

Therefore, the motion prevailed and SR 50 was assigned to Executive Committee.

At 1:35 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 50th Legislative Day.

50TH LEGISLATIVE DAY
June 26, 1979

The Senate convened at 1:35 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

On motion of Senator Adams, the Governor's nomination for appointment of Thomas W. Hutson, Jr. was taken up for consideration and the roll call vote taken which revealed 17 Senators voting YES and 4 (Hale, Holloway, Kearns and Littleton) ABSENT; therefore, the appointment was declared confirmed.

Senators Hughes, Cook and Kearns marked PRESENT.

On motion of Senator Adams, the Governor's nomination for appointment of William L. Jones was taken up for consideration and the roll call vote taken which revealed:

YES: Senators Arnold, Berndt, Knox, Weiss - 4.

NO: Senators Adams, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, McCullough, McDowell, Murphy, Sharp, Spence, Zimmerman - 13.

NOT VOTING: Senators Marshall and Martin - 2.

ABSENT: Senators Hale and Littleton - 2.

Therefore, the appointment failed for confirmation.

SB 245 was taken up for consideration on motion of Senator Holloway:

SB 245 - AN ACT TO AMEND TITLE 10 AND 31, DELAWARE CODE, FOR THE PURPOSE OF CREATING A FOSTER CHILD REVIEW BOARD AND ESTABLISHING A SYSTEM OF CITIZEN AND COURT REVIEW OF FOSTER CHILD CARE.

SA 1 and SA 1 to SA 1 to the Bill were stricken at the request of the sponsor, Senator McDowell.

SA 2, SA 3 and SA 4 to the Bill were stricken at the request of the sponsor, Senator Holloway.

SA 1 to SA 5 was taken up for consideration on motion of Senator Holloway and the roll call vote taken which revealed 17 Senators voting YES and 4 (Arnold, Hale, Littleton, Marshall) ABSENT; therefore, the Amendment was declared adopted.

SA 5 as amended by SA 1 was then considered for adoption on motion of Senator Holloway and the roll call vote taken which revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Hughes, Kearns, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Zimmerman - 13.

NOT VOTING: Senators Arnold, Berndt, Knox, Littleton, Spence, Weiss - 6.

ABSENT: Senators Cicione and Hale - 2.

Therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Jane S. Erisman (Junior League of Wilmington, Inc.).

Senator Hale marked PRESENT.

Consideration of the Bill was interrupted for a short period for the introduction of HJR 22 and the presentation of Ann Lorraine Harrington, Miss Delaware of 1979, to the Senate.

HJR 22 - CONGRATULATING ANN LORRAINE HARRINGTON, OF MILFORD, UPON HER SELECTION AS MISS DELAWARE AT THE ANNUAL PAGEANT ON JUNE 16, 1979. Sponsors: Representatives Burris, Harrington, McKay, Riddagh, Sincok, Powell, Smith, Gordy, Minner, Cain, Clendaniel, Darling, Ferguson, T. Brady, George, Gilligan, Jonkiert, Kelly, Matushefske, Maxwell, Morris, Ambrosino, Plant, Connor, Hebner, Roy; Senators Adams, Murphy, Zimmerman, Cordrey.

The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (McCullough) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SB 245 w SA 5 as amended by SA 1 was again taken up for consideration on motion of Senator Holloway.

The privilege of the floor was extended to Secretary Patricia C. Schramm, Secretary of the Department of Health and Social Services.

SA 6 to the Bill which had been placed with the Bill was deferred for consideration on motion of the sponsor, Senator Knox.

The roll call vote on SB 245 w SA 5 as Amended by SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 3:22 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:13 p.m., Lt. Governor McGinnis presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 127 and SB 255.

Under suspension of the necessary rules, SJR 23 was lifted from the table for consideration on motion of Senator Cordrey:

SJR 23 - REVISING THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR THE FISCAL YEAR ENDING JUNE 30, 1979.

The roll call vote on the Resolution was taken and revealed 16 Senators voting YES and 5 (Cicione, Hale, Holloway, Kearns and Murphy) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

Under suspension of the necessary rules, SJR 24 was lifted from the table for consideration on motion of Senator Cordrey:

SJR 24 - ESTABLISHING THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR THE FISCAL YEAR ENDING JUNE 30, 1980, AND UNENCUMBERED FUNDS ON JUNE 30, 1979.

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

Senator Arnold moved that the necessary rules be suspended in order to lay SB 95 on the table; however, there was an objection and the Senator withdrew his motion.

HCR 78 was introduced and considered for adoption on motion of Senator Adams:

HCR 78 - REQUESTING THE SECRETARY OF TRANSPORTATION AND THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO STRIVE FOR NATIONAL UNIFORM TRUCK LENGTH AND WEIGHT LAWS. Sponsors: Representatives Gordy and Minner; Senator Adams.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Holloway and McCullough) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

Senator Spence moved that the necessary rules be suspended in order to lay SCR 8 on the table. The roll call vote on the motion was taken and revealed:

YES: Senators Arnold, Berndt, Cicione, Hale, Hughes, Knox, Littleton, McCullough, Spence, Weiss - 10.

NO: Senators Adams, Cook, Cordrey, Holloway, Kearns, Marshall, Martin, McDowell, Murphy, Sharp, Zimmerman - 11.

Therefore, the motion was defeated.

SB 264 was taken up for consideration on motion of Senator Berndt:

SB 264 - AN ACT TO AMEND PART IV, TITLE 12 OF THE DELAWARE CODE BY STRIKING THE PRESENT CHAPTER 45 ENTITLED "UNIFORM GIFTS TO MINORS ACT" AND BY SUBSTITUTING A NEW CHAPTER 45 ENTITLED "UNIFORM GIFTS TO MINORS ACT" IN LIEU THEREOF.

SA 1 to the Bill was introduced by Senator Berndt and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES and 3 (Marshall, McCullough and Spence) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 264 w SA 1 was then taken and revealed 19 Senators voting YES, 1 (Zimmerman) NOT VOTING, and 1 (McCullough) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senator Littleton marked PRESENT.

SB 351 was reported out the the Education Committee: 2 Favorable, 4 Merits.

SB 351 was taken up for consideration on motion of Senator Littleton.

SB 351 - AN ACT TO AMEND CHAPTER 41, TITLE 14 OF THE DELAWARE CODE RELATING TO INSURANCE REQUIREMENTS FOR STUDENTS PARTICIPATING IN SCHOLASTIC ATHLETIC PROGRAMS.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 1 (Zimmerman) voting NO, 1 (Kearns) NOT VOTING, and 1 (Hale) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 225 was taken up for consideration on motion of Senator Hughes:

SB 225 - AN ACT TO AMEND SECTION 4123, CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLES FOLLOWING ANOTHER VEHICLE TOO CLOSELY.

The following letter was read and is made part of this record at the request of Senator Hughes:

DEPARTMENT OF PUBLIC SAFETY
DIVISION OF STATE POLICE
DOVER, DELAWARE
June 25, 1979

The Honorable Charles E. Hughes
1406 Lincoln Avenue
Wilmington, Delaware

Dear Senator Hughes:

I am writing in support of your sponsorship of Senate Bill 225 as amended, which deals with increasing the penalties of Section 4123 of Title 21, as it pertains to vehicles following too closely.

Since the implementation of the 55 MPH speed limit and due to the current energy situation, there has been a dramatic down sizing of passenger vehicles, while the size of trucks and buses has remained the same. Drivers of these vehicles are often intimidated when followed by much larger sized vehicles causing them to increase their speed to escape this intimidation.

An increase in the penalties should have a deterrent effect on drivers who commit these violations.

On behalf of the Division of State Police I wish to thank you for your interest in highway safety.

Very truly yours,
Colonel Norman V. Cochran
Superintendent

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SB 225 was then laid on the table on further motion of Senator Hughes.

HJR 20 was reported out of the Community Affairs Committee: 5 Merits.

On motion of Senator Hale, the necessary rules were suspended for consideration of HJR 20:

HJR 20 - DIRECTING THE DEPARTMENT OF COMMUNITY AFFAIRS AND ECONOMIC DEVELOPMENT TO STUDY THE WAYS IN WHICH THE STATE OF DELAWARE MAY ENCOURAGE AND PROMOTE THE ESTABLISHMENT OF GENERAL STOCK OWNERSHIP PLANS AND EMPLOYEE STOCK OWNERSHIP PLANS.

The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

On motion of Senator Knox, the necessary rules were suspended for consideration of HB 61:

HB 61 - AN ACT TO AMEND CHAPTER 5, TITLE 11, DELAWARE CODE RELATING TO THE DEFINITION OF PUBLIC SERVANT.

The privilege of the floor was extended to Tom Sandbach, Senate Attorney, after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES, and 1 (McCullough) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 259 was taken up for consideration on motion of Senator Cordrey:

SB 259 - AN ACT TO AMEND CHAPTER 1, TITLE 23 OF THE DELAWARE CODE, RELATING TO DELAWARE BAY AND RIVER PILOTS.

The roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 133 was taken up for consideration on motion of Senator Sharp:

SB 133 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO EDWARD C. SOBOLEWSKI, A FORMER EMPLOYEE OF THE UNIVERSITY OF DELAWARE. APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND AUTHORIZED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES, 3 (Arnold, Cordrey and Weiss) voting NO, and 1 (Spence) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 383 w HA 2 was reported out the of Executive Committee: 6 Merits.

On motion of Senator McCullough, the necessary rules were suspended for consideration of HB 383 w HA 2:

HB 383 w HA 2 - AN ACT TO AMEND CHAPTER 55, PART V, TITLE 29 OF THE DELAWARE CODE, RELATING TO THE STATE EMPLOYEES' PENSION PLAN; AND PROVIDING PENSION RIGHTS FOR CERTAIN OLDER STATE EMPLOYEES.

The roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 225 was lifted from the table on motion of Senator Hughes.

SA 1 to SA 2 to the Bill was introduced by Senator Hughes and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Spence) ABSENT; therefore, the Amendment was declared adopted.

SA 2 as amended by SA 1 was then taken up for consideration on motion of Senator Hughes and the roll call vote taken which revealed 20 Senators voting YES and 1 (Spence) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 225 w SA 2 as amended by SA 1 was then taken and revealed 19 Senators voting YES and 2 (Hale and Spence) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 308 was reported out of the Finance Committee: 8 Merits.

On motion of Senator Kearns, the necessary rules were suspended for consideration of SB 308:

SB 308 - AN ACT TO AMEND CHAPTER 409, VOLUME 61, LAWS OF DELAWARE, ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1979; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BEING HOUSE BILL NO. 888 OF THE 129TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE.

On motion of Senator Cook, the roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Holloway, Martin and Spence) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Cicione, the necessary rules were suspended for consideration of SB 339:

SB 339 - AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO DEPARTMENTS AND AGENCIES TO BE USED TO PAY OBLIGATIONS INCURRED IN A PRIOR FISCAL YEAR.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cicione and the roll call vote taken which revealed 20 Senators voting YES and 1 (McCullough) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 339 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (McCullough) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senator Marshall moved that SB 332 w SA 1 be lifted from the table for consideration. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Kearns, Marshall, Martin, McDowell, Murphy, Sharp, Zimmerman - 11.

NO: Senators Arnold, Berndt, Hale, Hughes, Knox, Littleton, Spence, Weiss - 8.

ABSENT: Senators Cicione and McCullough - 2.

Therefore, the motion prevailed and the Bill was before the Senate.

On motion of Senator Marshall, the roll call vote on SA 1 was rescinded.

On further motion of Senator Marshall, SA 1 and SA 1 to SA 1 were stricken.

SA 2 to SB 332 was introduced by Senator Marshall and considered for adoption. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Cicione and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Harry Terry and Tom Sandbach, Senate Attorneys.

At 6:22 p.m., Senator Sharp presiding.

At 6:28 p.m., Lt. Governor McGinnis presiding.

Senator Weiss moved that SB 332 w SA 2 be recommitted to Committee. The roll call vote on the motion was taken and revealed:

YES: Senators Arnold, Berndt, Hughes, Knox, Littleton, Spence, Weiss - 7.

NO: Senators Adams, Cicione, Cordrey, Holloway, Kearns, Marshall, Martin, McDowell, Murphy, Sharp - 10

ABSENT: Senators Cook, Hale, McCullough and Zimmerman - 4.

Therefore, the motion was defeated and the Bill remained before the Senate.

The roll call vote on SB 332 w SA 2 was then taken on motion of Senator Marshall; however, the Senator moved that the roll call be tabled before being announced. The roll call vote on the tabling motion was taken and revealed:

YES: Senators Adams, Cicione, Cordrey, Holloway, Kearns, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Zimmerman - 12.

NO: Senators Arnold, Berndt, Hughes, Knox, Littleton, Spence, Weiss - 7.

ABSENT: Senators Cook and Hale - 2.

Therefore, the motion prevailed and the roll call vote on SB 332 w SA 2 was tabled.

Senator Marshall moved that SB 311 be taken up for consideration instead of SB 310 which was next on the Agenda of the Day. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Cordrey, Holloway, Kearns, Marshall, Martin, McCullough, McDowell, Murphy, Sharp - 10.

NO: Senators Arnold, Berndt, Hale, Hughes, Knox, Littleton, Spence, Weiss, Zimmerman - 9.

NOT VOTING: Senator Cicione - 1.

ABSENT: Senator Cook - 1.

Therefore, the motion was defeated.

Senator Marshall then moved that the necessary rules be suspended for consideration of SB 311. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, Kearns, Marshall, Martin, McCullough, McDowell, Murphy, Sharp - 11.

NO: Senators Arnold, Berndt, Hale, Hughes, Knox, Littleton, Spence, Weiss, Zimmerman - 9.

ABSENT: Senator Holloway - 1.

Therefore, the motion prevailed and SB 311 was before the Senate:

SB 311 - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE RELATING TO CONSENT FOR TERMINATION OF HUMAN PREGNANCY.

The privilege of the floor was extended to Tom Sandbach and Harry Terry, Senate Attorneys.

On further motion of Senator Marshall, the Bill was then laid on the table.

At 7:00 p.m. on motion of Senator Cordrey, the Senate recessed until 1:00 p.m. June 27, 1979.

The Senate reconvened at 1:12 p.m., June 27, 1979, Lt. Governor McGinnis presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 246 w HA 1 and HA 2 to SA 2.

The following Committee reports were announced:

From the Executive Committee: SB 105 - 6 Merits; HB 89 w HA 1 - 6 Merits.

From the Education Committee: HB 326 - 6 Merits; HB 401 - 6 Merits.

From the Finance Committee: HB 413 - 5 Merits; HB 441 - 6 Merits; HB 468 - 7 Merits; HB 476 - 8 Merits; HB 503 w HA 1 - 8 Merits; HB 507 - 2 Favorable, 6 Merits.

From the Education Committee: HB 524 w HA 1, 2 - 1 Favorable, 5 Merits; HB 555 - 6 Merits.

The following legislation was introduced:

SB 359 - AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF MENTAL HEALTH FOR THE PURPOSE OF TREATING AND COUNSELING COMPULSIVE GAMBLERS. Sponsors: Senators Holloway, Knox, Weiss, Berndt. Assigned to Health and Social Services Committee.

SB 360 - AN ACT AWARDED A SPECIAL PENSION TO J. NOBLE CARROLL, A FORMER STATE EMPLOYEE, APPROPRIATING MONEY TO THE SPECIAL PENSION FUND AUTHORIZED BY VOLUME 61, CHAPTER 455, DELAWARE LAWS, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO PAY SAID PENSION AS IF THE AWARD WERE MADE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsor: Senator Cook. Assigned to Finance Committee.

SB 361 - AN ACT TO AMEND CHAPTER 1, TITLE 20, DELAWARE CODE, RELATING TO CERTAIN SERVICE OBLIGATIONS OF NATIONAL GUARD PERSONNEL. Sponsor: Senator Martin. Assigned to Executive Committee.

SB 362 - AN ACT MAKING A GRANT-IN-AID TO THE DELAWARE ECONOMIC DEVELOPMENT CORPORATION FOR THE PURPOSE OF BEGINNING ITS OPERATION. Sponsors: Senators Cicione and Knox. Laid on the table.

SB 363 - AN ACT TO AMEND CHAPTER 79, TITLE 16, DELAWARE CODE, RELATING TO PLUMBING. Sponsor: Senator Holloway. Assigned to Health and Social Services Committee.

SB 364 - AN ACT TO AMEND CHAPTER 79, TITLE 16, DELAWARE CODE, RELATING TO PLUMBING. Sponsor: Senator Holloway. Assigned to Health and Social Services Committee.

SA 5 to SB 134. Sponsors: Senators Weiss and Cicione. Placed with the Bill.

SA 1 to SB 287. Sponsors: Senators Berndt and Holloway. Placed with the Bill.

SA 1 to SB 309. Sponsor: Senator Weiss. Placed with the Bill.

SA 2 to HB 158. Sponsors: Senators Martin, Holloway, Hughes; Representatives Jonkiert and Sincok. Placed with the Bill.

HB 112 w HA 1 - AN ACT TO AMEND CHAPTER 21, PART II, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES; AND PROVIDING FOR A SEPARATE FEE FOR PERSONS SIXTY-FIVE YEARS OF AGE AND OLDER. Sponsors: Representatives Connor, Anderson, Ambrosino, Kelly, Matushefske, Gilligan, Oberle, T. Brady. Assigned to Public Safety Committee.

HB 278 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 41 AND SUBCHAPTER II, CHAPTER 84, TITLE 9, DELAWARE CODE, TO EMPOWER THE GOVERNMENT OF KENT COUNTY TO INVEST IDLE FUNDS AS RECOMMENDED BY THE COUNTY COMPTROLLER AND AUTHORIZED BY THE COUNTY GOVERNMENT. Sponsors: Representatives Darling and Morris. Assigned to Community Affairs Committee

HB 313 - AN ACT TO AMEND CHAPTERS 9 AND 39, TITLE 10 OF THE DELAWARE CODE RELATING TO PARENTAL LIABILITY. Sponsor: Representative Cathcart. Assigned to Judiciary Committee.

HB 481 - AN ACT TO AMEND CHAPTER I, TITLE 14 OF THE DELAWARE CODE RELATING TO COURSES OF INSTRUCTION IN THE ITALIAN AND POLISH LANGUAGES IN THE PUBLIC SCHOOLS. Sponsors: Representatives Ambrosino and Jonkiert. Assigned to Education Committee.

HB 526 - AN ACT TO AMEND CHAPTER 31, TITLE 14 OF THE DELAWARE CODE, TO LOWER THE MINIMUM AGE OF A HANDICAPPED PERSON REQUIRING SPECIAL EDUCATIONAL SERVICES TO THREE. Sponsor: Representative Gordy. Assigned to Education Committee.

HCR 79 - COMMENDING FRANK P. VAVALA, DIRECTOR OF THE DIVISION OF UNEMPLOYMENT INSURANCE, FOR AN OUTSTANDING CAREER OF PUBLIC AND MILITARY SERVICE AS HE PREPARES TO RETIRE ON JUNE 30, 1979. Sponsors: Representatives Maxwell, McBride, Vernon, Roy, T. Brady, Sincok, Riddagh, Bennett, W. Brady, Gordy, Cain, Morris, Powell, Cathcart, West, Burris, Ambrosino, Connor, Oberle, Holloway, George, Loughney, Minner, Darling, McKay, Smith, Petrilli, Gilligan; Senators Murphy, Sharp, Hale, Marshall, Martin, Cordrey, Spence, Cook, Holloway, McDowell, Cicione, Zimmerman, Arnold, Weiss, Adams, Berndt, Littleton, Knox, Hughes, Kearns.

The Resolution was considered for adoption on motion of Senator Berndt and the roll call vote taken which revealed 17 Senators voting YES and 4 (Adams, Cook, McCullough and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SR 52 (Sponsored by Senator Holloway and all the Senators) was introduced and considered for adoption:

SR 52 - WISHING A HAPPY AND PROSPEROUS RETIREMENT TO HUMMEL SAPP, LEGISLATIVE REPRESENTATIVE OF DELMARVA POWER AND LIGHT COMPANY.

The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Cook) ABSENT; therefore, the Resolution was declared adopted.

SCR 39 (Sponsored by Senators Hughes and Holloway) was introduced and considered for adoption:

SCR 39 - REQUESTING LAW-ENFORCEMENT OFFICERS THROUGHOUT THE STATE TO BE LENIENT ABOUT TAGGING VEHICLES OF THOSE WHO HAVE HAD TO ABANDON THEIR VEHICLES BECAUSE OF RUNNING OUT OF GASOLINE.

The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Cook) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 246 w SA 1, 2 which had passed the Senate and was now returned from the House as further amended by HA 1, 2 was laid on the table at the request of Senator Holloway.

The following Bills were reported out of the Administrative Services Committee: SB 309 - 5 Merits; SB 310 - 1 Favorable, 2 Merits, 2 Unfavorable.

At 1:35 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 51st Legislative Day.

51ST LEGISLATIVE DAY

June 27, 1979

The Senate convened at 1:35 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

The members of the Girls' State who were present in the Chamber were introduced to the Senate by the Lt. Governor.

On motion of Senator Cicione, the roll call vote on SB 350 was lifted and announced:

YES: Senators Arnold, Berndt, Cicione, Cook, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Spence, Weiss - 16.

NO: Senators Adams, Cordrey, Murphy, Sharp, Zimmerman - 5.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 291 was taken up for consideration on motion of Senator Adams:

SB 291 - AN ACT TO AMEND CHAPTER 31, TITLE 7, OF THE DELAWARE CODE RELATING TO THE SETTING OF WOODLAND ON FIRE AND UNSEASONABLE MARSH BURNING.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Arnold) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senator Cook marked PRESENT.

Senator McDowell moved that the necessary rules be suspended for consideration of SB 90.

The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Kearns, Marshall, Martin, McCullough, McDowell, Murphy, Sharp - 11.

NO: Senators Arnold, Berndt, Cicione, Hale, Hughes, Littleton, Spence, Weiss - 8.

ABSENT: Senators Knox and Zimmerman - 2.

Therefore, the motion prevailed and the Bill was before the Senate:

SB 90 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO AUDITS, SUNSET REVIEW, AND REPEAL OF STATE AGENCIES.

The roll call vote on the Bill was taken and revealed:

YES: Senators Berndt, Cicione, Cordrey, Holloway, Marshall, Martin, McDowell, Murphy, Sharp - 9.

NO: Senators Adams, Arnold, Cook, Hale, Hughes, Knox, Littleton, Spence, Weiss, Zimmerman - 10.

NOT VOTING: Senators Kearns and McCullough - 2.

Therefore, the Bill was declared lost.

Senators Marshall and McCullough marked PRESENT.

At 1:51 p.m., Senator Holloway presiding.

At 1:53 p.m., Lt. Governor McGinnis presiding.

SB 224 was taken up for consideration on motion of Senator Cook:

SB 224 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, RELATING TO STATE EMPLOYEES' PENSION PLAN.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Kearns and the roll call vote taken which revealed 19 Senators voting YES and 2 (McDowell and Zimmerman) voting NO; therefore, the Amendment was declared adopted.

The roll call vote on SB 224 w SA 1 was then taken and revealed 16 Senators voting YES and 5 (Holloway, Hughes, Knox, McDowell, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 302 was taken up for consideration on motion of Senator Zimmerman:

SB 302 - AN ACT TO AMEND TITLE 7, DELAWARE CODE RELATING TO THE ESTABLISHMENT OF MAIL-IN FINES FOR VIOLATIONS OF STATE PARK REGULATIONS.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Hughes and Knox) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 287 was taken up for consideration on motion of Senator Holloway:

SB 287 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE BY PROVIDING A UNIT FOR GIFTED AND TALENTED PUPILS AND AUTHORIZING STAFF OR SERVICES OR MATERIALS FOR SUCH UNITS IN PUBLIC SCHOOLS; AND FURTHER PROVIDING A SUPPLEMENTARY APPROPRIATION THEREFOR.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Berndt and the roll call vote taken which revealed 18 Senators voting YES, 2 (Cordrey and Sharp) voting NO, and 1 (Cicione) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 287 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 246 w SA 1, 2 which had been returned from the House with a House Amendment to SA 2 was lifted from the table for discussion; however, it was pointed out that the House could not legally amend a Senate Amendment, and the Bill was returned to the House with a letter of explanation from the Secretary of the Senate.

On motion of Senator Murphy SS 1 for SB 109 w SA 3 was lifted for further consideration.

Senator Murphy moved that the necessary rules be suspended for reconsidering SA 3 to the Bill. The vote on the motion was taken and revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Zimmerman - 13.

NO: Senators Arnold, Berndt, Hale, Hughes, Knox, Littleton, Spence, Weiss - 8.

Therefore, the motion prevailed and Senator Zimmerman moved that the roll call vote on SA 3 to SS 1 for SB 109 be rescinded. The roll call vote on rescinding the roll call on the Amendment was taken and revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, Kearns, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Zimmerman - 12.

NO: Senators Arnold, Berndt, Hale, Hughes, Knox, Littleton, Spence, Weiss - 8.

ABSENT: Senator Holloway - 1.

Therefore, the roll call vote on SA 3 to SS 1 for SB 109 was declared rescinded.

The privilege of the floor was extended to Tom Sandbach.

At 3:16 p.m., Senator Adams presiding.

A new roll call vote on the Amendment was then taken and revealed:

YES: Senators Adams, Arnold, Berndt, Hale, Hughes, Knox, Littleton, Sharp, Spence, Weiss - 10.

NO: Senators Cicione, Cook, Cordrey, Holloway, Kearns, Marshall, McCullough, Murphy - 8

NOT VOTING: Senator McDowell - 1.

ABSENT: Senators Martin and Zimmerman - 2.

Therefore, the Amendment was declared lost.

The roll call vote on SS 1 for SB 109 was then taken and revealed:

YES: Senators Adams, Cicione, Cook, Holloway, Kearns, Marshall, Martin, McDowell, Murphy, Sharp, Zimmerman - 11.

NO: Senators Arnold, Cordrey, McCullough, Spence - 4.

NOT VOTING : Senators Berndt, Hale, Hughes, Knox, Littleton, Weiss - 6.

Therefore, the Bill was declared lost, since a 2/3 vote was required for passage.

HB 158 was taken up for consideration on motion of Senator Martin:

HB 158 - AN ACT TO AMEND CHAPTERS 13 AND 18, TITLE 2 AND CHAPTER 1, TITLE 26 OF THE DELAWARE CODE RELATING TO REGULATION OF PUBLIC CARRIERS.

SA 1 to the Bill which had been placed with the Bill was stricken on motion of the sponsor, Senator Martin.

SA 2 to the Bill was introduced by Senator Martin and considered for adoption on his motion.

The privilege of the floor was extended to H. James Conaway, Jr., representing the Diamond and Yellow Cab Companies.

At 3:39 p.m., Lt. Governor McGinnis presiding.

The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Marshall, Martin, McDowell, Murphy, Sharp, Spence, Zimmerman - 18.

NO: Senator McCullough - 1.

ABSENT: Senators Littleton and Weiss - 2.

Therefore, the Amendment was declared adopted.

The roll call vote on HB 158 w SA 2 was then taken and revealed 19 Senators voting YES, 1 (McCullough) voting NO, and 1 (Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

Senator Cicione moved that the necessary rules be suspended for consideration of SB 296. The roll call vote on the motion was taken; however, before being announced, the roll call on the motion to suspend rules was tabled on motion of Senator Cicione.

On motion of Senator Marshall, SB 311 was lifted from the table for discussion.

SA 1 to the Bill was introduced by Senator Marshall and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 17 Senators voting YES and 4 (Hughes, Littleton, McCullough and Zimmerman) NOT VOTING; therefore, the Amendment was declared adopted.

The roll call vote on SB 311 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cook, Cordrey, Holloway, Kearns, Knox, Marshall, Martin, McDowell, Sharp, Spence, Weiss - 14.

NO: Senator McCullough - 1.

NOT VOTING: Senators Cicione, Hughes, Littleton - 3.

ABSENT: Senators Hale, Murphy and Zimmerman - 3.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 321 was taken up for consideration on motion of Senator McDowell:

SB 321 - AN ACT TO AMEND CHAPTER 76, PART VII, TITLE 16 OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL BUILDING, PLUMBING, ELECTRICAL AND OTHER CODES.

SA 1 and SA 2 to the Bill which had been placed with the Bill were stricken on motion of the sponsor, Senator McDowell.

SA 3 to the Bill was taken up for consideration on motion of Senator McDowell and the roll call vote taken which revealed 18 Senators voting YES and 3 (Arnold, Hale and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 321 w SA 3 was then taken and revealed 19 Senators voting YES and 2 (Hale and Littleton) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 253 was taken up for consideration on motion of Senator Adams:

SB 253 - AN ACT TO AMEND CHAPTER 45, TITLE 21 OF THE DELAWARE CODE, RELATING TO SIZE AND WEIGHTS OF VEHICLES BEING TOWED BY TOW TRUCKS.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Hale, Littleton and Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 327 was taken up for consideration under suspension of rules on motion of Senator Cook:

SB 327 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO JEANNETTE V. G. LEGATES AND APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND AUTHORIZED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Cordrey) voting NO, and 1 (Hughes) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 267 was taken up for consideration on motion of Senator Holloway:

SB 267 - AN ACT TO AMEND SECTIONS 4302 AND 4305, TITLE 30, DELAWARE CODE, BY EXCLUDING MANUFACTURING EQUIPMENT ON LEVERAGED LEASES GUARANTEED BY THE ECONOMIC DEVELOPMENT ADMINISTRATION FROM THE LEASE TAX.

The privilege of the floor was extended to Robert Aulgur, Jr. after which the Bill was laid on the table on further motion of Senator Holloway.

SS 1 for SB 298 was taken up for consideration on motion of Senator Murphy:

SS 1 for SB 298 - AN ACT TO AMEND CHAPTER 25, TITLE 18 OF THE DELAWARE CODE RELATING TO THE EFFECTIVENESS OF RATE FILINGS.

The privilege of the floor was extended to William McGafferty (Blue Cross and Blue Shield) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cordrey, Hale, Holloway, Kearns, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Zimmerman - 15.

NOT VOTING: Senators Arnold, Hughes, Knox, Spence, Weiss - 5.

ABSENT: Senator Cook - 1.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Holloway, SB 267 was lifted from the table for consideration and the roll call vote taken which revealed:

YES: Senators Arnold, Berndt, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss - 16.

NO: Senators Adams, Cook, Cordrey, Zimmerman - 4.

ABSENT: Senator Cicione - 1.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 265 was taken up for consideration under suspension of the necessary rules on motion of Senator Martin:

SB 265 - AN ACT TO AMEND TITLE 29, DELAWARE CODE BY PROVIDING FOR THE REPEAL OF SECTION 6971, BY CREATING A NEW CHAPTER 73, DEALING WITH HANDICAPPED PERSONS AND PROMOTING ACCESSIBILITY TO AND USE OF CERTAIN BUILDINGS AND FACILITIES BY SUCH PERSONS, AND PROVIDING A SUPPLEMENTAL APPROPRIATION THEREFOR.

At 5:03 p.m., Senator Sharp presiding.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cook and the roll call vote taken which revealed 17 Senators voting YES, 1 (Martin) voting NO, and 3 (Cicione, Murphy, Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Martin and the roll call vote taken which revealed 17 Senators voting YES, and 4 (Arnold, Cicione, Murphy, Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

SA 3 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Martin and the roll call vote taken which revealed 19 Senators voting YES and 2 (Cicione and Holloway) ABSENT; therefore, the Amendment was declared adopted.

SA 4 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cook and the roll call vote taken which revealed 20 Senators voting YES and 1 (Cicione) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Battle R. Robinson of the Governor's Office.

The roll call vote on SB 265 w SA 1, 2, 3, 4 was then taken and revealed 20 Senators voting YES and 1 (Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 5:35 p.m., Lt. Governor McGinnis presiding.

SB 309 was taken up for consideration under suspension of the necessary rules on motion of Senator Weiss:

SB 309 - AN ACT TO AMEND CHAPTER 9, TITLE 24, OF THE DELAWARE CODE RELATING TO DEADLY WEAPONS DEALERS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Weiss and the roll call vote taken which revealed 20 Senators voting YES and 1 (Adams) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Tom Sandbach, Senate Attorney, after which SB 309 w SA 1 was laid on the table on further motion of Senator Weiss.

At 6:19 p.m. on motion of Senator Sharp, the Senate recessed for a short period and reconvened at 6:46 p.m., Lt. Governor McGinnis presiding.

HB 435 w HA 1, 2 was reported out of the Finance Committee: 8 Merits.

HB 435 w HA 1, 2 was taken up for consideration under suspension of the necessary rules on motion of Senator Cook:

HB 435 w HA 1, 2 - AN ACT TO AMEND CHAPTER 52, TITLE 29, OF THE DELAWARE CODE TO PROVIDE FOR THE PAYMENT OF PREMIUM OR SUBSCRIPTION CHARGES FOR HEALTH CARE INSURANCE FOR STATE EMPLOYEES AND THEIR DEPENDENTS.

SA 1 to the Bill which had been placed with the Bill was laid on the table on motion of the sponsor, Senator Cook.

SA 2 to the Bill was introduced by Senator Cook and considered for adoption on her motion. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Weston E. Nellius, Secretary of Finance, after which the roll call vote on HB 325 w HA 1, 2, SA 2 was taken and revealed 19 Senators voting YES, 1 (Weiss) voting NO, and 1 (Knox) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

At 7:28 p.m., on motion of Senator Sharp, the Senate recessed until 1:00 p.m., June 28, 1979.

The Senate reconvened at 1:53 p.m., June 28, 1979, Lt. Governor McGinnis presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted SJR 17; SJR 23; SJR 24; SJR 26; SJR 28; and passed SB 25.

The following Committee reports were announced:

From the Health and Social Services Committee: SB 359 - 4 Merits; SB 363 - 4 Merits; SB 364 - 4 Merits.

From the Highways and Transportation Committee: HB 505 w HA 1 - 1 Favorable, 4 Merits; HB 514 - 4 Merits.

From the Executive Committee: HB 120 - 1 Favorable, 4 Merits; HB 406 - 6 Merits.

The following letters of nomination for appointment from the Governor were read and assigned to Executive Committee:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

June 27, 1979

To the Senate of the 130th 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: Joseph F. Desmond, 604 Foulkstone Road, Wilmington, Delaware, to be a Justice of the Peace to serve for a term of four years to succeed William McMullen, resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

June 27, 1979

To the Senate of the 130th 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: Rosalind Toulson, 2503 Washington Street, Wilmington, Delaware, to be a Justice of the Peace to serve for a term of four years to succeed Elizabeth Richeson, resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 27, 1979

To the Senate of the 130th 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: Ronald G. McCabe, Millville, Delaware, to be appointed a member of the Delaware Solid Waste Authority for a term of three years to succeed Richard L. Timmons, term expired.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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SB 365 was introduced and assigned to Highways and Transportation Committee:

SB 365 - AN ACT TO AMEND CHAPTER 5, TITLE 17 OF THE DELAWARE CODE RELATING TO THE DEDICATION OF SUBURBAN COMMUNITY ROADS FOR STATE MAINTENANCE. Sponsors: Senator Sharp and Representative Petrilli.

At 1:59 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 52nd Legislative Day.

52ND LEGISLATIVE DAY
June 28, 1979

The Senate convened at 1:59 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicone, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

The members of Girls' State who were present in the Chamber were introduced to the Senate by Senator Cicione and Lt. Governor McGinnis.

HB 8 was taken up for consideration under suspension of the necessary rules on motion of Senator Cordrey:

HB 8 - AN ACT TO AMEND CHAPTER 19, TITLE 14, OF THE DELAWARE CODE RELATING TO EXEMPTION FROM SCHOOL TAXES GRANTED TO PERSONS WHO ARE 65 YEARS OF AGE OR OLDER.

The roll call vote on the Bill was taken; however, before being announced, the roll call was tabled on motion of Senator Cordrey.

Senator Berndt moved that HB 8 be reassigned to Committee; however, the Senator then withdrew his motion.

HB 423 was taken up for consideration on motion of Senator McCullough:

HB 423 - AN ACT TO AMEND CHAPTER 1, TITLE 14, DELAWARE CODE, TO PROVIDE FOR A LICENSING OF NON-DELAWARE INSTITUTIONS OF HIGHER EDUCATION THAT OFFER COURSES, PROGRAMS OF COURSES, OR DEGREES WITHIN THE STATE OF DELAWARE.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Marshall) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

SR 53 (Sponsored by Senators Cicione and Weiss) was introduced and considered for adoption:

SR 53 - COMMENDING THE AMERICAN LEGION AUXILIARY, DEPARTMENT OF DELAWARE, AND THE PARTICIPANTS IN THE 1979 GIRLS STATE FOR THEIR OUTSTANDING EDUCATIONAL PROGRAM IN STATE AND LOCAL GOVERNMENT.

The roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted.

HB 366 was taken up for consideration on motion of Senator Marshall:

HB 366 - AN ACT TO AMEND CHAPTER 273, VOLUME 46, LAWS OF DELAWARE, ALSO KNOWN AS "AN ACT TO REINCORPORATE THE TOWN OF ODESSA IN NEW CASTLE COUNTY" BY CHANGING THE HOURS OF ELECTION WHERE THERE IS NO CONTEST.

The roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

HJR 14 was taken up for consideration under suspension of the necessary rules on motion of Senator McDowell:

HJR 14 - DIRECTING EACH OF THE PUBLIC SCHOOL CONFERENCES TO SCHEDULE GAMES BETWEEN TEAMS REPRESENTING PUBLIC SCHOOLS AND TEAMS REPRESENTING DELAWARE NON-PUBLIC SCHOOLS.

Before final action was taken on the Resolution, however, it was laid on the table on further motion of Senator McDowell.

HB 357 was taken up for consideration on motion of Senator McDowell:

HB 357 - AN ACT TO AMEND CHAPTER 5, TITLE 4, OF THE DELAWARE CODE, RELATING TO EXEMPTIONS FROM ALCOHOL TAX.

The roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

HJR 14 was lifted from the table for consideration on motion of Senator McDowell and the privilege of the floor extended to Representative Cain; however, before final action was taken on the Resolution it was again laid on the table on further motion of the Senator.

HB 484 was taken up for consideration under suspension of the necessary rules on motion of Senator Marshall:

HB 484 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF GEORGETOWN", BEING CHAPTER 166, VOLUME 43, LAWS OF DELAWARE, AS AMENDED, TO PERMIT INTERIM FINANCING FOR BOND ISSUES.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Arnold and Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 503 w HA 1 was taken up for consideration on motion of Senator Cook:

HB 503 w HA 1 - AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF AGRICULTURE FOR THE PURPOSE OF PAYING SICK LEAVE TO J. NOBLE CARROLL OF FELTON, WHO WAS NOT ELIGIBLE FOR A PENSION AT THE TIME OF HIS JOB TERMINATION IN 1977.

The roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Kearns, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Zimmerman - 14

NO: Senators Cordrey, Hale, Holloway, Knox, Spence - 5.

NOT VOTING: Senator Hughes - 1.

ABSENT: Senator Weiss - 1.

Therefore, the Bill was declared passed by the Senate and returned to the House.

HB 346 w HA 1 was taken up for consideration under suspension of the necessary rules on motion of Senator Holloway:

HB 346 w HA 1 - AN ACT TO AMEND CHAPTER 17, TITLE 24, OF THE DELAWARE CODE, RELATING TO OUT OF STATE EMERGENCY PARAMEDICS.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Knox, Murphy, Weiss and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 406 was taken up for consideration on motion of Senator Adams:

HB 406 - AN ACT TO AMEND CHAPTER 1, TITLE 1, DELAWARE CODE, BY PROVIDING FREE COPIES OF THE CODE TO PUBLIC LIBRARIES.

The roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 326 was taken up for consideration on motion of Senator McCullough:

HB 326 - AN ACT TO PERMIT THE DELMAR SCHOOL DISTRICT TO TRANSFER CERTAIN FUNDS FROM ITS DEBT SERVICE ACCOUNT TO ITS CAPITAL IMPROVEMENT ACCOUNT.

The roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 523 w HA 1 was taken up for consideration on motion of Senator Cicione under suspension of the necessary rules:

HB 523 w HA 1 - AN ACT TO AMEND TITLE 10, CHAPTER 40 OF THE DELAWARE CODE BY ADDING NEW PROVISIONS TO THE TORT CLAIMS ACT REESTABLISHING THE PRINCIPLE OF SOVEREIGN IMMUNITY FOR COUNTIES AND MUNICIPALITIES THROUGHOUT THE STATE OF DELAWARE.

The privilege of the floor was extended to Representative Jonkiert.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Spence) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House.

At 4:11 p.m., Senator Sharp presiding.

HB 89 w HA 1 was taken up for consideration on motion of Senator McCullough:

HB 89 w HA 1 - AN ACT TO AMEND CHAPTERS 27 OF TITLE 14, CHAPTER 9, OF TITLE 10, AND CHAPTER 5 OF TITLE 11, DELAWARE CODE RELATING TO THE DEFINITION OF TRUANCY OR TRUANT.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Littleton and Murphy) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 387 was taken up for consideration on motion of Senator Adams:

HB 387 - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE BY ADDING DEFINITIONS OF GOVERNMENT UNIT, PUBLIC WORKS CONTRACT, PUBLIC FUNDS, PUBLIC BUILDING AND SUBCONTRACTOR, AND BY ADDING REQUIREMENTS FOR ADVERTISING, PREPARATION AND SUBMISSION OF BID INVITATIONS AND AWARDED OF CONTRACTS AND LISTING OF SUBCONTRACTORS.

The privilege of the floor was extended to H. James Conaway, Jr., after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (McDowell) voting NO, and 1 (Murphy) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 524 w HA 1, 2 was taken up for consideration on motion of Senator McCullough:

HB 524 w HA 1, 2 - AN ACT TO AMEND CHAPTER 26, PART 1, TITLE 14 OF THE DELAWARE CODE, RELATING TO THE POWER OF COUNTY VOCATIONAL HIGH SCHOOL DISTRICTS AND COUNTY VOCATIONAL-TECHNICAL SCHOOL DISTRICTS TO LEVY TAXES FOR SCHOOL PURPOSES.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Cicione) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 360 was taken up for consideration on motion of Senator Cordrey:

HB 360 - AN ACT TO AMEND CHAPTER 1, TITLE 21, OF THE DELAWARE CODE, RELATING TO THE ISSUANCE OF "RV" LICENSE PLATES ON VANS.

The privilege of the floor was extended to Representative Roy. The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Cicione, Murphy, Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 188 w HA 1, 2 was taken up for consideration under suspension of the necessary rules on motion of Senator McCullough:

HB 188 w HA 1, 2 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE, RELATING TO SICK LEAVE FOR SCHOOL EMPLOYEES.

Before final action was taken on the Bill, it was laid on the table on further motion of Senator McCullough.

HB 501 was taken up for consideration under suspension of the necessary rules on motion of Senator McDowell:

HB 501 - AN ACT TO AMEND CHAPTER 30, PART II, TITLE 31 OF THE DELAWARE CODE, RELATING TO THE STATE HUMAN RELATIONS COMMISSION; AND PERMITTING THE COMMISSION TO ACT AS CONCILIATOR IN MATTERS INVOLVING DISCRIMINATION BECAUSE OF ONE'S SEX OR PHYSICAL HANDICAP.

The privilege of the floor was extended to Representative McBride.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (McCullough) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

At 4:41 p.m., Lt. Governor McGinnis presiding.

HB 514 w HA 1, 2 was taken up for consideration on motion of Senator Martin:

HB 514 w HA 1, 2 - AN ACT TO AMEND CHAPTER 82, TITLE 29, DELAWARE CODE, RELATING TO REGULATION AND TRANSPORTATION OF HAZARDOUS MATERIALS WITHIN THIS STATE; PROVIDING FOR THE IMPOSITION OF DUTIES UPON THE DEPARTMENT OF PUBLIC SAFETY, THE STATE POLICE AND OTHER DEPARTMENTS AND DIVISIONS OF STATE GOVERNMENT; PRESCRIBING PENALTIES AND FURTHER PROVIDING FOR ENFORCEMENT OF THIS ACT.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Littleton) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 477 was taken up for consideration under suspension of the necessary rules on motion of Senator Cicione:

HB 477 - AN ACT TO AMEND CHAPTER 15, TITLE 13 OF THE DELAWARE CODE, RELATING TO AN AWARD OF ALIMONY IN DIVORCE AND ANNULMENT ACTIONS.

SA 1 to the Bill was introduced by Senator Sharp and considered for adoption.

The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Cook, Cordrey, Kearns, Marshall, Martin, McDowell, Murphy, Sharp, Zimmerman - 10

NO: Senators Arnold, Berndt, Hale, Holloway, Hughes, Littleton, McCullough, Spence, Weiss - 9.

NOT VOTING: Senator Knox - 1.

ABSENT: Senator Cicione - 1.

Therefore, the Amendment was declared lost.

The privilege of the floor was extended to Myron T. Steele (Attorney from Dover, Delaware) and Tom Sandbach (Senate Attorney).

Senator Murphy moved that SA 1 to HB 477 be reconsidered. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, Kearns, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Zimmerman - 12.

NO: Senators Berndt, Hale, Knox, Littleton, Spence, Weiss - 6.

NOT VOTING: Senators Arnold, Holloway, Hughes - 3.

Therefore, the motion prevailed and the roll call vote was reconsidered on the Amendment and revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, Kearns, Marshall, Martin, McDowell, Murphy, Sharp, Zimmerman - 11.

NO: Senators Arnold, Berndt, Hale, Holloway, Hughes, Littleton, McCullough, Spence, Weiss - 9.

NOT VOTING: Senator Knox - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on HB 477 w SA 1 was then taken; however, before it was announced, Senator Cicione moved that it be laid on the table. The roll call vote on the tabling motion was taken and revealed:

YES: Senators Adams, Cook, Cordrey, Kearns, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Zimmerman - 11.

NO: Senators Arnold, Berndt, Hale, Hughes, Knox, Littleton, Spence, Weiss - 8.

NOT VOTING: Senator Holloway - 1

ABSENT: Senator Cicione - 1.

Therefore, the motion prevailed and the roll call vote on HB 477 w SA 1 was laid on the table.

HB 120 was taken up for consideration on motion of Senator Adams:

HB 120 - AN ACT TO AMEND CHAPTER 9, TITLE 29, DELAWARE CODE RELATING TO VOTE REQUIREMENT FOR RATIFICATION OF AMENDMENTS TO THE UNITED STATES CONSTITUTION.

The roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Knox, Littleton, Marshall, Martin, Murphy, Sharp, Weiss - 15.

NO: Senators Kearns, McDowell, Spence, Zimmerman - 4.

NOT VOTING: Senator Hughes - 1.

ABSENT: Senator McCullough - 1.

Therefore, the Bill was declared passed by the Senate and returned to the House.

HB 468 was taken up for consideration on motion of Senator Cook:

HB 468 - AN ACT TO AMEND AN ACT ENTITLED: "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1980; SPECIFYING CERTAIN PROCEDURES, CONDITIONS, AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BEING HOUSE BILL NO. 333 OF THE 130TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (McCullough) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 441 was taken up for consideration on motion of Senator Cook:

HB 441 - AN ACT TO AMEND TITLE 19, DELAWARE CODE, BY CREATING A PUBLIC WORK PROGRAM AND PROVIDING A SUPPLEMENTARY APPROPRIATION THEREFOR.

The privilege of the floor was extended to Representative Plant.

The roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Cicione, Cook, Holloway, Hughes, Kearns, Marshall, Martin, McDowell, Sharp, Weiss, Zimmerman - 12.

NO: Senators Arnold, Cordrey, Hale, Spence - 4.

NOT VOTING: Senators Berndt, Knox, Littleton, McCullough - 4.

ABSENT: Senator Murphy - 1.

Therefore, the Bill was declared passed by the Senate and returned to the House.

HB 84 was taken up for consideration on motion of Senator Adams:

HB 84 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO INITIATIVE AND REFERENDUM.

The privilege of the floor was extended to Battle Robinson (Governor's Office), Tom Sandbach and Harry Terry (Senate Attorneys).

Consideration of SA 1 and SA 2 to the Bill which had been placed with the Bill was deferred on motion of the sponsor of the Amendments, Senator Zimmerman.

The roll call vote on HB 84 was then taken; however, before being announced it was laid on the table on motion of Senator Adams.

At 6:31 p.m., Senator Sharp presiding.

At 6:54 p.m., Lt. Governor McGinnis presiding.

On motion of Senator Marshall, the roll call vote on SB 209 w SA 1, 2 was lifted; however, before being announced, the roll call was again tabled on further motion of the Senator.

At 7:04 p.m., the Senate recessed on motion of Senator Sharp, for a short period and reconvened at 7:14 p.m., Lt. Governor McGinnis presiding.

On motion of Senator Holloway, the roll call vote on SB 134 w SA 2, 3 was lifted and rescinded.

SA 4 to SB 134 which had been placed with the Bill was laid on the table at the request of the sponsor, Senator Adams.

SA 5 to SB 134 which had been placed with the Bill was taken up for consideration on motion of the sponsor, Senator Weiss.

The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (McCullough) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 134 w SA 2, 3, 5 was then taken; however the roll call was laid on the table before being announced on motion of Senator Holloway.

Senator Kearns moved that SB 90 which had failed for passage be restored to the Calendar.

The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Holloway, Kearns, Knox, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Weiss - 15.

NO: Senators Arnold, Hale, Hughes, Littleton, Spence, Zimmerman - 6.

Therefore, the motion prevailed and the Bill was restored.

On motion of Senator Kearns, the roll call vote on SB 90 was rescinded.

SA 1 to the Bill was introduced by Senator Kearns and considered for adoption. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Hale and Zimmerman) voting NO; therefore, the Amendment was declared adopted.

The roll call vote on SB 90 w SA 1 was then taken and revealed:

YES: Senators Berndt, Cicione, Cook, Holloway, Hughes, Kearns, Knox, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Weiss - 14.

NO: Senators Adams, Arnold, Cordrey, Hale, Littleton, Spence, Zimmerman - 7.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Murphy, SS 1 for SB 109 w SA 1, 2 which had failed for passage was restored to the Calendar and the roll call was rescinded. The Bill was then laid on the table on further motion of the Senator.

On motion of Senator Marshall, the roll call vote on SB 209 w SA 1, 2 was lifted; however, it was retabled on further motion of the Senator before being announced.

The roll call vote on SB 209 w SA 1, 2 was again lifted on motion of Senator Marshall and announced:

YES: Senators Arnold, Cicione, Holloway, Kearns, Littleton, Marshall, McDowell, Murphy, Sharp, Spence, Zimmerman - 11.

NO: Senators Berndt, Cook, Cordrey, Hale, Hughes, Knox, Martin, Weiss - 8.

NOT VOTING: Senator Adams - 1.

ABSENT: Senator McCullough - 1.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Cicione, the roll call vote on HB 477 w SA 1 was lifted and announced:

YES: Senators Adams, Cicione, Cook, Cordrey, Kearns, Marshall, Martin, McDowell, Murphy, Sharp, Zimmerman - 11.

NO: Senators Arnold, Berndt, Hale, Holloway, Hughes, Knox, Littleton, McCullough, Spence, Weiss - 10.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration of the Senate Amendment.

On motion of Senator Cordrey, the roll call vote on HB 8 was lifted; however, the roll call was retabled before being announced on further motion of the Senator.

On motion of Senator Knox, the roll call vote on SB 132 was lifted and announced:

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Marshall, McDowell, Murphy, Sharp, Weiss, Zimmerman - 16.

NO: Senators Hale, Littleton, Spence - 3.

NOT VOTING: Senator Martin - 1.

ABSENT: Senator McCullough - 1.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Weiss, SB 309 w SA 1 was lifted from the table for consideration.

SA 2 to the Bill was introduced by Senator Weiss and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (McCullough) NOT VOTING; therefore, the Amendment was declared adopted.

The roll call vote on SB 309 w SA 1, 2 was then taken and revealed:

YES: Senators Adams, Arnold, Berndt, Hale, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Sharp, Weiss - 14.

NO: Senators Cook, Cordrey, Kearns, Murphy, Spence, Zimmerman - 6.

NOT VOTING: Senator Cicione - 1.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SJR 29 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Hughes:

SJR 29 - CONGRATULATING "COLONEL" DAVE HERMAN UPON HIS RETIREMENT FROM BRANDYWINE RACEWAY. Sponsors: Senators Hughes, Weiss, Zimmerman, Spence, Adams and all the Senators; Representatives Kelly, Ambrosino, Ferguson, Sincok and Jonkiert.

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

Senator McCullough moved that HB 188 w HA 1, 2 be lifted from the table for consideration; however, the Senator then withdrew his motion.

At 8:02 p.m. on motion of Senator Cordrey, the Senate recessed until 1:00 p.m., Friday, June 29, 1979.

The Senate reconvened at 1:17 p.m., Lt. Governor McGinnis presiding.

The following Committee reports were announced:

From the Health and Social Services Committee: HB 428 w HA 1 - 5 Merits.

From the Education Committee: HB 481 - 6 Merits; HB 526 - 6 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed SB 308, SB 227, SB 198, SB 194 w SA 1, SB 250, SB 285, SB 53, SB 259, SB 133, SB 154, SB 197, SB 108 w SA 1, 2, 3, SB 339 w SA 1, SB 258, SB 315 w SA 1, SB 97 w SA 1, 2, SB 21 w SA 1, SB 185, SB 224 w SA 1 and adopted SJR 15.

Legislative Advisory #21 received from the Office of Counsel to the Governor was read which informed the Senate that on June 26, 1979, the governor signed: SB 180 w SA 1; SB 47; SB 129; SB 144; SB 150; SB 127.

The following legislation was introduced:

SB 366 - AN ACT TO TRANSFER LAND FROM THE MILFORD SCHOOL DISTRICT TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. Sponsors: Senator Adams and Representative Burris. Assigned to Health and Social Services Committee.

SJR 30 - ADVISING THE STATE BOARD OF EDUCATION TO ALLOW MEMBERSHIP TO NON-PUBLIC SCHOOLS IN CERTAIN PUBLIC SCHOOL ATHLETIC CONFERENCES. Sponsors: Senator McDowell and Representative Cain. Laid on the table.

SB 367 - AN ACT TO AMEND CHAPTER 25, TITLE 24 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE DELAWARE DRUG ADVISORY BOARD. Sponsors: Senator Marshall and Representative McBride. Assigned to Health and Social Services Committee.

SB 368 - AN ACT TO AMEND CHAPTER 27, TITLE 24 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS. Sponsors: Senator Marshall and Representative McBride. Assigned to Administrative Services Committee.

SB 369 - AN ACT TO AMEND CHAPTER 21, TITLE 24 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE BOARD OF EXAMINERS IN OPTOMETRY. Sponsors: Senator Marshall and Representative McBride. Assigned to Administrative Services Committee.

SB 370 - AN ACT PROVIDING A SUPPLEMENTAL APPROPRIATION TO THE WEST CENTER CITY COMMUNITY CENTER FOR THE PURPOSE OF PROVIDING FUNDING FOR A SENIOR CITIZEN PHYSICAL FITNESS PROGRAM. Sponsor: Senator Marshall. Assigned to Finance Committee.

SB 371 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE XV OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO AMENDMENTS TO THE UNITED STATES CONSTITUTION. Sponsor: Senator Holloway. Assigned to Executive Committee.

The following nominations for appointment by the Governor were reported out of the Executive Committee: Ronald G. McCabe - 3 Favorable, 2 Merits; Rosalind Toulson - 2 Favorable, 3 Merits; J. Sherman White - 3 Favorable, 2 Merits; Gail Truitt - 4 Favorable, 1 Merits.

The following letters of nomination for appointment were read and assigned to the Executive Committee:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 28, 1979

To the Senate of the 130th 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: Alden S. Hopkins, 1519 Savannah Road, Lewes, Delaware, to be Secretary of the Department of Agriculture at the pleasure of the Governor, Pierre S. duPont, IV.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 28, 1979

To the Senate of the 130th 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: W. Allen Jones, 113 Delaware Avenue, Bridgeville, Delaware, to be reappointed a member of the Unemployment Insurance Appeals Board for a term of six years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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The following legislation was introduced:

HB 485 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO HELEN M. BUNTING, A FORMER EMPLOYEE OF THE STANTON SCHOOL DISTRICT; APPROPRIATING MONIES INTO THE STATE EMPLOYEES' RETIREMENT FUND AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29 OF THE DELAWARE CODE. Sponsors: Representative Roy; Senator Sharp. Assigned to Finance Committee.

HB 502 - AN ACT TO AMEND PART VI, CHAPTER 61, TITLE 29, DELAWARE CODE, RELATING TO CERTAIN FEES AND TUITION PAYMENTS COLLECTED BY DELAWARE TECHNICAL AND COMMUNITY COLLEGE. Sponsors: Representatives Minner, Bennett, Sincok; Senators Adams, Berndt, Cook, Holloway. Assigned to Finance Committee.

SA 1 to SB 207. Sponsor: Senator Holloway. Placed with the Bill.

On motion of Senator Berndt, HB 502 which had just been introduced and assigned to Finance Committee, was laid on the table.

SA 1 to SB 211. Sponsor: Senator Adams. Placed with the Bill.

SA 2 to SB 345. Sponsor: Senator Weiss. Placed with the Bill.

HB 504 - AN ACT TO AMEND CHAPTER 49, TITLE 10, OF THE DELAWARE CODE, RELATING TO EXECUTIONS. Sponsors: Representatives Riddagh and Jonkiert. Assigned to Judiciary Committee.

HB 586 - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE, RELATING TO THE PHYSICIAN/CLIENT PRIVILEGE. Sponsor: Representative Oberle. Assigned to Judiciary Committee.

The following letters of nomination for appointment from the Governor were read and assigned to Executive Committee:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

June 28, 1979

To the Senate of the 130th 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: Jack E. Robinson, R.D. 2, Townsend, Delaware, to be reappointed a member of the Unemployment Insurance Appeals Board for a term of six years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 28, 1979

To the Senate of the 130th 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: Emilie E. Tugend, 309 Hamilton Street, Delaware City, to be reappointed a member of the Unemployment Insurance Appeals Board for a term of six years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 28, 1979

To the Senate of the 130th 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: Frank J. Carello, Jr., 108 Wildel Avenue, New Castle, Delaware, to be reappointed a member of the Unemployment Insurance Appeals Board for a term of six years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 28, 1979

To the Senate of the 130th 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: Georgetta G. Feters, 2503 Pinoak Drive, Wilmington, Delaware, to be appointed to the Unemployment Insurance Appeals Board for a term of six years to succeed Harold P. Minner, term expired.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1979

To the Senate of the 130th 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: Wayne Pollari, 1016 Weldin Circle, Wilmington, Delaware, to be a member of the New Castle County Board of Elections for a term of four (4) years to fill the expired term of Delores Hamilton.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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The following legislation was introduced:

SA 1 to SB 361. Sponsor: Senator Martin. Placed with the Bill.

SA 2 to SB 361. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to HB 188. Sponsor: Senator Weiss. Placed with the Bill.

SA 1 to HB 322. Sponsor: Senator Hughes. Placed with the Bill.

SA 1 and SA 2 to HB 428. Sponsor: Senator Berndt. Placed with the Bill.

HJR 24 - REQUIRING THE NEW CASTLE COUNTY SCHOOL BOARD TO DO A FEASIBILITY STUDY AND REPORT TO THE GENERAL ASSEMBLY ON THE ABILITY TO UTILIZE THE DART SYSTEM AS A SUPPLEMENT TO THE PROVISIONS FOR SCHOOL TRANSPORTATION. Sponsors: Representatives T. Brady, George; Senator McDowell. Laid on the table at the request of Senator McDowell.

HCR 81 - COMMENDING THE AMERICAN LEGION AUXILIARY, DEPARTMENT OF DELAWARE, AND THE PARTICIPANTS IN THE 1979 GIRLS STATE FOR CONTINUING THIS ENRICHING EDUCATIONAL EXPERIENCE. Sponsors: Representatives Minner, Fallon, Anderson, Maroney, Smith; Senators Cook and Spence.

The roll call vote on the Resolution was taken on motion of Senator Cordrey and revealed 18 Senators voting YES and 3 (Berndt, Cicione and Holloway) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 82 - REQUESTING THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION DEREGULATING THE TRUCKING INDUSTRY. Sponsors: Representatives Gordy, Smith, Hebner; Senator Adams.

The roll call vote on the Resolution was taken and revealed:

YES: Senators Adams, Arnold, Cook, Cordrey, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, Murphy, Sharp, Spence, Weiss - 15.

NO: Senator Zimmerman - 1.

ABSENT: Senators Berndt, Cicione, Hale, Holloway, McDowell - 5.

Therefore, the Resolution was declared adopted by the Senate and returned to the House.

SR 54 - ACKNOWLEDGEMENT AND RECOGNITION OF ALL DELAWAREANS WHO CONTRIBUTE FREELY OF THEIR TIME AND RESOURCES TO THE MANY WORTHWHILE AND WHOLESOME PUBLIC AND PRIVATE CAUSES THROUGHOUT THE STATE OF DELAWARE AND FURTHER REQUESTING THE GOVERNOR, COMMENCING IN 1980, TO DESIGNATE BY PROCLAMATION A WEEK TO BE NAMED APPROPRIATELY IN RECOGNITION OF THESE PERSONS. Sponsor: Senator Holloway. The Resolution was laid on the table in the absence of the sponsor.

SCR 40 - AUTHORIZING AND ESTABLISHING A SPECIAL AD HOC COMMITTEE TO STUDY EMPLOYEE CLASSIFICATION AND COMPENSATION RATES WITHIN THE DEPARTMENT OF CORRECTIONS AND TO MAKE RECOMMENDATIONS THEREON. Sponsor: Senator Cook.

The Resolution was considered for adoption on motion of Senator Cook and the roll call vote taken which revealed 18 Senators voting YES and 3 (Berndt, Cicione and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 289 was taken up for consideration on motion of Senator McCullough:

SB 289 - AN ACT TO AMEND SECTION 1321, CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL LUNCH SUPERVISORS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration and the roll call vote taken which revealed 18 Senators voting YES and 3 (Arnold, Berndt and Cicione) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Tom Sandbach, Senate Attorney.

The roll call vote on SB 289 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Berndt and Cicione) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Marshall, the roll call vote on SB 332 w SA 2 was lifted and announced:

YES: Senators Adams, Arnold, Berndt, Cicione, Hale, Holloway, Hughes, Kearns, Knox, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Weiss - 16.

NO: Senators Cordrey, Spence - 2.

ABSENT: Senators Cook, Littleton and Zimmerman - 3.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Holloway, SR 54 was lifted from the table for consideration and the roll call vote taken which revealed 18 Senators voting YES and 3 (Cicione, Hughes and Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

At 1:57 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 53rd Legislative Day.

53RD LEGISLATIVE DAY
June 29, 1979

The Senate convened at 1:57 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 20.

ABSENT: Senator Cicione - 1.

The Journal of the previous day was approved as read.

HB 188 w HA 1, 2 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator McCullough:

HB 188 w HA 1, 2 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE, RELATING TO SICK LEAVE FOR SCHOOL EMPLOYEES.

SA 1 to the Bill was introduced by Senator Weiss and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 16 Senators voting YES, 3 (Cordrey, Sharp and Spence) voting NO, and 2 (Cicione and McDowell) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on HB 188 w HA 1, 2, SA 1 was then taken and revealed 18 Senators voting YES, 1 (Cordrey) voting NO, and 2 (Cicione and McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

Consideration of HB 555 which was next on the Agenda of the day was deferred at the request of Senator McCullough.

Consideration of HB 332 which was next on the Agenda of the day was deferred at the request of Senator Cordrey.

HB 507 was taken up for consideration on motion of Senator Cook:

HB 507 - AN ACT AWARDED PENSION BENEFITS TO LAWRENCE C. POND, A FORMER STATE EMPLOYEE; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND AUTHORIZED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE; AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF IT WERE AWARDED PURSUANT TO CHAPTER 55, TITLE 29 OF THE DELAWARE CODE.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES, 1 (Cordrey) voting NO and 3 (Cicione, McDowell and Spence) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 332 was taken up for consideration under suspension of the necessary rules on motion of Senator Cordrey:

HB 332 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE, RELATING TO RULES OF THE ROAD.

The roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Weiss - 16.

NO: Senators Hale and Zimmerman - 2.

NOT VOTING: Senator Berndt - 1.

ABSENT: Senators Cicione and Spence - 2.

Therefore, the Bill was declared passed by the Senate and returned to the House.

HB 410 w HA 2 was taken up for consideration on motion of Senator Adams:

HB 410 w HA 2 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE, BY ADDING A NEW CHAPTER RELATING TO AGRICULTURAL COMMODITIES DEVELOPMENT.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Cicione and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

Senators Hale, Zimmerman and Hughes marked PRESENT.

HB 278 was deferred for consideration on motion of Senator Marshall.

HB 402 w HA 1 was taken up for consideration under suspension of the necessary rules on motion of Senator Cordrey:

HB 402 w HA 1 - AN ACT TO AMEND CHAPTER 20, TITLE 30, DELAWARE CODE, TO PROVIDE TAX CREDITS AGAINST CORPORATION INCOME TAXES AND A REDUCTION IN MANUFACTURERS AND WHOLESALERS GROSS RECEIPTS TAXES TO PERSONS DEVELOPING NEW BUSINESS FACILITIES AND CREATING ADDITIONAL JOBS WITHIN DELAWARE.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Cicione and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 217 w HA 1 as amended by HA 1 was taken up for consideration on motion of Senator Holloway:

HB 217 w HA 1 as amended by HA 1 - AN ACT TO AMEND CHAPTER 15, TITLE 24 OF THE DELAWARE CODE, RELATING TO HOTELS, RESTAURANTS AND PLACES OF ENTERTAINMENT; AND PROVIDING FOR THE INSPECTION OF FOOD PREPARATION AREAS.

The privilege of the floor was extended to Representative Smith.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Zimmerman) voting NO, and 1 (Cicione) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 278 was taken up for consideration under suspension of the necessary rules on motion of Senator Marshall:

HB 278 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 41 AND SUBCHAPTER II, CHAPTER 84, TITLE 9, DELAWARE CODE, TO EMPOWER THE GOVERNMENT OF KENT COUNTY TO INVEST IDLE FUNDS AS RECOMMENDED BY THE COUNTY COMPTROLLER AND AUTHORIZED BY THE COUNTY GOVERNMENT.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Cicione and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 526 was taken up for consideration on motion of Senator McCullough:

HB 526 - AN ACT TO AMEND CHAPTER 31, TITLE 14 OF THE DELAWARE CODE, TO LOWER THE MINIMUM AGE OF A HANDICAPPED PERSON REQUIRING SPECIAL EDUCATIONAL SERVICES TO THREE.

The roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cook, Cordrey, Hale, Hughes, Kearns, Littleton, Martin, McCullough, McDowell, Murphy, Sharp, Weiss, Zimmerman - 16.

NO: Senator Knox - 1.

ABSENT: Senators Cicione, Holloway, Marshall, Spence - 4.

Therefore, the Bill was declared passed by the Senate and returned to the House.

HB 505 w HA 1 was taken up for consideration on motion of Senator Martin:

HB 505 w HA 1 - AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF OBTAINING PARTICIPATING FUNDS FROM THE FEDERAL HIGHWAY ADMINISTRATION TO ERECT A VISUAL BARRIER ALONG A PORTION OF INTERSTATE ROUTES 95 AND 495.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Cicione) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 177 w HA 1 was taken up for consideration on motion of Senator McDowell:

HB 177 w HA 1 - AN ACT TO AMEND CHAPTER 28, TITLE 24, OF THE DELAWARE CODE RELATING TO THE APPLICABILITY OF THE FREEDOM OF INFORMATION ACT TO THE COUNCIL OF THE DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS.

The roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cook, Cordrey, Hale, Holloway, Kearns, Knox, Marshall, Martin, McCullough, McDowell, Murphy, Weiss - 15.

NO: Senators Hughes, Sharp, Zimmerman - 3.

NOT VOTING: Senator Spence - 1.

ABSENT: Senators Cicione, Littleton - 2.

Therefore, the Bill was declared passed by the Senate and returned to the House.

HB 420 was taken up for consideration on motion of Senator Holloway:

HB 420 - AN ACT TO AMEND CHAPTER 71, TITLE 16 OF THE DELAWARE CODE, RELATING TO SPORTING GRADE OR PROPELLANT TYPE BLACK POWDER.

The roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Martin, McDowell, Murphy, Sharp, Spence, Weiss - 14.

ABSENT: Senators Berndt, Cicione, Cook, Littleton, Marshall, McCullough, Zimmerman - 7.

Therefore, the Bill was declared passed by the Senate and returned to the House.

HB 476 was taken up for consideration on motion of Senator Cook:

HB 476 - AN ACT TO DIRECT THE BOARD OF PENSION TRUSTEES TO INCLUDE FOR THE PURPOSE OF COMPUTING A PENSION FOR HORACE WILKINSON, 76 DAYS OF SICK LEAVE INCURRED WHEN HORACE WILKINSON SUFFERED THE LOSS OF AN EYE WHILE IN THE EMPLOY OF THE STATE.

The roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cook, Cordrey, Hale, Hughes, Kearns, Knox, Littleton, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 16.

ABSENT: Senators Cicione, Holloway, Marshall, Martin, McCullough - 5.

Therefore, the Bill was declared passed by the Senate and returned to the House.

HB 479 was taken up for consideration under suspension of the necessary rules on motion of Senator Sharp:

HB 479 - AN ACT TO AMEND CHAPTER 39, TITLE 10, OF THE DELAWARE CODE, RELATING TO PARENTAL LIABILITIES.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Cicione, Holloway, Littleton, Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

Senator Cook moved that the necessary rules be suspended for consideration of HB 21 w HA 1.

The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Cook, Cordrey, Hale, Holloway, Kearns, Marshall, McCullough, McDowell, Murphy, Sharp, Weiss, Zimmerman - 13.

NOT VOTING: Senators Arnold, Berndt, Hughes, Knox, Spence - 5.

ABSENT: Senators Cicione, Littleton, Martin - 3.

Therefore, the motion prevailed and the Bill was before the Senate:

HB 21 w HA 1 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO BE USED FOR THE DELAWARE ADOLESCENT PROGRAM.

The privilege of the floor was extended to James Hill, Jr., Rita Knapp and Janet Attix (all representing the Delaware Adolescent Program, Inc.).

The roll call vote on the Bill was taken; however, the roll call was laid on the table before being announced on motion of Senator Cook.

HB 419 was taken up for consideration on motion of Senator Holloway:

HB 419 - AN ACT TO AMEND CHAPTER 31, TITLE 16 OF THE DELAWARE CODE, RELATING TO THE ISSUANCE OF BIRTH CERTIFICATES.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Cicione and Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 258 was taken up for consideration on motion of Senator Cordrey:

HB 258 - AN ACT TO AMEND CHAPTER 1 OF TITLE 21 OF THE DELAWARE CODE, RELATING TO REGISTRATION OF VEHICLES WHICH DO NOT MEET MINIMUM INSPECTION STANDARDS.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Cicione, Holloway, Hughes and Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 85 w HA 1 as amended by HA 1 was taken up for consideration under suspension of the necessary rules on motion of Senator Cordrey:

HB 85 w HA 1 as amended by HA 1 - AN ACT TO AMEND CHAPTER 43, PART II, TITLE 21 OF THE DELAWARE CODE RELATING TO THE EQUIPMENT AND CONSTRUCTION OF VEHICLES AND PROVIDING CERTAIN BUMPER HEIGHT RESTRICTIONS.

The roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cook, Hale, Holloway, Kearns, Knox, Littleton, Marshall, Martin, McCullough, Murphy, Sharp, Spence, Weiss, Zimmerman - 17.

NO: Senator Cordrey - 1.

ABSENT: Senators Cicione, Hughes and McDowell - 3.

Therefore, the Bill was declared passed by the Senate and returned to the House.

HB 396 w HA 1 was taken up for consideration on motion of Senator Cordrey:

HB 396 w HA 1 - AN ACT TO AMEND CHAPTER 43, TITLE 21, OF THE DELAWARE CODE, RELATING TO EMERGENCY VEHICLES.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Cicione) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 407 was taken up for consideration on motion of Senator Cordrey:

HB 407 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE, RELATING TO THE ISSUANCE OF TEMPORARY INSTRUCTION PERMITS PRIOR TO AGE 16.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Berndt) voting NO, and 1 (Cicione) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 486 was taken up for consideration on motion of Senator Holloway:

HB 486 - AN ACT TO AMEND CHAPTER 25, TITLE 24 OF THE DELAWARE CODE, RELATING TO THE SUBSTITUTION OF DRUGS, NONEQUIVALENT LIST PREPARATION.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Zimmerman) voting NO, and 1 (Cicione) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 259 was taken up for consideration on motion of Senator Cordrey:

HB 259 - AN ACT TO AMEND CHAPTER 1 OF TITLE 21 OF THE DELAWARE CODE, RELATING TO REGISTRATION OF TRIPEDS.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Cicione and Cook) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HS 1 for HB 137 w HA 1, 2 was taken up for consideration on motion of Senator McDowell:

HS 1 for HB 137 w HA 1, 2 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES AND PROVIDING FOR AN UNDERGROUND UTILITY DAMAGE PREVENTION AND SAFETY ACT.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Cicione, Cook and Knox) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 481 was taken up for consideration under suspension of the necessary rules on motion of Senator Marshall:

HB 481 - AN ACT TO AMEND CHAPTER 1, TITLE 14 OF THE DELAWARE CODE RELATING TO COURSES OF INSTRUCTION IN THE ITALIAN AND POLISH LANGUAGES IN THE PUBLIC SCHOOLS.

The privilege of the floor was extended to Representative Ambrosino.

The roll call vote on the Bill was taken; however, the roll call was laid on the table before being announced at the request of Senator Marshall.

HB 220 w HA 1 was taken up for consideration on motion of Senator Holloway:

HB 220 w HA 1 - AN ACT TO AMEND TITLE 16 AND TITLE 24 OF THE DELAWARE CODE, RELATING TO INSTRUMENTS AND PARAPHERNALIA FOR THE ADMINISTERING AND USE OF DRUGS.

The privilege of the floor was extended to Tom Sandbach, Senate Attorney.

The roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cook, Cordrey, Hale, Hughes, Kearns, Knox, Littleton, McCullough, Murphy, Sharp, Spence, Zimmerman - 15.

NO: Senators Holloway, Marshall, McDowell - 3.

ABSENT: Senators Cicione, Martin, Weiss - 3.

Therefore, the Bill was declared passed by the Senate and returned to the House.

HB 395 was taken up for consideration on motion of Senator McCullough:

HB 395 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE, RELATING TO ABSENCE OF TEACHERS AND OTHER SCHOOL EMPLOYEES FROM EMPLOYMENT BECAUSE OF DEATH IN THE IMMEDIATE FAMILY.

The roll call vote on the bill was taken and revealed 19 Senators voting YES and 2 (Berndt and Cicione) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 428 w HA 1, 2 was taken up for consideration on motion of Senator Holloway:

HB 428 w HA 1, 2 - AN ACT TO AMEND CHAPTER 11, TITLE 16 OF THE DELAWARE CODE RELATING TO THE PUBLIC HEALTH AND SAFETY, AND PROVIDING FOR A UNIFORM ALCOHOLISM AND INTOXICATION TREATMENT ACT.

SA 1 and SA 2 to the Bill were introduced by Senator Berndt and laid on the table at his request.

The privilege of the floor was extended to Ted Sassiter.

The roll call vote on HB 428 w HA 1, 2 was then taken and revealed 17 Senators voting YES and 4 (Cicione, Cook, Littleton and Murphy) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 502 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Berndt:

HB 502 - AN ACT TO AMEND PART VI, CHAPTER 61, TITLE 29, DELAWARE CODE, RELATING TO CERTAIN FEES AND TUITION PAYMENTS COLLECTED BY DELAWARE TECHNICAL AND COMMUNITY COLLEGE.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Cicione, Knox, Littleton and Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

The Secretary announced that a message from the House informed the Senate that it had passed SB 248 w SA 1; SB 245 w SA 5 as amended by SA 1, HA 1, 2; SB 311 w SA 1; SB 322 w SA 2; SB 225 w SA 2 as amended by SA 1; and adopted SCR 41.

Under suspension of the necessary rules SB 245 w SA 5 as amended by SA 1 which had been passed by the Senate and now returned from the House further amended by HA 1, 2 was taken up for reconsideration on motion of Senator Holloway.

The roll call vote on SB 245 w SA 5 as amended by SA 1, HA 1, 2 was then taken and revealed 19 Senators voting YES and 2 (Cicione and Weiss) ABSENT; therefore, the Bill was declared passed by the Senate.

SA 1 to HB 21 was introduced by Senator Holloway and placed with the Bill.

HCR 84 was introduced and laid on the table:

HCR 84 - REQUESTING THAT THE INDUSTRIAL ACCIDENT BOARD MAKE CERTAIN ENTRIES IN ITS PERMANENT MINUTES WITH RESPECT TO MATTERS OF PROCEDURE. Sponsors: Representatives Smith and Maxwell.

HCR 85 was introduced and considered for adoption on motion of Senator Adams:

HCR 85 - REQUESTING THE GOVERNOR TO CONFER WITH THE SECRETARY OR ACTING SECRETARY OF THE DEPARTMENT OF AGRICULTURE TO END COMPLAINTS OF A LACK OF COMMUNICATION AND COOPERATION BETWEEN THE DELAWARE WEATHER MODIFICATION ASSOCIATION STEERING COMMITTEE AND THE DEPARTMENT. Sponsors: Representatives Gordy, Clendaniel, W. Brady; Senator Adams.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES, 1 (Zimmerman) voting NO, and 3 (Cicione, Holloway and Littleton) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

At 4:42 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:50 p.m., Lt. Governor McGinnis presiding.

On motion of Senator Adams, the Governor's nomination for appointment of Paul Neeman was taken up for consideration and the roll call vote taken which revealed 15 Senators voting YES and 6 (Berndt, Cicione, Knox, McDowell, Murphy and Zimmerman) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Edward G. Davis was taken up for consideration and the roll call vote taken which revealed 18 Senators voting YES and 3 (Berndt, Cicione and McDowell) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Ronald G. McCabe was taken up for consideration and the roll call vote taken which revealed 18 Senators voting YES, 1 (McCullough) NOT VOTING, and 2 (Cicione and McDowell) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Gail Truitt was taken up for consideration and the roll call vote taken which revealed 18 Senators voting YES, 1 (McCullough) NOT VOTING, and 2 (Cicione and Sharp) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of J. Sherman White was taken up for consideration and the roll call vote taken which revealed 18 Senators voting YES, 1 (McCullough) voting NO, and 2 (Arnold and Cicione) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Rosalind Toulson was taken up for consideration and the roll call vote taken which revealed 19 Senators voting YES, 1 (McCullough) voting NO, and 1 (Cicione) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Alden S. Hopkins was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Cicione) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Henry P. Cannon, II, was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Cicione) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of William C. Holden was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 19 Senators voting YES and 2 (Cicione and Holloway) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Charles H. West was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 18 Senators voting YES, 1 (Weiss) NOT VOTING, and 2 (Cicione and Holloway) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of David S. Howard, M.D., was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Cicione) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Louise M. Lamberta was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Cicione) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of David G. Marshall was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Cicione) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Jacqueline Ann Richter was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Cicione) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Harold C. Schmittinger was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 19 Senators voting YES and 2 (Arnold and Cicione) ABSENT; therefore, the appointment was declared confirmed.

SB 373 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cook:

SB 373 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1980; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BEING HOUSE BILL NO. 333 OF THE 130TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE; AND EXTENDING THE REVERSION DATES OF CERTAIN SUPPLEMENTARY APPROPRIATIONS MADE BY THE 130TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE. Sponsors: Senator Cook and Representative George.

The privilege of the floor was extended to Weston E. Nellius (Secretary of Finance) and Tom Sandbach (Senate Attorney) after which the roll call vote on SB 373 was taken and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Kearns, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Zimmerman - 13.

NO: Senator Hale - 1.

NOT VOTING: Senators Arnold, Berndt, Hughes, Knox, Weiss - 5.

ABSENT: Senators Cicione and Littleton - 2.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 6:45 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 10:21 p.m., Lt. Governor McGinnis presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 246 w SA 1, 2; SB 273; SB 373; SB 287 w SA 1.

SB 372 (sponsored by Senators McDowell and Holloway) was introduced and laid on the table at the request of Senator McDowell:

SB 372 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO ST. PATRICK'S SENIOR CENTER AS A GRANT-IN-AID.

SR 55 (sponsored by Senator Holloway) was introduced and assigned to the Executive Committee:

SR 55 - PROVIDING FOR THE PAYMENT OF MILEAGE TO MEMBERS OF THE STAFF OF THE SENATE OF THE 130TH GENERAL ASSEMBLY; EXCEPTIONS.

SCR 41 was introduced:

SCR 41 - URGING THE DELAWARE CONGRESSIONAL DELEGATION IN WASHINGTON TO SUPPORT ACTIVELY HOUSE JOINT RESOLUTION NO. 74 IN THE UNITED STATES CONGRESS WHICH PROPOSES AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO PROHIBIT COMPELLING THE ATTENDANCE OF A STUDENT IN A PUBLIC SCHOOL OTHER THAN THE PUBLIC SCHOOL NEAREST THE STUDENT'S RESIDENCE. Sponsors: Senators Arnold, Cicione, Hughes, Sharp, Spence, McCullough, Weiss, Berndt, Kearns, Marshall, Martin; Representatives Maxwell, Oberle, Petrilli, Anderson, McBride, Hebner, Ambrosino, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Gilligan, Gordy, Harrington, Loughney, McKay, Minner, Morris, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Ferguson, Kelly.

Senator McDowell moved that the Resolution be placed in the Community Affairs Committee.

The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Holloway, McDowell, Murphy, Zimmerman - 5.

NO: Senators Arnold, Berndt, Cook, Cordrey, Hale, Hughes, Kearns, Knox, Littleton, Spence, Weiss - 11.

ABSENT: Senators Cicione, Marshall, Martin, McCullough, Sharp - 5.

Therefore, the motion failed and the Resolution was considered for adoption on motion of Senator Arnold.

The privilege of the floor was extended to Tom Sandbach, Senate Attorney.

The roll call vote on SCR 41 was then taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cook, Cordrey, Hale, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, Murphy, Sharp, Spence, Weiss - 17.

NO: Senators Holloway, McDowell and Zimmerman - 3.

ABSENT: Senator Cicione - 1.

Therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 374 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cook:

SB 374 - AN ACT OF THE STATE OF DELAWARE AUTHORIZING THE ISSUANCE OF OBLIGATION TO FINANCE COSTS OF VARIOUS PROJECTS, APPROPRIATING THE PROCEEDS TO SUCH USES BY VARIOUS AGENCIES OF THE STATE AND BY THE STATE BOARD OF EDUCATION, APPROPRIATING AMOUNTS IN THE BOND REVERSION ACCOUNT TO FINANCE COSTS OF VARIOUS PROJECTS, DEAUTHORIZING THE ISSUANCE OF OBLIGATIONS FOR VARIOUS PROJECTS AND MAKING PROVISIONS FOR THE ISSUANCE OF OBLIGATIONS AND THE APPLICATION OF SUCH PROCEEDS BY REPEALING CHAPTER 74, TITLE 29, DELAWARE CODE, AS AMENDED, AND REENACTING AS CHAPTER 74, TITLE 29 NEW PROVISIONS FOR THE ISSUANCE OF OBLIGATIONS BY THE STATE AND THE APPLICATION OF SUCH PROCEEDS, PROVIDING FOR A FIRST LIEN ON REVENUES OF THE STATE IN CASE OF DEFAULT IN PAYMENT OF SUCH OBLIGATIONS, AUTHORIZING THE ISSUANCE OF REVENUE ANTICIPATION NOTES AND BY AMENDING CHAPTER 75, TITLE 29, DELAWARE CODE, AS AMENDED, RELATING TO ISSUANCE OF OBLIGATIONS BY THE STATE FOR SCHOOL PROJECTS AND THE APPLICATION OF PROCEEDS OF SUCH OBLIGATIONS. Sponsors: Senators Cook, Hale, Kearns, Littleton; Representatives Sincok, Darling, Jonkiert, Vernon.

The roll call vote on the Bill was taken; however, before it was announced, the roll call was laid on the table on motion of Senator Cook.

At 10:15 p.m. on motion of Senator Cordrey, the Senate recessed to the call of the President Pro Tempore and reconvened at 10:59 p.m., Lt. Governor McGinnis presiding.

On motion of Senator Cook, the roll call vote on SB 374 was lifted and announced:

YES: Senators Adams, Arnold, Berndt, Cook, Cordrey, Hale, Hughes, Kearns, Knox, Littleton, Martin, McCullough, Murphy, Sharp, Spence, Weiss - 16.

NO: Senators Holloway and Zimmerman - 2.

NOT VOTING: Senators Marshall and McDowell - 2.

ABSENT: Senator Cicione - 1.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senator McCullough moved that the necessary rules be suspended for consideration of HB 449 w HA 1.

The roll call vote on the motion was taken and revealed 19 Senators voting YES and 2 (Cicione and McDowell) ABSENT; therefore, the motion prevailed and the Bill was before the Senate:

HB 449 w HA 1 - AN ACT TO PROVIDE A SUPPLEMENTARY APPROPRIATION TO THE STATE BOARD OF EDUCATION TO INCREASE THE DIVISION III UNIT ALLOCATION.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Kearns) voting NO and 1 (Cicione) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 469 was considered for passage under suspension of the necessary rules on motion of Senator McCullough:

HB 469 - AN ACT TO AMEND CHAPTER 17, TITLE 14, DELAWARE CODE, RELATING TO CLASSES FOR PARTIALLY SIGHTED PUPILS.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Cicione and Cook) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 614 was taken up for consideration on motion of Senator McCullough:

HB 614 - AN ACT TO AMEND CHAPTER 68, VOLUME 62 OF THE LAWS OF DELAWARE, ALSO KNOWN AS HOUSE BILL NO. 333 OF THE 130TH GENERAL ASSEMBLY, TO CHANGE THE EFFECTIVE DATE OF STATE FUNDING OF TRANSPORTATION OF PUPILS TO SPECIAL SCHOOLS TO JULY 1, 1980.

The privilege of the floor was extended to Representative Gordy.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Cicione) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

At 11:17 p.m. on motion of Senator Sharp, the Senate recessed and reconvened at 12:02 a.m., June 30, 1979, Lt. Governor McGinnis presiding.

HB 604 w HA 2, 3, 4, 5 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cook:

HB 604 w HA 2, 3, 4, 5 - A TRANSPORTATION PROGRAM ACT OF THE STATE OF DELAWARE REPEALING CHAPTERS 13, 14, 16, 17 AND 19 OF TITLE 2, DELAWARE CODE, AS AMENDED, AND SECTIONS 8407, 8408 AND 8409 OF CHAPTER 84, TITLE 29, DELAWARE CODE, AS AMENDED, CONSTITUTING LAWS PERTAINING TO THE DELAWARE TRANSPORTATION AUTHORITY, THE DELAWARE TURNPIKE, LOCAL TRANSPORTATION AUTHORITIES, SPECIALIZED TRANSPORTATION AUTHORITIES, AND THE COUNCIL ON TRANSPORTATION, REESTABLISHING THE DELAWARE TRANSPORTATION AUTHORITY, AS CHAPTER 13 OF TITLE 2, DELAWARE CODE, AS AMENDED, AUTHORIZING THE CREATION OF SUBSIDIARY CORPORATIONS FOR PUBLIC TRANSPORTATION AND SPECIALIZED TRANSPORTATION, AUTHORIZING THE ISSUANCE OF BONDS BY THE DELAWARE TRANSPORTATION AUTHORITY AND THE STATE OF DELAWARE FOR CERTAIN HIGHWAY PROJECTS, AUTHORIZING THE IMPOSITION, COLLECTION AND PLEDGING OF TOLLS ON THE DELAWARE TURNPIKE, TRANSFERRING CERTAIN HIGHWAY PROJECTS TO THE TRANSPORTATION AUTHORITY FROM THE STATE, CANCELLING THE AUTHORITY OF THE STATE TO ISSUE BONDS FOR SUCH HIGHWAY PURPOSES, AUTHORIZING THE DELAWARE TRANSPORTATION AUTHORITY TO REFUND OUTSTANDING BONDS OF SUCH AUTHORITY AND REESTABLISHING THE COUNCIL ON TRANSPORTATION. Sponsors: Representatives George, Cain, Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Fallon, Harrington, Hebner, Jonkiert, Maroney, Maxwell, Oberle, Petrilli, Powell, Riddagh, Roy, Sincock, Vernon, West; Senators Adams, Arnold, Berndt, Cicione, Cook, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Spence, Weiss.

The privilege of the floor was extended to Harvey A. Napier (Department of Transportation).

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 1 (Zimmerman) voting NO, and 2 (Berndt and Cicione) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 157 w HA 3, 4 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cook:

HB 157 w HA 3, 4 - AN ACT TO AMEND CHAPTER 409, VOLUME 61, LAWS OF DELAWARE, THE 1979 BUDGET ACT, RELATING TO FUNDS APPROPRIATED FOR TEACHERS' SALARIES. Sponsors: Representatives Sincock, Maxwell, Anderson, Cathcart, Roy; Senators Arnold, Berndt, Cicione, Hale, Hughes, Kearns, Knox.

SA 1 to the Bill was introduced by Senator Cook and laid on the table at the Senator's request.

SA 2 to the Bill was introduced by Senator Cook and considered for adoption.

The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, McCullough, Murphy, Weiss, Zimmerman - 14.

NO: Senators Marshall, Martin, McDowell - 3.

NOT VOTING: Senators Hale, Sharp, Spence - 3.

ABSENT: Senator Cicione - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on HB 157 w HA 3, 4, SA 2 was then taken and revealed 18 Senators voting YES; 1 (Cordrey) voting NO; 1 (Sharp) NOT VOTING and 1 (Cicione) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 582 w HA 1 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cordrey:

HB 582 w HA 1 - AN ACT TO AMEND CHAPTER 33, TITLE 19, DELAWARE CODE, RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Representatives Maxwell, Powell, Bennett, Burris, Vernon, McKay, Gordy, Harrington; Senator Berndt.

On motion of Senator Berndt, the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cordrey, Hale, Hughes, Knox, Littleton, Murphy, Weiss, Zimmerman - 11.

NO: Senators Cook, Marshall, Martin, McCullough, McDowell, Sharp, Spence - 7.

NOT VOTING: Senator Holloway - 1.

ABSENT: Senators Cicione and Kearns - 2.

Therefore, the Bill was declared passed by the Senate and returned to the House.

On motion of Senator Marshall, the roll call vote on HB 481 was lifted; however, it was again tabled before being announced on further motion of the Senator.

On motion of Senator McDowell, the roll call vote on SB 4 was lifted from the table; however, it was again tabled before being announced on further motion of the Senator.

At 12:51 a.m., June 30, 1979, on motion of Senator Sharp the Senate recessed to the call of the President Pro Tempore.

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SESSION CALLED BY THE GOVERNOR ON NOVEMBER 6, 1979

Pursuant to the following PROCLAMATION, the Senate convened at 1:12 p.m., November 6, 1979, Lt. Governor McGinnis presiding:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

PROCLAMATION

I, PIERRE S. du PONT, IV, Governor of the State of Delaware, pursuant to Article III, Section 16, of the Constitution of the State of Delaware, do hereby convene the Senate of the 130th General Assembly into session on Tuesday, November 6, 1979, at 1 p.m. for the purpose of confirming Norman A. Barron, Esquire, to be Chief Magistrate, John T. Gallagher, Esquire, to be Judge of the Family Court of the State of Delaware, John L. Sullivan, to be Commissioner of the Department of Correction, John E. Wilson to be Secretary of the Department of Natural Resources and Environmental Control, William S. Young, III, to be Director of Personnel and for the transaction of such other executive business as may come before it.

IN WITNESS WHEREOF, I, PIERRE S. du PONT, IV, Governor of the State of Delaware, have hereunto set my hand and caused the great Seal of said State to be hereunto affixed at Dover this 24th day of October, in the year of our Lord, one thousand nine hundred seventy-nine, and of the independence of the United States of America, the two hundred and fourth.

Pierre S. duPont, Governor

ATTEST: Glenn C. Kenton,
Secretary of State

* * * * *

A Prayer was offered by Senator Littleton.

Call of the roll, revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicone, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The following letters of nomination for appointment by the Governor were read and assigned to Executive Committee:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

November 6, 1979

To the Senate of the 130th 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: John L. Sullivan, 9 Stuyvesant Drive, New Castle, Delaware, to be Commissioner of the Department of Corrections at the pleasure of the Governor, Pierre S. duPont, IV.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

November 6, 1979

To the Senate of the 130th 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: Norman A. Barron, Esq., 2112 Sherwood Road, Wilmington, Delaware, to be Justice of the Peace for a term of four years and to serve as Chief Magistrate.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

November 6, 1979

To the Senate of the 130th 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: John E. Wilson, III, Lake Drive West, Smyrna, Delaware, to be Secretary of the Department of Natural Resources and Environmental Control at the pleasure of the Governor, Pierre S. duPont, IV.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
November 6, 1979

To the Senate of the 130th 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: William S. Young, III, 512 Barrett Street, Wilmington, Delaware, to be Director of Personnel at the pleasure of the Governor, Pierre S. duPont, IV.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
November 6, 1979

To the Senate of the 130th 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: John T. Gallagher, Esq., 616 Whitby Drive, Wilmington, Delaware, to be a Judge of the Family Court of the State of Delaware, in and for New Castle County, for a term of twelve years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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Senators Hale, Marshall and McCullough marked PRESENT.

At 1:22 p.m., on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:41 p.m., Lt. Governor McGinnis presiding.

Senators Holloway and Weiss marked PRESENT.

On motion of Senator Adams, the necessary rules were suspended for consideration of the Governor's nomination for appointment of John Gallager and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the necessary rules were suspended for consideration of the Governor's nomination for appointment of John L. Sullivan.

The following communications were read and made part of this record at the request of Senator Sharp:

STATE OF DELAWARE
DEPARTMENT OF JUSTICE
WILMINGTON, DELAWARE
October 15, 1979

Mr. James T. Vaughn
Washington Avenue
Clayton, Delaware

Dear Jim:

After the events of the past several weeks, I feel compelled to say to you a few of the things which have become evident during the course of the prison investigation.

First of all, the investigation has proved you to be a hardworking, dedicated and completely honest State official.

Second, the investigation which was completed by the Delaware State Police could not have been possible without the complete, full cooperation which you graciously extended to them. Your attitude during the investigation was one of whole-hearted support for the investigative effort and a desire to get to the bottom of the problems which have long plagued the Delaware correctional system. You have given that cooperation knowing full well that whatever facts were discovered could redound against your administration; but, as the honorable and honest person that you are you participated fully and completely in the investigation.

I know that the State Police investigators who conducted this investigation share the sentiments which I have expressed in this letter. They believe, as I do, that the investigation could not have been a success without the cooperation which you have shown.

I want to wish you the best of luck in the future in any endeavors which you undertake.

Yours very truly,

Richard S. Gebelein,
Attorney General

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF MANAGEMENT, BUDGET, AND PLANNING
DOVER
October 24, 1979

Mr. James T. Vaughn
Washington Avenue
Clayton, Delaware

Dear Jim:

Just a note to express my sincerest personal appreciation for all of the time and effort which you devoted to helping this office over the past three years. I know that we didn't always see eye to eye, but I think together OMBP and the Department of Correction have come a long way toward resolving many of the State's important correctional problems. I recognize that many of the remaining trouble spots within the Department are issues over which you had no personal control, and it is unfortunate that guard morale and behavior on duty has been as deleterious to morale as it has.

I certainly hope that if ever I can do anything to help you in any way you will let me know. I have valued our personal and professional relationship highly and just wanted to let you know that the events of the last several weeks in no way mean that I won't always think of you as a true friend.

With my best wishes, as always.

Sincerely,
Nathan Hayward, III, Director

* * * * *

On motion of Senator Sharp, the Governor's nomination for appointment of John L. Sullivan was laid on the table.

On further motion of Senator Sharp, the Governor's nomination for appointment of John L. Sullivan was lifted from the table for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

Senator Knox requested the privilege of the floor for Tom Sandbach, Senate Attorney; however, the Chair ruled that since the Session was called for the purpose of Executive business only and no other matters could be taken up and the privilege of the floor was denied.

At 6:14 p.m. on motion of Senator Cordrey, the Session called by the Governor was recessed to the call of the Chair.

130TH GENERAL ASSEMBLY
SECOND SESSION
1ST LEGISLATIVE DAY
JANUARY 8, 1980

The Senate convened at 1:43 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

SB 357 which had passed the Senate was returned to the Senate by the House as further amended by HA 1,2 and laid on the table on motion of Senator Cook.

HB 597 was introduced by the Chair and laid on the table on motion of Senator Sharp:

HB 597 - AN ACT TO AMEND CHAPTER 12 AND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO SUBSTITUTE TEACHERS; AND PROVIDING A SUPPLEMENTARY APPROPRIATION THEREFOR. Sponsors: Representatives Bennett, W. Brady, Burris, Connor, Darling, Neal; Senator Zimmerman.

SCR 42 (Sponsored by Senator Zimmerman and Representative Bennett) was introduced and considered for adoption:

SCR 42 - EXPRESSING CONDOLENCES UPON HEARING OF THE DEATH OF G. LESLIE GOODEN, A FORMER LEGISLATOR AND VETERAN REALTOR OF KENT COUNTY.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Holloway, Martin and Weiss) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SR 56 (Sponsored by Senator Hughes) was introduced:

SR 56 - REQUESTING THE GOVERNOR TO OFFER THE ASSISTANCE OF THE STATE OF DELAWARE TO THE CHRYSLER CORPORATION.

Senators Weiss and Holloway marked PRESENT.

Senator Hughes moved that the roll call vote for the adoption of SR 56 be taken; however, Senator McDowell moved that the Resolution be laid on the table.

Senator McDowell withdrew his motion to lay the Resolution on the table and the roll call vote for the adoption of the Resolution was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, McDowell, Murphy, Sharp, Spence, Weiss - 17.

NO: Senators Cordrey and Zimmerman - 2.

NOT VOTING: Senator McCullough - 1.

ABSENT: Senator Martin - 1.

Therefore, the Resolution was declared adopted.

SR 57 (Sponsored by Senator Zimmerman) was introduced and considered for adoption on his motion:

SR 57 - URGING STATE AGENCIES TO IMPLEMENT POLICIES DESIGNED TO MAKE FIREWOOD MORE READILY AVAILABLE TO CITIZENS OF DELAWARE FOR THEIR OWN USE.

The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the Resolution was declared adopted.

SR 58 (Sponsored by Senator Cook) was introduced:

SR 58 - EXPRESSING CONDOLENCE UPON HEARING OF THE DEATH OF N. MAXSON TERRY, SR., A VETERAN DELAWARE ATTORNEY AND BROTHER TO THE LATE GOVERNOR CHARLES L. TERRY.

All of the Senators and Lt. Governor McGinnis were added as co-sponsors of the Resolution after which the roll call vote was taken and revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the Resolution was declared adopted.

SCR 44 (Sponsored by Senators Cordrey and Adams; Representative Vernon was introduced and considered for adoption:

SCR 44 - COMMENDING THE CAPE HENLOPEN HIGH SCHOOL FOOTBALL TEAM AND COACH JIM ALDERMAN FOR WINNING THE STATE CHAMPIONSHIP IN DIVISION I FOR THE FIRST TIME.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Martin and Zimmerman) ABSENT; therefore, the Resolution 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 recessed for Party Caucus and reconvened at 3:53 p.m., Senator Cordrey presiding.

Senator Martin marked PRESENT.

The Secretary announced that a message from the House informed the Senate that it had passed SB 289 w SA 1; SB 374; SB 265 w SA 1, 2, 3, 4; SB 305; SB 321 w SA 3; SB 196 w SA 1, 2; SB 374 w HA 1, 2

The Secretary announced that Legislative Advisories #21 through 26 received from the Office of the Counsel to the Governor informed the Senate that the Governor signed the following legislation: On June 26, 1979: SB 180 w SA 1, SB 47, SB 129, SB 144, SB 150, SB 127; on June 29, 1979: SB 308; on June 30, 1979: SB 373; On July 3, 1979: SJR 18, SJR 24, SJR 26, SJR 28, SB 348, SB 347, SB 37 w SA 1, HA 3, SB 346, SJR 23; on July 5, 1979: SJR 15, SJR 17, SB 25, SB 53, SB 97 w SA 1, 2, SB 103, SB 154, SB 185, SB 213 w SA 1, SB 227, SB 250, SB 258, SB 267, SB 259, SB 273, SB 285, SB 315 w SA 1; on July 7, 1979: SB 108 w SA 1, 2, 3, SB 197, SB 198, SB 246 w SA 1, 2,

SB 248 w SA 1, SB 303, SB 321 w SA 3, SB 339 w SA 1; on July 12, 1979: SB 21 w SA 1, SB 136 w SA 1, SB 194 w SA 1, SB 196 w SA 1, 2, SB 224 w SA 1, SB 225 w SA 2 and SA 1 to SA 2, SB 264 w SA 1, SB 287 w SA 1, SB 289 w SA 1, SB 305, SB 332 w SA 2, SB 374; on July 13, 1979: SB 245 w SA 5 and SA 1 to SA 5, HA 1, 2, SB 311 w SA 1, SB 265 w SA 1, 2, 3, 4. The Governor vetoed the following legislation: SB 255 on July 3, 1979 and SB 133 on July 7, 1979.

HJR 25 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Sharp:

HJR 25 - AMENDING HOUSE JOINT RESOLUTION NO. 1 IN REFERENCE TO THE ELECTION OF OFFICERS. Sponsors: Representatives Burris and Hebner.

The roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

On motion of Senator Kearns, and under suspension of the necessary rules SB 212 was restored to the Calendar and assigned to the Judiciary Committee.

The following legislation was introduced:

SB 376 - AN ACT TO AMEND CHAPTER 5, PART I, TITLE 31 OF THE DELAWARE CODE RELATING TO WELFARE; AND PROVIDING FOR PHARMACEUTICAL ASSISTANCE TO THE AGED. Sponsors: Senators McDowell, Cicione and Marshall; Representatives McBride, Anderson and Jonkiert. Assigned to Committee on Aging.

SB 377 - AN ACT TO AMEND CHAPTER 2, TITLE 1, DELAWARE CODE, RELATING TO APPOINTMENT AUTHORITY OF DELAWARE CODE REVISORS. Sponsor: Senator Cordrey. Assigned to Executive Committee.

SB 378 - AN ACT TO AMEND TITLE 11, DELAWARE CODE, TO REQUIRE RESTITUTION BY PERSONS CONVICTED OF FORGERY. Sponsor: Senator Cicione. Assigned to Judiciary Committee.

SB 379 - AN ACT TO AMEND CHAPTER 40, TITLE 31, DELAWARE CODE, RELATING TO THE DEFINITION OF LOW AND MODERATE INCOME. Sponsor: Senator Murphy. Assigned to Committee on Aging.

SB 380 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE MAGNOLIA VOLUNTEER FIRE COMPANY FOR THE MAINTENANCE AND OPERATION OF AN AMBULANCE. Sponsors: Senator Murphy and Representative Minner. Assigned to Finance Committee.

SB 381 - AN ACT TO AMEND CHAPTER 1, TITLE 26, DELAWARE CODE, TO PROHIBIT DISCONTINUANCE OF GAS OR ELECTRIC SERVICE DURING CERTAIN PERIODS OF THE YEAR. Sponsors: Senators McDowell, Sharp, Cicione, Marshall and Holloway; Representatives Holloway, Jr., Plant and Jonkiert. Assigned to Energy Committee.

SCR 43 - OFFERING PRAYERS FOR AMERICAN HOSTAGES HELD CAPTIVE IN IRAN AND SUPPORTING ALL REASONABLE EFFORTS TO SECURE THEIR SAFE RELEASE. Sponsors: Senator Sharp and all the Senators.

The roll call vote on the Resolution was taken on motion of Senator Sharp and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 45 - EXPRESSING THE GENERAL ASSEMBLY'S DEEP SORROW AT THE DEATH OF SENATOR GEORGE F. SCHLOR OF WILMINGTON. Sponsors: Senator Marshall and all of the Senators.

The roll call vote on the Resolution was taken on motion of Senator Marshall and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 46 - COMMENDING THE UNIVERSITY OF DELAWARE BLUE HENS AND THEIR COACH, HAROLD "TUBBY" RAYMOND, FOR THE OUTSTANDING ACHIEVEMENT OF WINNING THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION II NATIONAL FOOTBALL CHAMPIONSHIP. Sponsors: Senator Martin and all of the Senators.

The roll call vote on the Resolution was taken on motion of Senator Martin and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The following legislation was introduced:

SB 382 - AN ACT TO AMEND CHAPTER 94 OF TITLE 29, DELAWARE CODE, BY ESTABLISHING AN EMERGENCY HEATING ASSISTANCE FUND TO BE USED BY HOMEOWNERS AND OTHERS FOR THE PURCHASE OF HEATING FUELS, AND ESTABLISHING ENERGY CONSERVATION PARTICIPATION AS A QUALIFICATION FOR ELIGIBILITY FOR ASSISTANCE, AND FURTHER PROVIDING A SUPPLEMENTARY APPROPRIATION THEREFOR. Sponsors: Senators McDowell, Marshall, Cicione, Sharp, McCullough, Holloway, Kearns, Murphy, Cook, Zimmerman; Representatives W. Brady, McBride, Ferguson, Holloway, Jr., Plant, Jonkiert, Maxwell and Cain.

Senator McDowell moved that the Bill be laid on the table; however, Senator Berndt objected and the Senator withdrew his motion.

SB 383 - AN ACT TO AMEND CHAPTER 80, TITLE 15, DELAWARE CODE, RELATING TO CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. Sponsor: Senator Marshall. Assigned to Banking, Insurance and Elections Committee.

SB 384 - AN ACT TO AUTHORIZE THE CAPITAL SCHOOL DISTRICT TO EXPEND FUNDS FROM ITS DEBT SERVICE ACCOUNT. Sponsors: Senator Zimmerman; Representatives Harrington and Bennett. Assigned to Finance Committee.

SB 385 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT CHANGING THE CORPORATE NAME OF 'THE COMMISSIONERS OF WYOMING' TO 'THE TOWN OF WYOMING' AND ESTABLISHING A CHARTER THEREFOR", BEING CHAPTER 189, VOLUME 43, LAWS OF DELAWARE, 1941, AS AMENDED BY EXPRESSLY AUTHORIZING THE COUNCIL OF THE TOWN OF WYOMING TO BORROW MONEY FROM THE FIRST NATIONAL BANK OF WYOMING FOR THE PURPOSE OF ACQUIRING THE TOWN RAILROAD STATION BUILDING AND LANDS FROM THE PRESENT OWNER. Sponsors: Senator Murphy; Representatives Morris, Bennett and Darling. Assigned to Community Affairs Committee.

SB 386 - AN ACT TO AMEND CHAPTER 212, VOLUME 25, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF BETHANY BEACH AND GIVING IT AUTHORITY TO ISSUE BONDS", TO AUTHORIZE THE TOWN OF BETHANY BEACH TO TAX REAL ESTATE TRANSFERS WITHIN THE SAID TOWN. Sponsors: Senator Cordrey and Representative Vernon. Assigned to Community Affairs Committee.

On motion of Senator McCullough, HB 555 was taken up for consideration:

HB 555 - AN ACT TO AMEND CHAPTER 6, TITLE 14 OF THE DELAWARE CODE RELATING TO TUITION CHARGES UNDER CERTAIN CIRCUMSTANCES FOR HANDICAPPED PERSONS.

The privilege of the floor was extended to Representative Bennett to speak on the Bill; however, before final action was taken, the Bill was laid on the table on motion of Senator McCullough.

SB 382 which had been assigned to the Energy Committee was reassigned to the Finance Committee at the request of Senator McDowell.

SB 292 was taken up for consideration on motion of Senator Murphy:

SB 292 - AN ACT TO AMEND CHAPTER 27, TITLE 21, DELAWARE CODE RELATING TO SUSPENSION OF DRIVER'S LICENSES.

The roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 297 was taken up for consideration on motion of Senator Zimmerman:

SB 297 - AN ACT TO AMEND CHAPTER 47, TITLE 7, DELAWARE CODE RELATING TO PENALTIES FOR VIOLATIONS OF STATE PARK RULES AND REGULATIONS.

Final action on the Bill was deferred on further motion of Senator Zimmerman.

On motion of Senator Cicione, SB 357 which had passed the Senate and returned from the House further amended by HA 1, 2 was lifted for consideration.

The roll call vote on SB 357 w HA 1, 2 was then taken and revealed 18 Senators voting YES; 1 (Hughes) NOT VOTING and 2 (Spence and Weiss) ABSENT; therefore, the Bill was declared passed by the Senate.

At 5:04 p.m. on motion of Senator Sharp, the Senate recessed until January 9, 1980 at 2:00 p.m.

The Senate reconvened at 2:27 p.m., Lt. Governor McGinnis presiding.

SB 384 was reported out of the Finance Committee: 1 Favorable, 7 Merits.

The following legislation was introduced:

SB 375 - AN ACT OF THE STATE OF DELAWARE AUTHORIZING THE ISSUANCE OF OBLIGATIONS TO FINANCE COSTS OF VARIOUS PROJECTS; APPROPRIATING THE PROCEEDS TO SUCH USES BY VARIOUS AGENCIES OF THE STATE AND BY THE STATE BOARD OF EDUCATION, APPROPRIATING AMOUNTS IN THE BOND REVERSION ACCOUNT TO FINANCE COSTS OF

VARIOUS PROJECTS, DEAUTHORIZING THE ISSUANCE OF OBLIGATIONS FOR VARIOUS PROJECTS AND MAKING PROVISIONS FOR THE ISSUANCE OF OBLIGATIONS AND THE APPLICATION OF SUCH PROCEEDS BY REPEALING CHAPTER 74, TITLE 29, DELAWARE CODE, AS AMENDED, AND REENACTING AS CHAPTER 74, TITLE 29 NEW PROVISIONS FOR THE ISSUANCE OF OBLIGATIONS BY THE STATE AND THE APPLICATION OF SUCH PROCEEDS, PROVIDING FOR A FIRST LIEN ON REVENUES OF THE STATE IN CASE OF DEFAULT IN PAYMENT OF SUCH OBLIGATIONS, AUTHORIZING THE ISSUANCE OF REVENUE ANTICIPATION NOTES AND BY AMENDING CHAPTER 75, TITLE 29, DELAWARE CODE, AS AMENDED, RELATING TO ISSUANCE OF OBLIGATIONS BY THE STATE FOR SCHOOL PROJECTS AND THE APPLICATION OF PROCEEDS OF SUCH OBLIGATIONS. Sponsor: Senator Cook. Assigned to Finance Committee.

SB 387 - AN ACT TO AMEND CHAPTER 52, TITLE 29, OF THE DELAWARE CODE TO INCREASE THE PAYMENT OF SUBSCRIPTION CHARGES FOR HEALTH CARE INSURANCE FOR STATE EMPLOYEES AND THEIR DEPENDENTS. Sponsor: Senator Cook. Assigned to Finance Committee.

SB 388 - AN ACT TO AMEND CHAPTER 64, PART VII, TITLE 7 OF THE DELAWARE CODE RELATING TO ADDITIONAL FEES AND CHARGES IMPOSED BY THE DELAWARE SOLID WASTE AUTHORITY. Sponsor: Senator Cicione. Assigned to Natural Resources and Environmental Control Committee.

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

2ND LEGISLATIVE DAY

The Senate convened at 2:30 p.m., January 9, 1980, Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Weiss, Zimmerman - 20.

ABSENT: Senator Spence - 1.

The Journal of the previous day was approved as read.

On motion of Senator Zimmerman, SB 384 was taken up for consideration:

SB 384 - AN ACT TO AUTHORIZE THE CAPITAL SCHOOL DISTRICT TO EXPEND FUNDS FROM ITS DEBT SERVICE ACCOUNT.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (McCullough and Spence) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 1 which was next on the Agenda for the day, was deferred for consideration on motion of Senator Cordrey.

Senators Holloway and Murphy marked PRESENT.

SB 251 was taken up for consideration on motion of Senator Murphy:

SB 251 - AN ACT TO AMEND CHAPTER 68 OF TITLE 16, DELAWARE CODE RELATING TO IMMUNITY FOR THE REPORTING OF ARSON.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (McCullough and Spence) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

A Committee from the House of Representatives (Representatives Darling and Roy) appeared to inform the Senate that the House was re-organized and ready for action.

SB 322 was taken up for consideration on motion of Senator McDowell:

SB 322 - AN ACT TO AMEND TITLE 7, DELAWARE CODE RELATING TO ENERGY CONSERVATION, ENERGY SAVINGS DEVICES, AND ENERGY EFFICIENCY STANDARDS.

Before final action was taken on the Bill however, it was laid on the table on further motion of Senator McDowell.

SB 262 was taken up for consideration on motion of Senator Murphy:

SB 262 - AN ACT TO AMEND CHAPTER 31, TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP LIFE INSURANCE.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Spence) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 3:01 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:28 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 42; SCR 43; SCR 44; SCR 45 and SCR 46.

The following Bills were reported out of the Finance Committee: SB 380 - 8 Favorable; SB 382 - 6 Favorable, 2 Merits.

The following legislation was introduced:

SB 389 - AN ACT TO AMEND CHAPTER 86, TITLE 9, DELAWARE CODE, RELATING TO PENALTIES FOR LATE PAYMENT OF TAXES. Sponsors: Senator Holloway and Representative Holloway, Jr. Assigned to Revenue and Taxation Committee.

SB 390 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE 3, SECTION 19 OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE POWERS OF THE LIEUTENANT GOVERNOR. Sponsor: Senator Holloway. Assigned to Executive Committee.

SB 391 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 20, OF THE CONSTITUTION OF DELAWARE RELATING TO INABILITY OF THE GOVERNOR TO DISCHARGE THE POWERS AND DUTIES OF HIS OFFICE. Sponsor: Senator Holloway. Assigned to Executive Committee.

SB 392 - AN ACT TO AMEND PART I, TITLE 31 OF THE DELAWARE CODE BY ADDING THERETO A CHAPTER 7 AUTHORIZING A PROGRAM OF ASSISTANCE TO THE ELDERLY IN MEETING HOME HEATING EXPENSES AND PROVIDING A SUPPLEMENTARY APPROPRIATION THEREFOR. Sponsors: Senator Cicione and Representative Maxwell. Assigned to Finance Committee.

SA 1 to SB 322. Sponsor: Senator McDowell. Placed with the Bill.

HJR 26 - MOURNING THE DEATH OF REPRESENTATIVE DANIEL F. KELLY OF THE 16TH REPRESENTATIVE DISTRICT ON SEPTEMBER 14, 1979. Sponsors: Representatives Ferguson, Gordy, Minner, Burris, Hebner; Senators Cordrey, Sharp, McCullough, Knox, Arnold and all members of the House and Senate.

The Resolution was considered for adoption under suspension of the necessary rules on motion of Senator Sharp and the roll call vote taken which revealed 19 Senators voting YES and 2 (Spence and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 87 - CONGRATULATING THE 1979 UNIVERSITY OF DELAWARE FOOTBALL TEAM, ITS COACH, HAROLD (TUBBY) RAYMOND, AND THE UNIVERSITY'S ATHLETIC DEPARTMENT ON WINNING THE DIVISION II CHAMPIONSHIP OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION. Sponsors: Representatives McKay, Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jr., Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, VanSciver, Vernon, West; Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman.

On motion of Senator Sharp, the Resolution was considered for adoption and the roll call vote taken which revealed 20 Senators voting YES and 1 (Spence) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

The following communications from the Governor were read and assigned to Executive Committee:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
January 4, 1980

To the Senate of the 130th General Assembly
of the State of Delaware

The nomination of Mr. Frederick N. Van Sant to be Personnel Director of the State of Delaware, submitted to you on January 10, 1979, is hereby formally withdrawn.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

November 29, 1979

To the Senate of the 130th 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 S. Czerwinski, 204 S. Franklin Street, Wilmington, Delaware, to be reappointed a member of the New Castle County Board of Elections for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

November 29, 1979

To the Senate of the 130th 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. Lawrence T. Messick, 1 Plover Court, Wilmington, Delaware, to be reappointed a member of the New Castle County Board of Elections for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

November 29, 1979

To the Senate of the 130th 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. Ruffin N. Noisette, 507 West 19th Street, Wilmington, Delaware, to be reappointaed a member of the New Castle County Board of Elections for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
November 29, 1979

To the Senate of the 130th 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. Howard J. Rudge, 3201 Tanya Drive, Wilmington, Delaware, to be reappointed a member of the New Castle County Board of Elections for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
November 29, 1979

To the Senate of the 130th 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. Harry S. Thomas, 1001 Walnut Street, Wilmington, Delaware, to be reappointed a member of the New Castle County Board of Elections for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
November 29, 1979

To the Senate of the 130th 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: Mrs. Alta Harrington, Commerce Street, Harrington, Delaware, to be reappointed a member of the Kent County Board of Elections for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
November 29, 1979

To the Senate of the 130th 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 C. Wright, 917 Janeka Lane, Dover, Delaware, to be a member of the Kent County Board of Elections for a term of four (4) years to fill the expired term of C. Robert Downham.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
November 29, 1979

To the Senate of the 130th 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 Zook, Sr., Rt. 3, Box 652, Milford, Delaware, to be reappointed a member of the Kent County Board of Elections for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
November 29, 1979

To the Senate of the 130th 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 B. Hopkins, Bridgeville, Delaware, to be reappointed a member of the Sussex County Board of Elections for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
November 29, 1979

To the Senate of the 130th 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: Elwood S. Jones, 112 Rivershore Drive, Seaford, Delaware, to be appointed a member of the Sussex County Board of Elections for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
November 29, 1979

To the Senate of the 130th 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: Mrs. Verdie West, Clarksville Road, Dagsboro, Delaware, to be reappointed a member of the Sussex County Board of Elections for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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SB 263 was taken up for consideration on motion of Senator Murphy:

SB 263 - AN ACT TO AMEND CHAPTER 32, TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP LIFE INSURANCE FOR STATE EMPLOYEES.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Spence) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Sharp, the Senate adjourned at 4:53 p.m. until 2:00 p.m., January 10, 1980.

3RD LEGISLATIVE DAY
January 10, 1980

The Senate convened at 2:18 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

The following legislation was introduced:

SB 393 - AN ACT TO AMEND CHAPTER 48, TITLE 29, DELAWARE CODE, TO AUTHORIZE THE CONDUCT OF LOTTERIES BY VOLUNTEER FIRE COMPANIES, VETERANS ORGANIZATIONS, RELIGIOUS AND CHARITABLE ORGANIZATIONS, AND FRATERNAL ORGANIZATIONS. Sponsor: Senator Holloway. Assigned to Community Affairs Committee.

SB 394 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO LOTTERIES CONDUCTED BY NON-PROFIT RELIGIOUS, CHARITABLE, OR SERVICE ORGANIZATIONS. Sponsor: Senator Holloway. Assigned to Executive Committee.

SA 1 to SB 313. Sponsor: Senator Hughes. Placed with the Bill.

SA 1 to SB 379. Sponsor: Senator Marshall. Placed with the Bill.

SB 395 - AN ACT TO AMEND CHAPTER 101, VOLUME 62, LAWS OF DELAWARE RELATING TO THE TOWN COUNCIL FOR THE TOWN OF SLAUGHTER BEACH. Sponsor: Senator Adams. Assigned to Community Affairs Committee.

SB 396 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE, RELATING TO THE REQUIREMENT OF INSURANCE FOR CERTAIN MOTOR VEHICLES BY PROVIDING FOR THE AWARD OF ATTORNEYS FEES IN SUITS AGAINST CARRIERS WHO PROVIDE SUCH INSURANCE. Sponsor: Senator Holloway. Assigned to Banking, Insurance and Elections Committee.

SB 397 - AN ACT TO PROVIDE A SUPPLEMENTARY APPROPRIATION TO THE STATE BOARD OF EDUCATION FOR THE PURPOSE OF REIMBURSING PARENTS OR GUARDIANS OF STUDENTS FOR PUPIL TRANSPORTATION COST. Sponsors: Senators McCullough and Cicione; Representatives Maxwell and McBride. Assigned to Education Committee.

SB 398 - AN ACT TO AMEND CHAPTER 21, PART II, TITLE 21, OF THE DELAWARE CODE TO PROVIDE FOR SPECIAL LICENSE PLATES FOR MEMBERS OF VOLUNTEER FIRE COMPANIES. Sponsor: Senator Spence. Assigned to Public Safety Committee.

SA 1 to SB 326 was stricken at the request of Senator Holloway.

Senators Cicione and Marshall marked PRESENT.

SB 313 was taken up for consideration on motion of Senator Hughes:

SB 313 - AN ACT TO AMEND SECTION 2118, CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REQUIREMENT OF INSURANCE FOR UNREGISTERED MOTOR VEHICLES.

The privilege of the floor was extended to Robert J. Voshell (Director, Division of Motor Vehicles).

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Hughes and the roll call vote taken which revealed 18 Senators voting YES and 3 (Arnold, Cicione and Martin) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 313 w SA 1 was then taken and revealed 18 Senators voting YES and 3 (Cicione, Cook and Martin) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senator Arnold marked PRESENT.

HB 555 was lifted from the table for consideration on motion of Senator McCullough.

SA 1 to the Bill was introduced by Senator Kearns and laid on the table.

The privilege of the floor was extended to Tom Sandbach, Senate Attorney.

Senators Martin and Cook marked PRESENT.

HB 555 was then again tabled on motion of Senator McCullough.

HB 123 was taken up for consideration on motion of Senator Cook:

HB 123 - AN ACT TO AMEND CHAPTER 19, TITLE 29, DELAWARE CODE, RELATING TO THE FISCAL PROJECTIONS.

The roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

At 3:01 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:07 p.m., Senator Cordrey presiding.

The following Bills were reported out of the Judiciary Committee: SB 212 - 1 Favorable, 4 Merits; SB 378 - 1 Favorable, 4 Merits.

The following legislation was introduced:

SB 399 - AN ACT TO AMEND CHAPTER 47, TITLE 7 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF MAIL-IN FINES FOR A VIOLATION OF STATE PARK REGULATIONS. Sponsor: Senator Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

SB 400 - AN ACT AUTHORIZING A FEASIBILITY STUDY OF THE RECREATIONAL POTENTIAL OF THE CHRISTIANA RIVER AND MAKING AN APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. Sponsor: Senator Martin. Assigned to Finance Committee.

SA 1 to SB 135. Sponsor: Senator Holloway. Placed with the Bill.

SR 59 - AUTHORIZING THE SECRETARY OF THE SENATE TO PURCHASE POSTAGE STAMPS FOR THE SECOND SESSION OF THE 130TH GENERAL ASSEMBLY. Sponsor: Senator Cordrey.

The Resolution was considered for adoption on motion of Senator Cordrey and the roll call vote taken which revealed 19 Senators voting YES and 2 (Marshall and Littleton) ABSENT; therefore, the Resolution was declared adopted.

SJR 31 - DIRECTING THE SECRETARY OF STATE TO PROHIBIT THE USE OF THE OLD STATE HOUSE IN DOVER FOR GATHERINGS OTHER THAN OFFICIAL STATE FUNCTIONS. Sponsor: Senator Martin. Assigned to Executive Committee.

SB 323 was taken up for consideration on motion of Senator Holloway:

SB 323 - AN ACT TO CHANGE THE NAME OF THE DELAWARE HOSPITAL FOR THE MENTALLY RETARDED, A FACILITY OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, TO THE STOCKLEY CENTER.

At the request of Senator Cordrey, the Bill was temporarily laid on the table.

The privilege of the floor was extended to Lt. Governor McGinnis who in turn introduced to the Senate two transportation experts from Japan who were in Delaware to study the public transportation situation in the State and possibly make suggestions as how improvements might be made.

A Non-printed Resolution in the form of a communication was read congratulating Lt. Governor McGinnis on his birthday.

SB 323 was then lifted from the table for final consideration on motion of Senator Holloway and the roll call vote taken which revealed 20 Senators voting YES and 1 (McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 135 was lifted from the table for consideration on motion of Senator Holloway:

SB 135 - AN ACT TO AMEND CHAPTER 66, TITLE 16 OF THE DELAWARE CODE RELATING TO THE REQUIREMENT OF RESIDENTIAL SMOKE DETECTORS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the roll call vote taken which revealed 20 Senators voting YES and 1 (McDowell) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Lawrence E. Mergenthaler (Delaware Volunteer Firemen's Association) after which SB 135 w SA 1 was laid on the table on motion of Senator Holloway.

SB 401 (Sponsored by Senator Holloway) was introduced and assigned to Revenue and Taxation Committee.

SB 401 - AN ACT TO AMEND CHAPTER 11, TITLE 22, DELAWARE CODE, RELATING TO PENALTIES FOR LATE PAYMENT OF TAXES.

SJR 31 was stricken at the request of the sponsor, Senator Martin.

At her request, Senator Spence was added as co-sponsor to SB 388.

At 5:16 p.m., on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 15, 1980.

The Senate reconvened at 2:16 p.m., January 15, 1980, Lt. Governor McGinnis presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted SJR 29.

The following legislation was introduced:

SB 402 - AN ACT TO AMEND CHAPTER 47, PART IV, TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT; AND PERMITTING PRACTITIONERS TO PRESCRIBE CERTAIN SCHEDULE I SUBSTANCES TO PATIENTS FOR MEDICINAL PURPOSES. Sponsor: Senator Marshall. Assigned to Health and Social Services Committee.

HB 646 - AN ACT TO AWARD AN ELECTED OFFICIALS SURVIVORS PENSION TO THE SURVIVING SPOUSE OF THE LATE DANIEL KELLY AND MAKING APPROPRIATION THEREFOR. Sponsors: All members of the 130th General Assembly. The Bill was temporarily laid on the table at the request of Senator Cordrey.

HJR 27 - ASKING CITIZENS OF DELAWARE TO OBSERVE 1980 AS YEAR OF THE COAST. Sponsors: Representatives Smith, Burris, Vernon; Senators Zimmerman and Cordrey. Assigned to Natural Resources and Environmental Control Committee.

SB 403 - AN ACT TO AMEND CHAPTER 61, TITLE 10, DELAWARE CODE RELATING TO CONDEMNATION. Sponsor: Senator Kearns. Assigned to Judiciary Committee.

SA 1 to SB 388. Sponsors: Senators Spence and Cicione. Placed with the Bill.

SA 1 to HB 403. Sponsor: Senator Cordrey. Placed with the Bill.

HCR 86 - COMMENDING THE CAPE HENLOPEN FIELD HOCKEY TEAM FOR WINNING THE STATE CHAMPIONSHIP. Sponsors: Representatives Vernon, Burris; Senators Adams and Cordrey.

The Resolution was considered for adoption on motion of Senator Cordrey and the roll call vote taken which revealed 14 Senators voting YES and 7 (Cicione, Hale, Holloway, Marshall, Martin, McCullough and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 88 - COMMENDING THE CAPE HENLOPEN HIGH SCHOOL CROSS COUNTRY TEAM FOR WINNING THE DIVISION II CHAMPIONSHIP. Sponsors: Representatives Vernon and Burris; Senators Adams and Cordrey.

The Resolution was taken up for consideration on motion of Senator Cordrey and the roll call vote taken which revealed 16 Senators voting YES and 5 (Holloway, Marshall, Martin, McCullough and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SR 60 - IN REFERENCE TO STAFF. Sponsors: Senators Cordrey, Adams and Sharp.

The Resolution was considered for adoption on motion of Senator Cordrey and the roll call vote taken which revealed 16 Senator voting YES and 5 (Holloway, Marshall, Martin, McCullough and Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

SR 61 - MOURNING THE DEATH OF GEORGE MEANY, ORGANIZED LABOR'S GREAT STATESMAN FOR THE PAST 25 YEARS, ON JANUARY 10, 1980. Sponsors: Senators Kearns and McDowell.

On motion of Senator Kearns, the Resolution was considered for adoption and the roll call vote taken which revealed 15 Senators voting YES and 6 (Holloway, Marshall, Martin, McCullough, Murphy and Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

SCR 47 - COMMENDING THE TWO BRAVE CITIZENS WHO WENT TO THE AID OF A STATE TROOPER ON NOVEMBER 25, 1979. Sponsor: Senator Hughes.

The Resolution was considered for adoption on motion of Senator Hughes and the roll call vote taken which revealed 16 Senators voting YES and 5 (Holloway, Martin, McCullough, Murphy and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 2:30 p.m., on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 4th Legislative Day.

4TH LEGISLATIVE DAY January 15, 1980

The Senate convened at 2:30 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

At 2:32 p.m., on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:02 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Banking, Insurance and Elections Committee: SB 383 - 3 Merits.

From the Community Affairs Committee: SB 385 - 4 Merits.

The following legislation was introduced:

SB 404 - AN ACT TO AMEND CHAPTER 9, TITLE 19, DELAWARE CODE RELATING TO INCREASES IN THE MINIMUM WAGE RATE. Sponsors: Senators Cicione, Kearns, Marshall, Holloway; Representatives McBride, Maxwell, VanSciver. Assigned to Labor Committee.

SB 405 - AN ACT TO AMEND CHAPTER 5, TITLE 19, DELAWARE CODE, RELATING TO CHILD LABOR. Sponsor: Senator Cicione. Assigned to Labor Committee.

SA 6 to HB 24. Sponsor: Senator Hughes. Placed with the Bill.

SA 1 to SB 170. Sponsor: Senator Sharp. Placed with the Bill.

HJR 28 - EXPRESSING THE CONDOLENCES OF THE HOUSE OF REPRESENTATIVES, WITH THE SENATE CONCURRING THEREIN, TO THE FAMILY OF THE LATE MARGARET HASTINGS. Sponsors: Representatives Fallon, Burris, Smith and Vernon; Senators Adams, Cordrey and Littleton.

On motion of Senator Adams, the necessary rules were suspended for consideration of the Resolution and the roll call vote taken which revealed 16 Senators voting YES and 5 (Holloway, Marshall, Martin, Murphy and Spence) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

Senators Martin and Murphy marked PRESENT.

At his request, Senator Martin was added as co-sponsor to SB 405.

On motion of Senator Sharp, the necessary rules were suspended for lifting HB 646 from the table for consideration:

HB 646 - AN ACT TO AWARD AN ELECTED OFFICIALS SURVIVORS PENSION TO THE SURVIVING SPOUSE OF THE LATE DANIEL KELLY AND MAKING APPROPRIATION THEREFOR.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Holloway and Murphy) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 382 was taken up for consideration on motion of Senator McDowell:

SB 382 - AN ACT TO AMEND CHAPTER 94 OF TITLE 29, DELAWARE CODE, BY ESTABLISHING AN EMERGENCY HEATING ASSISTANCE FUND TO BE USED BY HOMEOWNERS AND OTHERS FOR THE PURCHASE OF HEATING FUELS, AND ESTABLISHING ENERGY CONSERVATION PARTICIPATION AS A QUALIFICATION FOR ELIGIBILITY FOR ASSISTANCE, AND FURTHER PROVIDING A SUPPLEMENTARY APPROPRIATION THEREFOR.

The privilege of the floor was extended to Senate Attorneys Tom Sandback and Harry Terry after which the Bill was laid on the table on motion of Senator McDowell.

SS 1 for SB 109 w SA 2 was taken up for consideration on motion of Senator Murphy:

SS 1 for SB 109 w SA 2 - AN ACT TO AMEND TITLE 21, DELAWARE CODE, RELATING TO ODOMETER REQUIREMENTS.

SA 4 to the Bill was introduced by Senator Spence who moved for its adoption.

The roll call vote on the Amendment was taken and revealed:

YES: Arnold, Berndt, Hale, Hughes, Knox, Littleton, Spence, Weiss - 8.

NO: Senators Cicione, Cook, Cordrey, Kearns, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Zimmerman - 11.

ABSENT: Senators Adams and Holloway - 2.

Therefore, the Amendment was declared defeated.

The roll call vote on SS 1 for SB 109 w SA 2 was then taken on motion of Senator Murphy; however, the roll call was laid on the table before being announced on further motion of the Senator.

SB 382 was lifted from the table for consideration on motion of Senator McDowell.

SA 1 to the Bill was introduced by Senator McDowell who moved for its adoption. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Adams and Holloway) ABSENT; therefore, the Amendment was declared adopted.

SA 2 to the Bill was introduced by Senator Littleton and was immediately withdrawn at his request.

SB 382 w SA 1 was then laid on the table temporarily on motion of Senator McDowell.

SB 380 was taken up for consideration on motion of Senator Murphy:

SB 380 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE MAGNOLIA VOLUNTEER FIRE COMPANY FOR THE MAINTENANCE AND OPERATION OF AN AMBULANCE.

The privilege of the floor was extended to Lawrence E. Mergenthaler (Delaware Volunteer Fireman's Association) after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Adams and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 277 was taken up for consideration on motion of Senator Murphy:

SB 277 - AN ACT TO AMEND CHAPTER 1, TITLE 5, DELAWARE CODE, RELATING TO RESERVE REQUIREMENTS.

The privilege of the floor was extended to State Banking Commissioner, John Malarkey, after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Adams and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 278 - AN ACT TO AMEND CHAPTER 9, TITLE 5, DELAWARE CODE, PERTAINING TO REGULATIONS GOVERNING BUSINESS OF BANKS AND TRUST COMPANIES.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES, 2 (Cordrey and Zimmerman) voting NO and 2 (Adams and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 280 was taken up for consideration on motion of Senator Murphy:

SB 280 - AN ACT TO AMEND CHAPTER 9, TITLE 5, DELAWARE CODE, RELATING TO RESERVE REQUIREMENTS.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 1 (Zimmerman) voting NO and 2 (Adams and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 382 w SA 1 was lifted from the table for consideration on motion of Senator McDowell.

SA 3 to the Bill was introduced by Senator Littleton who moved for its adoption. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES, 1 (McDowell) NOT VOTING and 2 (Adams and Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 382 w SA 1, 3 was then taken on motion of Senator McDowell and revealed:

YES: Senators Cicione, Cook, Cordrey, Kearns, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Zimmerman - 13.

NOT VOTING: Senators Arnold, Berndt, Hale, Hughes, Knox, Weiss - 6.

ABSENT: Senators Adams and Holloway - 1.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 6:13 p.m., on motion of Senator Sharp, the Senate recessed until January 16, 1980 at 2:00 p.m..

The Senate reconvened at 2:25 p.m., Lt. Governor McGinnis presiding.

The following legislation was introduced:

SB 406 - AN ACT TO AMEND CHAPTER 28, TITLE 10, DELAWARE CODE RELATING TO MILEAGE RATES FOR CONSTABLES FOR THE JUSTICES OF THE PEACE COURTS. Sponsor: Senator Cicione. Assigned to Judiciary Committee.

SB 407 - AN ACT TO AMEND CHAPTER 39, TITLE 18, OF THE DELAWARE CODE, RELATING TO CASUALTY INSURANCE CONTRACTS FOR MOTOR VEHICLES. Sponsor: Senator Murphy. Assigned to Banking, Insurance and Elections Committee.

SB 408 - AN ACT TO AMEND CHAPTER 32, TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP LIFE INSURANCE FOR STATE EMPLOYEES. Sponsor: Senator Murphy. Assigned to Banking, Insurance and Elections Committee.

Senator Holloway marked PRESENT.

SA 2 to HB 555. Sponsors: Senators Kearns, Cicione and McCullough. Placed with the Bill.

SA 2 to SB 135. Sponsor: Senator Hughes. Placed with the Bill.

SA 2 to SB 326. Sponsor: Senator Holloway. Placed with the Bill.

The following Resolutions were introduced:

SR 62 - REQUESTING THE DELAWARE BAR ASSOCIATION TO ADVISE THE MEMBERS OF THE SENATE ON THE CONSTITUTIONALITY OF HOUSE BILL 84. Sponsors: Senators Zimmerman and Berndt.

The Resolution was considered for adoption on motion of Senator Zimmerman and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Kearns, Knox, Littleton, Marshall, McCullough, McDowell, Murphy, Weiss, Zimmerman - 17.

NO: Senators Hughes, Sharp and Spence - 3.

ABSENT: Senator Martin - 1.

Therefore, the Resolution was declared adopted.

SR 63 - COMMENDING SAMUEL M. T. JOHNSON UPON RECEIVING THE DISTINGUISHED SILVER BEAVER AWARD FOR OUTSTANDING SERVICE TO YOUTH. Sponsor: Senator Holloway.

The Resolution was considered for adoption on motion of Senator Holloway and the roll call vote taken which revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the Resolution was declared adopted.

At 2:45 p.m., on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 5th Legislative Day.

5TH LEGISLATIVE DAY January 16, 1980

The Senate convened at 2:45 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

HCR 89 was introduced and considered for adoption on motion of Senator Cordrey:

HCR 89 - JOINING IN THE CONGRATULATIONS TO JOE BEN HUDSON, OF MISSION, SUSSEX COUNTY, AS HE OBSERVES HIS 106TH BIRTHDAY ON JANUARY 26, 1980. Sponsors: Representatives Gordy and West; Senators Cordrey and Littleton.

The roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 90 was introduced and considered for adoption on motion of Senator Weiss:

HCR 90 - CONGRATULATING REGINA CIRITELLA, A STUDENT AT ST. ELIZABETH'S HIGH SCHOOL, ON WINNING THE 1979-80 "VOICE OF DEMOCRACY" CONTEST SPONSORED BY THE VETERANS OF FOREIGN WARS. Sponsors: Representatives Connor, VanSciver, Maroney, McBride, Sincok; Senator Weiss.

The roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

Pursuant to the above Resolution, the privilege of the floor was extended to Regina Ciritella who read her prize-winning speech as follows:

My view on involvement

My personal experience in the United States is so minimal that at first it didn't seem as if there were that much I myself could do to affect its future. This country has always fascinated me because of its large size. There are so many different people here, and yet this country functions as a whole. When people study history, most of what they learn is taught in a general view. There are a few people who are studied individually because of the effect their lives had on the people they were involved with. People like George Washington, Abraham Lincoln, Susan B. Anthony, or Martin Luther King. I never looked at myself as being able to influence my country in such a grand style as they did. But now I realize that isn't fair to say, about me or anyone.

I believe the education I've had in this country has formulated my present attitude. That attitude is that every single person in this country affects the future of us all in some way. And that includes me.

I asked myself the question, "What are my responsibilities as a citizen growing up in America?" It occurred to me that there are two that stand out as very important. These two responsibilities are so closely related that it's very difficult to see any difference between them. They both are vital to each other, they are a team. The first cannot work without the second, and the second doesn't exist without the first.

My first responsibility is to get an education. I have a responsibility to learn all about the things I am or may come in contact with. Besides studying such topics as physics, English, and sociology (to name a few) it's important to study this country: to study America's history, its people, and its makings. My second responsibility involves what I do with this knowledge. I must do something with what I've learned. It seems that the one work that is most important in carrying out my responsibilities, is the one word that turns most people away. The word is INVOLVEMENT. I must involve myself in the things I've studied. It's my second responsibility. It's my choice. And when I choose to become involved, I choose to affect the future.

There are many young people who involve themselves outside of the classroom with people who share their ideals. There are students involved with groups against nuclear power, and in groups for nuclear power. There are young people who express beliefs about such issues as discrimination, drugs, and abortion. There are students involved in groups for women's rights, and students involved in bettering their neighborhoods and their environment.

In addition to these groups that young people give their time freely to, some jobs may allow young people to contribute to and understand more fully their role in America's future.

For example, in many of our cities students can find jobs as errand runners for various law firms. They run messages, affidavits, and other materials to other law firms and to the different courts. They have a first hand look at how this country's judicial system works, and at the same time are learning the practical value of the dollar.

Another example of how a job can show a young person's integrity is counseling at a summer camp. In this situation young people spend time asserting their leadership qualities, giving example to younger children, and developing a sense of worth at having accomplished something good. These young people have the responsibility of controlling the children they are in charge of. Probably the best part of this job is the chance to share, the chance to share talents and imagination. And sharing is involvement.

Through these issues and jobs it is possible for me and others to take a stand, and through them I can have a role in America's future. Therefore I am on my way to fulfilling my two responsibilities.

People can study, think, and talk all they like. But if no one gets involved, then it doesn't mean a thing.

Submitted by: Regina Ciritella
St. Elizabeth High School
Wilmington, Delaware

HCR 91 was introduced and considered for adoption on motion of Senator Weiss:

HCR 91 - WELCOMING HOWARD E. VANDER CLUTE, JR., NATIONAL COMMANDER-IN-CHIEF OF THE VETERANS OF FOREIGN WARS, TO DELAWARE AND TO THE REGULAR SESSION OF THE 130TH GENERAL ASSEMBLY. Sponsors: Representatives Connor, Sincok, McBride in behalf of all members of the House of Representatives and the Senate.

The roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

The privilege of the floor was extended to Mr. Vander Clute at the request of Senator Weiss and Senator Cordrey introduced the other member of the V.F.W. who were present in the Chamber..

The following communication from the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
January 15, 1980

To the Senate of the 130th General Assembly
of the State of Delaware

The nomination of Mr. William C. Wright to be a member of the Kent County Board of Elections, submitted to you on January 9, 1980, is hereby formally withdrawn.

Respectfully submitted,
Pierre S. duPont, Governor

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SB 326 was taken up for consideration on motion of Senator Holloway:

SB 326 - AN ACT TO AMEND CHAPTER 40, TITLE 31, DELAWARE CODE, BY INCREASING THE AMOUNT OF BONDS AND NOTES THE DELAWARE STATE HOUSING AUTHORITY CAN ISSUE.

SA 2 to the Bill was introduced by Senator Holloway and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Robert S. Moyer (Delaware State Housing Authority), Penn Emerson (Delaware Association of Realtors) and Joseph P. Johnson (Home Builders Association of Delaware).

The roll call vote on SB 326 w SA 2 was then taken and revealed 20 Senators voting YES and 1 (McCullough) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senator Holloway introduced U. S. Senator Joseph Biden to the Senate and he was extended the privilege of the floor by Senator Sharp..

At 4:35 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:08 p.m., Senator Cordrey presiding.

The following Bills were reported out of the Labor Committee: SB 404 - 2 Favorable, 4 Merits; SB 405 - 2 Favorable, 4 Merits.

The following legislation was introduced:

SA 4 to SB 30. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 397. Sponsor: Senator Kearns. Placed with the Bill.

SB 409 - AN ACT TO AMEND SECTION 2101, CHAPTER 21, TITLE 29 OF THE DELAWARE CODE RELATING TO THE SALARY OF THE GOVERNOR. Sponsors: Senators Berndt and Holloway. Assigned to Executive Committee.

SB 410 - AN ACT TO AMEND CHAPTER 5, TITLE 17 OF THE DELAWARE CODE RELATING TO SAND AND GRAVEL PITS. Sponsors: Senators Spence and Hughes. Assigned to Highways and Transportation Committee.

SB 411 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 1, TITLE 26, DELAWARE CODE, RELATING TO METERING DEVICES. Sponsor: Senator Murphy. The Bill was immediately stricken at the request of the sponsor.

At 5:12 p.m. on motion of Senator Sharp the Senate recessed until 2:00 p.m. January 17, 1980.

The Senate reconvened at 2:30 p.m., Lt. Governor McGinnis presiding.

The following legislation was introduced:

SB 412 - AN ACT TO AMEND SECTION 2347, SUBCHAPTER III, CHAPTER 23, TITLE 19, DELAWARE CODE TO ENABLE THE PARTIES TO AN AWARD OR AN AGREEMENT TO TERMINATE COMPENSATION BY THE FILING OF NOTICE WITH THE INDUSTRIAL ACCIDENT BOARD. Sponsor: Senator Murphy. Assigned to Banking, Insurance and Elections Committee.

SB 413 - AN ACT TO AMEND CHAPTER 5, TITLE 18, DELAWARE CODE, RELATING TO GENERAL REQUIREMENTS AND AUTHORIZATION OF INSURER. Sponsors: Senators Murphy and Berndt; Representatives Harrington and Gordy. Assigned to Banking, Insurance and Elections Committee.

SB 414 - AN ACT TO AMEND CHAPTER 5, TITLE 18, DELAWARE CODE, RELATING TO GENERAL REQUIREMENTS AND AUTHORIZATION OF INSURER. Sponsors: Senators Murphy and Berndt; Representatives Harrington and Gordy. Laid on the table at the request of the sponsor.

SA 1 to SB 378. Sponsor: Senator Cicione. Placed with the Bill.

SJR 32 - IN REFERENCE TO SENATE JOINT RESOLUTION NO. 18 RELATING TO THE WORKMEN'S COMPENSATION COMMISSION ESTABLISHED TO STUDY WORKMEN'S COMPENSATION LAWS, BY EXTENDING THE COMMISSION'S REPORTING DATE FROM MARCH 1, 1980 TO JUNE 1, 1980, AND BY AUTHORIZING THE COMMISSION TO USE FUNDS APPROPRIATED TO IT FOR REASONABLE AND NECESSARY EXPENSES OF THE COMMISSION AND ITS MEMBERS. Sponsor: Senator Murphy. The Resolution was laid on the table at the request of the sponsor.

HCR 92 was introduced and laid on the table:

HCR 92 - COMMENDING THE DIVISION OF HIGHWAYS, DEPARTMENT OF TRANSPORTATION, FOR THE COMPLETION OF PHASE I OF "OPERATION OVERHAUL". Sponsors: Representative Roy and Senator Martin.

At 2:35 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 6th Legislative Day.

6TH LEGISLATIVE DAY

January 17, 1980

The Senate convened at 2:35 p.m. Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.
SB 206 was taken up for consideration on motion of Senator Holloway:

SB 206 - AN ACT TO AMEND TITLE 24, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A STATE BOARD OF OPTICIANS.

Final consideration of the Bill was then deferred on further motion of Senator Holloway.

At 3:01 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:06 p.m., Senator Cordrey presiding.

The following letters of nomination for appointment by the Governor were read and assigned to the Executive Committee:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
November 6, 1979

To the Senate of the 130th 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: Edward T. Campbell, 3853 Evelyn Drive, Wilmington, Delaware, to be a member of the Industrial Accident Board to serve for six years in a position created by the 130th General Assembly.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
November 6, 1979

To the Senate of the 130th 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: Joshua Twilley, Esq., 410 South State Street, Dover, Delaware, to be reappointed to the Public Service Commission for the term of five years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
November 6, 1979

To the Senate of the 130th 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: Rev. Ellsworth B. Jackson, 812 West 34th Street, Wilmington, Delaware, to be a member of the Industrial Accident Board to serve for six years in a position created by the expansion of the Board by the 130th General Assembly.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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SB 397 was reported out of the Education Committee: 2 Favorable, 3 Merits.

The following legislation was introduced:

SA 2 to SB 26. Sponsors: Senators Littleton, Spence and Arnold. Placed with the Bill.

SA 1 to SB 256. Sponsor: Senator Martin. Placed with the Bill.

Senators Cicione and Zimmerman marked PRESENT.

SCR 48 - MOURNING THE DEATH OF MRS. EMMA MINNER, MOTHER OF OUR MOST ESTEEMED COLLEAGUE, REPRESENTATIVE LEWIS B. HARRINGTON. Sponsors: Senators Murphy and Zimmerman.

The Resolution was consideration on motion of Senator Murphy and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

Senator Murphy moved that the roll call vote on SB 109 w SA 2 be lifted. The roll call vote on the lifting motion was taken and revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Zimmerman - 13.

NO: Senators Arnold, Berndt, Hale, Knox, Littleton, Weiss - 6.

NOT VOTING: Senators Hughes and Spence - 2.

Therefore, the motion prevailed and the roll call vote on SB 109 w SA 2 was lifted and announced:

YES: Senators Adams, Berndt, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Zimmerman - 17.

NO: Senators Arnold, Hale, Spence and Weiss - 4.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

The following legislation was introduced:

HB 361 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO THE PENALTY FOR LATE FILED WITHHOLDING TAX RETURNS. Sponsors: Representatives Gilligan, Burris and Maxwell. Assigned to Revenue and Taxation Committee.

HB 674 - AN ACT TO AMEND VOLUME 62, LAWS OF DELAWARE, CHAPTER 146 IN RELATION TO THE BOND AUTHORIZATION FOR THE APPOQUINIMINK SCHOOL DISTRICT. Sponsors: Representatives Brady and Sincok; Senators Spence and Martin.

On motion of Senator Spence, the necessary rules were suspended for consideration of HB 674 and the roll call vote taken which revealed 20 Senators voting YES and 1 (McCullough) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 597 was taken up for consideration under suspension of the necessary rules on motion of Senator McCullough:

HB 597 - AN ACT TO AMEND CHAPTER 12 AND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE, RELATING TO SUBSTITUTE TEACHERS; AND PROVIDING A SUPPLEMENTARY APPROPRIATION THEREFOR.

Senator McDowell was added as a co-sponsor of the Bill after which the roll call vote was taken and revealed 20 Senators voting YES and 1 (Adams) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SJR 32 was lifted from the table for consideration on motion of Senator Murphy under suspension of the necessary rules.

SJR 32 - IN REFERENCE TO SENATE JOINT RESOLUTION NO. 18 RELATING TO THE WORKMEN'S COMPENSATION COMMISSION ESTABLISHED TO STUDY WORKMEN'S COMPENSATION LAWS, BY EXTENDING THE COMMISSION'S REPORTING DATE FROM MARCH 1, 1980 TO JUNE 1, 1980, AND BY AUTHORIZING THE COMMISSION TO USE FUNDS APPROPRIATED TO IT FOR REASONABLE AND NECESSARY EXPENSES OF THE COMMISSION AND ITS MEMBERS.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Adams and Spence) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 414 was taken up for consideration under suspension of the necessary rules on motion of Senator Murphy:

SB 414 - AN ACT TO AMEND CHAPTER 5, TITLE 18, DELAWARE CODE, RELATING TO GENERAL REQUIREMENTS AND AUTHORIZATION OF INSURER.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Adams and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

The following Committee reports were announced:

From the Community Affairs Committee: SB 395 - 1 Favorable, 3 Merits.

From the Health and Social Services Committee: SB 367 - 6 Merits.

SA 1 to SB 212 was introduced by Senator Kearns and placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 47.

HCR 93 was introduced and considered for adoption on motion of Senator Murphy:

HCR 93 - EXPRESSING THE SYMPATHY OF THE MEMBERS OF THE 130TH GENERAL ASSEMBLY TO FORMER REPRESENTATIVE LEWIS B. HARRINGTON, WHOSE MOTHER, EMMA MINNER, AGED 91, DIED ON JANUARY 15, 1980. Sponsors: Representatives Burris, Sincock and Gordy.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Adams, Holloway and Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

At 4:45 p.m., Senator Sharp presiding.

SB 13 was taken up for consideration on motion of Senator Cordrey:

SB 13 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE X OF THE CONSTITUTION TO PROVIDE FOR A VOTE OF THE ELIGIBLE VOTERS OF A SCHOOL DISTRICT WHEN IT IS PROPOSED TO DIVERT PROPERTY TAXES RAISED FOR ONE PURPOSE TO ANOTHER PURPOSE.

The privilege of the floor was extended to Earl McGinnes (Director of Legislative Council) after which the Bill was laid on the table on motion of Senator Cordrey.

SB 212 was taken up for consideration on motion of Senator Kearns:

SB 212 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE JUDICIARY; AND PERMITTING CERTAIN FORMER STATE JUDGES AND FORMER JUSTICES OF THE SUPREME COURT TO RETURN TO ACTIVE JUDICIAL DUTY UNDER CERTAIN CIRCUMSTANCES.

SA 1 to the Bill was introduced by Senator Kearns and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Adams) ABSENT; therefore, the Amendment was declared adopted.

On motion of Senator Kearns, the roll call vote on SB 212 w SA 1 was then taken; however, the roll call was laid on the table before being announced on further motion of the Senator.

SB 385 was taken up for consideration on motion of Senator Murphy:

SB 385 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT CHANGING THE CORPORATE NAME OF "THE COMMISSIONERS OF WYOMING" TO 'THE TOWN OF WYOMING' AND ESTABLISHING A CHARTER THEREFOR", BEING CHAPTER 189, VOLUME 43, LAWS OF DELAWARE, 1941, AS AMENDED BY EXPRESSLY AUTHORIZING THE COUNCIL OF THE TOWN OF WYOMING TO BORROW MONEY FROM THE FIRST NATIONAL BANK OF WYOMING FOR THE PURPOSE OF ACQUIRING THE TOWN RAILROAD STATION BUILDING AND LANDS FROM THE PRESENT OWNER.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Adams) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SR 64 (Sponsored by Senators Cordrey and Sharp) was introduced and considered for adoption:

SR 64 - IN REFERENCE TO SENATE RESOLUTION NO. 60.

The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Adams) ABSENT; therefore, the Resolution was declared adopted.

SB 415 (Sponsored by Senator McDowell) was introduced and assigned to Judiciary Committee:

SB 415 - AN ACT TO AMEND PART III, TITLE 25 OF THE DELAWARE CODE RELATING TO THE PROTECTION OF SENIOR CITIZENS AND OTHER TENANTS IN THE CONVERSION OF RESIDENTIAL REAL ESTATE FROM RENTAL STATUS TO CO-OPERATIVE OR CONDOMINIUM OWNERSHIP.

HCR 92 (Sponsored by Representative Roy and Senator Martin) was lifted from the table and considered for adoption on motion of Senator Martin:

HCR 92 - COMMENDING THE DIVISION OF HIGHWAYS, DEPARTMENT OF TRANSPORTATION, FOR THE COMPLETION OF PHASE I OF "OPERATION OVERHAUL".

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES, 1 (Zimmerman) voting NO and 1 (Adams) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

At 5:25 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m. January 22, 1980.

The Senate reconvened at 2:40 p.m., January 22, 1980, Lt. Governor McGinnis presiding.

HB 361 was reported out of the Revenue and Taxation Committee: 3 Favorable, 2 Merits.

The following legislation was introduced:

SB 416 - AN ACT TO AMEND TITLE 24, DELAWARE CODE BY ESTABLISHING A BOARD OF SANITARIAN REGISTRATION, TO ESTABLISH POWERS AND DUTIES OF SAID BOARD, TO PROVIDE FOR THE EXAMINATION AND REGISTRATION OF SANITARIANS, TO ESTABLISH A SCHEDULE OF FEES FOR SANITARIAN REGISTRATION, AND TO AUTHORIZE EXPENDITURE OF FEES COLLECTED BY SAID BOARD. Sponsor: Senator Holloway. Assigned to Health and Social Services Committee.

SB 417 - AN ACT TO AMEND CHAPTER 4, TITLE 24, OF THE DELAWARE CODE RELATING TO THE STATE BOARD OF EXAMINERS OF BARBERS. Sponsor: Senator Berndt. Assigned to Administrative Services Committee.

SB 418 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO THE TERM OF THE OFFICE OF SHERIFF. Sponsor: Senator Sharp. Assigned to Executive Committee.

SCR 49 - PROVIDING THAT A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE BE CONVENED TO HEAR THE PRESENTATION OF THE GOVERNOR'S ANNUAL STATE OF THE STATE MESSAGE. Sponsor: Senator Cordrey.

On motion of Senator Cordrey, SCR 49 was considered for adoption and the roll call vote taken which revealed 18 Senators voting YES and 3 (Hale, Martin and McCullough) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 50 - EXPRESSING OUR HOPE FOR A SPEEDY RECOVERY FOR NED S. HANKINS, JR., LOBBYIST FOR THE DIAMOND STATE TELEPHONE COMPANY. Sponsors: Senator Holloway and all the Senators.

On motion of Senator Holloway, SCR 50 was considered for adoption and the roll call vote taken which revealed 19 Senators voting YES and 2 (Hale and McCullough) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The following nominations for appointment by the Governor were reported out of the Executive Committee: W. Allen Jones - 1 Favorable, 4 Merits; Emilie E. Tugend - 1 Favorable, 4 Merits; Sarah R. Jastak - 1 Favorable, 4 Merits; Robert B. Hopkins - 2 Favorable, 3 Merits; Robert Zook, Sr., - 1 Favorable, 4 Merits; Alta Harrington - 1 Favorable, 4 Merits; Verdie West - 1 Favorable, 4 Merits; William S. Young, III - 1 Favorable, 1 Merits, 3 Unfavorable, Cyric W. Cain, Jr., - 1 Favorable, 4 Merits; Edward T. Campbell - 2 Favorable, 2 Merits; Wayne R. Hanby - 2 Favorable, 3 Merits; Rev. Ellsworth B. Jackson - 2 Favorable, 3 Merits; Elwood S. Jones - 2 Favorable, 3 Merits.

At 2:52 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 7th Legislative Day.

7TH LEGISLATIVE DAY
January 22, 1980

The Senate convened at 2:52 p.m. Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

The following communication was read:

SENATE
STATE OF DELAWARE
DOVER, DELAWARE

DATE: January 22, 1980

TO: Members of the 130th General Assembly of the Delaware State Senate

FROM: Senator Richard S. Cordrey, President Pro Tempore

I hereby the powers invested in me, appoint Senator Robert Berndt to serve on the Finance Committee of the State Senate replacing Senator Thomas Sharp.

* * * *

SB 419 (Sponsored by Senator Sharp) was introduced and assigned to the Judiciary Committee:

SB 419 - AN ACT TO AMEND CHAPTER 21, TITLE 10 OF THE DELAWARE CODE RELATING TO THE OFFICE OF SHERIFF.

SB 256 was taken up for consideration on motion of Senator Martin:

SB 256 - AN ACT TO AMEND TITLE 21, DELAWARE CODE, RELATING TO SIZE AND WEIGHT OF VEHICLES AND LOADS CLARIFYING THE GRANTING OF SPECIAL PERMITS IN THE HAULING PERMIT SECTION OF THE DEPARTMENT OF TRANSPORTATION.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Martin and the roll call vote taken which revealed 19 Senators voting YES and 2 (Hale and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

SB 256 w SA 1 was then laid on the table on further motion of Senator Martin.

SB 13 (which had been deferred) was taken up for consideration on motion of Senator Cordrey and the roll call vote taken; however, the roll call was laid on the table before being announced on motion of the Senator.

At 3:34 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:43 p.m., Senator Cordrey presiding.

SB 296 was reported out of the Revenue and Taxation Committee - 1 Favorable, 4 Merits.

The following legislation was introduced:

SB 420 - AN ACT TO AMEND CHAPTER 6, TITLE 24, DELAWARE CODE, RELATING TO NUMBER OF COSMETOLOGISTS' APPRENTICES AND THE FEE SCHEDULE FOR THIS PROFESSION. Sponsor: Senator Holloway. Assigned to Administrative Services Committee.

SB 421 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO LEGISLATIVE COUNCIL FOR THE PURPOSE OF EMPLOYING PROFESSIONAL STAFF TO ASSIST COMMITTEES FOR THE REMAINDER OF FISCAL 1980. Sponsors: Senators McDowell and Cook; Representatives Minner, Roy, Ferguson, Connor and Ambrosino. Assigned to Executive Committee.

SA 1 to SB 206. Sponsor: Senator Berndt. Placed with the Bill.

SA 1 to SJR 9. Sponsor: Senator Berndt. Placed with the Bill.

HB 603 (Sponsored by Representative Gordy and Senator Zimmerman) was introduced and assigned to Executive Committee:

HB 603 - AN ACT APPROVING THE SALE OF A PARCEL OF LAND OWNED BY THE LAUREL SCHOOL DISTRICT TO MAURICE L. AND NANCY B. CANNON.

HCR 94 (Sponsored by Representative Harrington and Senator Hughes) was introduced and considered for adoption on motion of Senator Hughes:

HCR 94 - REQUESTING THE GOVERNOR TO DESIGNATE FEBRUARY 12 THROUGH FEBRUARY 22 AS NATIONAL DEFENSE WEEK.

The roll call vote on the Resolution was taken and revealed 14 Senators voting YES and 7 (Arnold, Hale, Holloway, Marshall, Murphy, Spence, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SJR 33 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Knox:

SJR 33 - REVISING THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR THE FISCAL YEAR ENDING JUNE 30, 1980. Sponsors: Senators Cordrey and Knox; Representatives Burris and Gordy.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Hale and Holloway) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 422 was introduced and assigned to Community Affairs Committee:

SB 422 - AN ACT TO AMEND TITLE 9, OF THE DELAWARE CODE RELATING TO THE POWER OF KENT COUNTY TO ISSUE SINGLE FAMILY MORTGAGE REVENUE BONDS. Sponsors: Senator Cook; Representatives Minner, Bennett, Darling, Morris.

SR 65 (Sponsored by Senator Cordrey) was introduced and considered for adoption on his motion:

SR 65 - CONGRATULATING WALTER WRIGHT, OF MILLSBORO, UPON REACHING HIS 99TH BIRTHDAY ON JANUARY 21, 1980.

The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Hale) ABSENT; therefore, the Resolution was declared adopted.

SB 378 was taken up for consideration on motion of Senator Cicone:

SB 378 - AN ACT TO AMEND TITLE 11, DELAWARE CODE, TO REQUIRE RESTITUTION BY PERSONS CONVICTED OF FORGERY.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cicone and the roll call vote taken which revealed 18 Senators voting YES and 3 (Hale, Kearns, Weiss) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Tom Sandbach, Senate Attorney, after which the roll call vote on SB 378 w SA 1 was taken and revealed 18 Senators voting YES and 3 (Hale, Kearns, Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senator Sharp presiding.

SB 210 was taken up for consideration on motion of Senator Cicone:

SB 210 - AN ACT TO AMEND CHAPTER 1, TITLE 10, DELAWARE CODE, RELATING TO OPINIONS BY THE SUPREME COURT.

SA 1 to the Bill which had been placed with the Bill, was taken up for consideration on motion of Senator Cicone and the roll call vote taken which revealed 18 Senators voting YES and 3 (Hale, Kearns, Weiss) ABSENT; therefore, the Amendment was declared adopted.

SB 210 w SA 1 was then laid on the table on further motion of Senator Cicone.

SB 405 was taken up for consideration on motion of Senator Cicone:

SB 405 - AN ACT TO AMEND CHAPTER 5, TITLE 19, DELAWARE CODE, RELATING TO CHILD LABOR.

The privilege of the floor was extended to Tom Sandbach, Senate Attorney, after which the Bill was laid on the table on further motion of Senator Cicone.

SA 2 to SB 256 (Sponsored by Senator Littleton) was introduced and placed with the Bill.

At 5:30 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., January 23, 1980.

The Senate reconvened at 2:04 p.m., Lt. Governor McGinnis presiding.

The following legislation was introduced:

SB 423 - AN ACT TO AMEND CHAPTER 68, VOLUME 62, LAWS OF DELAWARE, BEING "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1980; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS." Sponsors: Senators Hughes and Zimmerman. Assigned to Finance Committee.

SA 1 to SB 405. Sponsor: Senator Cicione. Placed with the Bill.

SA 2 to SB 210. Sponsor: Senator Cicione. Placed with the Bill.

SJR 34 - REQUIRING STATE BOARD OF EDUCATION APPROVAL FOR THE EXTENSION OF ANY ADMINISTRATOR'S TERM OF EMPLOYMENT WHEN MORE THAN ONE YEAR REMAINS ON THE ORIGINAL TERM. Sponsors: Senators Sharp, Arnold, McCullough, Cicione; Representatives Hebner, Roy, Ferguson. The Resolution was laid on the table on motion of Senator Sharp.

Senator Hale marked PRESENT.

SR 66 was introduced by Senator Cordrey and considered for adoption on his request:

SR 66 - REQUESTING THE DELAWARE BAR ASSOCIATION TO ADVISE THE MEMBERS OF THE STATE SENATE ON THE CONSTITUTIONALITY OF THE APPOINTMENT OF WILLIAM S. YOUNG, III, AS DIRECTOR OF PERSONNEL.

The roll call vote on the Resolution was taken and revealed:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Hughes, Kearns, Knox, Marshall, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 16.

NOT VOTING: Senators Arnold, Hale, Littleton - 3.

ABSENT: Senators Holloway and Martin - 2.

Therefore, the Resolution was declared adopted.

SJR 34 was lifted from the table and considered for adoption under suspension of the necessary rules on motion of Senator Sharp:

SJR 34 - REQUIRING STATE BOARD OF EDUCATION APPROVAL FOR THE EXTENSION OF ANY ADMINISTRATOR'S TERM OF EMPLOYMENT WHEN MORE THAN ONE YEAR REMAINS ON THE ORIGINAL TERM.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES, and 2 (Holloway and Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 2:21 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 8th Legislative Day.

8TH LEGISLATIVE DAY
January 23, 1980

The Senate convened at 2:21 p.m. Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Sharp.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

The Secretary announced that Legislative Advisory #27 received from the Office of Counsel to the Governor informed the Senate that the Governor signed SB 357 w HA 1, 2 on January 21, 1980.

Senator Cordrey marked PRESENT.

HB 361 was taken up for consideration on motion of Senator Cordrey:

HB 361 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO THE PENALTY FOR LATE FILED WITHHOLDING TAX RETURNS.

The privilege of the floor was extended to Weston E. Nellius, Secretary of Finance, after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

Senators Holloway and McDowell marked PRESENT.

SB 395 was taken up for consideration on motion of Senator Adams:

SB 395 - AN ACT TO AMEND CHAPTER 101, VOLUME 62, LAWS OF DELAWARE RELATING TO THE TOWN COUNCIL FOR THE TOWN OF SLAUGHTER BEACH.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 397 was taken up for consideration on motion of Senator McCullough:

SB 397 - AN ACT TO PROVIDE A SUPPLEMENTARY APPROPRIATION TO THE STATE BOARD OF EDUCATION FOR THE PURPOSE OF REIMBURSING PARENTS OR GUARDIANS OF STUDENTS FOR PUPIL TRANSPORTATION COST.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Kearns and the roll call vote taken which revealed 20 Senators voting YES and 1 (Berndt) NOT VOTING; therefore, the Amendment was declared adopted.

The roll call vote on SB 397 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senator Martin marked PRESENT.

At 3:46 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:02 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 49.

The following legislation was introduced:

SB 424 - AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF JUSTICE. Sponsors: Senators Murphy and Berndt; Representatives Powell and Anderson. Assigned to Finance Committee.

SB 425 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE PROVIDING FOR A PROHIBITION AGAINST THE USE OF A QUOTA SYSTEM FOR MOTOR VEHICLE OFFENSES. Sponsors: Senators Berndt, Spence, McDowell, Arnold, Kearns. Assigned to Judiciary Committee.

SB 426 - AN ACT TO AMEND CHAPTER 11 AND CHAPTER 23, TITLE 30, DELAWARE CODE RELATING TO WITHHOLDING TAXES AND GROSS RECEIPTS TAXES. Sponsor: Senator Zimmerman. Assigned to Revenue and Taxation Committee.

SB 427 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE TO GIVE THE GENERAL ASSEMBLY THE POWER TO APPROVE OR DISAPPROVE CERTAIN RATE INCREASE PROPOSALS. Sponsor: Senator Sharp. Assigned to Corrections Committee.

SR 67 - COMMENDING PATROLMAN KEVIN P. QUINN OF THE WILMINGTON POLICE DEPARTMENT ON BEING SELECTED AS THE POLICEMAN OF THE YEAR BY THE WILMINGTON KIWANIS CLUB. Sponsor: Senator Holloway.

The Resolution was considered for adoption on motion of Senator Holloway and the roll call vote taken which revealed 14 Senators voting YES and 7 (Kearns, Marshall, McCullough, McDowell, Spence, Weiss and Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

SCR 51 - REQUESTING DELAWARE NEWSPAPERS TO DEVOTE SECTIONS PERIODICALLY TO MATTERS OF SPECIAL INTEREST TO THE ELDERLY. Sponsor: Senator Holloway.

On motion of Senator Holloway, the roll call vote on the Resolution was taken and revealed 14 Senators voting YES and 7 (Hale, Kearns, Marshall, McCullough, McDowell, Spence and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 52 - EXPRESSING THE CONDOLENCES OF THE MEMBERS OF THE 130TH GENERAL ASSEMBLY OF DELAWARE TO SENATOR EVERETTE HALE ON THE DEATH OF HIS FATHER, STANLEY F. HALE, ON JANUARY 17, 1980. Sponsors: Senator Hughes and all members of the General Assembly.

On motion of Senator Hughes, the roll call vote on the Resolution was taken and revealed 17 Senators voting YES, 1 (Hale) NOT VOTING, AND 3 (Marshall, McCullough and McDowell) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

HCR 95 - MOURNING THE DEATH OF MAJOR GENERAL D. PRESTON LEE, FORMER ADJUTANT GENERAL OF THE DELAWARE NATIONAL GUARD. Sponsors: Representatives Jonkiert and McBride; Senator Marshall.

On motion of Senator Holloway, the roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Marshall and McDowell) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 96 - IN SUPPORT OF PRESIDENT JIMMY CARTER'S OBJECTION TO UNITED STATES PARTICIPATION IN THE OLYMPIC GAMES AT MOSCOW THIS SUMMER UNLESS RUSSIA MOVES HER TROOPS FROM AFGHANISTAN WITHIN A MONTH. Sponsors: Representatives Ferguson, Gordy, West; Senators Sharp and McCullough.

On motion of Senator Sharp, the roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SA 2 to HB 322. Sponsor: Senator Cicione. Placed with the Bill.

SA 1 to SB 404. Sponsors: Senators Berndt and Hughes. Placed with the Bill.

At the request of Senator Sharp, the Chair reassigned SB 427 which had been assigned to the Corrections Committee to the Administrative Services Committee.

On motion of Senator Holloway, the roll call vote on SB 134 w SA 2, 3, 5 was lifted; however, the roll call was again laid on the table before being announced on further motion of the Senator.

SB 379 was reported out of the Committee on Aging - 6 Merits.

Senator Murphy moved that the necessary rules be suspended for consideration of SB 379.

The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Zimmerman - 15.

NO: Senators Arnold, Berndt, Hale, Knox, Weiss - 5.

NOT VOTING: Senator Spence - 1.

Therefore, the motion prevailed and the Bill was before the Senate.

SA 1 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Marshall.

The privilege of the floor was extended to Joseph S. Rodek and Penn Emerson.

The roll call vote on SB 379 was then taken and revealed 20 Senators voting YES and 1 (Knox) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 256 w SA 1 was lifted from the table for consideration on motion of Senator Martin.

SA 2 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Littleton.

The privilege of the floor was extended to Raymond S. Pusey after which the roll call vote on SB 256 w SA 1 was taken and revealed 18 Senators voting YES, 2 (Holloway and Hughes) NOT VOTING, and 1 (Cicione) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

The following legislation was introduced:

SA 3 to SB 26. Sponsor: Senator Holloway. Placed with the Bill.

SCR 53 - EXTENDING THE EXISTENCE AND MANDATE OF THE STATE POLICE PENSION REFORM COMMITTEE. Sponsors: Senators Adams and Berndt; Representatives Matushefske and Powell.

On motion of Senator Adams, the roll call vote on the Resolution was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cook, Cordrey, Hale, Holloway, Kearns, Knox, Littleton, Marshall, Martin, McDowell, Murphy, Sharp, Weiss, Zimmerman - 17.

NO: Senator Hughes - 1.

NOT VOTING: Senator Spence - 1.

ABSENT: Senators Cicione and McCullough - 2.

Therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 428 - AN ACT TO AMEND CHAPTER 86, VOLUME 62, LAWS OF DELAWARE, BEING AN ACT ENTITLED: "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1980; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS', BEING HOUSE BILL NO. 333 OF THE 130TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE; AND EXTENDING THE REVERSION DATES OF CERTAIN SUPPLEMENTARY APPROPRIATIONS MADE BY THE 130TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE". Sponsor: Senator Cicione. Assigned to Judiciary Committee.

The following Committee reports were announced:

From the Administrative Services Committee: SB 307 - 5 Merits; SB 352 - 5 Merits; SB 354 - 5 Merits; SB 356 - 5 Merits; SB 368 - 5 Merits; SB 369 - 5 Merits; SB 417 - 5 Merits; SB 420 - 5 Merits; SB 355 5 Merits.

From the Community Affairs Committee: SB 422 - 4 Merits.

At 5:47 p.m. on motion of Senator Sharp, the Senate adjourned until 1:00 p.m., January 24, 1980.

9TH LEGISLATIVE DAY January 24, 1980

The Senate convened at 1:05 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 52.

The Sergeant-at-Arms announced the Speaker and Members of the House. They were admitted and seated. The President invited Speaker Riddagh and President Pro-Tempore Cordrey to a seat on the rostrum.

JOINT SESSION
SENATE CHAMBER
January 24, 1980

Senator Sharp moved that the Senate and House convene in Joint Session. The motion prevailed.

Senator Sharp moved that the President of the Senate preside over the Joint Session. The motion prevailed.

Senator Sharp moved that the Secretary of the Senate and Chief Clerk of the House act as Secretaries of the Joint Session. The motion prevailed.

The President appointed the following committee to escort the Governor to the Senate Chamber: Senators Holloway and Berndt; Representatives Jonkiert and Fallon.

The Sergeant-at-Arms admitted the Governor and the duly appointed committee to the Senate Chamber. The President invited the Governor to the rostrum and introduced him to the Joint Session.

The Governor addressed the members of the General Assembly as follows:

When we began our task in January of 1977, the challenge for Delaware was very clear: to establish a framework for restoring the machinery and the integrity of State Government that would help correct the excesses and errors of earlier years of the decade, and assure our preparedness for the uncertainties of the next decade.

Although there were reasons for what had gone before, the public mistrust and the fiscal problems that plagued our government that winter day left little doubt in any mind that Delaware required a new order. I spoke to the task of creating this new order on Inauguration Day in January of 1977:

"The challenge, then, will be to recognize our limitations, establish our priorities, and live within our means. It will require personal discipline from each of us, and political discipline from all of us. It will be painful, but not fatal, for a careful pruning of the shoots and branches of government will lead to a new prosperity, founded on economic growth, unencumbered by the luxury of non-essential services or the deadweight of a non-productive bureaucracy."

Delaware met the challenge of survival in the turbulent '70's by going back to basics, by following a policy of sensitive austerity in all facets of our State Government. But, more was needed; we also asked for the trust of our people. We asked you to believe that sacrifice and contribution would bring financial stability and control. We asked you, in the face of all the broken promises that had gone before, for a new commitment that we be given an opportunity to demonstrate that change could be achieved and progress become a reality. In short, we asked each Delawarean to accept on faith the basic competence and integrity of our trusteeship at a time when there was precious little reason to do so.

Our people accepted that challenge and helped us at a very difficult time. Thanks to your support, we were successful and Delaware has not only survived the crisis of the '70's; but it has emerged strong and confident. Our budget is balanced for the third consecutive year, and it will be again next year. Our Emergency Reserve Account is full to the brim. We have rolled back the Deficit Gasoline Tax as promised, and we managed to do it much earlier than promised. We have witnessed the economic revitalization of the Farmers Bank. We have reduced Personal Income Tax rates for the first time in modern history. We have corsetted the growth of government by moving towards permanent limitations on our spending power, and similar limitations on our taxing power. In short, we have prevailed.

And most significantly, the restoration of both economic vitality and creditability to Delaware government did not mean that Programs and Reforms took a back seat. To the contrary, prosperity permitted carefully planned progress and the parity between fiscal responsibility in government and improvement of government services to which we pledged our efforts has achieved substantial results.

Operation Overhaul is patching and treating 1,200 miles of Delaware road and resurfacing 100 miles more -- the most ambitious and successful program of its kind in our history. We have broken ground on two new correctional facilities which, when completed in the fall of 1981, will give us an additional 424 beds over and above the 490 beds we have already added since 1977. We have introduced Community Crime Prevention Programs to the entire State; 3,700 households are already participating. Welfare benefits have been prudently increased. There are 700 units of subsidized housing that did not exist in 1977, and the State Mortgage Program has made home ownership possible for 1,100 Delaware families. Statewide testing, competency based education, programs for the gifted and talented, a school for excellence for our very gifted students, the soundness of basics plus education and the common sense of comprehensive job placement and counseling through our Jobs for Delaware Graduates Program have marked our progress in education. We have witnessed the success of our Judicial Nominating Commission, our Washington Office and the Office of the Public Advocate. In short, for the third successive year, we have demonstrated meaningful progress without jeopardy to our pocketbook.

And while we in State government may take pride in our unified and positive role in accomplishing these successes, let none of us forget where the true credit rests: with the people of Delaware. You gave us the mandate for reform; you endured the sacrifices; you time and again extended the faith and credit that provided the political capital for change and innovation. We have emerged so well from the last decade because, once more, the people of Delaware have proved our claim as the First State of the United States of America.

So today we are joined in a new beginning -- preparing ourselves and our State for a new year and a new decade. Ahead of us lie a host of challenges. Some familiar from the 1970's, other fresh and demanding as we are confronted by the uncertainties of the 1980's. In our effort to master these challenges, what we have so successfully demonstrated in the past few years suggests our course for the next decade: continued attention to the basics of government - economics, education, employment; and a continuing commitment to excellence in government - in spirit, concept, and in the delivery of human services.

Future historians will view the 1980's as a time of testing and will measure our success by the quality of our response. Accusations and outrage will not help us reach our goals; understanding and common sense will. The quantity of dollars expended or programs begun will not be the measure of our success: the quality of our efforts will. Success in the 1980's will consist of steady progress towards clearly defined goals, by the achievement of a limited number of highly desirable objectives, by recognition of the complexity of our problems and rejection of solutions that reach their symptoms rather than their substance.

In Delaware, as everywhere in America, we are entering a decade of critical choices. Driven by the dwindling availability of the earth's natural resources, buffeted by a currency of shrinking value which makes the cost of all our resources increasingly dear, and acutely aware of the impact of these twin pressures upon our citizenry and its government, we are coming face to face with hard and irreversible choices which are so fundamental as to control our destiny for the next decade and our task is to make the choices that will strengthen our ability to prosper in a weakening national environment.

The areas of critical choice number three: first, we must resolve to conserve by every means possible our energy and other dwindling natural resources; second, we must with equal vigor expand our economic base; and finally, we must make certain that State and Local Government operations and programs foster - and rather than hinder - our collective economic well-being and quality of life.

CONSERVATION

We in Delaware have already demonstrated our capacity to conserve. When temporary shortages in heating fuels and gasoline occurred in the last decade, necessitating the imposition of both voluntary and involuntary conservation measures, Delawareans resolutely cut back, stoked down, and shut off.

But the effort to conserve is merely beginning. After five years of spot shortages, and other unmistakable signals, Washington still has not prepared an energy policy that assures adequate development of domestic energy resources, and a lessening dependence upon foreign oil.

We must accept the reality that energy will be a scarce resource in the 80's, and we must prepare ourselves for it. This means doing much more than complying with the President's voluntary target of an 8% reduction in gasoline consumption; indeed we are rapidly approaching that target with the limited measures now in effect. The critical choice of maximum conservation requires much more of both Delaware government and of our citizens.

First, the State must lead by example; and we will. Our fleet purchases will focus upon the most energy efficient vehicles. We will establish as our goal a reduction in consumption of gasoline by State Agencies of 20%. To assure compliance with our own target of 15% reduction in heating oil consumption by the State, we will continue to weatherize, to monitor thermostats and to reprogram the way we build, refurbish and utilize State facilities. Additional funds for these purposes will be made available during the next fiscal year.

I know that these sweeping conservation efforts within State government have required and will continue to require difficult adjustments in the workstyles and lifestyles of some State employees. But these changes and sacrifices are working, and they are paying substantial conservation dividends to our State.

State government will ask Delaware citizens to do no less. We have already proposed a \$2 million Conservation Grant Program to help 10,000 homeowners weatherize their homes. We must further expand the Weatherization Program and make it mandatory for all homes which benefit from fuel subsidies. We will prod local governments to enforce energy efficient Building Codes as mandated by 1979 legislation approved by the General Assembly and signed into law. We must learn from our past mistakes and assure that all new construction meet energy efficiency standards. Additionally we must continue to explore all possible incentives for voluntary installation of fuel saving improvements in residential and commercial construction and building operation.

Conservation is not our only response to our energy dilemma. We must move aggressively to promote greater use of renewable energy sources. In an effort to encourage their greater use, I will be proposing a Renewable Resource Grants Program to assist Delaware consumers in converting to renewable resource energy systems such as solar and biomass conversion.

These critical conservation efforts will succeed with a minimum dislocation of daily life in Delaware if we chose to commit ourselves totally and immediately to the cause. So too with the task of conserving equally critical non-energy resources whose existence might well be in jeopardy during the 80's. We are in the third year of the Beach Erosion Control Program. The beaches of Delaware are among our greatest resources; we should, therefore, continue this program into its fourth year and search for new ways to protect our shoreline.

The decade of the 80's also requires that we find permanent solutions to conserve and protect our water supply and our croplands against further depletion. We must concentrate on containing older land fills. We must expand our solid waste treatment capability. We must adopt by legislation appropriate controls for hazardous substances and toxic wastes, so that their disposal and storage pose no threat to the environment.

A permanent solution to the subtle depletion of our valuable croplands is no less critical. Since 1954, the amount of acreage devoted to farming, truly Delaware's major industry, has dwindled from over 800,000 acres to under 650,000 acres. We must halt this trend. We will form a study group including members of the Agricultural Community under the direction of the Office of Management Budget and Planning to evaluate a range of options, from farm use covenants to a land classification system, so that we can recommend to the General Assembly legislation which will most effectively secure for our farmers sufficient incentives to keep their rich lands under cultivation.

Finally inflation - the cruelest tax of all - is making conservation of personal resources most difficult. The solution to that problem lies more in Washington than in Dover, but we can help the one group of Delaware citizens least able to cope with inflation - our senior citizens on fixed incomes.

For several years Delaware has supervised a statewide Retail Discount Program which provides significant cash discounts for many retail goods and services purchased by older Delawareans. That program is a good beginning, but it could serve many more senior citizens. With renewed emphasis and increased financial support "Diamond Club" Memberships could reach thousands of over 60 Delawareans who are trying to cope with the problem of inflation every day. With a full statewide program, the annual cash saving to each "Diamond Club" member should reach about \$400 - a \$400 cut in the cost of living is meaningful help for our senior citizens.

So one critical choice for the '80's is to conserve our precious non-renewable resources: heating oil and gasoline, beaches, and cropland, and the economic resources of those on fixed incomes. In the past three years we have demonstrated that we can conserve; now, to meet the challenge of the '80's, we must chose to do even more.

EXPANDING DELAWARE'S ECONOMIC BASE

Delaware can and should do all that it can to combat the predicted recession. We have come too far, adhered to principles of sound fiscal control too well, and committed ourselves too deeply to the stability of continued economic growth, to retrench. Let others accept without question the economic stagnation which Washington forecasts as inevitable; Delaware will redouble its commitment during the new decade to steady economic growth. To so do, we must make a number of critical choices.

Initially, and above all else, we must look to the needs of those industries which already nurture the Delaware economy; because history has shown that the best source of new jobs for our people is already here -- the businesses inside our borders. To secure those jobs, we must choose to allocate a portion of our limited resources, and to assume an occasional investment risk, for the necessary protection or welcome expansion of our native industries. For example, Chrysler Corporation made and continues to make a giant investment in the economic well-being of Delaware. Faced with collapse because of forces not entirely of its own making, Delaware must help by making a modest investment in its economic well being, just as we assisted Phoenix Steel Corporation, and just as we are dedicated to providing incentives to preserve Hercules as a major employer in downtown Wilmington. We must continue our efforts to attract for the first time a duPont Company facility to Kent County. In each case, the message we want to transmit to our native industries is clear: we want you to expand in Delaware, and we will help you do so.

Next, we want to see that as many new industries as possible become native industries during the decade of the '80's. The action which we took together to reduce the "Red Flag" rates of our Personal Income Tax, and the passage of a Gross Receipts and Corporate Income Tax credit for new business, provided important starting points, but we can do much more. First, the funding of the Delaware Economic Development Corporation, which I initially suggested in 1976, is long overdue. Second, this is the target year for our concerted effort to make Delaware the home base for America's Insurance Industry. The coalition of Delaware Insurance Companies and business executives who make up the "Why Not Delaware Committee" has already achieved significant success in this effort; this year, as part of that effort I will personally be talking to and working with the executives of national companies to make clear the warmth of Delaware's welcome and the advantages of a Delaware Home Office.

Third, Delaware must maximize the potential of its natural business magnets, including the Port of Wilmington, and the Lewes Marine Park. I will ask General Assembly approval for additional facilities for the Port which will move it closer to containerization, the technological foundation for expansion in the 1980's. I also renew my call for passage of HB 447, which will, as a complement to the recent authorization of offshore oil drilling support facilities, permit the cross flow of oil and gas through the Coastal Zone. And I will, in conjunction with the commendable efforts of the College of Marine Studies of the University of Delaware, work with several research organizations whose relocation to the University's Sussex complex in Lewes could begin to make us competitive with Woodshole as a Marine Research Center.

Fourth, we must continue efforts to put to work the most precious of our natural and economic resources - our young people. In his State of the Union address last evening, President Carter underscored his national priorities, emphasizing his \$2,000,000 program to attack youth unemployment. A successful private/public sector program is underway to put young people to work - Jobs for Delaware Graduates. It is essential to expand our efforts to help that Job Program reach every high school senior in Delaware.

Finally, I believe 1980 is the year when Delaware should recoup its investment in the Farmers Bank. Through continued State efforts and sound management, Farmers Bank has become a viable, healthy institution, but the costs to our State have been high. State government does not belong in the banking business. Selling the State's interest in Farmers Bank will free up our State deposits, further improve our credit rating on Wall Street, and reduce our outstanding indebtedness.

Delaware can sustain its economic growth in the 1980's if we make the correct decisions. The time is ripe: the critical choices are clear. Let's make them together.

MAKING GOVERNMENT BETTER

I believe that our collective efforts to improve the efficiency of State government during the past three years have firmly established us as an ally, rather than an adversary, of progress. But we can do even better if we chose.

To assure a continuation of this Alliance for Progress throughout the decade, I am suggesting a number of initiatives to improve the quality and efficiency of government in Delaware, and to enhance the level of services delivered to our citizens:

- The continuation of Operation Overhaul, funded at a level of \$6 million for the next fiscal year, with concentration on the preservation and renewal of main roads and connecting arteries. When added to the \$9 million we invested in our highways last year, we will have completed a major commitment to our transportation system.
- Implementation of most of the 93 recommendations for the streamlining of government in Delaware as developed by the Intergovernmental Task Force, with major emphasis in the coming year upon the establishment of the coordinating mechanisms for Public Safety, Economic Development, and Health Planning.
- Expansion of our investment in weatherization of State buildings to stem the most rapidly rising cost of State government - the cost of energy.

- Construction and rehabilitation of the new home of the Department of Natural Resources on the Richardson and Robbins site here in Dover, to include a central State laboratory that will permit the consolidation of certain routine and duplicative laboratory services now performed by several separate Agencies;

- Reform of the outdated Workman's Compensation Statute and the dedication of additional management resources to the Industrial Accident Board to eliminate a serious backlog in cases;

- Restructuring Delaware's Conflict of Interest Statute so that every public officer and employee is subject to clear and enforceable standards of conduct;

- Passage of the "Second Leg" of the two Constitutional Amendments limiting State appropriations to 98% of revenues, and prohibiting the enactment of new taxes or higher tax rates unless approved by a 3/5 vote of the members of the General Assembly;

- Continuation of the Governor's School for Excellence and expansion of both Basics Plus Schools and the Jobs for Delaware Graduates Program state-wide.

A few days from now, I will discuss more specifically many of these initiatives, and some others as well, in my annual Budget message. Together, they continue the course of prudence and progress that has characterized our movement out of the '70's.

In Delaware, we must begin this new decade much as we ended the last; chastened by the necessity for limiting our expectations of what government can do for us; and challenged by the extraordinary task of preserving our economy and our environment against dwindling resources and external forces which we do not control. But, unlike the dark days of the last decade, there is one important difference; we know, because we have now seen it with our own eyes, that our willingness to make the critical choices correctly will cause us to succeed.

Continued attention to the basics of government, and a continuing commitment to excellence - these are the cornerstones upon which the foundations of progress must be built. I hope you will join me in this effort, for we must, in this the 204th year of our independence, rededicate all of our efforts and energies to these goals.

* * * * *

The previously named committee escorted the Governor from the Chamber.

Senator Sharp moved that the Secretary of the Senate and the Chief Clerk of the House compare their respective Journals.

The Secretary of the Senate and the Chief Clerk of the House compared their Journals, found them to agree, and so notified the President.

Senator Sharp moved the two Houses now separate to re-convene in their respective Chambers. The motion prevailed.

* * * * *

The Senate reconvened at 3:01 p.m., Lt. Governor McGinnis presiding.

The following Committee reports were announced:

From the Finance Committee: SB 387 - 3 Favorable, 3 Merits.

From the Natural Resources and Environmental Control Committee: SB 399 - 4 Favorable; HJR 27 - 2 Favorable, 2 Merits.

Senators Marshall, Martin, McDowell, Zimmerman marked PRESENT.

SB 429 was introduced and assigned to Judiciary Committee:

SB 429 - AN ACT TO AMEND CHAPTERS 22, 55 AND 57, TITLE 25 OF THE DELAWARE CODE RELATING TO THE CONVERSION OF RENTAL UNITS TO UNIT PROPERTIES. Sponsors: Senators Hughes, Arnold, Berndt, Sharp; Representatives Hebner, Loughney, Sincok.

HJR 29 w HA 1 was introduced:

HJR 29 w HA 1 - PROVIDING FOR A MORATORIUM ON ANY INSTALLATION OR PREPARATIONS FOR THE INSTALLATION OF PETROLEUM PRODUCTS PIPELINES. Sponsors: Representatives Connor and Cathcart.

Senator Weiss moved that the necessary rules be suspended for consideration of the Resolution.

The roll call vote on the motion was taken and revealed:

YES: Senators Arnold, Knox, Weiss - 3.

NO: Senators Adams, Berndt, Cicone, Cook, Hale, Holloway, Hughes, Kearns, Littleton, Marshall, Martin, McDowell, Sharp, Spence, Zimmerman - 15.

ABSENT: Senators Cordrey, McCullough, Murphy - 3.

Therefore, the motion was defeated and the Resolution was assigned to Natural Resources and Environmental Control Committee.

SCR 54 (Sponsored by Senator Holloway) was introduced and considered for adoption on his motion:

SCR 54 - COMMENDING ATTORNEY GENERAL RICHARD S. GEBELEIN AND FORMER ATTORNEY GENERAL RICHARD R. WIER, JR., FOR THEIR SUCCESS IN THE NEMOURS FOUNDATION SUIT WHICH WILL BRING \$25 MILLION A YEAR TO DELAWARE FOR CRIPPLED CHILDREN AND ELDERLY CITIZENS.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Cordrey and McCullough) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 55 (Sponsored by Senator Martin) was introduced and considered for adoption on his motion:

SCR 55 - URGING THE CITIZENS OF DELAWARE TO RESPOND TO PRESIDENT JIMMY CARTER'S CALL FOR VOLUNTARY ENERGY CONSERVATION EFFORTS TO REDUCE AMERICA'S DEPENDENCE ON FOREIGN OIL.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Cordrey and McCullough) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 170 was taken up for consideration on motion of Senator Sharp:

SB 170 - AN ACT TO AMEND CHAPTER 8, OF TITLE 19, DELAWARE CODE, RELATING TO THE SAFETY AND WORKING CONDITIONS OF ELECTRICIANS WORKING ON HIGH VOLTAGE WIRES AND PRESCRIBING A PENALTY FOR VIOLATIONS THEREOF.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Sharp and the roll call vote taken which revealed 19 Senators voting YES and 2 (Holloway and McCullough) ABSENT; therefore, the Amendment was declared adopted.

3:23 p.m. Senator Adams presiding.

The privilege of the floor was extended to the following: Millard Johnson (IBEW), Robert Detrick (IBEW), John A. Wimbrow (Delmarva Power and Light Co.), William Phillips (Delmarva Power and Light Co.) and Donald E. Cain (Delmarva Power and Light Co.).

The roll call vote on SB 170 w SA 1 was then taken; however, the roll call was laid on the table before being announced on motion of Senator Sharp.

SB 362 was taken up for consideration on motion of Senator Cicione:

SB 362 - AN ACT MAKING A GRANT-IN-AID TO THE DELAWARE ECONOMIC DEVELOPMENT CORPORATION FOR THE PURPOSE OF BEGINNING ITS OPERATION.

The privilege of the floor was extended to David Brandon and Tom Sandbach (Senate Attorney) after which the Bill was laid on the table on motion of Senator Cicione.

SB 387 was taken up for consideration on motion of Senator Cook:

SB 387 - AN ACT TO AMEND CHAPTER 52, TITLE 29, OF THE DELAWARE CODE TO INCREASE THE PAYMENT OF SUBSCRIPTION CHARGES FOR HEALTH CARE INSURANCE FOR STATE EMPLOYEES AND THEIR DEPENDENTS.

SA 1 to the Bill was introduced by Senator Cook and considered for adoption on her motion. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES and 3 (Berndt, Hughes and Knox) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 387 w SA 1 was taken and revealed:

YES: Senators: Adams, Arnold, Cicione, Cook, Cordrey, Hale, Kearns, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 17.

NOT VOTING: Senators Berndt and Holloway - 2.

ABSENT: Senators Hughes and Knox - 2.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HCR 97 was introduced and considered for adoption on motion of Senator Cordrey:

HCR 97 - PROVIDING THAT JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES BE CONVENED TO HEAR THE PRESENTATION OF THE GOVERNOR'S ANNUAL BUDGET MESSAGE. Sponsor: Representative Burris.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Hughes and Knox) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SJR 36 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Sharp:

SJR 36 - PROHIBITING THE NEW CASTLE COUNTY BOARD OF EDUCATION FROM GIVING APPROVAL FOR THE EXTENSION OF ANY ADMINISTRATOR'S TERM OF EMPLOYMENT WHEN MORE THAN ONE YEAR REMAINS ON THE ORIGINAL TERM. Sponsors: Senator Sharp, Arnold and McCullough; Representatives Hebner and Roy.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Holloway, Hughes, Knox, McDowell) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SJR 35 was introduced and laid on the table on motion of Senator McCullough:

SJR 35 - PROVIDING FOR A MORATORIUM ON ANY INSTALLATION OR PREPARATIONS FOR THE INSTALLATION OF PETROLEUM PRODUCTS PIPELINES. Sponsors: Senator McCullough; Representatives Connor and Cathcart.

SJR 35 was then lifted from the table and considered for adoption under suspension of the necessary rules on motion of Senator McCullough.

The roll call vote on the Resolution was taken and revealed:

YES: Senators Cicione, Cook, Cordrey, Holloway, Kearns, Marshall, Martin, McCullough, McDowell, Murphy, Spence, Weiss, Zimmerman - 13.

NOT VOTING: Senators Adams, Arnold, Berndt, Hale, Hughes, Littleton - 6.

ABSENT: Senators Knox and Sharp - 2.

Therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 6:03 p.m. on motion of Senator Cordrey, the Senate recessed until 1:00 p.m., January 29, 1980.

The Senate reconvened at 1:14 p.m., January 29, 1980, Lt. Governor McGinnis presiding.

The following Committee reports were announced:

From the Finance Committee: SB 328 - 1 Favorable, 4 Merits, 1 Unfavorable; SB 400 - 5 Merits; SB 424 - 6 Merits.

HB 539 w HA 1 was introduced and laid on the table on motion of Senator Sharp:

HB 539 w HA 1 - AN ACT TO AMEND CHAPTERS 9 AND 11, TITLE 13, DELAWARE CODE RELATING TO ADOPTION AND TERMINATION OF PARENTAL RIGHTS.

HB 663 w HA 1, 4, 9, 10, 11, 12, 15 was introduced and laid on the table on motion of Senator Cicione:

AN ACT ESTABLISHING AN EMERGENCY LOAN COMMITTEE, MAKING A SUPPLEMENTAL APPROPRIATION THERETO, AND AUTHORIZING THE COMMITTEE TO MAKE LOANS TO THE CHRYSLER CORPORATION. Sponsors:

Representatives Oberle, Powell, Neal, Cain, Anderson, Roy, Jonkiert, Loughney, Maroney, Burris, Cathcart, Sincok, Riddagh, VanSciver, Gilligan, Maxwell, Plant, McBride, Connor, Harrington, Matushefske, Ferguson, W. Brady, Holloway, Jr., George; Senators Sharp, Berndt, Cicione, Martin, Arnold, Hughes, Kearns, Knox, Marshall, Weiss, Spence, Hale, Littleton, Holloway.

Senator Cordrey objected to HB 663 w HA 1, 4, 9, 10, 11, 12, 15 being laid on the table and Senator Cicione withdrew his motion; the Bill was then assigned to the Finance Committee.

The following legislation was introduced:

HB 667 w HA 1 as amended by HA 1 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE DELAWARE ENERGY OFFICE FOR THE OPERATION OF THE DELAWARE ENERGY CRISIS ASSISTANCE PROGRAM. Sponsors: Representatives Cathcart, Free, Oberle, VanSciver, Powell, Petrilli, Maroney, W. Brady, Anderson, Holloway, George, Plant, Cain, Bennett; Senators Knox, Arnold, Hale, Hughes, Cicione, Kearns, Holloway and Marshall. Assigned to Finance Committee.

SB 430 - AN ACT TO AMEND CHAPTER 66, TITLE 18 OF THE DELAWARE CODE TO PROVIDE LINE-OF-DUTY DEATH BENEFITS TO BENEFICIARIES OF COVERED PERSONS WHO ARE NOT DEPENDENT UPON THE COVERED PERSON. Sponsors: Senators Murphy, Zimmerman and Hughes; Representatives Gordy, Minner, Powell, Harrington. Assigned to Banking, Insurance and Elections Committee.

SB 431 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, TO ESTABLISH A NEMOURS FOUNDATION INVESTMENT FUND AND PROVIDE FOR PAYMENT INTO THE FUND OF ALL REVENUE DERIVED BY THE STATE OF DELAWARE FROM DISTRIBUTIONS BY THE NEMOURS FOUNDATION, AND TO ESTABLISH A BOARD OF TRUSTEES FOR SUCH FUND. Sponsors: Senators Holloway and Hughes. Assigned to Executive Committee.

SB 432 - AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF DELAWARE FOR THE PURCHASE OF EQUIPMENT TO BE USED AT THE AGRICULTURE SUB-STATION NEAR GEORGETOWN AND TO MAKE IMPROVEMENTS THERE. Sponsors: Senators Adams, Cordrey, Cook, Littleton; Representatives Gordy, Clendaniel, West, Darling, Fallon. Assigned to Agriculture Committee.

SA 2 to SB 296. Sponsor: Senator Cicione. Placed with the Bill.

At 1:20 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 10th Legislative Day.

10TH LEGISLATIVE DAY
January 29, 1980

The Senate convened at 1:20 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Zimmerman - 20.

ABSENT: Senator Weiss - 1.

The Journal of the previous day was approved as read.

At 1:22 p.m. on motion of Senator Cordrey, the Senate recessed in order to convene with the House for a Joint Session in the House Chamber.

JOINT SESSION
HOUSE CHAMBER

January 29, 1980

Representative Burris moved that the House and Senate convene in Joint Session. The motion Prevailed.

Representative Burris moved that the Speaker of the House preside over the Joint Session. The motion prevailed.

Representative Burris moved that the Secretary of the Senate and Chief Clerk of the House act as Secretaries of the Joint Session. The motion prevailed.

The Speaker appointed Representative Sincock and Representative W. Brady and Senator Cook and Senator Spence to escort the Governor to the Chamber.

The Sergeant-at-Arms admitted the Governor and the duly appointed committee to the House Chamber. The Speaker invited the Governor to the rostrum and introduced him to the Joint Session.

The Governor addressed the members of the General Assembly as follows:

This afternoon, I am presenting to you for your consideration, and the consideration of the citizens of the State of Delaware, the fiscal year 1981 budget. This budget represents yet another forward step for our mutually agreed upon course of sound financial planning and administration - a course we embarked upon together three years ago to solve the recurring financial problems of the past. To the credit of the executive and the legislative branches, we have erased our deficit, enacted and executed balanced budgets, built an emergency budget reserve fund, and achieved significant debt reduction. For our efforts we have been rewarded with a higher credit rating for the State and, more importantly, we have been able to reduce taxes for all Delawareans.

The budget that I am presenting to you today is, for the fourth straight year, a balanced budget. It proposed operating expenditures equal to the revenues we expect to receive during the fiscal year. It does not dip into accumulated surplus to fund recurring operating expenses. It will, if enacted, enhance the solid financial footing we have worked so hard to achieve. Enactment of this budget will mean a decline in the real cost of government - measured in "deflated" dollars - for the third consecutive year.

The Delaware Economic and Financial Advisory Council has estimated that tax revenues will reach \$634 million dollars in FY 1981. When combined with revenue sharing receipts and the increased federal funds automatically received from a change in Medicaid income limits for nursing homes and State institutions, projected revenues become \$641 million. The budget act, combined with monies for grants, supplementals and automatic appropriations that are likely to be enacted, brings expenditures to \$641 million, which balances against projected revenues.

As we enter the decade of the 1980's, we face an uncertain economy. Gloomy forecasts of inflation, recession and unemployment vary only in degree: All of our economic forecasters agree that a difficult year lies ahead of us. But, in Delaware, we are prepared for these potential difficulties about as well as we can be. Our budget is honestly balanced; we will have a reserve fund of \$32 million to cushion the impact of an economic downturn; our spending controls are both strong and effective. It is a year to be prudent and conservative in our spending programs, for we have not yet experienced the full impact of last year's tax cut, nor do we know the depth and extent of the coming recession. But, if we are both careful and conservative, and if the recession is not too deep, we will survive in sound economic health.

While under these conditions, what kind of a spending plan should we prepare for the coming year? Of course, it must balance expenditures with revenues, but what of our existing surplus, how can we best utilize this resource to benefit our future? How can we best meet the challenge that inflation places upon employees and programs in the coming year? These are the crucial questions for our spending plan. Let me express myself briefly upon each.

THE EXCESS RESERVE

Recall that we concluded fiscal year 1977 with a \$19.3 million deficit. Together we enacted taxes and reduced spending to eliminate this deficit and to build a reserve fund - a "Rainy Day Fund" - to cushion us against future recessions. In 1979 and 1980, we filled that reserve account, and we expect to add nearly \$3 million more in the coming fiscal year, so that by the end of fiscal year 1981, the budget reserve account will contain \$32 million or 5% of our operating budget. This is perhaps the most important result we have achieved by working together: protecting Delaware, its taxpayers and its employees against future financial uncertainty.

But we have accomplished even more. Carefully controlled spending, coupled with unexpectedly strong growth in our economy, has produced an unencumbered cash balance, in addition to the budget reserve account, of \$27 million. What should be done with this money?

Certainly, it must not be spent for the ongoing operating expenses of government, for it is one time revenue that will not come to us every year. The cornerstone of the budget I am recommending to you today is that we have not used any of these funds to meet the recurring operating expenses of the next fiscal year. We should use these funds with special care, just as we used our Divestiture Funds in the past two decades.

We have recommended that these funds be invested in specific projects that will strengthen our economy and the basic structure of our state - economic development, transportation, agriculture and energy conservation. We are recommending the investment of \$27 million in one time projects that will not require additional annual operating costs and that will benefit all of our citizens in the future.

The investment of \$5.0 million in Chrysler Corporation is one such priority; \$800,000 in further developing the Port of Wilmington, \$500,000 in the Lewes Marine Park and \$200,000 in agricultural ditching projects are additional economic development programs that will enhance our opportunities to grow throughout the decade of the 1980's.

During this fiscal year, we successfully undertook Operation Overhaul, investing \$9 million in improving the roads of our state. Another \$6 million in the next fiscal year will complete the task of bringing our highways back to sound condition and aid in further development of our State's resources.

Reducing our dependence on foreign oil calls for an aggressive response on the part of state government. Earlier this month, I proposed a \$2 million dollar program to help private citizens insulate their homes, saving dollars for themselves and energy for America. Today, I would propose that we extend this effort through a \$200,000 renewable resources grant program which will provide financial incentives to residential home owners to convert to the fuels of the future, such as solar power and biomass conversion.

In addition, I am proposing that about \$1.6 million be made available for insulating state buildings and schools, so that they, too, can conserve our valuable energy resources and, in turn, our state tax dollars. This program will generate nearly an equal amount in matching federal dollars.

The improved mass transit systems will help meet the transportation needs of our people and save energy at the same time, so we propose to use \$1.5 million of the unencumbered cash balance to match with federal dollars to purchase 55 new energy efficient DART busses. And \$200,000 to match city and federal monies to build a new transportation center in downtown Wilmington.

\$800,000 we suggest for the purchase of a modern communications system for the Delaware State Police. Over the years we have attempted to see that our State Police are well equipped and capable of responding to the law enforcement needs of our citizens. This has paid dividends in the saving of

lives and property. One element of the State Police operations, however, has been ignored. The communications equipment has reached a state where it is now seriously beginning to impede the State Police's ability to respond, and if the disrepair goes unchecked, we will encounter difficulties more frequently than we already have.

Finally, two financial liabilities demand the allocation of additional dollars. A one-time \$5 supplemental appropriation year will fully fund the post-retirement pension benefit program enacted a year ago. And a one-time Social Security payment of under \$3 million to the federal government will be required in 1981 because of a change in federal accounting rules that becomes effective July 1, 1980.

All of these expenditures are investments in our future. All are one-time expenditures that will not increase our financial liabilities in future years. All will help insure, as I stressed in my State of the State Message last week, that Delaware is well prepared to fend for itself in a weakening national economic environment.

THE BUDGET

The traditional concerns of Delaware budgets have been education and employee salaries, for these are the major costs of State government. Again this year, nearly half our expenditures will be devoted to education, and again this year our single largest expense is for people - because service is our primary responsibility. But this year another cost of government has become critical as well - the cost of energy.

Because of the very rapid increase in energy costs - both experienced and forecast - we have included increased funding in our budget energy lines - a special \$650 per unit increase in the Division II education budgets for example. We have also set aside nearly \$7 million in an energy contingency fund to insure sufficient funds to pay our energy bills. Even so, if these funds are going to cover those costs, all departments must reach the conservation goal of 15 percent discussed in the State of the State Message last week.

The largest category of expense within State government is, of course, employees' salaries. President Carter's administration has again requested compliance with its wage and price guidelines, and I believe it is our duty to continue the fight against inflation but this does not mean that we are unmindful of our employees needs when the cost of living is rising so rapidly. With these competing factors in mind, I am proposing a salary policy which will allow us to make our contribution in the fight against inflation but will also be meaningful to our

State employees. First, I have included an 8 percent increase in salary for all employees, inclusive of their step increments; second, I am proposing that this and all future raises be effective at the beginning of the fiscal year on July 1st, exclusive of those employees with contractual agreements which begin on a date certain. Third, I am recommending that the State pay 100% of the premium cost of family basic plan health benefits for State employees. Fourth, we have included \$3 million to be used as an additional contribution to the pension fund to finance increasing the contribution rate to keep the fund actuarially sound. This plan provides real increases in benefits to State employees (exclusive of pension contributions) totalling \$21 million, and continues our support for reasonable benefit increases within the bounds of national guidelines.

I am particularly sensitive to the question of growth in government. It not only places an increasing burden on the taxpayers but also subtracts from our ability to address the needs of our current employees. The total contingent of State employees will decline this year, by 161 positions, even after we have moved 50 employees from bond funds to general funds. As we have pointed out in the past, an employee paid from 20 year bonds funds costs 63% more than one paid directly from the general fund. The transfer of these additional 50 employees brings the three-year total to 183, at a savings to the taxpayer of almost \$2.5 million.

Education consumes about 45 percent of the total State budget, and energy related increases are particularly costly for our school system. It will require, for an example, an additional \$7 million to transport our children to schools next year primarily due to the rising costs of fuel - bringing the total annual cost of school transportation to more than \$22 million. This includes monies for the transportation of handicapped children required by legislation passed last session. In Division II, we have raised the per unit state payment from \$2,310 to \$2,967, a 28% increase to help meet rising energy costs. A \$100 per unit increase in Division III funding will help continue equalization programs.

The education financing recommendations we are putting forward today include increased support services for autistic children and the private placement of the handicapped and they also contain a doubling of the resources for gifted and talented program support which should result in a doubling of the number of children served.

Delaware, like all communities, suffers severe problems in youth employment. Nearly half of all our unemployed are under 24 years of age.

At the end of the first half of the school year our Jobs for Delaware Graduates Program has interviewed and tested more than 4,000 seniors and juniors; more than twice as many students as we expected have asked to be in the program -- and the business, labor, and education communities have all been highly supportive of our effort.

There is an urgent need to continue and expand this program. I have included in the budget, \$250,000 which will permit us to expand the program throughout the State and secure more than \$2.5 million in federal and private funding. I am also requesting in the budget \$250,000 to insure the current level of career guidance and placement services in our high schools -- and that is another critical element of our overall placement program.

Finally, I believe that the State should pursue the innovative proposal of the Lieutenant Governor that we develop a monorail transportation system for Delaware. I am, therefore, asking the General Assembly to appropriate \$50,000 to permit a careful financial and practical analysis of such a demonstration project.

As we leave the seventies behind we have all experienced painful lessons concerning the limitation of our resources. Our economy cannot support nor satisfy all of our desires. Critical choices must be made and must be with appropriate consideration for the future. This budget, much like the ones I suspect will be presented throughout the first part of the 1980's, is shaped by many considerations largely beyond our control - the price of energy and the cost of inflation.

This does not mean that we should not actively pursue shaping our own destinies. Quite the contrary, our successful efforts to lower personal taxes, provide business tax incentives, and improve our transportation system will result in Delaware being a more competitive, attractive place for economic investments and this, in turn, will provide the stable base from which to maintain our standard of living.

Let me say in closing that in times of 13% inflation and enormous increases in energy costs, that balancing this operating budget without dipping into the surplus for on-going programs has required many difficult choices. In the past, the seeds of future financial problems have been sown, not when we were in financial trouble and all pulling together, but when we were financially healthy, when the temptations were great, and the pressures even greater. This year those pressures will be very, very strong. It will be tempting to enact new, attractive programs which will be popular before the election, but will lead us to financial difficulty in 1981 and 1982. This is the year in which we must have the political will and the personal discipline to live within our means, for this is the year which will set the financial course for our State for the next several years.

The 1981 budget that I am submitting to you today is balanced, conservative, and focused upon the basics of government - improving our infrastructure and paying close attention to education, energy and economics. It is a prudent budget and I believe provides a sound beginning for the 1980's. I recommend it to you for your consideration, and look forward to working with you towards its enactment.

Representative Sincock and Representative W. Brady and Senator Cook and Senator Spence escorted the Governor from the Chamber.

Representative Burris moved that the Secretary of the Senate and the Chief Clerk of the House compare their respective Journals.

The Secretary of the Senate and the Chief Clerk of the House compared their Journals, found them to agree, and so notified the Speaker.

Representative Burris moved that the two Houses now separate to re-convene in their respective Chambers. The motion prevailed.

* * * * *

The Senate reconvened at 3:32 p.m., Senator Cordrey presiding. SCR 56 (Sponsored by Senators Hughes and Berndt; Representative Ambrosino) was introduced and considered for adoption on motion of Senator Berndt:

SCR 56 - MOURNING THE DEATH OF THOMAS M. ADAMSON, A MEMBER OF THE HOUSE OF REPRESENTATIVES IN THE 106TH GENERAL ASSEMBLY FROM THE FORMER SIXTH DISTRICT.

The roll call vote on the Resolution was taken and revealed 16 Senators voting YES and 5 (Cook, Holloway, McDowell, Murphy and Weiss) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

Senators Zimmerman and Martin marked PRESENT.

SB 433 was introduced and laid on the table on motion of Senator Adams:

SB 433 - AN ACT TO AMEND AN ACT BEING CHAPTER 166, VOLUME 43, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE TOWN OF GEORGETOWN" TO PERMIT THE SALE OF BOND OR CERTIFICATE OR CERTIFICATES OF INDEBTEDNESS BY PUBLIC OR PRIVATE SALE. Sponsors: Senator Adams; Representative Clendaniel.

HB 555 was lifted from the table for consideration on motion of Senator McCullough:

HB 555 - AN ACT TO AMEND CHAPTER 6, TITLE 14 OF THE DELAWARE CODE RELATING TO TUITION CHARGES UNDER CERTAIN CIRCUMSTANCES FOR HANDICAPPED PERSONS.

SA 1 and SA 2 to the Bill which had been placed with the Bill were stricken at the request of the sponsor, Senator Kearns.

The privilege of the floor was extended to Dr. Dennis Carey (Governor's Office) after which the Bill was again laid on the table on motion of Senator Sharp.

At 3:56 p.m., Senator Sharp presiding.

Senator Holloway marked PRESENT.

SB 405 was taken up for consideration on motion of Senator Cicone:

SB 405 - AN ACT TO AMEND CHAPTER 5, TITLE 19, DELAWARE CODE, RELATING TO CHILD LABOR.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cicione and the roll call vote taken which revealed 19 Senators voting YES and 2 (McCullough and Weiss) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 405 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (McCullough and Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 433 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Adams:

SB 433 - AN ACT TO AMEND AN ACT BEING CHAPTER 166, VOLUME 43, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE TOWN OF GEORGETOWN" TO PERMIT THE SALE OF BOND OR CERTIFICATE OR CERTIFICATES OF INDEBTEDNESS BY PUBLIC OR PRIVATE SALE.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (McCullough and Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 422 was taken up for consideration on motion of Senator Cook:

SB 422 - AN ACT TO AMEND TITLE 9, OF THE DELAWARE CODE RELATING TO THE POWER OF KENT COUNTY TO ISSUE SINGLE FAMILY MORTGAGE REVENUE BONDS.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (McCullough and Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 422 was taken up for consideration on motion of Senator Cordrey:

HB 422 - AN ACT TO AMEND CHAPTERS 3, 21 AND 23, TITLE 21, DELAWARE CODE, TO DELETE CERTAIN OUTDATED REQUIREMENTS AND PROCEDURES PERTAINING TO THE DIVISION OF MOTOR VEHICLES.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 294 was taken up for consideration on motion of Senator Cordrey:

SB 294 - AN ACT AWARDING SPECIAL PENSION BENEFITS TO JOHN LONGOBARDI, A FORMER STATE EMPLOYEE, APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND AUTHORIZED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE MADE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 555 was lifted from the table for consideration on motion of Senator McCullough and the roll call vote taken which revealed 20 Senators voting YES and 1 (Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 296 was taken up for consideration on motion of Senator Cicione:

SB 296 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 11, TITLE 30 OF THE DELAWARE CODE RELATING TO AN INCOME TAX CREDIT FOR ACTIVE VOLUNTEER FIREMEN.

The privilege of the floor was extended to Lawrence Mergenthaler (Delaware Volunteer Fireman's Association) and Harry Terry (Senate Attorney) after which the Bill was laid on the table on further motion of Senator Cicione.

HB 269 w HA 1 was taken up for consideration on motion of Senator Cordrey:

HB 269 w HA 1 - AN ACT TO AMEND CHAPTER 21, TITLE 21, OF THE DELAWARE CODE, TO GIVE OFFICIAL RECOGNITION TO THE HISTORICAL VINTAGE CAR CLUB OF DELAWARE, INCORPORATED IN THE REGISTRATION OF ANTIQUE MOTOR VEHICLES.

SA 1 to the Bill was introduced by Senator Adams and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (McCullough and Weiss) ABSENT; therefore, the Amendment was declared adopted.

SA 1 to HA 1 of the Bill which had been placed with the Bill was stricken on motion of the sponsor, Senator Zimmerman.

The roll call vote on HB 269 w HA 1, SA 1 was then taken; however, before being announced the roll call was tabled on motion of Senator Adams.

The roll call vote on HB 269 w HA 1, SA 1 was then lifted on further motion of Senator Adams and revealed 19 Senators voting YES and 2 (McCullough and Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration of the Senate Amendment.

SB 210 w SA 1 was lifted from the table for consideration on motion of Senator Cicione.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cicione and the roll call vote taken which revealed 20 Senators voting YES and 1 (Weiss) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Harry Terry (Senate Attorney) after which the roll call vote on SB 210 w SA 1, 2 was taken and revealed 19 Senators voting YES and 2 (Holloway and Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 260 was taken up for consideration on motion of Senator Murphy:

SB 260 - AN ACT TO AMEND TITLE 18, CHAPTER 39, DELAWARE CODE RELATING TO CASUALTY INSURANCE CONTRACTS.

The Bill was then laid on the table on further motion of Senator Murphy.

The following Committee reports were announced:

From the Committee on Aging: SB 376 - 1 Favorable, 3 Merits, 1 Unfavorable.

From the Community Affairs Committee: SB 393 - 5 Merits.

From the Finance Committee: SB 423 - 10 Merits.

The following legislation was introduced:

HCR 98 - EXPRESSING OUR HOPE FOR THE QUICK AND COMPLETE RECOVERY OF OUR COLLEAGUE, REPRESENTATIVE RUTH ANN MINNER, FROM AN OPERATION. Sponsors: Representative Morris and all members of the House and Senate.

The Resolution was considered for adoption on motion of Senator Cordrey and the roll call vote taken which revealed 18 Senators voting YES and 3 (Hale, Spence and Weiss) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SA 1 to SB 416. Sponsor: Senator Holloway. Placed with the Bill.

SB 434 - AN ACT TO AMEND CHAPTER 10, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO THE FREE PUBLIC SCHOOLS; AND PROVIDING FOR THE COMPOSITION OF THE NEW CASTLE COUNTY SCHOOL BOARD. Sponsor: Senator Holloway. Laid on the table.

SB 435 - AMEND CHAPTER 51, TITLE 29, DELAWARE CODE TO PROVIDE THAT THE STATE SHALL PAY ANNUAL DUES FOR MEMBERSHIP IN THE BLOOD BANK OF DELAWARE FOR OFFICERS, EMPLOYEES AND RETIREES OF THE STATE OF DELAWARE. Sponsor: Senator Cook. Assigned to Executive Committee.

SB 436 - AN ACT TO AMEND CHAPTER 68, VOLUME 62, LAWS OF DELAWARE, BEING AN ACT ENTITLED: "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1980; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS."; AND PROVIDING A SUPPLEMENTARY APPROPRIATION THEREFOR. Sponsors: Senator Cicione; Representatives McBride, Gilligan, Maxwell, VanSciver. Assigned to Finance Committee.

SB 437 - AN ACT TO APPROPRIATE MONEY TO THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF INSTALLING STANDPIPES AT THE ELSMERE AND NEWPORT VIADUCTS. Sponsor: Senator Cicione. Assigned to Corrections Committee.

The following Bills were stricken at the request of the sponsor, Senator Holloway: SB 99, SB 87.

SB 423 was taken up for consideration under suspension of the necessary rules on motion of Senator Hughes:

SB 423 - AN ACT TO AMEND CHAPTER 68, VOLUME 62, LAWS OF DELAWARE, BEING "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1980; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS."

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Hale and Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 51.

The following Committee reports were announced:

From the Health and Social Services Committee: SB 402 - 1 Favorable, 2 Merits, 1 Unfavorable; SB 358 - 4 Merits; SB 353 - 4 Merits; SB 319 - 3 Merits, 2 Unfavorable; SB 221 - 3 Merits, 1 Unfavorable.

At 5:32 p.m. on motion of Senator Cordrey, the Senate adjourned until 2:00 p.m., January 30, 1980.

11TH LEGISLATIVE DAY

January 30, 1980

The Senate convened at 2:05 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

At 2:07 p.m., the Senate recessed for a short period for lack of a quorum.

The Senate reconvened at 2:14 p.m., Senator Cordrey presiding.

Senators Marshall, Kearns, Berndt, Zimmerman marked PRESENT.

SR 68 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 68 - COMMENDING SUPERINTENDENT WARREN J. GEHRT OF THE HOSPITAL FOR THE MENTALLY RETARDED AT STOCKLEY FOR THE PROFESSIONAL MANNER IN WHICH HE HAS HANDLED ALLEGED PROBLEMS AT THE INSTITUTION. Sponsors: Senators Zimmerman, Cordrey, Kearns, Hughes, Murphy, Berndt, Adams.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Cicione, Martin and McCullough) ABSENT; therefore, the Resolution was declared adopted.

Senators McDowell, Hughes, Littleton, Hale, Holloway, Weiss, Cook marked PRESENT.

The following Committee reports were announced:

From the Executive Committee: SB 394 - 4 Merits.

From the Agriculture Committee: SB 432 - 6 Favorable.

From the Finance Committee: HB 663 w HA 1, 4, 9, 10, 11, 12, 15 - 9 Merits.

SR 69 (Sponsored by Senator Kearns) was introduced and considered for adoption on his motion:

SR 69 - URGING THE DEPARTMENT OF FINANCE TO SEEK A FEDERAL TAX REFUND OF SOCIAL SECURITY TAXES UNNECESSARILY PAID ON STATE EMPLOYEES' SICK PAY.

The roll call vote on the Resolution was taken and revealed:

YES: Senators Adams, Arnold, Cicione, Cook, Cordrey, Kearns, Marshall, Martin, McDowell, Murphy, Sharp, Spence, Zimmerman - 13.

NOT VOTING: Senators Berndt, Hale, Holloway, Hughes, Knox, Littleton, Weiss - 7.

ABSENT: Senator McCullough - 1.

Therefore, the Resolution was declared adopted.

Senators Cicione and Martin marked PRESENT.

The Secretary announced that a message from the House informed the Senate that it had passed SB 380, SB 384, SB 385, SB 220 w HA 1.

SCR 57 was introduced and considered for adoption on motion of Senator Cook:

SCR 57 - COMMENDING THE DIVISION OF LIBRARIES AND SYLVIA SHORT, THE STATE LIBRARIAN, FOR DEVELOPING THE PDQ LIBRARY LINE. Sponsors: Senators Cook and Adams.

The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Senator McCullough) ABSENT; therefore, the Resolution was declared adopted.

SB 435 was reported out of the Finance Committee: 2 Favorable, 5 Merits, 1 Unfavorable.

HB 670 was introduced and assigned to Executive Committee:

HB 670 - AN ACT TO AMEND CHAPTER 71, TITLE 29 OF THE DELAWARE CODE, RELATING TO MILEAGE REIMBURSEMENT. Sponsor: Representative Ambrosino.

SB 220 which had previously passed the Senate and now returned from the House further amended by HA 1 was reconsidered for passage on motion of Senator Adams. The roll call vote on SB 220 w HA 1 was therefore taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed.

At 2:55 p.m., Senator Sharp presiding.

HB 539 w HA 1 was lifted from the table and considered for passage under suspension of the necessary rules on motion of Senator Kearns:

HB 539 w HA 1 - AN ACT TO AMEND CHAPTERS 9 AND 11, TITLE 13, DELAWARE CODE, RELATING TO ADOPTION AND TERMINATION OF PARENTAL RIGHTS.

The privilege of the floor was extended to Richard J. Pryor (Catholic Social Services) and Tom Sandbach (Senate Attorney).

The following letter was read and is made part of this record at the request of Senator Kearns:

CHILDREN'S BUREAU of DELAWARE
2005 Baynard Boulevard
WILMINGTON, DELAWARE
January 25, 1980

The Honorable Francis J. Currence
Legislative Hall
Dover, Delaware

Dear Senator Currence:

The Children's Bureau of Delaware urges your assistance in the passage of HB 539 before the Budget recess. These amendments to the Adoption and Termination of Parental Rights laws will facilitate the permanent placement of many children who otherwise will remain in the limbo of temporary foster care.

The constitutionality of the existing Termination of Parental Rights law has been challenged in a case now on appeal to the United States Supreme Court. If the appeal is sustained, there would be no operative Termination of Parental Rights law and even the children who are now able to be placed in adoptive homes would need to remain in foster care. HB 539 corrects that section of the law alleged to be unconstitutional and, in addition, makes several other needed improvements in the law.

The Children's Bureau stands ready to assist in any way possible in the speedy passage of HB 539.

Sincerely,
Demo N. Carros
Executive Director

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The roll call vote on HB 539 w HA 1 was then taken and revealed 17 Senators voting YES, 2 (Arnold and Spence) NOT VOTING, and 2 (Cicione and McCullough) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

At 3:40 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 4:20 p.m., Senator Cordrey presiding.

SR 70 was introduced by Senator Holloway and considered for adoption on his motion:

SR 70 - MARKING THE 98TH BIRTHDAY OF THE LATE FRANKLIN DELANO ROOSEVELT, THE 32ND PRESIDENT OF THE UNITED STATES.

The roll call vote on the Resolution was taken and revealed 15 Senators voting YES and 6 (Berndt, Hale, Marshall, McDowell, Weiss, Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

The following legislation was introduced:

SB 438 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO AN INCOME TAX CREDIT FOR ACTIVE VOLUNTEER FIREPERSONS AND AMBULANCE PERSONNEL. Sponsors: Senators Cicione, Hughes and Arnold; Representatives Gilligan, Matushefske, Anderson, Minner, Neal, Roy. Assigned to Revenue and Taxation Committee.

SB 439 - AN ACT TO AMEND CHAPTER I, TITLE 26 OF THE DELAWARE CODE TO BAN THE USE OF CONSTRUCTION PROGRAM COSTS IN COMPUTING THE RATE BASE FOR UTILITIES. Sponsors: Senators Sharp, Kearns, McDowell and Martin. Assigned to Administrative Services Committee.

SA 1 and SA 2 to SB 260. Sponsors: Senators Holloway and Spence. PLACED with the Bill.

SA 5, SA 6 and SA 7 to SB 30. Sponsor: Senator Holloway. Placed with the Bill.

The following Committee reports were announced:

From the Banking, Insurance and Elections Committee: SB 320 - 4 Merits; SB 407 - 1 Favorable, 3 Merits; SB 408 - 1 Favorable, 3 Merits; SB 430 - 3 Favorable, 1 Merits.

SB 260 was lifted from the table for consideration on motion of Senator Murphy.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the roll call vote taken which revealed 18 Senators voting YES and 3 (Cicione, McDowell, Sharp) ABSENT; therefore, the Amendment was declared adopted.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Cicione, Cook, Cordrey, Holloway, Hughes, Littleton, Marshall, Martin, McCullough, McDowell, Sharp, Spence, Zimmerman - 15.

NO: Senators Berndt, Hale, Knox, Weiss - 4.

NOT VOTING: Senators Kearns and Murphy - 2.

Therefore, the Amendment was declared adopted.

SA 3 to the Bill was introduced but immediately stricken by the sponsor, Senator Holloway.

The roll call vote on SB 260 w SA 1, 2 was taken and revealed 20 Senators voting YES and 1 (Berndt) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 383 was taken up for consideration on motion of Senator Marshall:

SB 383 - AN ACT TO AMEND CHAPTER 80, TITLE 15, DELAWARE CODE, RELATING TO CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.

The Bill was then laid on the table on further motion of the Senator.

SB 399 was taken up for consideration on motion of Senator Zimmerman:

SB 399 - AN ACT TO AMEND CHAPTER 47, TITLE 7 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF MAIL-IN FINES FOR A VIOLATION OF STATE PARK REGULATIONS.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Arnold, Marshall, Murphy, Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HJR 27 was taken up for consideration on motion of Senator Zimmerman:

HJR 27 - ASKING CITIZENS OF DELAWARE TO OBSERVE 1980 AS YEAR OF THE COAST.

The roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SB 400 was taken up for consideration on motion of Senator Martin:

SB 400 - AN ACT AUTHORIZING A FEASIBILITY STUDY OF THE RECREATIONAL POTENTIAL OF THE CHRISTINA RIVER AND MAKING AN APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.

The roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 432 was taken up for consideration on motion of Senator Adams:

SB 432 - AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF DELAWARE FOR THE PURCHASE OF EQUIPMENT TO BE USED AT THE AGRICULTURE SUB-STATION NEAR GEORGETOWN AND TO MAKE IMPROVEMENTS THERE.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 359 was taken up for consideration on motion of Senator Holloway:

SB 359 - AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF MENTAL HEALTH FOR THE PURPOSE OF TREATING AND COUNSELING COMPULSIVE GAMBLERS.

The Bill was then laid on the table on further motion of the Senator.

The following legislation was introduced:

SCR 58 - COMMENDING GILBERT S. SCARBOROUGH, JR, PRESIDENT OF THE NEW CASTLE COUNTY BOARD OF EDUCATION, UPON HIS SELECTION AS THE MARVEL CUP WINNER. Sponsors: Senators Holloway, Berndt, Knox, Marshall, McDowell.

The Resolution was considered for adoption on motion of Senator Holloway and the roll call vote taken which revealed:

YES: Senators Adams, Berndt, Cook, Cordrey, Holloway, Kearns, Knox, Marshall, Martin, McCullough, Murphy, Weiss, Zimmerman - 13.

NOT VOTING: Senators McDowell, Sharp, Spence - 3.

ABSENT: Senators Arnold, Cicione, Hale, Hughes, Littleton - 5.

Therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 59 - MOURNING THE DEATH OF JAMES H. SEARS, OF HOCKESSIN, NATIONALLY RENOWNED FOR HIS EFFORTS TO ENCOURAGE THE HIRING OF THE HANDICAPPED. Sponsors: Senators Holloway and Hughes.

The roll call vote on the Resolution was taken on motion of Senator Holloway and revealed 20 Senators voting YES and 1 (Hale) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 440 - AN ACT TO PROVIDE FOR THE ELECTION OF MEMBERS TO THE BOARD OF EDUCATION OF THE NEW CASTLE COUNTY SCHOOL DISTRICT, A SCHOOL DISTRICT CREATED JULY 1, 1978 BY ORDER OF THE FEDERAL COURT AND TO PROVIDE FOR ENLARGEMENT OF THE BOARD. Sponsor: Senator McCullough. Assigned to Education Committee.

SB 441 - AN ACT TO AMEND TITLE 21, DELAWARE CODE, RELATING TO AUTOMOBILE INSURANCE. Sponsors: Senator Holloway and Representative Holloway, Jr.. Assigned to Banking, Insurance and Elections Committee.

SB 442 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE STATE DEPARTMENT OF LABOR FOR THE PURPOSE OF MAKING A PARTIAL REIMBURSEMENT ON A FEDERAL LOAN TO THE STATE UNEMPLOYMENT COMPENSATION FUND. Sponsors: Senators Cook, Cordrey and Berndt; Representatives Bennett and Gordy. Assigned to Finance Committee.

SA 1 to SB 383. Sponsor: Senator Weiss. Placed with the Bill.

The roll call vote on SB 212 w SA 1 was lifted from the table on motion of Senator Kearns and announced:

YES: Senators Adams, Arnold, Berndt, Cicione, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Sharp, Spence, Weiss- 17.

NO: Senators Cook Cordrey, Murphy - 3.

ABSENT: Senator Zimmerman - 1.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 5:53 p.m. on motion of Senator Sharp, the Senate recessed until 1:30 p.m., January 31, 1980.

The Senate reconvened at 1:37 p.m., January 31, 1980, Lt. Governor McGinnis presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 414, SB 433, SB 326 w SA 2. SJR 35 was lost.

The following legislation was introduced:

HB 694 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE STATE FIRE MARSHAL'S OFFICE FOR THE PURPOSE OF MATCHING FEDERAL FUNDS AWARDED TO DELAWARE BY THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION TO AUGMENT AN ARSON CONTROL PROGRAM. Sponsors: Representatives Cathcart and Oberle. Laid on the table at the request of Senator Cicione.

HB 678 - AN ACT TO AMEND DELAWARE CODE, TITLE 14, BY MAKING TECHNICAL CHANGES IN ORDER TO REMOVE LEGAL AMBIGUITIES OR CONFLICTS IN STATEMENTS THAT NOW APPEAR TO EXIST IN THE INSTRUCTIONS FOR VOTING BY PAPER BALLOT AND/OR VOTING MACHINES. Sponsor: Representative Fallon. Laid on the table at the request of Senator Cordrey.

SA 1 to SB 359. Sponsor: Senator Hughes. Placed with the Bill.

At 1:40 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 12th Legislative Day.

12TH LEGISLATIVE DAY

January 31, 1980

The Senate convened at 1:40 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

HB 663 w HA 1, 4, 9, 10, 11, 12, 15 was taken up for consideration on motion of Senator Cook:

HB 663 w HA 1, 4, 9, 10, 11, 12, 15 - AN ACT ESTABLISHING AN EMERGENCY LOAN COMMITTEE MAKING A SUPPLEMENTAL APPROPRIATION THERETO, AND AUTHORIZING THE COMMITTEE TO MAKE LOANS TO THE CHRYSLER CORPORATION.

The privilege of the floor was extended to David Swayze (Governor's Office) and Weston Nellius (Secretary of Finance) after which the Bill was laid on the table on motion of Senator Cook.

SB 206 was taken up for consideration on motion of Senator Holloway:

SB 206 - AN ACT TO AMEND TITLE 24, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A STATE BOARD OF OPTICIANS.

SA 1 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Berndt.

SA 2 to the Bill was introduced by Senator Berndt and considered for adoption on his motion.

The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Cordrey, Hale, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McDowell, Murphy, Spence, Weiss, Zimmerman - 17.

NOT VOTING: Senators Holloway, McCullough and Sharp - 3.

ABSENT: Senator Cook - 1.

Therefore, the Amendment was declared adopted.

The privilege of the floor was extended to the following: Jeffrey S. Marlin (Edwin P. J. Kuhwald, Ltd., Pearle Vision Center and Cole National Corporation), George M. Price (Delaware Society of Dispensing Opticians), Andy Reitzes (Delaware Society of Dispensing Opticians) and Don Murthc (Delaware Society of Dispensing Opticians).

SB 206 w SA 2 was then laid on the table on motion of Senator Holloway.

HB 663 w HA 1, 4, 9, 10, 11, 12, 15 was lifted for consideration on motion of Senator Cook.

SA 1 to the Bill was introduced by Senator Berndt and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

Senators Marshall, Holloway and Murphy marked PRESENT.

The roll call vote on HB 663 w HA 1, 2, 4, 9, 10, 11, 12, 15, SA 1 was taken and revealed:

YES: Senators Arnold, Berndt, Cicione, Cook, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McDowell, Murphy, Sharp, Spence, Weiss - 17.

NO: Senators Adams, Cordrey, Zimmerman - 3.

NOT VOTING: Senator McCullough - 1.

Therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SB 376 was taken up for consideration on motion of Senator McDowell:

AN ACT TO AMEND CHAPTER 5, PART I, TITLE 31 OF THE DELAWARE CODE RELATING TO WELFARE, AND PROVIDING FOR PHARMACEUTICAL ASSISTANCE TO THE AGED.

Senators Zimmerman, Spence, Kearns, Murphy and Cook were added as co-sponsors of the Bill.

At 5:00 p.m., Senator Kearns presiding.

At 5:07 p.m. on motion of Senator Cordrey, the Senate recessed and reconvened at 5:45 p.m., Senator Cordrey presiding.

SB 376 was still before the Senate for consideration.

During discussion of the Bill and the several Amendments which were offered to it, the privilege of the floor was extended to Regina Small (State Solicitor) and Duane Olsen (Controller General).

SA 1 to the Bill was introduced by Senator Marshall and was immediately stricken on his motion.

SA 2 to the Bill was introduced by Senator Marshall and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, Kearns, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Zimmerman - 13.

NO: Senator Hale - 1.

NOT VOTING: Senators Arnold, Berndt, Hughes, Knox, Spence, Weiss - 6.

ABSENT: Senator Holloway - 1.

Therefore, the Amendment was declared adopted.

SA 3 to the Bill was introduced by Senator Cicione and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

SA 4 to the Bill was introduced by Senator McDowell and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Berndt) NOT VOTING; therefore, the Amendment was declared adopted.

The roll call vote on SB 376 w SA 2, 3, 4 was taken and revealed 16 Senators voting YES and 5 (Arnold, Berndt, Hale, Hughes and Knox) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Adams, the Governor's nomination for appointment of Cyric W. Cain, Jr. was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Wayne R. Hanby was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Robert B. Hopkins was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Cicione) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Alta Harrington was taken up for consideration and the roll call vote taken which revealed 17 Senators voting YES and 4 (Cicione, Hale, Marshall, McDowell) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Sarah R. Jastak was taken up for consideration and the roll call vote taken which revealed 18 Senators voting YES and 3 (Hale, Kearns, Marshall) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Elwood S. Jones was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of W. Allen Jones was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Emilie E. Tugend was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Arnold) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Verdie West was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Robert Zook was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

HB 694 was lifted from the table and considered for passage under suspension of the necessary rules on motion of Senator Cook:

HB 694 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE STATE FIRE MARSHAL'S OFFICE FOR THE PURPOSE OF MATCHING FEDERAL FUNDS AWARDED TO DELAWARE BY THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION TO AUGMENT AN ARSON CONTROL PROGRAM.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (McCullough) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 678 was lifted from the table and considered for passage under suspension of the necessary rules on motion of Senator Adams:

HB 678 - AN ACT TO AMEND DELAWARE CODE, TITLE 14, BY MAKING TECHNICAL CHANGES IN ORDER TO REMOVE LEGAL AMBIGUITIES OR CONFLICTS IN STATEMENTS THAT NOW APPEAR TO EXIST IN THE INSTRUCTIONS FOR VOTING BY PAPER BALLOT AND/OR VOTING MACHINES.

The roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House. Senators Adams and Littleton were added as co-sponsors to the Bill.

SB 434 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Holloway:

SB 434 - AN ACT TO AMEND CHAPTER 10, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO THE FREE PUBLIC SCHOOLS; AND PROVIDING FOR THE COMPOSITION OF THE NEW CASTLE COUNTY SCHOOL BOARD.

Representative Ferguson was added as co-sponsor to the Bill.

During discussion of the Bill and the various Amendments which were offered to it, the privilege of the floor was extended to Earl McGinnes (Legislative Council) and Tom Sandbach (Senate Attorney).

SA 1 to the Bill was introduced by Senator Sharp and considered for adoption on his motion.

The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cook, Cordrey, Hale, Hughes, Kearns, Knox, Littleton, Martin, McCullough, Sharp, Spence, Weiss, Zimmerman - 16.

NO: Senators Holloway and Marshall - 2.

ABSENT: Senators Cicione, McDowell, Murphy - 3.

Therefore, the Amendment was declared adopted.

SA 2 to the Bill was introduced by Senator Sharp and considered for adoption on his motion.

The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hughes, Kearns, Knox, Martin, McCullough, Murphy, Sharp, Spence, Weiss, Zimmerman - 16.

NO: Senators Hale, Holloway, Marshall - 3.

NOT VOTING: Senator McDowell - 1.

ABSENT: Senator Littleton - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 434 w SA 1, 2 was taken and revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, Kearns, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Zimmerman - 12.

NO: Senator Holloway - 1.

NOT VOTING: Senators Arnold, Berndt, Hale, Hughes, Knox, Littleton, Spence, Weiss - 8.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 449 was introduced and considered for passage under suspension of the necessary rules on motion of Senator McDowell:

SB 449 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE DELAWARE ENERGY OFFICE FOR THE OPERATION OF THE "DELAWARE ENERGY CRISIS ASSISTANCE PROGRAM" TO ASSIST HOMEOWNERS AND OTHERS IN PURCHASING HEATING FUELS. Sponsors: Senators McDowell, Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Marshall, Martin, McCullough, Murphy, Sharp, Zimmerman, Littleton, Hughes; Representatives Cathcart, Free, VanScriver.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Berndt, Hale and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 728 was taken up for consideration under suspension of the necessary rules on motion of Senator Sharp:

HB 728 - AN ACT AUTHORIZING THE STATE TREASURER TO PAY \$9,438 TO VANTASYLAND FOR WORK PERFORMED AT THE REQUEST OF THE DIVISION OF VOCATIONAL REHABILITATION.

The privilege of the floor was extended to Donald Whitely, Secretary of Labor.

The roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 696 was taken up for consideration under suspension of the necessary rules on motion of Senator Zimmerman:

HB 696 - AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND ECONOMIC DEVELOPMENT TO MAINTAIN AN ADEQUATE SERVICE LEVEL.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Cicione) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SCR 60 was introduced and considered for adoption on motion of Senator Littleton:

SCR 60 - COMMENDING BRIGADIER GENERAL WALTER LAYTON JOHNSON, OF GEORGETOWN, FOR OUTSTANDING SERVICE, AS HE RETIRES AFTER 31 YEARS AS A MEMBER OF THE DELAWARE NATIONAL GUARD. Sponsors: Senator Littleton and all the Senators; Representative Fallon.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Cicione and Knox) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 7:58 p.m. on motion of Senator Sharp, the Senate recessed and reconvened at 8:50 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 443 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO THE COMPENSATION OF THE LIEUTENANT GOVERNOR. Sponsor: Senator Holloway. Assigned to Executive Committee.

SB 444 - AN ACT TO ENSURE THAT THE STATE OF DELAWARE AND THE NATIONAL OBSERVANCES OF MEMORIAL DAY WILL COINCIDE. Sponsor: Senator Holloway. Assigned to Executive Committee.

SB 445 - AN ACT TO AMEND CHAPTER 1, TITLE 22, DELAWARE CODE, RELATING TO ELECTIONS, VOTER QUALIFICATIONS, AND CERTAIN POWERS OF UNINCORPORATED TOWNS. Sponsor: Senator Murphy. Assigned to Banking, Insurance and Elections Committee.

SB 446 - AN ACT TO AMEND CHAPTER 5 OF TITLE 16 OF THE DELAWARE CODE TO REQUIRE THAT PHYSICIANS RENDERING PRE-NATAL CARE OR DELIVERING CHILDREN ON A NON-EMERGENCY BASIS MUST TEST THE EXPECTANT MOTHER FOR HERPES SIMPLEX II. Sponsors: Senators Holloway and Representative Holloway, Jr.. Assigned to Health and Social Services Committee.

SB 447 - AN ACT TO AMEND CHAPTER 3, TITLE 15, DELAWARE CODE RELATING TO POWERS AND DUTIES OF THE STATE ELECTION COMMISSIONER. Sponsor: Senator Sharp. Assigned to Banking, Insurance and Elections Committee.

SB 448 - AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO THE STATE EMPLOYEES RETIREMENT FUND FOR THE PURPOSE OF MORE ADEQUATELY DETERMINING THE FINANCIAL IMPACT OF LEGISLATION PROPOSED BY MEMBERS OF THE GENERAL ASSEMBLY. Sponsor: Senator Holloway. Assigned to Finance Committee.

SA 1 to SB 431. Sponsor: Senator Marshall. Placed with the Bill.

SA 1 to SB 438. Sponsor: Senator Cicione. Placed with the Bill.

SA 2 to SB 359. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 and SA 2 to SB 105. Sponsor: Senator Holloway. Placed with the Bill.

SB 415 which had been assigned to the Judiciary Committee was re-assigned to the Community Affairs Committee.

HCR 99 was introduced and considered for adoption on motion of Senator Sharp:

HCR 99 - THE PEOPLE OF DELAWARE SAY, THANK YOU, CANADA! Sponsors: Representatives Loughney, Jonkiert, Bennett; Senator Sharp.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Hale and Murphy) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SR 71 - COMMENDING ROBERT M. CALBANZA, DIRECTOR OF COMMUNITY TECHNOLOGY, RESEARCH AND DEVELOPMENT FOR COMMUNITY ACTION OF GREATER WILMINGTON, FOR HIS ENERGY-DEMONSTRATION PROJECTS IN URBAN AREAS. Sponsor: Senator McDowell.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Cook, Hale and Hughes) ABSENT; therefore, the Resolution was declared adopted.

SR 72 - EXPRESSING THANKS TO THE CANADIAN GOVERNMENT IN HELPING TO FREE SIX AMERICANS WHO MADE A DARING AND DANGEROUS ESCAPE FROM IRAN OVER THE WEEKEND. Sponsors: Senator Holloway and all the Senators.

The roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted.

HB 681 w HA 1, 2, 3 was taken up for consideration under suspension of the necessary rules on motion of Senator Sharp:

HB 681 w HA 1, 2, 3 - AN ACT AUTHORIZING THE DELAWARE ENERGY OFFICE TO PROVIDE FINANCIAL ASSISTANCE TO CERTAIN DELAWARE FAMILIES FOR THE PURCHASE OF ENERGY CONSERVATION MATERIALS FOR THEIR HOMES AND MAKING A SUPPLEMENTAL APPROPRIATION TO THE DELAWARE ENERGY OFFICE FOR THE OPERATION OF SUCH A PROGRAM. Sponsors: Representatives Neal, Hebner, Burris, Cathcart, Free, Roy, Oberle, VanSciver, Smith, Sincock, Connor, Maroney, Powell, Maxwell; Senators Knox, Arnold, Littleton, Hughes, Weiss, Spence, Berndt, Cicione, Zimmerman, Marshall, Kearns, Martin, Murphy, Adams, Cook, Holloway, McCullough.

The privilege of the floor was extended to Davis Press (Delaware Energy Office) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Murphy) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 669 w HA 1 was introduced and considered under suspension of the necessary rules on motion of Senator Cicione:

HB 669 w HA 1 - AN ACT TO AMEND CHAPTER 88, VOLUME 62 OF THE DELAWARE LAWS, MAKING A SUPPLEMENTARY APPROPRIATION FOR A CERTAIN GRANT-IN-AID. Sponsors: Representative T. Brady and Senator McDowell.

Before final action was taken on the Bill, it was laid on the table on further motion of Senator Cicione.

HB 712 was introduced and considered under suspension of the necessary rules on motion of Senator Sharp:

HB 712 - AN ACT AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. Sponsors: Representatives McKay and Maroney; Senator Holloway.

The roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Murphy) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SJR 9 was taken up for consideration on motion of Senator Martin:

SJR 9 - DIRECTING THE MICHIE COMPANY OF CHARLOTTESVILLE, VIRGINIA, TO INCLUDE CERTAIN ORGANIC ACTS AND HISTORICAL DOCUMENTS OF THIS STATE IN THE NEXT CUMULATIVE SUPPLEMENT AND ALL FUTURE EDITIONS OF THE DELAWARE CODE ANNOTATED.

SA 1 to the Bill which had been placed with the Bill was considered for adoption of motion of Senator Berndt and the roll call vote taken which revealed 20 Senators voting YES and 1 (Murphy) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SJR 9 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Murphy) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SJR 37 was introduced and laid on the table on motion of Senator Cook:

SJR 37 - EXPRESSING THE GENERAL ASSEMBLY'S PURPOSE REGARDING HOUSE BILL 435, AS AMENDED, OF THE 130TH GENERAL ASSEMBLY. Sponsors: Senator Cook; Representatives Burris and George.

At 9:43 p.m., January 31, 1980, the Senate recessed to the call of the President Pro Tempore on motion of Senator Sharp.

The Senate reconvened at 2:03 p.m., March 18, 1980, Lt. Governor McGinnis presiding.

A letter was read from the Director of the Franklin D. Roosevelt Library in Hyde Park, New York to the Secretary of the Senate expressing appreciation for SR 70.

A card of thanks was read from the Executive Council of the AFL-CIO expressing appreciation for the Resolution of condolence on the death of George Meany.

The following legislation was introduced:

SB 451 - AN ACT TO AMEND TITLE 19, DELAWARE CODE, RELATING TO THE DEFINITION OF EMPLOYMENT. Sponsor: Senator Cicione. Assigned to Labor Committee.

SB 452 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF WARWICK SCHOOL NO. 225 AND ALL LAND AND ATTACHMENTS THERETO TO THE NANTICOKE INDIAN ASSOCIATION AND HERITAGE COMMITTEE FOR USE AS A MUSEUM. Sponsor: Senator Cordrey. Assigned to Finance Committee.

SB 453 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF REPLACING THE MILLSBORO BRIDGE AND SPILLWAY OVER THE INDIAN RIVER. Sponsor: Senator Cordrey. Laid on the table at the request of the Sponsor.

SB 454 - AN ACT TO AMEND CHAPTER 1, TITLE 15, DELAWARE CODE, RELATING TO METHOD OF COMPENSATION OF MEMBERS OF THE VARIOUS DEPARTMENTS OF ELECTIONS. Sponsor: Senator Sharp. Assigned to Banking, Insurance and Elections Committee.

SB 455 - AN ACT TO AMEND CHAPTER 20, TITLE 15, DELAWARE CODE, BY ADDING A SUBCHAPTER RELATING TO THE VOTER REGISTRATION OF CERTAIN SICK AND DISABLED PERSONS. Sponsor: Senator Murphy. Assigned to Banking, Insurance and Elections Committee.

SB 450 - AN ACT TO AMEND CHAPTER 1, TITLE 24, DELAWARE CODE, RELATING TO PUBLIC AND CERTIFIED ACCOUNTANTS. Sponsors: Senators Holloway and Hughes; Representatives Harrington and Gilligan. Assigned to Health and Social Services Committee.

SB 456 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE DELAWARE TRANSPORTATION AUTHORITY TO SUBSIDIZE TRANSPORTATION FOR THE ELDERLY AND HANDICAPPED IN KENT AND SUSSEX COUNTIES. Sponsors: Senators Cook and Littleton; Representatives West, George, Jonkiert, Maroney, Harrington, VanSciver. Laid on the table at the request of Senator Cook.

SB 457 - AN ACT TO AMEND CHAPTER 5, TITLE 31, DELAWARE CODE, RELATING TO PHARMACEUTICAL ASSISTANCE TO THE AGED. Sponsor: Senator Holloway. Assigned to Health and Social Services Committee.

SCR 61 - URGING THE UNIVERSITY OF DELAWARE TO DEVELOP CAREER COURSES IN GERONTOLOGICAL SCIENCES. Sponsor: Senator Holloway.

The Resolution was considered for adoption and the roll call vote taken on motion of Senator Holloway and revealed 17 Senators voting YES and 4 (Littleton, Martin, McCullough and Spence) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 62 - URGING THE COMMISSION FOR THE PURCHASE OF PRODUCTS AND SERVICES AND THE WORKSHOP FOR THE BLIND TO COOPERATE WITH OTHER ACCREDITED SHELTERED WORKSHOPS IN PROCURING CONTRACTS FOR PRODUCTS AND SERVICES FROM STATE AGENCIES. Sponsor: Senator Holloway.

The Resolution was considered for adoption and the roll call vote taken on motion of Senator Holloway and revealed 16 Senators voting YES and 5 (Littleton, Martin, McDowell, Spence and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 63 - EXPRESSING CONDOLENCES TO THE FAMILY OF FORMER STATE REPRESENTATIVE W. CARLTON CLIFTON OF MILFORD, DEL. WHO DIED AT AGE 76 ON FEBRUARY 8, 1980. Sponsors: Senators Adams, Cook, Hale, Zimmerman, Holloway; Representatives Minner and Burris.

The Resolution was considered for adoption and the roll call vote taken on motion of Senator Adams and revealed 17 Senators voting YES and 4 (Littleton, Martin, Murphy and Spence) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 64 - EXPRESSING CONDOLENCES TO THE FAMILY OF FORMER MILTON MAYOR W. GRAHAM DILL, JR., WHO DIED AT AGE 67 ON FEBRUARY 29, 1980. Sponsors: Senator Adams; Representatives Minner and Burris.

The Resolution was considered for adoption on motion of Senator Adams and the roll call vote taken which revealed 18 Senators voting YES and 3 (Littleton, Martin and Spence) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 56, SCR 59, SCR 60 and passed SB 222, SB 294, SB 405 w SA 1, SB 422, SB 423, SB 432.

The following legislation was introduced:

HJR 31 - REQUESTING THE SECRETARY OF HEALTH AND SOCIAL SERVICES TO CEASE IMMEDIATELY PAYMENTS BEING MADE TO AN IRANIAN COLLEGE STUDENT IN NEW CASTLE COUNTY. Sponsor: Representative Plant. Assigned to Health and Social Services Committee.

SJR 38 - REQUESTING THE PLANNING DIVISION OF THE OFFICE OF MANAGEMENT, BUDGET AND PLANNING TO MAKE A PRELIMINARY STUDY OF ALL ASPECTS OF PIPELINE ACTIVITY WITH THE STATE. Sponsors: Senator Zimmerman and Representative Smith. Assigned to Natural Resources and Environmental Control Committee.

SA 1 to SB 386. Sponsor: Senator Cordrey. Placed with the Bill.

SB 458 - AN ACT PROVIDING THAT THE NAME OF THE HOWARD CAREER CENTER LOCATED AT 401 EAST 12TH STREET, WILMINGTON, DELAWARE BE CHANGED TO THE LEROY M. CHRISTOPHE CAREER CENTER. Sponsor: Senator Holloway. Assigned to Education Committee.

SB 459 - AN ACT PROVIDING A SUPPLEMENTAL APPROPRIATION TO THE BOARD OF PENSION TRUSTEES OF THE STATE OF DELAWARE TO ENABLE THE BOARD TO MORE EASILY RESPOND TO INQUIRIES BY MEMBERS OF THE GENERAL ASSEMBLY. Sponsor: Senator Holloway. Assigned to Finance Committee.

SB 460 - AN ACT TO AMEND CHAPTER 3, TITLE 24, DELAWARE CODE, REGULATING THE PRACTICE OF ARCHITECTURE. Sponsor: Senator Holloway. Assigned to Administrative Services Committee.

SB 461 - AN ACT TO AMEND CHAPTER 13, TITLE 14, DELAWARE CODE, RELATING TO INSTRUCTIONAL ATTENDANTS AND/OR AIDES FOR THE PARTIALLY SIGHTED AND BLIND. Sponsors: Senator Holloway and Representative Minner. Assigned to Education Committee.

SCR 65 - RELATING TO THE PROPOSED CLOSING OF THE NATIONAL CASH REGISTER CORPORATION PLANT IN SUSSEX COUNTY, MILLSBORO, DELAWARE. Sponsors: Senators Cordrey, Adams and Littleton; Representatives Gordy, Clendaniel, West, Burris, Vernon, Fallon.

The Resolution was considered for adoption on motion of Senator Cordrey and the roll call vote taken which revealed 18 Senators voting YES and 3 (Littleton, Martin and Spence) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

Legislative Advisories 28, 29 and 30 received from the Office of Counsel to the Governor were read which informed the Senate that the Governor signed SJR 29 on 1-25-80; SB 449 on 2-1-80; SB 433, SB 385, SB 384, SB 380 and SB 414 on 2-8-80; SB 220 w HA 1 on 2-11-80; SJR 32 on 2-12-80; SB 222, SB 294, SB 405 w SA 1, SB 422, SB 423 and SB 432 on 2-15-80.

At 2:25 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 13th Legislative Day.

13th LEGISLATIVE DAY

March 18, 1980

The Senate convened at 2:25 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Sharp.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Weiss, Zimmerman - 19.

ABSENT: Senators Littleton and Spence - 2.

The Journal of the previous day was approved as read.

Senator Holloway introduced Reverend Jesse Jackson to the Senate and he was granted the privilege of the floor to address the Senate.

At 2:51 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:09 p.m., Senator Cordrey presiding.

Senator Martin marked PRESENT.

The following legislation was introduced:

SCR 66 - PROVIDING FOR THE APPOINTMENT OF A COMMITTEE TO DEVELOP A PLAN FOR THE HOUSING OF SEVERELY HANDICAPPED CITIZENS. Sponsor: Senator Holloway.

On motion of Senator Holloway the Resolution was considered for adoption and the roll call vote taken which revealed 14 Senators voting YES and 7 (Cicione, Littleton, Marshall,

McCullough, Sharp, Spence, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 67 - COMMENDING THE LEAGUE OF WOMEN VOTERS FOR PUBLIC SERVICE AS THE ORGANIZATION CELEBRATES ITS 60TH ANNIVERSARY. Sponsor: Senator Cook.

On motion of Senator Cook, the Resolution was considered for adoption and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Berndt, Cook, Cordrey, Hale, Holloway, Knox, Marshall, Martin, McDowell, Murphy, Weiss, Zimmerman - 14.

NO: Senators Cicione, Hughes and Sharp - 3.

ABSENT: Senators Kearns, Littleton, McCullough, Spence - 4.

Therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 462 - AN ACT TO AMEND CHAPTER 13, TITLE 14, DELAWARE CODE, RELATING TO ACCUMULATION OF ANNUAL LEAVE. Sponsor: Senator Cordrey. Assigned to Executive Committee.

SB 328 was taken up for consideration on motion of Senator McDowell:

SB 328 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE FAMILY COURT OF THE STATE OF DELAWARE FOR THE PURPOSE OF CORRECTING OMISSIONS IN CHAPTER 12, VOLUME 62, LAWS OF DELAWARE.

The Bill was then laid on the table on further motion of the Senator.

SB 424 was taken up for consideration on motion of Senator Murphy:

SB 424 - AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF JUSTICE.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Holloway, Littleton, Spence) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 456 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Cook:

SB 456 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE DELAWARE TRANSPORTATION AUTHORITY TO SUBSIDIZE TRANSPORTATION FOR THE ELDERLY AND HANDICAPPED IN KENT AND SUSSEX COUNTIES.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Holloway, Littleton, Spence) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 463 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cook:

SB 463 - AN ACT TO AMEND VOLUME 62, CHAPTER 146, LAWS OF DELAWARE, RELATING TO THE ANNUAL BOND AUTHORIZATION ACT OF THE STATE OF DELAWARE FOR THE STATE'S FISCAL YEAR BEGINNING JULY 1, 1979, BEING FORMER SENATE BILL NO. 374 OF THE 130TH GENERAL ASSEMBLY. Sponsor: Senators Cook and Berndt; Representative Sincok.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Holloway, Littleton, Marshall and Spence) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 390 was reported out of the Judiciary Committee: 4 Merits. The Secretary announced that a message from the House informed the Senate that it had adopted SCR 55, SCR 57 and SCR 58.

At 4:47 p.m. on motion of Senator Sharp, the Senate adjourned until 2:00 p.m., March 19, 1980.

14th LEGISLATIVE DAY

March 19, 1980

The Senate convened at 2:08 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 20.

ABSENT: Senator Littleton - 1.

The Journal of the previous day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had defeated SCR 58 rather than adopted it as had been previously reported.

HCR 103 was introduced and laid on the table on motion of Senator Cicione:

HCR 103 - REQUESTING THE NEW CASTLE COUNTY BOARD OF EDUCATION, BEFORE ADOPTING ANY PLAN FOR SCHOOL CLOSINGS, TO HOLD AT LEAST ONE PUBLIC MEETING IN EACH OF THE FOUR ATTENDANCE AREAS AND TO MAKE REPLIES TO QUESTIONS PROPOUNDED HEREIN. Sponsors: Representatives Petrilli, Oberle, Roy, VanSciver, Anderson, Holloway, Jr.; Senators Cicione, Sharp, Arnold and Knox.

The following legislation was introduced:

SB 464 - AN ACT TO AMEND CHAPTERS 11 AND 29, TITLE 18, DELAWARE CODE RELATING TO THE INTEREST RATE USED FOR CALCULATING MINIMUM RESERVES AND NONFORFEITURE BENEFITS FOR LIFE INSURANCE POLICIES AND ANNUITY CONTRACTS, AND FOR VALUABLE CONTRACTS. Sponsors: Senators Murphy and Littleton; Representative Harrington. Assigned to Banking, Insurance and Elections Committee.

SCR 68 - COMMENDING MCDONALD'S RESTAURANTS FOR PROVIDING MENUS PRINTED IN BRAILLE. Sponsor: Senator Holloway. Laid on the table on motion of the sponsor.

The following letters of nomination for appointment by the Governor were read and assigned to Executive Committee:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

March 18, 1980

To the Senate of the 130th 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: Christopher J. Warner, 4606 Simon Road, Wilmington, Delaware, to be Director of Delaware Energy Office at the pleasure of the Governor, Pierre S. duPont, IV.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
March 18, 1980

To the Senate of the 130th 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: Edward T. Crawford, Old Mill Road, Dover, Delaware, to be appointed a member of the Kent County Board of Elections for a term of four (4) years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
March 18, 1980

To the Senate of the 130th General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Lozelle J. DeLuz, 4401 Whittier Road, Wilmington, Delaware, to be a member of the State Personnel Commission to serve until August 8, 1981 to fill the vacancy caused by the resignation of William S. Young, III.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
November 6, 1979

To the Senate of the 130th General Assembly
of the State of Delaware

The nomination of Mrs. Gerard F. (Susan) Gorman for a member
of the Bingo Control Commission, submitted to you on January
10, 1979, is hereby formally withdrawn.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

November 6, 1979

To the Senate of the 130th 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. Susan Gorman,
1819 Maple Street, Wilmington, Delaware, to be a member of the
Bingo Control Commission to serve until June 30, 1983 to fill
the vacancy caused by the resignation of William L. Cummings,
Jr.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

January 10, 1979

To the Senate of the 130th 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: Holger H. Harvey, 2nd and High Streets, P.O. Box 318, Odessa, Delaware, to be a member of the Wetlands Appeals Board to serve for a term of three years, to succeed William A. Steller, term expired.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

January 10, 1979

To the Senate of the 130th 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: Ronald T. Moore, 78 Jaymore Drive, Seaford, Delaware, to be a member of the Environmental Appeals Board for a term of three (3) years to succeed Earl Tull, term expired.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

January 10, 1979

To the Senate of the 130th 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: Horace Johnson, 107 Dorman Street, Harrington, Delaware, to be a member of the Bingo Control Commission to serve until September 1, 1980 to fill the term of Newlin E. Wood, Sr., resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
March 22, 1979

To the Senate of the 130th 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: Peter E. Frankenberg, Shellpot Drive, Oak Lane Manor, Wilmington, Delaware, to be a member of the State Personnel Commission to serve for a term of three years to succeed Jeffrey Corti, resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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Senators Arnold, Hale, Spence, Zimmerman, Murphy, Cicione marked PRESENT.

SB 453 was taken up for consideration under suspension of the necessary rules on motion of Senator Cordrey:

SB 453 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF REPLACING THE MILLSBORO BRIDGE AND SPILLWAY OVER THE INDIAN RIVER.

The roll call vote on the Bill was taken and revealed 16 Senators voting YES, 4 (Arnold, Hale, Knox, McCullough) NOT VOTING, and 1 (Littleton) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senators Martin, McCullough marked PRESENT.

SB 342 was taken up for consideration on motion of Senator Murphy:

SB 342 - AN ACT TO AMEND CHAPTER 17, TITLE 18, DELAWARE CODE, RELATING TO THE QUALIFICATIONS FOR A HOLDER OF A CERTIFICATE OF AUTHORITY.

The Bill was then laid on the table on further motion of the Senator.

HCR 103 was lifted from the table for consideration on motion of Senator Cicione:

HCR 103 - REQUESTING THE NEW CASTLE COUNTY BOARD OF EDUCATION, BEFORE ADOPTING ANY PLAN FOR SCHOOL CLOSINGS, TO HOLD AT LEAST ONE PUBLIC MEETING IN EACH OF THE FOUR ATTENDANCE AREAS AND TO MAKE REPLIES TO QUESTIONS PROPOUNDED HEREIN.

Senator Hale moved that the Resolution be placed in the Education Committee.

The roll call vote on the motion was taken and revealed:

YES: Senators Berndt, Hale, Hughes, Kearns, McCullough, Weiss - 6.

NO: Senators Adams, Arnold, Cicione, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McDowell, Murphy, Sharp, Spence - 13.

ABSENT: Senators Littleton and Zimmerman - 2.

Therefore, the motion was defeated and the Resolution remained before the Senate.

The roll call vote on the Resolution was then taken on motion of Senator Cicione; however, before being announced Senator Cicione moved that the roll call be tabled.

The roll call vote on the tabling motion was then taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Marshall, Martin, McDowell, Murphy, Sharp, Spence, Zimmerman - 17.

NO: Senators Hale, McCullough, Weiss - 3.

ABSENT: Senator Littleton - 1.

Therefore, the motion prevailed and the roll call vote on HCR 103 was laid on the table.

At 3:10 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:25 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 163, SB 172, SB 323 and adopted SCR 65.

The following legislation was introduced:

SB 465 - AN ACT TO AMEND CHAPTER 5, PART I, TITLE 7 OF THE DELAWARE CODE RELATING TO THE MIGRATORY WATERFOWL STAMP. Sponsor: Senator Sharp. Assigned to Natural Resources and Environmental Control Committee.

SB 466 - AN ACT TO AMEND TITLES 9, 10, 11 AND 29, DELAWARE CODE, RELATING TO UNIFORM MILEAGE RATES AND PROVIDING FOR AN AUTOMATIC ADJUSTMENT TO SUCH RATES WHENEVER THE FEDERAL G.S.A. RATES ARE CHANGED. Sponsor: Senator McDowell. Assigned to Executive Committee

SB 467 - AN ACT TO AMEND SECTION 37, ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE JUDICIARY; AND PROVIDING FOR A COMMISSION ON JUDICIAL PERFORMANCE. Sponsor: Senator Kearns. Assigned to Judiciary Committee.

SA 1 to SB 343. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 430. Sponsor: Senator Murphy. Placed with the Bill.

SA 1 to SB 446. Sponsor: Senator Hale. Placed with the Bill.
SJR 39 - RECOGNIZING THE VALUABLE SERVICES OF THE U.S. FISH AND WILDLIFE SERVICE DELAWARE FIELD STATION AND CALLING FOR ITS CONTINUED PRESENCE IN DELAWARE. Sponsor: Senator Martin. Laid on the table at the request of the sponsor.

HB 457 - AN ACT TO AMEND CHAPTER 79, TITLE 29, DELAWARE CODE RELATING TO THE ADVISORY COUNCIL ON THE AGING. Sponsors: Representatives Anderson, Free, Holloway, Jr., Harrington, Kelly. Assigned to Committee on Aging.

HB 626 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE IMPOSITION OF TAXES OR LICENSE FEES. Sponsors: Representatives Roy, McBride, Anderson, Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Fallon, Free, Gilligan, Harrington, Hebner, Jonkiert, Maroney, Maxwell, McKay, Neal, Oberle, Petrilli, Powell, Riddagh, Sincock, Smith, Vernon, VanSciver. Assigned to Revenue and Taxation Committee.

HCR 104 - MOURNING THE DEATH OF SAMUEL P. MARONEY, A WILMINGTON TEACHER AND PRINCIPAL FOR 40 YEARS, ON MARCH 11, 1980, AT THE AGE OF 81. Sponsors: Representative Sincock; Senators Berndt and Hughes.

The roll call vote on the Resolution was taken on motion of Senator Berndt and revealed 15 Senators voting YES and 6 (Hale, Littleton, Marshall, Spence, Weiss, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 105 - CONGRATULATING THE INDIAN RIVER HIGH SCHOOL BASKETBALL TEAM ON WINNING THE STATE CHAMPIONSHIP FOR THE FIRST TIME. Sponsors: Representative West and Senators Cordrey and Adams.

The roll call vote on the Resolution was taken on motion of Senator Adams and revealed 16 Senators voting YES and 5 (Hale, Littleton, Marshall, Spence, Weiss (ABSENT); therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 106 - CONGRATULATING THE DELAWARE COUNCIL OF FARM ORGANIZATIONS FOR THEIR TENTH ANNUAL AGRICULTURAL INDUSTRY DINNER CULMINATING DELAWARE AGRICULTURAL WEEK. Sponsors: Representatives Clendaniel and Gordy; Senators Adams and Cordrey.

The roll call vote on the Resolution was taken on motion of Senator Adams and revealed 17 Senators voting YES and 4 (Hale, Littleton, Spence and Weiss) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 107 - CONGRATULATING ESTHER S. FREAR, OF DOVER, UPON HER SELECTION AS DELAWARE'S MOTHER OF THE YEAR. Sponsor: Representative Bennett.

The roll call vote on the Resolution was taken on motion of Senator Zimmerman and revealed 17 Senators voting YES and 4 (Hale, Littleton, Spence, Weiss) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 108 - EXPRESSING CONGRATULATIONS TO THE MILFORD BUCCANNERS WRESTLING TEAM AND THEIR COACHES ON THEIR RECENT WINNING OF THE STATE CHAMPIONSHIP. Sponsors: Representatives Burris, Minner, Darling; Senators Adams, Cook, Murphy.

The roll call vote on the Resolution was taken on motion of Senator Adams and revealed 16 Senators voting YES and 5 (Hale, Holloway, Littleton, Spence and Weiss) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

At 5:38 p.m., Senator Sharp presiding.

SR 73, sponsored by Senator Cordrey was introduced and considered for adoption on his motion:

SR 73 - URGING PRESIDENT CARTER TO NOMINATE SHELTON JAY MERRILL OF DELAWARE TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION.

The roll call vote on the Resolution was taken and revealed 16 Senators voting YES, 1 (Arnold) NOT VOTING and 4 (Hale, Littleton, Spence and Weiss) ABSENT; therefore, the Resolution was declared adopted.

SB 452 was reported out of the Finance Committee: 6 Merits.

SB 468 (sponsored by Senator Zimmerman) was introduced and assigned to Judiciary Committee:

SB 468 - AN ACT TO AMEND TITLE 6, DELAWARE CODE, BY ENACTING THE UNIFORM TRADE SECRETS ACT.

SB 430 was taken up for consideration on motion of Senator Murphy:

SB 430 - AN ACT TO AMEND CHAPTER 66, TITLE 18 OF THE DELAWARE CODE TO PROVIDE LINE-OF-DUTY DEATH BENEFITS TO BENEFICIARIES OF COVERED PERSONS WHO ARE NOT DEPENDENT UPON THE COVERED PERSON.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Murphy and the roll call vote taken which revealed 17 Senators voting YES and 4 (Hale, Littleton, Spence, Weiss) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 430 w SA 1 was then taken and revealed 16 Senators voting YES and 5 (Hale, Littleton, McCullough, Spence and Weiss) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 6:17 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., March 20, 1980.

The Senate reconvened at 2:19 p.m., March 20, 1980, Lt. Governor McGinnis presiding.

SB 462 was reported out of the Executive Committee: 1 Favorable, 4 Merits.

The following legislation was introduced:

SB 469 - AN ACT TO TITLE 7, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF PUBLIC POLICY IN PROMOTING THE DISCOVERY, DEVELOPMENT, PRODUCTION AND REGULATION OF GEOTHERMAL RESOURCES IN THE STATE OF DELAWARE. Sponsors: Senators McDowell, Martin, Marshall, Knox, Arnold; Representatives Ambrosino, Anderson, W. Brady, Cain, Petrilli, Plant. Assigned to Natural Resources and Environmental Control Committee.

SB 470 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO ROSEHILL COMMUNITY CENTER. Sponsor: Senator McCullough. Assigned to Finance Committee.

SA 1 to SB 465. Sponsor: Senator Kearns. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 141 w HA 1.

HB 141 w HA 1 - AN ACT TO AMEND CHAPTER I, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION; AND PROVIDING HOMEBOUND INSTRUCTION UNDER CERTAIN CIRCUMSTANCES. Sponsors: Representatives Connor, Jonkiert, Oberle, Cathcart, Ambrosino, T. Brady, Kelly, Free and Roy. Assigned to Education Committee.

At 2:23 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 15th Legislative Day.

15TH LEGISLATIVE DAY

March 20, 1980

The Senate convened at 2:23 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Zimmerman.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Littleton, Knox, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

SB 408 was taken up for consideration on motion of Senator Murphy:

SB 408 - AN ACT TO AMEND CHAPTER 32, TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP LIFE INSURANCE FOR STATE EMPLOYEES.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Holloway, Littleton, Martin) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 669 w HA 1 was taken up for consideration on motion of Senator McDowell:

HB 669 w HA 1 - AN ACT TO AMEND CHAPTER 88, VOLUME 62 OF THE DELAWARE LAWS, MAKING A SUPPLEMENTARY APPROPRIATION FOR A CERTAIN GRANT-IN-AID.

The roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hughes, Kearns, Knox, Marshall, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 16.

NOT VOTING: Senators Hale and McCullough - 2.

ABSENT: Senators Holloway, Littleton, Martin - 3.

Therefore, the Bill was declared passed by the Senate and returned to the House.

At 2:37 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:23 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 62, SCR 63, SCR 64, SCR 66, SCR 67.

The following legislation was introduced:

SB 471 -AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, RELATING TO THE STATE EMPLOYEES' PENSION PLAN BY PROVIDING FOR A REDUCED SERVICE PENSION AFTER TWENTY-FIVE YEARS OF CREDITED SERVICE REGARDLESS OF AGE. Sponsor: Senator Sharp. Assigned to Finance Committee.

SA 3 to SB 296. Sponsor: Senator Cicione. Placed with the Bill.

SA 1 to SB 455. Sponsor: Senator Murphy. Placed with the Bill.

SCR 69 - MEMORIALIZING THE 96TH CONGRESS TO PURSUE THE NECESSARY CONGRESSIONAL ACTION TO PROMOTE THE CONCEPT OF SCHOOL PRAYER. Sponsor: Senator Cicione.

The roll call vote on the Resolution was taken on motion of Senator Cicione and revealed:

YES: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Marshall, Martin, McCullough, Murphy, Sharp, Spence, Zimmerman - 16.

NO: Senator Weiss - 1.

ABSENT: Senators Hale, Knox, Littleton, McDowell - 4.

Therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

Senators Holloway and Martin marked PRESENT.

HCR 109 was introduced and considered for adoption on motion of Senator Cicione:

HCR 109 - CONGRATULATING PADUA ACADEMY UPON WINNING THE GIRLS' STATE BASKETBALL CHAMPIONSHIP. Sponsors: Representatives Free and T. Brady.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Holloway and Littleton) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 110 was introduced and considered for adoption on motion of Senator Cicione:

HCR 110 - EXPRESSING THE SYMPATHY OF THE MEMBERS OF THE 130TH GENERAL ASSEMBLY TO THE FAMILY OF DR. JOSEPH A VANSANT, WHO DIED ON MARCH 15, 1980. Sponsors: Representative Vernon and Senator Cordrey.

The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Littleton) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SJR 39 was lifted from the table and considered for adoption under suspension of the necessary rules on motion of Senator Martin:

SJR 39 - RECOGNIZING THE VALUABLE SERVICES OF THE U.S. FISH AND WILDLIFE SERVICE IN DELAWARE FIELD STATION AND CALLING FOR ITS CONTINUED PRESENCE IN DELAWARE.

The roll call vote on the Resolution was taken and revealed:

YES: Senators Adams, Arnold, Cicione, Cook, Cordrey, Hale, Hughes, Kearns, Knox, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss - 17.

NO: Senator Berndt - 1.

NOT VOTING: Senator Zimmerman - 1.

ABSENT: Senators Holloway and Littleton - 2.

Therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 296 was taken up for consideration on motion of Senator Cicione:

SB 296 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 11, TITLE 30 OF THE DELAWARE CODE RELATING TO AN INCOME TAX CREDIT FOR ACTIVE VOLUNTEER FIREMEN.

SA 1 to the Bill which had been placed with the Bill was stricken on motion of the sponsor, Senator Cicione.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Senate Attorneys Tom Sandbach and Harry Terry.

SA 2 to the Bill which had been placed with the Bill was considered for adoption on motion of Senator Cicione and the roll call vote taken which revealed 20 Senators voting YES and 1 (Littleton) ABSENT; therefore, the Amendment was declared adopted.

SA 3 to the Bill which had been placed with the Bill was considered for adoption on motion of Senator Cicione and the roll call vote taken which revealed 20 Senators voting YES and 1 (Littleton) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 296 w SA 2, 3 was then taken and revealed 19 Senators voting YES, 1 (McCullough) NOT VOTING, and 1 (Littleton) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

The following legislation was reported out of the Community Affairs Committee: SB 386 - 5 Merits; HB 380 - 5 Merits; HB 381 - 5 Merits; HB 382 - 5 Merits; HB 389 - 5 Merits.

On motion of Senator Adams, the roll call vote on HB 84 was lifted and announced:

YES: Senators Adams, Arnold, Cook, Hughes, Kearns, Littleton, Martin, McCullough, McDowell, Sharp, Spence - 11

NO: Senators Cicione, Cordrey, Hale, Holloway, Knox, Marshall, Murphy, Weiss, Zimmerman - 9.

NOT VOTING: Senator Berndt - 1.

Therefore, the Bill was declared lost since a 2/3 vote was required for passage.

SR 75 (sponsored by Senators Marshall and McDowell) was introduced and considered for adoption on motion of Senator Marshall:

SR 75 - COMMENDING PADUA ACADEMY UPON WINNING THE GIRLS' STATE BASKETBALL CHAMPIONSHIP.

The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Littleton) ABSENT; therefore, the Resolution was declared adopted.

At 5:30 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. March 25, 1980.

The Senate reconvened at 2:08 p.m., March 25, Lt. Governor McGinnis presiding.

Senator Weiss introduced his son, Doug, to the Senate and he was welcomed by the Lt. Governor.

SB 470 was stricken at the request of the sponsor, Senator McCullough.

SB 205 was stricken at the request of the sponsor, Senator Murphy.

Senator Littleton was marked PRESENT.

The following reports were read from the Natural Resources and Environmental Control Committee: SJR 38 - 1 Favorable, 5 Merits; SB 101 - 1 Favorable, 5 Merits.

The following legislation was introduced:

SB 472 - AN ACT AUTHORIZING THE STATE OF DELAWARE TO BORROW MONEY TO BE USED FOR CAPITAL IMPROVEMENTS AND EXPENDITURES AND TO ISSUE BONDS AND NOTES THEREFOR AND APPROPRIATING THE MONIES TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. Sponsor: Senator Martin. The Bill was immediately stricken at the request of the sponsor.

SB 473 - AN ACT TO AMEND CHAPTER 3, TITLE 21, DELAWARE CODE, RELATING TO THE LIMITATION ON THE REQUESTS BY INSURANCE COMPANIES FOR DRIVERS' PERFORMANCE RECORDS. Sponsors: Senators Murphy and Cook. Assigned to Banking, Insurance and Elections Committee.

SB 474 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, TO PROVIDE FOR THE LEGALIZATION OF LOTTERIES BY CHARITABLE ORGANIZATIONS AND TO PROVIDE FOR APPROPRIATIONS TO THE ATTORNEY GENERAL AND STATE LOTTERY COMMISSION TO IMPLEMENT SUCH LOTTERIES. Sponsors: Senator Cicione and Representative McBride. Assigned to Judiciary Committee.

SA 2 to SB 343. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 407. Sponsor: Senator Murphy. Placed with the Bill.

SA 2 to SB 446. Sponsor: Senator Hale. Placed with the Bill.

SA 1 to SB 446 was stricken at the request of the sponsor: Senator Hale.

HB 325 - AN ACT TO AMEND CHAPTER 13, TITLE 9, DELAWARE CODE, RELATING TO THE NAME OF THE BEAUTIFICATION BOARD. Sponsors: Representatives Neal and Oberle. Assigned to Community Affairs Committee.

SR 74 - AUTHORIZING THE SENATE REVENUE AND TAXATION COMMITTEE TO EMPLOY PROFESSIONAL COUNSEL AND PROVIDING FUNDS THEREFOR. Sponsors: Senators Cordrey and Sharp.

The roll call vote on the Resolution was taken on motion of Senator Cordrey and revealed 20 Senators voting YES and 1 (Kearns) ABSENT; therefore, the Resolution was declared adopted.

At 2:35 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:21 p.m., Senator Sharp presiding.

The following Committee reports were announced:

From the Health and Social Services Committee: SB 416 - 4 Merits; SB 450 - 4 Merits.

From the Banking, Insurance and Elections Committee: SB 445 - 1 Favorable, 3 Merits; SB 447 - 3 Merits; SB 454 - 3 Merits; SB 455 - 4 Merits; SB 464 - 4 Merits; HB 310 w HA 2 as amended by HA 1 to HA 2 - 4 Merits.

The following legislation was introduced:

SB 475 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF AGRICULTURE, DIVISION OF STANDARDS AND INSPECTIONS, FOR THE PURPOSE OF ESTABLISHING TWO NEW POSITIONS. Sponsors: Senators Adams and Cook; Representatives Gordy, Clendaniel and Fallon. Assigned to Agriculture Committee.

SB 476 - AN ACT TO AMEND CHAPTER 40, TITLE 31, DELAWARE CODE, RELATING TO THE DELAWARE STATE HOUSING AUTHORITY. Sponsor: Senator Holloway. Laid on the table at the sponsor's request.

SA 1 to SB 457. Sponsor: Senator Holloway. Placed with the Bill.

At 4:30 p.m., on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 16th Legislative Day.

16TH LEGISLATIVE DAY

March 25, 1980

The Senate convened at 4:30 p.m., Senator Sharp presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Weiss, Zimmerman - 21.

The Journal of the previous day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had passed SB 132.

SB 476 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Holloway:

SB 476 - AN ACT TO AMEND CHAPTER 40, TITLE 31, DELAWARE CODE, RELATING TO THE DELAWARE STATE HOUSING AUTHORITY.

The privilege of the floor was extended to Robert S. Moyer (Delaware State Housing Authority), Daniel Kristol (Delaware State Housing Authority) and Joseph P. Johnson (Home Builders Association of Delaware).

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (McCullough) NOT VOTING, and 1 (Kearns) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senators Zimmerman, Marshall and McCullough marked PRESENT.

SB 452 was taken up for consideration on motion of Senator Cordrey:

SB 452 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF WARWICK SCHOOL NO. 225 AND ALL LAND AND ATTACHMENTS THERETO TO THE NANTICOKE INDIAN ASSOCIATION AND HERITAGE COMMITTEE FOR USE AS A MUSEUM.

The privilege of the floor was extended to Richard Norwood, Chief Sergeant-at-Arms of the Senate to speak on the Bill after which, the roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Holloway, Kearns, McCullough) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 390 was taken up for consideration on motion of Senator Cicione:

HB 390 - AN ACT TO AMEND CHAPTER 23, TITLE 10 OF THE DELAWARE CODE, RELATING TO THE DEPOSIT OF MONIES BY THE PROTHONOTARY.

The privilege of the floor was extended to Harry Terry (Senate Attorney) after which the bill was laid on the table on further motion of Senator Cicione.

SB 386 was taken up for consideration on motion of Senator Cordrey:

SB 386 - AN ACT TO AMEND CHAPTER 212, VOLUME 25, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF BETHANY BEACH AND GIVING IT AUTHORITY TO ISSUE BONDS", TO AUTHORIZE THE TOWN OF BETHANY BEACH TO TAX REAL ESTATE TRANSFERS WITHIN THE SAID TOWN.

SA 1 to the Bill sponsored by Senator Cordrey was considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES, 1 (Zimmerman) NOT VOTING, and 2 (Cicione and Kearns) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Tom Sandbach (Senate Attorney).

SB 386 w SA 1 was then laid on the table on further motion of Senator Cordrey.

HB 380 was taken up for consideration on motion of Senator Marshall:

HB 380 - AN ACT TO AMEND CHAPTER 64, TITLE 9 OF THE DELAWARE CODE, RELATING TO SUSSEX COUNTY EMPLOYEES' RETIREMENT BENEFITS.

The privilege of the floor was extended to Harry Terry (Senate Attorney).

Senator Cordrey then moved that the Bill be put on the Agenda for the following day and there was no objection.

The following reports were read from the Administrative Services Committee: SB 427 - 6 Merits; SB 439 - 5 Merits; SB 460 - 6 Merits.

SB 343 was stricken on motion of the sponsor, Senator Holloway.

On motion of Senator Murphy, the roll call vote on SB 20 was lifted and announced:

YES: Senators Arnold, Cicione, Cook, Holloway, Littleton, Marshall, McCullough, McDowell, Murphy, Sharp, Spence - 11.

NO: Senators Adams, Berndt, Cordrey, Hughes, Knox, Martin, Weiss, Zimmerman - 8.

NOT VOTING: Senator Kearns - 1.

ABSENT: Senator Hale - 1.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 5:44 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., March 26, 1980.