 69, Chapter 362, Laws of Delaware.)

HB 456 - 07/12/94 - RELATING TO FOOD STAMP PROGRAM. (Rep. Smith; Reps. Lofink, Wagner, Brady, Clark; Sen. McDowell) (Volume 69, Chapter 363, Laws of Delaware.)

HB 459 - 07/12/94 - AN ACT TO AMEND CHAPTER 11, TITLE 18 OF THE DELAWARE CODE RELATING TO THE INSURANCE CODE AND ASSETS AND LIABILITIES. (Reps. D. Ennis, Smith, Bennett and Sen. Vaughn; Reps. Wagner, DiPinto, Jonkiert, Houghton) (Volume 69, Chapter 364, Laws of Delaware.)

HB 622 - 07/12/94 - AN ACT TO AMEND THE STATUTORY PROVISIONS OF §106(a), TITLE 13, OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF ROBIN FRANCES HEFRON AND E. STEVEN ROME. (Rep. DiPinto; Sen. McDowell) (Volume 69, Chapter 365, Laws of Delaware.)

SS 1 to SB 33 aab SA 1, 2 - 07/12/94 - AN ACT TO AMEND CHAPTER 60, AND CHAPTER 63, TITLE 7 OF THE DELAWARE CODE, RELATING TO CRIMINAL PENALTIES FOR VIOLATIONS OF THE

PROVISION OF SAID CHAPTERS. (Sen. McBride; Sen. Connor; Reps. Bunting and Schroeder) (Volume 69, Chapter 366, Laws of Delaware.)

SB 61 aab SA 1, 2 - 07/12/94 - AN ACT TO AMEND CHAPTER 5, TITLE 11, DELAWARE CODE, RELATING TO ASSAULT IN THE SECOND DEGREE. (Sen. Torbert) (Volume 69, Chapter 367, Laws of Delaware.)

SB 118 aab HA 1 - 07/12/94 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO SUSPENSION OR REVOCATION. (Sens. Blevins, Voshell, Rep. Ewing) (Volume 69, Chapter 368, Laws of Delaware.)

SB 159 aab SA 1 - 07/12/94 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE ADMINISTRATION AND ENFORCEMENT OF THE REVENUE LAWS OF THE STATE OF DELAWARE. (Sen. Sharp; Rep. Smith) (Volume 69, Chapter 369, Laws of Delaware.)

SB 179 aab SA 1 - 07/12/94 - AN ACT TO AMEND TITLE 19, CHAPTER 23 OF THE DELAWARE CODE, RELATING TO WORKER'S COMPENSATION, BY PROTECTING AGAINST RETALIATORY DISCHARGE OR OTHER ACTION OF AN EMPLOYER IN RESPONSE TO THE EXERCISE BY EMPLOYEES OF RIGHTS UNDER THE WORKER'S COMPENSATION ACT. (Sens. Venables, Marshall and Still) (Volume 69, Chapter 370, Laws of Delaware.)

HB 391 aab HA 1 - 07/12/94 - AN ACT TO AMEND CHAPTER 29, TITLE 14 OF THE DELAWARE CODE RELATING TO TRANSPORTATION OF PUPILS. (Rep. Wagner) (Volume 69, Chapter 371, Laws of Delaware.)

HB 160 aab HA 1 - 07/12/94 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO NURSING. (Rep. Amick and Sen. Blevins) (Volume 69, Chapter 372, Laws of Delaware.)

HB 356 aab HA 1 - 07/12/94 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE INSURANCE CODE TO LIMIT THE AMOUNT OF SURPLUS IN A SINGLE INVESTMENT. (Rep. D. Ennis) (Volume 69, Chapter 373, Laws of Delaware.)

HB 324 aab HA 1 and SA 1 - 07/12/94 - AN ACT TO AMEND TITLE 14, DELAWARE CODE RELATING TO ESTABLISHING A SPEECH LANGUAGE PATHOLOGISTS INCENTIVE PROGRAM. (Rep. Mack) (Volume 69, Chapter 374, Laws of Delaware.)

HB 545 aab HA 1 - 07/12/94 - AN ACT TO AMEND TITLE 11, CHAPTER 5, DELAWARE CODE, RELATING TO THE CRIME OF POSSESSING A GAMBLING DEVICE. (Rep. Amick & Sen. Vaughn) (Volume 69, Chapter 375, Laws of Delaware.)

SB 228 - 07/12/94 - AN ACT TO AMEND CHAPTER 14 OF TITLE 24 OF THE DELAWARE CODE RELATING TO THE APPOINTMENT OF MEMBERS TO THE BOARD OF ELECTRICAL EXAMINERS. (Sen. Blevins and Rep. Amick) (Volume 69, Chapter 376, Laws of Delaware.)

SB 260 - 07/12/94 - AN ACT TO AMEND CHAPTER 13, TITLE 9, OF THE DELAWARE CODE RELATING TO THE NEW CASTLE COUNTY PLANNING BOARD. (Sen. Connor & Rep. Spence & Rep. Lofink & Sen. McBride; Sens. Neal, Martin, Vaughn; Reps. Davis, Mack, Oberle, Reynolds) (Volume 69, Chapter 377, Laws of Delaware.)

SB 298 aab SA 2, 4 - 07/12/94 - AN ACT TO AMEND PART C, CHAPTER 9, TITLE 10, DELAWARE CODE, RELATING TO GRANDPARENTAL VISITATION RIGHTS. (Sen. Torbert) (Volume 69, Chapter 378, Laws of Delaware.)

SB 308 - 07/12/94 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (Sen. Marshall & Rep. Oberle) (Volume 69, Chapter 379, Laws of Delaware.)

SB 332 aab SA 1 - 07/12/94 - AN ACT TO AMEND SUBCHAPTER V, CHAPTER 60, TITLE 7, DELAWARE CODE RELATING TO THE ISSUANCE OF CERTIFICATE OF PUBLIC CONVENIENCE REGARDING WATER SUPPLY. (Sen. Vaughn; Reps. Banning, B. Ennis) (Volume 69, Chapter 380, Laws of Delaware.)

SB 348 - 07/12/94 - AN ACT TO AMEND CHAPTER 46, TITLE 6, DELAWARE CODE, RELATING TO EQUAL RIGHTS TO HOUSING. (Sen. Marshall and Rep. DiPinto) (Volume 69, Chapter 381, Laws of Delaware.)

SB 349 - 07/12/94 - AN ACT TO AMEND TITLE 19, OF THE DELAWARE CODE RELATING TO LOCATION OF INDUSTRIAL ACCIDENT BOARD HEARINGS. (Sen. Torbert; Rep. Buckworth) (Volume 69, Chapter 382, Laws of Delaware.)

SB 109 - 07/12/94 - AN ACT TO AMEND TITLE 19 DELAWARE CODE PROVIDING FOR THE REMOVAL OF INDUSTRIAL ACCIDENT BOARD MEMBERS. (Sen. Marshall and Rep. Oberle) (Volume 69, Chapter 383, Laws of Delaware.)

SB 370 - 07/12/94 - AN ACT TO AMEND CHAPTER 7, TITLE 4, OF THE DELAWARE CODE, RELATING TO THE SALE AND DELIVERY OF ALCOHOLIC LIQUOR BY THE DELAWARE ALCOHOLIC BEVERAGE CONTROL COMMISSION. (Sen. Torbert, Rep. Petrilli) (Volume 69, Chapter 384, Laws of Delaware.)

The following legislation is the first leg of a Constitutional Amendment. It does not require the Governor's

signature.

HB 504 - AN ACT PROPOSING THE DELETION OF ARTICLE XII OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE STATE BOARD OF HEALTH. (Rep. Maroney & Sen. Blevins; Reps. Buckworth, Davis, DiPinto, D. Ennis, Ewing, Lee, Quillen, Reynolds, Smith, Sorenson, Wagner, Banning, Bradley, Bunting, B. Ennis, Houghton, Schroeder, Van Sant, Wojewodzki) (Volume 69, Chapter 385, Laws of Delaware.)

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LEGISLATIVE ADVISORY #63, dated July 14, 1994. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

HB 626 - 07/13/94 - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 1995; DEAUTHORIZING STATE GUARANTEED BOND AUTHORIZATIONS AND DEAUTHORIZING, REAUTHORIZING AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; DEAUTHORIZING AND REAUTHORIZING OF CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; CREATING 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; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Reps. Roy, Carey, B. Ennis, Jonkiert, Oberle, Taylor; Sens. Sharp, Cook, Hauge, Knox, McBride, Venables) (Volume 69, Chapter 386, Laws of Delaware.)

HB 568 aab HA 1 - 07/13/94 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO ACCEPTANCE OF ELECTRONIC INFORMATION. (Rep. Jonkiert) (Volume 69, Chapter 387, Laws of Delaware.)

HB 426 aab HA 1 - 07/13/94 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Reps. Banning and B. Ennis; Sen. Vaughn) (Volume 69, Chapter 388, Laws of Delaware.)

HB 216 aab HA 1 - 07/13/94 - AN ACT TO AMEND CHAPTER 20, TITLE 30, DELAWARE CODE CONCERNING TAX CREDITS AND THE DONATION OF COMPUTERS TO SCHOOL DISTRICTS. (Rep. Smith & Sen. Marshall; Reps. Amick, Davis, DiPinto, Mack, Maroney, Reynolds, Sorenson, Wagner, Jonkiert, Houghton, Plant, Wojewodzki; Sens. Blevins, Knox, Hauge, Bair, Still) (Volume 69, Chapter 389, Laws of Delaware.)

SB 91 aab HA 1 - 07/13/94 - AN ACT TO AMEND CHAPTER 28, TITLE 21 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS. (Sens. Venables, Voshell and McDowell) (Volume 69, Chapter 390, Laws of Delaware.)

HB 487 - 07/13/94 - AN ACT TO AMEND CHAPTER 45 AND CHAPTER 49 OF TITLE 15 OF THE DELAWARE CODE RELATING TO CERTIFICATES OF ELECTION. (Reps. Davis and Van Sant; Reps. Petrilli, Spence, Quillen, George, Gilligan; Sens. Blevins, McDowell, Vaughn, Still) (Volume 69, Chapter 391, Laws of Delaware.)

HB 437 aab HA 1, 2 and 4 - 07/13/94 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE BY ADDING A NEW CHAPTER 50 RELATING TO THE REQUIREMENTS OF THE OMNIBUS BUDGET RECONCILIATION ACT OF 1993 FOR STATE MEDICAID PROGRAMS TO SEEK ADJUSTMENT OR RECOVERY OF ANY MEDICAL ASSISTANCE CORRECTLY PAID ON BEHALF OF INDIVIDUALS RECEIVING LONG-TERM CARE SERVICES UNDER THE STATE PLAN FOR TITLE XIX OF THE SOCIAL SECURITY ACT. (Rep. Maroney & Sen. Blevins; Reps. Petrilli, Quillen, Buckworth, D. Ennis, Ewing, Plant, Sens. Martin, Torbert, Voshell, Bair, Neal, Still) (Volume 69, Chapter 392, Laws of Delaware.)

HB 355 - 07/13/94 - AN ACT TO AMEND CHAPTER 7, TITLE 24, DELAWARE CODE, RELATING TO INSURANCE AND THE BOARD OF CHIROPRACTIC. (Rep. Roy) (Volume 69, Chapter 393, Laws of Delaware.)

SB 379 aab SA 1 - 07/13/94 - AN ACT TO AMEND §4702, CHAPTER 47, TITLE 7 OF THE DELAWARE CODE RELATING TO PARKING VIOLATIONS IN STATE PARKS. (Sens. Voshell and Sokola; Reps. Carey, Quillen and Lee) (Volume 69, Chapter 394, Laws of Delaware.)

HB 575 - 07/13/94 - AN ACT TO AMEND CHAPTER 66, TITLE 16 RELATING TO FIRE PREVENTION. (Rep. Spence; Sen. Vaughn) (Volume 69, Chapter 395, Laws of Delaware.)

SB 442 - 07/13/94 - AN ACT RELATING TO PERMITTING THE COLONIAL SCHOOL DISTRICT TO CONVEY TO THE ROSE HILL COMMUNITY CENTER INC. THE BUILDING AT 19 LAMBSON LANE, NEW CASTLE, DELAWARE AND TO CONVEY TO THE HOWARD J. WESTON COMMUNITY AND

SENIOR CENTER, INC. THE BUILDING AT BASSET AVENUE, MANOR PARK, NEW CASTLE, DELAWARE. (Sen. McBride & Sen. Henry; Reps. Houghton, Holloway) (Volume 69, Chapter 396, Laws of Delaware.)

HB 603 - 7/13/94 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO INFORMATION AND TECHNOLOGY AND TO CREATE AN OFFICE OF INFORMATION SYSTEMS ADVISORY COMMITTEE. (Rep. Petrilli; Reps. Amick, Banning, Bradley, Brady, Bunting, Clark, B. Ennis, George, Gilligan, Houghton, Jonkiert, Schroeder, Van Sant, West, Wojewodzki; Sens. Blevins, Torbert, Voshell, Bair) (Volume 69, Chapter 397, Laws of Delaware.)

HB 583 aab HA 1 - 07/13/94 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO QUALIFICATIONS OF CHIROPRACTIC LICENSURE APPLICANTS. (Rep. Maroney; Sens. McBride and Knox) (Volume 69, Chapter 398, Laws of Delaware.)

HB 478 - 07/13/94 - AN ACT TO AMEND CHAPTER 9, TITLE 18 OF THE DELAWARE CODE RELATING TO THE STANDARDS FOR CREDIT AND REINSURANCE. (Rep. D. Ennis and Sen. Vaughn; Reps. Smith, DiPinto, Wagner, Bennett, Houghton, Jonkiert) (Volume 69, Chapter 399, Laws of Delaware.)

SB 380 - 07/13/94 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE TAX APPEAL BOARD. (Sen. Marshall and Rep. Smith) (Volume 69, Chapter 400, Laws of Delaware.)

SB 372 - 07/13/94 - AN ACT TO AMEND 69 DEL. LAWS, CHAPTER 144, SECTION 6, RELATING TO THE EFFECTIVE DATE OF REGULATIONS ENACTED BY THE STATE BOARD OF EDUCATION, PURSUANT TO CHAPTER 85 OF TITLE 11 OF THE DELAWARE CODE, IN REGARD TO CRIMINAL BACKGROUND CHECKS FOR PERSONS WHO HAVE REGULAR DIRECT ACCESS TO CHILDREN IN THE PUBLIC SCHOOLS, BUT WHO ARE NOT EMPLOYEES OR CONTRACTORS. (Sen. Sokola and Rep. Sorenson) (Volume 69, Chapter 401, Laws of Delaware.)

SB 368 aab SA 1 - 07/13/94 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE COLLECTION OF DEBTS OWED TO STATE AGENCIES. (Sens. Cook, McBride, McDowell, Neal, Still and Vaughn; Reps. Buckworth, Davis, DiPinto, Maroney, Van Sant and West) (Volume 69, Chapter 402, Laws of Delaware.)

SB 365 aab SA 1 - 07/13/94 - AN ACT TO AMEND CHAPTER 72, TITLE 18 OF THE DELAWARE CODE RELATING TO SMALL EMPLOYER HEALTH INSURANCE. (Sen. Vaughn; Rep. D. Ennis) (Volume 69, Chapter 403, Laws of Delaware.)

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LEGISLATIVE ADVISORY #64, dated July 15, 1994. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

SJR 23 aab SA 1 - 07/14/94 - AUTHORIZING AND DIRECTING THE DELAWARE CORRECTIONS COMMISSIONER, ROBERT J. WATSON, TO NAME THE PRE-TRIAL ANNEX AT GREENBANK AS THE JOHN L. WEBB CORRECTIONAL FACILITY. (Sens. Vaughn, Holloway, Cook, Blevins, Rep. Sorenson)

SB 329 aab SA 1 - 07/14/94 - AN ACT TO AMEND TITLE 18, DELAWARE CODE, TO INCLUDE HEALTH MAINTENANCE ORGANIZATIONS UNDER THE INSURANCE CODE'S HOLDING COMPANY SYSTEM REGISTRATION ACT. (Sen. Vaughn; Rep. D. Ennis) (Volume 69, Chapter 404, Laws of Delaware.)

SB 319 aab SA 1, 2 - 07/14/94 - AN ACT TO AMEND THE DELAWARE INSURANCE CODE TO REQUIRE COVERAGE OF THE CA-125 TEST FOR MONITORING OVARIAN CANCER TREATMENT. (Sens. Blevins and Rep. Taylor; Sen. Sokola; Reps. Gilligan and Wojewodzki) (Volume 69, Chapter 405, Laws of Delaware.)

SB 423 aab SA 1 - 07/14/94 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN THE CITY OF WILMINGTON, KNOWN AS THE BRIDGE HOUSE. (Sen. Marshall; Sens. McBride, McDowell, Vaughn, Connor and Henry; Reps. Bunting, George, Holloway, Jonkiert, Plant, and DiPinto) (Volume 69, Chapter 406, Laws of Delaware.)

SB 441 - 07/14/94 - AN ACT AUTHORIZING AND DIRECTING THE STATE BOARD OF EDUCATION TO RELEASE INCREASED ACADEMIC EXCELLENCE BLOCK GRANT FUNDING FOR FISCAL YEAR 1995 OVER AND ABOVE THE LEVEL OF FUNDING CONTAINED IN THE FISCAL YEAR 1994 GENERAL FUND BUDGET OF THE STATE OF DELAWARE ONLY TO THOSE SCHOOL DISTRICTS CERTIFYING THAT THEY EMPLOY NO FEWER ELEMENTARY SCHOOL COUNSELORS THAN THEY DID DURING FISCAL YEAR 1994. (Sen. McDowell; Sens. Torbert & Still; Reps. Buckworth & Bennett) (Volume 69, Chapter 407, Laws of Delaware.)

HB 48 aab SA 1 - 07/14/94 - AN ACT TO AMEND CHAPTER 5, TITLE 11, DELAWARE CODE RELATING TO RECEIVING STOLEN PROPERTY. (Rep. Roy) (Volume 69, Chapter 408, Laws of Delaware.)

SB 354 - 07/14/94 - AN ACT TO AMEND CHAPTER 5, TITLE 17 OF THE DELAWARE CODE RELATING TO DEVELOPERS DEDICATING NEW ROADS FOR STATE MAINTENANCE. (Sen. Sokola and Rep. Roy; Sens. Blevins and Martin; Reps. Petrilli and Taylor) (Volume 69, Chapter 409, Laws of Delaware.)

Delaware.)

SB 437 - 07/14/94 - AN ACT TO AMEND CHAPTER 48, TITLE 9, DELAWARE CODE, RELATING TO KENT COUNTY REGIONAL PLANNING. (Sen. Torbert; Rep. Quillen) (Volume 69, Chapter 410, Laws of Delaware.)

SB 436 - 07/14/94 - AN ACT TO AMEND AN ACT BEING CHAPTER 196, VOLUME 22, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO AUTHORIZE THE COMMISSIONERS OF LEWES TO APPOINT A BOARD OF PUBLIC WORKS FOR THE TOWN OF LEWES, WHICH SHALL ESTABLISH, CONTROL AND REGULATE AN ELECTRIC LIGHT PLANT, WATER WORKS AND A SEWER SYSTEM, FOR SAID TOWN; PRESCRIBING THE POWERS AND DUTIES OF SAID BOARD AND PROVIDING FOR THE ELECTION OF THEIR SUCCESSORS" TO ELIMINATE AS A QUALIFICATION FOR ELECTION TO THE BOARD OF PUBLIC WORKS THAT A CANDIDATE BE A FREEHOLDER OR LEASEHOLDER, TO PROVIDE FOR ABSENTEE BALLOTS AND TO ESTABLISH THE TIME FOR THE OPENING AND CLOSING OF POLLS AT THE ANNUAL ELECTION. (Sen. Voshell and Rep. Schroeder) (VOLUME 69, Chapter 411, Laws of Delaware.)

SB 352 aab SA 1 - 07/14/94 - AN ACT TO AMEND CHAPTER 28, TITLE 24, DELAWARE CODE RELATING TO PROFESSIONAL ENGINEERS. (Sens. Blevins, Neal, McBride; Reps. Buckworth, Petrilli) (Volume 69, Chapter 412, Laws of Delaware.)

SB 446 aab SA 1 - 07/14/94 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REQUIREMENT OF INSURANCE FOR ALL MOTOR VEHICLES REQUIRED TO BE REGISTERED. (Sen. Blevins; Sen. Still; Rep. Buckworth) (Volume 69, Chapter 413, Laws of Delaware.)

SB 450 - 07/14/94 - AN ACT TO AMEND CHAPTER 57, TITLE 11 OF THE DELAWARE CODE RELATING TO FEES, COSTS AND CHARGES OF THE MUNICIPAL COURT FOR THE CITY OF WILMINGTON. (Sen. Marshall; Rep. DiPinto) (Volume 69, Chapter 414, Laws of Delaware.)

SB 396 aab SA 1 - 07/14/94 - AN ACT TO AMEND CHAPTER 12, TITLE 20, OF THE DELAWARE CODE RELATING TO THE INTERMENT OF NATIONAL GUARD AND RESERVE. (Sens. Vaughn, McBride, Voshell; Reps. B. Ennis, Spence, Ewing, Brady) (Volume 69, Chapter 415, Laws of Delaware.)

SB 434 - 07/14/94 - AN ACT TO A MEND AN ACT BEING CHAPTER 3, VOLUME 68 OF THE LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF ELSMERE, NEW CASTLE COUNTY" TO PERMIT REGULAR MUNICIPAL ELECTIONS FOR ELECTED OFFICIALS OF THE TOWN OF ELSMERE EVERY FOUR YEARS. (Sen. Blevins and Rep. Van Sant and Rep. Houghton) (Volume 69, Chapter 416, Laws of Delaware.)

HB 200 aab HA 1 and SA 1 - 07/14/94 - AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE RELATING TO WHEN LIGHTED LAMPS ARE REQUIRED. (Reps. Banning, Brady; Sen. McDowell) (Volume 69, Chapter 417, Laws of Delaware.)

HB 490 aab HA 3 - 07/14/94 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD RESTRAINT LAWS. (Rep. Maroney & Sen. Marshall; Reps. Spence, Petrilli, Buckworth, Carey, Davis, DiPinto, D. Ennis, Mack, Reynolds, Roy, Sorenson, Taylor, Banning, Bradley, Bunting, George, Gilligan, Plant, Schroeder, Wojewodzki; Sens. Blevins, Sokola, Bair, Neal, Henry, Knox) (Volume 69, Chapter 418, Laws of Delaware.)

SB 13 aab SA 1 and HA 1 - 07/14/94 - AN ACT TO AMEND CHAPTER 79, TITLE 16, OF THE DELAWARE CODE, RELATING TO PLUMBING. (Sen. McBride and Rep. DiPinto) (Volume 69, Chapter 419, Laws of Delaware.)

HB 477 - 07/14/94 - AN ACT TO AMEND CHAPTER 5, TITLE 10 OF THE DELAWARE CODE TO PROVIDE FOR COMMISSIONERS OF THE SUPERIOR COURT AND THE COURT OF COMMON PLEAS. (Reps. Buckworth and Ewing and Sen. Martin) (Volume 69, Chapter 420, Laws of Delaware.)

HB 526 - 07/14/94 - AN ACT TO AMEND §5301 (a), TITLE 11 OF THE DELAWARE CODE RELATING TO JURIES IN CRIMINAL TRIALS IN THE COURT OF COMMON PLEAS IN NEW CASTLE COUNTY. (Rep. DiLiberto; Rep. Amick; Sens. Sharp, Vaughn, Bair) (Volume 69, Chapter 421, Laws of Delaware.)

HB 527 - 07/14/94 - AN ACT TO AMEND §1314, TITLE 10 OF THE DELAWARE CODE RELATING TO THE AMOUNT IN CONTROVERSY FOR CIVIL JURISDICTION OF THE COURT OF COMMON PLEAS. (Rep. DiLiberto; Rep. Amick; Sens. Sharp, Vaughn, Bair) (Volume 69, Chapter 422, Laws of Delaware.)

HB 533 aab HA 1 - 07/14/94 - AN ACT TO AMEND TITLES 2, 3, 7, 10, 11, 16, 17, 24 AND 31 OF THE DELAWARE CODE, TO PROVIDE THAT APPEALS FROM THE JUSTICE OF THE PEACE COURTS SHALL BE VESTED IN THE COURT OF COMMON PLEAS. (Rep. Amick and Sen. Sharp; Rep. DiLiberto; Sens. Vaughn and Bair) (Volume 69, Chapter 423, Laws of Delaware.)

HB 543 aab HA 1 - 07/14/94 - AN ACT TO AMEND TITLE 10, CHAPTER 5, SUBCHAPTER III OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE SUPERIOR COURT. (Rep. Amick; Rep. DiLiberto; Sens. Vaughn and Bair) (Volume 69, Chapter 424, Laws of Delaware.)

HB 544 - 07/14/94 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE TO RAISE THE

CIVIL JURISDICTION OF THE JUSTICE OF THE PEACE COURT FROM \$5,000 to \$15,000. (Rep. Amick and Sen. Sharp; Rep. DiLiberto; Sens. Vaughn and Bair) (Volume 69, Chapter 425, Laws of Delaware.)

HB 554 aab HA 1 - 07/14/94 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE TO PROVIDE FOR COMMISSIONERS OF THE COURT OF COMMON PLEAS. (Rep. Amick and Sen. Sharp; Rep. DiLiberto; Sens. Vaughn and Bair) (Volume 69, Chapter 426, Laws of Delaware.)

HB 579 aab HA 1 - 07/14/94 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE, TO PROVIDE THAT APPEALS FROM THE JUSTICE OF THE PEACE COURT SHALL BE VESTED IN THE COURT OF COMMON PLEAS. (Rep. DiLiberto and Sen. Sharp; Rep. Amick; Sens. Vaughn and Bair) (Volume 69, Chapter 427, Laws of Delaware.)

HB 587 - 07/14/94 - AN ACT TO AMEND CHAPTER 45, TITLE 10 OF THE DELAWARE CODE RELATING TO SELECTION AND SUMMONING OF JURY PANELS. (Rep. DiLiberto; Rep. Amick and Sen. Bair, Sharp and Vaughn) (Volume 69, Chapter 428, Laws of Delaware.)

HB 589 - 07/14/94 - AN ACT TO AMEND CHAPTER 95 OF TITLE 10 OF THE DELAWARE CODE RELATING TO PROCEDURES OF THE JUSTICE OF THE PEACE COURTS. (Rep. Amick; Sen. Sharp; Reps. DiLiberto; Sens. Vaughn, Bair) (Volume 69, Chapter 429, Laws of Delaware.)

SB 305 aab SA 1, 2 - 07/14/94 - AN ACT TO AMEND CHAPTER 53, TITLE 7 OF THE DELAWARE CODE RELATING TO ARCHAEOLOGICAL SITES. (Sen. McBride; Reps. DiPinto and Quillen) (Volume 69, Chapter 430, Laws of Delaware.)

The following pieces of legislation are Constitutional Amendments. They do not require the Governor's signature.

SB 435 - AN ACT PROPOSING AN AMENDMENT TO §2, ARTICLE X OF THE DELAWARE CONSTITUTION RELATING TO ELIMINATING THE UNCONSTITUTIONAL OF RACIALLY SEGREGATED SCHOOLS. (Sen. Henry & Senator Blevins; Sens. McDowell, Marshall, Sokola; Reps. Sorenson, Plant, Maroney) (Volume 69, Chapter 431, Laws of Delaware.)

HB 565 aab HA 1 - AN ACT TO AMEND ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE TO PROVIDE FOR THE INCLUSION OF THE FAMILY COURT AND THE COURT OF COMMON PLEAS AS COURTS ESTABLISHED BY THE CONSTITUTION OF THE STATE OF DELAWARE. (Rep. DiLiberto; Rep. Amick; Sens. Sharp, Vaughn, Bair) (Volume 69, Chapter 432, Laws of Delaware.)

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LEGISLATIVE ADVISORY #65, dated July 15, 1994. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

SS 1/SB 215 - 07/14/94 - AN ACT TO AMEND CHAPTER 9 AND CHAPTER 11, TITLE 13 OF THE DELAWARE CODE RELATING TO ADOPTION AND PROVIDING THAT ADOPTEES AND BIRTH PARENTS HAVE ACCESS TO CERTAIN INFORMATION. (Sen. Sokola and Rep. Maroney; Rep. Sorenson) (Volume 69, Chapter 433, Laws of Delaware.)

HB 117 aab HA 1 - 07/14/94 - AN ACT TO AMEND CHAPTER 13, TITLE 2, DELAWARE CODE RELATING TO AUDITING AND THE DELAWARE TRANSPORTATION AUTHORITY. (Rep. Roy; Rep. Davis; Sens. Cook, Martin) (Volume 69, Chapter 434, Laws of Delaware.)

SB 393 aab SA 1 - 07/14/94 - AN ACT TO AMEND CHAPTERS 13, 18 AND 19 OF TITLE 2 AND CHAPTER 84 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE TRANSPORTATION AUTHORITY, THE DEPARTMENT OF TRANSPORTATION REGULATION OF PUBLIC CARRIERS AND EMPLOYEE COMMUTE OPTION AND THE REORGANIZATION THEREOF AND THE CREATION OF THE DELAWARE TRANSIT CORPORATION. (Sen. McDowell and Rep. Lofink; Sens. Martin, Sokola, Voshell and Bair; Reps. Roy, Taylor, George, Wojewodzki, Amick, Bennett, Brady, Buckworth, Carey, Caulk, Davis, B. Ennis, D. Ennis, Houghton, Jonkiert, Lee, Mack, Oberle, Reynolds, Smith, Van Sant and West) (Volume 69, Chapter 435, Laws of Delaware.)

HB 518 aab HA 1 - AN ACT TO AMEND CHAPTER 59, TITLE 29, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A MERIT EMPLOYEE RELATIONS BOARD AND THE ADMINISTRATION OF THE MERIT SYSTEM. (Reps. Wagner and Oberle and Sen. Marshall; Reps. Spence, Petrilli, Buckworth, Carey, Caulk, Davis, DiPinto, D. Ennis, Fallon, Mack, Quillen, Reynolds, Sorenson, Banning, Bennett, Bradley, Brady, Bunting, Clark, B. Ennis, George, Gilligan, Houghton, Jonkiert, Plant, Van Sant, West, Wojewodzki) (Volume 69, Chapter 436, Laws of Delaware.)

HB 511 aab HA 1 and 2 - 07/14/94 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DUTIES OF THE SECRETARY OF PUBLIC SAFETY. (Reps. Ewing, Amick, Banning, Clark, DiLiberto, B. Ennis, Gilligan, Houghton, Jonkiert, Van Sant, West; Sens. Blevins, Voshell) (Volume 69, Chapter 437, Laws of Delaware.)

HB 569 - 07/14/94 - AN ACT TO AMEND CHAPTER 50, TITLE 29 RELATING TO AUDITING THE DELAWARE ECONOMIC DEVELOPMENT AUTHORITY. (Reps. Bennett & Senator Vaughn; Reps.

Amick Schroeder, Wojewodzki, Gilligan, Bunting, West, Banning, Bradley, Clark, B. Ennis, Jonkiert, Van Sant, Smith; Sen. Voshell) (Volume 69, Chapter 438, Laws of Delaware.)

SB 92 aab SA 1 and HA 1 - 07/14/94 - AN ACT TO AMEND CHAPTER 42, TITLE 11, DELAWARE CODE RELATING TO STATUTORY AGGRAVATING CIRCUMSTANCES IN CAPITAL MURDER PROSECUTIONS. (Sen. Sharp & Rep. Spence) (Volume 69, Chapter 439, Laws of Delaware.)

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LEGISLATIVE ADVISORY #66, dated July 19, 1994. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

HB 563 - 07/15/94 - AN ACT TO AMEND SUBCHAPTER II, SUBPART D. SECTION 761(g) OF TITLE 11 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF "WITHOUT CONSENT" IN SEX CRIME PROSECUTIONS. (Reps. Brady & Schroeder; Reps. Banning, Davis, B. Ennis, Ewing, Reynolds) (Volume 69, Chapter 440, Laws of Delaware.)

SB 281 aab SA 1, 2 and HA 1, 2 - 07/15/94 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF HANDGUNS BY JUVENILES. (Sens. Martin, Marshall, Sokola, Blevins, Voshell, Bair, and Knox; Reps. Taylor, Sorenson, Lee, Smith, Petrilli, Amick, Bennett, Bradley, DiLiberto, B. Ennis, George, Gilligan, Houghton, and Plant) (Volume 69, Chapter 441, Laws of Delaware.)

SB 17 aab SA 2 - 07/15/94 - AN ACT TO AMEND TITLE 11, DELAWARE CODE BY ADDING THE CRIME OF CONTINUOUS SEXUAL ABUSE OF A CHILD. (Sen. Sokola; Sens. Holloway, Marshall, Martin, McBride, McDowell, Sharp, Bair, Connor; Reps. Amick, Davis, Maroney, Spence, Taylor, Van Sant, Ewing) (Volume 69, Chapter 442, Laws of Delaware.)

HB 438 aab HA 1 - 07/15/94 - AN ACT TO AMEND TITLES 30 AND 31 OF THE DELAWARE CODE RELATING TO THE FEDERAL EARNED INCOME TAX CREDIT. (Rep. Maroney; Reps. Spence, Petrilli, Quillen, Buckworth, Carey, Caulk, Davis, DiPinto, Ewing, Lee, Lofink, Smith, Sorenson, Wagner, Banning, DiLiberto, B. Ennis, Houghton, Plant, West, Wojewodzki; Sen. Knox) (Volume 69, Chapter 443, Laws of Delaware.)

SB 335 - 07/15/94 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE FOR CHILDREN AND MEDICAID RECIPIENTS. (Sen. Blevins and Reps. Maroney and Wojewodzki; Sens. Martin, Marshall, Torbert, Voshell, Bair, Connor, Henry; Reps. Spence, B. Ennis) (Volume 69, Chapter 444, Laws of Delaware.)

SB 334 aab SA 1, 2 - 07/15/94 - AN ACT TO AMEND CHAPTERS 4 AND 5, TITLE 13 OF THE DELAWARE CODE, RELATING TO CHILD SUPPORT, TO PROVIDE FOR ENHANCED MEDICAL SUPPORT ENFORCEMENT AS REQUIRED BY FEDERAL LAW. (Sen. Blevins and Rep. Maroney and Wojewodzki; Sens. Martin, Voshell, Marshall, Torbert, Neal, Still, Connor, Bair; Reps. Davis, DiPinto, D. Ennis, Petrilli, Plant, Sorenson, Wagner) (Volume 69, Chapter 445, Laws of Delaware.)

The following legislation became law on the date indicated without the signature of Governor Thomas R. Carper:

HB 628 aab HA 1 - 07/16/94 - AN ACT TO AMEND TITLES 3, 28 AND 29 OF THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO THE ESTABLISHMENT OF VIDEO LOTTERIES AT RACETRACKS, THE ADMINISTRATION OF SUCH LOTTERIES, AND HORSE RACING AND HARNESS RACING. (Reps. Oberle, Gilligan, Quillen, Spence; Sens. Adams, Sharp) (Volume 69, Chapter 446, Laws of Delaware.)

The following legislation was vetoed by Governor Thomas R. Carper on the date indicated:

SB 337 - 07/15/94 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES INVOLVING DEADLY WEAPONS AND DANGEROUS INSTRUMENTS. (Sen. Marshall; Sen., Martin; Reps. Banning, Bennett, Brady, Buckworth, DiPinto, Ewing, Jonkiert, Lofink, Petrilli, Quillen, Roy, Wagner, Spence)

HB 494 - 07/18/94 - AN ACT TO AMEND SUBPART D, SUBCHAPTER III, CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO THEFT AND RELATED OFFENSES. (Rep. Spence & Sen. Vaughn)

HB 214 aab HA 1 - 07/18/94 - AN ACT TO AMEND TITLE 13, CHAPTER 5 OF THE DELAWARE CODE RELATING TO SUPPORT. (Rep. Schroeder; Rep. Davis)

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LEGISLATIVE ADVISORY #67, dated July 22, 1994. The following legislation was signed by Governor Thomas R. Carper on the dates indicated:

HJR 27 - 07/20/94 - ESTABLISHING THE EDUCATIONAL TECHNOLOGY COMMITTEE. (Rep. Wojewodzki; Rep. Sorenson; Sens. Cook and Neal)

SB 425 aab SA 1 - 07/21/94 - AN ACT TO AMEND CHAPTER 29, TITLE 30 OF THE DELAWARE CODE RELATING TO TAX ON WHOLESALERS' GROSS RECEIPTS. (Sen. Voshell; Sens. Adams, Bair, Blevins, Cordrey, Cook, Connor, Marshall, Martin, McBride, Neal, Sokola, Still, Torbert, Venables, and Vaughn; Reps. Amick, Bennett, Brady, Caulk, Holloway, Houghton, Schroeder, Van Sant, Wagner and West) (Volume 69, Chapter 447, Laws of Delaware.)

SB 421 - 07/21/94 - AN ACT TO AMEND CHAPTER 34, TITLE 14, DELAWARE CODE RELATING TO THE ESTABLISHMENT OF THE HERMAN M. HOLLOWAY, SR. MEMORIAL SCHOLARSHIP FUND AND THE ADMINISTRATION THEREFOR. (Sen. Cordrey; Rep. Bennett; Sen. Cook; Rep. Spence in behalf of all Senators and in behalf of all Representatives.) (Volume 69, Chapter 448, Laws of Delaware.)

SB 429 aab SA 1 - 07/21/94 - AN ACT TO AMEND CHAPTER 14, TITLE 14 OF THE DELAWARE CODE RELATING TO THE TERMINATION OF TEACHERS AT THE END OF A SCHOOL YEAR AND CHAPTER 17, TITLE 14 RELATING TO STATE APPROPRIATIONS. (Sen. McDowell and Rep. Oberle; Sens. Sokola and Still; Reps. Bennett, Sorenson and Spence) (Volume 69, Chapter 449, Laws of Delaware.)

SB 444 - 07/21/94 - AN ACT TO AMEND CHAPTER 83, TITLE 11, AND CHAPTERS 55 AND 56, TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS WHO RETIRED ON OR BEFORE DECEMBER 1, 1990. (Sen. Cook, Sen. McBride, Sen. McDowell, Sen. Vaughn, Sen. Neal, Sen. Still in behalf of all Senators; Rep. Davis, Rep. Buckworth, Rep. DiPinto, Rep. Maroney, Rep. Van Sant, Rep. West, Rep. Oberle in behalf of all Representatives) (Volume 69, Chapter 450, Laws of Delaware)

SB 371 aab HA 1 - 07/21/94 - AN ACT TO AMEND TITLE 29 AND TITLE 14 OF THE DELAWARE CODE RELATING TO POST-RETIREMENT LUMP SUM DEATH BENEFITS. (Sen. Cook & Rep. Oberle; Sens. McBride, McDowell, Neal, Still and Vaughn; Reps. Buckworth, Davis, DiPinto, Maroney, Van Sant & West) (Volume 69, Chapter 451, Laws of Delaware.)

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LEGISLATIVE ADVISORY #68, dated July 25, 1994. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

HJR 24 - 07/22/94 - CREATING A PUBLIC EMPLOYEE RETIREMENT FUNDS TASK FORCE TO INVESTIGATE AND REPORT ON THE MANAGEMENT OF RETIREMENT FUNDS OF EMPLOYEES OF STATE GOVERNMENTAL SUBDIVISIONS. (Rep. Spence and Sen. Cordrey)

HB 601 aab HA 1 and 2 - 07/22/94 - AN ACT TO AMEND CHAPTER 1, TITLE 16 OF THE DELAWARE CODE RELATING TO THE STATE BOARD OF HEALTH. (Rep. Schroeder; Reps. Bradley, Buckworth, Carey, DiLiberto, Ewing, Houghton, Jonkiert, Spence, Wagner; Sens. Cook, Knox) (Volume 69, Chapter 452, Laws of Delaware.)

HJR 29 - 07/22/94 - MEMORIALIZING THE INTENT OF THE 137TH GENERAL ASSEMBLY IN THE MATTER RELATING TO THE FISCAL YEAR 1995 \$70-MILLION DOLLAR BUDGET SURPLUS. (Rep. Petrilli and Sen. Cook; Reps. Spence, Quillen, Davis, George, Gilligan; Sens. Cordrey, Martin, Marshall, Bair, Connor)

HB 595 - 07/22/94 - AN ACT TO AMEND CHAPTER 93, TITLE 9 OF THE DELAWARE CODE RELATING TO THE DUTIES AND POWERS OF COUNTY COMPTROLLERS. (Rep. B. Ennis and Sen. Torbert) (Volume 69, Chapter 453, Laws of Delaware.)

HB 594 - 07/22/94 - AN ACT TO AMEND CHAPTERS 1 AND 23, TITLE 21 OF THE DELAWARE CODE RELATING TO PARK TRAILERS. (Rep. West; Reps. Banning, Brady, Caulk, Clark, DiPinto, B. Ennis, Fallon, Houghton, Lee, Lofink, Plant, Van Sant; Sens. Cook, Vaughn) (Volume 69, Chapter 454, Laws of Delaware.)

SB 411 aab SA 1 - 07/22/94 - AN ACT TO AMEND CHAPTER 8, TITLE 26 OF THE DELAWARE CODE RELATING TO UNDERGROUND UTILITY DAMAGE PREVENTION AND SAFETY. (Sens. Sharp, Reps. Petrilli, Roy) (Volume 69, Chapter 455, Laws of Delaware.)

SB 383 aab SA 1 - 07/22/94 - AN ACT TO AMEND CHAPTER 9, SUBCHAPTER 1, TITLE 26 OF THE DELAWARE CODE RELATING TO EASEMENTS FOR PUBLIC UTILITIES ACROSS RAILROAD PROPERTY. (Sen. Sharp; Reps. Spence, Roy, Petrilli) (Volume 69, Chapter 456, Laws of Delaware.)

SB 217 aab SA 1 and HA 1 - 07/22/94 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO DISTRIBUTION, DELIVERY, OR POSSESSION OF CONTROLLED SUBSTANCES IN OR WITHIN 300 FEET OF A PARK OR RECREATION AREA. (Sen. Marshall; Reps. Jonkiert and Spence) (Volume 69, Chapter 457, Laws of Delaware.)

SB 413 - 07/22/94 - AN ACT TO AMEND THE DELAWARE CODE RELATING TO THE NAME OF THE DELAWARE DEVELOPMENT OFFICE. (Sens. Venables; Reps. D. Ennis, DiPinto, Smith, Wagner, Houghton, Jonkiert, and Bennett) (Volume 69, Chapter 458, Laws of Delaware.)

HB 127 aab HA 1 and SA 1 - 07/22/94 - AN ACT TO AMEND CHAPTER 43, TITLE 11 OF THE DELAWARE CODE, RELATING TO THE COMPENSATION OF MEMBERS OF THE BOARD OF

PAROLE. (Reps. Lee, Amick, Buckworth, Ewing, and Sen. Vaughn) (Volume 69, Chapter 459, Laws of Delaware.)

SB 344 - 07/22/94 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (Sen. Voshell, Rep. D. Ennis and Quillen) (Volume 69, Chapter 460, Laws of Delaware.)

HB 418 aab HA 1 - 07/22/94 - AN ACT TO AMEND CHAPTER 83 OF TITLE 11 OF THE DELAWARE CODE RELATING TO THE STATE POLICE. (Reps. Spence & Davis & Sen. Sharp; Reps. Petrilli, Quillen, Amick, Buckworth, Carey, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maroney, Mack, Oberle, Reynolds, Smith, Sorenson, Taylor, Wagner, Banning, Bennett, Bradley, Brady, Bunting, DiLiberto, B. Ennis, George, Gilligan, Holloway, Jr., Houghton, Plant, Schroeder, Van Sant, West, Sens. Adams, Cook, McBride, McDowell, Vaughn, Voshell, Bair, Connor, Hauge) (Volume 69, Chapter 461, Laws of Delaware.)

HB 615 aab HA 1 & 2 - 07/22/94 - AN ACT TO AMEND TITLE 18 RELATING TO EMPLOYER OWNED LIFE INSURANCE POLICIES AND TRUST OWNED LIFE INSURANCE POLICIES ISSUED IN THIS STATE. (Reps. Spence & D. Ennis and Sens. Cordrey & Vaughn; Reps. Quillen, Amick, Davis, DiPinto, Buckworth, Ewing, Lofink, Smith, Wagner, Bennett, Bradley, Jonkiert, Van Sant; Sens. Connor, Still) (Volume 69, Chapter 462, Laws of Delaware.)

HS 1/HB 344 aab HA 1 and SA 2 & 3 - 07/22/94 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE FRAUD. (Rep. Bradley and Sens. Vaughn, Sokola & Blevins; Reps. Bennett, Brady, Bunting, Gilligan, Wojewodzki, D. Ennis; Sen. Still) (Volume 69, Chapter 463, Laws of Delaware.)

HB 247 aab HA 1 - 07/22/94 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE BY ADDING A NEW CHAPTER 16 AND BY AMENDING CHAPTERS 13 AND 17 RELATING TO THE ESTABLISHMENT OF A COMPREHENSIVE STATEWIDE PROGRAM TO IMPROVE STUDENT DISCIPLINE IN THE PUBLIC SCHOOLS. (Rep. Petrilli & Spence; Reps. Buckworth, Carey, Caulk, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maroney, Oberle, Quillen, Reynolds, Roy, Smith, Sorenson, Taylor, Wagner, Banning, Bennett, Bradley, Brady, Bunting, Clark, DiLiberto, B. Ennis, George, Gilligan, Holloway, Jr., Houghton, Jonkiert, Schroeder, Van Sant, West, Wojewodzki, Sens. Adams, Blevins, Holloway, Sr., Marshall, McDowell, Sharp, Sokola, Torbert, Vaughn, Venables, Voshell, Bair, Connor, Hauge, Knox, Neal, Still) (Volume 69, Chapter 464, Laws of Delaware.)

HB 596 aab HA 1 - 07/20/94 - AN ACT TO AMEND CHAPTER 21, TITLE 25 OF THE DELAWARE CODE RELATING TO MORTGAGE SATISFACTIONS. (Reps. Wojewodzki and DiPinto and Sens. McDowell and Voshell; Reps. Amick, Banning, Bradley, Brady, Bunting, Davis, DiLiberto, B. Ennis, Fallon, George, Gilligan, Holloway, Houghton, Oberle, Schroeder, Van Sant, West; Sens. Bair, Henry, Martin, Sokola) (Volume 69, Chapter 465, Laws of Delaware.)

HJR 28 - 07/20/94 - HONORING THE LATE SENATOR HERMAN M. HOLLOWAY, SR., A NATIVE DELAWAREAN FOR HIS OUTSTANDING CONTRIBUTIONS AND APPOINTING A COMMITTEE TO RAISE THE NECESSARY FUNDS TO COMMISSION AN ARTIST TO DO A PORTRAIT OF THE LATE SENATOR HERMAN M. HOLLOWAY, SR., TO BE HUNG IN THE GALLERY OF LEGISLATIVE HALL AMONG OTHER DISTINGUISHED DELAWAREANS. (Reps. Holloway and Sen. Henry; Rep. Plant and Sen. Cordrey in behalf of all Representatives and in behalf of all Senators.)

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LEGISLATIVE ADVISORY #69, dated July 28, 1994. The following legislation was signed by Governor Thomas R. Carper on the dates indicated:

SB 401 aab SA 1, 2 - 07/25/94 - AN ACT TO AMEND CHAPTERS 13, TITLE 19 OF THE DELAWARE CODE RELATING TO THE RIGHT OF PUBLIC EMPLOYEES TO ORGANIZE FOR PURPOSES OF COLLECTIVE BARGAINING. (Sen. Marshall and Rep. Oberle; Sens. Blevins, Connor, Henry, Martin, McBride, McDowell, Torbert, Vaughn and Voshell; Reps. Banning, Bradley, Brady, Davis, Houghton, Jonkiert, Lofink, Mack, Petrilli, Plant, Reynolds, Spence and Van Sant) (Volume 69, Chapter 466, Laws of Delaware.)

SS 1/SB 198 aab HA 1, 2 - 07/26/94 - AN ACT TO AMEND CHAPTERS 16, 25, AND 58, TITLE 29, DELAWARE CODE AND CHAPTER 417, VOLUME 67, LAWS OF DELAWARE BY ESTABLISHING THE STATE PUBLIC INTEGRITY COMMISSION AND DEFINING ITS AUTHORITY AND RESPONSIBILITIES, AND THE DUTIES OF PERSONS SUBJECT TO ITS AUTHORITY. (Sens. Voshell and Knox; Reps. Amick, and Bradley; Sens. Adams, Bair, Blevins, Connor, Cook, Hauge, Henry, Marshall, Martin, McBride, McDowell, Neal, Sokola, Still, and Torbert; Reps. Bennett, Buckworth, Bunting, Davis, DiLiberto, D. Ennis, Ewing, Fallon, Mack, Maroney, Petrilli, Plant, Reynolds, Roy, Schroeder, Sorenson, Spence, Taylor, Wagner, and Wojewodzki) (Volume 69, Chapter 467, Laws of Delaware.)

HB 540 - 07/26/94 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE PRESERVATION OF INLAND BAYS, AND CREATING THE INLAND BAYS' WATERSHED ENHANCEMENT ACT. (Rep. Schroeder; Reps. Bunting, Carey, Ewing, Fallon, Lee, Schroeder, West; Sens. Cordrey, Venables, Voshell) (Volume 69, Chapter 468, Laws of Delaware.)

SB 381 - 07/27/94 - AN ACT TO AMEND CHAPTER 43, TITLE 11 OF THE DELAWARE CODE

RELATING TO SENTENCING, PROBATION, PAROLE AND PARDONS NOTIFICATION
REQUIREMENTS. Sens. Sharp, Vaughn, McBride, Still; Reps. Spence, Oberle, Taylor, Gilligan. (Volume 69,
Chapter 469, Laws of Delaware.)

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A communication from the office of Senator Cordrey was read into the record:

SENATE
STATE OF DELAWARE

TO: Members of the 137th General Assembly

FROM: Senator Richard S. Cordrey
President Pro Tempore

SUBJECT: SENTAC Appointment

As per the power invested in me a President Pro Tempore of the Senate, I hereby appoint

Clifford M. Graviet,
P.O. Box 430
Dover, Delaware 19903

as a member of the Sentencing Accountability Commission, also known as SENTAC, to serve a 4-year term.

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SR 34 was introduced and brought before the Senate for consideration on motion of Senator Blevins.

SR 34 - COMMENDING MURIEL RUSTEN, DEPUTY SECRETARY OF HEALTH AND SOCIAL SERVICES FOR HER OUTSTANDING SERVICE TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES AND THE CITIZENS OF DELAWARE AND EXTENDING TO HER BEST WISHES FOR HER RETIREMENT. Sponsor: Senator Blevins.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Connor, Knox, McDowell, Still) ABSENT; therefore, **SR 34** was declared adopted by the Senate.

SR 38 was introduced and brought before the Senate for consideration on motion of Senator Marshall.

SR 38 - COMMENDING THE WILMINGTON BLUE ROCKS FOR CAPTURING THE CAROLINA LEAGUE CHAMPIONSHIPS AND THE MILLS CUP ON SEPTEMBER 10, 1994. Sponsors: Senator Marshall for All Senators.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Connor, Knox, Still) ABSENT; therefore, **SR 38** was declared adopted by the Senate.

SR 39 was introduced and brought before the Senate for consideration on motion of Senator Sharp.

SR 39 - COMMENDING AND CONGRATULATING THE NEW CASTLE COUNTY POLICE DEPARTMENT AND ALL OF THE POLICE OFFICERS WHO PARTICIPATED IN THE RAPE TASK FORCE AND CONTRIBUTED TO THE CAPTURE OF SUSPECTED SERIAL RAPIST MICHAEL FRANCIS SIPLE. Sponsors: Senators Sharp, McBride, Bair.

Senator Sharp requested the privilege of the floor for Col. Thomas Gordon and Major Sherry Freebury.

Senator Bair commented. A tribute was read for the witnesses.

The witnesses were excused.

Senator Cook requested that her name be added as a co-sponsor. No objection.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Connor, Knox, Still) ABSENT; therefore, **SR 39** was declared adopted by the Senate.

SR 40 was introduced and brought before the Senate for consideration on motion of Senator McBride.

SR 40 - CREATING A HEALTH CARE DIRECTIVES TASK FORCE TO STUDY AND RECOMMEND TO THE GENERAL ASSEMBLY A POLICY FOR THE ROLE OF SURROGATES IN HEALTH CARE DECISIONS AND OTHER ISSUES IMPACTING ADVANCE HEALTH CARE DECISIONS. Sponsors: Senator McBride and Senator Bair.

A roll call vote was taken and revealed 16 Senators voting YES, 1 (Marshall) NO, 4 (Connor, Henry, Knox, Still) ABSENT; therefore, **SR 40** was declared adopted by the Senate.

SR 41 was introduced and brought before the Senate for consideration on motion of Senator McBride.

SR 41 - REQUESTING A STUDY AND RECOMMENDATIONS CONCERNING THE DREDGING OF CRABS IN THE DELAWARE RIVER AND BAY. Sponsor: Senator McBride.

Senator McDowell requested that his name be added as a co-sponsor. No objection.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Connor, Knox, Marshall, Still) ABSENT;