



STATE OF DELAWARE



Journal of the STATE SENATE

**Session
of the
138th General Assembly**

**Convened
Tuesday, January 10, 1995
Dover, Delaware**

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**1995-1996**



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# **MEMBERSHIP**



## **MEMBERS - DELAWARE STATE SENATE**

### **138TH GENERAL ASSEMBLY**

Lt. Governor Ruth Ann Minner, President of the Senate  
Richard S. Cordrey, President Pro Tempore

| <b><u>DISTRICT</u></b> | <b><u>SENATOR</u></b>                                                    |
|------------------------|--------------------------------------------------------------------------|
| 1st                    | Harris B. McDowell, III - 2311 Baynard Boulevard, Wilmington, 19802      |
| 2nd                    | Margaret R. Henry - 17 West 41st Street, Wilmington, 19802               |
| 3rd                    | Robert I. Marshall - 601 South duPont Street, Wilmington, 19805          |
| 4th                    | Richard A. Hauge - 122 Delview Drive, Windybush, Wilmington, 19810       |
| 5th                    | Myrna L. Bair - 4 Little Leaf Court, Wilmington, 19810                   |
| 6th                    | Liane M. Sorenson - 417 Snuff Mill Hill, Hockessin, 19707                |
| 7th                    | Patricia M. Blevins - 209 Linden Avenue, Elsmere, Wilmington, 19805      |
| 8th                    | David P. Sokola - 24 Beech Hill Drive, Newark, 19711                     |
| 9th                    | Thomas B. Sharp - 2226 E. Huntington Drive, Pinecrest, Wilmington, 19808 |
| 10th                   | Steven H. Amick - 449 W. Chestnut Hill Road, Newark, 19713               |
| 11th                   | Donna Reed - 65 E. Shady Drive, Newark, 19713                            |
| 12th                   | Robert T. Connor - 18 Crippen Drive, New Castle, 19720                   |
| 13th                   | David B. McBride - 21 Andover Court, New Castle, 19720                   |
| 14th                   | James T. Vaughn - 201 Washington Avenue, Clayton, 19938                  |
| 15th                   | Nancy W. Cook - Post Office Box 127, Kenton, 19955                       |
| 16th                   | Colin R.J. Bonini - 51 Webbs Lane/Apt D-6, Dover, 19901                  |
| 17th                   | John C. Still, III - Post Office Box 311, Dover, DE 19903-0311           |
| 18th                   | Robert J. Voshell - 506 Reed Road, Milford, 19963                        |
| 19th                   | Thurman Adams, Jr. - Post Office Box 367, Bridgeville, 19933             |
| 20th                   | Richard S. Cordrey, River Drive, P.O. Box 486, Millsboro, 19966          |
| 21st                   | Robert L. Venables, Sr. - 116 Hearn Avenue, Laurel, 19956                |

Majority Leader – Thomas B. Sharp  
Majority Whip – Robert I. Marshall  
Minority Leader – Myrna L. Bair  
Minority Whip – Robert T. Connor





**COMMITTEE  
MEMBERSHIP**



## SENATE COMMITTEES

### 138TH GENERAL ASSEMBLY

**ADMINISTRATIVE SERVICES:** Nancy W. Cook, Chairman; Thurman Adams, Jr., David B. McBride, Robert T. Connor, Myrna L. Bair.

**ADULT & JUVENILE CORRECTIONS:** James T. Vaughn, Chairman; Thomas B. Sharp, Patricia M. Blevins, Nancy W. Cook, Richard A. Hauge, Colin R. J. Bonini.

**AGRICULTURE:** Thurman Adams, Jr., Chairman; Robert L. Venables, Sr., James T. Vaughn, Nancy W. Cook, John C. Still, III, Colin R. J. Bonini.

**BANKING:** Richard S. Cordrey, Chairman; David P. Sokola, Thurman Adams, Jr., John C. Still, III, Liane M. Sorenson.

**BOND BILL COMMITTEE:** Robert L. Venables, Sr., Chairman; Nancy W. Cook, David B. McBride, Patricia M. Blevins, Richard A. Hauge, Margaret Rose Henry.

**PLEASE NOTE:** Senator Steven H. Amick appointed as a member replacing Senator Margaret Rose Henry effective April 1, 1996.

**CHILDREN, YOUTH & FAMILIES:** Harris B. McDowell, III, Chairman; Patricia M. Blevins, Robert I. Marshall, Liane M. Sorenson, Margaret Rose Henry.

**PLEASE NOTE:** Senator Donna Reed appointed a member March 28, 1996.

**COMBAT DRUG ABUSE:** Thomas B. Sharp, Chairman; Robert I. Marshall, Richard S. Cordrey, Robert T. Connor, Liane M. Sorenson.

**PLEASE NOTE:** Senator Margaret Rose Henry appointed to Chair Committee to Combat Drug Abuse. Senator Thomas B. Sharp will continue to serve as a member effective March 20, 1996.

**COMMUNITY/COUNTY AFFAIRS:** David P. Sokola, Chairman; Robert J. Voshell, Robert Venables, Myrna Bair, Steven Amick.

**EDUCATION:** David P. Sokola, Chairman; Robert J. Voshell, Patricia M. Blevins, Richard A. Hauge, Donna Reed.

**ENERGY & TRANSIT:** Harris B. McDowell, III, Chairman; Robert L. Venables, Sr., Nancy W. Cook, Myrna L. Bair.

**ETHICS:** Richard S. Cordrey, Chairman; Thomas B. Sharp, Robert I. Marshall, Myrna L. Bair, Robert T. Connor.

**EXECUTIVE:** Thurman Adams, Jr., Chairman; Richard S. Cordrey, Thomas B. Sharp, David P. Sokola, Myrna L. Bair, Robert T. Connor.

**FINANCE (JFC):** Nancy W. Cook, Chairman; David B. McBride, James T. Vaughn, Harris B. McDowell, III, John C. Still, III, Liane M. Sorenson.

**PLEASE NOTE:** Senator Margaret Rose Henry appointed as a member replacing Senator Harris B. McDowell, III effective April 1, 1996.

**HEALTH & SOCIAL SERVICES/AGING:** Patricia M. Blevins, Chairman; Robert I. Marshall, Harris B. McDowell, III, Margaret Rose Henry, Donna Reed.

**PLEASE NOTE:** Senator Liane M. Sorenson appointed a member March 28, 1996.

**HIGHWAYS & TRANSPORTATION:** Robert J. Voshell, Chairman; Thomas B. Sharp, David P. Sokola, Nancy W. Cook, Steven H. Amick, Donna Reed.

**INSURANCE & ELECTIONS:** James T. Vaughn, Chairman; Patricia M. Blevins, Thomas B. Sharp, Harris B. McDowell, III, John C. Still, III, Colin R. J. Bonini.

**JUDICIARY:** Thomas B. Sharp, Chairman; Thurman Adams, Jr., James T. Vaughn, Harris B. McDowell, III, Richard A. Hauge, Colin R. J. Bonini.

**LABOR & INDUSTRIAL RELATIONS:** Robert I. Marshall, Chairman; Thomas B. Sharp, David P. McBride, Robert T. Connor, Margaret Rose Henry.

**PLEASE NOTE:** Senator Myrna L. Bair appointed a member March 28, 1996.

**NATURAL RESOURCES & ENVIRONMENTAL CONTROL:** David B. McBride, Chairman; Robert L. Venables, Sr., Robert J. Voshell, Myrna L. Bair, Steven H. Amick.

**PERMANENT RULES:** James T. Vaughn, Chairman; Robert J. Voshell, Steven H. Amick.

**PUBLIC SAFETY:** Robert J. Voshell, Chairman; Thomas B. Sharp, Patricia M. Blevins, Richard A. Hauge, Margaret Rose Henry.

**PLEASE NOTE:** Senator Colin R. J. Bonini appointed a member March 28, 1996.

**REVENUE & TAXATION:** Robert I. Marshall, Chairman; Nancy W. Cook, Thurman Adams, Jr., John C. Still, III, Steven H. Amick.

**SMALL BUSINESS:** Robert L. Venables, Sr., Chairman; Robert J. Voshell, Harris B. McDowell, III, Liane M. Sorenson, Donna Reed.

**SUNSET:** Patricia M. Blevins, Chairman; David P. Sokola, Robert J. Voshell, Colin R. J. Bonini, Donna Reed.

**LEGISLATIVE COUNCIL:** Richard S. Cordrey, Chairman; Thomas B. Sharp, Nancy W. Cook, Myrna L. Bair, Robert T. Connor.



# **RULES OF THE SENATE**

## IN REFERENCE RULES OF THE DELAWARE STATE SENATE

### SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate of the 138th General Assembly that the following Rules of the Senate be and they hereby are adopted as Rules for the governing of the present session, until further action of the Senate:

- Rule 1. ORDER OF BUSINESS
1. Calling of the Senate to Order.
  2. Prayer.
  3. Salute to Flag.
  4. Roll Call.
  5. Reading of Journal.
  6. Presentation of petitions, memorials or communications.
  7. Reports from Standing and Special Committees.
  8. Reporting by the Secretary of prior filed bills, resolutions and citations.
  9. Introductions of all other bills and resolutions by members.
  10. Agenda for the day.
  11. Miscellaneous business.

Rule 2. CONVENING OF SENATE

Unless otherwise ordered by a majority of its members, the Senate will convene Tuesday, Wednesday, Thursday at 2:00 p.m. All proceedings of the Senate shall be public.

Rule 3. ATTENDANCE OF MEMBERS

(a) Every member shall be in his place at the time to which the Senate stands recessed.

(b) No Senator shall absent himself from the service of the Senate without notifying the President Pro Tem.

Rule 4. ROLL CALL; READING OF JOURNAL

Each legislative day and before the Senate proceeds to the consideration of any business, the Secretary shall call the names of the members in alphabetical order, and shall then read the Journal of the preceding legislative day, which shall be approved or corrected by order of the Senate.

Rule 5. CONTENTS OF JOURNAL

The proceedings of the Senate shall be briefly and accurately stated on the Journal; messages to the Governor in full; the titles of all bills and resolutions; every motion with the name of the member making the same, except motions for adjournment; the names of the members voting on all roll calls.

Rule 6. PRESENTATION OF PETITIONS, MEMORIAL OR COMMUNICATIONS TO THE SENATE

(a) After the Journal is read, the Presiding Officer shall lay before the Senate communications or messages from the Governor, reports and communications from Departments or State Boards, and other communications addressed to the Senate, and such bills, joint resolutions and other messages from the House of Representatives as may be upon his table, undisposed of.

(b) When petitions, memorials and other papers addressed to the Senate are presented by the President, or a member, the contents thereof shall be briefly stated.

(c) Messages from the Governor or from the House of Representatives may be received at any stage of proceedings with the concurrence of the Presiding Officer, except while the Journal is being read, while a question of order or a motion to adjourn is pending, or while a bill is on the floor.

(d) When a message is brought to the Senate by the Governor or his messenger, or by a member of the House of Representatives, or any officer thereof, the members of the Senate shall rise upon their feet, if so directed by the Presiding Officer.

Rule 7. DELIVERY OF MESSAGES FROM THE SENATE; DUTIES OF SECRETARY

Messages shall be delivered to the House of Representatives by the Secretary, or by a Senator or other officer of the Senate directed by the Presiding Officer.

The Secretary shall certify previous to delivery the determination of the Senate upon all bills, joint resolutions, and other resolutions which may be communicated to the House, or in which its concurrence may be requested; and the Secretary shall also certify and deliver to the Governor all resolutions and other communications which may be directed to him by the Senate.

**Rule 8. PREPARATION OF BILLS AND RESOLUTIONS**

(a) No bill or resolution shall be received by the Senate unless it be prefaced by a brief statement of the purpose of the bill or resolution, which shall be known as the title, and shall also contain the text of the bill or resolution in full. The original of all bills and resolutions shall be printed or stenciled on permanent rag content bond paper, be properly backed, contain no erasures or interlineations and shall be produced in such a manner as shall be approved by the State Archivist and Director of Legislative Council. At the end of each bill, Joint Resolution or amendments there shall be placed the name of the author and/or Department who was responsible for writing same and a brief synopsis of the intent of the bill. In the lower left hand corner of page one there shall be the initials of the unit preparing the bill or resolution, the initials of the author and the typist, and, if prepared by automatic equipment, the identification number. Each bill or resolution shall have an appropriate enacting or resolving clause. The first name listed after the word "sponsor" on the first page of a bill or resolution shall be the "prime" sponsor. Once a bill or resolution has been pre-filed or introduced, the addition or deletion of a sponsor shall not cause the bill to be reprinted. The change in sponsorship shall be noted in the calendar, on the jacket of the original bill and on the first page of the original bill.

(b) Every bill or resolution introduced in the Senate which establishes and/or creates a committee, commission, task force or similar body, either for a specified period of time or on a permanent statutory basis shall require that the following functional details be incorporated in the bill and/or resolution, if necessary; provided, however, the requirements of subparagraph (4) in drafting legislation affecting the Delaware Code need not be made a part of the Code.

- (1) The date on which the report is due;
- (2) to whom the report is to be presented;
- (3) the appointing authority or authorities;
- (4) the designation of a temporary chairperson to enable the committee to commence its duties.

(c) Every bill and resolution to which the concurrence of both Houses of the General Assembly may be necessary, shall be introduced with one original and one backed copy. The original shall at all times remain in the custody of the Chairman of the Committee to which it was referred, or of the Secretary of the Senate; and one backed copy shall be delivered to the Legislative Council. In addition, every Senator shall be provided with an unbacked copy of the text of the bill or resolution.

(d) The master used to produce the bill or resolution together with a minimum 160 true copies of the bill or resolution, shall be made available to the Legislative Council immediately after the introduction of a bill.

(e) All bills for the amendment of any statutes contained in the Delaware Code of 1974 shall be made with reference to the statutes or parts of statutes contained in said Code, and shall conform to the arrangement of said Code.

**Rule 9. PROCEDURE APPLICABLE TO BILLS AND JOINT RESOLUTIONS**

(a) Unless the bill or joint resolution has been placed upon a President Pro Tem's pre-filed list, every bill and joint resolution when introduced shall be read one time by title only, after which it shall be assigned to the proper committee.

(b) No bill or joint resolution shall be considered on the same day it is reported out of committee, or in the absence of the prime sponsor who introduced it, unless by his written consent. After any bill has reached its order of preference on the agenda, it may be deferred twice to the end of the agenda. After it has been deferred twice it must be considered when its order of preference is next reached or removed to the ready list by the Secretary of the Senate. In the event of such removal, no bill shall again be placed on the agenda for the same or the next legislative day.

(c) When considered, each bill or resolution shall be given its final reading by title only unless any member requests a reading in full.

(d) An agenda of bills to be considered on the succeeding day shall be kept by the Secretary of the Senate and published each day and a copy thereof

distributed to each member, and any bill placed upon the agenda by any member of the Senate prior to adjournment of the preceding day shall, without otherwise limiting the right of any member to put a bill upon its passage, stand in the same order of preference for consideration by the Senate unless otherwise ordered by it.

(e) Every bill or resolution shall be introduced by a member or group of members or by order of the Senate or by report of a committee. Introduction may be by either of two methods:

A. Filing of Bills and Resolutions with the Secretary of the Senate.

(1) A bill or resolution may be introduced by being filed with the Secretary of the Senate at any time while the General Assembly is meeting.

(2) A bill or resolution that is presented to the Secretary of the Senate while the Senate stands in recess, in adjournment, or is not otherwise meeting, may be given a number, entered upon a docket kept for that purpose.

(3) As soon as may be practicable following the filing of a bill or resolution with the Secretary, unless the bill or resolution was placed upon a President Pro Tem's pre-filed list, the Reading Clerk shall read the bill or resolution number and title of all bills filed with the Secretary and entered upon the docket prior to the convening of the Senate which have not been previously read.

(4) Such reading of the bill or resolution by the Reading Clerk shall constitute the first reading of such bill or resolution.

(5) Upon such first reading, or upon placement upon the President Pro Tem's pre-filed list, copies of the bill, amendments or resolutions shall be distributed as provided in Rule 8.

B. Other Methods of Introduction.

(1) A bill or resolution may also be introduced from the floor while the Senate is in session.

C. President Pro Tem's pre-filed list.

(1) A bill or resolution filed with the Secretary may, in the discretion of the President Pro Tem, be placed upon the "President Pro Tem's pre-filed list" and the bill or resolution shall at such time be assigned to a Committee by the President Pro Tem. Copies of the President Pro Tem's pre-filed list shall be distributed to members prior to its reading by the Reading Clerk. The President Pro Tem's pre-filed list shall be read as soon as practicable by the Reading Clerk.

(f) No bill or roll call that has been tabled, shall be lifted from the table for further consideration until such bill or roll call is first placed upon the agenda, unless such bill or roll call is lifted for further consideration on the same legislative day the bill or roll call was tabled.

(g) No Senate Bill returning from the House shall be acted on by the Senate unless the bill is first placed on the agenda.

Rule 10. MOTIONS

(a) All motions shall be reduced to writing, if desired by the Presiding Officer or by any Senator, and shall be read before the same shall be debated.

(b) Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment or ordering of the yeas and nays.

(c) A motion shall be in order at any time to amend or substitute a title to any bill or resolution only in order to correct typographical errors.

(d) When a question is pending, no motions shall be received but:

To adjourn;

To adjourn to a certain day.

To take a recess;

To proceed to the consideration of executive business;

To lay on the table;

To postpone indefinitely;

To postpone to a certain day;

To commit;

To amend.

Which several motions shall have precedence as they stand arranged; and the motion to adjourn, to take recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

RULE 11. VOTING

Every bill, amendment, joint resolution, concurrent resolution, or simple resolution shall be decided by a roll call vote and shall require a majority vote of



all members elected to the Senate for adoption. The names of the Senators shall be called alphabetically and each Senator shall without debate answer "Yes" or "No" or "Not Voting"; and no Senator shall be permitted to vote after the roll call shall have been announced by the Secretary, but may change his vote prior to said announcement. No Senator shall be granted privilege of the floor from the time the Secretary has announced the roll call to the time the roll call is declared by the presiding officer of the Senate. Any motion to table a roll call shall be made prior to the announcement of the roll call by the Secretary.

**RULE 12. RECONSIDERATION**

Any motion for reconsideration must be made by a member of the prevailing side within three (3) legislative days of the original action. When a motion for reconsideration is granted, there can be no further consideration until the sponsor or floor manager rescinds the roll call and takes appropriate action.

**RULE 13. PROCEDURE WHEN BILL OR OTHER MATTER SOUGHT TO BE RECONSIDERED HAS BEEN SENT TO THE HOUSE OF REPRESENTATIVES OR TO THE GOVERNOR**

When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, or to the Governor, the motion to reconsider shall be accompanied by a motion to request the House or Governor to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

**RULE 14. QUESTION OF ORDER**

A question of order may be raised at any stage of the proceedings, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the Presiding Officer without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer. The Presiding Officer may submit any question of order for the decision of the Senate.

**RULE 15. SPECIAL ORDER OF BUSINESS**

Any subject may, without objection by any member elected to the Senate, be made a special order; and when the time so fixed for its consideration arrives, the Presiding Officer shall lay it before the Senate.

**RULE 16. PETITION OUT OF COMMITTEE**

Upon written request signed by the majority of the members elected to the Senate and directed to the Presiding Officer, any bill, joint resolution or other business, which shall have been referred to a committee, shall be reported to the Senate.

**RULE 17. CONDUCT**

(a) When a Senator desires to speak, he shall rise and address the Presiding Officer, and shall not proceed until he is recognized, and the Presiding Officer shall recognize the Senator who shall first address him.

(b) No Senator shall interrupt another in debate without his consent, and to obtain such consent he shall first address the Presiding Officer; and no Senator shall speak more than three times upon any one question in debate on the same day without leave of the Senate which shall be determined without debate.

(c) No Senator in debate shall, directly, or indirectly by any form of words, impute to any Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

(d) If any Senator, in speaking or otherwise, transgresses the rules of the Senate, the Presiding Officer shall, or any Senator may, call him to order; and when a Senator shall be called to order, he shall sit down and not proceed without leave of the Senate, which, if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate.

(e) If any person who is not a member of the Senate shall be granted the privilege of the floor for the purpose of addressing the Senate, such person and the Senate members shall then accord each other the same courtesies and respect that is required among members of the Senate.

(f) Any person in the chamber and/or balcony who is not a member of the Senate and who refuses to salute the American flag at the time such ceremony occurs shall leave the chamber and/or balcony.

**RULE 18. APPOINTMENT OF COMMITTEES**

The President Pro Tempore shall appoint all committees; however, the President Pro Tempore, on his own initiative or upon order of the Senate, may appoint special or select committees.

**RULE 19. STANDING COMMITTEE**

The following standing committees shall be appointed, to whom business appropriate to them shall be referred:

Administrative Services  
Adult and Juvenile Corrections  
Agriculture  
Banking  
Bond Bill  
Children, Youth and Their Families  
Committee to Combat Drug Abuse  
Community/County Affairs  
Education  
Energy and Transit  
Ethics  
Executive  
Finance  
Health and Social Services/Aging  
Highways and Transportation  
Insurance and Elections  
Judiciary  
Labor and Industrial Relations  
Natural Resources and Environmental Control  
Public Safety  
Revenue and Taxation  
Small Business  
Sunset

**RULE 20. DELIBERATIVE PROCESS AND PROCEDURES OF STANDING COMMITTEES**

(a) Each bill, resolution or other legislative matter assigned to a standing committee shall pass through deliberative process before being brought to the floor of either House, unless it is sooner petitioned out of committee. Such deliberative process shall include pre-announced meetings whereby the committee receives testimony from the general public, including those affected by the proposed legislation; considers an analysis of the proposed legislation; and by notice to the sponsor, makes time available for each formal sponsor to explain the legislation and answer possible committee questions.

(b) Regular standing committee meetings may be held every Wednesday, while the Senate is in session, between the hours of noon and 3 P.M. The scheduling of the regular meetings shall be coordinated with the Secretary of the Senate. The Chairman of a standing committee may call other meetings as deemed necessary.

(c) The day before a meeting each standing committee shall release a Committee Agenda which shall include, among other things, all matters to be considered by the committee at its next meeting and any other announcements from the committee including the times, places and dates of future meetings.

(d) Minutes shall be taken at each formal standing committee meeting, and the results of any committee votes shall be recorded. Committee members who dissent from any committee decision shall be permitted, in the minutes, to state such dissent and the reasons therefor.

(e) A quorum does not have to be present to constitute a committee meeting. Committee members unable to attend pre-announced meetings may subsequently affix their signatures to legislation considered at such meetings.

(f) Nothing in this rule shall preclude the option of a committee chairman to cancel a regular or special meeting or call additional meetings when necessary.

**RULE 21. CONTESTS**

Any contest for a seat in this body shall be referred to the Leadership.

**RULE 22. UNDER THE LEADERSHIP, SUPERVISION OF ATTACHES**

The officers, attaches and employees of the Senate shall be under the supervision of the Leadership in the performance of the duties of their respective offices.

**RULE 23. PRIVILEGE OF THE FLOOR**

(a) No person who is not a member of the Senate shall be granted the privilege of the floor, or be seated, stand or allowed to proceed in that area in front of the rear line of the last row of members' seats from the rostrum, to the left of the right line of the farthest right row of members' seats, as facing the rostrum and to the right of the left line of the farthest left row of members' seats as facing the rostrum, while the Senate is in session except:

The Governor of the State  
The Secretary of the State  
Ex-Governors of the State  
Ex-Lieutenant Governors of the State  
Ex-Members of the General Assembly  
Members of the Congress of the United States  
Ex-Members of the Congress of the United States  
Members of the House of Representatives of the State  
Attorneys, Officers and Employees of the Senate  
Attorneys, Officers and Employees of the House of Representatives of the State  
The staff of Legislative Council

(b) Notwithstanding anything contained in subsection (a) of this Rule, any other person or persons may be granted the privilege of the floor, or of being seated or to stand in front of the rear line of the last row of member seats aforesaid, by and with the consent of this body.

**RULE 24. CHANGE OR SUSPENSION OF RULES**

Any rules of the Senate may be changed or suspended by approval of a majority of all members elected to the Senate.

**RULE 25. RULES OF ORDER**

All questions of parliamentary procedure not covered or provided for by the Rules of the Senate or the Constitution of the State of Delaware shall be decided in accordance with Mason's Manual of Legislative Procedure.

**RULE 26. NEWS MEDIA**

Members of the press, with permission of the President Pro Tempore, may use personal recording devices in the Senate Chamber during live session of that body.

**RULE 27. TRAVEL BY MEMBERS OF THE SENATE**

Any member of the State Senate who takes an out-of-state trip on official business at taxpayer expense shall upon his return and at the request of the Senate, give an oral report to the Senate on the extent of his travel, the nature of the official business and a summary of the convention, conference, seminar, or other proceedings.

**RULE 28. CONSENT CALENDAR**

(a) Any member of the Senate may propose any Senate Resolution, Senate Concurrent Resolution or House Concurrent Resolution, which ever the case may be, for inclusion on a Consent Calendar for the purpose of a final reading; provided that no amendment to the resolution is proposed.

(b) Any proposal by a member of the Senate for inclusion of a Senate Resolution, Senate Concurrent Resolution, or House Concurrent Resolution on a Consent Calendar shall be made to the Secretary of the Senate.

(c) Upon receipt of a proposal for inclusion the Secretary of the Senate shall prepare the Consent Calendar noting each inclusion thereon and present the Consent Calendar to the membership at an appropriate time during each legislative day.

(d) All resolutions included on the Consent Calendar shall be read and voted on collectively as a single group.

(e) Any resolution may be removed from the Consent Calendar for individual action if objection is made to its inclusion by any member.

#### RULE 29. CITATIONS

Every member of the Senate shall be granted the privilege to issue citations, in the categories or classifications available, at anytime during his or her tenure; provided, however, the procedures herein prescribed are adhered to. Citations, unlike resolutions which are highly detailed, invoking the entire Delaware State Senate as a body shall be sequentially numbered by the Secretary of the Senate and made a part of the permanent record of the Senate. Each citation before becoming an official document of the Senate shall be signed by the sponsor and/or sponsors, the President Pro Tempore of the Senate and the Secretary of the Senate. When the Senate is in session pursuant to Article II, Section 4 of the 1897 Constitution, as amended, the President Pro Tempore or his designee shall cause to be read into the permanent record of the Senate, for informational and archival purposes, on one of the three (3) legislative days mentioned in Rule 2, such citations as have been filed with the Secretary of the Senate, by topical notation along with the name of the Chief sponsor thereof. Such citations shall not require an official vote; however, at the time such citations are officially read into the record, any member of the Senate may comment, elaborate or simply expand on the content of the citation. Citations requested and issued by members of the Senate when the Senate stands in recess or adjournment (July 1 - December 31st) shall be administratively managed by the Secretary of the Senate and in his duties of compiling the permanent record of the Senate proceedings (the Senate Journal) he shall cause such citations to be made a part of the official proceedings of the Senate.

#### RULE 30. PROHIBITING SMOKING IN SENATE CHAMBER, CAUCUS ROOMS AND GALLERY

No member of the Senate, staff person, member of the press or visitor shall smoke a cigarette, cigar, pipe or other smoking object or equipment in the Senate chamber, caucus rooms and gallery while the Senate is in session.

# **SENATE STAFF**



## SENATE STAFF

Bernard J. Brady - Secretary of the Senate  
Kay Sandstrom - Assistant Secretary of the Senate  
Denise M. Coffman - Calendar/Journal Clerk (1st Session - Through January 1996)  
Joy C. Bower - Calendar/Journal Clerk (Beginning March 1996)

Louise C. Allen  
Marcus Allen  
Scotty Wallace Amerine  
Katherine E. Artigliere  
William A. Baker  
Beverly G. Bell  
Mary Lou Berry  
Philip R. Birk  
Scott M. Collier  
Teresa Marie Collier  
Brigitte Ann Conner  
Jessica T. Davis  
Doris L. Dayton  
Thomas G. Dickerson  
Betty M. Dickinson  
Jean Ann Diener  
Pamela J. Donehower  
Mary F. Dugan  
John W. Elliott  
Stephanie Fedena  
Andrew J. Fioravanti  
John T. Fiorelli  
Joseph F. Fitzgerald, Jr.  
Anita Elaine Furman  
Mary Louis Guyer  
Lorielee J. Harrison  
Janice L. Hartshorn  
Betty Ann Havelow  
Mary Ann Hearne  
Harold M. Hilyard  
Sylvia A. Holloway  
Winifred H. Hulme  
Leah K. Joiner  
Laurence J. Kopec  
Melissa A. Lowman  
Brian L. Maddox  
Megan M. Manlove  
Anna Mae Massey

Sean P. McCormick  
Brian M. McGlinchey  
William J. McCool, Jr.  
Arvalene L. Moore  
James E. Moore  
Dey C. Murray  
Joanna E. Nichols  
Richard L. Norwood  
Zanthia L. Oliver  
Carlos J. Ortega  
Grissell Ortega  
Monica E. Patterson  
Elizabeth L. Powderly  
Gerald B. Quinn  
Norma L. Rash  
Dana P. Ridley  
Jennifer C. Sandstrom  
Paul T. Saponaro  
Clarence A. Schwatka, Jr.  
Carolece Scotton  
George T. Sharp  
Charlotte L. Shirey  
Sally Ann Slook  
Gregory E. Smith  
Theresa F. Sokola  
Doris Lee Spicer  
Curtis W. Steen, Jr.  
Kay B. Stubbs  
Thomas R. Taylor  
Carlton C. Tindley  
Helen C. Truitt  
Charles W. Tulloch, II  
Toni W. Wheeler  
Audie M. Wilkins  
Doretha M. Williams  
John E. Williams, Jr.  
Robert G. Wollter

### Administrative Assistants

Richard B. Carter  
Spiros Mantzavinos  
Stephen P. Tanzer  
David E. Wilkins

### Attorneys

Rebecca D. Batson  
John H. Cordrey, Esq.  
Richard T. Dillard, Esq.  
Sherri L. Schaeffer





# **LEGISLATIVE DAYS**

**LEGISLATIVE DAYS**  
**138TH GENERAL ASSEMBLY**

**FIRST SESSION**

| <b><u>LEGISLATIVE DAY</u></b>               | <b><u>DATE</u></b> | <b><u>PAGE</u></b> |
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| 31st                                        | May 16, 1995       | 86                 |
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| 41st                                        | June 14, 1995      | 125                |
| 42nd                                        | June 15, 1995      | 130                |
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| 44th                                        | June 21, 1995      | 137                |
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| 1st Executive Session                       | August 29, 1995    | 189                |

**LEGISLATIVE DAYS**  
**138TH GENERAL ASSEMBLY**

**SECOND SESSION**

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| 11th                                     | March 14, 1996     | 238                |
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| 14th                                     | March 21, 1996     | 243                |
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| 17th                                     | March 28, 1996     | 251                |
| 18th                                     | April 3, 1996      | 254                |
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| 20th                                     | April 23, 1996     | 261                |
| 21st                                     | April 24, 1996     | 264                |
| 22nd                                     | April 25, 1996     | 267                |
| 23rd                                     | April 30, 1996     | 269                |
| 24th                                     | May 1, 1996        | 273                |
| 25th                                     | May 2, 1996        | 276                |
| 26th                                     | May 7, 1996        | 279                |
| 27th                                     | May 8, 1996        | 283                |
| 28th                                     | May 9, 1996        | 286                |
| 29th                                     | May 14, 1996       | 289                |
| 30th                                     | May 15, 1996       | 292                |
| 31st                                     | May 16, 1996       | 296                |
| 32nd                                     | May 28, 1996       | 298                |
| 33rd                                     | May 29, 1996       | 301                |
| 34th                                     | May 30, 1996       | 305                |
| 35th                                     | June 4, 1996       | 307                |
| 36th                                     | June 5, 1996       | 313                |
| 37th                                     | June 6, 1996       | 314                |
| 38th                                     | June 11, 1996      | 316                |
| 39th                                     | June 12, 1996      | 321                |
| 40th                                     | June 13, 1996      | 328                |
| 41st                                     | June 18, 1996      | 334                |
| 42nd                                     | June 19, 1996      | 338                |
| 43rd                                     | June 20, 1996      | 346                |
| 44th                                     | June 24, 1996      | 352                |
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| 2nd Special Session                      | July 1, 1996       | 394                |



## **SENATE ACTION**



**138TH GENERAL ASSEMBLY  
FIRST SESSION  
1ST LEGISLATIVE DAY  
DOVER, DELAWARE  
January 10, 1995**

Pursuant to Section 4, Article 2 of the Constitution of the State of Delaware, the Senate met at Legislative Hall in Dover, Delaware at 2:52 p.m., Lt. Governor Minner presiding.

A prayer was offered by Reverend William Truitt.

The Pledge of Allegiance to the Flag.

On motion of Senator Cordrey and without objection, Bernard J. Brady was appointed temporary Secretary of the Senate and Scotty Amerine were appointed temporary Reading Clerk. No objection.

The Acting temporary Secretary then called the roll of the hold-over Senators:

**PRESENT:** Senators Adams, Bair, Blevins, Connor, Cook, Cordrey, McBride, McDowell, Sharp, Sokola, Vaughn - 11.

Senator Cordrey moved that the President of the Senate appoint a committee of two to examine the Certificates of Election. No objection.

The President of the Senate appointed Senators Venables and Still as a committee to receive and examine the Certificates of Election of the newly elected Senators.

The President of the Senate recanted her appointment and renamed Senators Vaughn and Connor as a committee to receive and examine the Certificates of Election.

The Chair called a short standing recess to allow the certificates to be examined.

The Senate reconvened and Senator Vaughn reported that the Examining Committee found the Certificates of Election to be in order.

The Certificates of Election were as follows:

For New Castle County: Margaret Rose Henry, Robert I. Marshall, Richard A. Hauge, Liane McDowell Sorenson, Steven H. Amick, Donna Reed.

For Kent County: John C. Still, III, Colin R. J. Bonini.

For Sussex County: Robert J. Voshell, Robert L. Venables, Sr.

Senator Sharp moved that the Secretary of the Senate read the Certificate of Election of Senator Marshall and that the reading constitute the readings of all of the Certificates.

The Acting Secretary then read the Certificate of Election as follows:

The State of Delaware  
New Castle County, ss

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord One Thousand Nine Hundred Ninety-Four for New Castle County, according to the Constitution and Laws of the State of Delaware, **ROBERT I. MARSHALL** was duly elected Senator -- **3rd District** which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, we, HENRY duPONT RIDGELY and VINCENT A. BIFFERATO constituting the Superior Court for New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 10th day of November, A.D. 1994.

(Signed) Henry duPont Ridgely  
President Judge

(Signed) Vincent A. Bifferato  
Resident Judge

\* \* \*

The newly-elected Senators were sworn into Office in the following order: Senator Henry by Judge Tolliver; Senator Marshall by Lt. Governor Minner; Senator Hauge by Judge DelPesco; Senator Sorenson by Judge DelPesco; Senator Amick by Judge Cooch; Senator Reed by Judge DelPesco; Senator Bonini by Judge Ridgely; Senator Still by Judge Ridgely; Senator Voshell by Judge Holland; Senator Venables by Lt. Governor Minner.

**OATH OF OFFICE**

## MEMBER OF THE STATE SENATE

"I, (NAME), do Proudly swear (or affirm) to carry out the responsibilities of the office of Senator to the best of my ability, freely acknowledging that the powers of this office flow from the people I am privileged to represent. I further swear (or affirm) always to place the public interests above any special or personal interests and to respect the right of future generations to share the rich historic and natural heritage of Delaware. In doing so I will always uphold and defend the constitutions of my Country and State, so help me God."

(Signed)  
Senator

Sworn (or affirmed) and subscribed before me  
This 10<sup>th</sup> day of January A.D. 1995

(Signed)  
Administrator of the Oath  
\* \* \*

Don Coker, the Acting Director of Legislative Council, announced that two members of the House of Representatives were here for the purpose of informing the Senate that the House was organized for business.

SR 1 was introduced and brought before the Senate for consideration on motion of Senator Cordrey.

SR 1 - IN REFERENCE TO THE ROLL OF MEMBERS OF THE SENATE. Sponsors: Senators Cordrey, Sharp, Marshall.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, SR 1 was declared adopted.

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

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

SR 2 was introduced and brought before the Senate for consideration on motion of Senator Vaughn.

SR 2 - IN REFERENCE TO TEMPORARY RULES OF THE DELAWARE STATE SENATE. Sponsors: Senators Vaughn and Voshell.

Senator Bair commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Hauge) NO; therefore, SR 2 was declared adopted.

SR 3 was introduced and brought before the Senate for consideration on motion of Senator Sharp.

SR 3 - IN REFERENCE TO ELECTION OF PRESIDENT PRO TEMPORE. Sponsors: Senators Sharp and Marshall.

Senator Cook requested to be added as a co-sponsor.

All Senators names were added as co-sponsors.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, SR 3 was declared adopted.

The **President Pro Tempore's Oath** was then given by Judge Holland to Senator Cordrey.

## OATH OF OFFICE PRESIDENT PRO TEMPORE

"I, **Richard S. Cordrey**, do proudly swear (or affirm) to carry out the responsibilities of the Office of **President Pro Tempore** to the best of my ability, freely acknowledging that the powers of this office flow from the people that I am privileged to represent. I further swear (or affirm) always to place the public interests above any special or personal interests, and to respect the right of future generations to share the rich historic and natural heritage of Delaware. In doing so I will always uphold and defend the constitutions of my Country and my State, so help me God."

(Signed) Richard S. Cordrey  
President Pro Tempore



Sworn (or affirmed) and subscribed before me  
this 10th day of January A.D. 1995.

(Signed)Randy J. Holland  
Justice, State Supreme Court  
\* \* \*

**SR 4** was introduced and brought before the Senate for consideration on motion of Senator Cordrey.

**SR 4** - IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Senators Cordrey, Sharp, and Marshall.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SR 4** was declared adopted.

Senator Adams announced that the Majority Caucus has met and officially elected Senator Sharp as Majority Leader and Senator Marshall as Majority Whip.

Senator Still announced that the Republican Caucus has met and officially elected Senator Bair as Minority Leader and Senator Connor as Minority Whip.

**SR 5** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

**SR 5** - APPOINTING A COMMITTEE TO NOTIFY THE GOVERNOR THAT THE SENATE IS ORGANIZED. Sponsors: Senators Sharp, Cordrey, Marshall.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SR 5** was declared adopted.

Lt. Governor Minner appointed Senators Venables and Still to notify the House and the Governor that the Senate is organized.

**SR 6** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

**SR 6** - APPOINTING A COMMITTEE TO NOTIFY THE HOUSE OF REPRESENTATIVES THAT THE SENATE IS ORGANIZED. Sponsors: Senators Sharp, Cordrey, Marshall.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Still, Venables) ABSENT; therefore, **SR 6** was declared adopted.

**SJR 1** was introduced and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Sharp.

**SJR 1** - IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Senators Sharp, Cordrey, Marshall.

Senator McDowell commented. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Still, Venables) ABSENT; therefore, **SJR 1** was declared passed the Senate and sent to the House for consideration.

The Secretary announced a message from the House informing the Senate that the House had passed **HJR 1**.

**HJR 1** was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Cordrey, the floor manager.

**HJR 1** - IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Representatives Petrilli and Quillen.

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

Senator Marshall informed the Senate that the Attorney General, Jane Brady was in the chamber and that today was her birthday.

Senator Marshall requested the privilege of the floor for Jane Brady. Senator Sharp questioned the witness, after which the witness was excused.

On motion of Senator Sharp, the Senate recessed at 4:10 p.m. until January 11, 1995 at 4:00 p.m.

The Senate reconvened at 4:22 p.m. January 11, 1995 with Lt. Governor Minner presiding.

The Reading Clerk was requested to read a communication from the Office of the President Pro Tempore, Senator Richard S. Cordrey, the 138<sup>th</sup> General Assembly Committees Membership for the permanent record, partially read and copies were made available, concerning Committee Assignments

A copy of the communication is on file for this legislative day. (See Table of Contents - Committee Membership)

The Secretary of the Senate announced a message from the House informing the Senate that it had passed **SJR 1**.

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**  
**January 11, 1995**

The following legislation was introduced and assigned to committee:

**SB 1** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE PUBLIC UTILITY TAX. Sponsor: Senator Cordrey. To: **Laid on the table.**

**SB 2** - AN ACT TO AMEND PART II OF CHAPTER 21, TITLE 21, DELAWARE CODE RELATING TO SPECIAL FARM VEHICLE REGISTRATION. Sponsors: Senators Adams; Rep. Carey; Senators Cordrey, Voshell, Venables, Cook, Vaughn, Bonini, Still; Reps. West, Ewing, Welch. To: **Agriculture.**

**SB 3** - AN ACT TO AMEND TITLE 21, DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES. Sponsor: Senator Cordrey. To: **Public Safety.**

**SB 4** - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 80, TITLE 15, DELAWARE CODE RELATING TO REPORTS OF POLITICAL COMMITTEES. Sponsor: Senator Cordrey. To: **Insurance and Elections.**

**SB 5** - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO LEGISLATIVE AUTHORITY; AND PROVIDING FOR INITIATIVE AND REFERENDUM. Sponsors: Senator McBride and Representative Oberle; Senators Hauge, Voshell; Reps. Welch, Boulden, West, Bunting. To: **Executive.**

**SB 6** - AN ACT TO AMEND CHAPTER 8, TITLE 29 OF THE DELAWARE CODE RELATING TO COMPOSITION AND REAPPOINTMENT OF THE GENERAL ASSEMBLY. Sponsors: Senator McBride; Representative Oberle. To: **Executive.**

\* \* \*

At 4:24 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 2nd Legislative Day.

**2ND LEGISLATIVE DAY**  
**January 11, 1995**

The Senate convened at 4:24 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

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

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

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

**SJR 2** was introduced and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Cordrey.

**SJR 2** - IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Senators Cordrey, Sharp, Marshall.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SJR 2** was declared passed the Senate and sent to the House for consideration.

At 4:30 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

At 5:05 p.m. the Senate reconvened with Lt. Governor Minner presiding.

**SCR 1** was introduced and brought before the Senate for consideration on motion of Senator Sokola.

**SCR 1** - ESTABLISHING A TASK FORCE TO EXAMINE AND ASSESS THE OPERATION AND DUTIES OF MAINTENANCE ASSOCIATIONS IN DELAWARE. Sponsors: Senator Sokola and Representative Cloutier; Senators McBride, Connor, Sorenson; Representatives D. Ennis, Maier, Roy, Spence.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 1** was declared adopted by the Senate and sent to the House for consideration.

Senator Cordrey requested his name be added as a co-sponsor to **SB 1**.

Senators Adams, Voshell, McBride, Cook and Vaughn were added as co-sponsors to **SB 1**.

Senator Sokola requested his name be added as a co-sponsor to **SB 6**.

Senator Bonini requested his name be added as a co-sponsor to **SB 5**.

At 5:12 p.m. on motion of Senator Sharp, the Senate recessed until 3:00 p.m. January 12, 1995.

The Senate reconvened at 3:36 p.m. January 12, 1995 with Lt. Governor Minner presiding.

The following committee report was announced:

From Agriculture: **SB 2** - 5 Favorable, 1 Merit.

A communication from the office of Senator Cordrey was read.

January 12, 1995

TO: All Members of the Senate of the 138th General Assembly

FROM: Senator Richard S. Cordrey, President Pro Tempore

RE: Family Law Commission Appointment

As per the power invested in me as President Pro Tempore of the Senate, I hereby appoint Senator Liane M. Sorenson as a member of the Family Law Commission.

Senator Sorenson will be replacing Senator Myrna Bair, who resigned.

\* \* \*

At 3:39 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 3rd Legislative Day.

### 3RD LEGISLATIVE DAY

January 12, 1995

The Senate convened at 3:39 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Venables.

The Pledge of Allegiance to the Flag.

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

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

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

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

### PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

January 12, 1995

The following legislation was introduced and assigned to committee:

**SB 7** - AN ACT TO AMEND CHAPTER 13, SUBCHAPTER III, TITLE 30, DELAWARE CODE, RELATING TO INHERITANCE TAX. Sponsors: Senator Sharp; Representative Roy. To: **Judiciary**.

**SB 8** AN ACT TO AMEND CHAPTER 23, SUBCHAPTER I, TITLE 12, DELAWARE CODE RELATING TO INHERITANCE TAX. Sponsor: Senator Sharp; Representative Roy. To: **Judiciary**.

**SB 9** - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE RELATING TO SPECIAL ANIMAL WELFARE LICENSE PLATES. Sponsors: Senator McBride and Representative Oberle. To: **Public Safety**.

The following amendment was introduced and placed with the bill.

**SA 1 to SB 1** - Sponsor: Senator Cordrey.

\* \* \*

SR 7 was introduced and brought before the Senate for consideration on motion of Senator McDowell.

SR 7 - HONORING ALBERT J. MADORA ON THE OCCASION OF HIS ELEVATION TO THE RANK OF BRIGADIER GENERAL IN THE UNITED STATES ARMY. Sponsor: Senator McDowell.

Senator McDowell requested that the Resolution be read in its entirety.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, SR 7 was declared adopted.

A copy of SR 7 was presented to General Madora's parents.

SB 1 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 1 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE PUBLIC UTILITY TAX.

Senator Cordrey requested that Senator Bonini be added as a co-sponsor.

SA 1 to SB 1, which was 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 21 Senators voting YES; therefore, SA 1 to SB 1 was declared part of the bill.

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

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

At 3:55 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

At 4:45 p.m. the Senate reconvened with Lt. Governor Minner presiding.

SB 2 was brought before the Senate for consideration on motion of Senator Adams.

SB 2 - AN ACT TO AMEND PART II OF CHAPTER 21, TITLE 21, DELAWARE CODE RELATING TO SPECIAL FARM VEHICLE REGISTRATION.

Several Senators commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Amick) NO; therefore, SB 2 was declared passed the Senate and sent to the House for consideration.

At 4:58 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. January 17, 1995.

The Senate reconvened at 3:36 p.m. on January 17, 1995 with Lt. Governor Minner presiding. The Secretary announced a message from the House informing the Senate that the House had passed SJR 2.

A communication from the office of Senator Cordrey was read adding Senator Still as a co-sponsor to SB 3.

A communication from the office of Senator Cordrey was read.

December 13, 1994

TO: Members of the 138th General Assembly

FROM: Senator Richard S. Cordrey  
President Pro Tempore

SUBJECT: Appointment as per House Bill No. 540  
Inland Bays Watershed Enhancement Act

As per the power invested in me as President Pro Tempore of the Senate, I hereby appoint the following to serve as a member of the Inland Bays Watershed Enhancement Act, from Sussex County:

Danny Magee  
Route #1, Box 80  
Millsboro, Delaware 19966

\* \* \*

A messenger from the Governor was announced and admitted.  
A message from the Governor was read.

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR

January 17, 1995

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

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

**Mr. Thomas J. Cook**  
317 Stonebrook Place  
Dover, Delaware 19901

to be appointed as Commissioner  
of Elections for a four-year term  
beginning February 1, 1995 to  
succeed Mr. Donald F. McArdle, who  
resigned.

Your consideration of this nomination is appreciated.

Sincerely,  
(Signed) Tom Carper  
Governor  
\* \* \*

At 3:40 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 4th Legislative Day.

#### **4TH LEGISLATIVE DAY** **January 17, 1995**

The Senate convened at 3:40 p.m. with Lt. Governor Minner presiding.

The prayer was offered by Senator Bonini.

The Pledge of Allegiance to the Flag.

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

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

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

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

#### **PRESIDENT PRO TEMPORE'S LIST OF PRE -FILED LEGISLATION** **January 17, 1995**

The following legislation was introduced and assigned to committee:

**SB 10** - AN ACT TO AMEND CHAPTER 128, VOLUME 33, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MIDDLETOWN" TO GIVE THE MAYOR THE LIMITED RIGHT TO VOTE. (2/3 vote)  
Sponsor: Senator Vaughn, Representative Banning. To: Community/County Affairs.

**SB 11** - AN ACT TO AMEND CHAPTER 23, TITLE 12 OF THE DELAWARE CODE RELATING TO THE DISTRIBUTION OF A DECEDENT'S PROPERTY WITHOUT GRANT OF LETTERS. Sponsors: Senator Voshell; Senators Cook, Adams, Vaughn. To: Judiciary.

**SB 12** - AN ACT TO AMEND CHAPTER 1, TITLE 23, DELAWARE CODE, RELATING TO PILOTAGE RATES. Sponsors: Senator Cordrey; Senators Sharp, Marshall, Bair, Connor, Representatives Spence, Petrilli, Quillen, George, Gilligan, Senators McDowell, Henry, Hauge, Sorenson, Amick, Reed, McBride, Vaughn, Cook, Bonini, Still, Voshell, Adams, Venables, Representatives Plant, DiPinto, Jonkiert, D. Ennis, Smith, Brady, Banning, Maroney, Cloutier, Capano, Van Sant, Reynolds, Houghton, Mack, Roy, Boulden, Oberle, Ulbrich, Lofink, B. Ennis, Welch, Wagner, Stone, Buckworth, Ewing, Carey, Schroeder, Bunting, Fallon, Lee, West. To: Executive.

**SB 13** - AN ACT TO AMEND CHAPTER 68, TITLE 9, DELAWARE CODE REGARDING THE MEMBERSHIP OF THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION. Sponsors: Senator Voshell; Senators Adams, Cordrey, Venables, Representatives Bunting, Schroeder, Carey, West, Ewing, Fallon, Lee. To: **Community/County Affairs**.

\* \* \*

**SCR 3** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

**SCR 3** - PROVIDING THAT A JOINT SESSION OF THE HOUSE AND SENATE BE CONVENED FOR THE PURPOSE OF HAVING THE ANNUAL STATE OF THE STATE ADDRESS BY THE HONORABLE THOMAS R. CARPER, GOVERNOR OF THE STATE OF DELAWARE. Sponsors: Senators Sharp, Cordrey, Marshall.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 3** was declared adopted by the Senate and sent to the House for consideration.

Senator McBride marked present during the above roll call.

**SCR 2** was introduced and brought before the Senate for consideration on motion of Senator Bair.

**SCR 2** - RECOGNIZING THE YEAR 1995 AS THE 75TH ANNIVERSARY OF WOMEN'S SUFFRAGE IN THE STATE OF DELAWARE. Sponsors: Senators Bair, Blevins, Representatives Maroney, Senators Cook, Henry, Reed, Sorenson, Representatives Fallon, Capano, Maier, Stone, Ulbrich, Wagner.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 2** was declared adopted by the Senate and was sent to the House for consideration.

Senator Cordrey requested that two tributes be read into the record. Copies of these communications are on file for this legislative day.

At 3:53 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

At 4:57 p.m. the Senate reconvened with Lt. Governor Minner presiding.

At 4:49 p.m. on motion of Senator Sharp, the Senate recessed until 4:00 p.m. January 18, 1995.

The Senate reconvened January 18, 1995 at 4:26 p.m. with Lt. Governor Minner presiding.

The following committee report was announced:

From Public Safety: **SB 3** - 1 Favorable, 2 Merits.

At 4:27 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 5th Legislative Day.

## **5TH LEGISLATIVE DAY**

**January 18, 1995**

The Senate convened at 4:27 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

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

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

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

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

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

**January 18, 1995**

The following legislation was introduced and assigned to committee:

**SB 14** - AN ACT TO AMEND CHAPTER 358, VOLUME 69, LAWS OF DELAWARE RELATING TO IMPLEMENTATION DATE OF THE STATE REGISTER OF REGULATIONS. Sponsors: Senator Cordrey and Representative Spence. To: **Executive**.

**SB 15** - AN ACT TO AMEND CHAPTER 43, TITLE 29 OF THE DELAWARE CODE RELATING TO THE APPOINTMENT OF NOTARIES FOR POLICE AGENCIES. Sponsors:

Senator Adams; Senators Vaughn, Sharp and Bair; Representatives Spence and Ewing. To: **Public Safety.**

**SB 16** - AN ACT TO AMEND CHAPTER 28, TITLE 24, DELAWARE CODE, RELATING TO THE DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS. Sponsors: Senator Blevins, Representative Cloutier; Senator McBride; Representative Petrilli. To: **Sunset.**

\* \* \*

**SR 9** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

**SR 9** - REQUESTING CHARLES M. CAWLEY, CHAIRMAN OF MBNA AMERICA, TO COMMUNICATE WITH MEMBERS OF THE DELAWARE STATE SENATE AND FULFILL HIS PERSONAL COMMITMENT TO KEEP THE DELAWARE CITIZENS INFORMED OF PLANNED CHANGES IN USES OF CERTAIN PROPERTIES IN THE STANTON/OGLETOWN/CHRISTIANA AREA OF NEW CASTLE COUNTY. Sponsor: Senator Sharp.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Hauge) NO, 1 (Cordrey) ABSENT; therefore, **SR 9** was declared adopted.

Senator McBride marked present during the above roll call.

**SR 8** was introduced and brought before the Senate for consideration on motion of Senator Henry.

**SR 8** - COMMENDING THE DELTA SIGMA THETA SORORITY, INC. ON ITS 82ND ANNIVERSARY, PARTICULARLY THE WILMINGTON ALUMNAE CHAPTER AND EXTENDING TO THE NATIONAL AS WELL AS THE WILMINGTON CHAPTER BEST WISHES FOR A MOST PROSPEROUS FUTURE. Sponsor: Senator Henry.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **SR 8** was declared adopted.

Senator Venables requested the privilege of the floor for Mrs. Jean Parent, representing the Early Education Center.

The witness made reference to a manual containing the Parent Early Education Center Evaluation. A copy of this manual is on file for the legislative day.

Senator Hauge requested the privilege of the floor to introduce Senator Sokola's parents, who live within Senator Hauge's district.

At 4:43 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus.

At 5:10 p.m. the Senate reconvened with Lt. Governor Minner presiding.

At 5:12 p.m. on motion of Senator Sharp, the Senate recessed until January 19, 1995 at 1:45 p.m.

The Senate reconvened at 1:51 p.m. January 19, 1995 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Executive: **SB 12** - 1 Favorable, 5 Merits; **Thomas J. Cook** - 4 Favorable.

Senator Cordrey marked present.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 2; SCR 2; SCR 3.**

At 1:55 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 6th Legislative Day.

## **6TH LEGISLATIVE DAY**

**January 19, 1995**

The Senate convened at 1:55 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Henry.

The Pledge of Allegiance to the Flag.

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

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

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

At 2:01 p.m. on motion of Senator Sharp, the Senate recessed to await the arrival of the House members for the Joint Session.

At 2:02 p.m. the Senate reconvened with Lt. Governor Minner presiding.

At 2:04 p.m. the Sergeant-of-Arms announced the members of the House of Representatives were ready to enter the Chamber. They were admitted and welcomed to the Senate Chamber.

Lt. Governor Minner invited Representative Spence, Speaker of the House, and Senator Cordrey, President Pro Tempore, to be her guests on the rostrum.

The Sergeant-of-Arms announced the members of the Judiciary were ready to enter the Chamber. They were admitted and welcomed.

The Sergeant-of-Arms announced the statewide elected officials were ready to enter the Chamber. They were admitted and welcomed.

The Sergeant-of-Arms announced the members of the Governor's cabinet officials were ready to enter the Chamber along with the President of the University of Delaware and Delaware State University. They were admitted and welcomed.

## **JOINT SESSION – SENATE CHAMBER**

### **State of the State Message**

**January 19, 1995**

At 2:08 p.m. on motion of Senator Sharp, the Senate and the House of Representatives meet in Joint Session for the purpose of hearing an address from The Honorable Thomas R. Carper, Governor of the State of Delaware. No objection.

On motion of Senator Sharp, Lt. Governor Minner presided over the Joint Session. No objection.

On motion of Senator Sharp, the Secretary of the Senate and the Chief Clerk of the House act as Secretaries to the Joint Session. No objection.

On motion of Senator Sharp, the Lt. Governor appointed a committee of four Senator Adams (spokesperson), Senator Hauge, Representative Van Sant, and Representative Wagner to escort the Governor to the Senate Chamber.

Lt. Governor Minner announced that the Joint Session will stand in a temporary recess until the Governor arrived.

The Joint Session reconvened and recognized the Sergeant-of-Arms who announced the arrival of the escort party with the Governor.

Governor Carper was admitted and introduced by Senator Adams.

The Governor was welcomed by the Lt. Governor and invited to the rostrum.

The Governor addressed the assembly as follows:

Lt. Governor Minner, Speaker Spence, President Pro Tempore Cordrey, members of the Delaware General Assembly, members of the Judiciary, members of my cabinet, ladies and gentlemen, and those that are joining us on radio and television.

Two years ago today, just a few feet from where we are gathered here, a new Governor and new Lt. Governor took their oaths of office and assumed the reins of leadership of our state.

That day, I pledged "to keep the best of Delaware secure, and make the good even better." Since then, my Administration has worked closely with the General Assembly to do just that. Together, we're Building Delaware's Future -- making our state a better place to live, work and raise a family.

Today, I am pleased to report to you on the state of our state, and to discuss with you the unique opportunities we have before us as Delaware prepares to greet a new Century.

After a number of wrenching years of downsizing in the chemical industry, our economy has emerged as the strongest between Virginia and Maine.

Our unemployment rate is well below the national average. In a state of barely 700,000 people, over 360,000 people will go to work today. That's 9,000 more than went to work last January 19th, and 15,000 more than went to work on the day of our inauguration, Ruth Ann.

Several large manufacturers, including Playtex and Johnson Controls, have a new lease on life in Delaware. Sunroc, the largest new manufacturer in Kent County in almost 20 years, begins production next month.

And thanks to two years of persistent team work, we learned last November, that our General Motors plant will remain open next year, and in the running to build a new vehicle that will secure that plant's future.

The state's finances reflect our strong economy. Our budgets are balanced. Our Rainy Day Fund is full. We've cut business taxes to stimulate economic growth last year and now, I am proposing that every Delawarean pay lower income taxes, starting this month. If revenues permit, we may be able to make further tax reductions later this year, and again next year.

New corporations have continued at a record pace for 23 consecutive months. As many of you know, Delaware is the home corporation for a quarter of a million companies, include half of the future 500. Last year, Delaware set another all-time record for new incorporations in a single



year. Some of our Division of Corporations employees lead by Good Morning America star, George Coyle are with us today, and I want to ask you to join me in recognizing them.

Last year, in a victory for clean air and common sense, we convinced the EPA to back off its threat to cut Delaware's federal transportation funds and impose a no-growth economic policy on our state.

This month, former Attorney General Charlie Oberly and I secured a Delaware v. New York settlement with 48 other states, thus ensuring that New York will pay us what we are owed. Just as important, a \$35 million annual revenue stream for Delaware from abandoned property will be protected well into the next century.

Our work has not gone unnoticed.

Delaware, the state that not too many years ago had the worst credit rating of any state in the nation. Today now enjoys the highest credit rating in our history, of our state.

Delaware is getting national attention in other areas as well. While Washington bickers about health care reform, Delaware is moving ahead. The number of Delawareans without health care coverage is shrinking. Ninety percent of Delawareans now enjoys health care coverage. With full implementation of our managed care for Medicaid program later this year more than 9,000 additional Delawareans will be served.

Wellness Centers are being established in each of our high schools. A series of Nemours Foundation pediatric health clinics throughout Delaware -- envisioned by my predecessor and his administration -- are opening for business.

I stand before you today, my friends more confident than ever that the dream of universal health coverage for every child in Delaware will soon become a reality.

Parenting training is expanding dramatically, too. More newborns and their parents are now receiving home visits. Delaware is on its way to becoming one of only a handful of states to enable every four-year-old living in poverty to participate in a Head Start program. We are also taking decisive action to ensure that our classrooms are safe places for students to learn by removing disruptive classmates and placing them in alternative learning program.

And after years of talk bout it, we've gone back to court to eliminate unnecessary federal court supervision of our New Castle County schools. While preserving the opportunity for an excellent education for every single youngster.

In the immortal words of James Brown, "I feel good" about all of this, and a lot of other Delawareans, do too. Every Member of the Delaware General Assembly should, as well. Delaware is on a roll, and each us, each of you, has contributed to the success our state enjoys today and this Governor wants to give this General Assembly a round of applause as well, and ask others to join in.

Let me turn to some challenges. Over the past year, many of you have heard me talk about the financial storm clouds on Delaware's horizon. Some of those clouds are lifting. I've already spoken of our successful fight to keep our General Motors plant open, our settlement of the Delaware v. NY case, and turning back federal sanctions to preserve literally millions, tens of millions federal transportation dollars.

Yet, despite considerable good news, the future holds a number of new challenges that Delawareans must be prepared to meet.

As a congressman, I understood the critical need for the federal government to put its financial house in order. As a governor, I understand the need to protect states' interests as Washington looks for ways to balance its budgets.

Even as we speak, the new Congress is beginning debate on a balance budget amendment to the Constitution. But that amendment does not contain the protections we need to avoid cost-shifting to the states, like Delaware.

Deep cuts in federal spending are planned, as well as changes that would make many entitlement programs block grants for states to implement. These changes could cost Delaware millions of dollars, especially during economic downturns.

Still another challenge from Washington comes from the interstate banking legislation signed into law last summer. Working with Delaware's banking community, we must decide this year how best to preserve our base of financial services and possibly to expand it.

Closer to home, we face enormous pressure over the next five years to keep up with the explosion of school construction in all three counties. This year alone, we have capital budget requests of \$45 million for schools construction alone. And over the next five years, state government will need to spend over \$200 million for school construction.

Our prison population continues to grow to the point where we're not debating whether we need more prison space, but how much. Every additional 100 prison beds cost about \$7 million to build and millions more to operate. We will also need to invest in better security at Gander Hill to ensure that the escapes that occurred there in December doesn't happen again.

Finally, while construction of a new Ferris school has begun, the time has come for us to seriously consider a maximum security facility for violent juvenile offenders.

We are fortunate to have the revenue to meet these challenges. But that does not mean Delawareans will tolerate large increases in government spending. The message from voters this past November election was clear -- Delawareans want government that is cost-effective and that works for them. The operating budget I will present to you next week limits the growth of state government, while allowing us to pursue an aggressive agenda in 1995 that I believe works for all Delawareans.

Let me turn now to some specifics on that agenda. This year I will ask the General Assembly to work with me on several initiatives that are most important to Building Delaware's Future: cutting taxes responsibly; investing our Delaware v. NY windfall wisely; bolstering education; putting more cops on the street and more criminals behind bars; and keeping Delaware at the forefront of efforts to reform an outdated welfare system and curb runaway teenage pregnancy.

Well, there has been much discussion about the size and timing of a tax cut. I will not discuss it at length today. I have made my proposal and I extended to each of you, the offer to compromise with those who have a different view. We have time to talk. We also have time to act. I hope we will and soon, so that every single Delaware tax payer can begin to enjoy now, the benefits reduction and personal income taxes that each one of us wants to provide.

Last year, we created the 21st Century Fund using the Delaware vs. NY settlement money, which was beginning to flow. Now that our hard fought victory is secure, we have a unique opportunity to Build Delaware's Future. I propose that we use this \$220 million windfall to improve education and our economic competitiveness, to preserve our environment, and finally to invest in our communities and in our neighborhoods.

To strengthen our economy and create jobs, I propose to fund Advanced Technology Centers to attract and retain hi-tech jobs in our state.

I also propose investments to improve our State's only world-class shipping facility. Our Port is a vital economic asset -- generating 2,800 jobs, \$600 million worth of business, and more than \$8 million in state income taxes. The Port also attracts businesses to Delaware, General Motors is just one key example. Competition from other regional ports is fierce, from Norfolk to New York. They are investing heavily to stay open. Just as we fought to secure the future of our GM plant, we must act now to secure the future of our Port into the next century.

To improve education and help students meet world-class academic standards, I propose a \$40 million investment in education technology that will bring computer and telecommunications technology to every student in Delaware, transforming our schools into "learning places of the future."

To preserve our environment, I propose using the 21st Century Fund to continue acquiring open space for future generations to enjoy. And after many years of debate, I propose we fund the work of the Aglands Preservation Foundation to ensure that our best cropland, that our best cropland, is preserved and the Delaware's largest economy continues to grow and prosper.

Finally, my investment strategy for the 21st Century fund seeks to assist communities by supporting housing rehabilitation and community redevelopment, as well as critical water and wastewater improvements.

When combined each of these 21st Century Fund investment strategy will preserve Delaware's natural beauty and unique way of life, while helping to support economic growth. But it's important that these investments be guided by a clear vision for Delaware's future.

- a vision that preserves our farmland and open our space;
- a vision that reinvigorates our sense our community;
- a vision that will enhance the standard of living and the quality of life for our citizens, well into the next century.

Last March, I established the Cabinet Committee on State Planning. They have made significant strides in the past ten months to improve statewide planning, and develop a blueprint for the well-managed growth and for development of our state. Their work will be critical in determining what our state will look like in the decades to come.

The 21st Century Fund investments must work in concert with this Committee's efforts. Later this year, I will recommend changes in the Quality of Life Act to improve coordination, increase public participation, and better ensure consistency between state and local planning efforts.

Closely related to the work of improving statewide planning, are our efforts to permit reform or to reform our permitting system. Last year, I told you that a "new day had dawned" at our Department of Natural Resources and Environmental Control. I meant it. Today, that department is implementing over 100 recommendations developed in partnership with both the environmental and business communities to cut red tape to eliminate obsolete permit

requirements. DNREC will eliminate this year, 200 air permits and has already begun to improve customer service, in part by making better use of technology.

Permitting reform is just one way that we are partnering with the private sector to help improve Delaware's ability to attract and retain jobs, while preserving the natural resources and beauty of our state.

For the past two years, my administration has worked with banks, manufacturers, local utilities and others to implement a comprehensive economic development strategy -- a strategy that will create a well-paying jobs into the next century. In its first year of operation calibrating with local banks, the Delaware Access Program loaned \$1.3 billion to more than 30 small businesses, and we have only just begun. Delaware Venture Partners has secured more than \$12 million from local investors to ensure that high-risk, high-potential start-up companies have access to capital. Our new small business development centers served 75 percent more entrepreneurs in Kent and Sussex counties last year, than in the previous year. The General Assembly quadrupled our state's Strategic Fund, allowing us to create or retain nearly 4,000 jobs.

Now, we're creating a privately-run Innovation Fund to provide grants to entrepreneurs in the early stages of product research and design.

With all of these critical programs in place, we're ready to partner with the private sector again to market Delaware throughout the region. Eighty-five percent of the hundreds of small businesses surveyed last year, by the University of Delaware, Small Business Development Committee, described Delaware as a good place to be in business. Why not let the rest of this region know that Delaware is one smaller, two smarter, and three quicker:

Let me turn to education, you know we can take justifiable pride in what we have accomplished to strengthen Delaware's economy, and look forward to doing more in 1995. But the future of our economy still rests largely on the workforce we are preparing today in our schools. Let me talk then about a subject that has had been a source of an enormous confusion in our state and that's education reform in Delaware.

I want to explain today, as simply as I can, the reform effort call New Directions -- begun late in the Castle Administration and continued in this Administration. I want to tell you why I believe, this initiative, and other efforts, make sense, and why we must succeed in them if our children are to succeed later in their lives.

Effective education reform begins with making sure that more kids are ready to succeed when they enter our schools. How? By teaching parents to be more effective first teachers of their children, and dramatically expanding participation in Head Start as we are doing here in Delaware.

Education reform means making sure that kids are safe in our schools and that classrooms are places where teachers can teach and students can learn with fewer disruptions. It means transforming our classrooms, through technology, into classrooms of the future. Education reform means making it possible for kids who learn more slowly to keep up through additional learning time -- perhaps a longer school day or school on Saturday, or for part of the summer. It means enlisting an army of mentors -- business and professional people, retirees and others -- to invest an hour or two weekly in a school to work one-on-one with kids desperate for adult advocated and for positive role models in their lives.

The New Directions component of education reform means introducing rigorous standards of what students should know and be able to do at various grade levels in core subjects like math, science, English, and social studies; New Directions means regularly assessing -- or measuring -- students performance to determine how close they're coming to meeting those rigorous standards; and overhauling our curriculum and lesson plans so that what teachers are teaching in classrooms coincides more closely with what graduates are expected to know and be able to do.

New Directions means holding schools accountable for improvement in the ability of their students to meet those higher standards. It means giving the teachers, the principals, and the parents at individual schools greater discretion in determining what works best in their own school to enable their students to meet the rigorous standards being set for all kids.

While education reform in Delaware has many components, the central one is setting rigorous standards of what students should know and be able to do.

The difficult job of developing world-class standards has fallen on the shoulders of several hundred of our best teachers, of scientists, the businesspeople and parents throughout our state. We are in debt. They have labored diligently for well over a year, developing consensus and producing the cornerstone of our education reform initiative -- standards -- what we expect students to know and be able to do in math, in science, in social studies and English. It is upon this foundation that the revitalization of our education system now will be built.

Not all of the several hundred Delawareans who have worked to build this consensus could be here today. Representing their colleagues are the co-chairs of the science standards commission, Rachel Woods, a science teacher from Small but mighty Delmar High School in Sussex County, and Joe Miller, a scientist from a, well somewhat smaller, but still mighty, chemical company here in our state, the DuPont Company. I'm going to ask that Rachel and Joe for you to stand up and take a bow on all of whom you have worked on these standards. Thank you.

We are blessed in Delaware with thousands of dedicated, hardworking, innovative teachers like Rachel Woods. They do their dead-level best every day to prepare young people to lead productive lives. They work with kids who have every opportunity in life, and they work with kids who endure lives of abuse and neglect. They welcome caring and concerned parents as partners in the education of their children, and they serve in many cases as surrogate parents, as role models, as mentors for kids who have no one else in their lives. Those teachers, each of them, have my fullest respect and my deepest thanks and I know they have yours, as well.

But, the world in which we compete has changed since many of us, you and I were in school. Our schools must also change in order to enable the next generation to survive in the next Century and to prosper in it.

As each of us knows, change is not easy. Soon our teachers will struggle in the months ahead as we raise expectations for what we expect their students to know and to be able to do. Some teachers will find the way they were taught to teach may no longer be appropriate.

More and more, students will be expected to read challenging passages and to understand them. To solve practical, complex, problems. To write narratives that are clear and concise, correctly spelled and properly punctuated.

Our state must support classroom teachers and principles in implementing the standards by involving them in curriculum and lesson development based on those standards; providing them with quality professional and staff development opportunities; and boosting funding for important classroom instructional materials and school technology. Helping our teachers implement the standards will help our students. Better teaching means better learning.

It seems to me that every five years or so, some new fad comes along in education in this country you've seen it and I've seen it. After a while, that the new fad fades away and is replaced by another one.

Well, there are no quick fixes in education. New Directions is no fad. The setting of rigorous standards of what students should know and be able to do in core subjects is no fad in education in Delaware. Nor is an emphasis on safety and discipline, on early childhood education, on parental involvement, on technology, or monitoring or on easing the transition from school to work. They are all just plain old fashion common sense.

I'm convinced the states which will enjoy the highest standards of living in the next century are those which develop the most productive workforce in this country so that businesses can compete in a challenging world marketplace. Our employers want -- we want -- employees who can read, who can write, who can think, who are computer literate, and who will provide a day's work for a day's pay. We have an obligation, you and I working together, to provide that workforce for Delaware, and that's exactly what we are going to do.

Just as safe schools are a critical part of our good education system, safe communities are critical to our quality of life.

Delaware is fortunate to be a safer place to live than many other states. But crime is still a major concern that hinders our efforts to build strong communities where people can live without fear.

During the past two years, Delaware strengthened its ability to protect citizens against crime. With the help of you in the General Assembly, we increased mandatory sentences for criminals who commit crimes with guns. We made it harder to purchase handguns illegally, and we passed laws to keep guns out the hands of children. The General Assembly enacted legislation to make sure that people with criminal records don't work in our schools, to ensure that school crimes get reported to the police, and to get disruptive students out of regular classrooms and into programs where they can receive special help and just as importantly, to enable teachers to teach and other students to learn.

To better ensure that when prisoners get out of jail they are less likely to commit more crime, over the past two years we've tripled in this state the number of inmates earning their high school degrees. More prisoners are also receiving drug and alcohol treatment, and learning valuable job skills through an expanded Prison Industries program.

In 1995, my Administration will advocate further measures to fight crime and keep violent prisoners in jail where they belong.

In my budget next week, I will propose putting more police on the street and giving them modern crime fighting tools using advanced technology. I will propose using funds from the

Biden Crime Bill and the State's capital budget to construct maximum security prison space to keep violent criminals behind bars. We should also build a tough boot camp to give first-time non-violent offenders a taste of no-frills incarceration, strict discipline, education, work, physical fitness and effective drug treatment -- before they become hardened criminals.

My legislative agenda includes a bill to make violent criminals serve at least 85 percent of their sentence. It's time, also, to deter prisoners from filing frivolous lawsuits that waste thousands of hours or prosecutor time and taxpayer dollars. We also propose to crack down harder on drunk driving through legislation providing zero-tolerance for teenagers, who drunk and drive and increases penalties for drunk drivers who have children in their cars.

I look forward to working with the General Assembly this year to enact this strong anti-crime agenda.

And that takes us to the final part of Building Delaware's Future that I went to discuss with you today is welfare reform. We shouldn't be surprised that while most welfare recipients want to work, too many of them, when faced with a choice between remaining on welfare or accepting a minimum wage job, choose welfare.

Too often, a perverse system of incentives has led those "on the dole" to remain there.

Why work? To gain the right to pay income and social security taxes:

Why work? To lose your family's health care and, possible, food stamps:

Why work: To pay more for your assisted housing or to maybe lose it all together.

And to top it all off, who's going to take care of your kids while you're working: For years, Delaware has been on the forefront of welfare reform efforts. Today, Delaware steps once again into the national stage with a bold new plan that will give true meaning to the phrase: ending welfare as we know it.

Our plan, called A Better Chance, has five key principles: 1) Work should pay more than welfare; 2) welfare recipients must act responsibly in exchange for benefits; 3) welfare should be a temporary measure to get a family back on its feet -- with real time limits; 4) both parents must be responsible for raising and supporting their children; and 5) the establishment and maintenance of two-parent families must be encouraged -- and teenage pregnancy strongly discouraged.

Making work pay more than welfare is critical. A Better Chance will allow welfare parents who take an entry-level job to keep part of their benefits. It encourages full use of the federal earned income tax credit, and addresses the two most critical barriers to private-sector employment for poor families -- access to child care access to and health care.

A Better Chance will help welfare recipients find jobs, too. Private sector jobs. The Departments of Labor and Economic Development and the new Delaware Workforce Development Council will work closely with the private sector to remove the training, transportation, and child care barriers that often impede the employment of welfare recipients.

Second, we will require welfare recipients to enter into a contract of mutual responsibility with the state and its taxpayers.

Delawareans or I believe are generous people. We want to extend a helpful hand to those who are struggling to become self-sufficient. But we need to make one thing very clear: We have a right to expect personal responsibility and accountability from all able-bodied citizens. That includes welfare recipients, too.

We expect welfare recipients to cooperate fully in establishing paternity, we expect them to cooperate fully, to complete parenting training classes and family planning classes that is offered to them. We expect them to take full advantage of the educational and job training opportunities that we provide. Take the job that is offered, even it's minimum wage job. Work that job and prepare for a better one. Make sure your kids are in school, make sure those kids are immunized.

If welfare recipients are willing to do these things, we will help them succeed. Those who do less will bear the consequences of their own inaction. Real sanctions will discourage recipients from shirking their responsibilities. Tangible rewards will encourage them to do what's best for them and for their families.

A contract of mutual responsibility is closely linked to the third key element of A Better Chance -- that welfare should not become a way of life. Almost one-third of Delaware's welfare recipients collect benefits for more than five years.

By 1997, there will be a two-year time limit for every welfare recipient age 19 or older. If the recipient has not secured private-sector employment by the end of that time limit, the state will enable that person to take a workfare job and earn their welfare check, earn their welfare check for a maximum of two more years.

In 1999, the welfare system will be totally overhauled. At that time, new welfare applicants who can't find jobs will be permitted to work in workfare jobs, earning their welfare checks for a

maximum of two years. No able-bodied person in Delaware will receive a welfare check if he or she refuses to work.

The fourth element of A Better Chance will hold both parents accountable for providing financial support for their children. Mothers must cooperate with paternity establishment as a condition to eligibility. Young fathers will be required to participate in job training too, you know these girls don't get pregnant by themselves, young fathers will be required to participate in job search and parenting programs, and child support orders that are against them and those child support orders that are against them will be strengthened.

The final element of A Better Chance is perhaps the most controversial. It seeks to undo the perverse effect of the current welfare system that discriminates against two-parent families.

A Better Chance provides incentives for people to get married, pool their incomes, and share child-rearing responsibilities. In the short-term, we will eliminate federal welfare rules which penalize intact families. In the long term, the current welfare system will be scripted in favor of a system that supports working two-parent families, through forward-funding of the EITC and with help in child and health care.

However well-intentioned, current government policies have subsidized teenage pregnancy. For that reason, our plan will end welfare payments to teenage mothers. In 1999, we will continue then to provide the child care, health care, and other services to keep teen mothers in school and finish their education, but cash benefits to teenage mothers will end in 1999.

Even sooner, I propose to impose a family cap that will deny increased cash benefits to families that have additional children within ten months after they begin receiving welfare. How do we explain that a person who works every day at General Motors, Playtex, or at Perdue, you have a baby, you get no increase in your paycheck, but a welfare recipient who has another child does? It's a double-standard, it's a double-standard that should be changed, and it's a double-standard that we are going to change.

Even with these steps, we'll still need to do far more to convince teenagers to postpone the age at which they become sexually active. We propose to do that through an Alliance Against Teenage Pregnancy -- it's a new partnership of churches and synagogues, businesses, of community organizations, and of parents -- we will initiate a grassroots community and multimedia outreach campaign beginning in 1995 and launch a sustained assault this year on teen pregnancy in this state. Our goal: is to convince teenagers to avoid becoming pregnant and, just as important, to avoid making someone else pregnant.

Making "A Better Chance" work will require the support of those of you in this General Assembly, will require a comprehensive waiver from Washington, DC. With that in mind, I will personally deliver this waiver request, this waiver request to President Clinton later this month in Washington, and ask for its swift approval.

Let me close by returning to the day I became your governor two years ago. I said then that we wanted "to leave as our legacy a state where the dedication to the pursuit of excellence is so strong that we are able to succeed where others have not."

In these past two years, with your help, and with the combined energies and talents of every segment of our community, we have not wavered from that commitment.

The state of our state that I have reported to you today is full of hope for our future. We gather here uniquely positioned to realize our full potential as a state and a people in the 21st Century:

A state whose economy is so strong that every Delawarean who needs a job can find a job.

A state whose schools produce graduates who are the envy of the rest of this nation.

A state whose natural beauty and abundant resources have been preserved for future generations.

A state where every child in every family has a chance to grow up strong, and healthy and self-sufficient.

I greet this new year and this new General Assembly with the optimism and with the enthusiasm that we CAN succeed where others have not, and do so in the spirit of bipartisan cooperation that Delawareans count on. And that has been our legacy and hallmark in this state.

Together, we are Building Delaware's Future.

Thank you very much.

\* \* \*

Lt. Governor Minner thanked Governor Carper for his speech and requested that the escort party that arrived with the Governor escort the Governor back to his executive office.

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

The Secretary of the Senate announced that he and the Chief Clerk of the House compared their journals and found that they agreed.

At 2:55 p.m. on motion of Senator Sharp, the Joint Session was adjourned and the Senate recessed.

At 4:30 p.m. the Senate reconvened with Lt. Governor Minner presiding.

On motion of Senator Sharp and without objection, 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 January 19, 1995**

The following legislation was introduced and assigned to committee:

**SB 17** - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO THE EXCLUSION OF UNEARNED AND PENSION INCOME AND INDIVIDUAL RETIREMENT ACCOUNTS WITHDRAWALS FOR PERSONS 60 YEARS OF AGE OR OLDER. Sponsor: Senator Voshell. To: **Finance**.

**SB 20** - AN ACT TO AMEND CHAPTERS 1, 7, 9, 11, 22, 23, 27, 29, AND 32 OF TITLE 5, DELAWARE CODE RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS. Sponsors: Senator Cordrey and Representative D. Ennis; Senator Adams. To: **Banking**.

**SB 21** - AN ACT TO AMEND CHAPTER 9, TITLE 19, DELAWARE CODE RELATING TO EXCLUSIONS FROM MINIMUM WAGE. Sponsors: Senators Vaughn, Sharp, Cook; Representative Lee, B. Ennis, West. To: **Corrections**.

**SB 22** - AN ACT TO AMEND CHAPTERS 26, 49, AND 69 OF TITLE 9 OF THE DELAWARE CODE RELATING TO ZONING AND SUBDIVISION IN NEW CASTLE, KENT AND SUSSEX COUNTIES. Sponsors: Senator Sharp and Representative Davis. To: **Community/County Affairs**.

**SA 1 to SB 11** - Sponsor: Senator Voshell. Placed with the bill.

**SA 1 to SB 13** - Sponsor: Senator Voshell. Placed with the bill.

\* \* \*

The following committee report was announced:

From Sunset: **SB 16** - 5 Merits.

On motion of Senator Adams, the nomination of **Mr. Thomas J. Cook** was brought before the Senate for consideration.

Senator Cook announced that there was a conflict of interest with the nominee and she would be not voting on the nomination.

A roll call vote was taken and revealed 16 Senators voting YES, 5 (Amick, Bair, Connor, Cook, Reed) NOT VOTING. Appointment confirmed.

**SB 3** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 3** - AN ACT TO AMEND TITLE 21, DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 3** was declared passed the Senate and sent to the House for consideration.

**SB 12** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 12** - AN ACT TO AMEND CHAPTER 1, TITLE 23, DELAWARE CODE, RELATING TO PILOTAGE RATES.

Senator Bonini withdrew his name as a co-sponsor.

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

The witness was excused after addressing the Senate.

Senator Adams commented. Senator Cordrey requested the privilege of the floor for Ronald Jefferson, representing the Pilot's Association.

The witness was excused. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 12** was declared passed the Senate and sent to the House for consideration.

Senator Cordrey commented.

Senator Sharp commented on **SR 9**. Senator Bair moved to reconsider **SR 9** and Senator Sharp objected; therefore, a roll call vote on the motion to reconsider **SR 9** was taken and revealed 9 Senators (Amick, Bair, Bonini, Connor, Hauge, Henry, Reed, Sorenson, Still) voting YES, 12 NO; therefore, the motion did not carry.

**SB 23** was introduced and laid on the table on motion of Senator Cordrey.

**SB 23** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE WITH REGARD TO PERSONAL INCOME TAX. Sponsors: Senators Cordrey, Sharp, Marshall and Representatives George, Gilligan; Sens. Adams, Blevins, Cook, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Representatives Banning, Brady, Bunting, DiLiberto, Ennis, Houghton, Jonkiert, Schroeder, Scott, Van Sant, West.

**SJR 3** was introduced and laid on the table on motion of Senator Sharp.

**SJR 3** - AUTHORIZING THE PAYMENT OF A REWARD OF \$10,000 TO ANY PERSON OR PERSONS PROVIDING INFORMATION RESULTING IN THE ARREST AND CONVICTION OF THOSE RESPONSIBLE FOR THE RECENT FIRE AT JOHN DICKINSON HIGH SCHOOL. Sponsors: Senator Sharp and Senator Sokola, and Representative Roy and Representative Maier; Senators Blevins, Marshall, McBride, McDowell.

At 5:01 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. January 24, 1995.

The Senate reconvened at 3:30 p.m. January 24, 1995 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 2 w/HA 1; HB 17; HCR 1 & 3; HJR 2; SB 1 w/SA 1; SB 2.**

A communication from Senator Adams was read requesting that Senator Amick be added as a co-sponsor to **SB 17.**

**LEGISLATIVE ADVISORY #1** from the office of Counsel to the Governor was announced for the record, partially read and copies made available to the member upon request.

**LEGISLATIVE ADVISORY # 1**, dated January 24, 1995. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SJR #1** - (1/23/95) IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Senators Sharp, Cordrey, Marshall.

**SJR #2** - (1/23/95) IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Senators Cordrey, Sharp, Marshall.

**HJR #1** - (1/23/95) IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Representatives Petrilli and Quillen.

\* \* \*

The following committee reports were announced:

From Public Safety: **SB 15** - 3 Merits.

From Corrections: **SB 21** - 3 Favorable, 1 Merit.

A messenger from the Governor was announced and admitted.

The following nominations by the Government were read and assigned to the **Executive** Committee:

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 24, 1995

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:  
**Mr. Michael D. Sprague**, 4403 Channing Road, Brandywine Hills, Wilmington, DE 19802, to be appointed as Chairman of the Wastewater Facilities Advisory Council to serve a term during the pleasure of the Governor, to fill a newly-created position.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 24, 1995

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



In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:  
**Mr. Mike Karia**, 54 Merion Road, Dover, DE 19904, to be appointed as a member of the Wastewater Facilities Advisory Council to serve a one-year term to fill a newly-created position.

Your consideration of this nomination is appreciated.

Sincerely,  
(Signed) Thomas R. Carper  
Governor

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STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 24, 1995

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:  
**Ms. Grace Pierce-Beck**, 20 Muirfield Court, Fox Hall, Dover, DE 19901, to be appointed as a member of the Wastewater Facilities Advisory Council to serve a one-year term to fill a newly-created position.

Your consideration of this nomination is appreciated.

Sincerely,  
(Signed) Thomas R. Carper  
Governor

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STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 24, 1995

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:  
**Mr. George P. Volenik**, 708 S. Central Avenue, Laurel, DE 19956, to be appointed as a member of the Wastewater Facilities Advisory Council to serve a two-year term to fill a newly-created position.

Your consideration of this nomination is appreciated.

Sincerely,  
(Signed) Thomas R. Carper  
Governor

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STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 24, 1995

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:  
**Mr. Thomas S. Novak**, 240 Tamarack Avenue, Elsmere, Wilmington, DE 19805, to be appointed as a member of the Wastewater Facilities Advisory Council to serve a three-year term to fill a newly-created position.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 24, 1995

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:  
**Mr. Joseph J. Corrado**, 200 Marsh Lane, New Castle, DE 19720, to be appointed as a member of the Wastewater Facilities Advisory Council to serve a three-year term to fill a newly-created position.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 24, 1995

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:  
**Mr. Lee J. Beetschen**, 73 Pleasanton Drive, Pleasanton Acres, Dover, DE 19901, to be appointed as a member of the Wastewater Facilities Advisory Council to serve a three-year term to fill a newly-created position.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 24, 1995

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:  
**Mr. Robert G. Medd**, 11 Michigan Avenue, Lewes, DE 19958, to be reappointed as a member of the Delaware Alcoholic Beverage Control Commission to serve a three-year term.

Your consideration of this nomination is appreciated.

Sincerely,  
(Signed) Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 24, 1995

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:  
**Mr. Robert A. Fischer, Jr.**, 610 Evergreen Lane, Milford, DE 19963, to be reappointed as a member of the Board of Trustees of the University of Delaware to serve a six year term.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 24, 1995

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:  
**Mr. Marvin Gilman**, 17 Woodbrook Circle, Wilmington, DE 19810, to be appointed as a member of the Board of Trustees of the University of Delaware to serve a six year term, replacing Catherine B. Flickinger.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 24, 1995

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:  
**Mr. Donald R. Brunner**, 900 Overbrook Road, Wilmington, DE 19807, to be appointed as a member of the Board of Trustees of the University of Delaware to serve a six year term to expire December 13, 2000.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 24, 1995

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:  
**Mr. William T. Moser**, 19 Osage Road, Claymont, DE 19703, to be appointed as a member of the Public Employment Relations Board to serve a six-year term, replacing R. Robert Currie, Jr.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 24, 1995

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:  
**Mr. John V. Flynn, Jr.**, 1020 Kent Road, Wilmington, DE 19807, to be reappointed as Chairman of the Cash Management Policy Board to serve a three-year term.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 24, 1995

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:  
**Sean McCormick**, 1966 Vandyke Greenspring Road, Smyrna, DE 19977, to be appointed as a New Castle County Justice of the Peace for a four-year term, replacing William S. Rowe, who resigned.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 24, 1995

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:  
**Robert B. Wall, Jr.**, 535 South State Dover, DE 19901, to be appointed as a Kent County Justice of the Peace for a four-year term, replacing Alice Stark, who resigned.

Your consideration of this nomination is appreciated.

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

The following committee reports were announced:

From Community/County Affairs: **SB 10** - 5 Merits; **SB 13** - 5 Merits; **SB 22** - 4 Merits.

At 3:48 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 7th Legislative Day.

#### **7TH LEGISLATIVE DAY January 24, 1995**

The Senate convened at 3:48 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Marshall.

The Pledge of Allegiance to the Flag.

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

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

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

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

#### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION January 24, 1995**

The following legislation was introduced and assigned to committee:

**SB 24** - AN ACT TO AMEND CHAPTER 9, TITLE 19, OF THE DELAWARE CODE, RELATING TO THE MINIMUM WAGE. Sponsors: Senator Marshall and Representative Oberle. To: **Labor**.

**SB 26** - AN ACT TO AMEND CHAPTER 7, TITLE 19, OF THE DELAWARE CODE, RELATING TO REPLACEMENT WORKERS. Sponsors: Senator Marshall and Representative Oberle. To: **Labor**.

**HB 2 w/HA 1** - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE REGISTRATIONS. Sponsors: Representative Oberle and Senator Vaughn. To: **Public Safety**.

**HB 17** - 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: **Judiciary**.

**HJR 2** - CREATING A PUBLIC SCHOOL ELECTION TASK FORCE TO STUDY AND REPORT ON THE OPTIMAL METHOD FOR CONDUCTING ELECTIONS OF PUBLIC SCHOOL BOARDS AND SCHOOL TAX REFERENDA. Sponsors: Representative Maroney and Senator Sokola; Representatives Petrilli, Buckworth, Carey, Smith, Welch, Oberle, Reynolds, Spence, Stone, Fallon, Maier, Davis, Cloutier, Wagner, Capano, DiPinto, D. Ennis, Boulden, Lee, Lofink, Ewing, Ulbrich, Banning, Houghton, DiLiberto, B. Ennis, Plant; Senators Sorenson, Bair, Hauge, and Henry. To: **Education**.

The following amendments were introduced and placed with the bill:

**SA 1 to SB 23** - Sponsor: Senator Still.

**SA 2 to SB 23** - Sponsor: Senator Still.

\* \* \*

At 3:51 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

At 4:50 p.m. the Senate reconvened with Lt. Governor Minner presiding.

**SB 15** was brought before the Senate for consideration on motion of Senator Adams, under the suspension of the necessary rules.

**SB 15** - AN ACT TO AMEND CHAPTER 43, TITLE 29 OF THE DELAWARE CODE RELATING TO THE APPOINTMENT OF NOTARIES FOR POLICE AGENCIES.

SA 1 to SB 15 was introduced and brought before the Senate for consideration on motion of Senator Adams.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, SA 1 to SB 15 was declared part of the bill.

SB 15 w/SA 1 was now before the Senate.

Senator Vaughn requested the privilege of the floor for Patricia Griffin, Chief of the Justice of the Peace Courts.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, SB 15 w/SA 1 was declared passed the Senate and sent to the House for consideration.

SB 31 was introduced and brought before the Senate under the suspension of the necessary rules, on motion of Senator Cook.

SB 31 - AN ACT TO AMEND THE STATUTORY PROVISIONS OF §106 (a), TITLE 13, OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF ELIZABETH BINGHAM AND SCOTT DOUGLAS. Sponsors: Senator Cook and Representative George; Senators Henry and McDowell; Representative DiPinto.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, SB 31 was declared passed the Senate and sent to the House for consideration.

SB 23 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 23 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE WITH REGARD TO PERSONAL INCOME TAX.

Senator Still commented. Senator Cordrey requested the privilege of the floor for Mr. Bill Remington, representing the Division of Revenue.

The witness was excused after addressing the Senate.

SA 1 to SB 23, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Still.

Senator Cook commented. A roll call vote was taken and revealed 5 Senators (Bair, Bonini, Connor, Reed, Still) voting YES, 12 NO, 4 (Amick, Hauge, Henry, Sorenson) NOT VOTING; therefore, SA 1 to SB 23 was declared defeated.

SA 2 to SB 23, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Still.

Senator McDowell commented. A roll call vote was taken and revealed 5 Senators (Bair, Bonini, Connor, Reed, Still) voting YES, 12 NO, 4 (Amick, Hauge, Henry, Sorenson) NOT VOTING; therefore, SA 2 to SB 23 was declared defeated.

SA 3 to SB 23 was introduced and immediately stricken on motion of Senator Amick.

SA 4 to SB 23 was introduced and brought before the Senate for consideration on motion of Senator Still.

Senator Sharp moved to lay the amendment on the table.

Senator Still objected, therefore a roll call on the motion to lay SA 4 to SB 23 on the table was taken and revealed 12 Senators voting YES, 9 (Amick, Bair, Bonini, Connor, Hauge, Henry, Reed, Sorenson, Still) NO; therefore, the motion carried and SA 4 to SB 23 was laid on the table.

Senator Sharp commented. Senator Bair requested the privilege of the floor to Sarah Jackson, Secretary of the Department of Finance.

The witness was excused after addressing the Senate.

Several Senators commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) NOT VOTING; therefore, SB 23 was declared passed the Senate and sent to the House for consideration.

SJR 4 was introduced and brought before the Senate for consideration on motion of Senator Sharp, under the suspension of the necessary rules.

SJR 4 - MEMORIALIZING THE INTENT OF THE 138TH GENERAL ASSEMBLY IN THE MATTER RELATING TO TAX CUTS IN FY 1995 AND FY 1996. Sponsors: Senators Sharp, Cook; Senators Amick, Bair; Representatives Davis, George, Gilligan.

Senator Bair requested the privilege of the floor for Sarah Jackson, Secretary of the Department of Finance.

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

Senator McDowell commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) NOT VOTING; therefore, SJR 4 was declared passed the Senate and sent to the House for consideration.

SB 29 was introduced and laid on the table on motion of Senator Blevins.

**SB 29** - AN ACT TO AMEND CHAPTER 28, TITLE 24, DELAWARE CODE, RELATING TO PROFESSIONAL ENGINEERS. Sponsors: Senator Blevins; Representative Cloutier; Senator McBride, Representative Petrilli.

At 6:01 p.m. on motion of Senator Sharp, the Senate recessed until 4:00 p.m. January 25, 1995.

The Senate reconvened at 4:14 p.m. January 25, 1994 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Insurance/Elections: **SS 1 for SB 4** - 4 Merits.

From Executive: **SB 14** - 4 Merits.

From Banking: **SB 20** - 5 Merits.

The Secretary announced a message from the House informing the Senate that the House had passed **HB 4 w/HA 1; HB 11 w/HA1; HB 10.**

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

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

**January 25, 1995**

The following legislation was introduced and assigned to committee on January 24, 1995:

**SB 27** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT BY REPEALING THE DELAWARE SUNSET ACT, 29 DELAWARE CODE, CHAPTER 102. Sponsors: Senator Cordrey, Senator Adams. To: **Sunset.**

The following legislation was introduced and assigned to committee on January 25, 1995:

**SS 1 for SB 4** - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 80, TITLE 15, DELAWARE CODE RELATING TO REPORTS OF POLITICAL COMMITTEES. Sponsors: Senator Cordrey, Senator Amick. To: **Adopted in lieu of original.**

**SB 28** - AN ACT TO AMEND CHAPTER 59, TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION; AND PROVIDING FOR DONATED LEAVE. Sponsors: Senator McBride and Representative Spence; Senators Marshall, McDowell, Connor, Henry, Reed; Representatives Oberle, Houghton, Van Sant. To: **Labor.**

**SB 30** - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO CONSTITUTIONAL AMENDMENTS; AND PROVIDING THAT CONSTITUTIONAL AMENDMENTS BE RATIFIED AT THE POLLS. (2/3 vote) Sponsors: Senator McBride and Representative Oberle. To: **Judiciary.**

**HB 4 w/HA 1** - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. Sponsor: Representative Oberle. To: **Judiciary.**

**HB 10** - AN ACT TO AMEND CHAPTER 19, TITLE 14 OF THE DELAWARE CODE RELATING TO LOCAL SCHOOL TAXES. Sponsors: Representative Mack and Senator Connor; Representatives Buckworth, Davis, Reynolds, Smith, Brady, Houghton. To: **Education.**

**HB 11 w/HA 1** - 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.**

\* \* \*

On motion of Senator Sharp, **SJR 3** was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules.

**SJR 3** - AUTHORIZING THE PAYMENT OF A REWARD OF \$10,000 TO ANY PERSON OR PERSONS PROVIDING INFORMATION RESULTING IN THE ARREST AND CONVICTION OF THOSE RESPONSIBLE FOR THE RECENT FIRE AT JOHN DICKINSON HIGH SCHOOL.

Senator Sorenson requested that her name be removed as a co-sponsor.

Several Senators commented.

Senator Henry requested her name be removed as a co-sponsor.

Senator Vaughn requested that his name be added as a co-sponsor.

A roll call vote was taken and revealed 12 Senators voting YES, 9 (Amick, Bair, Bonini, Connor, Hauge, Henry, Reed, Sorenson, Still) NO; therefore, **SJR 3** was declared passed the Senate and sent to the House for consideration.

At 4:30 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

At 4:45 p.m. the Senate reconvened with Lt. Governor Minner presiding.

The following committee reports were announced:

From Labor: **SB 24** - 1 Favorable, 2 Merits; **SB 26** - 1 Favorable, 2 Merits; **SB 28** - 1 Favorable, 2 Merits.

From Education: **HJR 2** - 4 Merits.

A messenger from the Governor was announced and admitted.

Senator Sharp rose to comment on **SR 9** and a meeting with MBNA Chairman, Charles Cawley.

Senator Sharp moved for the reconsideration of **SR 9**, the roll call was then rescinded and the resolution stricken. No objection.

At 4:58 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convened for the 8th Legislative Day.

### **8TH LEGISLATIVE DAY January 25, 1995**

The Senate convened at 4:58 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Still.

The Pledge of Allegiance to the Flag.

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

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

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

Senator Sokola requested the personal privilege of the floor for Peg Bradley, representing Governor Carper's office.

Senator Sokola deferred to Senator Hauge, who requested that a tribute be read in its entirety, on the occasion of Mrs. Bradley's birthday. A copy of this communication is on file for this legislative day.

The Senate sang "Happy Birthday" to Mrs. Bradley after which she was excused.

**SB 29** was lifted from the table and brought before the Senate for consideration on motion of Senator Blevins, under the suspension of the necessary rules.

**SB 29** - AN ACT TO AMEND CHAPTER 28, TITLE 24, DELAWARE CODE, RELATING TO PROFESSIONAL ENGINEERS.

Senator Blevins requested the privilege of the floor for Mr. Jack G. S. Billingsley, representing the Delaware Association of Professional Engineers.

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

Senator Connor requested the privilege of the floor for Mr. William E. Holloway, representing the Delaware Chapter of the American Institute of Architects.

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

Senator Blevins again requested the privilege of the floor for Mr. Billingsley. The witness was excused after addressing the Senate.

Senator McBride commented. A roll call vote was taken and revealed 15 Senators voting YES, 1 (McDowell) NO, 5 (Adams, Marshall, Sharp, Venables, Voshell) NOT VOTING; therefore, **SB 29** was declared passed the Senate and sent to the House for consideration.

**SR 10** was introduced and brought before the Senate for consideration on motion of Senator Marshall.

**SR 10** - EXTENDING TO GEORGE SHARP OUR BEST WISHES FOR A SPEEDY RECOVERY AND A SWIFT RETURN TO HIS DUTIES IN THE DELAWARE STATE SENATE. Sponsors: Senator Marshall & Senator Cordrey; All Senators.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SR 10** was declared adopted.

At 5:48 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. January 26, 1995.

At 2:20 p.m. the Senate reconvened on January 26, 1995 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 4; HCR 5.**



SCR 6 was introduced and brought before the Senate on motion of Senator Sharp.

SCR 6 - CONGRATULATING THE CHRISTIANA HIGH SCHOOL FOOTBALL TEAM FOR WINNING THE STATE DIVISION 1 CHAMPIONSHIP. Sponsors: Senator Sharp and Representative Davis.

Senators Reed and Sokola requested that their names be added as co-sponsors to SCR 6.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (McBride, Venables) ABSENT; therefore, SCR 6 was declared adopted by the Senate and sent to the House for consideration.

SCR 5 was introduced and brought before the Senator for consideration on motion of Senator Bonini.

SCR 5 - IN MEMORY OF HERMAN CUBBAGE BROWN, A PRE-EMINENT ESQUIRE AND FORMER COUNTY AND STATE GOP CHAIRMAN, WHO DIED ON WEDNESDAY, JANUARY 4, 1995 AT THE AGE OF 69. Sponsors: Senator Bonini; Senators Still, Cook, Vaughn, Voshell; Representatives Buckworth, Caulk, Ewing, Quillen, Stone, Wagner, Welch, B. Ennis.

Senator Adams requested that his name be added as a co-sponsor.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, SCR 5 was declared adopted by the Senate and sent to the House for consideration.

At 2:30 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 9th Legislative Day.

### 9TH LEGISLATIVE DAY

January 26, 1995

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

A prayer was offered by Senator Bair.

The Pledge of Allegiance to the Flag.

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

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

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

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

### PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

January 26, 1995

The following legislation was introduced and assigned to committee:

SB 32 - AN ACT TO AMEND CHAPTER 13, TITLE 19 OF THE DELAWARE CODE, GRANTING TO PUBLIC EMPLOYEES THE LIMITED RIGHT TO STRIKE. Sponsors: Senator Marshall & Representative Oberle; Senators McBride, McDowell, Connor, Henry; Representatives Spence, Banning, Brady, DiLiberto, B. Ennis, Gilligan, Houghton, Jonkiert, Plant, Scott, Van Sant, West. To: Labor.

SB 33 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE REGISTRATION. Sponsors: Senators Blevins and Voshell; Representatives Ewing and Capano. To: Public Safety.

SA 1 to SB 21- Sponsor: Senator Vaughn. Placed with the bill.

The following nomination by the Governor was read and assigned to the Executive Committee.

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 26, 1995

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

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:  
**Ms. Ruth Morris**, 162 Carnoustie Road, Dover, DE 19901, to be reappointed as a member of the Delaware Alcoholic Beverage Control Commission to serve a three-year term.

Your consideration of this nomination is appreciated.

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

**SB 14** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 14** - AN ACT TO AMEND CHAPTER 358, VOLUME 69, LAWS OF DELAWARE RELATING TO IMPLEMENTATION DATE OF THE STATE REGISTER OF REGULATIONS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 14** was declared passed the Senate and sent to the House for consideration.

Senator McDowell marked present during the above roll call.

**SB 10** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 10** - AN ACT TO AMEND CHAPTER 128, VOLUME 33, LAWS OF DELAWARE, AS AMENDED, ENTITLED, "AN ACT TO REINCORPORATE THE TOWN OF MIDDLETOWN" TO GIVE THE MAYOR THE LIMITED RIGHT TO VOTE. (2/3 vote)

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **SB 10** was declared passed the Senate and sent to the House for consideration.

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

**SB 21** - AN ACT TO AMEND CHAPTER 9, TITLE 19, DELAWARE CODE RELATING TO EXCLUSIONS FROM MINIMUM WAGE.

**SA 1 to SB 21**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Vaughn.

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

**SB 21 w/SA 1** was now before the Senate

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

**SB 24** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 24** - AN ACT TO AMEND CHAPTER 9, TITLE 19, OF THE DELAWARE CODE, RELATING TO THE MINIMUM WAGE.

Senator Bair requested the privilege of the floor for Andrew Stayton, representing the Delaware State Chamber of Commerce.

The witness was excused after addressing the Senate.

Senator Still commented and then moved to lay the bill on the table.

Senator Marshall objected, therefore; a roll call on the motion to lay **SB 24** on the table was taken and revealed 8 Senators (Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still) voting YES, 12 NO, 1 (Sharp) ABSENT; therefore, the motion did not carry.

Senators Adams and Venables commented. Senator McBride requested the privilege of the floor for Mr. Edward Peterson, representing the AFL-CIO.

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

**SB 24** was laid on the table on motion of Senator Marshall.

**HCR 4** was introduced and brought before the Senate for consideration on motion of Senator Bair, the floor manager.

**HCR 4** - CELEBRATING THE 75TH ANNIVERSARY OF THE LEAGUE OF WOMEN VOTERS. Sponsors: Representative Ulbrich and Senator Bair; Representatives Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Roy, Smith, Stone, Wagner, Welch, Banning, Brady, Bunting, DiLiberto, B. Ennis, George, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Scott, Van Sant, West; Senators Adams, Blevins, Cook, Marshall, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Amick, Bonini, Connor, Hauge, Henry, Reed, Sorenson, Still.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HCR 4** was declared adopted by the Senate and returned to the House.

**HCR 6** was introduced and brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

**HCR 6** - COMMENDING AND THANKING THE ENTIRE RED CLAY CONSOLIDATED SCHOOL DISTRICT COMMUNITY FOR THE PROMPT AND EFFICIENT FORMULATION OF A RESPONSE PLAN TO THE FIRE THAT DAMAGED THE JOHN DICKINSON HIGH SCHOOL ON SUNDAY, JANUARY 15, 1995. Sponsors: Representative Roy and Senator Sharp; Representatives Petrilli, Maier, Van Sant, Capano, George, Cloutier, DiPinto; Senators Sokola, McBride, Sorenson.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HCR 6** was declared adopted by the Senate and returned to the House.

At 3:16 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

At 4:00 p.m. the Senate reconvened with Lt. Governor Minner presiding.

**SB 25** was introduced and assigned to the **Bond Bill** Committee.

**SB 25** - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 1996; 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: Senators Cordrey, Sharp, Marshall, Venables; Representatives George, Gilligan.

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

**Lee J. Beetschen** - 21 Senators voting YES. Appointment confirmed.

**Donald R. Brunner** - 21 Senators voting YES. Appointment confirmed.

**Joseph J. Corrado** - 21 Senators voting YES. Appointment confirmed.

**Robert A. Fischer, Jr.** - 21 Senators voting YES. Appointment confirmed.

**John V. Flynn, Jr.** - 21 Senators voting YES. Appointment confirmed.

**Marvin Gilman** - 21 Senators voting YES. Appointment confirmed.

**Mike Karia** - 21 Senators voting YES. Appointment confirmed.

**Sean McCormick** - 21 Senators voting YES. Appointment confirmed.

**Robert G. Medd** - 21 Senators voting YES. Appointment confirmed.

**Ruth Morris** - 21 Senators voting YES. Appointment confirmed.

**William T. Moser** - 21 Senators voting YES. Appointment confirmed.

**Thomas S. Novak** - 21 Senators voting YES. Appointment confirmed.

**Grace Pierce-Beck** - 21 Senators voting YES. Appointment confirmed.

**Michael D. Sprague** - 21 Senators voting YES. Appointment confirmed.

**George P. Volenik** - 21 Senators voting YES. Appointment confirmed.

**Robert B. Wall, Jr.** - 21 Senators voting YES. Appointment confirmed.

**SB 20** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 20** - AN ACT TO AMEND CHAPTERS 1, 7, 9, 11, 22, 23, 27, 29, AND 32 OF TITLE 5, DELAWARE CODE RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS. 2/3 VOTE

**SA 1 to SB 20** was introduced and brought before the Senate for consideration on motion of Senator Cordrey.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 20** was declared part of the bill.

**SB 20 w/SA 1** was now before the Senate.

Senator Cordrey requested the privilege of the floor for Tim McTaggart, Bank Commissioner. Senators Amick questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 21 Senators voting YES, therefore, **SB 20 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 28** was brought before the Senate for consideration on motion of Senator McBride.

**SB 28** - AN ACT TO AMEND CHAPTER 59, TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION; AND PROVIDING FOR DONATED LEAVE.

Senators Amick and Still commented. A roll call vote was taken and revealed 13 Senators voting YES, 7 (Amick, Bair, Bonini, Cordrey, Hauge, Sorenson, Still) NO, 1 (Sharp) NOT VOTING; therefore, **SB 28** was declared passed the Senate and sent to the House for consideration.

**HJR 2** was brought before the Senate for consideration on motion of Senator Sokola, the floor manager.

**HJR 2** - CREATING A PUBLIC SCHOOL ELECTION TASK FORCE TO STUDY AND REPORT ON THE OPTIMAL METHOD FOR CONDUCTING ELECTIONS OF PUBLIC SCHOOL BOARDS AND SCHOOL TAX REFERENDA.

**SA 1 to HJR 2** was introduced and brought before the Senate for consideration on motion of Senator Sokola.

Senator Bair commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HJR 2** was declared part of the Resolution.

**HJR 2 w/SA 1** was now before the Senate.

Senator Sorenson commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HJR 2 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HCR 7** was introduced and brought before the Senate for consideration on motion of Senator McDowell, the floor manager.

**HCR 7** - URGING THE GOVERNOR TO LEND HIS ACTIVE SUPPORT TO THE EPA TIME OUT ACT OF 1995. Sponsors: Representative DiPinto and Senator McDowell; Representatives Petrilli, Quillen, Spence, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Roy, Smith, Stone, Ulbrich, Wagner, Welch, Banning, B. Ennis, Gilligan, Houghton, Plant, Van Sant; Senators Adams, Vaughn, Bair, Connor, Still.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HCR 7** was declared adopted by the Senate and returned to the House.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 6; HCR 7; HJR 3; HB 39**.

**HB 39** was introduced and brought before the Senate for consideration on motion of Senator Sharp, the floor manager, under the suspension of the necessary rules.

**HB 39** - AN ACT TO AMEND CHAPTER 214, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, BEING THE CHARTER OF THE TOWN OF NEWPORT. Sponsors: Representative Gilligan and Senator Sharp. (2/3 vote)

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Amick, Reed) NOT VOTING; therefore, **HB 39** was declared passed the Senate and returned to the House.

**SENATE CONSENT CALENDAR #1** was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**SCR 4** - REQUESTING THAT THE GOVERNOR OF DELAWARE PETITION THE ADMINISTRATOR OF THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY TO REMOVE SUSSEX COUNTY FROM THE REQUIREMENT TO SELL REFORMULATED GASOLINE. Sponsors: Senator Adams, Cordrey, Venables, Voshell; Representatives Carey, Bunting, West, Schroeder, Ewing, Fallon, Lee

**HCR 1** - CREATING A TASK FORCE FOR PURPOSES OF IDENTIFYING AND EVALUATING ECONOMICALLY EFFICIENT AND ENVIRONMENTALLY PRUDENT APPROACHES TO REPLISHING THE ERODING BEACHES ALONG DELAWARE'S COASTLINE. Sponsors: Representatives Bunting and Schroeder.

**HCR 3** - URGING CONGRESS TO INCLUDE AS PART OF ANY BALANCED BUDGET AMENDMENT, CERTAIN CONSTITUTIONAL PROTECTIONS FOR THE STATES.

Sponsors: Representative Petrilli on behalf of all Representatives; Senator Sokola on behalf of all Senators

**HCR 5** - CONGRATULATING FRANK LINDELL, SR. UPON HIS RECEIPT OF THE MEMBER OF THE YEAR AWARD FROM FIVE POINTS FIRE COMPANY, NO. 1.

Sponsors: Representative Van Sant and Senator McBride; Senator Blevins; Representative Houghton

A roll call vote was taken on **SENATE CONSENT CALENDAR #1** and revealed 21 Senators voting YES; therefore, the **Senate Consent Calendar** was declared adopted by the Senate. The Senate Concurrent Resolution was sent to the House for consideration and the House Concurrent Resolutions were returned to the House.

**SB 18** was introduced and assigned the **Education** Committee.

**SB 18** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION. (3/4 vote) Sponsors: Senators McDowell, Blevins, Sorenson and Henry.

Senator Sokola, Representatives DiPinto, DiLiberto, Fallon and Reynolds names were added as co-sponsors.

Senator Sorenson withdrew her name as a co-sponsor.

**SB 19** was introduced and assigned to the **Education** Committee.

**SB 19** - AN ACT TO AMEND TITLE 14, DELAWARE CODE ESTABLISHING A TUITION ACCOUNT PROGRAM. Sponsors: Senators McDowell, Blevins, Sorenson, Sokola, Henry, Marshall; Representatives Fallon and DiLiberto.

**HCR 2** was introduced and brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

**HCR 2** - URGING THE APPOINTMENT OF A COMMITTEE TO INVESTIGATE WHETHER OR NOT DELAWARE COULD BENEFIT FROM THE ESTABLISHMENT OF A "BOOT CAMP" PRISON ALTERNATIVE; AND IF SO, UNDER WHAT CIRCUMSTANCES WOULD A "BOOT CAMP" ALTERNATIVE BE FEASIBLE. Sponsors: Representative Lee and Senator Voshell.

Several Senators commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HCR 2** was declared adopted by the Senate and returned to the House.

**HJR 3** was introduced and brought before the Senate for consideration on motion of Senator Cordrey, the floor manager, under the suspension of the necessary rules.

**HJR 3** - CALLING FOR A CONFERENCE OF THE STATES TO BE PROMOTED AND CONVENED BY THE COUNCIL OF STATE GOVERNMENTS FOR THE PURPOSE OF RESTORING BALANCE IN THE FEDERAL SYSTEM AND APPROPRIATING MONIES THEREFOR. Sponsors: Representatives Petrilli, Maroney, Roy and Senators Adams, Cordrey, and Connor; Representatives Quillen, Spence, Boulden, Buckworth, Capano, Carey, Caulk, Davis, DiPinto, D. Ennis, Ewing, Lee, Lofink, Mack, Maier, Oberle, Reynolds, Smith, Stone, Ulbrich, Wagner, Welch, Banning, Brady, Bunting, DiLiberto, B. Ennis, George, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Scott, Van Sant, West; Senators Blevins, Cook, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Hauge, Henry, Reed, Sorenson, Still.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HJR 3** was declared passed the Senate and returned to the House.

**SB 36** was introduced and assigned to the **Insurance/Elections** Committee.

**SB 36** - AN ACT TO AMEND CHAPTER 80, TITLE 15, DELAWARE CODE RELATING TO CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. Sponsors: Senator Sokola; Senators McDowell, Voshell, Blevins, Marshall, Amick, Hauge, Still; Representatives Petrilli, Davis, Buckworth, DiPinto, Lee, Caulk, Lofink.

Senator Marshall's name was added as a co-sponsor to **SB 18** and **SB 19**.

At 5:25 p.m. on motion of Senator Sharp, the Senate recessed to the call of the President Pro Tempore or March 14, 1995 at 2:00 p.m.

The Senate reconvened at 3:30 p.m. March 14, 1995 with Lt. Governor Minner presiding.

**LEGISLATIVE ADVISORIES #2 & #3** 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 #2**, dated February 8, 1995; The following legislation was signed by Governor Thomas R. Carper on the dates indicated:

**SB 1 AAB SA 1** - 2/3/95 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE PUBLIC UTILITY TAX. (Sen. Cordrey; Sens. Adams, Voshell, McBride, Cook, and Vaughn, and Sen. Bonini) (Volume 70, Chapter 1, Laws of Delaware.)

**SB 2** - 2/3/95 AN ACT TO AMEND PART II OF CHAPTER 21, TITLE 21, DELAWARE CODE RELATING TO SPECIAL FARM VEHICLE REGISTRATION. (Sen. Adams; Rep. Carey; Sens. Cordrey, Voshell, Venables, Cook, Vaughn, Bonini, Still; Reps. West, Ewing, Welch) (Volume 70, Chapter 2, Laws of Delaware.)

**SB 15 AAB SA 1** - 2/1/95 AN ACT TO AMEND CHAPTER 43, TITLE 29 OF THE DELAWARE CODE RELATING TO THE APPOINTMENT OF NOTARIES FOR POLICE AGENCIES. (Sens. Adams, Vaughn, Sharp, Bair; Reps. Spence, Ewing) (Volume 70, Chapter 3, Laws of Delaware.)

**HB 39** - 2/3/95 AN ACT TO AMEND CHAPTER 214, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, BEING THE CHARTER OF THE TOWN OF NEWPORT. (Rep. Gilligan and Sen. Sharp) (Volume 70, Chapter 4, Laws of Delaware.)

**HJR 2 AAB SA 1** - 2/3/95 CREATING A PUBLIC SCHOOL ELECTION TASK FORCE TO STUDY AND REPORT ON THE OPTIMAL METHOD FOR CONDUCTING ELECTIONS OF PUBLIC SCHOOL BOARDS AND SCHOOL TAX REFERENDA. (Rep.

Maroney and Sen. Sokola; Reps. Petrilli, Buckworth, Carey, Smith, Welch, Oberle, Reynolds, Spence, Stone, Fallon, Maier, Davis, Cloutier, Wagner, Capano, DiPinto, D. Ennis, Boulden, Lee, Lofink, Ewing, Ulbrich, Banning, Houghton, DiLiberto, B. Ennis, Plant; Sens. Sorenson, Bair, Hauge, and Henry).

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**LEGISLATIVE ADVISORY #3**, dated February 10, 1995. The following legislation was signed by Governor Thomas R. Carper on the dates indicated:

**SB #14** - (2/10/95) AN ACT TO AMEND CHAPTER 358, VOLUME 69, LAWS OF DELAWARE RELATING TO IMPLEMENTATION DATE OF THE STATE REGISTER OF REGULATIONS. (Sen. Cordrey & Rep. Spence) (Volume 70, Chapter 5, Laws of Delaware.)

**SB #20** - (2/10/95) AN ACT TO AMEND CHAPTERS 1, 7, 9, 11, 22, 23, 27, 29, AND 32 OF TITLE 5, DELAWARE CODE RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS. (Sen. Cordrey and Rep. D. Ennis; Sen. Adams) (Volume 70, Chapter 6, Laws of Delaware.)

**SJR #3** (2/10/95) AUTHORIZING THE PAYMENT OF A REWARD OF \$10,000 TO ANY PERSON OR PERSONS PROVIDING INFORMATION RESULTING IN THE ARREST AND CONVICTION OF THOSE RESPONSIBLE FOR THE RECENT FIRE AT JOHN DICKINSON HIGH SCHOOL. (Sen. Sharp & Sen. Sokola & Rep. Roy & Rep. Maier; Sens. Blevins, Marshall, McBride, McDowell.)

**HJR #3** - (2/10/95) CALLING FOR A CONFERENCE OF THE STATES TO BE PROMOTED AND CONVENED BY THE COUNCIL OF STATE GOVERNMENTS FOR THE PURPOSE OF RESTORING BALANCE IN THE FEDERAL SYSTEM AND APPROPRIATING MONIES THEREFOR. (Reps. Petrilli, Maroney, Roy and Sens. Adams, Cordrey, and Connor; Reps. Quillen, Spence, Boulden, Buckworth, Capano, Carey, Caulk, Davis, DiPinto, D. Ennis, Ewing, Lee, Lofink, Mack, Maier, Oberle, Reynolds, Smith, Stone, Ulbrich, Wagner, Welch, Banning, Brady, Bunting, DiLiberto, B. Ennis, George, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Scott, Van Sant, West; Sens. Blevins, Cook, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Hauge, Henry, Reed, Sorenson, Still.)

\* \* \*

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

#### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION** **February 2, 1995**

The following legislation was introduced and assigned to committee:

**SB 34** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE EXERCISE OF FIRST AMENDMENT RIGHTS BY PUBLIC SCHOOL STUDENTS. Sponsors: Senators Venables, Adams, Bair, Connor, Cordrey, Henry, Marshall, Sharp, Sokola, Vaughn; Representatives Spence, Maroney, Ewing, Jonkiert. To: **Education**.

**SB 35** - AN ACT TO AMEND CHAPTER 23, TITLE 18 OF THE DELAWARE CODE RELATING TO UNFAIR INSURANCE PRACTICES. Sponsors: Senator Vaughn and Representative Oberle. To: **Insurance and Elections**.

**SB 37** - AN ACT TO AMEND CHAPTER 21, TITLE 13 OF THE DELAWARE CODE RELATING TO THE DOMESTIC VIOLENCE COORDINATING COUNCIL. Sponsors: Senators Sorenson and Blevins; Representatives Capano and Maroney; Senator Voshell; Representatives Roy, Ewing. To: **Judiciary**.

**SB 38** - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO ASSAULT IN THE SECOND DEGREE. Sponsors: Senators Sorenson & Blevins; Representatives Capano and Maroney; Senators Voshell, Bair, Sokola, Marshall; Representatives Roy, Ewing, DiPinto, Wagner, Brady, Gilligan, Jonkiert. To: **Judiciary**.

**HB 5 w/HA 1** - AN ACT TO AMEND CHAPTER 47, TITLE 16, DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT. Sponsors: Representative Oberle and Senator Vaughn. To: **Committee to Combat Drug Abuse**.

**SA 1 to SB 8** - Sponsor: Senator Sharp. Placed with the bill.

\* \* \*

The following communications from Senator Cordrey were read:

SENATE  
STATE OF DELAWARE

February 2, 1995

TO: Members of the 138th General Assembly  
FROM: Senator Richard S. Cordrey, President Pro Tempore  
SUBJECT: Appointment

As per the power invested in me with the passage of HOUSE CONCURRENT RESOLUTION NO. 2, 138TH GENERAL ASSEMBLY URGING THE APPOINTMENT OF A COMMITTEE TO INVESTIGATE WHETHER OR NOT DELAWARE COULD BENEFIT FROM THE ESTABLISHMENT OF A "BOOT CAMP" PRISON ALTERNATIVE; AND IF SO, UNDER WHAT CIRCUMSTANCES WOULD A "BOOT CAMP" ALTERNATIVE BE FEASIBLE, I hereby appoint:

Senator Robert J. Voshell  
506 Reed Road  
Milford, Delaware 19963  
to serve on this committee.

\* \* \*  
SENATE  
STATE OF DELAWARE

February 9, 1995

TO: All Members of the Senate of the 138th General Assembly  
FROM: Senator Richard S. Cordrey, President Pro Tempore  
Subject: Appointment as per Senate Concurrent Resolution #1

As per the power invested in me the passage of Senate Concurrent Resolution No. 1, of the 138th General Assembly, ESTABLISHING A TASK FORCE TO EXAMINE AND ASSESS THE OPERATION AND DUTIES OF MAINTENANCE ASSOCIATIONS IN DELAWARE, I hereby appoint the following to serve:

|                        |                            |
|------------------------|----------------------------|
| Senator David Sokola   | Senator Robert Connor      |
| 24 Beech Hill Drive    | 18 Crippen Drive           |
| Newark, Delaware 19711 | New Castle, Delaware 19720 |

\* \* \*  
SENATE  
STATE OF DELAWARE

February 23, 1995

TO: Members of the Senate of the 138th General Assembly  
FROM: Senator Richard S. Cordrey, President Pro Tempore  
RE: Appointment to Millcreek Flood Abatement Committee

With the absence of James P. Neal in the 138th General Assembly, I would like to appoint Senator Liane Sorenson as a member of the Millcreek Flood Abatement Committee.

\* \* \*

A communication from the Office of the Chief Clerk of the House informed the Senate that Representative Reynolds signed **SCR 6** as an additional sponsor on January 26, 1995.

At 3:35 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 10th Legislative Day.

**10TH LEGISLATIVE DAY**  
**March 14, 1995**

The Senate convened at 3:35 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Bair.

The Pledge of Allegiance to the Flag.

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

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

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

On motion of Senator Marshall, **SB 24** was lifted from the table and brought before the Senate for consideration.

**SB 24 - AN ACT TO AMEND CHAPTER 9, TITLE 19, OF THE DELAWARE CODE, RELATING TO THE MINIMUM WAGE.**

Senator Marshall deferred to Senator Sharp.

At 3:50 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

At 4:28 p.m. the Senate reconvened with Lt. Governor Minner presiding.

Senator Marshall moved to lay **SB 24** on the table.

A messenger from the Governor was announced and admitted.

On motion of Senator Marshall, **SB 24** was lifted from the table and brought before the Senate for consideration.

Senator Marshall requested the privilege of the floor for Andrew D. Stayton, representing the Delaware State Chamber of Commerce.

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

Senator Cordrey requested the privilege of the floor for Xavier Teixido, representing Harry's Savoy Grill.

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

Senator Cordrey requested the privilege of the floor for Chip Hearn, representing the Delaware Restaurant Association and the Rehoboth Beach Chamber of Commerce.

The witness was excused after addressing the Senate.

Senator Cordrey requested the privilege of the floor for Cindy Waterman, representing the New Castle County Chamber of Commerce.

The witness was excused after addressing the Senate.

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

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

Senator Marshall requested the privilege of the floor for Edward Peterson, representing the Delaware State AFL-CIO.

Mr. Peterson was excused after addressing the Senate.

**SA 1 to SB 24** was introduced and immediately stricken on motion of Senator Still.

Senators Connor and Bonini commented. Senator Marshall requested the privilege of the floor for Reverend Bernard N. Brown, representing the NAACP.

The witness was excused. A roll call vote was taken and revealed 11 Senators (Blevins, Connor, Cook, Henry, Marshall, McBride, McDowell, Sharp, Sokola, Vaughn, Venables) voting YES, 10 (Adams, Amick, Bair, Bonini, Cordrey, Hauge, Reed, Sorenson, Still, Voshell) NO; therefore, **SB 24** was declared passed the Senate and sent to the House for consideration.

Senator Sharp requested a moment of silence in respect for former Senator Robert J. Berndt, who recently passed away.

At 6:16 p.m. on motion of Senator Sharp, the Senate recessed until 4:00 p.m. March 15, 1995.

The Senate reconvened at 4:53 p.m. March 15, 1995 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing Senate that it had passed **HB 5 w/HA 1; SB 31; SB 15 w/SA 1; SB 14; SB 20 w/HA 1; SCR 1; SCR 5; SCR 6; HB 30; HB 28 w/HA 1; HB 14; HB 40; HB 41 w/HA 1; HB 43; HB 74; HCR 9.**

The following committee report was announced:

From Small Business: **SB 49** - 1 Favorable, 2 Merits.

At 4:55 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 11th Legislative Day.



**11TH LEGISLATIVE DAY**  
**March 15, 1995**

The Senate convened at 4:55 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Reed.

The Pledge of Allegiance to the Flag.

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

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

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

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

**PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION**  
**March 15, 1995**

The following legislation was introduced and assigned to committee:

**SB 39** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE BY PROVIDING FOR CERTAIN AMENDMENTS TO THE UNIFORM COMMERCIAL CODE. Sponsors: Senators Sharp and Amick; Senator Vaughn, Representatives Roy, Ewing, DiLiberto, Cloutier. To: **Judiciary.**

**SB 40** - AN ACT TO AMEND CHAPTER 91, TITLE 7 OF THE DELAWARE CODE RELATING TO THE DELAWARE HAZARDOUS SUBSTANCE CLEANUP ACT. Sponsors: Senator McBride and Representative Mack; Senators Voshell, Amick, Bair; Representatives Carey, Bunting, Schroeder, D. Ennis. To: **Natural Resources and Environmental Control.**

**SB 41** - AN ACT TO AMEND CHAPTER 20, TITLE 30 OF THE DELAWARE CODE RELATING TO BUSINESS TAX CREDITS AND DEDUCTIONS. Sponsors: Senator McBride and Representative Mack; Representative D. Ennis. To: **Revenue and Taxation.**

**SB 42** - AN ACT TO AMEND CHAPTER 47, TITLE 21 RELATING TO RIGHT OF ENTRY FOR ENFORCEMENT OFFICERS OF THE MOTOR CARRIER SAFETY ACT. Sponsors: Senator Voshell; Representative Ewing. To: **Public Safety.**

**SB 43** - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE QUALIFICATIONS. Sponsors: Senator Voshell; Representative Ewing. To: **Public Safety.**

**SB 44** - AN ACT TO AMEND TITLE 30, DELAWARE CODE RELATING TO DISBURSEMENT OF THE LODGING TAX. Sponsors: Senator Voshell; Representative Carey. To: **Revenue and Taxation.**

**SB 45** - AN ACT TO AMEND TITLE 21 DELAWARE CODE RELATING TO RETENTION OF FORMER PRISONER OF WAR LICENSE PLATES BY SPOUSES. Sponsor: Senator Voshell. To: **Public Safety.**

**SB 46** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO WAIVER OF INSPECTIONS OF TRUCKS. Sponsors: Senator Voshell; Representative Ewing. To: **Public Safety.**

**SB 47** - AN ACT TO AMEND CHAPTER 7, TITLE 21, OF THE DELAWARE CODE RELATING TO ENFORCEMENT: ARREST, BAIL, AND APPEAL. Sponsors: Senator Voshell, Representative Ewing. To: **Public Safety.**

**SB 48** - AN ACT TO AMEND CHAPTER 21, TITLE 21, OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE REGISTRATIONS. Sponsors: Senator Voshell; Representative Ewing. To: **Public Safety.**

**SB 49** - AN ACT TO AMEND SECTION 6912, TITLE 29 OF THE DELAWARE CODE, RELATING TO PUBLIC CONSTRUCTION CONTRACTS. Sponsors: Senator Venables; Senator Cordrey. To: **Small Business.**

**SB 50** - AN ACT TO AMEND CHAPTER 42, TITLE 11, DELAWARE CODE, RELATING TO THE METHOD AND IMPOSITION OF SENTENCE OF DEATH. Sponsors: Senator Vaughn, Representative Lee. To: **Corrections.**

**SB 51** - AN ACT TO AMEND TITLE 21, DELAWARE CODE, CLARIFYING LAWS CONCERNING COMMERCIAL DRIVERS. Sponsors: Senator Voshell; Representative Ewing. To: **Public Safety.**

**SB 52** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE PROTECTION OF PRIVATE PROPERTY. Sponsor: Senator Venables. To: **Judiciary**.

**SB 53** - AN ACT TO AMEND §6537, TITLE 11 OF THE DELAWARE CODE RELATING TO INMATE CONTACTS OUTSIDE INSTITUTION. Sponsors: Senator Voshell and Representative Gilligan; Senators Cook, Adams, Vaughn, Marshall, Sokola, Sharp, McBride, Blevins, Venables, Cordrey, Amick, Bair, Hauge, Reed, Sorenson, Still; Representatives Petrilli, West, Bunting, Boulden, Buckworth, Ulbrich, Caulk, Banning, George, DiLiberto, Davis, Lofink, DiPinto, B. Ennis, Capano, Maier, Mack, Oberle, Plant, Reynolds, Schroeder, Stone, Van Sant, Welch, Spence. To: **Corrections**.

**SB 54** - AN ACT TO AMEND CHAPTER 31, TITLE 24 OF THE DELAWARE CODE RELATING TO THE LICENSING OF FUNERAL SERVICE PRACTITIONERS. Sponsors: Senator Cordrey; Representative Quillen. To: **Sunset**.

**HB 14** - AN ACT TO AMEND CHAPTER 47, TITLE 16, DELAWARE CODE, RELATING TO THE UNIFORMED CONTROLLED SUBSTANCES ACT AND ANABOLIC STEROIDS. Sponsors: Representative Oberle; Senator Vaughn. To: **Committee to Combat Drug Abuse**.

**HB 28 w/HA 1** - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO HOUSE ARREST FOR ADJUDICATED JUVENILES. Sponsors: Representative Houghton; Representatives Brady, Bunting, Capano, Cloutier, Davis, DiLiberto, DiPinto, B. Ennis, Ewing, Fallon, Gilligan, Lofink, Mack, Oberle, Petrilli, Reynolds, Scott, Van Sant, Wagner, West, Spence; Senators Bair, Blevins, Connor, Henry, Sokola, Vaughn, Voshell. To: **Corrections**.

**HB 30** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO INMATE FURLOUGHS. Sponsors: Representative Davis; Representatives Buckworth, Capano, Carey, Cloutier, DiPinto, D. Ennis, Fallon, Lee, Lofink, Maroney, Ulbrich, Banning, Brady, Bunting, George, Houghton, Jonkiert, Plant, Schroeder, Van Sant, West; Senators Sorenson, Bair, Connor, Hauge, Sokola. To: **Corrections**.

**HB 40** - AN ACT TO AMEND AN ACT TO AMEND §508 AND §518, TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSE FEES AND NONRESIDENTS. Sponsors: Representatives West, Ewing, Houghton, Lee, Caulk, B. Ennis, Buckworth, Plant, Van Sant, Banning, DiLiberto, Quillen, Bunting, Schroeder, Spence; Senators Adams, Vaughn, Voshell, Cordrey. To: **Natural Resources and Environmental Control**.

**HB 41 w/HA 1** - AN ACT TO AMEND CHAPTER 17, TITLE 7, DELAWARE CODE RELATING TO DOGS CROSSING ON PROPERTY OF OTHERS DURING A HUNT. Sponsors: Representatives West, Banning, Brady, Buckworth, Bunting, Carey, Caulk, B. Ennis, D. Ennis, Ewing, Gilligan, Lee, Lofink, Plant, Reynolds, Smith, Van Sant. To: **Natural Resources and Environmental Control**.

**HB 43** - AN ACT TO AMEND CHAPTER 92, TITLE 10 OF THE DELAWARE CODE RELATING TO JUSTICES OF THE PEACE. Sponsors: Representatives DiLiberto; Representatives Banning, Boulden, Brady, Buckworth, Bunting, Capano, Caulk, Cloutier, Davis, DiPinto, B. Ennis, D. Ennis, Ewing, George, Gilligan, Houghton, Jonkiert, Lee, Maier, Plant, Quillen, Schroeder, Scott, Smith, Ulbrich, Van Sant, West; Senators Amick, Blevins, Bonini, Cook, Hauge, Henry, McDowell, Reed, Sokola, Sorenson, Venables. To: **Judiciary**.

**HB 74** - AN ACT TO AMEND AN ACT BEING CHAPTER 291, VOLUME 69 LAWS OF DELAWARE, ENTITLED "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" TO PERMIT THE PURCHASE OF EQUIPMENT FOR ELECTRONIC MONITORING OF ADJUDICATED JUVENILES. Sponsor: Representative Houghton. To: **Finance**.

**SA 1 to HB 5** - Sponsor: Senator Vaughn. Placed with the bill.

The following letter of nomination from the Governor was read and placed in the **Executive** Committee:

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR

March 14, 1995

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

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

**Mr. William L. Chapman, Jr. Esq.**, 600 West 30th Street, Wilmington, Delaware 19802, to be appointed as an Associate Judge of the Family Court of the State of Delaware for a twelve-year term to succeed James J. Horgan, who retired.

Your consideration of this nomination is appreciated.

Sincerely,  
(Signed) Thomas R. Carper  
Governor

\* \* \*

**SB 56** was introduced and brought before the Senate for consideration on motion of Senator Voshell, under the suspension of the necessary rules.

**SB 56** - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE ACCOUNTING AND DISTRIBUTION OF A DECEDENT'S PROPERTY WITHOUT GRANT OF LETTERS. Sponsors: Senator Voshell; Senator Cook, Adams, Vaughn.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **SB 56** was declared passed the Senate and sent to the House for consideration.

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

**SB 11** was stricken on motion of Senator Voshell.

**HCR 9** was brought before the Senate for consideration on motion of Senator Blevins, the floor manager.

**HCR 9** - EXTENDING THE DATE THAT THE DOMESTIC VIOLENCE COORDINATING COUNCIL'S ANNUAL REPORT IS DUE FROM MARCH 15, 1995 TO JUNE 15, 1995. Sponsors: Representative Capano; Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **HCR 9** was declared adopted by the Senate and returned to the House.

**SR 11** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

**SR 11** - HONORING THE 1995 ST. MARK'S HIGH SCHOOL BASKETBALL TEAM UPON ITS VICTORY IN THE STATE BASKETBALL TOURNAMENT. Sponsors: Senator Sharp; All Senators.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **SR 11** was declared adopted.

At 5:08 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. March 16, 1995.

At 3:02 p.m. the Senate reconvened March 16, 1995 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Public Safety: **SB 33** - 3 Merits, **HB 2 w/HA 1** - 3 Merits.

Senator Cordrey marked present.

At 3:03 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 12th Legislative Day.

### 12TH LEGISLATIVE DAY March 16, 1995

The Senate convened at 3:03 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Henry.

The Pledge of Allegiance to the Flag.

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

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

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

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

**PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION**  
**March 16, 1995**

The following legislation was introduced and assigned to committee:

**SB 55** - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, RELATING TO THE STATE EMPLOYEE'S PENSION PLAN. Sponsors: Senators McBride, McDowell; Representative Oberle. To: **Finance**.

**SB 57** - AN ACT TO AMEND THE STATUTORY PROVISIONS OF §106 (a), TITLE 13, OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF DANA BALICK AND PAUL HERDMAN. Sponsor: Senator McDowell. To: **Executive**.

**SB 58** - AN ACT TO AMEND CHAPTER 70, TITLE 21, DELAWARE CODE RELATING TO FIRE LANES. Sponsor: Senator McBride; Representative B. Ennis. To: **Public Safety**.

**SB 59** - AN ACT CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO SALARIES OF SCHOOL EMPLOYEES. Sponsors: Senators McDowell, Blevins, Voshell, Sorenson, Representative Gilligan, Maier, Maroney. To: **Education**.

**SB 60** - AN ACT TO AMEND CHAPTER 31 AND CHAPTER 33, TITLE 19, OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Senator Marshall and Representative Oberle. To: **Labor**.

**SA 1 to SB 36** - Sponsor: Senator Sokola. Placed with the bill.

\* \* \*

Senators Bair and Cook marked present.

Senator Cordrey rose to introduce some guests from Russia.

**SB 33** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 33** - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE REGISTRATION.

**SA 1 to SB 33** was introduced and brought before the Senate for consideration on motion of Senator Blevins.

Senator Amick commented. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Connor, McDowell) ABSENT; therefore, **SA 1 to SB 33** was declared part of the bill.

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

**SB 33 w/SA 1** was now before the Senate.

Several Senators commented. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Connor, McDowell) ABSENT; therefore, **SB 33 w/SA 1** was declared passed the Senate and sent to the House for consideration.

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

At 4:23 p.m. the Senate reconvened with Senator Cordrey presiding.

At 4:23 p.m. Lt. Governor Minner presiding.

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

**HB 2 w/HA 1** - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE REGISTRATIONS.

**SA 1 to HB 2** was introduced and brought before the Senate for consideration on motion of Senator Reed.

Senators Cordrey and Sharp commented. A roll call vote was taken and revealed 17 Senators voting YES, 4 (Connor, Hauge, McDowell, Still) ABSENT; therefore, **SA 1 to HB 2** was declared part of the bill.

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

Senators Sokola, Vaughn and Cordrey commented. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Connor, McDowell) ABSENT; therefore, **HB 2 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

On motion of Senator Adams, the necessary rules were suspended for the purpose of acting on the nomination from the Governor.

**William L. Chapman, Jr. Esq.** - 19 Senators voting YES, 2 (Connor, McDowell) ABSENT. Appointment confirmed.

The Reading Clerk read an Irish Poem in honor of St. Patrick's Day.

At 4:40 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. March 21, 1995.

At 2:40 p.m. March 21, 1995, the Senate reconvened with Lt. Governor Minner presiding.

The following committee reports were announced:

From Public Safety: **SB 42** - 3 Merits; **SB 43** - 3 Merits; **SB 46** - 3 Merits; **SB 47** - 3 Merits; **SB 48** - 3 Merits; **SB 58** - 3 Merits.

Senator McDowell marked present.

A communication from the office of Senator Cordrey was read.

SENATE  
STATE OF DELAWARE

March 17, 1995

TO: Members of the Senate of the 138th General Assembly

FROM: Senator Richard S. Cordrey, President Pro Tempore

SUBJECT: Family Law Commission Appointment

As per the power invested in me by Title 13, Section 2002 of the Delaware Code, I hereby name

Senator Liane Sorenson  
417 Snuff Mill Hill  
Hockessin, Delaware 19707

as a member of the Family Law Commission. Senator Sorenson will be replacing Senator Myrna L. Bair, who resigned. Please Note: Second notice received.

\* \* \*

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

Senator Connor marked present.

At 2:45 p.m. on motion of Senator Sharp, the Senate immediately adjourned to convene for the 13th Legislative Day.

13TH LEGISLATIVE DAY  
March 21, 1995

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

A prayer was offered by Senator Amick.

The Pledge of Allegiance to the Flag.

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

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

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

**SB 49** was brought before the Senate for consideration on motion of Senator Venables.

**SB 49** - AN ACT TO AMEND SECTION 6912, TITLE 29 OF THE DELAWARE CODE, RELATING TO PUBLIC CONSTRUCTION CONTRACTS.

**SA 1 to SB 49**, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Voshell.

Senator Marshall commented. Senator Voshell requested the privilege of the floor for George C. Wright, Jr., Mayor of Smyrna.

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

Senator Sharp requested the privilege of the floor for Edward Peterson, representing the AFL-CIO.

Senator Marshall marked present.

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

Senators Sharp, Venables and Cordrey commented, after which **SB 49** and **SA 1 to SB 49** were laid on the table.

Senators Blevins and Hauge marked present.

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

At 4:35 p.m. the Senate reconvened with Senator Cordrey presiding.

A communication from the office of Senator Cordrey was read regarding **SJR 12**.

SENATE  
STATE OF DELAWARE

March 21, 1995

TO: Members of the 138th General Assembly  
FROM: Senator Richard S. Cordrey, President Pro Tempore  
SUBJECT: Appointment as per **SJR 12**, 137th General Assembly

As per the power invested in me with the passage of Senate Joint Resolution No. 12, of the 137th General Assembly, ESTABLISHING AN ASSESSMENT PRACTICE REVIEW COMMITTEE TO FURTHER DEVELOP A RECOMMENDATION OF THE LOCAL SUBCOMMITTEE OF THE EDUCATION FINANCE REFORM COMMITTEE AS SET FORTH IN THE REPORT PROVIDED BY THIS GROUP, I hereby appoint:

Senator Liane Sorenson  
417 Snuff Mill Hill  
Hockessin, Delaware 19707

to replace Senator James P. Neal, who has retired.

\* \* \*

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

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation Parts 1 and 2 were introduced for the permanent record, partially read and copies were made available.

**PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION**  
**March 21, 1995**

The following legislation was introduced and assigned to committee on March 16, 1995:

**SJR 5** - DIRECTING THE DEPARTMENT OF PUBLIC INSTRUCTION TO FUND THE ESTABLISHMENT OF ADHD AND ADD PARENT FOCUS GROUPS IN EACH SCHOOL DISTRICT IN THIS FISCAL YEAR, TO INCLUDE TEACHER TRAINING IN ADHD AND ADD IN ITS PROPOSED 1997 BUDGET, AND TO FUND THE IMPLEMENTATION OF ACCOMMODATION PLANS FOR EACH SCHOOL DISTRICT AS SOON AS THEY ARE ADOPTED. Sponsors: Senators Connor and Sokola; Senators Blevins, Sorenson, Reed; Reps. Spence, Reynolds, Mack, Lofink. To: **Education**.

The following legislation was introduced and assigned to committee on March 21, 1995:

**SB 61** - AN ACT TO AMEND CHAPTER 35, TITLE 24 OF THE DELAWARE CODE RELATING TO PSYCHOLOGY. Sponsors: Senator Blevins and Representative Ulbrich; Senators Sokola, Voshell and Sorenson; Representatives Buckworth, Carey, Ewing, Maier, Oberle, Quillen, Wagner, Banning, B. Ennis, Gilligan, Houghton, Jonkiert, Scott. To: **Sunset**.

**SB 62** - AN ACT TO AMEND TITLE 7 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE SOLID WASTE AUTHORITY; AND REQUIRING THAT THE AUTHORITY BE SUBJECT TO THE PROVISIONS OF THE ADMINISTRATIVE PROCEDURES ACT AND THE FREEDOM OF INFORMATION ACT. Sponsors: Senator Blevins and Representative Ulbrich; Senators Sokola and Voshell; Representative Maier, Houghton, Scott To: **Administrative Services**.

**HB 52** - AN ACT TO AMEND TITLE 11 DELAWARE CODE, RELATING TO TRADING IN HUMAN REMAINS AND ASSOCIATED FUNERARY OBJECTS. (2/3 vote) Sponsor: Representative Quillen. To: **Judiciary**.

**SA 1 to SB 49** - Sponsor: Senator Voshell. Placed with the bill.

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

**(PART 2)**  
**March 21, 1995**

**SB 63** - AN ACT TO AMEND CHAPTER 27, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF LAND SURVEYORS. Sponsors: Senator Blevins and Representative Ulbrich; Senators Sokola, and Voshell; Representatives Maier, Houghton, Scott. To: **Sunset**.

**SB 64** - AN ACT TO AMEND CHAPTER 27, OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE LOCAL GOVERNMENT INVESTMENT POOL. Sponsors: Senator Blevins and Representative Ulbrich; Senators Sokola and Voshell; Representatives Maier, Houghton, Scott. To: **Community/County Affairs**.

**SB 65** - AN ACT TO AMEND CHAPTER 29, TITLE 14 OF THE DELAWARE CODE RELATING TO THE AWARD AND TRANSFER OF SCHOOL TRANSPORTATION CONTRACTS. Sponsors: Senators Voshell, Adams, Venables, Cook, Vaughn; Representatives Buckworth, Ewing, Schroeder. To: **Education**.

**SB 66** - AN ACT TO AMEND SECTION 1068, TITLE 14 OF THE DELAWARE CODE RELATING TO THE TERMS OF OFFICE OF INDIAN RIVER BOARD OF EDUCATION MEMBERS. Sponsors: Senator Cordrey; Senators Adams, Venables, and Voshell; Representative West, Schroeder, Bunting, Ewing. To: **Education**.

**SB 67** - AN ACT TO LIMIT UNDERWRITING STANDARDS FOR AUTOMOBILE AND HOMEOWNERS INSURANCE. Sponsors: Senator McBride; Representative Oberle. To: **Insurance and Elections**.

**SB 68** - AN ACT TO AMEND CHAPTER 88, TITLE 29 OF THE DELAWARE CODE RELATING TO THE OFFICE OF HANDICAPPED SERVICES. Sponsors: Senator McBride and Representative Maroney. To: **Administrative Services**.

**SJR 6** - ESTABLISHING A TASK FORCE TO CONSIDER THE FEASIBILITY OF BUSINESS LOGO SIGNS ON DELAWARE HIGHWAYS. Sponsors: Senator Connor; Senators Marshall, Venables, Vaughn, Voshell, Cook; Representatives Spence, Davis. To: **Highways/Transportation**.

**SJR 7** - REQUIRING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO EXPAND ITS EXISTING MONITORING AND ANALYSIS PROGRAMS AND DEVELOP NEW PROGRAMS TO MONITOR THE ENVIRONMENT AND THE POPULATION TO BETTER UNDERSTAND THE INTERACTION BETWEEN THE ENVIRONMENT AND POPULATION, INCLUDING DEVELOPING A COMPREHENSIVE MONITORING PROGRAM FOR SELECTED AIR TOXICS IN RESIDENTIAL AREAS NEAR KNOWN EMISSION SOURCES. Sponsors: Senator Connor; Senators McBride, Vaughn; Representatives Spence, Mack, Reynolds, Davis. To: **Natural Resources**.

**SA 1 to SB 43** - Sponsor: Senator Voshell. Placed with the bill.

**SA 1 to SB 46** - Sponsor: Senator Voshell. Placed with the bill.

\* \* \*

**SB 42** was stricken on motion of Senator Voshell.

**SB 43** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 43** - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE QUALIFICATIONS.

**SA 1 to SB 43**, 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 (Amick) ABSENT; therefore, **SA 1 to SB 43** was declared part of the bill.

**SB 43 w/SA 1** was now before the Senate.

A roll call was taken and revealed 21 Senators voting YES; therefore, **SB 43 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 46** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 46** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE QUALIFICATIONS.

**SA 1 to SB 46**, 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 46** was declared part of the bill.

**SB 46 w/SA 1** was now before the Senate.

Senators McBride and Connor commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SB 46 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 47** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 47** - AN ACT TO AMEND CHAPTER 7, TITLE 21, OF THE DELAWARE CODE RELATING TO ENFORCEMENT: ARREST, BAIL AND APPEAL.

**SA 1 to SB 47** was introduced and brought before the Senate for consideration on motion of Senator Voshell.

Several Senators commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 47** was declared part of the bill.

**SB 47 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 47 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SR 12** was introduced and brought before the Senate for consideration on motion of Senator Reed.

**SR 12** - RECOGNIZING CHRISTIANA HIGH SCHOOL FOR ITS NINE-YEAR COMMITMENT TO SAVING LIVES THROUGH ITS SUPPORT AND PARTICIPATION IN ANNUAL BLOOD BANK OF DELAWARE/EASTERN SHORE BLOOD DRIVES. Sponsors: Senators Reed, Amick, Henry, Sokola.

Senators Sharp and McDowell commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SR 12** was declared adopted.

Senator Adams requested the privilege of the floor for the introduction of some Future Farmers of America. He also requested the privilege of the floor for Mr. Greg Vetter, who represented the group.

The witness was excused.

Senator Adams requested that the necessary rules be suspended and the nomination of **Mr. William L. Chapman, Jr.** be reconsidered.

The roll call on the nomination was rescinded and a new roll call vote was taken revealing 21 Senators voting YES. Appointment confirmed.

At 5:13 p.m. on motion of Senator Sharp, the Senate recessed until 4:00 p.m. March 22, 1995.

At 4:28 p.m. the Senate reconvened on March 22, 1995 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HJR 4 w/HA 1 & 2; HB 59; HB 32 w/HA 2.**

The following committee reports were announced:

From Natural Resources: **SB 40** - 1 Favorable, 3 Merit; **HB 40** - 3 Merit.

From Corrections: **SB 50** - 4 Merit; **HB 28 w/HA 1** - 4 Merit.

From Community/County Affairs: **SB 64** - 2 Favorable, 2 Merit.

From Education: **SB 66** - 4 Favorable, 1 Merit.

On motion of Senator Sharp and without objection, 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 March 22, 1995**

The following legislation was introduced and Placed with the bill on March 21, 1995:

**SA 1 to SB 48** - Sponsors: Senator Voshell.

The following legislation was introduced and assigned to committee on March 22, 1995:

**SB 69** - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS PROJECTS. Sponsors: Senator Venables, Senator Cordrey. To: **Laid on the Table.**

**SB 70** - AN ACT TO AMEND CHAPTER 29, TITLE 24, DELAWARE CODE RELATING TO REAL ESTATE BROKERS, SALESPERSONS AND APPRAISERS. Sponsors: Senator Blevins and Representative Ulbrich; Senators Sokola and Voshell; Representative Maier, Houghton, Scott. To: **Sunset.**

**SB 71** - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE ACTIVITIES AND TAXATION OF EDGE ACT CORPORATIONS. Sponsors: Senator Cordrey; Representative D. Ennis. To: **Laid on the Table.**



**HB 32 w/HA 2** - 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. Sponsors: Representative Oberle; Senator Sharp. To: **Labor**.

**HB 59** - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO PRIVACY IN FAMILY COURT PROCEEDINGS. Sponsors: Representative Houghton; Representatives Banning, Brady, Capano, Caulk, Cloutier, Davis, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Jonkiert, Lofink, Mack, Oberle, Reynolds, Scott, Spence, Smith, Van Sant, Wagner, Welch, West; Senators Adams, Blevins, Vaughn, Venables, Voshell. To: **Judiciary**.

\* \* \*

At 4:32 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 14th Legislative Day.

### 14TH LEGISLATIVE DAY March 22, 1995

The Senate convened at 4:32 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Marshall.

The Pledge of Allegiance to the Flag.

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

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

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

Senator Cordrey commented on the Lt. Governor's recent induction into the Hall of Fame of Delaware Women.

At 4:36 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

At 4:48 p.m. the Senate reconvened with Lt. Governor Minner presiding.

**SB 49** was lifted from the table and stricken on motion of Senator Venables.

**SB 69** 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 69** - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS PROJECTS.

Several Senators commented. The bill was laid on the table on motion of Senator Venables.

**HJR 4 w/HA 1 & 2** was brought before the Senate for consideration on motion of Senator Sharp, the floor manager, under the suspension of the necessary rules.

**HJR 4 w/HA 1 & 2** - CREATING A TASK FORCE ON PRISON FACILITIES TO EVALUATE THE FEASIBILITY OF BUILDING A NEW MAXIMUM SECURITY PRISON, AND TO IDENTIFY A SITE OR SITES UPON WHICH SUCH A PRISON MIGHT BE BUILT. Sponsors: Representative Spence and Senator Sharp.

Senator Amick commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **HJR 4 w/HA 1 & 2** was declared passed the Senate and returned to the House.

Senator Blevins marked present during the above roll call.

**SB 48** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 48** - AN ACT TO AMEND CHAPTER 21, TITLE 21, OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE REGISTRATIONS.

**SA 1 to SB 48**, 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 (McDowell) ABSENT; therefore, **SA 1 to SB 48** was declared part of the bill.

**SB 48 w/SA 1** was now before the Senate.

Several Senators commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SB 48 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 58** was brought before the Senate for consideration on motion of Senator McBride.

**SB 58** - AN ACT TO AMEND CHAPTER 70, TITLE 21, DELAWARE CODE RELATING TO FIRE LANES.

A roll call vote was taken and revealed 15 Senators voting YES, 5 (Cordrey, Marshall, Still, Vaughn, Venables) NO, 1 (McDowell) ABSENT; therefore, **SB 58** was declared passed the Senate and sent to the House for consideration.

Senator Blevins requested the privilege of the floor for Joanne Schumacher, representing the Delaware Dietetic Association.

The witness was excused after addressing the Senate.

At 4:40 p.m. Senator Cordrey presiding.

**SB 74** was introduced and laid on the table on motion of Senator McBride.

**SB 74** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE CLEAN AIR ACT TITLE V OPERATING PERMIT PROGRAM. (3/5 vote) Sponsors: Senator McBride and Representative DiPinto; Senators McDowell, Amick, Representative Davis.

**SCR 8** was introduced and brought before the Senate for consideration on motion of Senator Bonini.

**SCR 8** - CELEBRATING THE LIFE OF FRED FIFER III AND HIS MANY CONTRIBUTIONS TO HIS COMMUNITY AND THE STATE OF DELAWARE. Sponsors: Senators Bonini, Still, Cook, Vaughn, Voshell, Adams, Cordrey; Representatives Buckworth, Quillen, Caulk, B. Ennis, Ewing, Stone, Wagner, Welch.

Senator Cordrey commented.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (McDowell, Sorenson) ABSENT; therefore, **SCR 8** was declared adopted by the Senate and sent to the House for consideration.

At 5:48 p.m. on motion of Senator Sharp, the Senate recessed until March 23, 1995 at 2:00 p.m.

The Senate reconvened March 23, 1995 at 2:32 p.m. with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 10; HCR 11**.

The following committee reports were announced:

From Natural Resources: **SB 41** - 3 Merit.

From Sunset: **SB 61** - 1 Favorable, 4 Merit; **SB 63** - 5 Merit.

From Finance: **HB 74** - 4 Favorable.

Senator McDowell marked present.

**SCR 10** was introduced and brought before the Senate for consideration on motion of Senator McDowell.

**SCR 10** - CONGRATULATING THE GREEK-AMERICAN COMMUNITY OF DELAWARE ON THE OCCASION OF GREEK-INDEPENDENCE DAY, MARCH 25, 1995. Sponsors: Senator McDowell and Representative DiPinto; Senators Marshall, McBride.

Senator McBride commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SCR 10** was declared adopted by the Senate and sent to the House for consideration.

**SCR 9** was introduced and brought before the Senate for consideration on motion of Senator Voshell.

**SCR 9** - DECRYING THE RECENT COMMENTS OF ATTORNEY ALAN DERSHOWITZ ON NATIONAL TELEVISION ALLEGING THAT POLICE ROUTINELY LIE IN COURT AND ARE TRAINED TO DO SO, AND FAULTING THE MEDIA FOR ALLOWING SUCH UNSUBSTANTIATED REMARKS TO STAND WITHOUT APPRECIABLE CRITICAL COMMENT. Sponsors: Senator Voshell; Representative Ewing; Senators Adams, Cordrey, Sokola and Vaughn; Representative Schroeder.

Senator Voshell requested the privilege of the floor for James L. Ford, Jr., Chairman of the Council on Police Training.

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

Senators Vaughn and McDowell commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 9** was declared adopted by the Senate and sent to the House for consideration.

At 2:50 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 15th Legislative Day.

#### **15TH LEGISLATIVE DAY March 23, 1995**

The Senate convened at 2:50 p.m. with Lt. Governor Minner presiding.  
A prayer was offered by Senator Sorenson.

The Pledge of Allegiance to the Flag.

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

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

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

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

### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION March 23, 1995**

The following legislation was introduced and assigned to committee:

**SB 72** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH CARE DECISIONS. Sponsors: Senators McBride and Bair; Senators Blevins, Sorenson; Representatives Maroney, Brady, Cloutier. To: **Health and Social Services**.

**SB 73** - AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION RELATING TO CREATING A CONTINGENCY FUND. Sponsors: Senator Connor; Senators Amick, Sorenson, Reed, Henry. To: **Finance**.

**SB 75** - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO §2, ARTICLE X OF THE DELAWARE CONSTITUTION RELATING TO ELIMINATING THE UNCONSTITUTIONAL REQUIREMENT OF RACIALLY SEGREGATED SCHOOLS.

Sponsors: Senators Henry, Sokola & Marshall; Senators Bair, Still, Reed, Hauge, Sorenson, Blevins, McDowell; Reps. Plant, Scott, Maroney. To: **Executive**.

**SA 1 to SB 60** - Sponsor: Senator Marshall. Placed with the bill.

\* \* \*

**SB 71** was lifted from the table and brought before the Senate under the suspension of the necessary rules, on motion of Senator Cordrey.

**SB 71** - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE ACTIVITIES AND TAXATION OF EDGE ACT CORPORATIONS.

Senator Cordrey requested the privilege of the floor for Michael Houghton, representing Morgan Bank.

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 71** was declared passed the Senate and sent to the House for consideration.

At 3:12 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

At 3:56 p.m. the Senate reconvened with Lt. Governor Minner presiding.

**SB 76** was introduced and **Laid on the table** on motion of Senator Cordrey.

**SB 76** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH PLANNING AND RESOURCES MANAGEMENT. Sponsors: Senators Cordrey, Adams, Hauge, Bair, Representatives Spence, George, Gilligan, DiPinto and Cloutier.

**SB 77** was introduced and assigned to the **Judiciary** Committee.

**SB 77** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS. Sponsors: Senator Sokola and Representative Reynolds; Senators Blevins, Voshell, Hauge, Reed, Sorenson; Representative Cloutier, Fallon, Maier, Maroney, Smith, B. Ennis, Gilligan, Schroeder.

The following amendments were introduced and placed with the bill.

**SA 1 to SB 50** - Sponsor: Senator Vaughn.

**SA 1 to SB 69** - Sponsor: Senator Venables.

**SA 1 to SB 74** - Sponsor: Senator Connor.

**SA 2 to SB 74** - Sponsor: Senator McBride.

Senator Cordrey yields to Senator McDowell.

Senator McDowell requested the privilege of the floor for Bishop Robert Mulvey.

Several Senators commented on the distinguished career of the Bishop after he addressed the Senate.

A Tribute for Bishop Mulvee was read. No objection.

The witness was excused after making comments to the Senate.

Senator Marshall introduced Monsignor Paul J. Taggart to the Senate, who accompanied Bishop Mulvee to the Chamber.

**SB 40** was brought before the Senate for consideration on motion of Senator McBride.

**SB 40** - AN ACT TO AMEND CHAPTER 91, TITLE 7 OF THE DELAWARE CODE RELATING TO THE DELAWARE HAZARDOUS SUBSTANCE CLEANUP ACT.

**SA 1 to SB 40** 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 40** was declared part of the bill.

**SB 40 w/SA 1** was now before the Senate.

Senator Amick commented. Senator McBride requested the privilege of the floor for Nicholas A. Dipasquale, representing the Department of Natural Resources.

The witness was excused after addressing the Senate.

Senator Sorenson commented. Senator McBride again requested the privilege of the floor for Nicholas A. Dipasquale.

Several Senators questioned the witness.

At 5:44 p.m. on motion of Senator Sharp, the Senate recessed for the purpose of changing the Senate tape.

At 5:46 p.m. the Senate convened with Lt. Governor Minner presiding.

**SB 40 w/SA 1** was still before the Senate.

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

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Bonini, Sorenson) NOT VOTING, 1 (Cook) ABSENT; therefore, **SB 40 w/SA 1** was declared passed the Senate and was sent to the House for consideration.

**SB 41** was brought before the Senate for consideration on motion of Senator McBride.

**SB 41** - AN ACT TO AMEND CHAPTER 20, TITLE 30 OF THE DELAWARE CODE RELATING TO BUSINESS TAX CREDITS AND DEDUCTIONS.

**SA 1 to SB 41** 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 41** was declared part of the bill.

**SB 41 w/SA 1** was now before the Senate.

Senator McBride requested the privilege of the floor for Lawrence E. Windley, representing the Delaware Economic Development Office.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 41 w/SA 1** was declared passed the Senate and sent to the House for consideration.

Senator McBride moved to reconsider **SB 40 w/SA 1**. No objection.

On motion of Senator McBride, the roll call vote on **SB 40 w/SA 1** was rescinded.

A roll call vote was then taken on **SB 40 w/SA 1** and revealed 21 Senators voting YES; therefore, **SB 40 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 69** was lifted from the table and brought before the Senate under the suspension of the necessary rules, on motion of Senator Venables.

**SB 69** - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS PROJECTS.

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

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

Senator Venables requested the privilege of the floor for Earle Timpson, representing the Department of Transportation.

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

Senator McBride requested the privilege of the floor for Mr. Edward Peterson, representing the AFL-CIO.

The witness was excused after addressing the Senate.

Senator Marshall requested the privilege of the floor for Kathy Karsnitz, representing the Department of Transportation.

The witness was excused after addressing the Senate.

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

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

**SA 1 to SB 69**, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Venables.

A roll call vote was taken and revealed 8 Senators (Adams, Blevins, Cook, Sharp, Still, Vaughn, Venables, Voshell) voting YES, 12 NO, 1 (Cordrey) ABSENT; therefore, **SA 1 to SB 69** was declared defeated.

**SB 69** was still before the Senate.

Senators Sharp and Marshall commented. Senator Venables moved to lay **SB 69** on the table.

**SB 74** was lifted from the table under the suspension of the necessary rules and brought before the Senate for consideration, on motion of Senator McBride.

**SB 74** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE CLEAN AIR ACT TITLE V OPERATING PERMIT PROGRAM (3/5 vote)

**SA 1 to SB 74**, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Connor.

Senators McBride commented. 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 after addressing the Senate.

A roll call vote was taken and revealed 3 Senators (Connor, Hauge, Still) voting YES, 14 NO, 3 (Bair, Bonini, Sorenson) NOT VOTING, 1 (Cordrey) ABSENT; therefore, **SA 1 to SB 74** was declared defeated.

**SA 2 to SB 74**, 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 (Cordrey) ABSENT; therefore, **SA 2 to SB 74** was declared part of the bill.

**SA 3 to SB 74** was introduced and brought before the Senate for consideration on motion of Senator Connor.

Senator McBride 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 after addressing the Senate.

Senator McDowell commented. A roll call vote was taken and revealed 9 Senators (Amick, Bair, Bonini, Connor, Hauge, Henry, Reed, Sorenson, Still) voting YES, 11 NO, 1 (Cordrey) ABSENT; therefore, **SA 3 to SB 74** was declared defeated.

**SA 4 to SB 74** was introduced and brought before the Senate for consideration on motion of Senator McBride.

Senator Bair commented.

Senator Sharp presiding at 6:26 p.m.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **SA 4 to SB 74** was declared part of the bill.

**SB 74 w/SA 2 & 4** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cordrey) ABSENT; therefore, **SB 74 w/SA 2 & 4** was declared passed the Senate and sent to the House for consideration.

At 6:30 p.m. on motion of Senator Marshall, the Senate recessed until March 28, 1995 at 2:00 p.m.

The Senate reconvened March 28, 1995 at 2:25 p.m. with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 36; HB 42 w/HA 1; SB 3; SB 10; SCR 10**.

A communication from Senator Cordrey was read.

SENATE  
STATE OF DELAWARE

March 23, 1995

TO: Members of the 138th General Assembly

FROM: Senator Richard S. Cordrey, President Pro Tempore

SUBJECT: Appointment - Health Care Commission

As per the power invested in me as President Pro Tempore of the Senate of the 138th General Assembly, I hereby appoint:

Ms. Lois M. Studte  
1004 Dogwood Avenue  
Woods Haven  
Milford, Delaware 19963

as a member of the Health Care Commission.

Ms. Studte will be replacing David G. Burton, who retired.

\* \* \*

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**  
**March 28, 1995**

The following legislation was introduced and assigned to committee:

**SB 78** - AN ACT TO AMEND CHAPTERS 55 AND 56, TITLE 29, DELAWARE CODE RELATING TO COMPUTATIONS OF JUDICIAL AND STATE EMPLOYEE PENSIONS. Sponsors: Senators Cook, Vaughn; Representatives Davis, Oberle. To: **Finance**.

**SB 79** - AN ACT TO AMEND CHAPTERS 55 AND 56, TITLE 29, DELAWARE CODE RELATING TO COMPUTATIONS OF JUDICIAL AND STATE EMPLOYEE PENSIONS. Sponsors: Senators Cook, Vaughn; Representatives Davis, Oberle. To: **Finance**.

**SB 80** - AN ACT TO AMEND CHAPTERS 55 AND 56, TITLE 29 DELAWARE CODE RELATING TO COMPUTATIONS OF JUDICIAL AND STATE EMPLOYEE PENSIONS. Sponsors: Senators Cook, Vaughn; Representatives Davis, Oberle. To: **Finance**.

**HB 36** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOBILE RETAIL BUSINESSES. (2/3 vote) Sponsors: Representative Davis, Representatives Boulden, Buckworth, Capano, Carey, D. Ennis, DiPinto, Fallon, Lofink, Mack, Maroney, Oberle, Reynolds, Stone, Ulbrich, Wagner, Banning, Brady, Bunting, DiLiberto, George, Gilligan, Houghton, Plant, Schroeder, Van Sant and West; Senators Sokola, Bair, Connor, Hauge, Reed, and Sorenson. To: **Judiciary**.

**HB 42 w/HA 1** - AN ACT TO AMEND CHAPTER 27, TITLE 25 OF THE DELAWARE CODE RELATING TO MECHANICS' LIENS. Sponsors: Representative Banning; Representatives Boulden, Brady, Buckworth, Carey, Davis, DiPinto, B. Ennis, Ewing, Fallon, Houghton, Jonkiert, Lofink, Plant, Quillen, Stone, Van Sant, Wagner, and West; Senators Blevins, Cook, Hauge, Henry, Reed, Vaughn. To: **Small Business**.

**SA 1 to SB 66** - Sponsor: Senator Bair. Placed with the bill.

\* \* \*

On motion of Senator Cordrey, **SJR 8** was introduced and brought before the Senate for consideration under the suspension of the necessary rules.

**SJR 8** - IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Senators Cordrey, Sharp, Marshall.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SJR 8** was declared passed the Senate and sent to the House for consideration.

At 2:30 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 16th Legislative Day.

**16TH LEGISLATIVE DAY**  
**March 28, 1995**

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

A prayer was offered by Senator Hauge.

The Pledge of Allegiance to the Flag.

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

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

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

**SB 63** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 63** - AN ACT TO AMEND CHAPTER 27, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF LAND SURVEYORS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SB 63** was declared passed the Senate and sent to the House for consideration.

**HB 40** was laid on the table on motion of Senator McBride, the floor manager.

**HB 40** - AN ACT TO AMEND AN ACT TO AMEND §508 AND §518, TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSE FEES FOR NONRESIDENTS.

**HB 28 w/HA 1** was brought before the Senate for consideration on motion of Senator Vaughn, the floor manager.

**HB 28 w/HA 1** - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO HOUSE ARREST FOR ADJUDICATED JUVENILES.

Senator Sharp commented. Senator Vaughn 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, 2 (Sharp, Still) NO, 1 (Henry) ABSENT; therefore, **HB 28 w/HA 1** was declared passed the Senate and returned to the House.

**SB 66** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 66** - AN ACT TO AMEND SECTION 1068, TITLE 14 OF THE DELAWARE CODE RELATING TO THE TERMS OF OFFICE OF INDIAN RIVER BOARD OF EDUCATION MEMBERS.

**SA 1 to SB 66**, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Bair.

A roll call vote was taken and revealed 17 Senators voting YES, 2 (Adams, Vaughn ) NO, 1 (Sharp) NOT VOTING, 1 (Henry) ABSENT; therefore, **SA 1 to SB 66** was declared part of the bill.

**SB 66 w/SA 1** was now before the Senate.

Several Senators commented. Senator Cordrey requested the privilege of the floor for John Cordrey, Senate Attorney.

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

Senator McBride commented. A roll call vote was taken and revealed 19 Senators voting YES, 1 (Sharp) NO, 1 (Henry) ABSENT; therefore, **SB 66 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 50** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 50** - AN ACT TO AMEND CHAPTER 42, TITLE 11, DELAWARE CODE, RELATING TO THE METHOD AND IMPOSITION OF SENTENCE OF DEATH.

**SA 1 to SB 50**, 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 (Henry) ABSENT; therefore, **SA 1 to SB 50** was declared part of the bill.

**SB 50 w/SA 1** was now before the Senate.

Senator Sokola commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SB 50 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 74** was brought before the Senate for consideration on motion of Senator Cook, the floor manager.

**HB 74** - AN ACT TO AMEND AN ACT BEING CHAPTER 291, VOLUME 69 LAWS OF DELAWARE, ENTITLED "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" TO PERMIT THE PURCHASE OF EQUIPMENT FOR ELECTRONIC MONITORING OF ADJUDICATED JUVENILES.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Sharp) NO, 1 (Henry) ABSENT; therefore, **HB 74** was declared passed the Senate and returned to the House.

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

**SB 61** - AN ACT TO AMEND CHAPTER 35, TITLE 24 OF THE DELAWARE CODE RELATING TO PSYCHOLOGY.

**SA 1 to SB 61** was introduced and brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SA 1 to SB 61** was declared part of the bill.

**SB 61 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SB 61 w/SA 1** was declared passed the Senate and sent to the House for consideration.

At 3:17 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

At 4:31 p.m. the Senate reconvened with Lt. Governor Minner presiding.

**SB 82** was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Cordrey.

**SB 82** - AN ACT TO AMEND THE LAWS OF DELAWARE RELATED TO HEALTH PLANNING AND RESOURCES MANAGEMENT. Sponsors: Senators Cordrey, Adams, Hauge, Bair; Representatives Spence, George, Gilligan, DiPinto, Cloutier.

Senators Amick and Still commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SB 82** was declared passed the Senate and sent to the House for consideration.

**SB 76** was stricken on motion of Senator Cordrey.

**SS 1 for SB 4** was brought before the Senate for consideration on motion of Senator Cordrey.

**SS 1 for SB 4** - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 80, TITLE 15, DELAWARE CODE RELATING TO REPORTS OF POLITICAL COMMITTEES.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SS 1 for SB 4** was declared passed the Senate and sent to the House for consideration.

**SENATE CONSENT CALENDAR #2** was brought before the Senate for consideration on motion of Senator McBride. The Calendar contained the following Resolutions:

**SCR 7** - REQUESTING AN OPINION OF THE SUPREME COURT REGARDING ARTICLE XV, §5. Sponsors: Senator Blevins; Representative Ulbrich; Senators Sokola, Voshell, Representative Maier.

**HCR 10** - CELEBRATING THE 75TH ANNIVERSARY OF THE FOUNDING OF THE ELLENDALE FIRE COMPANY. Sponsors: Representative Carey; Senator Adams.

**HCR 11** - HONORING AND PAYING TRIBUTE TO DAVID S. TIBERI FOR HIS OUTSTANDING SERVICE ON BEHALF OF THE YOUTHS OF NEW CASTLE COUNTY. Sponsors: Representative Petrilli; Senator Sorenson; Representatives Spence, Roy; Senator Sokola.

A roll call vote on **SENATE CONSENT CALENDAR #2** was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, the **Senate Consent Calendar** was declared adopted by the Senate. The Senate Concurrent Resolution was sent to the House for consideration and the House Concurrent Resolutions were returned to the House.

**SCR 11** was brought before the Senate for consideration on motion of Senator Bair.

**SCR 11** - CELEBRATING THE LIFE AND SERVICE OF THE HONORABLE ROBERT J. BERDNT. Sponsors: Senators Bair, Connor, Cordrey, Sharp, Marshall, All Senators; Representatives Spence, Petrilli, Quillen, George, Gilligan, All Representatives.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SCR 11** was declared adopted by the Senate and sent to the House for consideration.

At 4:47 p.m. on motion of Senator Sharp, the Senate recessed until March 29, 1995 at 4:00 p.m.

At 4:17 p.m. March 29, 1995 the Senate reconvened with Senator Cordrey presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 90; HB 89 w/HA 1 & 2; SB 21 w/SA 1 & HA 1; SB 12; SB 74 w/SA 2 & 4.**

**LEGISLATIVE ADVISORY #4** 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 #4**, dated March 29, 1995. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #74 AAB SA 2, SA 4** - (3/28/95) AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE CLEAN AIR ACT TITLE V OPERATING PERMIT PROGRAM. (Sponsors: Sen. McBride & Rep. DiPinto; Sens. McDowell, Amick, Rep. Davis) (Volume 70, Chapter 8, Laws of Delaware.)

\* \* \*

On motion of Senator Marshall, 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 March 29, 1995**



The following legislation was introduced and assigned to committee:

**SB 81** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING PRIVILEGES; AND PROVIDING FOR CONDITIONAL LICENSES FOR CERTAIN PERSONS. Sponsors: Senator Marshall and Representative Jonkiert. To: **Public Safety**.

**SB 83** - AN ACT TO AMEND TITLE 16, CHAPTER 76 OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL BUILDING, PLUMBING, ELECTRICAL AND OTHER CODES. (2/3 vote) Sponsor: Senator McDowell; Representative D. Ennis. To: **Energy**.

**SB 84** - AN ACT TO AMEND TITLE 21 DELAWARE CODE RELATING TO RETENTION OF FORMER PRISONER OF WAR LICENSE PLATES BY SPOUSES. Sponsors: Senator Voshell; Representatives Smith and Lofink. To: **Public Safety**.

**HB 89 w/HA 1 & 2** - AN ACT TO AMEND CHAPTERS 27 AND 41, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS. Sponsors: Representative Van Sant; Representatives Bunting, Buckworth, Capano, Carey, Cloutier, Davis, DiLiberto, Ewing, George, Gilligan, Houghton, Jonkiert, Lee, Lofink, Maier, Petrilli, Plant, Quillen, Scott, Spence, Welch, West. To: **Public Safety**.

**HB 90** - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES. Sponsors: Representative Brady; Representatives Banning, Boulden, Bunting, Capano, Carey, Caulk, DiLiberto, B. Ennis, Ewing, Gilligan, Houghton, Jonkiert, Mack, Oberle, Plant, Reynolds, Scott, Smith, Van Sant, Welch, West; Senators Amick, Cook, Sorenson, Still, Vaughn. To: **Public Safety**.

**SA 1 to SB 22** - Sponsor: Senator Amick. Placed with the bill.

**SA 1 to HB 36** - Sponsor: Senator Amick. Placed with the bill.

\* \* \*

The following committee reports were announced:

From Labor: **SB 60** - 2 Favorable, 2 Merits.

From Education: **SB 65** - 4 Merits.

From Energy: **SB 83** - 4 Merits.

Senator Henry marked present.

A communication from the Office of Senator Cordrey was read.

SENATE  
STATE OF DELAWARE

March 29, 1995

TO: Members of the Senate of the 138th General Assembly

FROM: Richard S. Cordrey, President Pro Tempore

SUBJECT: Appointment to Equalization Review Committee

As per the power vested in me by Section 1701(I), Title 14, Delaware Code, I hereby appoint:

Senator Nancy W. Cook  
Post Office Box 127  
Kenton, Delaware 19955

to serve on the Equalization Review Committee.

\* \* \*

At 4:21 p.m. on motion of Senator Marshall, the Senate adjourned to immediately convene for the 17th Legislative Day.

17TH LEGISLATIVE DAY  
March 29, 1995

The Senate convened at 4:21 p.m. with Senator Cordrey presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

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

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

The journal of the previous day was approved as read on motion of Senator Marshall.

**SB 13** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 13** - AN ACT TO AMEND CHAPTER 68, TITLE 9, DELAWARE CODE REGARDING THE MEMBERSHIP OF THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION.

**SA 1 to SB 13** was stricken on motion of Senator Voshell.

**SA 2 to SB 13** 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 (Sharp) ABSENT; therefore, **SA 2 to SB 13** was declared part of the bill.

Senator McBride marked present during the above roll call.

**SB 13 w/SA 2** was now before the Senate.

Senator Still commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SB 13 w/SA 2** was declared passed the Senate and sent to the House for consideration.

**SB 83** was brought before the Senate for consideration on motion of Senator McDowell.

**SB 83** - AN ACT TO AMEND TITLE 16, CHAPTER 76 OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL BUILDING, PLUMBING, ELECTRICAL AND OTHER CODES. 2/3 VOTE

Lt. Governor Minner presiding at 4:30 p.m.

A roll call vote was taken and revealed 14 Senators voting YES, 6 (Amick, Bonini, Reed, Sorenson, Still, Venables) NOT VOTING, 1 (Sharp) ABSENT; therefore, **SB 83** was declared passed the Senate and sent to the House for consideration.

At 4:32 p.m. on motion of Senator Marshall, the Senate recessed until 2:00 p.m. March 30, 1995.

At 3:05 p.m. March 30, 1995 the Senate reconvened with Lt. Governor Minner presiding.

Senator Sharp marked present.

The following committee reports were announced:

From Public Safety: **HB 11** - 3 Merits.

From Judiciary: **HB 4 w/SA 1** - 4 Merits; **HB 17** - 4 Merits; **HB 43** - 4 Merits; **HB 52** - 4 Merits; **HB 59** - 4 Merits; **SB 7** - 4 Merits; **SB 8** - 4 Merits; **SB 30** - 4 Merits; **SB 39** - 4 Merits; **SB 52** - 4 Merits; **SB 77** - 4 Merits.

From Executive - **SB 57** - 2 Merits, 2 Favorable.

The Secretary announced a message from the House informing the Senate that it had passed **SJR 8; SCR 8; SCR 9; SCR 11**.

At 3:10 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 18th Legislative Day.

## 18TH LEGISLATIVE DAY

March 30, 1995

The Senate convened at 3:10 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Hauge.

The Pledge of Allegiance to the Flag.

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

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

The journal of the previous day was approved as read on motion of Senator Sharp.

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

## PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

March 30, 1995

The following legislation was introduced and assigned to committee March 29, 1995:

**SJR 9** - CONTINUING THE FUTURES COMMISSION, KNOWN AS "COMMISSION ON DELAWARE COURTS 2000", OPERATING AS A TASK FORCE ON COURT STRUCTURE AND LONG RANGE PLANNING FOR THE COURT SYSTEM IN THE STATE OF DELAWARE. Sponsors: Senators Cordrey, Sharp, Bair; Representatives Spence, Petrilli, George, and Roy. To: **Laid on the Table**.

**SB 59** - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO SALARIES OF SCHOOL EMPLOYEES. Sponsors: Senators McDowell, Blevins, Voshell, Sorenson; Representative Gilligan, Maier, Maroney. **Reassigned from Education to Finance**.

\* \* \*

Senator Sokola requested the privilege of the floor for Thomas S. Kubula, President of Delaware Technical and Community College as well as the members of the Delaware All-State Academic Team.

The student of the academic team were given tributes by their individual Senators.

The witnesses were excused.

Senator Blevins requested the privilege of the floor for Joanne M. Schumacher, representing the Delaware Dietetic Association. A tribute was read and presented to Ms. Schumacher. The witness was excused after addressing the Senate.

**SB 21 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 21 w/SA 1 & HA 1** - AN ACT TO AMEND CHAPTER 9, TITLE 19, DELAWARE CODE RELATING TO EXCLUSIONS FROM MINIMUM WAGE.

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

Senator Hauge marked present during the above roll call.

**SB 60** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 60** - AN ACT TO AMEND CHAPTER 31 AND CHAPTER 33, TITLE 19, OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

**SA 1 to SB 60** was stricken on motion of Senator Marshall.

**SA 2 to SB 60** was introduced and brought before the Senate for consideration on motion of Senator Marshall.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to SB 60** was declared part of the bill.

**SB 60 w/SA 2** was now before the Senate.

Senator Still commented. Senator Marshall requested the privilege of the floor for W. Thom MacPherson, representing the Department of Labor.

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

Senators Blevins, McDowell and Still requested that their names be added as co-sponsors. No objection.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 60 w/SA 2** was declared passed the Senate and sent to the House for consideration.

At 4:12 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

At 4:57 p.m. the Senate reconvened with Senator Cordrey presiding.

**SB 57** was brought before the Senate for consideration on motion of Senator McDowell.

**SB 57** - AN ACT TO AMEND THE STATUTORY PROVISIONS OF §106 (a), TITLE 13, OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF DANA BALICK AND PAUL HERDMAN.

**SA 1 to SB 57** was introduced and brought before the Senate for consideration on motion of Senator McDowell.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 57** was declared part of the bill.

Lt. Governor Minner presiding at 4:59 p.m.

**SB 57 w/SA 1** was now before the Senate.

Senator Bair commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 57 w/SA 1** was declared passed the Senate and sent to the House for consideration.

At 5:05 p.m. on motion of Senator Sharp, the Senate recessed until April 4, 1995 at 2:00 p.m.

The Senate reconvened April 4, 1995 at 2:43 p.m. with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 19 w/HA 6 & 8; HB 121; HB 57 w/HA 2; SB 71**.

A communication from the Office of Senator Cordrey was read.

SENATE  
STATE OF DELAWARE

March 31, 1995

TO: Members of the 138th General Assembly

FROM: Senator Richard S. Cordrey, President Pro Tempore

SUBJECT: Appointment to Prison Task Force

As per the power invested in me with the passage of House Joint Resolution #4, CREATING A TASK FORCE ON PRISON FACILITIES TO EVALUATE THE FEASIBILITY OF BUILDING A NEW MAXIMUM SECURITY PRISON, AND TO IDENTIFY A SITE OR SITES UPON WHICH SUCH A PRISON MIGHT BE BUILT, I hereby appoint the following to serve as members from the Senate:

Senator Thomas B. Sharp  
2226 East Huntington Dr.  
Pinecrest  
Wilmington, Delaware 19808

Senator Steven H. Amick  
449 West Chestnut Hill Road  
Newark, Delaware 19713

A copy of this memo has been sent to the members who have been appointed, the office of the Governor, the Speaker of the House of Representatives and the Chairman named in the Resolution.

\* \* \*

**LEGISLATIVE ADVISORY #5** 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 #5**, dated April 4, 1995. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #3** - (4/3/95) AN ACT TO AMEND TITLE 21, DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES. (Sen. Cordrey, Sen. Still) (Volume 70, Chapter 9, Laws of Delaware.)

**SB #10** - (4/3/95) AN ACT TO AMEND CHAPTER 128, VOLUME 33, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MIDDLETOWN" TO GIVE THE MAYOR THE LIMITED RIGHT TO VOTE. (Sen. Vaughn; Representative Banning) (Volume 70, Chapter 10, Laws of Delaware.)

**SB #12** - (4/3/95) AN ACT TO AMEND CHAPTER 1, TITLE 23, DELAWARE CODE, RELATING TO PILOTAGE RATES. (Sen. Cordrey; Sens. Sharp, Marshall, Bair, Connor, Reps. Spence, Petrilli, Quillen, George, Gilligan, Sens. McDowell, Henry, Hauge, Sorenson, Amick, Reed, McBride, Vaughn, Cook, Bonini, Still, Voshell, Adams, Venables, Reps. Plant, DiPinto, Jonkiert, D. Ennis, Smith, Brady, Banning, Maroney, Cloutier, Capano, Van Sant, Reynolds, Houghton, Mack, Roy, Boulden, Oberle, Ulbrich, Lofink, B. Ennis, Welch, Wagner, Stone, Buckworth, Ewing, Carey, Schroeder, Bunting, Fallon, Lee, West) (Volume 70, Chapter 11, Laws of Delaware.)

**HB #2 AAB HA 1, SA 1** - (4/3/95) AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE REGISTRATIONS. (Rep. Oberle and Sen. Vaughn) (Volume 70, Chapter 12, Laws of Delaware.)

**HJR #4 AAB HA 1, HA 2** - (4/3/95) CREATING A TASK FORCE ON PRISON FACILITIES TO EVALUATE THE FEASIBILITY OF BUILDING A NEW MAXIMUM SECURITY PRISON, AND TO IDENTIFY A SITE OR SITES UPON WHICH SUCH A PRISON MIGHT BE BUILT. (Rep. Spence and Sen. Sharp)

\* \* \*

At 2:46 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 19th Legislative Day.

19TH LEGISLATIVE DAY  
April 4, 1995

The Senate convened at 2:46 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

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

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

The journal of the previous day was approved as read on motion of Senator Sharp. No 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 April 4, 1995**

The following legislation was introduced and assigned to committee:

**SB 85** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE VIII OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO STATE REVENUE LIMITATIONS. Sponsors: Senator Bonini; Senator Hauge; Representatives Spence, Petrilli, Buckworth, Capano, Carey, Ewing, Maier, Smith, Wagner, Ulbrich, Roy. To: **Executive**.

**SB 86** - AN ACT TO AMEND TITLE 18, DELAWARE CODE, RELATING TO THE PHARMACY ACCESS ACT. Sponsor: Senator Cordrey. To: **Executive**.

**SB 87** - AN ACT TO AMEND TITLE 11 TO PROVIDE FOR APPEALS IN THE COURT OF COMMON PLEAS. (2/3 vote) Sponsors: Senators Sharp, Vaughn, Bair, Amick; Representatives Roy and DiLiberto. To: **Judiciary**.

**SB 88** - AN ACT TO AMEND CHAPTER 65, TITLE 11, DELAWARE CODE RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE COMMISSIONER. Sponsors: Senators Vaughn; Representative Lee. To: **Corrections**.

**SB 89** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO BICYCLING. Sponsors: Senator Bonini; Senators Connor, Amick, Hauge, Blevins, Cook, Sokola, Vaughn, Venables, Voshell; Representatives Wagner, D. Ennis, DiPinto, Boulden, Smith, Buckworth, Reynolds, Lofink, Carey. To: **Public Safety**.

**SB 90** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLSBORO, CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO", AS AMENDED, RELATING TO THE IMPOSITION OF TAXATION UPON REAL ESTATE TRANSFERS WITHIN THE TOWN OF MILLSBORO. (2/3 vote) Sponsors: Senators Cordrey and Representative West. To: **Community/County Affairs**.

**HB 19 w/HA 6 & 8** - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES; AND PROVIDING FOR PROHIBITIONS AGAINST TICKET SCALPING. Sponsors: Representative Oberle; Senators McBride, Reed. To: **Judiciary**.

**HB 57 w/HA 2** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. Sponsors: Representative Oberle; Representatives Buckworth, Davis, Maroney, Roy, Smith, Wagner; Senators Sokola, Amick, Bair, Sorenson. To: **Public Safety**.

**HB 121** - AN ACT TO AMEND TITLE 11 AND TITLE 14 OF THE DELAWARE CODE RELATING TO ARREST WITHOUT WARRANT AND TO REPORTING OF CRIMINAL ACTIVITY ON SCHOOL PROPERTY. Sponsors: Representative Buckworth and Senator Sokola; Representatives Spence, Ewing, Reynolds, Wagner; Senators Voshell, Bonini. To: **Judiciary**.

**SA 1 to SB 65** - Sponsor: Senator Voshell. Placed with the bill.

\* \* \*

**SB 7** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 7** - AN ACT TO AMEND CHAPTER 13, SUBCHAPTER III, TITLE 30, DELAWARE CODE, RELATING TO INHERITANCE TAX.

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

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 7** 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 Sharp.

**SB 8** - AN ACT TO AMEND CHAPTER 23, SUBCHAPTER I, TITLE 12, DELAWARE CODE RELATING TO INHERITANCE TAX.

**SA 1 to SB 8**, 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 8** was declared part of the bill.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 8 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 39** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 39** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE BY PROVIDING FOR CERTAIN AMENDMENTS TO THE UNIFORM COMMERCIAL CODE.

Senator Sokola commented. A roll call vote was taken and revealed 19 Senators voting YES, 1 (McDowell) NO, 1 (Still) NOT VOTING; therefore, **SB 39** was declared passed the Senate and sent to the House for consideration.

At 3:04 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

At 3:48 p.m. the Senate reconvened with Lt. Governor Minner presiding.

**HB 59** was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

**HB 59** - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO PRIVACY IN FAMILY COURT PROCEEDINGS.

The bill was laid on the table on motion of Senator Sharp.

**HB 59** was lifted from the table on motion of the floor manager, Senator Sharp.

Senators McDowell and Amick commented. **HB 59** was again laid on the table on motion of Senator Sharp.

**HB 43** was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

**HB 43** - AN ACT TO AMEND CHAPTER 92, TITLE 10 OF THE DELAWARE CODE RELATING TO JUSTICES OF THE PEACE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 43** was declared passed the Senate and returned to the House.

**HB 17** was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

**HB 17** - AN ACT TO AMEND CHAPTER 5, SUBCHAPTER VII, SUBPART E, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE.

Senator Marshall commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) NOT VOTING; therefore, **HB 17** was declared passed the Senate and returned to the House.

**SB 77** was brought before the Senate for consideration on motion of Senator Sokola.

**SB 77** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS.

Senator McDowell commented.

**SA 1 to SB 77** was introduced and brought before the Senate for consideration on motion of Senator Sorenson.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (McDowell, Sharp, Still) NO; therefore, **SA 1 to SB 77** was declared part of the bill.

**SB 77 w/SA 1** was now before the Senate.

Senators McBride and McDowell commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 77 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 59** was lifted from the table on motion of Senator Sharp, the floor manager.

**SA 1 to HB 59** was introduced and brought before the Senate for consideration on motion of Senator Amick.

Senator Voshell commented. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Henry, McDowell) NO; therefore, **SA 1 to HB 59** was declared part of the bill.

**HB 59 w/SA 1** was now before the Senate.

Senators McDowell and Bonini commented. A roll call vote was taken and revealed 15 Senators voting YES, 6 (Bonini, Hauge, Henry, McDowell, Sorenson, Venables) NO; therefore, **HB 59 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

At 4:35 p.m. on motion of Senator Sharp, the Senate recessed until 4:00 p.m. April 5, 1995.  
At 4:28 p.m., April 5, 1995 the Senate reconvened with Lt. Governor Minner presiding.  
The Secretary announced a message from the House informing the Senate that it had passed

**HB 110; HB 88 w/HA 1; HB 99 w/HA 1; SB 58; SB 43 w/SA 1.**

The following committee reports were announced:

From Public Safety: **SB 84** - 3 Merits; **HB 89 w/HA 1 & 2** - 3 Merits; **HB 90** - 3 Merits.

From Community/County Affairs: **SB 90** - 5 Merits.

From Education: **HB 10** - 3 Merits.

From Corrections: **SB 88** - 1 Favorable, 3 Merits.

At 4:30 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 20th Legislative Day.

## **20TH LEGISLATIVE DAY**

**April 5, 1995**

The Senate convened at 4:30 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

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

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

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

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

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

**April 5, 1995**

The following legislation was introduced and assigned to committee:

**SB 91** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE PERTAINING TO THE RECUPEMENT OF OVERPAYMENT OF UNEMPLOYMENT INSURANCE BENEFITS. Sponsors: Senator Marshall and Representative Oberle. To: **Labor**.

**SB 92** - AN ACT TO AMEND TITLE 11 DELAWARE CODE RELATING TO CLASSIFICATION OF CRIMES INVOLVING PECUNIARY LOSS. (2/3 vote) Sponsors: Senators Sharp, Vaughn, Bair, and Amick, Representatives Roy and DiLiberto. To: **Judiciary**.

**HB 88 w/HA 1** - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF HINDERING PROSECUTION. Sponsors: Representative B. Ennis and Senator Vaughn; Representatives Banning, Gilligan, Houghton, Scott, Van Sant, West, Caulk, Ewing, Lee, Lofink, Spence, Welch. To: **Judiciary**.

**HB 99 w/HA 1** - AN ACT TO AMEND CHAPTER 9 OF TITLE 7 OF THE DELAWARE CODE RELATING TO RECREATIONAL GILL NETS. (2/3 vote) Sponsors: Representative Schroeder; Representatives Banning, Brady, Buckworth, Bunting, Cloutier, Davis, DiLiberto, DiPinto, D. Ennis, Houghton, Jonkiert, Oberle, Plant, Reynolds, Scott, Spence; Senators Adams, Amick, Blevins, Sokola. To: **Natural Resources**.

**HB 110** - AN ACT TO AMEND CHAPTER 81, TITLE 9 OF THE DELAWARE CODE RELATING TO THE POWER OF THE SUSSEX COUNTY GOVERNMENT TO IMPOSE AND COLLECT A TAX UPON THE PLACEMENT OF A MOBILE HOME. Sponsors: Representative Ewing; Representatives Carey, Fallon, Lee, Schroeder; Senators Adams, Voshell. To: **Public Safety**.

**SA 1 to SB 64** - Sponsor: Senator Blevins. Placed with the bill.

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**SB 52** was brought before the Senate for consideration on motion of Senator Venables.

**SB 52** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE PROTECTION OF PRIVATE PROPERTY.

Senator Bair requested the privilege of the floor for Secretary Christophe A. G. Tulou, representing the Department of Natural Resources and Environmental Control.

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

The bill was laid on the table on motion of Senator Venables.

Senators Blevins, Amick and Marshall marked present.

At 5:34 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. April 6, 1995

At 2:07 p.m. April 6, 1995, the Senate reconvened with Lt. Governor Minner presiding.

The following committee report was announced:

From Health and Social Services: **SB 72** - 3 Merits.

At 2:08 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 21st Legislative Day.

## **21ST LEGISLATIVE DAY**

**April 6, 1995**

The Senate convened at 2:08 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

At 2:12 p.m. on motion of Senator Sharp, the Senate recessed because a lack of a quorum.

At 2:13 p.m. the Senate reconvened and the call of the roll for the Legislative Day revealed the following attendance:

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

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

Senator Sharp requested the privilege of the floor for former Governor Peterson to give a presentation on a proposed waterfront improvements and renovations.

Senator Cordrey presiding at 2:17 p.m.

Lt. Governor Minner presiding at 2:55 p.m.

The witness was excused after addressing the Senate.

Senator Marshall marked present.

Senators Marshall and McDowell commented.

At 3:00 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

At 3:38 p.m. the Senate reconvened with Lt. Governor Minner presiding.

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

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

**April 6, 1995**

The following legislation was introduced and assigned to committee:

**SB 93** - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Senator Marshall and Senator Venables and Representative Oberle and Representative Wagner; Senators Adams, Blevins, Cook, McBride, McDowell, Sharp, Sokola, Vaughn, Voshell, Connor, Henry, Still; Representatives Boulden, Buckworth, Capano, Carey, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Lee, Lofink, Mack, Maier, Maroney, Petrilli, Quillen, Reynolds, Roy, Smith, Spence, Stone, Ulbrich, Welch, Banning, Brady, Bunting, DiLiberto, B. Ennis, George, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Scott, Van Sant, West. To: **Labor**.

**SB 94** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL BOARD AND VOCATIONAL-TECHNICAL SCHOOL BOARD MEMBERS.

Sponsors: Senators Still and Sokola; Senators Bonini, Connor, Hauge, Sorenson; Representatives Cloutier, Maier, Ulbrich, Reynolds, Petrilli, Capano, Welch, Smith, Stone, Boulden, Wagner, DiPinto, Davis, Carey. To: **Judiciary**.

**SB 95** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS. Senators Reed and Bonini, Senators Hauge, Henry, Representatives Ulbrich, Maier. To: **Education**.

**SB 96** - AN ACT TO AMEND CHAPTER 27, TITLE 21 RELATING TO CIVIL PENALTIES FOR UNLAWFUL APPLICATION FOR, OR USE OF, A DRIVER'S LICENSE OR IDENTIFICATION CARD. Sponsors: Senator Voshell, and Representative Ewing; Senators Adams and Blevins; Representatives Buckworth, Maier, Capano, Quillen, Welch,



Smith, Fallon, DiPinto, Mack, Cloutier, Davis, George, Van Sant, Gilligan, DiLiberto, Lee, Carey, Petrilli, Reynolds, and Schroeder. To: **Public Safety**.

**SCR 13** - RELATING TO CHOICE OF TEACHERS AND PROGRAMS IN PUBLIC SCHOOLS BY PARENTS ON BEHALF OF THEIR CHILDREN. Sponsors: Senator Reed; Senators Bonini, Bair, Hauge, Amick, Sokola; Representatives Ulbrich, Maier, Capano, D. Ennis, Lee, Lofink, Petrilli, Spence. To: **Education**.

**SCR 14** - RELATING TO THE DELAWARE STATE SONG AND A STATE SONG COMMISSION. Senators Reed, Bonini; Representatives Ulbrich, Maier. To: **Executive**.

**SA 1 to SJR 9** - Sponsor: Senators Cordrey. Placed with the bill.

**SA 1 to SB 84** - Sponsor: Senator Voshell. Placed with the bill.

\* \* \*

**SB 52** was lifted from the table and brought before the Senate for consideration on motion of Senator Venables.

**SB 52** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE PROTECTION OF PRIVATE PROPERTY.

Senators McBride, Still, Reed and Hauge marked present.

Senator Cordrey requested the privilege of the floor for Judge Henry R. Horsey.

Several Senators questioned the witness.

At 4:35 p.m. on motion of Senator Cordrey, the Senate recessed for the purpose of changing the tape.

At 4:37 p.m. the Senate reconvened with Lt. Governor Minner presiding.

Judge Horsey was still before the Senate.

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

**SA 1 to SB 52** was introduced and brought before the Senate for consideration on motion of Senator Still.

**SA 1 to SB 52** was laid on the table on motion of Senator Still.

Senator Cook requested the privilege of the floor for Robert S. McLeod, representing the Kent County Levy Court.

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

**SA 1 to SB 52** was lifted from the table on motion of Senator Still.

Senator Blevins requested the privilege of the floor for Bryan C. Shuler, representing New Castle County Government.

The witness was excused after addressing the Senate.

**SA 1 to SB 52** was laid on the table on motion of Senator Still.

Senator Blevins again requested the privilege of the floor for Bryan C. Shuler.

The witness was excused after addressing the Senate.

**SA 1 to SB 52** was lifted from the table on motion of Senator Still.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Blevins, McBride, McDowell, Sharp) NOT VOTING; therefore, **SA 1 to SB 52** was declared part of the bill.

A roll call vote was taken on **SB 52 w/SA 1**, however the roll call vote was tabled before it was announced.

**SJR 9** was lifted from the table and brought before the Senate for consideration on motion of Senator Cordrey, under the suspension of the necessary rules.

**SJR 9** - CONTINUING THE FUTURES COMMISSION, KNOWN AS "COMMISSION ON DELAWARE COURTS 2000" OPERATING AS A TASK FORCE ON COURT STRUCTURE AND LONG RANGE PLANNING FOR THE COURT SYSTEM IN THE STATE OF DELAWARE.

**SA 1 to SJR 9**, 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 21 Senators voting YES; therefore, **SA 1 to SJR 9** was declared part of the bill.

**SJR 9 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SJR 9 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 32 w/HA 2** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Marshall.

**HB 32 w/HA 2** - 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)

Senator Bair commented. Senator Marshall requested the privilege of the floor for David S. Swayze, representing the American Red Cross of Delaware.

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

Senator Bonini commented. A roll call vote was taken and revealed 18 Senators voting YES, 3 (Bonini, Hauge, Still) NO; therefore, **HB 32 w/HA 2** was declared passed the Senate and returned to the House.

**SENATE CONSENT CALENDAR #3** was introduced and brought before the Senate for consideration on motion of Senator McBride.

Senator Cordrey presiding at 5:31 p.m.

The calendar contained the following Resolutions:

**SCR 12** - COMMENDING RETIRING SMYRNA MAYOR GEORGE C. WRIGHT, JR. ON HIS OUTSTANDING RECORD OF ACHIEVEMENT DURING HIS YEARS OF GOVERNMENT SERVICE. Sponsors: Senator Vaughn; Senators Cook, Still, Henry; Representative B. Ennis.

**SCR 15** - PROCLAIMING MAY SUPERSTARS! IN EDUCATION MONTH IN DELAWARE. Sponsors: Senator Sokola; Senator Connor; Representative Reynolds. On behalf of all Senators and Representatives

\* \* \*

A roll call vote on **Senate Consent Calendar #3** was taken and revealed 21 Senators voting YES; therefore, the **Senate Consent Calendar** was declared adopted. The Senate Concurrent Resolutions were sent to the House for consideration.

At 5:34 p.m. on motion of Senator Sharp, the Senate recessed until April 11, 1995 at 2:00 p.m.

The Senate reconvened at 2:48 p.m. April 11, 1995 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 82 w/HA 1**.

The following committee reports were announced:

From Labor: **SB 32** - 2 Favorable, 1 Merit.

From Executive: **SB 86** - 1 Favorable, 3 Merits.

**LEGISLATIVE ADVISORY #6** 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 #6**, dated April 11, 1995. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HB #28 AAB HA 1** - (4/7/95) AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO HOUSE ARREST FOR ADJUDICATED JUVENILES. (Rep. Houghton; Reps. Brady, Bunting, Capano, Cloutier, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Lofink, Mack, Oberle, Petrilli, Reynolds, Scott, Van Sant, Wagner, West, Spence; Sens. Bair, Blevins, Connor, Henry, Sokola, Vaughn, Voshell) (Volume 70, Chapter 13, Laws of Delaware.)

**HB #74** - (4/7/95) AN ACT TO AMEND AN ACT BEING CHAPTER 291, VOLUME 69 LAWS OF DELAWARE, ENTITLED "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" TO PERMIT THE PURCHASE OF EQUIPMENT FOR ELECTRONIC MONITORING OF ADJUDICATED JUVENILES. (Rep. Houghton) (Volume 70, Chapter 14, Laws of Delaware.)

**SB #21 AAB SA 1, HA 1** - (4/7/95) AN ACT TO AMEND CHAPTER 9, TITLE 19, DELAWARE CODE RELATING TO EXCLUSIONS FROM MINIMUM WAGE. (Sens. Vaughn, Sharp, Cook, Reps. Lee, B. Ennis, West) (Volume 70, Chapter 15, Laws of Delaware.)

**SJR #8** - (4/7/95) IN REFERENCE TO ELECTION OF OFFICERS. (Sens. Cordrey, Sharp and Marshall)

At 2:50 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 22nd Legislative Day.

## 22ND LEGISLATIVE DAY

April 11, 1995

The Senate convened at 2:50 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Connor.

The Pledge of Allegiance to the Flag.

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

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

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

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

### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION** **April 11, 1995**

The following legislation was introduced and assigned April 10, 1995:

**SA 1 to HB 89** - Sponsor: Senator Amick. Placed with the bill.

**SA 2 to HB 89** - Sponsor: Senator Sorenson. Placed with the bill.

The following legislation was introduced and assigned to committee April 11, 1995:

**SB 97** - AN ACT TO AMEND CHAPTER 7, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC. Sponsors: Senator Blevins and Representative Ulbrich; Senators Sokola and Voshell; Representatives Maier, Houghton and Scott. To: **Sunset**.

**SB 98** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO POWERS OF THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. Sponsors: Senator McBride; Representatives Mack, Carey, DiPinto and Davis; Senator Amick. To: **Natural Resources and Environmental Control**.

**SB 99** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE TO EXTEND THE EXISTING REGISTRATION REQUIREMENT FOR EXTREMELY HAZARDOUS SUBSTANCES FROM ONE TO THREE YEARS. Sponsors: Senator McBride and Representative Mack. To: **Natural Resources and Environmental Control**.

**SJR 10** - REQUESTING THE JOINT FINANCE COMMITTEE TO FUND THE ESTABLISHMENT OF ADHD AND ADD PARENT FOCUS GROUPS IN EACH SCHOOL DISTRICT, DIRECTING THE DEPARTMENT OF PUBLIC INSTRUCTION TO INCLUDE TEACHER TRAINING IN ADHD AND ADD IN ITS PROPOSED 1997 BUDGET, AND TO FUND THE IMPLEMENTATION OF ACCOMMODATION PLANS FOR EACH SCHOOL DISTRICT AS SOON AS THEY ARE ADOPTED. Sponsors: Senators Connor and Sokola; Senators Blevins, Sorenson, Reed; Representatives Spence, Reynolds, Mack, Lofink. To: **Finance**.

**HB 82 w/HA 1** - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO THE AUTHORITY OF THE DIVISION OF MOTOR VEHICLES, DEPARTMENT OF PUBLIC SAFETY. (3/5 vote) Sponsors: Representative Davis; Representatives Petrilli, Buckworth, Carey, Cloutier, Ewing, Fallon, Lee, Smith, Bunting, DiLiberto, George, Gilligan, Schroeder, Van Sant. To: **Public Safety**.

**SA 2 to SB 52** - Sponsor: Senator McDowell. Placed with the bill.

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**HB 90** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 90** - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, Hauge) ABSENT; therefore, **HB 90** was declared passed the Senate and returned to the House.

Senators McDowell and Sokola marked present during the above roll call.

**HB 89 w/HA 1 & 2** was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

**HB 89 w/HA 1 & 2** - AN ACT TO AMEND CHAPTERS 27 AND 41, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS.

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

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

**SA 1 to HB 89**, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Amick.

Senator Voshell commented, after which the amendment was laid on the table on motion of Senator Amick.

**SA 2 to HB 89**, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Sorenson.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to HB 89** was declared part of the bill.

Senators Bair and Hauge marked present during the above roll call.

**SA 3 to HB 89** 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 3 to HB 89** was declared part of the bill.

**HB 89 w/HA 1 & 2, SA 2 & 3** was now before the Senate.

Senator Vaughn commented. A roll call vote was taken and revealed 16 Senators voting YES, 2 (Adams, Vaughn) NO, 3 (Cordrey, Henry, McDowell) NOT VOTING; therefore, **HB 89 w/HA 1 & 2, SA 2 & 3** was declared passed the Senate and returned to the House for the reconsideration.

**SA 1 to HB 89** was lifted from the table and stricken on motion of Senator Amick.

At 3:47 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

At 4:40 p.m. the Senate reconvened with Lt. Governor Minner presiding.

**SB 90** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 90** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLSBORO, CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO", AS AMENDED, RELATING TO THE IMPOSITION OF TAXATION UPON REAL ESTATE TRANSFERS WITHIN THE TOWN OF MILLSBORO. (2/3 vote)

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Bonini) NOT VOTING, 1 (Bair) ABSENT; therefore, **SB 90** 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 Vaughn.

**SB 88** - AN ACT TO AMEND CHAPTER 65, TITLE 11, DELAWARE CODE RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE COMMISSIONER.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 88** was declared passed the Senate and sent to the House for consideration.

**SB 65** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 65** - AN ACT TO AMEND CHAPTER 29, TITLE 14 OF THE DELAWARE CODE RELATING TO THE AWARD AND TRANSFER OF SCHOOL TRANSPORTATION CONTRACTS.

**SA 1 to SB 65**, which had been previously placed with the bill, was stricken on motion of Senator Voshell.

**SA 2 to SB 65** was introduced and brought before the Senate for consideration on motion of Senator Voshell.

Senator Marshall commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to SB 65** was declared part of the bill.

**SB 65 w/SA 2** was now before the Senate.

Senator Still commented. Senator Voshell requested the privilege of the floor for James J. Pizzadili, representing the Task Force created by **SR 81** of the 137th General Assembly.

Senator Hauge commented. A roll call vote was taken and revealed 13 Senators voting YES, 7 (Amick, Bonini, Connor, Hauge, Henry, Reed, Sorenson) NO, 1 (Bair) ABSENT; therefore, **SB 65 w/SA 2** was declared passed the Senate and sent to the House for consideration.

**SCR 16** was introduced and brought before the Senate for consideration on motion of Senator Voshell.

**SCR 16** - THANKING DR. FRANK SHAVLIK FOR THE INVALUABLE CONTRIBUTIONS HE HAS MADE TO THE RESIDENTS OF KENT AND SUSSEX COUNTIES DURING HIS 20 YEARS OF DEDICATED SERVICE AS EXECUTIVE DIRECTOR OF PEOPLE'S PLACE II, INC. Sponsors: Senator Voshell and Representative Carey; Senator Adams, Representatives Caulk, Ewing.

Senators Blevins, Still and Henry requested that they be added as co-sponsors.

Senator Voshell moved that all Senators be added as co-sponsors. No objection.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **SCR 16** was declared adopted by the Senate and sent to the House for consideration.

**SCR 17** was introduced and brought before the Senate for consideration on motion of Senator Connor.

**SCR 17** - RECOGNIZING APRIL 23 THROUGH APRIL 29 AS PROFESSIONAL SECRETARIES WEEK, AND ENCOURAGING ALL THOSE WHO ARE FORTUNATE ENOUGH TO HAVE SECRETARIES TO HONOR THESE UNSUNG HEROES DURING THIS WEEK. Sponsors: Senator Connor; Senators Cordrey, Sharp, Marshall, Bair on behalf of all Senators; Representatives Spence, Petrilli, Quillen, George, Gilligan on behalf of all Representatives.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **SCR 17** was declared adopted by the Senate and sent to the House for consideration.

At 5:16 p.m. on motion of Senator Sharp, the Senate recessed until 4:00 p.m. April 12, 1995. The Senate reconvened April 12, 1995 at 4:58 p.m. with Lt. Governor Minner presiding.

The following committee reports were announced:

From Education: **SB 18** - 4 Merits; **SB 19** - 4 Merits.

From Labor: **SB 93** - 1 Favorable, 4 Merits.

From Public Safety: - **SB 96** - 3 Merits.

A communication from the office of Senator Cordrey was read.

SENATE  
STATE OF DELAWARE

April 12, 1995

TO:           Members of the 138th General Assembly

FROM:       Senator Richard S. Cordrey, President Pro Tempore

SUBJECT:   Appointment to Prison Task Force

As per the power invested in me with the passage of House Joint Resolution #4, CREATING A TASK FORCE ON PRISON FACILITIES TO EVALUATE THE FEASIBILITY OF BUILDING A NEW MAXIMUM SECURITY PRISON, AND TO IDENTIFY A SITE OR SITES UPON WHICH SUCH A PRISON MIGHT BE BUILT, I hereby appoint the following to serve as members from the Senate:

Warden Robert E. Snyder  
Delaware Correction Center  
Smyrna, Delaware 19977

A copy of this memo is to be sent to the member(s) who are appoint, the office of the Governor, the Speaker of the House of Representatives and the Chairman named in the resolution.

\* \* \*

The following committee reports were announced:

From Public Safety: **HB 57 w/HA 2** - 3 Merits; **HB 110** - 2 Merits, 1 Unfavorable.

**SCR 19** was introduced and brought before the Senate for consideration on motion of Senator McDowell.

**SCR 19** - DESIGNATING APRIL 24, 1995 AS A DAY OF REMEMBRANCE OF "MAN'S INHUMANITY TO MAN" FOR THE ARMENIAN GENOCIDE OF 1915-1923. Sponsors: Senator McDowell; Senator Marshall; Representatives DiPinto and Jonkiert.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Still) NOT VOTING, 1 (Hauge) ABSENT; therefore, **SCR 19** was declared adopted by the Senate and sent to the House for consideration.

At 5:00 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 23rd Legislative Day.

**23RD LEGISLATIVE DAY**  
**April 12, 1995**

The Senate convened at 5:00 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Still.

The Pledge of Allegiance to the Flag.

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

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

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

The Secretary announced a message from the House informing the Senate that it had passed **HB 66 w/HA 1; HB 67; HB 69 w/HA 1 & 2; HB 91 w/HA 1 & 2; SB 82.**

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** **April 12, 1995**

The following legislation was introduced and assigned to committee:

**SB 100** - AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION TO CREATE AN EDUCATION ACCOUNT AND TO AMEND TITLE 14 OF THE DELAWARE CODE TO PROVIDE FOR A COMMISSION TO OVERSEE ITS DISTRIBUTION. Sponsors: Senator Connor and Representative Reynolds; Senator Henry; Representatives Maier, Maroney, Buckworth, Mack, Fallon. To: **Finance.**

**SB 101** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF SPECIAL REGISTRATION PLATES. (3/5 vote) Sponsors: Senator Bair and Representative Carey and Senator McBride; Representatives D. Ennis, Caulk, Brady, Schroeder. To: **Public Safety.**

**SB 103** - AN ACT TO AMEND CHAPTER 69, TITLE 29, DELAWARE CODE RELATING TO PROCUREMENT OF PRODUCTS AND SERVICES FROM THE PRISON INDUSTRIES BY STATE AGENCIES. Sponsors: Senator Vaughn, Representatives Lee, B. Ennis. To: **Corrections.**

**SB 104** - AN ACT TO AMEND TITLE 13 OF THE 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. Sponsors: Senator Amick; Senators Bair, Reed, Sorenson; Representatives Welch, Ulbrich. To: **Judiciary.**

**SB 105** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES. Sponsors: Senator Amick. To: **Labor.**

**SB 106** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE TEMPORARY STORAGE OF HAZARDOUS WASTES. Sponsors: Senator McBride and Representative Mack. To: **Natural Resources.**

**SB 107** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE POWER OF RECALL. Sponsors: Senator Still, Bair, Connor, Hauge. To: **Executive.**

**SB 108** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO RECALL. Sponsors: Senators Still, Bair, Connor, Hauge, Venables. To: **Executive.**

**SB 109** - 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) Sponsors: Senator Sharp and Representative Roy; Senators Vaughn, Adams, Representatives Ewing, Plant. To: **Judiciary.**

**SB 110** - AN ACT TO AMEND CHAPTER 1, TITLE 8, OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 vote) Sponsors: Senator Sharp and Representative Roy; Senators Vaughn, Adams, Representatives Ewing, Plant. To: **Judiciary.**

**SB 111** - AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE REGISTRATION AND REGULATION OF REGISTERED LIMITED LIABILITY PARTNERSHIPS. (2/3 vote) Sponsors: Senator Sharp and Representative Roy; Senators Vaughn, Adams, Representatives Ewing, Plant. To: **Judiciary.**

**HB 66 w/HA 1** - AN ACT TO AMEND TITLES 16 AND 26 OF THE DELAWARE CODE RELATING TO THE REGULATION OF PUBLIC WATER SUPPLIERS. (2/3 vote)

Sponsors: Representative Roy and Senator Cook; Representative Brady; Senator Bair. To: **Health and Social Services.**

**HB 67** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE PUBLIC SERVICE COMMISSION'S BILLING PROCEDURES FOR CABLE TELEVISION SYSTEMS. (3/5 vote) Sponsors: Representative Roy and Senator Cook; Representative Brady, Senator Bair. To: **Administrative Services.**

**HB 69 w/HA 1 & 2** - AN ACT TO AMEND TITLES 26 AND 29 OF THE DELAWARE CODE RELATING TO THE REGULATION OF PUBLIC UTILITIES. Sponsors: Representative Roy and Senator Cook; Representative Brady; Senator Bair. To:

**Administrative Services.**

**HB 91 w/HA 1 & 2** - AN ACT TO AMEND CHAPTERS 27 AND 41, TITLE 21 OF THE DELAWARE CODE RELATING TO UNDERAGE POSSESSION OR CONSUMPTION OF ALCOHOL, DRIVERS' LICENSES, AND RULES OF THE ROAD. (2/3 vote) Sponsors: Representative Davis; Representatives Petrilli, Quillen, Buckworth, Capano, Carey, Cloutier, Ewing, Fallon, Maier, Lee, Smith, Wagner, Welch, Bunting, DiLiberto, George, Gilligan, Schroeder, Van Sant. To: **Public Safety.**

**SA 1 to SB 18** - Sponsor: Senator McDowell. Placed with the bill.

**SA 2 to SB 18** - Sponsor: Senator McDowell. Placed with the bill.

**SA 2 to SB 64** - Sponsor: Senator Blevins. Placed with the bill.

\* \* \*

Senator McBride requested the privilege of the floor for Harry Basehart, representing Salisbury State University Department of Political Science.

Senator McBride then proceeded to introduce students of the University who were present in the chamber.

Senators Marshall and McDowell commented, after which the witness was excused.

**SB 64** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 64** - AN ACT TO AMEND CHAPTER 27, OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE LOCAL GOVERNMENT INVESTMENT POOL.

**SA 1 to SB 64**, 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 (Cook, Hauge) ABSENT; therefore, **SA 1 to SB 64** was declared part of the bill.

Senator McDowell marked present during the above roll call.

**SA 2 to SB 64**, 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 (Cook, Hauge) ABSENT; therefore, **SA 2 to SB 64** was declared part of the bill.

**SB 64 w/SA 1 & 2** was now before the Senate.

A roll call vote was then taken and revealed 19 Senators voting YES, 2 (Cook, Hauge) ABSENT; therefore, **SB 64 w/SA 1 & 2** was declared passed the Senate and sent to the House for consideration.

**SCR 21** was introduced and brought before the Senate for consideration on motion of Senator Reed.

**SCR 21** - DESIGNATING MAY 4, 1995 AS "TAKE YOUR DAUGHTER TO WORK DAY" IN LIEU OF APRIL 27, DUE TO THE ANNUAL EASTER BREAK OF THE DELAWARE GENERAL ASSEMBLY. Sponsors: Senator Reed; Senators Bair, Sorenson, Henry, Blevins, Cook, Sokola, Venables, Amick; Representatives Fallon, Maroney, Stone, Maier, Capano, Ulbrich, Wagner.

Senator Sharp commented.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cook, Hauge) ABSENT; therefore, **SCR 21** was declared adopted by the Senate and sent to the House for consideration.

Senator Cordrey requested that a tribute honoring the birthday of Senator Vaughn be read in its entirety. No objection.

**SB 102** was introduced and assigned to the **Health and Social Services** Committee.

**SB 102** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO WELFARE REFORM. Sponsors: Senator Blevins and Representative Maroney; Senator Cordrey and Representative Spence: Senators Adams, Amick, Bair, Bonini, Connor, Cook, Hauge, Marshall, Reed, Sokola, Sorenson, Still, Venables, Voshell; Representatives Banning, Brady, DiLiberto, B. Ennis, George, Gilligan, Houghton, Jonkiert, Van Sant, Maier, Davis, Lofink, DiPinto, Capano, Oberle, Ulbrich, Ewing.

Senator Marshall requested that his name be removed as a co-sponsor of **SB 102**.

At 5:25 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. April 13, 1995.

The Senate reconvened April 13, 1995 at 2:13 p.m. with Senator Cordrey presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 15; HCR 16; SCR 12; SCR 15; SCR 16; SCR 17**.

A communication from the office of Senator McDowell was read requesting that Representative Buckworth be added as a co-sponsor to **SB 18** and **SB 59**.

At 2:15 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 24th Legislative Day.

## **24TH LEGISLATIVE DAY**

**April 13, 1995**

The Senate convened at 2:15 p.m. with Senator Cordrey presiding.

A prayer was offered by Senator Venables.

The Pledge of Allegiance to the Flag.

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

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

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

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

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

**April 13, 1995**

The following legislation was introduced and assigned to committee:

**SB 112** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE TO PROVIDE GROUP LIFE INSURANCE FOR STATE POLICE RETIREES AND SURVIVORS. Sponsors: Senator Cook; Representative Ewing. To: **Public Safety**.

**SB 113** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HABITUAL MOTOR VEHICLE OFFENDERS. (2/3 vote) Sponsors: Senator Voshell; Representative Ewing. To: **Public Safety**.

**SB 114** - AN ACT TO AMEND CHAPTER 17, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. (3/5 vote) Sponsors: Senator Sharp; Representatives Roy, Senators Vaughn, Adams, Representatives Ewing, Plant. To: **Judiciary**.

**SB 115** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO THE APPLICABILITY OF THE DELAWARE RESPONSIBLE ALCOHOLIC BEVERAGE SERVER TRAINING PROGRAM. Sponsors: Senator Voshell and Representative Ewing. To: **Administrative Services**.

**SB 117** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO A VOLUNTARY ASSESSMENT PLAN Sponsors: Senator Voshell and Representing Ewing. To: **Administrative Services**.

**SB 118** - AN ACT TO AMEND CHAPTER 23, TITLE 7, OF THE DELAWARE CODE RELATING TO THE COMMERCIAL CRAB POT LICENSE. Sponsors: Senators Vaughn, Sharp; Representatives Spence and Mack. To: **Natural Resources**.

**SB 119** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LEGISLATIVE OVERSIGHT OF REGULATIONS. Sponsor: Senator Cordrey. To: **Executive**.

**SA 1 to SB 51** - Sponsor: Senator Voshell. Placed with the bill.

**SA 1 to SB 110** - Sponsor: Senator Sharp. Placed with the bill.

**SB 96** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 96** - AN ACT TO AMEND CHAPTER 27, TITLE 21 RELATING TO CIVIL PENALTIES FOR UNLAWFUL APPLICATION FOR, OR USE OF, A DRIVER'S LICENSE OR IDENTIFICATION CARD.



Senator Sharp commented.

Senators Blevins and Marshall marked present.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Cordrey) NO, 1 (Sokola) ABSENT; therefore, **SB 96** was declared passed the Senate and sent to the House for consideration.

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

**SB 72** was brought before the Senate for consideration on motion of Senator McBride.

**SB 72** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH CARE DECISIONS.

Senator McBride requested the privilege of the floor for Eleanor Cain, representing the Division of Aging and Adults with Physical Disabilities.

Lt. Governor Minner presiding at 2:23 p.m.

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

Senator McBride requested the privilege of the floor for Tom Herhily, representing the State Bar Association.

Senator Marshall questioned the witness.

Senator Sokola marked present.

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

Senator McBride requested the privilege of the floor for Dr. Daniel L. DePietropaolo.

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

Senator Marshall requested the privilege of the floor for Thomas R. Jewett, representing the Catholic Diocese of Wilmington.

Senator McBride questioned with the witness, after which the witness was excused.

Senator McBride commented, after which he moved to lay the bill on the table.

The roll call vote was rescinded on **SB 96** on motion of Senator Voshell.

Senator Bair commented. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cordrey, Venables) NO; therefore, **SB 96** was declared passed the Senate and sent to the House for consideration.

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

**HCR 17; HB 173.**

**HB 173** was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cordrey.

**HB 173** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSE FEES. (3/5 vote) Sponsors: Representatives West, Ewing, Houghton, Lee, Caulk, B. Ennis, Buckworth, Plant, Van Sant, Banning, DiLiberto, Quillen, Bunting, Schroeder, Spence; Senators Adams, Vaughn, Voshell, Cordrey.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 173** was declared passed the Senate and returned to the House.

**HCR 17** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HCR 17** - RECOGNIZING APRIL 28, 1995, AS WORKERS MEMORIAL DAY ON BEHALF OF OUR COLLEAGUES, CO-WORKERS, AND OTHERS WHO HAVE FALLEN ILL, SUFFERED INJURIES, OR DIED ON THE JOB. Sponsors: Representatives Oberle and Senator Sharp on behalf of all Senators and Representatives.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HCR 17** was declared adopted by the Senate and returned to the House.

**SENATE CONSENT CALENDAR #4** was brought before the Senate for consideration on motion of Senator McBride. The calendar included the following Resolutions:

**SCR 18** - ESTABLISHING A TASK FORCE TO UNDERTAKE A COOPERATIVE EFFORT TO REVIEW AND COORDINATE DEVELOPMENT PLANS AND TRAFFIC IMPACT IN THE NEWARK AREA AND TO ENCOURAGE USE OF MULTIPLE PASSENGER TRANSPORTATION OPTIONS. Sponsors: Senator Amick; Senators Sorenson; Representatives Ulbrich, Maier, Petrilli, Boulden, Lofink.

**SCR 20** - CONGRATULATING THE STUDENTS, FACULTY, PRINCIPAL AND PARENTS OF LINDEN HILL ELEMENTARY SCHOOL IN THE RED CLAY CONSOLIDATED SCHOOL DISTRICT FOR BEING NAMED THE BEST PUBLIC ELEMENTARY SCHOOL IN DELAWARE BY REDBOOK MAGAZINE. Sponsors: Senator Sokola; Representative Petrilli on behalf of all Senators and all Representatives.

**SCR 22** - COMMENDING THE CITIZENS OF THE STATE AND THE DELAWARE SOLID WASTE AUTHORITY ON THEIR EFFORTS TO RECYCLE AND ESTABLISHING

MAY 30, 1995 AS "RECYCLE DELAWARE DAY" Sponsors: Senator Cordrey; Representative Carey.

**HCR 15** - CREATING A PRIVATIZATION TASK FORCE CONSISTING OF REPRESENTATIVES FROM GOVERNMENT, LABOR AND BUSINESS TO EVALUATE EXISTING PRIVATIZED GOVERNMENT SERVICES AND TO EXPLORE AND RECOMMEND OTHER STATE SERVICES FOR PRIVATIZATION. Sponsors: Representative Capano; Representative Spence, Petrilli, Quillen, Ewing, Buckworth, Cloutier, Davis, DiPinto, Lofink, Maier, Roy, Smith, Stone, Wagner, Welch, Ulbrich, Bunting; Senators Hauge, Connor, Bair, Venables.

**HCR 16** - 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 Reps.; Senator Cordrey on behalf of all Senators.

\* \* \*

Senator Marshall moved that **HCR 15** be removed from the **Senate Consent Calendar** and be placed in the **Labor** Committee. No objection.

A roll call vote was taken on **SENATE CONSENT CALENDAR #4** and revealed 21 Senators voting YES; therefore, the **Senate Consent Calendar** was declared adopted. The Senate Concurrent Resolutions were sent to the House for consideration and the House Concurrent Resolution was returned to the House.

**SB 45** was stricken on motion of Senator Voshell.

**SB 124** was introduced and assigned to the **Children Youth and Their Families** Committee on motion of Senator Blevins.

The bill was reassigned to the **Health and Social Services** Committee.

**SB 124** - AN ACT TO AMEND TITLES 10, 12, 13, AND 19 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT ORDERS. Sponsors: Senator Blevins and Representative Maroney; Senators Voshell, Marshall, Sokola, Sharp, McBride, Bair, Connor, Sorenson, Bonini, Still, Reed, Amick, Henry; Representatives Spence, Quillen, Buckworth, Bunting, Banning, Carey, Roy, Maier, Schroeder, Plant.

**SB 123** was introduced and assigned to the **Revenue and Taxation** Committee.

**SB 123** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE REGARDING IDENTIFICATION OF VENDORS, FIRMS, AND SUBCONTRACTORS REPORTING TO THE DIVISION OF REVENUE. Sponsors: Senators Sokola; Blevins, Marshall, Sharp, Venables, Voshell; Representatives Smith, Oberle, Houghton, Brady, Jonkiert.

Senator Bair commented on Senator Bonini's 30th Birthday.

At 4:23 p.m. on motion of Senator Sharp, the Senate recessed until May 2, 1995 at 2:00 p.m. or to the call of the President Pro Tempore.

At 2:53 p.m. on May 2, 1995 the Senate reconvened with Senator Cordrey presiding.

**LEGISLATIVE ADVISORY #7** from the Office of Counsel of the Governor was announced for the record, partially read and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #7**, dated April 18, 1995. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #71** - (4/12/95) AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE ACTIVITIES AND TAXATION OF EDGE ACT CORPORATIONS. (Sen. Cordrey; Rep. D. Ennis) (Volume 70, Chapter 16, Laws of Delaware).

**SB #82** - (4/12/95) AN ACT TO AMEND THE LAWS OF DELAWARE RELATED TO HEALTH PLANNING AND RESOURCES MANAGEMENT. (Sens. Cordrey, Adams, Hauge, Bair; Representatives Spence, George, Gilligan, DiPinto and Cloutier) (Volume 70, Chapter 17, Laws of Delaware).

**SB #43 AAB SA 1** - (4/13/95) AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE QUALIFICATIONS. (Sen. Voshell; Rep. Ewing) (Volume 70, Chapter 18, Laws of Delaware).

**SB #58** - (4/13/95) AN ACT TO AMEND CHAPTER 70, TITLE 21, DELAWARE CODE RELATING TO FIRE LANES. (Sen. McBride; Rep. B. Ennis) (Volume 70, Chapter 19, Laws of Delaware).

**HB #17** - (4/13/95) AN ACT TO AMEND CHAPTER 5, SUBCHAPTER VII, SUBPART E, TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. (Rep. Van Sant) (Volume 70, Chapter 20, Laws of Delaware).

**HB #32 AAB HA 2** - (4/13/95) 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. (Rep. Oberle; Sen. Sharp) (Volume 70, Chapter 21, Laws of Delaware).

**HB #43** - (4/13/95) AN ACT TO AMEND CHAPTER 92, TITLE 10 OF THE DELAWARE CODE RELATING TO JUSTICES OF THE PEACE. (Rep. DiLiberto; Rep. Banning. Boulden, Brady, Buckworth, Bunting, Capano, Caulk, Cloutier, Davis, DiPinto, B. Ennis, D. Ennis, Ewing, George, Gilligan, Houghton, Jonkiert, Lee, Maier, Plant, Quillen, Schroeder, Scott, Smith, Ulbrich, Van Sant, West; Senators Amick, Blevins, Bonini, Cook, Hauge, Henry, McDowell, Reed, Sokola, Sorenson, Venables) (Volume 70, Chapter 22, Laws of Delaware).

**HB #59 AAB SA 1** - (4/13/95) AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO PRIVACY IN FAMILY COURT PROCEEDINGS. (Rep. Houghton; Reps. Banning, Brady, Capano, Caulk, Cloutier, Davis, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Jonkiert, Lofink, Mack, Oberle, Reynolds, Scott, Spence, Smith, Van Sant, Wagner, Welch, West; Senators Adams, Blevins, Vaughn, Venables, Voshell) (Volume 70, Chapter 23, Laws of Delaware).

**HB #90** - (4/13/95) AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES. (Rep. Brady; Reps. Banning, Boulden, Bunting, Capano, Carey, Caulk, DiLiberto, B. Ennis, Ewing, Gilligan, Houghton, Jonkiert, Mack, Oberle, Plant, Reynolds, Scott, Smith, Van Sant, Welch, West; Senators Amick, Cook, Sorenson, Still, Vaughn) (Volume 70, Chapter 24, Laws of Delaware).

**SB #57 AAB SA 1** - (4/13/95) AN ACT TO AMEND THE STATUTORY PROVISIONS OF §106(a), TITLE 13, OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF DANA BALICK AND PAUL HERDMAN. (Sen. McDowell) (Volume 70, Chapter 25, Laws of Delaware).

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A communication from the Office of the Chief Clerk of the House was read informing the Senate that Representative Maroney signed **SCR 16** as an additional sponsor on April 12, 1995.

The Secretary announced a message from the House informing the Senate that it had passed **SB 57 w/SA 1; HB 111; HB 105; HB 128 w/HA 1 & 2; HB 98 w/HA 1, 2 & 3; SB 46 w/SA 1; SB 64 w/SA 1 & 2; SCR 19; SCR 21; SJR 9 w/SA 1.**

**LEGISLATIVE ADVISORY #8** 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 #8**, dated April 27, 1995. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HB #89 AAB HA 1 & 2, SA 2 & 3** (4/27/95) - AN ACT TO AMEND CHAPTERS 27 AND 41, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS. (Sponsor: Rep. Van Sant; Reps. Bunting, Buckworth, Capano, Carey, Cloutier, Davis, DiLiberto, Ewing, George, Gilligan, Houghton, Jonkiert, Lee, Lofink, Maier, Petrilli, Plant, Quillen, Scott, Spence, Welch, West) (Volume 70, Chapter 26, Laws of Delaware).

**HB #173** (4/27/95) - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSE FEES. (Sponsor: Reps. West, Ewing, Houghton, Lee, Caulk, B. Ennis, Buckworth, Plant, Van Sant, Banning, DiLiberto, Quillen, Bunting, Schroeder, Spence; Sens. Adams, Vaughn, Voshell, Cordrey) (Volume 70, Chapter 27, Laws of Delaware).

**SB #46 AAB SA 1** (4/27/95) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE WAIVER OF INSPECTIONS OF TRUCKS. (Sponsor: Senator Voshell; Rep. Ewing) (Volume 70, Chapter 28, Laws of Delaware).

**SB #64 AAB SA 1 & 2** (4/27/95) AN ACT TO AMEND CHAPTER 27, OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE LOCAL GOVERNMENT INVESTMENT POOL. (Sponsor: Sen. Blevins & Rep. Ulbrich; Sens. Sokola and Voshell; Reps. Maier, Houghton, Scott) (Volume 70, Chapter 29, Laws of Delaware).

**SJR #9 AAB SA 1** (4/27/95) - CONTINUING THE FUTURES COMMISSION, KNOWN AS "COMMISSION ON DELAWARE COURTS 2000", OPERATING AS A TASK FORCE ON COURT STRUCTURE AND LONG RANGE PLANNING FOR THE COURT SYSTEM IN THE STATE OF DELAWARE. (Sponsor: Sens. Cordrey, Sharp, Bair; Reps. Spence, Petrilli, George, and Roy).

\* \* \*

Lt. Governor Minner presiding at 2:55 p.m.

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

## PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

May 2, 1995

The following legislation was introduced and assigned to committee on April 19, 1995:

**SB 126** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO WATER WELL PERMITS. Sponsors: Senator Cook and Representative Carey; Senators Vaughn, McBride. To: Natural Resources.

The following legislation was introduced and assigned to committee May 2, 1995:

**SB 120** - AN ACT TO AMEND TITLE 3, OF THE DELAWARE CODE RELATING TO DEALERS IN AGRICULTURAL PRODUCTS. (2/3 vote) Sponsors: Senator Adams, Representative Caulk; Senators Venables, Vaughn, Cook, Still and Bonini; Representatives Carey, Mack, Bunting and Schroeder. To: Agriculture.

**SB 121** - AN ACT TO AMEND TITLE 3, OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF AGRICULTURE. Sponsors: Senator Adams, Representative Caulk; Senators Venables, Vaughn, Cook, Still and Bonini; Representatives Carey, Mack, Bunting, and Schroeder. To: Agriculture.

**SB 122** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE POWERS OF THE DEPARTMENT OF AGRICULTURE. Sponsors: Senator Adams; Representative Caulk; Senators Venables, Vaughn, Cook, Still and Bonini; Representatives Carey, Amick, Bunting, Schroeder. To: Agriculture.

**SB 125** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO ADMINISTRATIVE PROCEDURES. Sponsors: Senator Cordrey; Representative Petrilli; Senators Connor, Voshell; Representatives Buckworth, Fallon, Mack, Reynolds, Schroeder. To: Education.

**SB 127** - AN ACT TO AMEND SECTION 106 OF TITLE 13, DELAWARE CODE, RELATING TO THE SOLEMNIZATION OF MARRIAGES. Sponsors: Senator Sharp and Representative Spence. To: Laid on the Table.

**SB 129** - AN ACT TO AMEND CHAPTER 31, TITLE 15, DELAWARE CODE, RELATING TO PRESIDENTIAL PRIMARY ELECTIONS. Sponsor: Senator Marshall. To: Laid on the Table.

**HB 98 w/HA 1, 2 & 3** - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS. Sponsors: Representative Schroeder and Senator Voshell; Representatives Bunting, Buckworth, Capano, Carey, Davis, DiLiberto, B. Ennis, Ewing, Fallon, Houghton, Lee, Maier, Maroney, Oberle, Quillen, Reynolds, Scott, Smith, Wagner, Welch, West; Senators Adams. To: Public Safety.

**HB 105** - 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: Judiciary.

**HB 111** - AN ACT TO WAIVE THE STATUTORY PROVISIONS OF CHAPTER 1, TITLE 13, OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF PATRICIA GALLAGHER AND TERRY MC CANDLISH. Sponsors: Representative Jonkiert; Senator Marshall. To: Executive.

**HB 128 w/HA 1 & 2** - AN ACT TO AMEND CHAPTER 9 OF TITLE 7 OF THE DELAWARE CODE RELATING TO SIZE LIMITS FOR WHITE PERCH. Sponsors: Representative Carey; Representatives Bunting, Schroeder; Senator Venables. To: Natural Resources.

**SA 3 to SB 18** - Sponsor: Senator McDowell. Placed with the bill.

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Senator Voshell deferred to Senator Cordrey for the purpose of requesting the privilege of the floor for Jack Tarburton, Secretary of the Department of Agriculture.

Secretary Tarburton introduced various students who were award winners in the National Arbor Day Poster Contest.

Secretary Tarburton also introduced Jim Roberts, coordinator of the Contest.

Tributes were awarded to the various students, after which the witnesses were excused.

At 3:06 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 25th Legislative Day.

## 25TH LEGISLATIVE DAY

May 2, 1995

The Senate convened at 3:06 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Sorenson.

The Pledge of Allegiance to the Flag.

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

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

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

Senator Marshall commented on **SB 129**, which was on the previous day's Pre-Filed List of Legislation.

Senator Bair also commented.

At 3:15 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

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

**SB 127** was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Sharp.

**SB 127** - AN ACT TO AMEND SECTION 106 OF TITLE 13, DELAWARE CODE, RELATING TO THE SOLEMNIZATION OF MARRIAGES.

Senator Marshall's name was added as a co-sponsor.

Senators Bair and Marshall commented.

Senator McDowell marked present.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 127** was declared passed the Senate and sent to the House for consideration.

Senator Sharp requested the privilege of the floor to introduced Mrs. Hilda Adams, Senator Adams wife.

Senator Adams requested the privilege of the floor for the introduction of various guests, including Mr. Franklin Perdue.

A tribute was read for Mr. Perdue, after which he was granted the privilege of the floor for brief statements.

The witness was excused after addressing the Senate.

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

**SCR 23** - EXTENDING TO ROSALIE OBARA OUR BEST WISHED FOR A SPEEDY RECOVERY AND A SWIFT RETURN TO HER RIGHTFUL PLACE AS CLERK OF THE PEACE OF NEW CASTLE COUNTY. Sponsors: Senator Marshall and Senator Bair for all Senators; Representative Spence and Representative Jonkiert for all Representatives.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 23** was declared adopted by the Senate and sent to the House for consideration.

At 4:43 p.m. on motion of Senator Sharp, the Senate recessed until 4:00 p.m. May 3, 1995.

The Senate reconvened at 4:14 p.m. on May 3, 1995 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Executive - **HB 111** - 4 Merits.

From Public Safety - **HB 82 w/HA 1** - 3 Merits; **HB 91 w/HA 1 & 2** - 3 Merits; **SB 112** - 3 Merits; **HB 98 w/HA 1, 2 & 3** - 3 Merits; **SB 51** - 3 Merits; **SB 113** - 3 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 129 w/HA 2; HS 1 to HB 37 w/HA 1 & 2; HJR 5; SB 50 w/SA 1; SB 127.**

At 4:16 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 26th Legislative Day.

## 26TH LEGISLATIVE DAY

May 3, 1995

The Senate convened at 4:16 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

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

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

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

Senator Marshall marked present.

**SB 26** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 26** - AN ACT TO AMEND CHAPTER 7, TITLE 19, OF THE DELAWARE CODE RELATING TO REPLACEMENT WORKERS.

Senator Bair marked present.

Senator Bair requested the privilege of the floor for Mr. James Sullivan, representing the Delaware State Chamber of Commerce.

The witness was excused after addressing the Senate.

Senator Amick commented.

Senator Marshall requested the privilege for Sherri Schaeffer, Senate Attorney.

Senator Cordrey raised a point of order.

Several Senators questioned the witness.

Senator McDowell marked present.

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

Senator Bair again requested the privilege of the floor for James Sullivan.

Senator McDowell questioned the witness.

Senator Bair raised a point of order, after which the witness was excused.

Senator Cook marked present.

A roll call vote was taken on **SB 26**, however, the roll call vote was table before it was announced.

**HCN 18** was introduced and brought before the Senate for consideration on motion of Senator Sokola, the floor manager.

**HCN 18** - COMMENDING THE STUDENTS SELECTED AS STATE SUPERINTENDENT'S SCHOLARS OF 1995. Sponsors: Representative Reynolds and Senator Sokola.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HCN 18** was declared adopted by the Senate and returned to the House.

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

### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION May 3, 1995**

The following legislation was introduced and assigned to committee:

**SB 116** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY, STATE, AND LOCAL PLANNING EFFORTS. Sponsors: Senator Sokola and Rep. Lofink; Senators Amick, Blevins, McBride, Sorenson; Representatives Cloutier, Davis, George, Gilligan, Mack, Oberle, Petrilli, Roy and Schroeder. To: **Community/County Affairs**.

**SB 128** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE UNFAIR INSURANCE PRACTICE OF DISCRIMINATION BY INSURANCE COMPANIES BASED ON AN INDIVIDUAL'S STATUS AS A VICTIM OF DOMESTIC VIOLENCE. Sponsors: Senators Blevins and Sorenson; Representative Capano; Senators Marshall, McBride, McDowell, Sokola, Voshell, Amick, Bair, Henry, Hauge, Reed, Representatives Ewing, DiLiberto, George, Gilligan, Van Sant, Scott, Plant, Houghton, B. Ennis, Brady, Davis, DiPinto, Lofink, Maier, Stone, Smith, Spence, Wagner. To: **Insurance/Elections**.

**SB 130** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO DANGEROUS CRIME AGAINST A CHILD. Sponsors: Senator Sharp; Senator Marshall and Representative Oberle. To: **Judiciary**.

**SB 131** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HATE CRIMES. Sponsors: Senators Sharp, Sokola, Vaughn; Representatives Spence, Oberle. To: **Judiciary**.

**SB 132** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HATE CRIMES. Sponsors: Senators Sharp, Sokola, Vaughn; Representatives Spence, Oberle. To: **Judiciary**.

**SB 133** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO A PERIOD OF SILENCE. (2/3 vote) Sponsors: Senators Still and Vaughn; Senators Henry, Bonini, Bair, Hauge, Connor, Reed, Venables, Sokola; Representatives Bunting, Spence. To: **Education**.

**SB 134** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE POOLING FOR UNINSURABLES. Sponsors: Senator Still; Senators Bair, Hauge. To: **Insurance**.

**SB 135** - AN ACT TO AMEND TITLE 6, OF THE DELAWARE CODE RELATING TO WEIGHTS AND MEASURES. (3/5 vote) Sponsors: Senator Adams and Representative Caulk; Senators Venables, Vaughn, Cook, Still and Bonini; Representatives Carey, Mack, Bunting, and Schroeder. To: **Agriculture**.

**SB 137** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO VALUATION OF LAND DEVOTED TO AGRICULTURAL, HORTICULTURAL, OR FOREST USE. Sponsors: Senator Adams and Representative Caulk; Senators Venables, Vaughn, Cook, Still and Bonini; Representatives Mack, Carey. To: **Agriculture**.

**SB 138** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO VALUATION OF LAND DEVOTED TO AGRICULTURAL, HORTICULTURAL, OR FOREST USE. Sponsors: Senator Adams, and Representative Caulk; Senators Venables, Vaughn, Cook, Still and Bonini; Representatives Carey, Mack, Bunting, and Schroeder. To: **Agriculture**.

**SB 139** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL TAXES. Sponsors: Senators Still and Bonini. To: **Education**.

**SB 140** - AN ACT TO AMEND CHAPTER 50A, TITLE 15, OF THE DELAWARE CODE RELATING TO ELECTRONIC VOTING SYSTEMS. Sponsors: Senator Vaughn; Representative Petrilli. To: **Insurance**.

**SCR 24** - ENCOURAGING THE STATE'S TWO MAJOR INSTITUTIONS OF HIGHER LEARNING, NAMELY, THE UNIVERSITY OF DELAWARE AND DELAWARE STATE UNIVERSITY, TO COMMENCE SERIOUS DISCUSSIONS IN TERMS OF WORKING OUT SCHEDULES AND OTHER FACTORS IN CONCERT WITH THE RESPECTIVE ATHLETIC DEPARTMENTS AND THE RESPECTIVE CONFERENCES SO AS TO PERMIT, AT THE EARLIEST OPPORTUNITY, THESE TWO REPUTABLE INSTITUTIONS TO COMPETITIVELY COMPETE WITH ONE ANOTHER IN THE GLAMOROUS AND EXCITING SPORT OF INTERCOLLEGIATE FOOTBALL. Sponsors: Senators Still, Connor, Bair, Sokola, Henry, Representative Wagner. To: **Education**.

**HS 1 to HB 37 w/HA 1 & 2** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 2, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO QUALIFICATIONS FOR VOTING AND FORFEITURE OF RIGHT. (2/3 vote) Sponsors: Representative Davis; Representatives D. Ennis, DiPinto, Fallon, Lofink, Maroney, Smith, Brady, Banning, Bunting, George, Houghton, Plant, West, Schroeder; Senators McDowell, Henry, Reed. To: **Insurance**.

**HB 129 w/HA 2** - AN ACT TO AMEND CHAPTER 9 OF TITLE 7 OF THE DELAWARE CODE RELATING TO COMMERCIAL FOOD FISHING LICENSES. Sponsors: Representative Carey; Representatives Bunting, Schroeder; Senator Venables. To: **Natural Resources**.

**HJR 5** - DESIGNATING AND NAMING THE NEW ROUTE 1 BY-PASS THAT COMMENCES AT DOVER AIR FORCE BASE AND TERMINATES NORTH OF SMYRNA, TOGETHER WITH ANY NEW EXTENSIONS TO BE ADDED IN THE FUTURE, AS THE "KOREAN WAR VETERANS MEMORIAL HIGHWAY". Sponsors: Representatives Wagner and West and Ewing; Representatives Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, DiPinto, B Ennis, D. Ennis, Fallon, George, Houghton, Jonkiert, Lee, Lofink, Mack, Maier, Oberle, Plant, Quillen, Reynolds, Schroeder, Scott, Smith, Spence, Stone, Ulbrich, Van Sant, Welch; Senators Voshell, Cook, Vaughn, McBride, Venables, Bonini, Still. To: **Executive**.

The following amendments were introduced and Placed with the bill.

**SA 1 to SB 19** - Sponsor: Senator McDowell.

**SA 2 to SB 51** - Sponsor: Senator Voshell.

**SA 1 to SB 89** - Sponsor: Senator Bonini

**SA 2 to SB 110** - Sponsor: Senator Sharp

**SA 1 to SB 129** - Sponsor: Senator Sharp.

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At 5:12 p. m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. May 4, 1995.

At 2:27 p.m. May 4, 1995 the Senate reconvened with Lt. Governor Minner presiding.

The following committee reports were announced:

From Natural Resources: **SB 106** - 1 Favorable, 3 Merits; **SB 99** - 3 Favorable, 1 Merit; **SB 98** - 3 Favorable, 1 Merit; **SB 118** - 3 Merits; **SB 126** - 4 Merits.

From Education: **SB 125** - 5 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **SCR 20**; **SCR 23**; **HCR 18**.

At 2:25 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 27th Legislative Day.

## 27TH LEGISLATIVE DAY

May 4, 1995

The Senate convened at 2:25 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Reed.

The Pledge of Allegiance to the Flag.

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

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

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

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

### PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

May 4, 1995

The following amendments were introduced and placed with the bill:

**SA 1 to SB 87** - Sponsor: Senator Sharp.

**SA 1 to SB 92** - Sponsor: Senator Sharp.

**SA 1 to SB 93** - Sponsor: Senator Marshall.

**SA 1 to HB 110** - Sponsor: Senator Sharp.

\* \* \*

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

**SCR 26** - IN REFERENCE TO THE CONFIRMATION OF WILLIAM S. MONTGOMERY AS DIRECTOR OF RESEARCH OF LEGISLATIVE COUNCIL. Sponsors: Senator Cordrey; Representative Spence; Senators Sharp, Cook, Bair, Connor; Representatives Petrilli, Quillen, George, Gilligan.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 26** was declared adopted by the Senate and sent to the House for consideration.

Senators Bair, Cook, McDowell, Sokola and Marshall marked present during the above roll call.

Senator Cordrey introduced William S. Montgomery, the newly confirmed Director of Legislative Council, to say a few words on the floor.

The witness was excused after addressing the Senate.

Senator Reed requested the privilege of the floor for the introduction of the young girls that were visiting Legislative Hall.

**HB 111** was brought before the Senate for consideration on motion of Senator Adams, the floor manager.

**HB 111** - AN ACT TO WAIVE THE STATUTORY PROVISIONS OF CHAPTER 1, TITLE 13, OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF PATRICIA GALLAGHER AND TERRY MCCANDLISH.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 111** was declared passed the Senate and returned to the House.

**HB 110** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.



**HB 110** – AN ACT TO AMEND CHAPTER 81, TITLE 9 OF THE DELAWARE CODE RELATING TO THE POWER OF THE SUSSEX COUNTY GOVERNMENT TO IMPOSE AND COLLECT A TAX UPON THE PLACEMENT OF A MOBILE HOME.

**SA 1 to HB 110**, 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, 1 (Bonini) NO, 1 (Bair) ABSENT; therefore, **SA 1 to HB 110** was declared part of the bill.

**HB 110 w/SA 1** was now before the Senate.

Senator Bonini commented. Senator Voshell requested the privilege of the floor for Robert L. Stickles, representing Sussex County Council.

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

A roll call vote was taken on **HB 110 w/SA 1**, however, it was tabled before it was announced.

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

At 3:54 p.m. the Senate reconvened with Lt. Governor Minner presiding.

**SB 113** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 113** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HABITUAL MOTOR VEHICLE OFFENDERS. (2/3 vote)

**SA 1 to SB 113** was introduced and brought before the Senate for consideration on motion of Senator Voshell.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 113** was declared part of the bill.

**SB 113 w/SA 1** was now before the Senate.

Senator Venables commented. Senator Voshell requested the privilege of the floor for Paul R. Wallace, representing the Office of the Attorney General.

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

Senator Connor commented. Senator Voshell again requested the privilege of the floor for Paul Wallace.

The witness was excused. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Still, Venables) NO; therefore, **SB 113 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 98 w/HA 1, 2 & 3** was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

**HB 98 w/HA 1, 2 & 3** - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS. 2/3 VOTE

Senators Adams and Bonini commented. Senator Voshell requested the privilege of the floor for Paul R. Wallace, representing the Office of the Attorney General.

The witness was excused after addressing the Senate.

Several Senators commented. Senator Voshell again requested the privilege of the floor for Paul Wallace.

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

A roll call vote was taken and revealed 14 Senators voting YES, 7 (Bonini, Cordrey, Marshall, McDowell, Sharp, Vaughn, Venables) NO; therefore, **HB 98 w/HA 1, 2 & 3** was declared passed the Senate and returned to the House.

**SB 51** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 51** - AN ACT TO AMEND TITLE 21, DELAWARE CODE, CLARIFYING LAWS CONCERNING COMMERCIAL DRIVERS.

**SA 1 to SB 51**, which had been previously placed with the bill, was stricken on motion of Senator Voshell.

**SA 2 to SB 51**, 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 SB 51** was declared part of the bill.

**SA 3 to SB 51** was introduced and immediately stricken on motion of Senator Voshell.

**SA 4 to SB 51** was introduced and brought before the Senate for consideration on motion of Senator Voshell.

Senator Still commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 4 to SB 51** was declared part of the bill.

**SB 51 w/SA 2 & 4** was now before the Senate.

Senators Adams and Still commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **SB 51 w/SA 2 & 4** was declared passed the Senate and sent to the House for consideration.

At 4:52 p.m. on motion of Senator Sharp, the Senate took a standing recess for the purpose of a tape change.

The Senate reconvened at 4:54 p.m. with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 205; HB 206; SCR 26.**

**HB 205** was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sharp.

**HB 205** - AN ACT TO WAIVE CERTAIN STATUTORY PROVISIONS OF CHAPTER 1, TITLE 13 OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF KRIS DEYERLE AND JOSEPH CANNATELLI. Sponsors: Representative Spence and Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES, therefore, **HB 205** was declared passed the Senate and returned to the House.

**HB 206** was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sharp.

**HB 206** - AN ACT TO WAIVE CERTAIN STATUTORY PROVISIONS OF CHAPTER 1, TITLE 13, OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF MEGAN BALLARD AND DAVID MAZER. Sponsors: Representative Spence and Senator Sharp.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Reed) ABSENT; therefore, **HB 206** was declared passed the Senate and returned to the House.

**SCR 25** was introduced and brought before the Senate for consideration on motion of Senator Sokola.

**SCR 25** - JOINING IN RECOGNITION OF NATIONAL TEACHER DAY, MAY 9, 1995, AND COMMENDING DELAWARE TEACHERS FOR THEIR DEDICATION IN PERFORMING THE SIGNIFICANT ROLE OF EDUCATING FUTURE GENERATIONS OF DELAWAREANS. Sponsors: Senator Sokola; Representative Reynolds; on behalf of all Senators and Representatives.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Reed) ABSENT; therefore, **SCR 25** was declared adopted by the Senate and sent to the House for consideration.

**SB 141** was introduced and **Laid on the table** on motion of Senator Blevins.

**SB 141** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE TO INCREASE THE JURISDICTION OF THE VIOLENT CRIMES COMPENSATION BOARD. Sponsors: Senator Blevins; Representatives Oberle and Banning.

At 5:03 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. May 9, 1995.

At 2:34 p.m. the Senate reconvened on May 9, 1995, with Lt. Governor Minner presiding.

The following committee reports were announced:

From Judiciary: **SB 87** - 4 Merits; **SB 92** - 4 Merits; **SB 109** - 4 Merits; **SB 110** - 4 Merits; **SB 111** - 4 Merits; **SB 114** - 4 Merits; **SB 130** - 4 Merits; **SB 131** - 3 Merits, 1 Unfavorable; **SB 132** - 3 Merits, 1 Unfavorable; **HB 36** - 3 Merits, 1 Unfavorable, **HB 105** - 4 Merits; **HB 121** - 1 Favorable, 3 Merits; **HB 88 w/HA 1** - 4 Merits; **HB 19 w/HA 6 & 8** - 4 Merits.

A communication from the Chief Clerk was read notifying the Senate that Representative Jonkiert signed **SB 127** as an additional sponsor on May 2, 1995.

The Secretary announced a message from the House informing the Senate that it had passed **HB 117; HB 38 w/HA 1; HB 141; HB 131 w/HA 1; HB 102, HB 113.**

**LEGISLATIVE ADVISORIES #9A & 10** 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 # 9A**, dated May 4, 1995. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #127 (5/4/95)** - AN ACT TO AMEND SECTION 106 OF TITLE 13, DELAWARE CODE, RELATING TO THE SOLEMNIZATION OF MARRIAGES. (Sponsors: Sen. Sharp and Rep. Spence) (Volume 70, Chapter 30, Laws of Delaware).

**NOTE:** This is a corrected copy of an earlier advisory issued under the same date.

**LEGISLATIVE ADVISORY #10**, dated May 9, 1995. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HB #205 (5/4/95)** - AN ACT TO WAIVE CERTAIN STATUTORY PROVISIONS OF CHAPTER 1, TITLE 13 OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF KRIS DEYERLE AND JOSEPH CANNATELLI. (Sponsor: Representative Spence & Sen. Sharp) (Volume 70, Chapter 31, Laws of Delaware).

**HB #206** (5/4/95) - AN ACT TO WAIVE CERTAIN STATUTORY PROVISIONS OF CHAPTER 1, TITLE 13 OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF MEAGAN BALLARD AND DAVID MAZER. (Sponsor: Rep. Spence & Sen. Sharp) (Volume 70, Chapter 32, Laws of Delaware).

\* \* \*

Senator Bonini rose to introduce some of his guests in the chamber.

At 2:35 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 28th Legislative Day.

## **28TH LEGISLATIVE DAY May 9, 1995**

The Senate convened at 2:35 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Amick.

The Pledge of Allegiance to the Flag.

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

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

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

On motion of Senator Sharp and without objection, the President Pro Tempore's List of Pre-Filed legislation was introduced for the permanent record, partially read and copies were made available.

## **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION May 9, 1995**

The following legislation was introduced and assigned to committee:

**SB 142** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Senator Adams and Representative Oberle; Senators Cordrey, Sharp; Representative Ewing. To: **Small Business**.

**SB 143** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO NOXIOUS WEEDS. Sponsors: Senator Adams and Representative Caulk; Senators Bonini, Cook, Still, Venables, Vaughn; Representatives Bunting, Carey, Mack and Schroeder. To: **Agriculture**.

**SB 144** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE TECHNICAL AND COMMUNITY COLLEGE. Sponsors: Senator Adams and Representative Carey; Senators Cordrey, Venables, and Voshell; Representatives Bunting, Ewing, Fallon and Schroeder. To: **Executive**.

**SB 145** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO THE DETERMINATION OF LIQUOR LICENSING. Sponsor: Senator Blevins; Representative Capano. To: **Sunset**.

**SB 146** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CHILD SAFE SCHOOL ZONES. Sponsors: Senator Bair and Representative Maroney; Senators Sorenson, Sharp, Blevins; Representatives Capano, Brady. To: **Education**.

**HB 38 w/HA 1** - TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE AND CREATING THE HIV TESTING FOR INSURANCE ACT. Sponsor: Representatives Davis, Ulbrich, Maier, Wagner, Capano, Ewing, Maroney, Stone, Welch, Lee, Smith, Buckworth, Lofink, Reynolds, Spence, DiPinto, B. Ennis, Carey, Quillen. To: **Insurance and Elections**.

**HB 102** - AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO THE PLACEMENT OF LEGAL NOTICES FOR ACTIVITIES PERMITTED BY THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. Sponsors: Representative Schroeder and Senator Sokola; Representatives Banning, Boulden, Brady, Bunting, Carey, DiPinto, B. Ennis, Ewing, Houghton, Jonkiert, Lofink, Plant, Welch, West; Senators Adams, Bair, Blevins, Henry, Reed, Sorenson, Still, Vaughn, Venables, Voshell. To: **Natural Resources**.

**HB 113** - 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, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Smith, stone, Ulbrich, Welch, Wagner, Banning, Brady, Bunting, DiLiberto, B. Ennis, George, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Van Sant, West; Senators Blevins, Cook, Sokola, Vaughn, Venables, Voshell, Bair, Connor, Hauge, Henry, Still. To: **Judiciary**.

**HB 117** - AN ACT TO AMEND CHAPTER 121, VOLUME 32, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO ESTABLISH A BOARD OF WATER AND LIGHT COMMISSIONERS FOR THE CITY OF NEW CASTLE" RELATING TO THE SECRETARY OF THE BOARD AND THE SALARIES OF THE COMMISSIONERS. (2/3 vote) Sponsors: Representative Mack and Senator Connor. To: **Community/County Affairs**.

**HB 131 w/HA 1** - AN ACT TO AMEND CHAPTER 48, TITLE 29 OF THE DELAWARE CODE RELATING TO LOTTERIES; AND PROVIDING THAT EACH LOTTERY TICKET CONTAIN CERTAIN INFORMATION. Sponsors: Representative Gilligan; Representatives Banning, Brady, Capano, Davis, B. Ennis, Ewing, Jonkiert, Scott, Smith, Ulbrich, Wagner; Senator Marshall. To: **Revenue/Taxation**.

**HB 141** - AN ACT TO AMEND CHAPTER 27 OF TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL ATTENDANCE. Sponsor: Representative Plant. To: **Education**.

**SA 3 to HB 110** - Sponsor: Senator Sharp. Placed with the bill.

\* \* \*

**SB 112** was brought before the Senate for consideration on motion of Senator Cook.

**SB 112** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE TO PROVIDE GROUP LIFE INSURANCE FOR STATE POLICE RETIREES AND SURVIVORS.

**SA 1 to SB 112** 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 (McDowell) ABSENT; therefore, **SA 1 to SB 112** was declared part of the bill.

Senator Hauge marked present during the above roll call.

**SB 112 w/SA 1** was now before the Senate.

Several Senators commented.

Senator Vaughn stated that he would not be voting on this legislation due to the fact that he is a retired policeman.

A roll call vote was taken and revealed 17 Senators voting YES, 1 (Cordrey) NO, 2 (Sharp, Vaughn) NOT VOTING, 1 (McDowell) ABSENT; therefore, **SB 112 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 118** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 118** - AN ACT TO AMEND CHAPTER 23, TITLE 7, OF THE DELAWARE CODE RELATING TO THE COMMERCIAL CRAB POT LICENSE.

Senator Sharp commented.

Senator Still requested that his name be added as a co-sponsor.

Senator Connor commented. Senator Vaughn requested the privilege of the floor for Rebecca Batson, Senate Attorney.

The witness was excused. A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SB 118** was declared passed the Senate and sent to the House for consideration.

Senator Marshall introduced Mr. and Mrs. Wilson, Senator Cook's parent's to the Senate.

**SB 98** was brought before the Senate for consideration on motion of Senator McBride.

**SB 98** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE POWERS OF THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.

Senators Still and Sorenson commented. Senator McBride requested the privilege of the floor for Christophe A. G. Tulou, Secretary of the Department of Natural Resources and Environmental Control.

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

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Bonini, Still) NO, 1 (McDowell) ABSENT; therefore, **SB 98** was declared passed the Senate and sent to the House for consideration.

At 3:17 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

At 4:17 p.m. the Senate reconvened with Lt. Governor Minner presiding.

**SB 99** was brought before the Senate for consideration on motion of Senator McBride.

**SB 99** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE TO EXTEND THE EXISTING REGISTRATION REQUIREMENT FOR EXTREMELY HAZARDOUS SUBSTANCES FROM ONE TO THREE YEARS.

Senator Vaughn commented. Senator McBride then requested the privilege of the floor for Nicholas A. DiPasquale, representing DNREC.

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

A roll call vote was taken and revealed 17 Senators voting YES, 3 (Cordrey, Sharp, Still) NO, 1 (McDowell) ABSENT; therefore, **SB 99** was declared passed the Senate and was sent to the House for consideration.

**SB 106** was brought before the Senate for consideration on motion of Senator McBride.

**SB 106** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO TEMPORARY STORAGE OF HAZARDOUS WASTES.

Senators Sokola and Still commented. Senator McBride requested the privilege of the floor for Nicholas A. DiPasquale, representing DNREC.

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

A roll call vote was taken and revealed 14 Senators voting YES, 6 (Adams, Cordrey, Reed, Sharp, Still, Vaughn) NO, 1 (McDowell) ABSENT; therefore, **SB 106** was declared passed the Senate and sent to the House for consideration.

**SB 125** was brought before the Senate for consideration on motion of Senator Cordrey.

**SB 125** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO ADMINISTRATIVE PROCEDURES.

Senator Bair commented. Senator Cordrey requested the privilege of the floor for Ann Case, representing the Delaware School Boards Association.

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

Senator Hauge commented. A roll call vote was taken and revealed 11 Senators voting YES, 9 (Bair, Blevins, Bonini, Hauge, Henry, McBride, Reed, Sorenson, Still) NO, 1 (McDowell) ABSENT; therefore, **SB 125** was declared passed the Senate and sent to the House for consideration.

**SB 126** was brought before the Senate for consideration on motion of Senator Cook.

**SB 126** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO WATER WELL PERMITS.

Senator Cook requested the privilege of the floor for Gerard L. Esposito, representing Natural Resources.

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

Senator Cook moved to lay **SB 126** on the table. No objection.

**HCR 19** was introduced and brought before the Senate for consideration on motion of the floor manager, Senator Reed.

**HCR 19** - EXPRESSING PROFOUND GRIEF TO THE FAMILIES OF VICTIMS OF ONE OF THE MOST HORRENDOUS AND DEVASTATING BOMB EXPLOSIONS IN U.S. HISTORY IN OKLAHOMA CITY ON APRIL 19, 1995, INFLECTING UNTIMELY DEATH UPON INNOCENT CHILDREN AND LITERALLY HUNDREDS OF OKLAHOMANS AND FURTHER EXTENDING TO THE ENTIRE STATE OF OKLAHOMA, DELAWARE'S HEARTFELT SYMPATHY. Sponsors: Rep. Maier on behalf of all Reps; Sen. Reed on behalf of all Senators.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **HCR 19** was declared adopted by the Senate and returned to the House.

At 5:05 p.m. on motion of Senator Sharp, the Senate recessed until 4:00 p.m. May 10, 1995.

The Senate reconvened on May 10, 1995 at 4:08 p.m., with Lt. Governor Minner presiding. Senator McDowell marked present.

The following committee reports were announced:

From Executive: **HJR 5** - 4 Merits; **SB 144** - 2 Favorable, 2 Merits; **SB 119** - 1 Favorable, 3 Merits.

From Natural Resources: **HB 129 w/HA 1** - 5 Merits; **HB 128 w/HA 1 & 2** - 5 Merits; **HB 102** - 5 Merits.

From Education: **SB 148** - 3 Favorable.

At 4:10 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 29th Legislative Day.

## 29TH LEGISLATIVE DAY May 10, 1995

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

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

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

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

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

The Secretary announced a message from the House informing the Senate that it had passed **HB 95 w/HA 1; HB 54 w/HA 1 & 2; HB 42; HB 188; HB 189; HB 190 w/HA 1; HJR 7; SCR 25; HCR 19.**

On motion of Senator Sharp and without objection, 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, 1995**

The following legislation was introduced and assigned to committee on May 9, 1995:

**SJR 11** - REQUIRING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO PREPARE AND SUBMIT A PLAN AND AN ESTIMATE OF ASSOCIATED COSTS TO EXPAND EXISTING MONITORING AND ANALYSIS PROGRAMS AND TO DEVELOP NEW PROGRAMS TO MONITOR AND ANALYZE THE ENVIRONMENT AND THE POPULATION TO BETTER UNDERSTAND THE INTERACTION BETWEEN ENVIRONMENTAL TOXICANTS AND PUBLIC HEALTH. Sponsors: Senator Connor and Senator McBride and Representative Mack; Senators Sorenson, Vaughn; Representatives Spence, Reynolds, Davis. To: **Natural Resources.**

**HB 66 w/HA 1** - AN ACT TO AMEND TITLES 16 AND 26 OF THE DELAWARE CODE RELATING TO THE REGULATION OF PUBLIC WATER SUPPLIERS. Sponsors: Representative Roy and Senator Cook; Representative Brady; Senator Bair. **REASSIGNED FROM HEALTH AND SOCIAL SERVICES TO THE FINANCE COMMITTEE.**

The following legislation was introduced and assigned to committee on May 10, 1995:

**SB 147** - AN ACT TO AMEND CHAPTER 23, TITLE 12, DELAWARE CODE, RELATING TO THE EFFECT OF MANSLAUGHTER OR MURDER ON INTESTATE SUCCESSION, WILLS, JOINT ASSETS, LIFE INSURANCE AND BENEFICIARY DESIGNATIONS. Sponsors: Senator Vaughn and Representative Roy. To: **Insurance and Elections.**

**SB 148** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION SCIENCE VANS. Sponsors: Senator Sokola and Representative Davis; Senators Hauge, Reed, Blevins and Voshell; Representative Reynolds. To: **Education.**

**SB 149** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EVIDENCE OF COLLATERAL SOURCE OF COMPENSATION OR BENEFITS. Sponsors: Senator Cordrey and Representative Petrilli; Senators Adams, Bair, Bonini; Representatives Boulden, Capano, DiPinto, Ewing, Fallon, Smith. To: **Executive.**

**SB 150** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE DISTRIBUTION OF CIVIL DAMAGES. Sponsors: Senator Adams and Representative Petrilli; Senators Cordrey, Bair, Bonini; Representatives Boulden, Capano, DiPinto, Ewing, Fallon. To: **Executive.**

**SB 151** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE TO PROVIDE FOR VOLUNTARY ALTERNATIVE DISPUTE RESOLUTION. Sponsors: Senator Sharp and Representative DiLiberto. To: **Judiciary.**

**SB 152** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICES ACT. Sponsor: Senator Sharp. To: **Judiciary.**

**SB 153** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE POWERS OF THE LOTTERY DIRECTOR. Sponsors: Senator Sharp and Representative Oberle. To: **Administrative Services.**

**HB 54 w/HA 1 & 2** - AN ACT TO AMEND TITLE 3 AND TITLE 30 OF THE DELAWARE CODE TO PROVIDE ADDITIONAL BENEFITS TO OWNERS OF REAL

PROPERTY WHO PLACE QUALIFYING REAL PROPERTY INTO AGRICULTURAL PRESERVATION DISTRICTS, AND A RECORDING COST EXEMPTION. Sponsors: Representatives Carey, Bunting and Senator Adams; Representatives Spence, Petrilli, Quillen, Buckworth, Capano, Caulk, Cloutier, DiPinto, D. Ennis, Ewing, Lee, Lofink, Reynolds, Welch, Banning, Brady, B. Ennis, Houghton, Jonkiert, Plant, Schroeder, West; Senators Cook, Cordrey, Vaughn, Venables, Amick, Bonini, Still. To: **Agriculture**.

**HB 95 w/HA 1** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE CLASSIFICATIONS. Sponsors: Representative Wagner and Senator Cordrey; Representatives Buckworth, Banning, Carey, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Maier, Quillen, Reynolds, Stone, Ulbrich, B. Ennis, Jonkiert, Plant, Schroeder, Scott, West; Senators Adams, Vaughn, Venables, Henry, Still. To: **Labor**.

**HB 142** - AN ACT TO AMEND CHAPTER 89 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF CORRECTIONS. Sponsor: Representative Plant. To: **Corrections**.

**HB 188** - AN ACT TO AMEND CHAPTER 83, TITLE 9 OF THE DELAWARE CODE RELATING TO THE VALUATION OF LAND DEVOTED TO AGRICULTURAL, HORTICULTURE OR FOREST USE. Sponsors: Representative Caulk and Senator Adams; Representatives Carey, Mack, Bunting, Schroeder; Senators Cook, Vaughn, Venables, Bonini, Still. To: **Agriculture**.

**HB 189** - AN ACT TO AMEND CHAPTER 83, TITLE 9 OF THE DELAWARE CODE RELATING TO THE VALUATION OF LAND DEVOTED TO AGRICULTURE, HORTICULTURAL OR FOREST USE. Sponsors: Representative Caulk and Senator Adams; Representatives Carey, Mack, Bunting, Schroeder; Senators Cook, Vaughn, Venables, Still, Bonini. To: **Agriculture**.

**HB 190 w/HA 1** - AN ACT TO AMEND CHAPTER 83, TITLE 9 OF THE DELAWARE CODE RELATING TO VALUATION OF LAND DEVOTED TO AGRICULTURE, HORTICULTURAL OR FOREST USE. Sponsors: Representative Caulk and Senator Adams; Representatives Carey, Mack, Bunting, Schroeder; Senators Cook, Vaughn, Venables, Still, Bonini. To: **Agriculture**.

**HJR 7** - HONORING AND REMEMBERING SUSAN CLAPP JAMISON, DELAWARE DEVOTED EDUCATOR, LIBRARY DIRECTOR, PUBLIC SERVANT AND SCHOLAR. Sponsors: Representative Banning and Senator Vaughn. To: **Laid on the Table**.

**SA 1 to HB 91** - Sponsor: Senator Voshell. Placed with the bill.

\* \* \*

**SCR 27** was introduced and brought before the Senate for consideration on motion Senator Cordrey.

**SCR 27** - COMMENDING THE DELAWARE SOLID WASTE AUTHORITY ON ITS OUTSTANDING EFFORTS OVER TWO DECADES OF SERVICE TO THE CITIZENS OF DELAWARE AND ESTABLISHING MAY 10, 1995 AS "RECYCLE DELAWARE DAY" IN RECOGNITION OF THOSE EFFORTS. Sponsors: Senator Cordrey; Representative Carey.

The privilege of the floor was extended to N. C. Versus, representing the Delaware Solid Waste Authority.

The witness was excused after addressing the Senate.

Senator Cordrey rose to make some introductions of people from the Solid Waste Authority.

Senator McBride marked present.

Several Senators commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 27** was declared adopted by the Senate and sent to the House for consideration.

Senator Sokola requested the privilege of the floor for Laura Gallagher and students that were involved in the Service Learning Awards.

After the students addressed the Senate, they were excused.

Senator Adams rose to make some introductions of guests in the chamber.

**HJR 5** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HJR 5** - DESIGNATING AND NAMING THE NEW ROUTE 1 BY-PASS THAT COMMENCES AT DOVER AIR FORCE BASE AND TERMINATES NORTH OF SMYRNA, TOGETHER WITH ANY NEW EXTENSIONS TO BE ADDED IN THE FUTURE, AS THE "KOREAN WAR VETERANS MEMORIAL HIGHWAY".

Senator Still commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HJR 5** was declared passed the Senate and returned to the House.

**SB 126** was lifted from the table and brought before the Senate for consideration on motion of Senator Cook.

**SB 126** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO WATER WELL PERMITS.

**SA 1 to SB 126** was introduced and brought before the Senate for consideration on motion of Senator Cordrey.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 126** was declared part of the bill.

**SB 126 w/SA 1** was now before the Senate.

Senator McBride commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) NO; therefore, **SB 126 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 91 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 91 w/HA 1 & 2** - AN ACT TO AMEND CHAPTERS 27 AND 41, TITLE 21 OF THE DELAWARE CODE RELATING TO UNDERAGE POSSESSION OR CONSUMPTION OF ALCOHOL, DRIVERS' LICENSES, AND THE RULES OF THE ROAD.

**SA 1 to HB 91**, which had been previously placed with the bill, was brought before the Senate for consideration motion of Senator Voshell.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 91** was declared part of the bill.

**HB 91 w/HA 1, 2 & SA 1** was now before the Senate.

Senator Voshell requested the privilege of the floor for Captain Douglas R. Hancock from the State Police.

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

Senator Voshell requested the privilege of the floor for Robyn Dellinger, representing Milford High School Y.E.L.L. Program.

The witness was excused after addressing the Senate.

Senator Voshell requested the privilege of the floor for Carol Wilkinson, representing the Delaware State Police Crime Lab.

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

Senator Voshell requested the privilege of the floor for Pam DiBiao, representing the Delaware A.D.D. Program.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 91 w/HA 1, 2 & SA 1** was declared passed the Senate and returned to the House for the reconsideration.

**SB 141** was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Blevins.

**SB 141** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE TO INCREASE THE JURISDICTION OF THE VIOLENT CRIMES COMPENSATION BOARD.

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

At 5:40 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. May 11, 1995

The Senate reconvened on May 11, 1995 at 2:44 p.m. with Senator Cordrey presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 20**.

The following committee reports were announced:

From Revenue and Taxation: **SB 44** - 4 Merits; **SB 123** - 4 Merits.

From Health and Social Services: **SB 102** - 5 Merits; **SB 124** - 4 Merits.

From Agriculture: **SB 120** - 4 Merits; **SB 121** - 4 Merits; **SB 122** - 4 Merits; **SB 135** - 4 Merits; **SB 143** - 3 Merits; **HB 54 w/HA 1 & 2** - 4 Merits; **HB 188** - 4 Merits; **HB 189** - 4 Merits; **HB 190 w/HA 1** - 4 Merits.

From Insurance/Elections: **SB 128** - 5 Merits; **SB 140** - 4 Merits.

From Small Business: **SB 142** - 4 Merits.

At 2:47 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 30th Legislative Day.

### 30TH LEGISLATIVE DAY

May 11, 1995

The Senate convened at 2:47 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Bonini.



The Pledge of Allegiance to the Flag.

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

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

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

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

### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION May 11, 1995**

The following legislation was introduced and assigned to committee:

**SB 154** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CLASSIFIED SERVICE AND EXEMPTIONS. Sponsor: Senator Cordrey. To:

**Administrative Services.**

**SB 155** - AN ACT TO AMEND CHAPTER 90, TITLE 29 OF THE DELAWARE CODE RELATING TO THE ADVISORY COUNCIL FOR CHILDREN, YOUTH AND THEIR FAMILIES. Sponsors: Senator Blevins and Representative Maroney; Senators Voshell, Bonini, Reed, Representatives Capano, Maier, Ulbrich, Houghton, and Scott. To: **Children, Youth, and Their Families.**

**SB 156** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION DEATH BENEFITS. Sponsor: Senator Marshall and Representative Oberle. To: **Labor.**

**SB 157** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION PENALTIES. Sponsors: Senator Marshall and Representative Oberle. To: **Labor.**

**SB 158** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION WAGES. Sponsors: Senator Marshall and Representative Oberle. To: **Labor.**

**SB 159** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT INSURANCE BENEFITS. Sponsors: Senator Marshall; Representative Oberle. To: **Labor.**

**SB 160** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Senator Marshall and Representative Oberle. To: **Labor.**

**SB 161** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES. Sponsor: Senator Marshall and Representative Oberle. To: **Labor.**

**SB 162** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE COUNCIL ON APPRENTICESHIP AND TRAINING. Sponsors: Senator Marshall and Representative Oberle. To: **Labor.**

**SB 163** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PREVAILING WAGE. Sponsor: Senator Marshall and Representative Oberle. To: **Labor.**

**SB 164** - AN ACT TO AMEND TITLE 18 AND TITLE 19 OF THE DELAWARE CODE RELATING TO MAKING SAID TITLES GENDER NEUTRAL. Sponsors: Senator Marshall and Representative Oberle. To: **Labor.**

**SB 165** - AN ACT TO AMEND TITLE 19 AND TITLE 10 OF THE DELAWARE CODE RELATING TO CHILD LABOR. Sponsors: Senator Marshall and Representative Oberle. To: **Labor.**

**SB 166** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WAGE PAYMENT AND COLLECTION. Sponsor: Senator Marshall and Representative Oberle. To: **Labor.**

**SB 167** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO DISCRIMINATION IN EMPLOYMENT. Sponsors: Senator Marshall and Representative Oberle. To: **Labor.**

**SB 168** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION BENEFITS. Sponsors: Senator Marshall and Representative Oberle. To: **Labor.**

**SB 169** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO UNAUTHORIZED PARKING AT RETAIL STORES. Sponsors: Senator Blevins and Representative Van Sant. To: Public Safety.

**SA 1 to HB 88** - Sponsor: Senator Sharp. Placed with the bill.

\* \* \*

The roll call vote on **SCR 22** was rescinded and stricken on motion of Senator Cordrey. **HB 57 w/HA 2** was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

**HB 57 w/HA 2** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. 2/3 VOTE

Senator Voshell requested the distribution of literature regarding **HB 57**. No objection. A copy of this literature is contained in the file for this legislative day.

Senator Voshell requested the privilege of the floor for Robert Antignani. The witness was excused after addressing the Senate.

Senator Voshell requested the privilege of the floor for Timothy P. Donnelly, representing Nathaniel Schultz. Senators Bair and Cordrey questioned the witness, after which the witness was excused.

Senator Voshell requested the privilege of the floor for Dr. Jane Crowley, from A.I. DuPont Institute.

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

Several Senators commented.

Senator McBride marked present.

Senator Vaughn commented. Senator Voshell requested the privilege of the floor for Elizabeth Holloway, representing the Department of Transportation Division of Planning.

The witness was excused after addressing the Senate.

Senators Connor and Adams commented.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Bonini, Hauge) NO, 1 (Henry) ABSENT; therefore, **HB 57 w/HA 2** was declared passed the Senate and returned to the House.

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

**SB 93** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 93** - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

**SA 1 to SB 93**, 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 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SA 1 to SB 93** was declared part of the bill.

**SB 93 w/SA 1** was now before the Senate.

Senator Cordrey commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SB 93 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 87** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 87** - AN ACT TO AMEND TITLE 11 TO PROVIDE FOR APPEALS IN THE COURT OF COMMON PLEAS. (2/3 vote)

**SA 1 to SB 87**, 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 19 Senators voting YES, 2 (Henry, Sorenson) ABSENT; therefore, **SA 1 to SB 87** was declared part of the bill.

**SB 87 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SB 87 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 92** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 92** - AN ACT TO AMEND TITLE 11 DELAWARE CODE RELATING TO CLASSIFICATION OF CRIMES INVOLVING PECUNIARY LOSS. (2/3 vote)

**SA 1 to SB 92**, 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 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SA 1 to SB 92** declared part of the bill.

**SB 92 w/SA 1** was now before the Senate.

Senator Venables commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SB 92 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 109** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 109** - 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 (Henry) ABSENT; therefore, **SB 109** was declared passed the Senate and sent to the House for consideration.

At 4:00 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

At 4:40 p.m. the Senate reconvened with Lt. Governor Minner presiding.

The following committee reports were announced:

From Sunset: **SB 70** - 4 Merits; **SB 97** - 4 Merits; **SB 145** - 4 Merits.

**HJR 7** was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Vaughn, the floor manager.

**HJR 7** - HONORING AND REMEMBERING SUSAN CLAPP JAMISON, DELAWARE'S DEVOTED EDUCATOR, LIBRARY DIRECTOR, PUBLIC SERVANT AND SCHOLAR.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **HJR 7** was declared passed the Senate and returned to the House.

The roll call vote on **HB 110 w/SA 1** was lifted from the table on motion of the floor manager, Senator Voshell.

**HB 110 w/SA 1** - AN ACT TO AMEND CHAPTER 81, TITLE 9 OF THE DELAWARE CODE RELATING TO THE POWER OF THE SUSSEX COUNTY GOVERNMENT TO IMPOSE AND COLLECT A TAX UPON THE PLACEMENT OF A MOBILE HOME.

The roll call revealed 13 Senators voting YES, 7 (Blevins, Bonini, Cook, Marshall, McBride, McDowell, Sharp) NO, 1 (Sokola) NOT VOTING; therefore, **HB 110 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

**SB 111** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 111** - AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE REGISTRATION AND REGULATION OF REGISTERED LIMITED LIABILITY PARTNERSHIPS. (2/3 vote)

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SB 111** was declared passed the Senate and sent to the House for consideration.

**SB 114** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 114** - AN ACT TO AMEND CHAPTER 17, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. (3/5 vote)

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Henry, McDowell) ABSENT; therefore, **SB 114** was declared passed the Senate and sent to the House for consideration.

The Secretary announced a message from the House informing the Senate that it had passed **HJR 8**.

**HJR 8** was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Adams.

**HJR 8** - RELATING TO THE SECOND SUSSEX COUNTY EDUCATION AND ECONOMY CONFERENCE PROMOTING COLLABORATIVE ACTION BY STAKEHOLDERS IN THE EDUCATION AND ECONOMY OF SUSSEX COUNTY.  
Sponsors: Representative Fallon and Senator Adams.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **HJR 8** was declared passed the Senate and returned to the House.

**SB 130** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 130** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO DANGEROUS CRIME AGAINST A CHILD.

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

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

Senators McBride and Reed questioned the witnesses, after which the witnesses were excused.

SA 1 to SB 130 was introduced and brought before the Senate for consideration on motion of Senator Sharp.

Senator Bair commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, SA 1 to SB 130 was declared part of the bill.

SB 130 w/SA 1 was now before the Senate.

Senator McBride commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, SB 130 w/SA 1 was declared passed the Senate and sent to the House for consideration.

**SENATE CONSENT CALENDAR #5** was brought before the Senate for consideration on motion of Senator McBride. The Calendar contained the following Resolutions:

**SR 13** - COMMENDING FORMER GOVERNOR RUSSELL W. PETERSON ON RECEIVING THE PRESTIGIOUS GOOD GOVERNMENT AWARD CONFERRED BY THE CIVIC LEAGUE FOR NEW CASTLE COUNTY. Sponsor: Senator Amick; Senator Sokola; All Senators.

**HCR 20** - COMMENDING AND EXTENDING PROFOUND APPRECIATION TO MR. JACK F. OWENS, VICE-PRESIDENT AND CAMPUS DIRECTOR OF THE SOUTHERN CAMPUS, DELAWARE TECHNICAL AND COMMUNITY COLLEGE FOR HIS OUTSTANDING YEARS OF SERVICE AND DEDICATION AS THE CAMPUS' FIRST ADMINISTRATOR, AND WISHING HIM THE BEST OF HEALTH AND HAPPINESS DURING HIS IMPENDING RETIREMENT. Sponsors: Representative Carey and Senator Adams; Representatives Ewing, Schroeder, Bunting, Fallon, Lee, West; Senators Voshell, Cordrey, Venables.

A roll call vote on **SENATE CONSENT CALENDAR #5** was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, the **Senate Consent Calendar** was declared adopted. The Senate Resolution was delivered to the recipient and the House Concurrent Resolution was returned the House.

At 5:29 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. May 16, 1995.

The Senate reconvened at 2:10 p.m. on May 16, 1995, with Senator Cordrey presiding.

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

**HB 9 w/HA 1; HB 154 w/HA 1 & 2; SB 96; SCR 27.**

At 2:10 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 31st Legislative Day.

### 31ST LEGISLATIVE DAY

May 16, 1995

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

Lt. Governor Minner presiding at 2:12 p.m.

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

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

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

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

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

### PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

May 16, 1995

The following amendments were introduced and Placed with the bill on May 11, 1995:

SA 1 to SB 44 - Sponsor: Senator Voshell.

SA 1 to SB 79 - Sponsor: Senator Amick.

SA 1 to SB 80 - Sponsor: Senator Amick.

SA 1 to SB 124 - Sponsor: Senator Blevins.

SA 1 to SB 132 - Sponsor: Senator Sharp.

SA 2 to HB 88 - Sponsor: Senator Sharp.

The following legislation was introduced and assigned to committee on May 16, 1995:

**SS 1 to SB 9** - AN ACT TO AMEND CHAPTER 21, TITLE 21, OF THE DELAWARE CODE RELATING TO SPECIAL ANIMAL WELFARE LICENSE PLATES. (3/5 vote)  
Sponsors: Senator McBride and Representative Oberle. To: **Adopted in lieu of the original; placed in Public Safety.**

**SB 170** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE CHIEF DUE PROCESS. Sponsors: Senator Adams; Senators Bair, Sharp and Vaughn; Representatives Ewing and Spence. To: **Public Safety.**

**SB 171** - AN ACT TO AMEND TITLE 10 AND TITLE 6 OF THE DELAWARE CODE RELATING TO THE AWARD OF ATTORNEYS' FEES TO THE PREVAILING PARTY IN CIVIL ACTIONS. Sponsors: Senator Adams; Senators Cordrey, Bair and Bonini; Representatives DiPinto, Boulden, Ewing, Fallon, Petrilli and Smith. To: **Judiciary.**

**SB 172** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAXES. (3/5 vote) Sponsors: Senator Marshall and Representative Smith. To: **Revenue/Taxation.**

**SB 173** - AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION FOR THE PURPOSE OF REDUCING THE DEBT OF THE STATE OF DELAWARE. Sponsor: Senator Connor. To: **Finance.**

**SB 174** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO REPORTING OF ADJUDICATIONS OF FAMILY COURT TO THE DIVISION OF MOTOR VEHICLES. Sponsors: Senator Voshell and Representative Ewing. To: **Public Safety.**

**HB 9 w/HA 1** - AN ACT TO AMEND TITLE 10, DELAWARE CODE RELATING TO CIVIL LIABILITY AND EQUINE ACTIVITIES. Sponsor: Representative Quillen. To: **Judiciary.**

**HB 154 w/HA 1 & 2** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS LICENSES. (2/3 vote) Sponsors: Representative Oberle; Representative Banning, Senator Vaughn. To: **Public Safety.**

\* \* \*

**SB 144** was brought before the Senate for consideration on motion of Senator Adams.

**SB 144** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE TECHNICAL AND COMMUNITY COLLEGE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 144** was declared passed the Senate and sent to the House for consideration.

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

Senator Adams requested that Senator Cook's name be added as a co-sponsor. No objection.

**SB 102** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 102** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO WELFARE REFORM.

Senator Blevins requested the privilege of the floor for Carmen Nazario, Secretary of the Department of Health and Social Services.

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

**SA 1 to SB 102** 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 (Sharp) ABSENT; therefore, **SA 1 to SB 102** was declared part of the bill.

Senator Blevins requested the privilege of the floor for Ruth S. Sokolowski, representing the YWCA of New Castle County.

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

**SA 2 to SB 102** was introduced and brought before the Senate for consideration on motion of Senator McDowell.

Senator McDowell requested the privilege of the floor for Al Snyder, representing the Action for Families and Children.

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

Senator Venables commented. Senator Connor requested the privilege of the floor for Carmen Nazario, Secretary of the Department of Health and Social Services.

Senators McDowell and Henry questioned the witness. Senator Cordrey raised a point of order.

The Senate recessed for the purpose of changing the tape at 4:58 p.m.

At 5:00 p.m. the Senate reconvened with Lt. Governor Minner presiding.

Senator Cordrey requested to temporarily lay SB 102 w/SA 1 and SA 2 on the table. No objection.

Senator Adams requested the privilege of the floor for Bobby Allison and his wife Judy Allison.

The Senate presented a tribute to Mr. Allison, after which the Lt. Governor invited Mr. Allison to join her on the rostrum.

Senator Cordrey requested the privilege of the floor for Miss Delaware, Letitia L. Pusey and her mother.

The witnesses were excused after briefly addressing the Senate.

SB 102 w/SA 1 was lifted from the table and brought before the Senate for consideration on motion of Senator Blevins.

SA 2 to SB 102 was lifted from the table and brought before the Senate for consideration on motion of Senator McDowell.

Secretary Nazario was recalled as a witness, as she was when the Senate had recessed for the tape change.

Senator Marshall questioned the witness.

Senator Cordrey raised a point of order.

The witness was excused.

Senator Blevins commented. A roll call vote was taken and revealed 3 Senators (Henry, Marshall, McDowell) voting YES, 17 NO, 1 (Cook) ABSENT; therefore, SA 2 to SB 102 was declared defeated.

SA 3 to SB 102 was introduced and brought before the Senate for consideration on motion of Senator McDowell.

Senator Blevins commented.

A roll call vote was taken and revealed 4 Senators (Henry, Marshall, McBride, McDowell) voting YES, 16 NO, 1 (Sorenson) NOT VOTING; therefore, SA 3 to SB 102 was declared defeated.

SA 4 to SB 102 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 4 to SB 102 was declared part of the bill.

SB 102 w/SA 1 & 4 was now before the Senate.

Senators Bair and McDowell commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, SB 102 w/SA 1 & 4 was declared passed the Senate and sent to the House for consideration.

At 5:32 p.m. on motion of Senator Sharp, the Senate recessed until May 17, 1995 at 4:00 p.m.

The Senate reconvened at 4:10 p.m., May 17, 1995 with Senator Cordrey presiding.

The following committee reports were announced:

From Public Safety: SS 1 to SB 9 - 2 Merits, 1 Unfavorable; SB 169 - 2 Merits, 1 Unfavorable; SB 170 - 3 Merits; SB 174 - 3 Merits; HB 154 w/HA 1 & 2 - 3 Merits.

From Natural Resources: SJR 11 - 1 Favorable, 4 Merits.

From Revenue and Taxation: SB 172 - 3 Merits.

From Labor: SB 156 - 4 Merits; SB 157 - 4 Merits; SB 158 - 4 Merits; SB 159 - 4 Merits; SB 160 - 4 Merits; SB 161 - 4 Merits; SB 162 - 4 Merits; SB 163 - 4 Merits; SB 164 - 4 Merits; SB 165 - 4 Merits; SB 166 - 4 Merits; SB 167 - 4 Merits; SB 168 - 4 Merits.

From Community/County Affairs: SB 116 - 3 Favorable.

At 4:12 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 32nd Legislative Day.

### 32ND LEGISLATIVE DAY

May 17, 1995

The Senate convened at 4:12 p.m. with Senator Cordrey presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

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

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

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

The Secretary announced a message from the House informing the Senate that it had passed SB 144; SB 141; HCR 21.

**LEGISLATIVE ADVISORY #11** 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 #11**, dated May 15, 1995. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HJR #7** (5/12/95) - HONORING AND REMEMBERING SUSAN CLAPP JAMISON, DELAWARE'S DEVOTED EDUCATOR, LIBRARY DIRECTOR, PUBLIC SERVANT AND SCHOLAR. (Sponsor: Rep. Banning & Sen. Vaughn).

**HJR #8** (5/12/95) - RELATING TO THE SECOND SUSSEX COUNTY EDUCATION AND ECONOMY CONFERENCE PROMOTING COLLABORATIVE ACTION BY STAKEHOLDERS IN THE EDUCATION AND ECONOMY OF SUSSEX COUNTY. (Sponsor: Rep. Fallon & Sen. Adams).

**SB #50 AAB SA 1** (5/15/95) - AN ACT TO AMEND CHAPTER 42, TITLE 11, DELAWARE CODE, RELATING TO THE METHOD AND IMPOSITION OF SENTENCE OF DEATH. (Sponsor: Sen. Vaughn, Rep. Lee) (Volume 70, Chapter 33, Laws of Delaware).

**HB #98 AAB HA 1, 2, 3** (5/15/95) - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO THE DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS. (Sponsor: Rep. Schroeder and Sen. Voshell; Bunting, Buckworth, Capano, Carey, Davis, DiLiberto, B. Ennis, Ewing, Fallon, Houghton, Lee, Maier, Maroney, Oberle, Quillen, Reynolds, Scott, Smith, Wagner, Welch, West; Sen. Adams) (Volume 70, Chapter 34, Laws of Delaware).

**HB #111** (5/15/95) - AN ACT TO WAIVE THE STATUTORY PROVISIONS OF CHAPTER 1, TITLE 13, OF THE DELAWARE CODE RELATING TO THE MARRIAGE OF PATRICIA GALLAGHER AND TERRY MCCANDLISH. (Sponsor: Rep. Jonkiert and Sen. Marshall) (Volume 70, Chapter 35, Laws of Delaware).

\* \* \*

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

#### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION May 17, 1995**

The following amendments were introduced and Placed with the bill on May 16, 1995:

**SA 1 to SB 143** - Sponsor: Senator Adams.

**SA 2 to SB 124** - Sponsor: Senator Blevins.

**SA 1 to SB 155** - Sponsor: Senator Blevins.

The following legislation was introduced and assigned to committee on May 17, 1995:

**SB 175** - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 vote) Sponsors: Senator Sharp and Rep. Roy; Senators Vaughn, Adams; Representatives Ewing, Plant. To: **Judiciary**.

**SB 176** - AN ACT TO AMEND TITLE 24, CHAPTER 17 OF THE DELAWARE CODE RELATING TO THE BOARD OF MEDICAL PRACTICE. (2/3 vote) Sponsors: Senator Blevins and Representative Maroney; Senators Marshall, McBride, Sokola, Voshell, Amick; Reps. Capano, Maier, Ulbrich, Banning, Houghton, Jonkiert, Scott. To: **Sunset**.

**SB 177** - AN ACT TO AMEND THE DELAWARE CODE AND LAWS OF DELAWARE TO APPROPRIATE MONIES FROM THE TWENTY-FIRST CENTURY FUND; CREATE CERTAIN SPECIAL FUNDS AND ENTITIES OF THE STATE RELATED THERETO; AND SPECIFY CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS. Sponsors: Senator Cordrey; Senators Cook, Marshall and Venables; Representatives Spence, Petrilli, Quillen, Davis, Roy, George, Gilligan. To: **Finance**.

**SB 178** - AN ACT TO AMEND CHAPTER 17, OF TITLE 14, DELAWARE CODE, RELATING TO SCHOOL DISTRICT CURRENT EXPENSE TAX RATES. Sponsors: Senator Vaughn, Representatives Banning, B. Ennis, Lofink. To: **Education**.

**SB 179** - AN ACT TO AMEND CHAPTER 75, TITLE 29, DELAWARE CODE, RELATING TO SCHOOL DISTRICT MINOR CAPITAL IMPROVEMENTS. Sponsor: Senator Vaughn; Representatives Banning, B. Ennis, Lofink. To: **Education**.

**SB 180** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE INVESTMENTS OF DOMESTIC INSURERS. Sponsor: Senator Vaughn; Representative D. Ennis. To: **Insurance and Elections**.

**HCR 21** - CALLING UPON THE JOINT FINANCE COMMITTEE TO LIMIT THE GROWTH OF ADMINISTRATIVE SPENDING WITHIN THE DEPARTMENT OF PUBLIC INSTRUCTION. Sponsors: Representative West and Senator Still and Representative Smith. Representatives Banning, Brady, Boulden, Bunting, Capano, Carey, Caulk, Cloutier, Davis, B. Ennis, D. Ennis, Ewing, Fallon, Jonkiert, Lee, Lofink, Mack, Maier, Plant, Quillen, Roy, Spence, Stone, Wagner, Welch; Senators Adams, Amick, Bair, Bonini, Connor, Hauge, Reed, Sokola, Sorenson, Vaughn, Voshell. To: **Finance**.

\* \* \*

**SB 140** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 140** - AN ACT TO AMEND CHAPTER 50 A, TITLE 15, OF THE DELAWARE CODE RELATING TO ELECTRONIC VOTING SYSTEMS.

Senator Vaughn requested the privilege of the floor for Thomas Cook, Commissioner of Elections.

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 140** was declared passed the Senate and sent to the House for consideration.

**SB 120** was brought before the Senate for consideration on motion of Senator Adams.

**SB 120** - AN ACT TO AMEND TITLE 3, OF THE DELAWARE CODE RELATING TO DEALERS IN AGRICULTURAL PRODUCTS. (2/3 vote)

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 120** was declared passed the Senate and sent to the House for consideration.

**SB 121** was brought before the Senate for consideration on motion of Senator Adams.

**SB 121** - AN ACT TO AMEND TITLE 3, OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF AGRICULTURE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 121** was declared passed the Senate and sent to the House for consideration.

**SB 122** was brought before the Senate for consideration on motion of Senator Adams.

**SB 122** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE POWERS OF THE DEPARTMENT OF AGRICULTURE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 122** was declared passed the Senate and sent to the House for consideration.

**SB 135** was brought before the Senate for consideration on motion of Senator Adams.

**SB 135** - AN ACT TO AMEND TITLE 6, OF THE DELAWARE CODE RELATING TO WEIGHTS AND MEASURES. (3/5 vote)

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 135** was declared passed the Senate and sent to the House for consideration.

**SB 143** was brought before the Senate for consideration on motion of Senator Adams.

**SB 143** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO NOXIOUS WEEDS.

**SA 1 to SB 143** 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 143** was declared part of the bill.

**SB 143 w/SA 1** was now before the Senate.

Senator Sokola commented. Senator Adams requested the privilege of the floor for Jack Tarburton, Secretary of the Department of Agriculture.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 143 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 188** was brought before the Senate for consideration on motion of floor manager, Senator Adams.

**HB 188** - AN ACT TO AMEND CHAPTER 83, TITLE 9 OF THE DELAWARE CODE RELATING TO THE VALUATION OF LAND DEVOTED TO AGRICULTURAL, HORTICULTURAL OR FOREST USE.

**SA 1 to HB 188** was brought before the Senate for consideration on motion of Senator Connor.

Senators Vaughn and Sorenson commented. A roll call vote was taken and revealed 18 Senators voting YES, 3 (McDowell, Vaughn, Venables) NO; therefore, **SA 1 to HB 188** was declared part of the bill.

**HB 188 w/SA 1** was now before the Senate.

Senators Sokola and Bair commented. Senator Adams requested the privilege of the floor for Michael H. McGrath, representing the Department of Agriculture.



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

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Sorenson, Vaughn) NOT VOTING; therefore, **HB 188 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HB 189** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HB 189** - AN ACT TO AMEND CHAPTER 83, TITLE 9 OF THE DELAWARE CODE RELATING TO THE VALUATION OF LAND DEVOTED TO AGRICULTURE, HORTICULTURAL OR FOREST USE.

Senator Connor commented. Senator Adams requested the privilege of the floor for Michael McGrath, representing the Department of Agriculture.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Reed) ABSENT; therefore, **HB 189** was declared passed the Senate and returned to the House.

At 5:33 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. May 18, 1995.

The Senate reconvened at 2:09 p.m. May 18, 1995 with Senator Cordrey presiding.

The following committee reports were announced:

From Corrections: **SB 53** - 4 Merits.

From Administrative Services: **SB 115** - 5 Merits; **SB 117** - 5 Merits.

From Judiciary: **SB 151** - 4 Merits; **SB 152** - 4 Merits; **SB 175** - 4 Merits; **HB 113** - 4 Merits.

A communication from Senator Blevins was read requesting that her name be removed as a co-sponsor to **SB 53**.

At 2:15 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 33rd Legislative Day.

### 33RD LEGISLATIVE DAY

May 18, 1995

The Senate convened at 2:15 p.m. with Senator Cordrey presiding.

A prayer was offered by Senator Hauge.

The Pledge of Allegiance to the Flag.

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

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

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

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

### PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

May 18, 1995

The following amendments were introduced and Placed with the bill on May 17, 1995:

**SA 1 to SB 86** - Sponsor: Senator Cordrey.

**SA 2 to HB 54** - Sponsor: Senator Adams.

**SA 1 to HB 141** - Sponsor: Senator Amick.

The following legislation was introduced and assigned to committee on May 18, 1995:

**SB 181** - AN ACT TO AMEND CHAPTER 3, TITLE 18, DELAWARE CODE, RELATING TO THE OFFICE OF THE INSURANCE COMMISSIONER. Sponsors: Senator Blevins and Representative Ulbrich; Senators Sokola, Voshell, Bonini, Reed; Representatives Capano, Maier, Houghton, Scott. To: **Insurance**.

**SB 182** - AN ACT TO AMEND CHAPTER 339, VOLUME 62, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF SMYRNA". Sponsors: Senator Vaughn; Representative B. Ennis. (2/3 vote) To: **Community/County Affairs**.

**SB 183** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE, RELATING TO SCHOOL NURSES. Sponsors: Senator McBride and Representative Fallon; Senators Sokola, Connor; Representative Van Sant. To: **Education**.

**SB 184** - AN ACT TO PAY CERTAIN FUNDS TO FRANK J. CARELLO, JR. FOR HIS SERVICES AS A MEMBER OF THE UNEMPLOYMENT COMPENSATION COMMISSION. To: Senator McBride and Representative Houghton. To: Finance.

\* \* \*

**SB 142** was brought before the Senate for consideration on motion of Senator Adams.

**SB 142** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

A roll call vote was taken and revealed 16 Senators voting YES, 5 (Cook, Henry, McDowell, Sokola, Still) ABSENT; therefore, **SB 142** was declared passed the Senate and sent to the House for consideration.

Senators Amick, Bair, McBride and Reed marked present during the above roll call.

**SB 124** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 124** - AN ACT TO AMEND TITLES 10, 12, 13, AND 19 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT ORDERS.

**SA 1 to SB 124**, 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 17 Senators voting YES, 4 (Cook, Henry, McDowell, Still) ABSENT; therefore, **SA 1 to SB 124** was declared part of the bill.

Senator Sokola marked present during the above roll call.

**SA 2 to SB 124**, 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 17 Senators voting YES, 4 (Cook, Henry, McDowell, Still) ABSENT; therefore, **SA 2 to SB 124** was declared part of the bill.

**SB 124 w/SA 1 & 2** was now before the Senate.

Senator Amick commented. Senator Blevins requested the privilege of the floor for Barbara A. Paulin, representing Child Support Enforcement.

Senator Blevins requested the privilege of the floor for Karryl Hubbard, representing Child Support Enforcement.

Several Senators questioned the witnesses, after which the witnesses were excused.

Senators Cook and Still marked present.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SB 124 w/SA 1 & 2** was declared passed the Senate and sent to the House for consideration.

Senator Henry marked present during the above roll call.

Senator Sharp requested the privilege of the floor for Angela Clemmons, representing the Future Homemakers of America, who in turn introduced Fawn Hollembeak and Dionne Snead, representing Future Farmers of America and DECA, respectively.

The witnesses were excused after addressing the Senate.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 22**.

**HCR 22** was introduced and brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HCR 22** - 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: Representative Petrilli; Representatives Spence, Quillen, George, Gilligan on behalf of all Representatives; Senators Cordrey, Sharp, Marshall, Bair and Connor on behalf of all Senators.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **HCR 22** was declared adopted by the Senate and returned to the House.

At 2:58 p.m. on motion of Senator Sharp, the Senate took a short recess for presentations of geraniums to the Senators.

At 3:01 p.m. the Senate reconvened with Senator Cordrey presiding.

**SB 142** was brought before the Senate for reconsidered on motion of Senator Adams.

The roll call vote on **SB 142** was rescinded on motion of Senator Adams.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SB 142** was declared passed the Senate and sent to the House for consideration.

**SB 131** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 131** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HATE CRIMES.

Senators Amick and Bonini commented. Senator Sharp requested the privilege of John Cordrey, Senate Attorney.

**SB 131** was laid on the table on motion of Senator Sharp.

At 3:15 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

At 3:59 p.m. the Senate reconvened with Senator Cordrey presiding.

The witness, John Cordrey, was still on the floor when the Senate returned.

**SB 131** was lifted from the table and brought before the Senate for consideration on motion of Senator Sharp.

The witness was excused.

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

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

A roll call vote was taken and revealed 17 Senators voting YES, 2 (Bonini, Sorenson) NO, 1 (Amick) NOT VOTING, 1 (McDowell) ABSENT; therefore, **SB 131** was declared passed the Senate and sent to the House for consideration.

**SB 132** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 132** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HATE CRIMES.

**SA 1 to SB 132**, 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 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SA 1 to SB 132** was declared part of the bill.

**SB 132 w/SA 1** was now before the Senate.

Senator Sokola commented. A roll call vote was taken and revealed 19 Senators voting YES, 1 (Bonini) NO, 1 (McDowell) ABSENT; therefore, **SB 132 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**HB 88 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 88 w/HA 1** - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF HINDERING PROSECUTION.

**SA 1 to HB 88**, which had been previously placed with the bill, was stricken on motion of Senator Sharp.

**SA 2 to HB 88**, 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 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SA 2 to HB 88** was declared part of the bill.

**HB 88 w/HA 1 & SA 1** was now before the Senate.

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

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

A roll call vote was taken and revealed 17 Senators voting YES, 1 (Venables) NO, 1 (Henry) NOT VOTING, 2 (Amick, McDowell) ABSENT; therefore, **HB 88 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HB 54 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HB 54 w/HA 1 & 2** - AN ACT TO AMEND TITLE 3 AND TITLE 30 OF THE DELAWARE CODE TO PROVIDE ADDITIONAL BENEFITS TO OWNERS OF REAL PROPERTY WHO PLACE QUALIFYING REAL PROPERTY INTO AGRICULTURAL PRESERVATION DISTRICTS, AND A RECORDING COST EXEMPTION.

**SA 1 to HB 54**, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Adams.

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 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SA 1 to HB 54** was declared part of the bill.

**HB 54 w/HA 1, 2 & SA 1** was now before the Senate.

Senators Hauge 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 19 Senators voting YES, 1 (Hauge) NO, 1 (McDowell) ABSENT; therefore, **HB 54 w/HA 1, 2 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**SB 145** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 145** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO THE DETERMINATION OF LIQUOR LICENSING.

**SA 1 to SB 145** 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 (Cordrey, Still) NOT VOTING, 1 (McDowell) ABSENT; therefore, **SA 1 to SB 145** was declared part of the bill.

**SB 145 w/SA 1** was now before the Senate.

Senator McBride commented. Senator Blevins requested the privilege of the floor for Donna L. Schoenbeck, Esq., representing Prices Corner Liquor, Inc.

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

Senator Blevins requested the privilege of the floor for Donald J. Bowman, representing the Alcoholic Beverage Control Commission.

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

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Amick) NO, 1 (McDowell) ABSENT; therefore, **SB 145 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 97** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 97** - AN ACT TO AMEND CHAPTER 7, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SB 97** was declared passed the Senate and sent to the House for consideration.

**SB 123** was brought before the Senator for consideration on motion of Senator Sokola.

**SB 123** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE REGARDING IDENTIFICATION OF VENDORS, FIRMS, AND SUBCONTRACTORS REPORTING TO THE DIVISION OF REVENUE.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SB 123** was declared passed the Senate and sent to the House for consideration.

**SB 174** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 174** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO REPORTING OF ADJUDICATIONS OF FAMILY COURT TO THE DIVISION OF MOTOR VEHICLES.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SB 174** was declared passed the Senate and sent to the House for consideration.

**SB 44** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 44** - AN ACT TO AMEND TITLE 30, DELAWARE CODE RELATING TO DISBURSEMENT OF THE LODGING TAX.

**SA 1 to SB 44**, 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 (McDowell) ABSENT; therefore, **SA 1 to SB 44** was declared part of the bill.

**SB 44 w/SA 1** was now before the Senate.

Senators Bonini and Still commented. Senator Voshell requested the privilege of the floor for Judy Diogo, representing the Milford Chamber of Commerce.

The witness was excused after addressing the Senate.

Senators Still and McBride commented. A roll call vote was taken on **SB 44 w/SA 1** however, it was tabled before it was announced.

**SB 115** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 115** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO REPORTING TO THE APPLICABILITY OF THE DELAWARE RESPONSIBLE ALCOHOLIC BEVERAGE SERVER TRAINING PROGRAM.

Senator Bonini commented. A roll call vote was taken and revealed 16 Senators voting YES, 4 (Adams, Cordrey, Vaughn, Venables) NO, 1 (McDowell) ABSENT; therefore, **SB 115** was declared passed the Senate and sent to the House for consideration.

**SB 117** was brought before the Senate for consideration on motion of Senator Voshell.

**SB 117** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO A VOLUNTARY ASSESSMENT PLAN.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SB 117** was declared passed the Senate and sent to the House for consideration.

**SENATE CONSENT CALENDAR #6** was brought before the Senate for consideration on motion of Senator McBride. The Calendar contained the following Resolutions:

**SCR 28** - CELEBRATING NATIONAL INTERGENERATIONAL WEEK, MAY 21-27, 1995. Sponsors: Senator Bair; Representative Maroney; Senators Blevins, Henry, Reed.

**SCR 29** - RECOGNIZING THE WINNERS OF THE TEXACO STAR ACADEMIC CHALLENGE, BRANDYWINE HIGH SCHOOL, AS DELAWARE'S 1995 ACADEMIC CHALLENGE CHAMPIONS, BRANDYWINE TEAM MEMBERS KAI-YUH HSIAO, JOSH LEWIS, MARC LIPSCHULTZ AND ANDREW WANG FOR THEIR OUTSTANDING ACADEMIC ACCOMPLISHMENT AND COACH VINCENT M. PRO FOR SUCCESSFULLY INSTRUCTING AND GUIDING THE STUDENTS THROUGHOUT THE COMPETITION. Sponsors: Senator Bair; Representative Cloutier; Senators Hauge, Sorenson, Henry; Representatives D. Ennis, Smith, Brady, Maroney.

A roll call vote on **SENATE CONSENT CALENDAR # 6** was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, the **Senate Consent Calendar** was declared adopted. The Senate Concurrent Resolutions were sent to the House for consideration.

**HCR 21** was brought before the Senate for consideration on motion of the floor manager, Senator Bair.

**HCR 21** - CALLING UPON THE JOINT FINANCE COMMITTEE TO LIMIT THE GROWTH OF ADMINISTRATIVE SPENDING WITHIN THE DEPARTMENT OF PUBLIC INSTRUCTION.

Senator Sharp objected; therefore a roll call on the motion to bring **HCR 21** before the Senate was taken and revealed 9 Senators (Amick, Bair, Bonini, Connor, Hauge, Henry, Reed, Sorenson, Still) YES, 11 NO, 1 (McDowell) ABSENT; therefore, the motion carried.

**SB 188** was introduced and **Laid on the table** on motion of Senator Blevins.

**SB 188** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO UNAUTHORIZED PARKING AT RETAIL STORES OR OTHER COMMERCIAL ESTABLISHMENTS. Sponsors: Senator Blevins and Representative Van Sant.

**SB 169** was stricken on motion of Senator Blevins.

At 5:34 p.m. on motion of Senator Sharp, the Senate recessed until May 30, 1995 at 2:00 p.m. or until the Call of the President Pro Tempore.

The Senate reconvened at 2:20 p.m., May 30, 1995 with Lt. Governor Minner presiding.

Senator McDowell marked present.

A communication from Senator Voshell was read requesting that his name be added as a co-sponsor to **SB 116**. No objection.

The Secretary announced a message from House informing the Senate that it had passed **HB 92 w/HA 2; HB 134; HB 151; HB 161; HB 178 w/HA 1 & 2; SB 60 w/SA 2; SB 13 w/SA 2; SB 61 w/HA 1 & 2; SB 93 w/SA 1 & HA 1**.

The following committee reports were announced:

From Administrative Services: **HB 66 w/HA 1** - 5 Merits; **HB 67** - 5 Merits; **HB 69 w/HA 1 & 2** - 4 Merits.

From Public Safety: **SB 101** - 3 Merits.

From Education: **SB 146** - 5 Merits; **SB 178** - 5 Merits; **SB 179** - 5 Merits.

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

#### **PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION May 24, 1995**

The following amendments were introduced and Placed with the bill on May 18, 1995:

**SA 1 to SB 176** - Sponsor: Senator Blevins.

The following legislation was introduced and assigned to committee on May 24, 1995:

**SB 185** - AN ACT TO AMEND TITLE 18, CHAPTER 69, DELAWARE CODE RELATING TO THE AUTHORITY OF AN ASSOCIATION CAPTIVE INSURANCE COMPANY. Sponsors: Senator Vaughn; Representative D. Ennis. To: **Insurance/Elections**.

**SB 186** - AN ACT TO AMEND CHAPTER 27, TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE CONTRACTS TO REQUIRE THE FILING OF FORMS BY OUT OF STATE INSURERS DOING BUSINESS IN DELAWARE. Sponsors: Senator Vaughn and Representative D. Ennis. To: **Insurance/Elections**.

**SB 187** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE UPDATING THE WILDLIFE LAWS OF THIS STATE AND ESTABLISHING A FINE SCHEDULE. (2/3 vote) Sponsors: Senator McBride and Representative Carey. To: **Natural Resources**.

**SB 189** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO ARBITRATION OF HOMEOWNERS' INSURANCE CLAIMS. Sponsors: Senator Sokola

and Representative Wagner; Senator Blevins; Representatives Cloutier, DiPinto, Ewing, Maroney, Roy, Stone, and Spence. To: Insurance/Elections.

**HB 92 w/HA 2** - AN ACT TO AMEND TITLE 30 AND TITLE 19 OF THE DELAWARE CODE RELATING TO TAX CREDITS AND REDUCTIONS PROVIDING FOR A DELAWARE HEADQUARTERS AND COMMERCIAL RELOCATION ACT. Sponsors: Representative Wagner and D. Ennis and Senators Venables and Hauge; Representatives Petrilli, Quillen, Spence, Buckworth, Boulden, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, Ewing, Fallon, Lee, Lofink, Maier, Maroney, Reynolds, Roy, Smith, Stone, Ulbrich, Welch, Banning, Brady, Bunting, B. Ennis, Gilligan, Jonkiert, Plant, Schroeder, Van Sant, West; Senators Cook, Bair, Bonini, Connor, Henry, Sorenson, Still. To: Revenue/Taxation.

**HB 134** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE. Sponsors: Representatives Reynolds and D. Ennis; Representatives Buckworth, Ewing, Lofink, Mack, Stone, Wagner, Banning, Brady, Houghton, Plant; Senators Marshall, McDowell, Vaughn, Venables, Voshell, Henry, Still. To: Insurance/Elections.

**HB 151** - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATED TO GUARDIANSHIPS. Sponsors: Representative Roy; Representatives Banning, Boulden, Buckworth, Cloutier, DiLiberto; B. Ennis, George, Jonkiert, Lee, Lofink, Petrilli, Plant, Schroeder, Stone, Van Sant, Welch; Senators Sharp, Vaughn, Bair, Amick. To: Judiciary.

**HB 161** - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO 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; Representatives Banning, Boulden, Buckworth, Cloutier, B. Ennis, D. Ennis, George, Gilligan, Houghton, Jonkiert, Lee, Lofink, Mack, Petrilli, Plant, Roy, Schroeder, Stone, Van Sant, Welch; Senators Adams, Amick, Bair, Connor, Cook, Hauge, Henry, Reed, Sorenson, Still, Vaughn. To: Judiciary.

**HB 178 w/HA 1 & 2** - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS. Sponsors: Representatives Gilligan; Representatives Boulden, Buckworth, Bunting, Caulk, Davis, DiPinto, Ewing, Houghton, Jonkiert, Lofink, Mack, Oberle, Reynolds, Roy, Welch, West; Senators Amick, Hauge, Sokola, Voshell. To: Public Safety.

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At 2:22 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 34th Legislative Day.

#### 34TH LEGISLATIVE DAY May 30, 1995

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

A prayer was offered by Senator Henry.

The Pledge of Allegiance to the Flag.

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

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

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

**SB 116** was brought before the Senate for consideration on motion of Senator Sokola.

**SB 116** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY, STATE, AND LOCAL PLANNING EFFORTS.

Senator Sokola requested the privilege of the floor for David S. Hugg, representing the Office of State Planning Coordination.

Several Senators questioned the witness.

Senator McBride marked present.

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

**SA 1 to SB 116** was introduced and brought before the Senate for consideration on motion of Senator Sokola.

Senators Blevins, Cordrey, Venables, Vaughn, Cook and Marshall marked present.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 116** was declared part of the bill.

**SA 2 to SB 116** was introduced and 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 2 to SB 116** was declared part of the bill.

**SB 116 w/SA 1 & 2** was now before the Senate.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 116 w/SA 1 & 2** was declared passed the Senate and sent to the House for consideration.

**SB 188** was lifted from the table and brought before the Senate under the suspension of the necessary rules, on motion of Senator Blevins.

**SB 188** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO UNAUTHORIZED PARKING AT RETAIL STORES OR OTHER COMMERCIAL ESTABLISHMENTS.

A roll call vote was taken and revealed 16 Senators voting YES, 2 (Sharp, Venables) NO, 3 (Reed, Still, Vaughn) NOT VOTING; therefore, **SB 188** was declared passed the Senate and sent to the House for consideration.

A messenger from the Governor was announced and admitted.

**SB 156** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 156** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION DEATH BENEFITS.

Senators Adams and Voshell commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 156** was declared passed the Senate and sent to the House for consideration.

**SB 157** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 157** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION PENALTIES.

Senator Venables commented. A roll call vote was taken and revealed 13 Senators voting YES, 5 (Amick, Bonini, Cordrey, Hauge, Venables) NO, 3 (Bair, Sorenson, Still) NOT VOTING; therefore, **SB 157** was declared passed the Senate and sent to the House for consideration.

Senator Bair requested the privilege of the floor for the introduction of Legislators from Germany and requested the privilege of the floor for Sabine Hamer for Schleswig-Holstein.

The witness was excused after addressing the Senate.

**SCR 30** was introduced and brought before the Senate for consideration on motion of Senator Bair.

**SCR 30** - WELCOMING TO DELAWARE THE DELEGATION OF GERMAN LEGISLATORS DURING THEIR STUDY TOUR OF AMERICAN LEGISLATURES SPONSORED BY THE PARTNERSHIP OF PARLIAMENTS. Sponsors: Senators Bair and Connor; Representatives Roy and D. Ennis.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 30** was declared adopted by the Senate and sent to the House for consideration.

**SB 158** was brought before the Senate for consideration on motion of Senator Marshall.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 158** was declared passed the Senate and sent to the House for consideration.

**SB 159** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 159** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT INSURANCE BENEFITS.

Senator Sokola commented.

**SB 159** was laid on the table on motion of Senator Marshall.

**SB 160** was stricken on motion of Senator Marshall.

**SB 93 w/SA 1 & HA 1**, which was returned from the House with an amendment, was brought before the Senate for reconsideration under the suspension of the necessary rules, on motion of Senator Marshall.

**SB 93 w/SA 1 & HA 1** - 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 93 w/SA 1 & HA 1** was declared passed the Senate and sent to the Governor.

**SB 161** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 161** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES.

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

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 161** was declared passed the Senate and sent to the House for consideration.

**SB 162** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 162** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE COUNCIL ON APPRENTICESHIP AND TRAINING.

Senators Bonini, Amick and McDowell commented. A roll call vote was taken and revealed 10 Senators (Adams, Cook, Cordrey, Henry, Marshall, McBride, McDowell, Sharp, Vaughn, Voshell) voting YES, 10 (Amick, Bair, Blevins, Bonini, Connor, Hauge, Reed, Sokola, Sorenson, Venables) NO, 1 (Still) NOT VOTING; therefore, Lt. Governor Minner was required to cast her vote to break the tie. Lt. Governor Minner voted YES; therefore, **SB 162** was declared passed the Senate and sent to the House for consideration.

**SB 163** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 163** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PREVAILING WAGE.

Senators Venables and Sokola commented. Senator Marshall requested the privilege of the floor for Karen Peterson, representing the Department of Labor.

The witness was excused after addressing the Senate.

Senator Marshall requested the privilege of the floor for Sherrie Schaeffer, Senate Attorney.

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

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

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

A roll call vote was taken and revealed 14 Senators voting YES; 5 (Adams, Bonini, Cordrey, Hauge, Venables) NO, 2 (Bair, Sorenson) NOT VOTING; therefore, **SB 163** was declared passed the Senate and sent to the House for consideration.

At 4:51 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus.

At 5:13 p.m. the Senate reconvened with Lt. Governor Minner presiding.

**SB 164** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 164** - AN ACT TO AMEND TITLE 18 AND TITLE 19 OF THE DELAWARE CODE RELATING TO MAKING SAID TITLES GENDER NEUTRAL.

Senator Adams commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 163** was declared passed the Senate and sent to the House for consideration.

**SB 165** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 165** - AN ACT TO AMEND TITLE 19 AND TITLE 10 OF THE DELAWARE CODE RELATING TO CHILD LABOR.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 165** was declared passed the Senate and sent to the House for consideration.

**SB 166** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 166** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WAGE AND PAYMENT COLLECTION.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 166** was declared passed the Senate and sent to the House for consideration.

**SB 167** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 167** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO DISCRIMINATION IN EMPLOYMENT.

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

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

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Cordrey, Sharp, Venables) NO; therefore, **SB 167** was declared passed the Senate and sent to the House for consideration.

**SB 178** was stricken on motion of Senator Vaughn.

At 5:42 p.m. on motion of Senator Sharp, the Senate recessed until 4:00 p.m. May 31, 1995.

At 4:11 p.m., on May 31, 1995 the Senate reconvened with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 176; HB 53; HB 130 w/HA 1 & 2; HB 143 w/HA 1; HB 126 w/HA 1; HB 250; SCR 30.**

**LEGISLATIVE ADVISORIES #12 through #14** 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 #12**, dated May 24, 1995. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HB #91 AAB HA 1 AND 2, SA 1** (5/18/95) - AN ACT TO AMEND CHAPTERS 27 AND 41, TITLE 21 OF THE DELAWARE CODE RELATING TO UNDERAGE POSSESSION OR CONSUMPTION OF ALCOHOL, DRIVERS' LICENSES, AND RULES OF THE ROAD. (Sponsor: Representative Davis; Representatives Petrilli, Quillen, Buckworth, Capano, Carey, Cloutier, Ewing, Fallon, Maier, Lee, Smith, Wagner, Welch, Bunting, DiLiberto, George, Gilligan, Schroeder, Van Sant) (Volume 70, Chapter 36, Laws of Delaware).

**SB #96** (5/18/95) - AN ACT TO AMEND CHAPTER 27, TITLE 21 RELATING TO CIVIL PENALTIES FOR UNLAWFUL APPLICATION FOR, OR USE OF, A DRIVER'S LICENSE OR IDENTIFICATION CARD. (Sponsor: Sen. Voshell, and Rep. Ewing; Sen. Adams & Blevins; Reps. Buckworth, Maier, Capano, Quillen, Welch, Smith, Fallon, DiPinto, Mack, Cloutier, Davis, George, Van Sant, Gilligan, DiLiberto, Lee, Carey, Petrilli, Reynolds, and Schroeder) (Volume 70, Chapter 37, Laws of Delaware).

**HB #57 AAB HA 2** (5/23/95) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Sponsor: Rep. Oberle; Reps. Buckworth, Davis, Maroney, Roy, Smith, Wagner; Sen. Sokola, Amick, Bair, Sorenson) (Volume 70, Chapter 38, Laws of Delaware).

**HJR #5** (5/23/95) - DESIGNATING AND NAMING THE NEW ROUTE 1 BY-PASS THAT COMMENCES AT DOVER AIR FORCE BASE AND TERMINATES NORTH OF SMYRNA, TOGETHER WITH ANY NEW EXTENSIONS TO BE ADDED IN THE FUTURE, AS THE "KOREAN WAR VETERANS MEMORIAL HIGHWAY". (Sponsor: Reps. Wagner & West & Ewing; Reps. Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, Fallon, George, Houghton, Jonkiert, Lee, Lofink, Mack, Maier, Oberle, Plant, Quillen, Reynolds, Schroeder, Scott, Smith, Spence, Stone, Ulbrich, Van Sant, Welch; Sen. Voshell, Cook, Vaughn, McBride, Venables, Bonini, Still).

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**LEGISLATIVE ADVISORY #13**, dated May 25, 1995. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**HB #110 AAB SA 1** (5/25/95) - AN ACT TO AMEND CHAPTER 81, TITLE 9 OF THE DELAWARE CODE RELATING THE POWER OF THE SUSSEX COUNTY GOVERNMENT TO IMPOSE AND COLLECT A TAX UPON THE PLACEMENT OF A MOBILE HOME. (Sponsor: Rep. Ewing; Reps. Carey, Fallon, Lee, Schroeder; Sen. Adams, Voshell) (Volume 70, Chapter 39, Laws of Delaware).

...

**LEGISLATIVE ADVISORY #14**, dated May 30, 1995. The following legislation was signed by Governor Thomas R. Carper on the date indicated:

**SB #141** (5/26/95) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE TO INCREASE THE JURISDICTION OF THE VIOLENT CRIMES COMPENSATION BOARD. (Sponsor: Sen. Blevins; Rep. Oberle and Rep. Banning) (Volume 70, Chapter 40, Laws of Delaware).

**SB #144** (5/26/95) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE TECHNICAL AND COMMUNITY COLLEGE. (Sponsor: Sen. Adams and Rep. Carey; Sen. Cook, Cordrey, Venables & Voshell; Reps. Bunting, Ewing, Fallon, Lee, Schroeder, & West) (Volume 70, Chapter 41, Laws of Delaware).

**HB #189** (5/26/95) - AN ACT TO AMEND CHAPTER 83, TITLE 9 OF THE DELAWARE CODE RELATING TO THE VALUATION OF LAND DEVOTED TO AGRICULTURE, HORTICULTURAL OR FOREST USE. (Sponsor: Rep. Caulk and Sen. Adams; Reps. Carey, Mack, Bunting, Schroeder; Sen. Cook, Vaughn, Venables, Still, Bonini) (Volume 70, Chapter 42, Laws of Delaware).

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The following committee reports were announced:

From Administrative Services: Correction: **HB 69 w/HA 1 & 2** - 5 Merits.

From Committee to Combat Drug Abuse: **HB 5 w/HA 1** - 3 Merits; **HB 14** - 3 Merits.

From Judiciary: **HB 9 w/HA 1** - 4 Merits; **HB 151** - 5 Merits; **SB 37** - 5 Merits; **SB 38** - 5 Merits; **SB 104** - 5 Merits.

From Corrections: **HB 30** - 4 Merits.

From Insurance and Elections: **HB 134** - 4 Merits; **SB 147** - 4 Merits; **SB 180** - 4 Merits; **SB 186** - 4 Merits; **SB 185** - 4 Merits; **SB 189** - 4 Merits; **HB 38 w/HA 1** - 3 Favorable, 1 Unfavorable.

From Public Safety: **HB 178 w/HA 1 & 2** - 3 Merits.

From Executive: **SB 75** - 4 Merits.

From Natural Resources: **SB 187** - 4 Merits.

From Highways and Transportation: **SJR 6** - 4 Merits.

From Sunset: **SB 176** - 4 Merits.

At 4:15 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 35th Legislative Day.

### 35TH LEGISLATIVE DAY

May 31, 1995

The Senate convened at 4:15 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

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

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

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

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

### PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

May 31, 1995

The following legislation was introduced and assigned to committee on May 30, 1995:

**HB 250** - AN ACT WAIVING THE STATUTORY PROVISIONS OF SECTION 107(A) OF CHAPTER 1, TITLE 13, DELAWARE CODE AS IT RELATES TO THE MARRIAGE OF RON FORRISTAL AND SHELLIE MERSINO, NON-RESIDENTS OF THE STATE OF DELAWARE. Sponsors: Representatives Maroney, Buckworth. To: **Laid on the table.**

**SA 1 to HB 9** - Sponsor: Senator Sharp. Placed with the bill.

**SA 1 to HB 129** - Sponsor: Senator Sharp. Placed with the bill.

The following legislation was introduced and assigned to committee on May 31, 1995:

**SB 190** - AN ACT TO AMEND CHAPTER 39, TITLE 24 OF THE DELAWARE CODE AND CHAPTERS 88 AND 101, TITLE 29 OF THE DELAWARE CODE RELATING TO THE BOARD OF CLINICAL SOCIAL WORK EXAMINERS. (2/3 vote) Sponsors: Senator Blevins and Representative Ulbrich; Senators Sokola, Voshell, Bonini, Reed; Representatives Capano, Maier, Houghton, Scott. To: **Sunset.**

**SB 191** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO REQUISITION/EXTRADITION COSTS. Sponsors: Senator Reed; Senators Amick, Bair, Bonini, Connor, Hauge, Henry, Sorenson, Still, Blevins, Cordrey, Marshall, Sokola, Vaughn, Voshell; Representatives Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Smith, Spence, Stone, Ulbrich, Wagner, Welch, Banning, Brady, Bunting, DiLiberto, B. Ennis, George, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Scott, Van Sant, West. To: **Judiciary.**

**SB 192** - AN ACT TO AMEND CHAPTER 178, VOLUME 69, LAWS OF DELAWARE AND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF COSMETOLOGY AND BARBERING. Sponsors: Senators Blevins and Still; Representative Stone. To: **Sunset.**

**SB 193** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CASUALTY INSURANCE CONTRACTS. Sponsor: Senator Still. To: **Insurance and Elections.**

**SB 194** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE INSURANCE CODE RELATING TO MEDICARE SUPPLEMENT INSURANCE MINIMUM STANDARDS. Sponsors: Senator Blevins and Representative Stone. To: **Health and Social Services.**

**SB 195** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE INSURANCE CODE RELATING TO LONG-TERM CARE INSURANCE. Sponsors: Senator Blevins and Representative Stone. To: **Health and Social Services.**

**SB 196** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE REGARDING NOTIFIABLE DISEASES. Sponsors: Senator Sharp and Representative Spence. To:

**Judiciary.**

**HB 53** - AN ACT TO AMEND SECTION 6903(a)(2), TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTS. Sponsors: Representative Oberle; Senator Marshall. To: **Labor.**

**HB 126 w/HA 1** - AN ACT TO AMEND CHAPTER 2, TITLE 11, DELAWARE CODE, RELATING TO TIME LIMITATIONS FOR CERTAIN OFFENSES. Sponsors: Representative Buckworth; Representative Oberle; Senators Blevins; Sokola. To: **Judiciary.**

**HB 130 w/HA 1 & 2** - AN ACT TO AMEND CHAPTER 60 AND CHAPTER 74, TITLE 7 OF THE DELAWARE CODE RELATING TO STAGE I VAPOR RECOVERY PERMITS. Sponsors: Representative Carey and Senator Venables; Representatives Caulk, Mack, Bunting, Schroeder. To: **Natural Resources.**

**HB 143 w/HA 1** - AN ACT TO AMEND §1321 OF TITLE 11 RELATING TO CRIMES AND CRIMINAL PROCEDURE. Sponsors: Representative Scott; Representatives Banning, Buckworth, DiLiberto, B. Ennis, George, Gilligan, Houghton, Jonkiert, Lee, Lofink, Plant, Van Sant; West; Senators Adams, Blevins, Marshall, Still, Vaughn, Voshell. To: **Judiciary.**

**HB 176** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. Sponsors: Representatives Quillen and Senator Sokola; Representative Spence. To: **Education.**

**SA 1 to SB 146** - Sponsor: Senator Bair. Placed with the bill.

The following letters of nomination from the Governor were assigned to the **Executive** Committee:

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR

May 30, 1995

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

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

**Ms. Phyllis McKinley**, 35 Chatham Court, Dover, Delaware 19901, to be reappointed to the Solid Waste Authority for a three-year term.

Your consideration of this nomination is appreciated.

Sincerely,  
(Signed) Thomas R. Carper  
Governor

\* \* \*

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR

May 30, 1995

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

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

**Muriel E. Gilman**, 17 Woodbrook Circle, Wilmington, Delaware 19810, to be reappointed to the Consumer Affairs Appeal Board for a four year term.

Your consideration of this nomination is appreciated.

Sincerely,  
(Signed) Thomas R. Carper

Governor  
\* \* \*  
STATE OF DELAWARE  
OFFICE OF THE GOVERNOR

May 30, 1995

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

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:  
**Dr. Arthur A. Sloane**, 812 Berkeley Road, Wilmington, Delaware 19807, to be reappointed to the Public Employment Relations Board for a six-year term.

Your consideration of this nomination is appreciated.

Sincerely,  
(Signed) Thomas R. Carper  
Governor

\* \* \*  
STATE OF DELAWARE  
OFFICE OF THE GOVERNOR

May 30, 1995

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

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:  
**Mr. Saxton Lambertson**, 2352 Central Church Road, Dover, Delaware 19901, to be reappointed to the Violent Crimes Compensation Board for a three year term.

Your consideration of this nomination is appreciated.

Sincerely,  
(Signed) Thomas R. Carper  
Governor

\* \* \*  
STATE OF DELAWARE  
OFFICE OF THE GOVERNOR

May 30, 1995

To the Senate of the 138th 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:

**Mr. Hudson E. Gruwell**  
R.D. #4  
Dover, DE 19901

Appointed as a member of the Board of  
Trustees of the University of Delaware  
for a term to expire December 15, 1995.

**Mr. Richard B. Taylor**  
45 Frederick Drive  
Dover, DE 19901

Appointed as a member of the Board of  
Trustees of the University of Delaware  
for a term to expire December 15, 1995.

**Mr. Donald J. Lynch**

Appointed as a member of the Board of

R.D. #2, Box 186A  
Selbyville, DE 19975

Trustees of the University of Delaware  
for a term to expire May 18, 1997.

**Mr. John E. Burris**  
714 North Shore Drive  
Milford, DE 19963

Appointed as a member of the Board of  
Trustees of the University of Delaware  
for a term to expire May 18, 1997.

**Mr. Harold C. Thompson**  
3 Suffolk Road  
Rehoboth Beach, DE 19971

Appointed as a member of the Board of  
Trustees of the University of Delaware  
for a term to expire May 24, 1997.

**Mr. Edward G. Jefferson**  
312 Centennial Circle  
Wilmington, DE 19807

Appointed as a member of the Board of  
Trustees of the University of Delaware  
for a term to expire December 13, 1997.

**Mr. Andrew B. Kirkpatrick, Jr.**  
9 Barley Mill Drive  
Wilmington, DE 19807

Appointed as a member of the Board of  
Trustees of the University of Delaware  
for a term to expire December 18, 1997.

**Mr. Robert F. Rider**  
P.O. Box 397  
Bridgeville, DE 19933

Appointed as member of the Board of  
Trustees of the University of Delaware  
for a term to expire December 18, 1997.

**Mr. Sherman L. Townsend**  
539 Pennsylvania Avenue  
Dover, DE 19901

Appointed as a member of the Board of  
Trustees of the University of Delaware  
for a term to expire May 18, 2000.

These are not gubernatorial appointments.

Your consideration of these nominations is appreciated.

Sincerely,  
(Signed) Thomas R. Carper  
Governor

\* \* \*

**HB 250** was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Sharp, the floor manager.

**HB 250** - AN ACT WAIVING THE STATUTORY PROVISIONS OF SECTION 107(A) OF CHAPTER 1, TITLE 13, DELAWARE CODE AS IT RELATES TO THE MARRIAGE OF RON FORRISTAL AND SHELLIE MERSINO, NON-RESIDENTS OF THE STATE OF DELAWARE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 250** was declared passed the Senate and returned to the House.

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

**SB 159** was lifted from the table and brought before the Senate for consideration on motion of Senator Marshall.

**SB 159** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT INSURANCE BENEFITS.

Senator Venables commented. Senator Marshall requested the privilege of the floor for Tom MacPherson, representing the Department of Labor.

The witness was excused. A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cordrey, Venables) NO; therefore, **SB 159** was declared passed the Senate and sent to the House for consideration.

**SB 168** was **Laid on the table** on motion of Senator Marshall.

**SB 168** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION BENEFITS.

**SB 172** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 172** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAXES. (3/5 vote)

Senator Marshall requested the privilege of the floor for William Remington, representing the Division of Revenue.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 172** was declared passed the Senate and sent to the House for consideration.

**SB 170** was brought before the Senate for consideration on motion of Senator Adams.

**SB 170** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE CHIEF DUE PROCESS.

Senator Marshall commented. Senator Adams requested the privilege of the floor for Martin E. Johnson, representing the Delaware Police Chief's Council.

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

A roll call vote was taken on **SB 170** however; it was table before it was announced.

**SJR 11** was brought before the Senate for consideration on motion of Senator Connor.

**SJR 11** - REQUIRING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO PREPARE AND SUBMIT A PLAN AND AN ESTIMATE OF ASSOCIATED COSTS TO EXPAND EXISTING MONITORING AND ANALYSIS PROGRAMS AND TO DEVELOP NEW PROGRAMS TO MONITOR AND ANALYZE THE ENVIRONMENT AND THE POPULATION TO BETTER UNDERSTAND THE INTERACTION BETWEEN ENVIRONMENTAL TOXICANTS AND PUBLIC HEALTH.

Senator Connor requested the privilege of the floor for Christophe A. G. Tulou, representing the Department of Natural Resources and Environmental Control and Charles Konigsberg, M. D., representing the Department of Health and Social Services.

Several Senators questioned the witnesses, after which the witnesses were excused.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Hauge, Reed) NO, 1 (Still) NOT VOTING; therefore, **SJR 11** was declared passed the Senate and sent to the House for consideration.

**HB 102** was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

**HB 102** - AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO THE PLACEMENT OF LEGAL NOTICES FOR ACTIVITIES PERMITTED BY THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **HB 102** was declared passed the Senate and returned to the House.

**HB 128 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

**HB 128 w/HA 1 & 2** - AN ACT TO AMEND CHAPTER 9 OF TITLE 7 OF THE DELAWARE CODE RELATING TO SIZE LIMITS FOR WHITE PERCH. (2/3 vote)

Senator Henry commented. Senator McBride requested the privilege of the floor for John Baker, representing the Department of Natural Resources and Environmental Control.

The witness was excused. A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) NO; therefore, **HB 128 w/HA 1 & 2** was declared passed the Senate and returned to the House.

**HB 129 w/HA 2** was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

**HB 129 w/HA 2** - AN ACT TO AMEND CHAPTER 9 OF TITLE 7 OF THE DELAWARE CODE RELATING TO COMMERCIAL FOOD FISHING LICENSES.

**SA 1 to HB 129**, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Bair.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 129** was declared part of the bill.

**HB 129 w/HA 2 & SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 129 w/HA 2 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HB 154 w/HA 1 & 2** was brought before the Senate for consideration on motion of Senator Voshell, the floor manager.

**HB 154 w/HA 1 & 2** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS LICENSES. (2/3 vote)

Senators Cordrey, Still and Reed requested that their names be added as co-sponsors.

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

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

A roll call vote was taken on **HB 154 w/HA 1 & 2** however; it was tabled before it was announced.

At 5:59 p.m. on motion of Senator Sharp, the Senate recessed until 3:00 p.m. June 1, 1995.  
At 3:05 p.m., June 1, 1995 the Senate reconvened with Senator Cordrey presiding.  
A communication from the President Pro Tempore's Office was read.

SENATE  
STATE OF DELAWARE

June 1, 1995

TO: Members of the Senate of the 138th General Assembly  
FROM: Senator Richard S. Cordrey, President Pro Tempore  
RE: Appointment to Intergovernmental Planning and Coordination

As per the power invested in me with 29 DC 9102, I hereby appoint:

Senator Thurman G. Adams  
Post Office Box 367  
Bridgeville, DE 19933

to serve as a member of the Advisory Panel on Intergovernmental Planning and Coordination.

\* \* \*

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

**PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION**  
**June 1, 1995**

The following legislation was introduced and assigned to committee on May 31, 1995:

**SB 197** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO PROPERTY INSURANCE CONTRACTS. Sponsors: Senator McDowell; Representatives Banning, Buckworth, Quillen. To: **Insurance and Elections**.

**SB 198** - AN ACT TO REINCORPORATE THE TOWN OF FELTON. 2/3 VOTE Sponsors: Senator Cook and Representative Quillen. To: **Community/County Affairs**.

**SB 199** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE SALE OF TIMBER AND THE DISPOSITION OF THE PROCEEDS. Sponsors: Senator Cordrey and Representatives Bunting and West. To: **Executive**.

**SA 1 to HB 92** - Sponsor: Senator Amick. Placed with the bill.

The following legislation was introduced and assigned to committee on June 1, 1995:

**SA 1 to SB 53** - Sponsor: Senator Voshell. Placed with the bill.

**SA 1 to SB 128** - Sponsor: Senator Blevins. Placed with the bill.

**SA 1 to HB 66** - Sponsor: Senator Cook. Placed with the bill.

**SB 201** - AN ACT TO AMEND CHAPTER 23, TITLE 18, DELAWARE CODE, RELATING TO UNFAIR INSURANCE PRACTICES. Sponsors: Senator Vaughn. To: **Insurance and Elections**.

**SB 202** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE INDUSTRIAL ACCIDENT BOARD. Sponsors: Senator Venables; Senators Adams, Cook, Vaughn, Marshall, Voshell; Representatives Davis, Ewing, West, Schroeder, Bunting, Lee, Carey, Oberle. To: **Insurance and Elections**.

**SB 203** - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF MEDICAL PRACTICE. Sponsors: Senator Blevins and Representative Ulbrich; Senators Sokola, Voshell, Bonini, Reed; Representatives Capano, Maier, Houghton, Scott. To: **Health and Social Services**.

\* \* \*

At 3:08 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 36th Legislative Day.

**36TH LEGISLATIVE DAY**  
**June 1, 1995**

The Senate convened at 3:08 p.m. with Senator Cordrey presiding.

A prayer was offered by Senator Sharp.

The Pledge of Allegiance to the Flag.

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

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

Senator Hauge marked present.

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

**SB 128** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 128** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE UNFAIR INSURANCE PRACTICE OF DISCRIMINATION BY INSURANCE COMPANIES BASED ON AN INDIVIDUAL'S STATUS AS A VICTIM OF DOMESTIC VIOLENCE.

**SA 1 to SB 128**, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Blevins.

Senator Reed marked present.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Adams, Bonini) ABSENT; therefore, **SA 1 to SB 128** was declared part of the bill.

**SB 128 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Adams) ABSENT; therefore, **SB 128 w/SA 1** was declared passed the Senate and sent to the House for consideration.

Lt. Governor Minner presiding at 3:16 p.m. during the above roll call.

Senator Bonini marked present during the above roll call.

Senator Marshall requested the privilege of the floor for the introduction of Ms. Ethel Lucas who was celebrating her 100th birthday. Senator Marshall also introduced some members of Ms. Lucas' family and presented Ms. Lucas with a Senate tribute.

**HB 66 w/HA 1** was **Laid on the table** on motion of the floor manager, Senator Cook.

**HB 66 w/HA 1** - AN ACT TO AMEND TITLES 16 AND 26 OF THE DELAWARE CODE RELATING TO THE REGULATION OF PUBLIC WATER SUPPLIERS. (2/3 vote).

**HB 67** was **Laid on the table** on motion of the floor manager, Senator Cook.

**HB 67** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE PUBLIC SERVICE COMMISSION'S BILLING PROCEDURES FOR CABLE TELEVISION SYSTEMS. (3/5 vote)

**HB 69 w/HA 1 & 2** was brought before the Senate for consideration on motion of Senator Cook, the floor manager.

**HB 69 w/HA 1 & 2** - AN ACT TO AMEND TITLES 26 AND 29 OF THE DELAWARE CODE RELATING TO THE REGULATION OF PUBLIC UTILITIES.

Senator Cook requested the privilege of the floor for Dr. R.J. McMahon, representing the Public Service Commission.

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

The witness was recalled to the floor on motion of Senator Cook.

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

Senator McDowell rose to explain his reasons for how he's going to vote.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) NOT VOTING; therefore, **HB 69 w/HA 1 & 2** was declared passed the Senate and returned to the House.

**HB 66 w/HA 1** was lifted from the table and brought before the Senate for consideration, under the suspension of the necessary rules on motion of the floor manager, Senator Cook.

**SA 1 to HB 66**, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Cook.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 66** was declared part of the bill.

**HB 66 w/HA 1 & SA 1** was now before the Senate.



A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 66 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**HB 67** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Cook.

Senator Cook requested the privilege of the floor for Rick Geisenberger, representing the Governor's office.

Senator McBride 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, **HB 67** was declared passed the Senate and returned to the House.

**SB 151** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 151** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE TO PROVIDE FOR VOLUNTARY ALTERNATIVE DISPUTE RESOLUTION.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 151** was declared passed the Senate and sent to the House for consideration.

**SB 175** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 175** - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 vote)

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 175** was declared passed the Senate and sent to the House for consideration.

**HB 113** was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

**HB 113** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE BY CREATING THE OFFENSE OF HOME IMPROVEMENT FRAUD. (2/3 vote)

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 113** was declared passed the Senate and returned to the House.

Senator Sokola was granted the personal privilege of the floor for the introduction of his parents.

**SB 146** was brought before the Senate for consideration on motion of Senator Bair.

**SB 146** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CHILD SAFE SCHOOL ZONES.

**SA 1 to SB 146**, 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 21 Senators voting YES; therefore, **SA 1 to SB 146** was declared part of the bill.

**SB 146 w/SA 1** was now before the Senate.

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

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

Mr. Wallace was recalled as a witness.

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

**SB 146 w/SA 1** was laid on the table on motion of Senator Bair.

**SB 168** was lifted from the table and brought before the Senate for consideration on motion of Senator Marshall.

**SB 168** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION BENEFITS.

**SA 1 to SB 168**, 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 21 Senators voting YES; therefore, **SA 1 to SB 168** was declared part of the bill.

**SB 168 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 168 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 101** was brought before the Senate for consideration on motion of Senator Bair.

**SB 101** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF SPECIAL REGISTRATION PLATES. (3/5 vote)

Senator Sharp commented.

Senator Still requested that his named be added as a co-sponsor.

Senators Bonini and Marshall commented.

Senator Hauge raised a point of order.

Senator Reed requested that her name be added as a co-sponsor.

Senator Venables commented. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) NO; therefore, **SB 101** was declared passed the Senate and sent to the House for consideration.

**SB 61 w/SA 1, w/HA 1 & 2**, which was returned from the House with amendments, was brought before the Senate for reconsideration on motion of Senator Blevins.

**SB 61 w/SA 1, w/HA 1 & 2** - AN ACT TO AMEND CHAPTER 35, TITLE 24 OF THE DELAWARE CODE RELATING TO PSYCHOLOGY.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 61 w/SA 1, w/HA 1 & 2** was declared passed the Senate and sent to the Governor.

**SJR 6** was brought before the Senate for consideration on motion of Senator Connor.

**SJR 6** - ESTABLISHING A TASK FORCE TO CONSIDER THE FEASIBILITY OF BUSINESS LOGO SIGNS ON DELAWARE HIGHWAYS.

Senator McDowell commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SJR 6** was declared passed the Senate and sent to the House for consideration.

**HB 19 w/HA 6 & 8** was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

**HB 19 w/HA 6 & 8** - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES; AND PROVIDING FOR PROHIBITIONS AGAINST TICKET SCALPING.

Senators McBride, Marshall and Amick commented.

**HB 19 w/HA 6 & 8** was laid on the table on motion of the floor manager, Senator Sharp.

**HB 36** was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

**HB 36** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOBILE RETAIL BUSINESSES. (2/3 vote)

**SA 1 to HB 36**, which had been previously placed with the bill, was brought before the Senate for consideration on motion of Senator Amick.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 36** was declared part of the bill.

**HB 36 w/SA 1** was now before the Senate.

Several Senators commented. A roll call vote was taken on **HB 36 w/SA 1** however; it was tabled before it was announced.

**HB 19 w/HA 6 & 8** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

Several Senators commented. Senator Sharp moved to lay the bill on the table.

**HB 52** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 52** - AN ACT TO AMEND TITLE 11 DELAWARE CODE, RELATING TO TRADING IN HUMAN REMAINS AND ASSOCIATED FUNERARY OBJECTS. (2/3 vote)

Several Senators commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 52** was declared passed the Senate and returned to the House.

**HB 105** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 105** - AN ACT TO AMEND SUBCHAPTER VI, CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION.

Senator Sokola commented. A roll call vote was taken and revealed 19 Senators voting YES, 1 (McDowell) NO, 1 (Cook) ABSENT; therefore, **HB 105** was declared passed the Senate and returned to the House.

**SCR 31** was introduced and brought before the Senate for consideration on motion of Senator Still.

**SCR 31** - EXTENDING CONGRATULATIONS AND BEST WISHES TO DEREK D. PARRA OF DOVER, DELAWARE ON HIS ACHIEVEMENTS IN THE PAN AN GAMES. Sponsors: Senators Still, Bonini, Cook; Representatives Wagner, Welch and Stone.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 31** was declared adopted by the Senate and sent to the House for consideration.

**SB 204** was introduced and brought before the Senate for consideration on motion of Senator Vaughn, under the suspension of the necessary rules.

**SB 204** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO SHELLFISH LICENSES. Sponsors: Senator Vaughn; Senators Sharp, McBride, Still; Representatives Spence, Oberle.

Senator Still commented. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 204** was declared passed the Senate and sent to the House for consideration.

**SB 136, SB 137** and **SB 138** were stricken on motion of Senator Adams.

At 5:41 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. June 6, 1995.

The Senate reconvened June 6, 1995 at 2:10 p.m. with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **SCR 28; SCR 29; HB 156; HB 103 w/HA 1; HB 177 w/HA 1, 2 & 3; HB 87 w/HA 1; HB 171 w/HA 1; HB 112 w/HA 1.**

**LEGISLATIVE ADVISORY #15** 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 #15**, dated June 1, 1995. Governor Thomas R. Carper signed the following legislation on the date indicated:

**SB #60 AAB SA 2** (6/1/95) - AN ACT TO AMEND CHAPTER 31 AND CHAPTER 33, TITLE 19, OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (Sponsors: Senator Marshall and Representative Oberle) (Volume 70, Chapter 43, Laws of Delaware).

**SB #13 AAB SA 2** (6/1/95) - AN ACT TO AMEND CHAPTER 68, TITLE 9, DELAWARE CODE REGARDING THE MEMBERSHIP OF THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION. (Sponsor: Sen. Voshell, Sens. Adams, Cordrey, Venables, Reps. Bunting, Schroeder, Carey, West, Ewing, Fallon, Lee) (Volume 70, Chapter 44, Laws of Delaware).

**HB #250** (6/1/95) - AN ACT WAIVING THE STATUTORY PROVISIONS OF SECTION 107(A) OF CHAPTER 1, TITLE 13, DELAWARE CODE AS IT RELATES TO THE MARRIAGE OF RON FORRISTAL AND SHELLIE MERSINO, NON-RESIDENTS OF THE STATE OF DELAWARE. (Sponsor: Rep. Maroney, Buckworth) (Volume 70, Chapter 45, Laws of Delaware).

\* \* \*

The following committee report was announce:

From Community/County Affairs: **SB 198** - 5 Merits.

At 2:10 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 37th Legislative Day.

### 37TH LEGISLATIVE DAY

June 6, 1995

The Senate convened at 2:10 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

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

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

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

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

### PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION

June 6, 1995

The following amendments were introduced and Placed with the bill on June 1, 1995:

**SA 2 to SB 176** - Sponsor: Senator Blevins.

**SA 1 to SB 177** - Sponsor: Senators Sharp.

**SA 1 to HB 178** - Sponsor: Senator Voshell.

The following legislation was introduced and assigned to committee on June 6, 1995:

**SB 205** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO VOLUNTARY ASSESSMENTS. Sponsors: Senator Adams; Senators Bair, Sharp, Vaughn, Voshell; Representatives Ewing and Spence. To: **Public Safety**.

**SB 207** - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS, AND TO AMEND SECTION 379 OF TITLE 8 OF THE DELAWARE CODE RELATING TO BANKING POWERS. (2/3 vote) Sponsors: Senator Cordrey; Senators Adams, Marshall, Sharp, Sokola, Bair, Connor and Sorenson and Representatives Capano, DiPinto, D. Ennis, Petrilli, Smith, Spence, Stone, George, Houghton, Jonkiert. To: **Banking**.

**HB 87 w/HA 1** - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO ENHANCED PENALTIES FOR OFFENSES OF THEFT COMMITTED AGAINST SENIOR CITIZENS. Sponsors: Representatives Scott, Banning, Brady, Bunting, Capano, DiLiberto, DiPinto, b. Ennis, Ewing, George, Gilligan, Houghton, Jonkiert, Plant, Quillen, Schroeder, Ulbrich, Van Sant, West; Senators Adams, Henry, Sorenson, Vaughn, Voshell. To: **Judiciary**.

**HB 103 w/HA 1** - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL, DIVISION OF FISH & WILDLIFE, TO ISSUE A COMMERCIAL GILL NET FOODFISHING PERMIT TO ANDREW M. HICKMAN, AGE 85, OF DAGSBORO, DELAWARE WHO IS PRESENTLY PROHIBITED FROM OBTAINING A PERMIT UNDER DELAWARE FINISHING STATUTES. Sponsors: Representative West; Representatives Plant, Banning, Scott, Bunting, B. Ennis, Brady, Houghton, George, Gilligan, Spence, Smith, Buckworth, D. Ennis, Reynolds, Mack, Lee; Senators Adams, Cordrey, Sharp, Blevins, Venables, McBride, Vaughn, Marshall, Still, Amick, Sorenson, Bair, Hauge, Bonini, Henry. To: **Natural Resources**.

**HB 112 w/HA 1** - AN ACT TO AMEND CHAPTER 1, TITLE 17, DELAWARE CODE RELATING TO SALE OF REAL PROPERTY. Sponsors: Representative Smith and Senator Voshell; Senator Bair. To: **Highways/Transportation**.

**HB 156** - AN ACT TO AMEND CHAPTER 18, TITLE 7, DELAWARE CODE, RELATING TO EEL FISHING. (2/3 vote) Sponsors: Representative Carey and Senator McBride; Representatives Bunting, Schroeder; Senator Venables. To: **Natural Resources**.

**HB 171 w/HA 1** - AN ACT TO AMEND TITLE 11, DELAWARE CODE, RELATING TO CRIMES AND CRIMINAL PROCEDURE. (2/3 vote) Sponsors: Representative Spence and Senators Sharp, Sokola; Representatives Boulden, Buckworth, Carey, Cloutier, Davis, DiPinto, Ewing, Mack, Stone, Wagner, Brady, Bunting, Jonkiert, Plant, Van Sant; Senators Adams, Vaughn, Voshell, Connor, Hauge, Still. To: **Judiciary**.

**HB 177 w/HA 1, 2 & 3** - AN ACT TO AMEND TITLE 2, DELAWARE CODE, BY ADDING THERETO A NEW CHAPTER AUTHORIZING A PUBLIC-PRIVATE INITIATIVES PROGRAM IN TRANSPORTATION AND ESTABLISHING A REVOLVING LOAN FUND TO FINANCE SUCH PROGRAM. (3/4 vote) Sponsors: Representatives Roy and Lofink and Schroeder and Senators Venables and Voshell and Cook and Amick. To: **Highways/Transportation**.

\* \* \*

Senator Vaughn requested the personal privilege of the floor for an introduction for Jennifer Pase, 1995 Delaware Junior Miss 1995.

A tribute to Miss Pase was read.

**HB 121** was brought before the Senate for consideration on motion of Senator Sharp, the floor manager.

**HB 121** - AN ACT TO AMEND TITLE 11 AND TITLE 14 OF THE DELAWARE CODE RELATING TO ARREST WITHOUT WARRANT AND TO REPORTING OF CRIMINAL ACTIVITY ON SCHOOL PROPERTY.

Senators Venables, Sokola and Bonini commented. A roll call vote was taken and revealed 19 Senators voting YES, 1 (Venables) NO, 1 (Still) NOT VOTING; therefore, **HB 121** was declared passed the Senate and returned to the House.

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

**SS 1 to SB 9** was brought before the Senate for consideration on motion of Senator McBride.

**SS 1 to SB 9** - AN ACT TO AMEND CHAPTER 21, TITLE 21, OF THE DELAWARE CODE RELATING TO SPECIAL ANIMAL WELFARE LICENSE PLATES. (3/5 vote)

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SS 1 to SB 9** was declared passed the Senate and sent to the House for consideration.

Senator McDowell requested the personal privilege of the floor to comment on Motor Vehicle license plates.

**HB 178 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**HB 178 w/HA 1 & 2** - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS.

**HB 178 w/HA 1 & 2** was laid on the table on motion of Senator Voshell.

**SB 147** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 147** - AN ACT TO AMEND CHAPTER 23, TITLE 12, DELAWARE CODE, RELATING TO THE EFFECT OF MANSLAUGHTER OR MURDER ON INTESTATE SUCCESSION, WILLS, JOINT ASSETS, LIFE INSURANCE AND BENEFICIARY DESIGNATIONS.

Senator Vaughn requested the privilege of the floor for Mary M. Culley, representing the Delaware State Bar Association.

The witness was excused. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 147** was declared passed the Senate and sent to the House for consideration.

**SB 180** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 180** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE INVESTMENTS OF DOMESTIC INSURERS.

Senator Vaughn requested the privilege of the floor for Michael Houghton, representing the New York Life Insurance Company.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 180** was declared passed the Senate and sent to the House for consideration.

**SB 208** was introduced and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Vaughn.

**SB 208** - AN ACT TO AMEND TITLE 18, CHAPTER 69 OF THE DELAWARE CODE RELATING TO THE AUTHORITY OF AN ASSOCIATION OR INDUSTRIAL INSURED CAPTIVE INSURANCE COMPANY. Sponsors: Senator Vaughn; Representative D. Ennis.

Senator Vaughn requested the privilege of the floor for David S. Swayze, representing Nuclear Electric Insurance, Ltd.

The witness was excused. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 208** was declared passed the Senate and sent to the House for consideration.

**SB 185** was stricken on motion of Senator Vaughn.

**SB 186** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 186** - AN ACT TO AMEND CHAPTER 27, TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE CONTRACTS TO REQUIRE THE FILING OF FORMS BY OUT OF STATE INSURERS DOING BUSINESS IN DELAWARE.

**SB 186** was laid on the table on motion of Senator Vaughn.

**SB 37** was brought before the Senate for consideration on motion of Senator Sorenson.

**SB 37** - AN ACT TO AMEND CHAPTER 21, TITLE 13 OF THE DELAWARE CODE RELATING TO THE DOMESTIC VIOLENCE COORDINATING COUNCIL.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 37** was declared passed the Senate and sent to the House for consideration.

**SB 38** was brought before the Senate for consideration on motion of Senator Sorenson.

**SB 38** - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO ASSAULT IN THE SECOND DEGREE.

Senator Cordrey commented. Senator Sorenson requested the privilege of the floor for Rosemary Killian, representing the Department of Justice.

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

A roll call vote was taken and revealed 18 Senators voting YES, 2 (McDowell, Venables) NO, 1 (Cook) ABSENT; therefore, **SB 38** was declared passed the Senate and sent to the House for consideration.

Senator Bonini was granted the privilege of the floor for the introduction of former Representative Edward J. Bennett, who was seated in the chamber.

**SB 186** was lifted from the table and brought before the Senate for consideration, on motion of Senator Vaughn.

Senator Vaughn requested the privilege of the floor for Edward J. Bennett, representing the Delaware Health Care Commission.

The witness was excused. A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 186** was declared passed the Senate and sent to the House for consideration.

A messenger from the Governor was announced and admitted.

**HB 178 w/HA 1 & 2** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

**SA 1 to HB 178**, 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 Paul Wallace, representing the Attorney General's office.

Senators Sharp and Venables questioned the witness, after which the witness was excused. A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) NO; therefore, **SA 1 to HB 178** was declared part of the bill.

**HB 178 w/HA 1, 2 & SA 1** was now before the Senate.

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

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

A roll call vote was taken and revealed 12 Senators voting YES, 8 (Adams, Bonini, Marshall, McDowell, Sharp, Still, Vaughn, Venables) NO, 1 (Cordrey) ABSENT; therefore, **HB 178 w/HA 1, 2 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

**SB 75** was brought before the Senate for consideration on motion of Senator Henry.

**SB 75** - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO §2, ARTICLE X OF THE DELAWARE CONSTITUTION RELATING TO ELIMINATING THE UNCONSTITUTIONAL REQUIREMENT OF RACIALLY SEGREGATED SCHOOLS.

Senator Bonini requested that his name be added as a co-sponsor.

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

At 4:00 p.m. the Senate recessed for Party Caucus on motion of Senator Sharp.

At 4:40 p.m. the Senate reconvened with Lt. Governor Minner presiding.

**SB 176** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 176** - AN ACT TO AMEND TITLE 24, CHAPTER 17 OF THE DELAWARE CODE RELATING TO THE BOARD OF MEDICAL PRACTICE. (2/3 vote)

**SA 1 to SB 176**, which had been previously placed with the bill, was stricken on motion of Senator Blevins.

**SA 2 to SB 176**, 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 (Marshall, Sharp) ABSENT; therefore, **SA 2 to SB 176** was declared part of the bill.

**SB 176 w/SA 2** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 176 w/SA 2** was declared passed the Senate and sent to the House for consideration.

**SB 104** was brought before the Senate for consideration on motion of Senator Amick.

**SB 104** - AN ACT TO AMEND TITLE 13 OF THE 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.

Senators Venables and Cordrey commented.

Senator Sokola requested that his name be added as a co-sponsor.

Senators Sharp and Cordrey commented.

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

The witness was excused after addressing the Senate.

Senator McDowell commented. A roll call vote was taken and revealed 13 Senators voting YES, 7 (Adams, Cook, Cordrey, Marshall, McDowell, Sharp, Vaughn) NO, 1 (McBride) NOT VOTING; therefore, **SB 104** was declared passed the Senate and sent to the House for consideration.

**SB 187** was brought before the Senate for consideration on motion of Senator McBride.

**SB 187** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE UPDATING THE WILDLIFE LAWS OF THIS STATE AND ESTABLISHING A FINE SCHEDULE.

A roll call vote on **SB 187** was taken, however; it was table before it was announced.

**SB 189** was brought before the Senate for consideration on motion of Senator Sokola.

**SB 189** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO ARBITRATION OF HOMEOWNERS' INSURANCE CLAIMS.

**SA 1 to SB 189** was brought before the Senate for consideration on motion of Senator Sokola.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 189** was declared part of the bill.

**SB 189 w/SA 1** was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 189 w/SA 1** was declared passed the Senate and sent to the House for consideration.

**SB 210** was introduced and placed in the **Health and Social Services** Committee.

**SB 210** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FAMILY PRESERVATION SERVICES. Sponsor: Senator Blevins and Representative Maroney.

**SB 200** was introduced and placed in the **Education** Committee.

**SB 200** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS. Sponsor: Senator Sokola; Senators Reed; Representatives DiPinto, Gilligan; Senators Cordrey, Sharp, Marshall, Blevins, Amick, Bair, Bonini, Connor, Hauge, Henry, Sorenson, Still; Representatives Boulden, Capano, Carey, Caulk, Cloutier, Lofink, Maier, Maroney, Petrilli, Quillen, Roy, Smith, Stone, Ulbrich.

Senator McDowell requested that **SB 210** be reassigned to the **Children, Youth and Families** Committee.

Senator Blevins objected and Senator McDowell withdrew his request.

At 5:20 p.m. on motion of Senator Sharp, the Senate recessed until 4:00 p.m. June 7, 1995.

The Senate reconvened June 7, 1995 at 4:20 p.m. with Senator Cordrey presiding.

The Secretary announced a message from the informing the Senate that it had passed **HB 251; SB 102 w/SA 1 & 4; SCR 31; HB 227 w/HA 1; HS 1 for HB 79 w/HA 1, 2, 3 & 4.**

The following committee reports were announced:

From Insurance and Elections: **SB 202** - 5 Merits; **SB 197** - 5 Merits; **SB 201** - 4 Merits; **SB 212** - 5 Merits.

From Public Safety: **SB 205** - 3 Merits.

From Banking: **SB 207** - 5 Merits.

From Natural Resources: **SB 211** - 1 Favorable, 3 Merits; **HB 103 w/HA 1** - 4 Merits; **HB 130 w/HA 1 & 2** - 4 Merits; **HB 156** - 4 Merits.

From Community/County Affairs: **SB 182** - 3 Merits.

From Education: **HB 176** - 4 Merits.

Lt. Governor Minner presiding at 4:26 p.m.

A communication to the Office of Senator Cordrey from Russell W. Peterson was read.

June 3, 1995

The Honorable Richard S. Cordrey  
President Pro Tem  
Delaware State Senate

Dear Senator Cordrey,

Thank you and your colleagues in the State Senate for the passage of **Senate Resolution 13** on the occasion of my receiving The Good Government Award from the Civic League of New Castle. It was a warm and generous laudation which I appreciated very much.

Respectfully and warmly,

(Signed) Russ Peterson

\* \* \*

At 4:27 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 38th Legislative Day.

### **38TH LEGISLATIVE DAY June 7, 1995**

The Senate convened at 4:27 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Sharp.

The Pledge of Allegiance to the Flag.

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

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

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

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

**PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION**  
**June 7, 1995**

The following legislation was introduced and assigned to committee on June 6, 1995:

**SS 1 to SB 69** - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS PROJECTS. Sponsors: Senator Venables, Senator Cordrey. To: **Laid on the Table.**

**SB 206** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REQUIREMENT THAT TELEPHONE CALLS TO PUBLICLY LISTED STATE AGENCY TELEPHONE NUMBERS BE ANSWERED BY A PERSON. Sponsors: Senator Vaughn; Representatives DiPinto and Van Sant. To: **Administrative Services.**

**SB 209** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PAROLE. Sponsors: Senator Sorenson; Senators Bair, Amick, Reed, Henry, Blevins, Vaughn, Sokola; Representatives Capano, Ewing, Maier, Roy, DiLiberto. To: **Corrections.**

**SB 211** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO RADIOACTIVE WASTE. Sponsors: Senator McBride and Representative Mack. To: **Natural Resources.**

**HS 1 for HB 79 w/HA 1, 2, 3 & 4** - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF THE DELAWARE CENTER FOR EDUCATIONAL TECHNOLOGY. Sponsors: Representative Petrilli and Senator Sharp; Representatives Quillen, Spence, Boulden, Buckworth, Capano, Carey, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Roy, Smith, Stone, Ulbrich, Wagner, Banning, Brady, DiLiberto, B. Ennis, George, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Scott, Van Sant; Senators McBride, Sokola, Vaughn, Voshell, Bair, Bonini, Connor, Henry, Reed, Sorenson. To: **Education.**

The following amendments were introduced and Placed with the bill on June 6, 1995:

**SA 1 to SB 70** - Sponsor: Senator Blevins.

**SA 2 to SB 146** - Sponsor: Senator McDowell.

**SA 3 to SB 146** - Sponsor: Senator Bair.

**SA 1 to SB 181** - Sponsor: Senator Blevins.

The following legislation was introduced and assigned to committee on June 7, 1995:

**SS 1 for SB 34** - 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; Senators Adams, Bair, Connor, Cordrey, Henry, Marshall, Sharp, Sokola, Still and Vaughn; Representatives Spence Maroney, Ewing, Jonkiert. To: **Adopted in lieu of the original.**

**SB 212** - AN ACT TO AMEND CHAPTER 21, TITLE 19, DELAWARE CODE RELATED TO ATTORNEYS FEES. Sponsors: Senators Vaughn, Sharp, McBride; Representatives Oberle, Spence, Welch. To: **Insurance and Elections.**

**HB 251** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO THE EMPLOYMENT OF WELFARE RECIPIENTS. Sponsors: Representative Maroney and Senators Bair, Henry, Blevins; Senator McDowell. To: **Health/Social Services.**

**HB 227 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF CORRECTION. Sponsors: Representative Ulbrich; Representatives Spence, Petrilli, Boulden, Buckworth, Capano, Carey, Cloutier, Ewing, Lee, Lofink, Maier, Oberle, Reynolds, Roy, Smith, Stone, Welch, Bunting, Houghton; Senator Blevins. To: **Corrections.**

The following letters of nomination by the Governor were read and placed in the **Executive** Committee:

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR



June 6, 1995

To the Senate of the 138th 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 a member of the Board:

**Maria Barriocanal**, 64 North Shore Drive, Seaford, DE 19973, to be reappointed as a member of the Board of Trustees of the University of Delaware for a term to expire May 23, 1996.

This is not a gubernatorial appointment.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR

June 6, 1995

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

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

**William L. Boddy, III**, 9 Elizabeth Street, Milford, Delaware 19963, to be reappointed as a Justice of the Peace for Sussex County for a four-year term.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR

June 6, 1995

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

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

**Vaughn L. Callaway**, R.D. #4, Box 131, Milton, Delaware 19968, to be reappointed to the Sussex County Board of Elections for a four-year term.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR

June 6, 1995

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

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:  
**Paul G. Clark**, 118 Stature Drive, Newark, Delaware 19713, to be appointed to the New Castle County Board of Elections for a term to expire June 22, 1997, to replace Judith Gallagher, who resigned.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR

June 6, 1995

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

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:  
**John Cordrey**, 206 Grammar Avenue, Georgetown, Delaware 19947, to be reappointed Chairman of the Tax Appeals Board for a three-year term.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR

June 6, 1995

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

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:  
**Elizabeth D. Elliot**, P.O. Box 212, Delmar, Delaware 19940, to be reappointed to the Sussex County Board of Elections for a four-year term.

Your consideration of this nomination is appreciated.

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

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR

June 6, 1995

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