

**HCR 21** - Calling Upon the Joint Finance Committee to Limit the Growth of Administrative Spending Within the Department of Public Instruction.

Representative West moved to place **HCR 21** on the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Fallon made a comment.

Representative Plant was granted personal privilege of the floor for the introduction of a guest.

Representative Plant made comments.

Representative DiPinto requested and was granted the privilege of the floor for Sharon Railing, Tina Wiggins-Bembry & Monica Light, representing Sarcoidosis Resource Center of Delaware, Inc., who addressed the House & received House Tributes.

Representatives Oberle & Smith requested that they be marked present.

The Reading Clerk read the following communications into the record:

#### MEMORANDUM

TO: SPEAKER OF THE HOUSE, TERRY R. SPENCE  
 FROM: REPRESENTATIVE JEFFREY G. MACK  
 RE: ABSENCE FROM SESSION, MAY 16, 1995  
 DATE: MAY 16, 1995  
 CC: CHIEF CLERK, JOANN HEDRICK

Please be advised that due to personal business, I will be absent from session today, May 16, 1995.  
 HOUSE TRIBUTE ANNOUNCEMENT #24

DATE: May 16, 1995

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor  | Presentation Date | Type | Description                                                          |
|----------|----------|-------------------|------|----------------------------------------------------------------------|
| H138-385 | Oberle   | 5/09/95           | T    | Bonnie Mucha/Citizenship Award/<br>Christina Board of Education      |
| H138-386 | Roy      | 6/03/95           | T    | Nicholas Cohen/Eagle Scout                                           |
| H138-387 | Maier    | 5/09/95           | T    | Frances Quayle/Contributions<br>/Oklahoma City Disaster Aid          |
| H138-388 | Gilligan | 5/12/95           | T    | Pete & Lorraine Peterson/50th<br>Wedding Anniversary                 |
| H138-389 | Banning  | 5/09/95           | T    | Frank Henry/Elected Town Council<br>/Townsend                        |
| H138-390 | Banning  | 5/09/95           | T    | Ms. Kaye Roscoe/Elected Town<br>Council/Townsend                     |
| H138-391 | Banning  | 5/09/95           | T    | Sue Clark/Elected Town Council/<br>Townsend                          |
| H138-392 | West     | 5/05/95           | T    | Mr. E.E. Carey, Jr./50 Years of<br>Active Service/Millsboro Fire Co. |
| H138-393 | Reynolds | 5/18/95           | T    | Adelina Kostova/Visit to First State                                 |
| H138-394 | Reynolds | 5/18/95           | T    | Dragomir Mladenov/Visit to First<br>State                            |
| H138-395 | Reynolds | 5/18/95           | T    | Radoslav Tsonchev/Visit to First<br>State                            |
| H138-396 | Reynolds | 5/18/95           | T    | Velizar Bakalov/Visit to First State                                 |
| H138-397 | Reynolds | 5/18/95           | T    | Svetlana Alexandrova/Visit to First<br>State                         |
| H138-399 | B. Ennis | 5/13/95           | T    | Alice R. Hohman/65th Birthday                                        |
| H138-400 | B. Ennis | 4/29/95           | T    | Amanda Masten/Memorial Award/<br>Smyrna/Clayton Little Lass League   |
| H138-401 | B. Ennis | 5/06/95           | T    | Christ Merrill/Memorial Award/<br>Smyrna Clayton Little League       |
| H138-402 | Fallon   | 5/06/95           | T    | Suzanne Marie Dressler & Thomas<br>Allen Brown, II/Marriage          |
| H138-403 | Stone    | 5/05/95           | M    | Margaret M. "Peg" Stallings                                          |

T - Tribute

M - Memoriam

Representative DiPinto introduced and brought **HR 27** before the House for consideration.

**HR 27** - Commending the Sarcoidosis Resource Center of Delaware for Their Efforts to Educate the Public About and Bring Relief to Those Suffering From the Debilitating Disease Sarcoidosis.

**HR 27** was adopted by voice vote.

Representative Jonkiert requested that he be marked present.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: **SB 144**.

The Majority Leader moved to recess for caucus at 2:45 p.m.

The House reconvened at 5:05 p.m.

Representatives Brady, Schroeder & Reynolds requested that they be marked present.

Representative West requested and was granted the privilege of the floor for Letitia Pusey, Miss Delaware, 1995 & presented her with a House Tribute.

Representative Bunting introduced a guest.

32nd LEGISLATIVE DAY  
138th GENERAL ASSEMBLY  
First Session  
May 17, 1995

Mr. Speaker Spence called the House to order at 2:18 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: SB 102 w/SA 1 & 4.

The Majority Leader moved to adjourn at 2:19 p.m., thereby ending the current Legislative Day. The House reconvened at 2:20 p.m.

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Pamela S. Maier, Twenty-First Representative District.

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

The minutes of the previous Legislative Day were approved as posted.

The following prefiled legislation was introduced:

HB 236 - REYNOLDS, SPENCE, CAULK, DAVIS, DIPINTO, MACK, OBERLE, STONE, BUNTING, GILLIGAN; SENATORS MCBRIDE, SOKOLA, CONNOR, REED, SORENSON, STILL - ED: An Act to Amend Title 14 of the Delaware Code by Adding Thereto a New Chapter 42 Relating to the Establishment of Community-Based Alternative Schools for Disruptive Students.

HB 237 - SMITH & SENATOR CORDREY; REPRESENTATIVES PETRILLI, BOULDEN, CAPANO, DIPINTO, EWING, ULBRICH; SENATORS ADAMS, BAIR, BONINI - JUD: An Act to Amend Part V, Title 10 of the Delaware Code Relating to Punitive Damages.

HB 238 - SCHROEDER, BANNING, BRADY, BUNTING, DAVIS, GEORGE, GILLIGAN, HOUGHTON, STONE, VANSANT; SENATORS ADAMS, BLEVINS, MARSHALL - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Crimes and Criminal Procedure.

HB 239 - SCHROEDER, BUNTING, CAREY, CAULK, MACK; SENATORS AMICK, BAIR, VOSHELL - NAT RES: An Act to Amend Title 23 of the Delaware Code Relating to Boating Safety.

HJR 9 - SPENCE, PETRILLI; SENATORS SORENSON, MCBRIDE - H/ADM: Urging the Establishment of a State Athletic Commission, and Providing for an Athletic Commission Study Committee.

HR 28 - WELCH, WAGNER, ROY, DIPINTO, B. ENNIS, JONKIERT - RULES: Relating to Permanent Rules of the House of Representatives of the 138th General Assembly of the State of Delaware.

HA 1 to HB 81 - BANNING - DEFERRED: Placed with the bill.

HA 1 to HB 103 - SCHROEDER - NAT RES: Placed with the bill.

HA 2 to HB 130 - CAREY - AGENDA: Placed with the bill.

HA 1 to HB 159 - B. ENNIS - P/S: Placed with the bill.

SB 102 w/SA 1 & 4 - BLEVINS & REPRESENTATIVE MARONEY; SENATOR CORDREY & REPRESENTATIVE SPENCE; SENATORS ADAMS, AMICK, BAIR, BONINI, CONNOR, COOK, HAUGE, REED, SOKOLA, SORENSON, STILL, VENABLES, VOSHELL; REPRESENTATIVES BANNING, BRADY, DILIBERTO, B. ENNIS, GEORGE, GILLIGAN, HOUGHTON, JONKIERT, VANSANT, MAIER, DAVIS, LOFINK, DIPINTO, CAPANO, OBERLE, ULBRICH, EWING - HEALTH & HUM DEV: An Act to Amend Title 31 of the Delaware Code Relating to Welfare Reform. (F/N)

SB 144 - ADAMS & REPRESENTATIVE CAREY; SENATORS CORDREY, COOK, VENABLES & VOSHELL; REPRESENTATIVES BUNTING, EWING, FALLON, SCHROEDER, LEE & WEST - ED: An Act to Amend Title 14 of the Delaware Code Relating to the Delaware Technical and Community College.

HA 1 to SB 61 - MARONEY - AGENDA: Placed with the bill.

HA 2 to SB 61 - DAVIS - AGENDA: Placed with the bill.

Representative West moved to lift HCR 21 from the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative West brought HCR 21, jointly sponsored by Senator Still & Representatives Smith, 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, Venables & Voshell, before the House for consideration.

HCR 21 - Calling Upon the Joint Finance Committee to Limit the Growth of Administrative Spending Within the Department of Public Instruction.

HCR 21 was adopted by voice vote and sent to the Senate for concurrence.

Representative Roy requested that he be marked present.

Representative Fallon was granted the privilege of the floor for the introduction of guests.

Representative Fallon requested and was granted the privilege of the floor for Dr. Julian R. Taplin, Director, Division of Child Mental Health Services.

Representatives Ulbrich, Lofink, Jonkiert, Scott, Caulk, DiPinto & Gilligan requested that they be marked present.

Mr. Speaker Spence introduced guests.

Representative Davis moved to restore HB 122. The motion was seconded by Representative Quillen and adopted by voice vote.

HB 122 - An Act to Amend Title 21, Chapter 42 of the Delaware Code Relating to Accidents Involving Motor Vehicles and Reporting Limits.

Representative Ewing moved to place HB 122 on the Speaker's table. The motion was seconded by Representative Davis and adopted by voice vote.

Representatives D. Ennis, Brady, Plant & Schroeder requested that they be marked present.

Representatives Cloutier & Jonkiert made comments.

Representative Plant was granted personal privilege of the floor for a comment.

The Reading Clerk read the following communication into the record:

#### HOUSE TRIBUTE ANNOUNCEMENT #25

DATE: May 17, 1995

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor            | Presentation Date | Type | Description                                                                       |
|----------|--------------------|-------------------|------|-----------------------------------------------------------------------------------|
| H138-404 | Wagner             | 6/03/95           | T    | Paula Burchenal & Scott Pokorny/<br>Marriage                                      |
| H138-405 | Wagner             | 5/27/95           | T    | Erin Elizabeth Kingery & James<br>Earl White, Jr./Marriage                        |
| H138-406 | Wagner             | 6/10/95           | T    | Carey McDaniel & Michael Scott<br>Koppenhaver/Marriage                            |
| H138-407 | Fallon             | 5/06/95           | M    | Randy Messick                                                                     |
| H138-408 | Fallon             | 5/11/95           | T    | John Manlove/Ralph Helm Fellow-<br>ship Award                                     |
| H138-409 | Fallon             | 5/11/95           | T    | Ron Allen/Ralph Helm Fellowship<br>Award                                          |
| H138-410 | Fallon             | 5/11/95           | T    | Rex Mears/Ralph Helm Fellow-<br>ship Award                                        |
| H138-411 | Fallon             | 5/11/95           | T    | Chad Manlove/All American Trap<br>Shooting Team                                   |
| H138-412 | D. Ennis           | 5/17/95           | T    | Ladislav Bednar/Slovak Republic/<br>Soros Foundation Intern/Treasurer's<br>Office |
| H138-413 | Wagner             | 5/11/95           | T    | Mildred B. Nelson/Hon. Grand<br>Dame/Old Dover Days                               |
|          | cosponsor: Stone   |                   |      |                                                                                   |
| H138-414 | Lee                | 5/11/95           | T    | Johnny Janosik/Laurel's '95 Citizen<br>of Year                                    |
| H138-415 | Gilligan           | 5/23/95           | T    | Michael J. Capriglione, New-<br>port Police/Public Servant of Yr.                 |
|          | cosponsor: VanSant |                   |      | Kiwanis Club                                                                      |
| H138-416 | DiPinto            | 5/16/95           | T    | Sharon Railing/Support for Victims<br>of Sarcoidosis                              |
| H138-417 | DiPinto            | 5/16/95           | T    | Tina Wiggins Bernbry/Founding<br>Sarcoidosis Resource Center of DE                |
| H138-418 | Welch              | 3/01/95           | T    | Margaret W. King/98th Birthday                                                    |
| H138-419 | Welch              | 5/16/95           | T    | Robin W. Smith/Smyrna High<br>School Teacher of Year                              |
| H138-420 | Welch              | 3/19/95           | T    | Ashley M. Callahan/4th Grade/DE<br>Spelling Bee                                   |

T - Tribute

M - Memoriam

Representative Petrilli deferred to Representative Carey.

Representative Carey moved to suspend the rules which interfere with action on SB 144. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Carey brought SB 144, jointly sponsored by Senators Adams, Cook, Cordrey, Venables & Voshell & Representatives Bunting, Ewing, Fallon, Lee, Schroeder & West & cosponsored by Senator Cook, before the House for consideration.

SB 144 - An Act to Amend Title 14 of the Delaware Code Relating to the Delaware Technical and Community College.

Representative Carey made comments.

Representative George requested that he be marked present.

Representatives George, Fallon, Bunting, Quillen, D. Ennis, Brady, West, Fallon & Carey made comments.

Representatives Mack, Lee & Reynolds requested that they be marked present.

The roll call on SB 144 was taken and revealed:

YES: 39.

ABSENT: Representatives DiLiberto, B. Ennis - 2.

Therefore, having received a constitutional majority, SB 144 was returned to the Senate.

Representatives Bunting, DiPinto, Fallon, Wagner, Reynolds, Gilligan & Ulbrich made comments.

Representative Cloutier introduced guests.

Representatives George, Plant, Fallon & West were granted personal privilege of the floor for comments.

Representative DiLiberto requested that he be marked present.

The Majority Leader moved to recess for committee meetings at 3:11 p.m.

The House reconvened at 5:25 p.m.

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

NAT RES: HB 103 - 3M,1U; SB 98 - 4M; SB 126 w/SA 1 - 4M.

CORR: HB 203 - 6M; HB 227 - 6M; SB 88 - 6M.

HEALTH & HUM DEV: HB 217 - 6M.

R & F: HB 216 - 5F,2M; HB 231 - 4F,3M.

H/ADM: HB 114 - 4M; HB 162 - 3M; HB 215 - 5M; HB 235 - 4M; SS 1/SB 4 - 5M; SB 90 - 5M.

APPRO: HB 92 - 5M; HB 179 - 5M.

RULES: HR 28 - 6M.

P/S: HB 194 - 5M; HB 198 - 5M.

LABOR: HB 197 - 1F,3M; HB 230 - 4M; SB 93 w/SA 1 - 4M; SB 118 - 1F,3M.

ED: HS 1/HB 79 - 6M; HB 221 - 7M; HB 224 - 5M; SB 65 w/SA 2 - 5M.

Representative B. Ennis requested that he be marked present.

Mr. Speaker Spence introduced a guest.

The Majority Leader moved to recess to the call of the Chair at 5:30 p.m.

33rd LEGISLATIVE DAY  
138th GENERAL ASSEMBLY  
First Session  
May 18, 1995

Mr. Speaker Spence called the House to order at 2:18 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that is has passed: SB 140, SB 120, SB 121, SB 122, SB 135, SB 143 w/SA 1, HB 188 w/SA 1 & HB 189.

The Majority Whip moved to adjourn at 2:19 p.m., thereby ending the current Legislative Day. The House reconvened at 2:20 p.m.

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Wayne A. Smith, Seventh Representative District.

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

The minutes of the previous Legislative Day were approved as posted.

The following prefiled legislation was introduced:

HB 240 - D. ENNIS & SENATOR VAUGHN - ECON DEV, B & I: An Act to Amend Chapter 35, Title 18 of the Delaware Code Relating to Group Health Insurance.

HB 241 - MACK - NAT RES: An Act to Amend Titles 7, 11, 18, 23 and 29 of the Delaware Code Relating to the Enforcement Personnel of the Department of Natural Resources and Environmental Control.

HB 242 - CAULK & SENATOR BONINI; REPRESENTATIVES SPENCE, BUCKWORTH, CAREY, DAVIS, LEE, LOFINK, WELCH, BANNING, BRADY, B. ENNIS - NAT RES: An Act to Amend Title 7, Delaware Code Relating to Well Drillers. (2/3 bill)

HA 1 to HB 104 - OBERLE - ED: Placed with the bill.

HA 1 to HB 177 - ROY - AGENDA: Placed with the bill.

SB 120 - ADAMS & REPRESENTATIVE CAULK; SENATORS VENABLES, VAUGHN, COOK, STILL & BONINI; REPRESENTATIVES CAREY, MACK, BUNTING & SCHROEDER - AG & FP & A: An Act to Amend Title 3, of the Delaware Code Relating to Dealers in Agricultural Products. (2/3 bill)

SB 121 - ADAMS & REPRESENTATIVE CAULK; SENATORS VENABLES, VAUGHN, COOK, STILL & BONINI; REPRESENTATIVES CAREY, MACK, BUNTING & SCHROEDER - AG & FPA & A: An Act to Amend Title 3, of the Delaware Code Relating to the Powers and Duties of the Department of Agriculture.

SB 122 - ADAMS & REPRESENTATIVE CAULK; SENATORS VENABLES, VAUGHN, COOK, STILL & BONINI; REPRESENTATIVES CAREY, MACK, BUNTING & SCHROEDER - AG & FP & A: An Act to Amend Title 3 of the Delaware Code Relating to the Powers of the Department of Agriculture.

SB 132 w/SA 1 - SHARP, SOKOLA, VAUGHN; REPRESENTATIVES SPENCE, OBERLE - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Hate Crimes. (2/3 bill)(F/N)

SB 142 - ADAMS & REPRESENTATIVE OBERLE; SENATORS CORDREY, SHARP; REPRESENTATIVE EWING - LABOR: An Act to Amend Title 19 of the Delaware Code Relating to Unemployment Compensation.

SB 145 w/SA 1 - BLEVINS; REPRESENTATIVE CAPANO - SM BUS: An Act to Amend Title 4 of the Delaware Code Relating to the Determination of Liquor Licensing.

SB 174 - VOSHELL & REPRESENTATIVE EWING - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Reporting of Adjudications of Family Court to the Division of Motor Vehicles.

Mr. Speaker assigned HB 224 to the Appropriations Committee.

Representative Quillen requested that HB 77 be stricken.

Representative Maroney moved to suspend the rules which interfere with introduction of and action on HB 250. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Maroney introduced and brought HB 250, jointly sponsored by Representative Buckworth, before the House for consideration.

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.

Representative Maroney moved to place HB 250 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representatives Brady & Buckworth requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:26 p.m.

The House reconvened at 4:44 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 116 w/SA 1 & 2, SB 188, SB 156, SB 157, SB 158 & SCR 30.

May 24, 1995

#### LEGISLATIVE ADVISORY #12

The following legislation was signed by Governor Thomas R. Carper on the dates indicated: 5/18/95 - HB 91 aab HA 1 & 2 & SA 1 & SB 96. 5/23/95 - HB 57 aab HA 2 & HJR 5.

May 25, 1995

#### LEGISLATIVE ADVISORY #13

The following legislation was signed by Governor Thomas R. Carper on the date indicated: 5/25/95 - HB 110 aab SA 1.

May 30, 1995

#### LEGISLATIVE ADVISORY #14

The following legislation was signed by Governor Thomas R. Carper on the date indicated: 5/26/95 - SB 141, SB 144 & HB 189.

Representatives Davis, D. Ennis & Jonkiert requested that they be marked present.

Representative Roy requested and was granted the privilege of the floor for Sabine Hamer, Delegation Leader, German Legislators.

Representative D. Ennis presented House Tributes to Members of the Delegation & Speaker Spence presented gifts.

Representative Roy introduced and brought SCR 30, jointly sponsored by Senators Bair & Connor & Representative D. Ennis, before the House for consideration.

SCR 30 - Welcoming to Delaware the Delegation of German Legislators During Their Study Tour of American Legislatures Sponsored by the Partnership of Parliaments.

SCR 30 was adopted by voice vote and returned to the Senate.

The House observed a moment of silence for Memorial Day at the request of Representative Bunting.

Representatives Reynolds, George & Mack requested that they be marked present.

Representative Mack made an announcement.

Representative Petrilli deferred to Representative Carey.

Representative Carey made comments.

Representative Carey brought HB 54 w/HA 1 & 2 & SA 1, jointly sponsored by Representative Bunting & 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, before the House for concurrence on SA 1.

HB 54 - 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. (F/N)

The roll call on HB 54 w/HA 1 & 2 & SA 1 was taken and revealed: