

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 18 Senators voting YES, 1 (Berndt) voting NO and 2 (Connor and Murphy) ABSENT; therefore, the Amendment was declared adopted.

SA 3 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:

YES: Senators Adams, Arnold, Bair, Citro, Connor, Cook, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Vaughn - 16.

NO: Senators Berndt, Cordrey, Zimmerman - 3.

ABSENT: Senators Murphy and Sharp - 2.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 314 w SA 1, 2, 3 was then taken on motion of Senator McBride; however, the roll call was laid on the table before being announced on further motion of the Senator.

SA 2 to SB 211 was stricken at the request of the sponsor, Senator Martin.

SB 182 was reported out of the Administrative Services/Energy Committee: 5 Merits.

On motion of Senator Arnold, SB 182 was taken up for consideration under suspension of the necessary rules.

SB 182 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE XV OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE AWARD OF CONTRACTS.

The privilege of the floor was extended to Senate Attorney, Tom Sandbach, after which the roll call vote on the Bill was taken and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, Neal, Sharp, Vaughn, Zimmerman - 18.

NO: Senators Adams and McDowell - 2.

ABSENT: Senator Murphy - 1.

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

SB 344 was reported out of the Executive Committee: 4 Merits.

SB 344 was taken up for consideration under suspension of the necessary rules on motion of Senator McDowell:

SB 344 - AN ACT TO AMEND CHAPTER 6, TITLE 29, DELAWARE CODE, RELATING TO THE REQUIREMENT THAT EACH DEPARTMENT, AGENCY, COMMISSION OR AUTHORITY OF THIS STATE ADOPT A FORMS MANAGEMENT PLAN WHICH MEETS CERTAIN CRITERIA; PROVIDING FOR A FORMS MANAGEMENT OFFICER IN EACH AGENCY; REQUIRING EACH AGENCY TO USE ONLY FORMS APPROVED UNDER ITS FORMS MANAGEMENT PLAN; REQUIRING EACH AGENCY TO FILE ITS PLAN WITH THE BUREAU OF ARCHIVES AND RECORDS; PROVIDING FOR THE APPROVAL AND MONITORING OF EACH PLAN BY THE BUREAU OF ARCHIVES AND RECORDS.

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

YES: Senators Adams, Bair, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Littleton, Marshall, McBride, McDowell, Neal, Vaughn - 14.

NO: Senators Knox and Martin - 2.

NOT VOTING: Senators Arnold, Berndt, Zimmerman - 3.

ABSENT: Senators Murphy and Sharp - 2.

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

SS 1 for SB 203 was temporarily laid on the table on motion of Senator McDowell.

SB 346 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator McBride:

SB 346 - AN ACT TO AMEND TITLE 11 AND TITLE 24 OF THE DELAWARE CODE RELATING TO OBSCENITY AND ADULT ENTERTAINMENT ESTABLISHMENTS.

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 sent to the House for consideration.

SB 277 was taken up for consideration under suspension of the necessary rules on motion of Senator Connor:

SB 277 - AN ACT TO AMEND CHAPTER II, PART II, TITLE 30 OF THE DELAWARE CODE RELATING TO THE PERSONAL INCOME TAX; AND PROVIDING FOR AN ARTISTIC CONTRIBUTIONS TAX DEDUCTION ACT.

SA 1 to the Bill was introduced by Senator Connor and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Holloway and Murphy) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 277 w SA 1 was then taken and revealed 19 Senators voting YES, 1 (Hughes) voting NO, and 1 (Murphy) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 7:52 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 24, 1981.

The Senate reconvened at 2:30 p.m., June 24, 1981, Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Banking Committee: SB 337 - 5 Merits.

From the Administrative Services/Energy Committee: SB 260 - 7 Merits; SB 323 - 3 Favorable, 4 Merits; SB 327 - 2 Favorable, 5 Merits; SB 328 - 1 Favorable, 6 Merits; SB 329 - 3 Favorable, 4 Merits; SB 330 - 3 Favorable, 4 Merits; SB 331 - 3 Favorable, 3 Merits; SJR 17 - 3 Favorable, 2 Merits, 1 Unfavorable.

The following legislation was introduced:

SB 347 - AN ACT TO AMEND CHAPTER 11, TITLE 30 OF THE DELAWARE CODE TO PERMIT A DEDUCTION FOR CERTAIN HOUSEHOLD AND DEPENDENT CARE EXPENSES. Sponsors: Senators Neal, Arnold, Connor, Bair, Vaughn, Martin. Assigned to Revenue and Taxation Committee.

SB 348 - AN ACT TO PROVIDE FOR THE CONTINUATION OF THE DELAWARE STATE BOARD OF COSMETOLOGY AS IN CHAPTER 6, TITLE 24 OF THE DELAWARE CODE AND INCREASING THE NUMBER OF MEMBERS OF BOARD. Sponsors: Senators Holloway and Littleton. Assigned to Administrative Services/Energy Committee.

SB 349 - AN ACT TO AMEND CHAPTER 13 OF TITLE 24, DELAWARE CODE, RELATING TO PRIVATE DETECTIVES. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

SB 350 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO JEANETTE V. G. LEGATES, A FORMER STATE EMPLOYEE, AND AUTHORIZING A TRANSFER OF APPROPRIATION INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsors: Senator Cook; Representative Harrington. Assigned to Finance Committee.

SB 351 - AN ACT TO AMEND CHAPTER 41, TITLE 21, DELAWARE CODE, RELATING TO OPERATING OR RIDING ON MOTORCYCLES. Sponsor: Senator Murphy. Assigned to Public Safety Committee.

SJR 18 - DIRECTING THE LEGISLATIVE COUNCIL OF DELAWARE, THE STATE ELECTION COMMISSIONER AND THE DIVISION OF AGING TO JOINTLY MAKE ALL NEEDED PREPARATIONS FOR THE HOLDING OF A SILVER-HAIRED LEGISLATURE IN LEGISLATIVE HALL. Sponsors: Senators Connor, McBride, Knox, McDowell, Vaughn; Representatives Barnes, Cain, Ennis and Mack. Assigned to Health-Social Services/Aging Committee.

SA 1 to SB 327. Sponsor: Senator Bair. Placed with the Bill.

SA 2 to SCR 62. Sponsor: Senator Bair. Placed with the Resolution.

SA 1 to SB 334. Sponsor: Senator Sharp. Placed with the Bill.

SA 1 to HB 99. Sponsors: Senators Hughes and Murphy. Placed with the Bill.

SA 2 and SA 3 to HB 99. Sponsor: Senator McBride. Placed with the Bill.

SA 1 to SB 285. Sponsor: Senator Littleton. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 326; HB 328 w HA 1; HB 320 w HA 1; HB 330; HB 422 w HA 1; SB 133; SB 247; SB 283; SB 86; SB 142 w HA 1; SB 153 w SA 2; SB 298 w SA 1; SB 218 and adopted SJR 6 w SA 1 and SCR 58.

On motion of Senator Holloway, SB 142 which had previously passed the Senate was taken up for reconsideration as further amended by HA 1.

The roll call vote on SB 142 w HA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Martin, McBride, McDowell, Murphy, Neal, Sharp - 17

NO: Senators Marshall and Vaughn - 2.

ABSENT: Senators Connor and Zimmerman - 2.

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

The following legislation was introduced:

HB 320 w HA 1 - AN ACT TO AMEND CHAPTERS 6 AND 71, TITLE 29 OF THE DELAWARE CODE, RELATING TO ENFORCEMENT VEHICLES OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. Sponsors: Representatives Smith, Buckworth, Harrington, Minner; Senators Berndt and Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

HB 326 - AN ACT TO AMEND TITLE 9, TITLE 14, TITLE 16, TITLE 22, AND TITLE 29 OF THE DELAWARE CODE RELATING TO ACCESS TO PUBLIC LAND BY CERTAIN PUBLIC AGENCIES. Representatives Corrozi, Anderson, Barnes, Bennett, Buckworth, Cain, Campanelli, Cathcart, Darling, Dixon, Edwards, Free, Jester, Jonkiert, George, Gilligan, Holloway, Jr., Mack, Minner, Petrilli, Plant, Roy, Soles, Spence and West. Assigned to Administrative Services/Energy Committee.

HB 328 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO SICK LEAVE AND ABSENCES FOR OTHER REASONS. Sponsors: Representatives Fallon and VanSeiver. Assigned to Education Committee.

HB 330 - AN ACT TO AMEND CHAPTER 21, TITLE 10 OF THE DELAWARE CODE RELATING TO THE OFFICE OF SHERIFF. Sponsors: Representatives Cathcart, Cain, Mack, Free, Oberle, Gilligan, Jonkiert, Petrilli; Senators Holloway, Sr., Knox, McDowell. Assigned to Judiciary Committee.

HB 422 w HA 1 - AN ACT TO AMEND TITLE 5, CHAPTER 21 OF THE DELAWARE CODE RELATING TO SMALL LOAN COMPANIES. Sponsors: Representatives Derrickson, Powell; Senator Cordrey. Assigned to Banking Committee.

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

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 23, 1981

To the Senate of the 131st 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. Herbert Norris, 448 Robinson Drive, Wilmington, Delaware, to be reappointed as a member of the Board of Trustees, Delaware Technical and Community College for a three year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

At 2:55 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 45th Legislative Day.

45TH LEGISLATIVE DAY
June 24, 1981

The Senate convened at 2:55 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read.

Legislative Advisory #15 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed SB 106 w SA 1 (Volume 63, Chapter 34, Laws of Delaware); HB 31 (Volume 63, Chapter 35, Laws of Delaware) on June 22, 1981. The following are Constitutional Amendments on their first Leg and do not require the Governor's signature: HB 191 (Volume 63, Chapter 36, Laws of Delaware); HB 218 (Volume 63, Chapter 37, Laws of Delaware). The Governor signed the following on June 23, 1981: SB 165 (Volume 63, Chapter 38, Laws of Delaware); SB 166 (Volume 63, Chapter 39, Laws of Delaware); SB 167 (Volume 63, Chapter 40, Laws of Delaware); SB 168 (Volume 63, Chapter 41, Laws of Delaware); SB 170 (Volume 63, Chapter 42, Laws of Delaware); SB 187 w SA 1, 5, 6, HA 1 (Volume 63, Chapter 43, Laws of Delaware); HB 205 w HA 1 (Volume 63, Chapter 44, Laws of Delaware); HB 160 w HA 1 (Volume 63, Chapter 45, Laws of Delaware); HB 171 w HA 1 (Volume 63, Chapter 46, Laws of Delaware); HB 46 w HA 1 (Volume 63, Chapter 47, Laws of Delaware).

SB 327 was taken up for consideration on motion of Senator McDowell:

SB 327 - AN ACT TO AMEND TITLE 28 AND TITLE 30 OF THE DELAWARE CODE RELATING TO THE REGULATION OF CERTAIN SPORTS AND AMUSEMENTS; AND PROVIDING FOR A DELAWARE GAMING CONTROL BOARD.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Bair and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Hughes, Knox, Littleton, Martin, Murphy, Zimmerman - 14.

NO: Senators Marshall, McBride, McDowell, Neal, Sharp, Vaughn - 6.

ABSENT: Senator Holloway - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 327 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Knox, Littleton, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 17.

NO: Senators Citro, Hughes, Marshall - 3.

ABSENT: Senator Holloway - 1.

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

SB 328 was taken up for consideration on motion of Senator McDowell:

SB 328 - AN ACT TO AMEND TITLE 16, TITLE 28, AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REGULATION OF CERTAIN SPORTS.

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

SB 329 was taken up for consideration on motion of Senator McDowell:

SB 329 - AN ACT TO AMEND TITLE 5 AND TITLE 24 OF THE DELAWARE CODE RELATING TO THE REGULATION OF BUSINESSES AND OCCUPATIONS WHICH PERFORM CERTAIN SERVICES; AND PROVIDING FOR A STATE BOARD OF SERVICES.

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

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Marshall, Martin, McBride, McDowell, Sharp, Vaughn - 13.

NO: Senators Citro, Knox, Littleton, Murphy, Neal, Zimmerman - 6.

NOT VOTING: Senators Holloway and Hughes - 2.

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

SB 330 was taken up for consideration on motion of Senator McDowell:

SB 330 - AN ACT TO AMEND TITLE 16 AND TITLE 24 OF THE DELAWARE CODE RELATING TO THE LICENSING AUDIOLOGISTS, SPEECH PATHOLOGISTS AND HEARING AID DEALERS.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Holloway, Hughes, Murphy and Zimmerman) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 331 was taken up for consideration on motion of Senator McDowell:

SB 331 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE REGULATION OF THOSE BUSINESS AND OCCUPATIONS WHICH PERFORM CERTAIN SERVICES; AND PROVIDING FOR A BOARD OF PERSONAL SERVICES.

SA 1 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:

YES: Senators Adams, Bair, Berndt, Connor, Cook, Knox, Marshall, Martin, McBride, McDowell, Sharp, Vaughn - 12.

NO: Senators Citro, Cordrey, Holloway, Hughes, Murphy, Neal, Zimmerman - 7.

ABSENT: Senators Arnold and Littleton - 2.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 331 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Marshall, Martin, McBride, McDowell, Sharp, Vaughn - 12.

NO: Senators Citro, Cordrey, Holloway, Hughes, Knox, Littleton, Murphy, Neal, Zimmerman - 9.

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

SB 323 was taken up for consideration on motion of Senator Cook:

SB 323 - AN ACT TO AMEND VOLUME 62 DELAWARE LAWS CHAPTER 301, CHAPTER 3, CHAPTER 4 AND CHAPTER 5, TITLE 28 DELAWARE CODE RELATING TO HORSE RACING AND HARNESS RACING AND TO RE-ESTABLISH AND REORGANIZE THE DELAWARE RACING COMMISSION AND DELAWARE HARNESS RACING COMMISSION.

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

The roll call vote on SB 323 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Neal and Sharp) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 285 was taken up for consideration on motion of Senator Littleton:

SB 285 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO FRANCES W. FARLOW, 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 THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE.

SA 1 to the Bill was introduced by Senator Littleton and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Marshall and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 285 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Marshall and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senator Holloway moved that the necessary rules be suspended for consideration of **SB 348**. The roll call vote on the motion was taken and revealed:

YES: Senators Citro, Cordrey, Holloway, Hughes, Knox, Littleton, Murphy, Vaughn - 8.

NO: Senators Adams, Bair, Connor, Marshall, Martin, McBride, McDowell - 7.

NOT VOTING: Senators Arnold, Berndt, Neal, Sharp - 4.

ABSENT: Senators Cook and Zimmerman - 2.

Therefore, the motion was defeated.

Senator Holloway moved that the necessary rules be suspended for consideration of **SB 345**. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Citro, Cordrey, Holloway, Hughes, Knox, Littleton, Murphy, Neal, Vaughn, Zimmerman - 11.

NO: Senators Arnold, Bair, Marshall, Martin, McBride, McDowell - 6.

NOT VOTING: Senators Berndt, Connor and Sharp - 3.

ABSENT: Senator Cook - 1.

Therefore, the motion prevailed; however, Senator McDowell, Chairman of the Administrative Services/Energy Committee, pointed out that the Bill had not yet been reported out of Committee and could not be considered. Senator Holloway moved that the Bill be tabled; however, it was pointed out by the Chair that since the Bill was still in Committee, it could not be tabled.

At 4:28 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:15 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Administrative Services/Energy Committee: HB 90 w HA 1, 2 - 8 Merits; HB 137 w HA 2, 3, 4 - 1 Favorable, 5 Merits.

HCR 76 was introduced and considered for adoption on motion of Senator Adams:

HCR 76 - MOURNING THE DEATH OF JOSEPH B. WALLS, OF LEWES, A MEMBER OF THE HOUSE OF REPRESENTATIVES FOR FOUR SESSIONS OF THE GENERAL ASSEMBLY. Sponsor: Representative West.

The roll call vote on the Resolution was taken and revealed 12 Senators voting YES and 9 (Arnold, Berndt, Cook, Holloway, Hughes, Littleton, Marshall, Murphy, Zimmerman (ABSENT)); therefore, the Resolution was declared adopted by the Senate and returned to the House.

At 5:20 p.m., Lt. Governor Castle presiding.

HB 94 w HA 1 was taken up for consideration on motion of Senator McBride:

HB 94 w HA 1 - AN ACT TO AMEND CHAPTER 41, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO DRUGS, DANGEROUS INSTRUMENTS, AND DEADLY WEAPONS ON SCHOOL PREMISES.

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

HB 99 w HA 1 was taken up for consideration on motion of Senator Zimmerman:

HB 99 w HA 1 - AN ACT TO AMEND AN ACT BEING CHAPTER 503, VOLUME 61, LAWS OF DELAWARE, ENTITLED AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE RECLAMATION AND RECYCLING OF BEVERAGE CONTAINERS BY CHANGING THE EFFECTIVE DATE THEREOF.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Sandra A. Nelson (Environmental Action, Inc., Washington, D.C.), Harry Terry (Senate Attorney) and Tom Sandbach (Senate Attorney).

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:

YES: Senators Adams, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Marshall, McBride, Murphy, Sharp, Zimmerman - 12.

NO: Senators Arnold, Bair, Knox, Martin, McDowell, Neal, Vaughn - 7.

ABSENT: Senators Berndt and Littleton - 2.

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 McBride and the roll call vote taken which revealed:

YES: Senators Connor, Marshall, McBride, Murphy, Zimmerman - 5.

NO: Senators Adams, Arnold, Bair, Citro, Cook, Cordrey, Hughes, Knox, Littleton, Martin, McDowell, Neal, Sharp, Vaughn - 14.

NOT VOTING: Senator Holloway - 1.

ABSENT: Senator Berndt - 1.

Therefore, the Amendment was declared lost.

SA 3 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McBride and the roll call vote taken which revealed:

YES: Senators Citro, Connor, Holloway, Hughes, Marshall, McBride, Zimmerman - 7.

NO: Senators Adams, Arnold, Bair, Cook, Cordrey, Knox, Littleton, Martin, McDowell, Murphy, Neal, Sharp, Vaughn - 13.

ABSENT: Senator Berndt - 1.

Therefore, the Amendment was declared lost.

SA 4 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:

YES: Senators Holloway, Hughes, Marshall, Zimmerman - 4.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Knox, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn - 16.

ABSENT: Senator Littleton - 1.

Therefore, the Amendment was declared lost.

SA 5 to the Bill was introduced by Senator Martin and laid on the table on his request.

Senator Martin moved that SA 1 to the Bill which had been adopted be reconsidered. The roll call motion was taken and revealed:

YES: Senators Arnold, Bair, Knox, Martin, McDowell, Neal, Vaughn - 7.

NO: Senators Adams, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Marshall, McBride, Murphy, Sharp, Zimmerman - 12.

ABSENT: Senators Berndt and Littleton - 2.
Therefore, the motion was declared defeated.
SA 6 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 Citro, Connor, Holloway, Hughes, Marshall, Murphy, Zimmerman - 7.
NO: Senators Adams, Arnold, Bair, Cook, Cordrey, Knox, Martin, McBride, McDowell, Neal, Sharp, Vaughn - 12.
ABSENT: Senators Berndt and Littleton - 2.
Therefore, the Amendment was declared lost.
The roll call vote on HB 99 w HA 1, SA 1 was then taken and revealed:
YES: Senators Adams, Arnold, Bair, Cook, Knox, Littleton, Martin, McBride, McDowell, Neal, Vaughn - 11.
NO: Senators Citro, Connor, Cordrey, Holloway, Hughes, Marshall, Murphy, Sharp, Zimmerman - 9.
ABSENT: Senator Berndt - 1.
Therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.
HB 100 w HA 1 was taken up for consideration on motion of Senator Adams:
HB 100 w HA 1, SA 1, 2, 3 - AN ACT TO AMEND PART VI, TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT; AND PROVIDING FOR THE GRANTING OF MONETARY AWARDS FOR SUGGESTIONS THAT RESULT IN FINANCIAL OR ECONOMIC BENEFIT TO THE STATE OF DELAWARE.
SA 4 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 18 Senators voting YES, 1 (Knox) voting NO, and 2 (Littleton and Martin) ABSENT; therefore, the Amendment was declared adopted.
The privilege of the floor was extended to Tom Sandbach, Senate Attorney, after which the Bill was laid on the table on motion of Senator Adams.
HS 1 for HB 3 w HA 1 was taken up for consideration on motion of Senator McDowell:
HS 1 for HB 3 w HA 1 - AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO REGULATION AND SALE OF PORTABLE OIL FUELED HEATERS.
The following co-sponsors were added to the Bill: Senators Hughes and Cordrey; Representatives Roy, Riddagh, West, Petrilli, VanSciver, Dixon, C. Cordrey, Anderson.
The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Berndt and Littleton) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.
SS 1 for SB 203 was adopted in lieu of the Original and taken up for consideration on motion of Senator McDowell:
SS 1 for SB 203 - AN ACT TO AMEND 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.
The roll call vote on the Bill was taken and revealed:
YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Marshall, Martin, McBride, McDowell, Neal, Sharp, Vaughn - 14.
NO: Senators Cordrey, Knox, Littleton, Murphy - 4.
NOT VOTING: Senators Hughes and Zimmerman - 2.
ABSENT: Senator Holloway - 1.
Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.
SA 5 to HB 99 was stricken at the request of the sponsor, Senator Martin.
At 7:55 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 25, 1981.
The Senate reconvened at 2:25 p.m., June 25, 1981, Lt. Governor Castle presiding.
The following Committee reports were announced:
From the Judiciary Committee: HB 95 - 1 Favorable, 3 Merits, 1 Unfavorable; HB 116 - 5 Merits; HB 121 - 4 Merits; HB 242 - 1 Favorable, 4 Merits; HB 243 - 1 Favorable, 4 Merits; HB 245 - 1 Favorable, 4 Merits; HB 248 w HA 1 - 3 Favorable, 2 Merits.
From the Executive Committee: HB 179 - 1 Favorable, 3 Merits.
SB 352 - AN ACT TO AMEND CHAPTER II, TITLE 12, CHAPTER 80, TITLE 29 AND CHAPTER 13, TITLE 23 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF LOST, ABANDONED OR STOLEN PROPERTY, MONEY, BOATS ADRIPT, AND ABANDONED VESSELS BY THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. Sponsors: Senators Berndt and Zimmerman; Representatives Minner and Smith. Assigned to Natural Resources and Environmental Control Committee.
SB 353 - AN ACT TO AUTHORIZE AND EMPOWER THE GOVERNOR AND COMMISSIONER OF CORRECTIONS TO TRANSFER CERTAIN LANDS SITUATED IN BLACKBIRD HUNDRED, NEW CASTLE COUNTY, STATE OF DELAWARE, TO THE VETERAN AFFAIRS COMMISSION FOR THE PURPOSE OF ESTABLISHING A VETERANS CEMETERY. Sponsors: Senators Vaughn, Sharp, Cook, Hughes. Laid on the table on motion of Senator Vaughn.

SB 354 - AN ACT TO AMEND CHAPTER 31, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO THE EDUCATION OF THE HANDICAPPED AND PROVIDING CERTAIN PROCEDURAL SAFEGUARDS. Sponsors: Senators Neal, Berndt, Connor, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Vaughn, Zimmerman; Representatives Anderson, Barnes, Brady, Cathcart, Corrozi, Edwards, Ennis, Fallon, Free, Jester, Maroney, Minner, Oberle, Powell, Soles, VanSeiver. Assigned to Education Committee.

SA 3 to SB 273. Sponsor: Senator Cook. Placed with the Bill.

SA 5 to HB 100. Sponsor: Senator Neal. Placed with the Bill.

SR 37 - COMMENDING THE TOTALLY BLIND AND THE LEGALLY BLIND FOR WINNING GOLD MEDALS AND SETTING NATIONAL RECORDS IN THE FIFTY ANNUAL U.S. ASSOCIATION FOR BLIND ATHLETES NATIONAL CHAMPIONSHIP HELD AT SOUTHEASTERN MISSOURI STATE UNIVERSITY. Sponsors: Senators McBride, McDowell, Holloway, Marshall, Berndt, Hughes, Bair, Knox, Arnold, Sharp, Neal, Citro, Connor, Martin, Vaughn, Cook, Zimmerman, Murphy, Adams, Cordrey, Littleton. Laid on the table on motion of Senator McBride.

SJR 19 - AUTHORIZING THE GOVERNOR AND THE FARMERS BANK COMMISSION TO ENTER IN AMENDMENTS TO THE 1976 ASSISTANCE AGREEMENT AMONG THE FARMERS BANK, THE STATE AND THE FEDERAL DEPOSIT INSURANCE CORPORATION. Sponsors: Senator Cordrey; Representative Burris. Laid on the table at the request of Senator Cordrey.

SB 160 which had previously passed the Senate was taken up for reconsideration on motion of Senator Murphy as now further amended by **HA 1**.

The roll call vote on **SB 160 w HA 1** was then taken and revealed 17 Senators voting YES and 4 (Connor, Cordrey, Hughes, Martin) ABSENT; therefore, the Bill was declared passed by the Senate.

The following legislation was introduced:

HB 114 - AN ACT TO AMEND CHAPTER 52, TITLE 29, OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE. Sponsors: Representatives Roy, Oberle, Hebnert, Gilligan; Senator Neal. Assigned to Finance Committee.

HB 252 w HA 1 - AN ACT TO AMEND CHAPTER 13, SUBCHAPTER 1, TITLE 30, DELAWARE CODE RELATING TO THE ESTATE TAX TREATMENT OF SURVIVOR BENEFITS AWARDED BY A STATE OR POLITICAL SUBDIVISION THEREOF. Sponsors: Representative Powell and Senator Cook. Assigned to Finance Committee.

HB 274 w HA 1 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO LICENSING OF DRUG ABUSE PREVENTION, CONTROL, TREATMENT AND EDUCATION PROGRAMS. Sponsors: Representatives Edwards and Maroney. Assigned to Health-Social Services/Aging Committee.

HB 277 w HA 1 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO EMPLOYMENT OF PERSONS EIGHTEEN YEARS OF AGE OR OLDER IN LIQUOR STORES. Sponsor: Representative Derrickson. Assigned to Administrative Services/Energy Committee.

HB 312 w HA 1 - AN ACT TO AMEND CHAPTER 11, TITLE 17 OF THE DELAWARE CODE RELATING TO THE REGULATION OF OUTDOOR ADVERTISING. Sponsor: Representative Cathcart. Assigned to Highways and Transportation Committee.

HB 360 - AN ACT TO AMEND CHAPTER 663, VOLUME 60, LAWS OF DELAWARE, AS AMENDED BY CHAPTER 400, VOLUME 62, RELATING TO PENSION BENEFITS OF CORRECTIONS OFFICERS. Sponsors: Representative Powell and Senator Adams. Assigned to Finance Committee.

HS 1 to HB 250 - AN ACT MAKING APPROPRIATION FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1982; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sponsors: Representative Sincok and Senator Cook; Representatives Bennett, Corrozi, Ennis, Gilligan, Petrilli; Senators Berndt, Holloway, Littleton, McBride, Murphy. Assigned to Finance Committee.

HCR 79 was introduced and considered for adoption on motion of Senator Cordrey:

HCR 79 - REQUESTING THE STATE DEPARTMENT OF LABOR TO CURTAIL ENFORCEMENT ACTIVITIES PERTAINING TO A PROVISION OF STATE LAW. Sponsor: Representative Derrickson.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES, 1 (McBride) voting NO, and 2 (Connor and Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SJR 19 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Cordrey and the roll call vote taken which revealed 20 Senators voting YES and 1 (Martin) 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 defeated **SB 19 w SA 1, 2, 3, 4, 5 (w SA 1)**, **HA 14, 15** and passed **HB 274 w HA 1**; **HB 277 w HA 1**; **HB 114**; **HB 312 w HA 1**; **HB 360**; **HB 252 w HA 1**; **SB 160 w HA 1**; **SB 96**; **HS 1 for HB 250** and adopted **SCR 63**; **HCR 76**; **HCR 79**.

SR 37 was lifted from the table for consideration on motion of Senator McBride and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted.

SA 6 to HB 100 was introduced by Senator McDowell and placed with the Bill.

At 2:55 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 46th Legislative Day.

46TH LEGISLATIVE DAY
June 25, 1981

The Senate convened at 2:55 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 21.
The Journal of the previous day was approved as read.

Lt. Governor Castle introduced to the Senate the Lt. Governor of the Girls State who was in the chamber.

HB 320 was reported out of the Natural Resources and Environmental Control Committee: 1 Favorable, 5 Merits.

SS 1 for SB 8 was taken up for consideration under suspension of the necessary rules on motion of Senator Holloway:

SS 1 for SB 8 - AN ACT TO AMEND CHAPTER 15, TITLE 13, DELAWARE CODE RELATING TO AN AWARD OF ALIMONY IN DIVORCE AND ANNULMENT ACTIONS.

During discussion of the Bill the privilege of the floor was extended to Jack Russell, Marge Lorenz (Families in Transition), Laurie Calderhead, Betty Hazell and Roy E. Thomas.

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

Senator Martin marked PRESENT.

SB 273 w SA 1 was lifted from the table for consideration on motion of Senator Cook.

SA 2 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Zimmerman.

SA 3 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 19 Senators voting YES and 2 (Holloway and Murphy) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Thomas R. Carper, State Treasurer, after which the roll call vote on SB 273 w SA 1, 3 was taken and 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.

At 3:45 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 6:02 p.m., Lt. Governor Castle presiding.

The following legislation was introduced:

SB 355 - AN ACT TO AMEND CHAPTER 23, TITLE 12, OF THE DELAWARE CODE RELATING TO DECEDENTS ESTATE PROVIDING FOR ADMINISTRATION OF SMALL ESTATES AND CLAIMS FOR ALLOWANCES OF A SURVIVING SPOUSE. Sponsor: Senator Berndt. Assigned to Judiciary Committee.

SB 356 - AN ACT TO AMEND CHAPTER 15, TITLE 12 OF THE DELAWARE CODE RELATING TO THE REQUIREMENT OF A BOND FOR A PERSONAL REPRESENTATIVE OF A DECEDENT. Sponsor: Senator Berndt. Assigned to Judiciary Committee.

SA 1 to SB 301. Sponsor: Senator Hughes. Placed with the Bill.

SA 1 to HB 130. Sponsor: Senator Berndt. Placed with the Bill.

SA 1 to HS 1 for HB 250. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SS 1 for SB 8. Sponsor: Senator Berndt. Placed with the Bill.

SCR 65 - DIRECTING THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO INVESTIGATE THE WILSON CREEK FOR RECREATIONAL BOATING IMPROVEMENT. Sponsor: Senator Cordrey.

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 (Holloway, Martin and McDowell) 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 passed HB 164 w HA 1.

HB 164 w HA 1 was introduced and assigned to the Health-Social Services/Aging Committee:

HB 164 w HA 1 - AN ACT TO AMEND CHAPTER 7, TITLE 13, DELAWARE CODE, RELATING TO CONSENT OF MINORS TO DONATE BLOOD VOLUNTARILY WITHOUT THE NECESSITY OF OBTAINING PARENTAL PERMISSION OR AUTHORIZATION. Sponsors: Representatives Gilligan and Burris; Senators Holloway and Connor. Assigned to Health-Social Services/Aging Committee.

SB 357 was introduced and assigned to Labor and Industrial Relations Committee:

SB 357 - AN ACT TO AMEND PART I, TITLE 19, DELAWARE CODE, BY ADDING A NEW CHAPTER AUTHORIZING COLLECTIVE BARGAINING BETWEEN LAW ENFORCEMENT OFFICERS AND THEIR PUBLIC EMPLOYERS; PROVIDING FOR ARBITRATION IN ORDER TO SETTLE DISPUTES; AND REQUIRING COMPLIANCE WITH COLLECTIVE BARGAINING AGREEMENT AND FIND OF ARBITRATORS. Sponsor: Senator Holloway.

HB 220 was taken up for consideration on motion of Senator McBride:

HB 220 - AN ACT TO AMEND THE DELAWARE CODE, TITLE 29 PROVIDING FOR THE APPROPRIATE SHARING OF EXPENSES INVOLVED IN THE PROPER CLOSING AND SECURING OF VACATED PUBLIC SCHOOL DISTRICT BUILDINGS.

The privilege of the floor was extended to Representative Roy after which the Bill was laid on the table on further motion of Senator McBride.

HB 93 was taken up for consideration on motion of Senator Sharp:

HB 93 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, SECTION 4308, BY REQUIRING A NOTARY PUBLIC TO ENSURE THAT THE INDIVIDUAL WHOSE PRESENCE IS BEING CERTIFIED TO BY THE NOTARY, PROVIDE PROOF OF THEIR IDENTITY.

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

HB 22 w HA 1 - AN ACT TO AMEND CHAPTER 29, TITLE 24 OF THE DELAWARE CODE RELATING TO EXPENDITURES FROM THE REAL ESTATE GUARANTY FUND.

The privilege of the floor was extended to Penn Emerson of the Real Estate Commission after which 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 220 was lifted from the table for consideration on motion of Senator McBride.

The privilege of the floor was extended to Harry Terry, Senate Attorney, after which the Bill was again tabled on further motion of Senator McBride.

HB 152 was taken up for consideration on motion of Senator Holloway:

HB 152 - AN ACT TO AMEND TITLE 12, CHAPTER 39 OF THE DELAWARE CODE RELATING TO GUARDIAN AND WARD.

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 6:55 p.m., Senator Sharp presiding.

HB 196 was taken up for consideration on motion of Senator Cordrey:

HB 196 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO THE DEFINITION OF RESIDENT INDIVIDUAL FOR PERSONAL INCOME TAX PURPOSES, AND TO CLARIFY THE DEDUCTION FOR TAXES PAID TO A FOREIGN COUNTRY.

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

HB 137 w HA 2, 3, 4 was taken up for consideration on motion of Senator McDowell:

HB 137 w HA 2, 3, 4 - AN ACT TO AMEND CHAPTER 69, TITLE 29, DELAWARE CODE, BY PROVIDING FOR THE USE OF UNITED STATES PRODUCED STEEL IN STATE CONTRACTS.

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

YES: Senators Adams, Bair, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 17.

NO: Senators Arnold, Berndt, Knox, Neal - 4.

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

HB 189 was taken up for consideration on motion of Senator Cordrey who requested Senator Neal to floor manage the Bill:

HB 189 - AN ACT TO AMEND CHAPTER 43, TITLE 31, OF THE DELAWARE CODE RELATING TO THE INDEBTEDNESS OF THE HOUSING AUTHORITY.

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

SB 353 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Vaughn:

SB 353 - AN ACT TO AUTHORIZE AND EMPOWER THE GOVERNOR AND COMMISSIONER OF CORRECTIONS TO TRANSFER CERTAIN LANDS SITUATE IN BLACKBIRD HUNDRED, NEW CASTLE COUNTY, STATE OF DELAWARE, TO THE VETERAN AFFAIRS COMMISSION FOR THE PURPOSE OF ESTABLISHING A VETERANS CEMETERY.

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

HB 179 was taken up for consideration on motion of Senator Adams:

HB 179 - AN ACT TO AMEND CHAPTER 3, TITLE 29, OF THE DELAWARE CODE DESIGNATING THE WEAKFISH (ALSO KNOWN AS THE SEA TROUT) AS THE OFFICIAL STATE FISH.

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

YES: Senators Adams, Arnold, Citro, Cook, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn - 15.

NO: Senators Bair, Connor, Cordrey, Neal, Zimmerman - 5.

NOT VOTING: Senator Berndt - 1.

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

HS 1 for HB 1 w HA 1, 2, 3, 4, 5 was taken up for consideration on motion of Senator McBride:

HS 1 for HB 1 w HA 1, 2, 3, 4, 5 - AN ACT TO AMEND DELAWARE CODE, TITLE 14, RELATING TO THE METHOD OF CALCULATING PUPIL UNITS IN ORDER TO DETERMINE THE AMOUNT OF STATE FINANCIAL SUPPORT TO THE PUBLIC SCHOOLS.

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

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 18.

NO: Senators Adams and Cordrey - 2.

NOT VOTING: Senator Holloway - 1.

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

HB 90 w HA 1, 2 was taken up for consideration on motion of Senator McDowell:

HB 90 w HA 1, 2 - AN ACT TO AMEND CHAPTER 19, TITLE 24 OF THE DELAWARE CODE RELATING TO EXAMINATION AND LICENSING OF NURSES.

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

On motion of Senator Holloway, the roll call vote on SS 1 to SB 8 was rescinded and the Bill brought before the Senate for reconsideration.

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

At 7:34 p.m., Senator Cordrey presiding.

At 7:36 p.m., Senator Sharp presiding.

SA 2 to the Bill was introduced by Senator Bair and considered for adoption on her motion. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Neal) voting NO; therefore, the Amendment was declared adopted.

SA 1 to the Bill was stricken at the request of the sponsor, Senator Berndt.

The roll call vote on SS 1 for SB 8 w SA 2 was then taken and revealed 19 Senators voting YES and 2 (McDowell and Neal) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Cordrey, the necessary rules were suspended for consideration of SB 333:

SB 333 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE II OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO PRIVATE SUBDIVISION STREETS BEING RECONSTRUCTED TO STATE STANDARDS PRIOR TO THEIR ACCEPTANCE FOR MAINTENANCE.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, McDowell, Neal, Sharp, Vaughn, Zimmerman - 17.

NO: Senators Marshall, Martin, McBride - 3.

NOT VOTING: Senator Murphy - 1.

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

At 7:41 p.m., Senator Cordrey presiding.

HB 95 was taken up for consideration on motion of Senator Sharp:

HB 95 - AN ACT TO AMEND CHAPTER 7, OF TITLE 21, OF THE DELAWARE CODE TO REMOVE AS OBSOLETE THE REQUIREMENT THAT A PERSON ARRESTED WITHOUT A WARRANT FOR A MOTOR VEHICLE OFFENSE BE TAKEN, OR SUMMONED TO APPEAR, BEFORE THE NEAREST AVAILABLE JUSTICE OF THE PEACE.

The privilege of the floor was extended to Representative Burris and Tom Sandbach, Senate Attorney, after which the Bill was laid on the table on motion of Senator Sharp.

SB 335 was taken up for consideration under suspension of the necessary rules on motion of Senator Connor:

SB 335 - AN ACT TO AMEND CHAPTER 216, VOLUME 27, LAWS OF DELAWARE RELATING TO "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF NEW CASTLE."

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.

HB 178 w HA 1 was lifted from the table for consideration on motion of Senator McDowell and the roll call vote taken which revealed 20 Senators voting YES and 1 (Zimmerman) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 108 w SA 3 was stricken at the request of the sponsor, Senator McBride.

On motion of Senator McBride, the roll call vote on SB 137 was lifted and announced:

YES: Senators Holloway, Marshall, Martin, McBride, McDowell, Neal, Zimmerman - 7.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Hughes, Knox, Littleton, Murphy, Sharp, Vaughn - 13.

ABSENT: Senator Connor - 1.

Therefore, the Bill was declared defeated.

On motion of Senator McBride, the roll call vote on SB 314 w SA 1, 2, 3 was lifted and announced:

YES: Senators Citro, Connor, Cook, Holloway, Marshall, McBride, McDowell, Neal, Vaughn - 9.

NO: Senators Adams, Arnold, Bair, Berndt, Cordrey, Hughes, Knox, Littleton, Martin, Sharp, Zimmerman - 11.

ABSENT: Senator Murphy - 1.

Therefore the Bill was declared defeated.

SA 1 to HS 1 for HB 250 was stricken at the request of the sponsor, Senator Holloway.

SB 219 was stricken at the request of the sponsor, Senator Marshall.

SB 178 was stricken at the request of the sponsor, Senator Arnold.

At 8:20 p.m. on motion of Senator Sharp, the Senate recessed until Monday, June 29, 1981 at 12 noon.

The Senate reconvened at 3:08 p.m., June 29, 1981, Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Banking Committee: HB 422 - 5 Merits.

From the Highways and Transportation Committee: HB 312 - 5 Merits; HB 226 5 Merits.

From the Administrative Services/Energy Committee: HB 277 - 6 Merits; HB 233 - 1 Favorable, 6 Merits.

From the Judiciary Committee: HB 301 - 6 Merits; HB 302 - 6 Merits; HB 330 - 1 Favorable, 3 Merits, 2 Unfavorable; SB 334 - 6 Merits.

The following legislation was introduced:

SB 358 - AN ACT TO AMEND CHAPTER 60, TITLE 7, DELAWARE CODE, RELATING TO REGULATION OF SOLID WASTE. Sponsors: Senators Zimmerman, Berndt; Representatives Soles and Buckworth. Assigned to Natural Resources and Environmental Control Committee,

SB 359 - AN ACT TO AMEND CHAPTER 277, VOLUME 62, AS AMENDED BY CHAPTER 423, VOLUME 62, LAWS OF DELAWARE, TO PROVIDE FOR THE ADJUSTMENT OF THE FORMULA FOR PUBLIC SCHOOL BUS CONTRACTORS, AND PROVIDING FUNDS THEREFOR. Sponsors: Senators Murphy, Sharp, Holloway, Littleton; Representatives Minner, Fallon, Plant, West, Roy, Spence, Buckworth, Oberle, Campanelli, Corrozi, Holloway, Jr. Assigned to Finance Committee.

SA 1 to HB 220. Sponsor: Senator Zimmerman. Placed with the Bill.

SR 38 - REQUESTING THE GOVERNOR AND THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT THE RETENTION OF CATEGORICAL PROGRAMS FOR SCHOOL DISTRICTS IN DELAWARE. Sponsors: Senators Citro and Marshall.

The Resolution was considered for adoption on motion of Senator Citro and the roll call vote taken which revealed:

YES: Senators Adams, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Murphy, Vaughn, Zimmerman - 14.

NO: Senators Arnold, Connor, Hughes, Knox, Littleton, Neal - 6.

NOT VOTING: Senator Sharp - 1.

Therefore, the Resolution was declared adopted.

At 3:20 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 47th Legislative Day.

47TH LEGISLATIVE DAY

June 29, 1981

The Senate convened at 3:20 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, 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 HB 289 w HA 1; HB 318; HB 232; HB 323 w HA 1; HB 435 w HA 1; SB 54; SB 56 w SA 1, HA 1; HB 368 w HA 1, 3, 4; HB 411; HB 308; HB 329 w HA 1 and adopted HCR 80; HCR 81; HJR 22; SJR 19.

Legislative Advisory #16 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation on June 24, 1981: HJR 14. The Governor signed the following legislation on June 25, 1981: HB 159 w HA 1 (Volume 63, Chapter 48, Laws of Delaware); HB 183 w SA 1 (Volume 63, Chapter 49, Laws of Delaware); HB 216 w HA 1 (Volume 63, Chapter 50, Laws of Delaware); SB 39 w HA 1 (Volume 63, Chapter 51, Laws of Delaware); SB 40 w SA 2 (Volume 63, Chapter 52, Laws of Delaware); SB 44 (Volume 63, Chapter 53, Laws of Delaware); SB 92 (Volume 63, Chapter 54, Laws of Delaware).

SCR 66 was introduced and considered for adoption on motion of Senator Berndt:

SCR 66 - REQUESTING PRESIDENT REAGAN TO RECONSIDER HIS DECISION ON THE ISSUE OF SELLING MILITARY ARMS TO SAUDI ARABIA. Sponsors: Senators Berndt and McBride; Representative Ennis.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Holloway, Knox, Marshall, Martin, McBride, McDowell, Murphy, Neal, Vaughn, Zimmerman - 17.

NOT VOTING: Senators Cordrey, Hughes and Sharp - 3.

ABSENT: Senator Littleton - 1.

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

SCR 67 was introduced and immediately stricken at the request of the sponsor, Senator Holloway:
SCR 67 - URGING THE DELAWARE PUBLIC SERVICE COMMISSION TO MODIFY ITS REGULATIONS REQUIRING ADDITIONAL CHARGES FOR LATE PAYMENT OF UTILITY BILLS TO EXEMPT CERTAIN SENIOR CITIZENS. Sponsor: Senator Holloway.

The following legislation was introduced:

SJR 20 - REVISING THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1981. Sponsors: Senators Cordrey and Berndt; Representatives Sincok and George. Laid on the table at the request of Senator Cordrey.

SJR 21 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1982. Sponsors: Senators Cordrey and Berndt; Representatives Sincok and George. Laid on the table on motion of Senator Cordrey.

SJR 20 was then lifted from the table for consideration under suspension of the necessary rules on motion of Senator Cordrey and the roll call vote taken which revealed 20 Senators voting YES and 1 (Littleton) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SJR 21 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Cordrey and the roll call vote taken which revealed 20 Senators voting YES and 1 (Arnold) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SJR 22 was introduced and considered for adoption on motion of Senator Cordrey under suspension of the necessary rules:

SJR 22 - MAKING AN APPROPRIATION FROM THE BUDGET RESERVE ACCOUNT. Sponsors: Senators Cordrey, Berndt; Representatives Sincok, George.

The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Hughes) voting NO; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 360 was introduced and laid on the table on motion of Senator Murphy:

SB 360 - AN ACT TO AMEND CHAPTER 39, TITLE 18, OF THE DELAWARE CODE RELATING TO THE CASUALTY INSURANCE CONTRACTS FOR MOTOR VEHICLES. Sponsor: Senator Murphy.

SB 56 w SA 1 which had previously passed the Senate was taken up for reconsideration as further amended by HA 1 on motion of Senator Murphy. The roll call vote on SB 56 w SA 1, HA 1 was then taken and revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Bill was declared passed.

HB 232 was introduced and assigned to Public Safety Committee:

HB 232 - AN ACT TO AMEND CHAPTER 21, PART II, TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES; AND PROVIDING FOR ISSUANCE OF SUCH PLATES TO OWNERS OF COMMERCIAL VEHICLES. Sponsors: Representatives Riddagh and Minner.

HB 116 was taken up for consideration on motion of Senator Sharp:

HB 116 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO ADMISSIBILITY IN EVIDENCE OF RESULTS OF CHEMICAL TEST.

The privilege of the floor was extended to Richard J. McMahon (Department of Justice) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Hughes, Knox, Littleton, Marshall, Martin, McBride, Neal, Sharp, Vaughn - 17.

NOT VOTING: Senators McDowell, Murphy, Zimmerman - 3.

ABSENT: Senator Holloway - 1.

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

HB 121 was taken up for consideration on motion of Senator Sharp:

HB 121 - AN ACT TO AMEND CHAPTER 6, TITLE 11 OF THE DELAWARE CODE RELATING TO VEHICULAR HOMICIDES AND ASSAULTS AND TO AMEND CHAPTER 12 OF TITLE 11 RELATING TO CIVIL IMMUNITY, AND TO AMEND CHAPTER 2 OF TITLE 11 IN ORDER TO PROVIDE A DEFINITION OF NEGLIGENCE.

The privilege of the floor was extended to Richard J. McMahon (Department of Justice) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Hughes, Knox, Littleton, McBride, Neal, Vaughn, Zimmerman - 15.

NO: Senators Marshall, Martin, McDowell, Sharp - 4.

NOT VOTING: Senators Holloway and Murphy - 2.

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

HB 95 was lifted from the table for consideration on motion of Senator Sharp:

HB 95 - AN ACT TO AMEND CHAPTER 7, OF TITLE 21, OF THE DELAWARE CODE TO REMOVE AS OBSOLETE THE REQUIREMENT THAT A PERSON ARRESTED WITHOUT A WARRANT FOR A MOTOR VEHICLE OFFENSE BE TAKEN, OR SUMMONED TO APPEAR, BEFORE THE NEAREST AVAILABLE JUSTICE OF THE PEACE.

SA 1 to the Bill was introduced by Senator Holloway and laid on the table on his motion.

The Bill was then laid on the table on further motion of Senator Sharp.

HB 242 was taken up for consideration on motion of Senator Vaughn:

HB 242 - AN ACT TO AMEND CHAPTER 2, OF TITLE 11, OF THE DELAWARE CODE RELATING TO A DEFINITION OF WHAT CONSTITUTES AN ORDINARY POCKETKNIFE.

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 (Holloway) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 243 was taken up for consideration on motion of Senator Vaughn:

HB 243 - AN ACT TO AMEND CHAPTER 9, TITLE 10, OF THE DELAWARE CODE RELATING TO EXCLUSIVE ORIGINAL CRIMINAL JURISDICTION OF THE FAMILY COURT.

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

HB 245 was taken up for consideration on motion of Senator Sharp:

HB 245 - AN ACT TO AMEND TITLE 11, SECTION 1336 OF THE DELAWARE CODE RELATING TO WIRETAPPING AND ELECTRONIC SURVEILLANCE.

The privilege of the floor was extended to Captain Thomas Roman, Delaware State Police, after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cordrey, Hughes, Knox, Martin, Neal, Sharp, Vaughn - 13.

NO: Senators Marshall, McBride and Zimmerman - 3.

ABSENT: Senators Cook, Holloway, Littleton, McDowell, Murphy - 5.

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

SB 334 was taken up for consideration on motion of Senator Sharp:

SB 334 - AN ACT TO AMEND CHAPTER 1, TITLE 8, DELAWARE CODE, ALSO BEING CHAPTER 25, 63 LAWS OF DELAWARE, RELATING TO THE GENERAL CORPORATION LAW.

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 19 Senators voting YES and 2 (Holloway and Littleton) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 334 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Holloway and Littleton) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 288 was taken up for consideration under suspension of the necessary rules on motion of Senator Adams:

SB 288 - AN ACT TO AMEND CHAPTER 56, TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE JUDICIARY PENSION PLAN.

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

HB 330 was taken up for consideration on motion of Senator Sharp:

HB 330 - AN ACT TO AMEND CHAPTER 21, TITLE 10 OF THE DELAWARE CODE RELATING TO THE OFFICE OF SHERIFF.

The privilege of the floor was extended to Michael P. Walsh (Sheriff of New Castle County), Tom Sandbach and Harry Terry (Senate Attorneys).

Senator Cordrey moved that the Bill be tabled. The roll call vote on the tabling motion was taken; however, before being announced, the roll call vote on the tabling motion was laid on the table on motion of Senator Cordrey.

The roll call vote on the Bill was then taken on motion of Senator Sharp and revealed:

YES: Senators Adams, Arnold, Berndt, Cook, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Vaughn - 14.

NO: Senators Bair, Citro, Connor, Cordrey, Neal, Sharp, Zimmerman - 7.

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

At 6:10 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 6:44 p.m., Lt. Governor Castle presiding.

The following legislation was introduced:

HB 289 w HA 1 - AN ACT TO AMEND SECTION 6503, CHAPTER 65, TITLE 25, OF THE DELAWARE CODE WITH REFERENCE TO LANDLORD-TENANT RELATIONSHIPS; PROVIDING FOR THE CREATION OF RENTAL UNITS FOR THE EXCLUSIVE USE OF SENIOR CITIZENS. Sponsors: Representatives Ennis, Hebner, Smith; Senators Bair and Berndt. Assigned to Administrative Services/Energy Committee.

HB 318 - AN ACT TO AMEND CHAPTER 63, TITLE 7 OF THE DELAWARE CODE RELATING TO THE MANAGEMENT OF HAZARDOUS WASTES. Sponsors: Representatives Smith, Buckworth, Darling, Minner, Soles. Assigned to Natural Resources and Environmental Control Committee.

HB 323 w HA 1 - AN ACT TO AMEND CHAPTER 66, OF TITLE 7, DELAWARE CODE, TO PROVIDE FOR ENFORCEMENT BY CIVIL PENALTY AND TO ADD A LESSER CRIMINAL PENALTY. Sponsors: Representatives Smith, Buckworth and Harrington. Assigned to Natural Resources and Environmental Control Committee.

HB 368 w HA 1, 3, 4 - AN ACT TO AMEND CHAPTER 27, TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. Sponsors: Representative Spence and Senator McBride; Representatives Oberle, Anderson, Dixon, Cathcart, Roy, Ennis, Campanelli, Mack, Minner, Jester, Barnes, Corrozi, Edwards, Darling, West; Senators Cordrey, Arnold and Cain. Assigned to Education Committee.

Senator Marshall announced that a previous request to strike SB 219 was in error; the Bill to be stricken was SB 207.

The following legislation was introduced:

HB 435 w HA 1 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 31, TITLE 20, OF THE DELAWARE CODE RELATING TO THE EMERGENCY POWERS OF THE GOVERNOR DURING A DROUGHT WARNING, A SEVERE CONTINUING DROUGHT, OR OTHER TYPES OF TEMPORARY CONDITIONS OF FAILURE OR INADEQUACY OF THE SUPPLY OF WATER. Sponsor: Representative Smith. Assigned to Natural Resources and Environmental Control Committee.

HB 308 - AN ACT TO AMEND CHAPTER 1, TITLE 4 OF THE DELAWARE CODE RELATING TO GENERAL PROVISIONS ABOUT ALCOHOLIC LIQUORS. Sponsors: Representatives Roy, Edwards, Soles, Corrozi, Spence, Buckworth, Smith, Ennis, Jonkiert and Free. Assigned to Administrative Services/Energy Committee.

HB 329 w HA 1 - AN ACT TO AMEND CHAPTER 7, TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES AND POLYGRAPH EXAMINATIONS. Sponsor: Representative Riddagh. Assigned to Judiciary Committee.

HB 411 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANTS-IN-AID. Sponsors: Representative Sincock, Senator Cook; Representatives Petrilli, Bennett, Ennis, Gilligan, Corrozi; Senators Holloway, Berndt, Murphy, Littleton, McBride. Laid on the table at the request of Senator Cook.

HJR 22 - PROVIDING FOR THE DEFINITION OF HOSPICE AS RECOMMENDED BY THE HOSPICE TASK FORCE AND REQUESTING THE TASK FORCE TO SUBMIT LEGISLATION TO THE 131ST GENERAL ASSEMBLY BEFORE FEBRUARY 1, 1982, SETTING STANDARDS FOR HOSPICE PROGRAMS. Sponsors: Representatives Maroney, McKay, Derrickson; Senator Holloway. Assigned to Health-Social Services/Aging Committee.

HC 80 - CONGRATULATING ELIZABETH ELLEN MINTZ AND MARC W. SPIEGELMAN UPON THEIR APPOINTMENTS AS DELAWARE'S PRESIDENTIAL SCHOLARS. Sponsors: Representatives Smith, Ennis; Senators Berndt and Bair. The Resolution was considered for adoption on motion of Senator Berndt and the roll call vote taken which revealed 20 Senators voting YES and 1 (Knox) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HC 81 - REQUESTING LOCAL SCHOOL DISTRICTS TO CONSIDER THE UTILIZATION OF AD HOC MANAGEMENT ADVISORY COMMITTEES. Sponsors: Representative Ennis, Senator Berndt; Representatives Smith, Brady, Maroney, Free, Edwards, Petrilli, George; Senator Holloway, Sr.. The Resolution was considered for adoption on motion of Senator Berndt and the roll call vote taken which revealed 20 Senators voting YES and 1 (Knox) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SB 361 was introduced and laid on the table on motion of Senator Vaughn:

SB 361 - AN ACT TO AMEND CHAPTER 6, TITLE 24 OF THE DELAWARE CODE RELATING TO COSMETOLOGY "INSTRUCTOR" LICENSES. Sponsors: Senator Vaughn, McDowell, Marshall, Bair, Connor; Representatives Brady, Barnes, Smith, Jonkiert and Soles.

The following legislation was introduced:

SA 1 to SB 125. Sponsor: Senator Connor. Placed with the Bill.

SA 2 to HS 1 for HB 250. Sponsor: Senator Neal. Immediately stricken at the request of the sponsor.

SCR 68 - MOURNING THE DEATH OF WALTER J. HOEY, OF MILFORD, A FORMER MEMBER OF BOTH THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE DELAWARE GENERAL ASSEMBLY. Sponsors: Senators Adams, Murphy, Cook, Hughes; Representatives West, Minner and Burris. The Resolution was considered for adoption on motion of Senator Adams and the roll call vote taken which revealed 20 Senators voting YES and 1 (Knox) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The following veto message from the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

June 29, 1981

To the Senate of the 131st General Assembly
of the State of Delaware:

I am returning without my signature Senate Bill No. 118, as amended by Senate Amendment No. 1, received on June 17, 1981, and which is entitled: "AN ACT TO AMEND CHAPTER 27, TITLE 21, DELAWARE CODE, RELATING TO TEMPORARY INSTRUCTION PERMITS."

The purpose of this legislation is to allow young people driving with a temporary instruction permit to have a licensed parent or guardian and two other family members present in a vehicle when they are operating it. It is claimed that this will give an applicant more experience in real driving situations.

However, the bill perhaps inadvertently creates a hardship for adults who also may be learning to drive under a temporary instruction permit. The bill strikes the existing requirement that a person over 16 be accompanied by a "licensed operator" and substitutes the requirement that he or she be accompanied by a "licensed parent or guardian". Since many adults would choose to be accompanied by a spouse, an instructor or even a grown child, rather than by a parent or guardian, the bill appears to be unduly restrictive.

Moreover, it would seem to forbid any person whose parents are deceased from ever obtaining learners' permits and drivers' licenses at all, unless they were to petition Chancery Court for the appointment of a guardian, a costly process requiring legal representation and court proceedings. And what of citizens whose parents reside in distant states or foreign countries? The cost of bringing them to Delaware to participate in learning sessions for their adult children seems an unnecessary burden.

Perhaps a reworking of the bill can cure these problems; but because of them, I am returning Senate Bill No. 118, as amended by Senate Amendment No. 1 without my signature.

Respectfully submitted,
Pierre S. duPont, IV, Governor

* * * * *

HB 301 was laid on the table on motion of Senator Sharp and without objection.

HB 302 w HA 2 was taken up for consideration on motion of Senator Sharp:

HB 302 w HA 2 - AN ACT TO AMEND CHAPTER 98, TITLE 10 OF THE DELAWARE CODE RELATING TO COSTS IN PROCEEDINGS BEFORE JUSTICES OF THE PEACE.

The Bill was then laid on the table on further motion of the Senator.

HB 360 was taken up for consideration under suspension of the necessary rules on motion of Senator Cook:

HB 360 - AN ACT TO AMEND CHAPTER 663, VOLUME 60, LAWS OF DELAWARE, AS AMENDED BY CHAPTER 400, VOLUME 62, RELATING TO PENSION BENEFITS OF CORRECTIONS OFFICERS.

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

HB 233 w HA 1 - AN ACT TO AMEND CHAPTERS 51 AND 55 OF TITLE 25 OF THE DELAWARE CODE RELATING TO METERING AND CHARGES FOR UTILITY SERVICES BY LANDLORDS.

The privilege of the floor was extended to Representative Sincok after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Connor) voting NO, and 1 (Neal) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 307 w HA 1, 2 was taken up for consideration on motion of Senator Adams:

HB 307 w HA 1, 2 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF AGRICULTURE BY PROVIDING FOR AGRICULTURAL LANDS PRESERVATION AND TO AMEND CHAPTER 81 OF TITLE 29 OF THE DELAWARE CODE BY ADDING AN AGRICULTURAL LANDS PRESERVATION SECTION.

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

HB 277 w HA 1 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO EMPLOYMENT OF PERSONS EIGHTEEN YEARS OF AGE OR OLDER IN LIQUOR STORES.

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 Cordrey.

At 7:36 p.m. on motion of Senator Sharp, the Senate recessed until 11:00 a.m., June 30, 1981.

The Senate reconvened at 11:22 a.m., June 30, 1981, Lt. Governor Castle 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
June 29, 1981

To the Senate of the 131st 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 W. Brittingham, 205 E. Holly Oak Road, Wilmington, Delaware, to be reappointed as a Justice of the Peace for a term of four years from date of confirmation.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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. Russell Thomas Rash, 240 Old North Road, Camden, Delaware, to be reappointed as a Justice of the Peace for a term of four years from date of confirmation.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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. Morris Levenberg, 306 W. 37th Street, Wilmington, Delaware, to be reappointed as a Justice of the Peace for a term of four years from date of confirmation.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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. Barbara Clare Hughes, 902 Blackshire Road, Wilmington, Delaware, to be reappointed as a Justice of the Peace for a term of four years from date of confirmation.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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. Ruth P. Malm, 1112 Highgate Road, Wilmington, Delaware, to be reappointed as a Justice of the Peace for a term of four years from date of confirmation.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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. Donna R. Kramer, 361 Kesselring Avenue, Dover, Delaware, to be reappointed as a Justice of the Peace for a term of four years from date of confirmation.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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. Joel Glazier, 21 West 40th Street, Wilmington, Delaware, to be a Justice of the Peace for a term of four years from date of confirmation to succeed John H. Wilding, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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. Elizabeth Henry, 115 Martin Lane, Wilmington, Delaware, to be a Justice of the Peace for a term of four years from date of confirmation to succeed Rebecca P. Button, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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 for a term of four years from date of confirmation to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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. Richard L. Brandenburg, 4 Bayview Beach, P.O. Box 292, Middletown, Delaware, to be a Justice of the Peace for a term of four years from date of confirmation to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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. Chrystyna M. Rigby, RD1, Box 249, Chapeltown, Maryland, Delaware, to be a Justice of the Peace for a term of four years from date on confirmation to succeed Wallace P. Wootten, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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. Ellis B. Parrott, RD2, Box 280-11, Felton, Delaware, to be a Justice of the Peace for a term of four years from date of confirmation to succeed John H. Fillmore, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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. Sandra L. Neal, RD 2, Box 32, Lewes, Delaware, to be a Justice of the Peace for a term of four years from date of confirmation to succeed John H. McQuay, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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 F. Plack, Jr., 507 Seabury Avenue, Milford, Delaware, to be a Justice of the Peace for a term of four years from date of confirmation to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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. Dorothy C. Gray, P.O. Box 23, Millsboro, Delaware, to be a Justice of the Peace for a term of four years from date of confirmation to succeed William J. Hopkins, Jr., term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st General Assembly
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Dr. Kent S. Price, Jr., 71 Sussex Drive, Lewes, Delaware, to be reappointed to the Atlantic States Marine Fisheries Commission for a term of three years.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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: Mayor Alfred Stango, P.O. Box 227, Lewes, Delaware, to be reappointed as a member of the Commission on Adult Entertainment Establishments for a term of three years.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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. Frances S. C. Quigley, Lake Club Apartments, Dover, Delaware, to be reappointed as a member of the Commission on Adult Entertainment Establishments for a term of three years.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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 for a term of three years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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 H. McFaul, 100 Lakelawn Drive, Milford, Delaware, to be a member of the State Personnel Commission to serve for a three year term to succeed Raymond V. West, term expired.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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. Peter E. Frankenberg, 2405 Shellpot Drive, Wilmington, Delaware, to be a member of the State Personnel Commission to serve for a term of three years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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: Albert Holmes, 724 South State Street, Dover, Delaware, to be a member of the State Personnel Commission to serve a three year term to succeed Robert F. Halker, term expired.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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 H. McFadden, 39 S. Bradford Street, Dover, Delaware, to be reappointed to the State Personnel Commission for a term of three years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st 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 L. Warnell, Clendaniels Pond, Lincoln, Delaware, to be appointed as a member of the Public Service Commission for a term of five years to succeed Roland G. Hastings, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st General Assembly
of the State of Delaware

The June 18, 1981 letters of nomination sent you for the Board of Trustees, Delaware Technical and Community College called for a six year term.

In accordance with Title 14 Section 9103 of the Delaware Code, the terms of this board are for a period of three years.

This is to officially notify you, therefore, that the terms of Mr. Paul J. Andrisani, Edward J. Steiner and Gene Derrickson are to be for a period of three years, instead of a six year term, as called for in the letters of nomination.

Sincerely,
Pierre S. duPont, Governor

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: SB 352 - 5 Merits.

From the Executive Committee: HB 324 w HA 1 - 5 Merits.

The following legislation was introduced:

SA 1 to HB 312. Sponsor: Senator Littleton. Placed with the Bill.

SR 39 - CONGRATULATING THE PORT OF WILMINGTON AS IT RECEIVES THE FIRST EAST COAST SHIPMENT OF 470 DE LOREAN SPORTS CARS FROM BELFAST, IRELAND ON JUNE 29, 1981. Sponsor: Senator Holloway. Laid on the table at the sponsor's request.

HCR 83 - MOURNING THE DEATH OF WALTER J. HOEY, OF MILFORD, A FORMER MEMBER OF BOTH THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE DELAWARE GENERAL ASSEMBLY. Sponsors: Representatives West, Sincok, Campanelli, George, Anderson, Barnes. The Resolution was considered for adoption on motion of Senator Adams and the roll call vote taken which revealed 16 Senators voting YES and 5 (Citro, Connor, Holloway, Hughes, McBride) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HB 371 - AN ACT TO AMEND CHAPTER 51, TITLE 29, DELAWARE CODE, RELATING TO CONDITIONS OF STATE EMPLOYMENT. Sponsors: Representatives Plant, Holloway, Campanelli, West, Dixon; Senator Holloway. Assigned to Labor and Industrial Relations Committee.

HB 337 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO ESCAPES BY PRISONERS FROM THE CUSTODY OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES OR THE DEPARTMENT OF CORRECTIONS. Sponsors: Representatives Bennett, Anderson, Darling, Dixon, George, Jester, Riddagh, West and Senator Vaughn. Assigned to Judiciary Committee.

HB 353 w HA 1 w HA 1 and HA 2 - AN ACT TO AMEND TITLE 14 AND TITLE 7 OF THE DELAWARE CODE TO PROVIDE A MECHANISM BY WHICH SCHOOL DISTRICTS MAY DISPOSE OF UNNEEDED BUILDINGS AND LAND BY SALE OR LEASE. Joint sponsors: Representative Soles, Senator McBride; Co-sponsors: Representative Ennis, Senator Bair. Assigned to Education Committee.

HS 1 for HB 247 - AN ACT TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO POST SIGNS NOTIFYING DRIVERS ENTERING DELAWARE THAT LITTERING IS SUBJECT TO FINES UP TO \$250. Sponsors: Representatives Dixon, Cordrey, Spence; Senators Hughes, Vaughn and Zimmerman. Assigned to Highways and Transportation Committee.

HB 390 w HA 1 - AN ACT TO AMEND CHAPTER 63 OF TITLE 29, DELAWARE CODE, RELATING TO UNEMPLOYMENT INSURANCE FOR STATE EMPLOYEES AND OTHER EMPLOYMENT COSTS. Sponsors: Representative Oberle; Senators Knox, Arnold, Sharp. Assigned to Finance Committee.

At 11:45 a.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 12:40 p.m., Lt. Governor Castle presiding.

SB 338 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Cordrey:

SB 338 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE PROVIDING FOR REAPPORTIONMENT OF THE STATE LEGISLATIVE DISTRICTS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cordrey and the roll call vote taken which revealed:

YES: Adams, Cook, Cordrey, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 11.

NOT VOTING: Senators Arnold, Bair, Citro, Connor, Knox, Neal - 6.

ABSENT: Senators Berndt, Holloway, Hughes, Littleton - 4.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 338 w SA 1 was then taken and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 12.

NO: Senators Arnold, Bair, Berndt, Citro, Connor, Knox, Neal - 7.

ABSENT: Senators Hughes and Littleton - 2.

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

On motion of Senator Cordrey, the roll call vote on HB 277 w HA 1 was lifted and announced:

YES: Senators Adams, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Knox, Martin, McDowell, Murphy, Neal - 12.

NO: Senators Arnold, Connor, Hughes, Littleton, Marshall, McBride, Sharp, Vaughn - 8.

NOT VOTING: Senator Zimmerman - 1.

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

HB 422 w HA 1 was taken up for consideration on motion of Senator Cordrey:

HB 422 w HA 1 - AN ACT TO AMEND TITLE 5, CHAPTER 21 OF THE DELAWARE CODE RELATING TO SMALL LOAN COMPANIES.

The roll call vote on the Bill was taken and revealed 16 Senators voting YES and 5 (Bair, Berndt, Holloway, Hughes, Littleton) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 209 w HA 1 was taken up for consideration on motion of Senator Murphy:

HB 209 w HA 1 - AN ACT TO AMEND TITLE 18, SECTION 2503 OF THE DELAWARE CODE TO REQUIRE INSURERS TO PROVIDE REDUCTIONS IN MOTOR VEHICLE INSURANCE PREMIUM RATES FOR DRIVERS COMPLETING A MOTOR VEHICLE ACCIDENT PREVENTION COURSE.

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

SB 318 was taken up for consideration on motion of Senator Zimmerman:

SB 318 - AN ACT TO AMEND CHAPTER 73, TITLE 7 OF THE DELAWARE CODE TO SPECIFY TERMS OF OFFICE FOR THE MEMBERS OF THE DELAWARE NATURAL AREAS ADVISORY COUNCIL.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Hughes) voting NO, and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 337 was taken up for consideration on motion of Senator Adams:

SB 337 - AN ACT TO AMEND CHAPTER 33, TITLE 12 OF THE DELAWARE CODE TO PERMIT BANKS OR TRUST COMPANIES AUTHORIZED TO ESTABLISH COMMON FUNDS FOR THE COLLECTIVE INVESTMENT OF FUNDS HELD IN A FIDUCIARY CAPACITY TO ACQUIRE FRACTIONAL INTERESTS OF PARTICIPATION IN SUCH FUNDS WITH PROPERTY OTHER THAN CASH.

The roll call vote on the Bill was taken and 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.

SCR 62 was taken up for consideration on motion of Senator McDowell:

SCR 62 - RELATING TO A UTILITY CONSUMER BILL OF RIGHTS.

SA 1 to the Resolution 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 18 Senators voting YES and 3 (Arnold, Berndt and Knox) NOT VOTING; therefore, the Amendment was declared adopted.

SA 2 to the Resolution which had been placed with the Bill was taken up for consideration on motion of Senator Bair and the roll call vote taken which revealed 18 Senators voting YES and 3 (Arnold, Berndt and Knox) NOT VOTING; therefore, the Amendment was declared adopted.

The roll call vote on SCR 62 w SA 1, 2 was then taken and revealed:

YES: Senators Bair, Citro, Connor, Cook, Holloway, Marshall, Martin, McBride, McDowell, Neal, Sharp, Vaughn - 12.

NO: Senators Adams, Cordrey, Hughes, Knox, Littleton, Zimmerman - 6.

NOT VOTING: Senators Arnold, Berndt, Murphy - 3.

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

SB 339 was temporarily laid on the table on motion of Senator McBride.

SB 340 was temporarily laid on the table on motion of Senator McBride.

SB 125 was taken up for consideration on motion of Senator Connor:

SB 125 - AN ACT TO AMEND CHAPTER 1, TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES; AND PROVIDING CERTAIN RESTRICTIONS ON THE GRANTING OF AUTOMATIC RATE INCREASES.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Connor and the roll call vote taken which revealed:

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn - 18.

NOT VOTING: Senators Arnold and Knox - 2.

ABSENT: Senator Zimmerman - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 125 w SA 1 was then taken and revealed:

YES: Senators Citro, Connor, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Vaughn - 9.

NO: Senators Adams, Bair, Berndt, Cook, Cordrey, Holloway, Hughes, Knox, Murphy, Neal - 10.

NOT VOTING: Senator Arnold - 1.

ABSENT: Senator Zimmerman - 1.

Therefore, the Bill was declared defeated.

SB 339 was lifted from the table for consideration on motion of Senator McBride:

SB 339 - AN ACT TO AMEND CHAPTER 3, TITLE 9 OF THE DELAWARE CODE RELATING TO THE AWARD OF CONTRACTS FOR PUBLIC WORKS.

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

The privilege of the floor was extended to Irene May, Jr., representing New Castle County.

The roll call vote on SB 339 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Martin, McBride, McDowell, Neal, Vaughn - 16.

NO: Senator Sharp - 1.

ABSENT: Senators Connor, Marshall, Murphy, Zimmerman - 4.

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

SB 340 was lifted from the table for consideration on motion of Senator McBride:

SB 340 - AN ACT TO AMEND CHAPTER 69 OF TITLE 29 OF THE DELAWARE CODE RELATING TO PROCUREMENT OF MATERIEL AND AWARD OF CONTRACT FOR PUBLIC WORKS BY STATE AGENCIES AS IT APPLIES TO NEW CASTLE COUNTY.

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

HB 324 w HA 1 was taken up for consideration on motion of Senator Adams who then yielded to Senator Cook to floor manage the Bill:

HB 324 w HA 1 - AN ACT TO AMEND CHAPTER 5, PART 1, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DISPLAY AND DISTRIBUTION OF THE STATE FLAG.

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

SB 341 was taken up for consideration under suspension of the necessary rules on motion of Senator Cordrey:

SB 341 - AN ACT TO AMEND CHAPTER 21, TITLE 6, DELAWARE CODE RELATING TO DELAWARE ANTI-TRUST LAW.

SA 1 to the Bill was introduced by Senator Cordrey and considered for adoption on his motion. The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Cook) voting NO, and 1 (Connor) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 341 w SA 1 was then taken and revealed 19 Senators voting YES, 1 (Cook) voting NO, and 1 (Connor) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HJR 22 was taken up for consideration under suspension of the necessary rules on motion of Senator Holloway:

HJR 22 - PROVIDING FOR THE DEFINITION OF HOSPICE AS RECOMMENDED BY THE HOSPICE TASK FORCE AND REQUEST THE TASK FORCE TO SUBMIT LEGISLATION TO THE 131ST GENERAL ASSEMBLY BEFORE FEBRUARY 1, 1982, SETTING STANDARDS FOR HOSPICE PROGRAMS.

The Resolution was then laid on the table on further motion of the Senator.

SB 361 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Vaughn:

SB 361 - AN ACT TO AMEND CHAPTER 6, TITLE 24 OF THE DELAWARE CODE RELATING TO COSMETOLOGY "INSTRUCTOR" LICENSES.

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

HJR 22 was lifted from the table for consideration on motion of Senator Holloway and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SB 350 was taken up for consideration under suspension of the necessary rules on motion of Senator Cook:

SB 350 - AN ACT AWARDING SPECIAL PENSION BENEFITS TO JEANNETTE V. G. LEGATES, A FORMER STATE EMPLOYEE, AND AUTHORIZING A TRANSFER OF APPROPRIATION INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE.

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

YES: Senators Arnold, Bair, Citro, Connor, Cook, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Vaughn, Zimmerman - 16.

NO: Senators Berndt, Cordrey, Hughes - 3.

NOT VOTING: Senator Sharp - 1.

ABSENT: Senator Adams - 1.

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 Martin:

SB 302 - AN ACT TO AMEND TITLE 14, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A COMMUNITY EDUCATION ACT.

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 Martin.

At 3:08 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:55 p.m., Senator Cordrey presiding.

HB 448 was introduced and assigned to the Finance Committee:

HB 448 - A BOND ACT OF THE STATE OF DELAWARE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE AND HIGHWAY REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY PAYABLE FROM MOTOR FUEL TAX REVENUES, PLEDGING SUCH REVENUES TO THE SUPPORT OF ALL BONDS ISSUED BY THE DELAWARE TRANSPORTATION AUTHORITY, AUTHORIZING THE TRANSFER FROM THE DELAWARE TRANSPORTATION AUTHORITY TO THE STATE GENERAL FUND A SUM EQUAL TO MOTOR FUEL TAX REVENUES LEVIED AT NINE CENTS PER GALLON, CHANGING THE MOTOR FUEL TAX FROM NINE CENTS PER GALLON TO ELEVEN CENTS PER GALLON AND THEN TO A PERCENTAGE OF THE WHOLESALE PRICE, CREATING A ROAD IMPROVEMENT FUND TO FINANCE ROAD IMPROVEMENTS WITH AVAILABLE MOTOR FUEL TAX REVENUES, MAKING NECESSARY CHANGES TO THE STATUTES UNDER WHICH THE DELAWARE TRANSPORTATION AUTHORITY MAY LEVY TOLLS, COLLECT AND DISBURSE INCOME, AND OPERATE ITS SUBSIDIARIES, APPROPRIATING SUMS IN CERTAIN SPECIAL FUND ACCOUNTS AND PLACING CERTAIN CONDITIONS ON THOSE APPROPRIATIONS, AND MAKING CERTAIN ADDITIONAL CHANGES TO THE DELAWARE CODE APPLICABLE TO THE ISSUANCE OF BONDS BY THE STATE AND THE DELAWARE TRANSPORTATION AUTHORITY. Sponsors: Representatives Cathcart, George, Harrington, Minner; Senators Berndt, Cook, Littleton and Martin.

The Secretary announced that a message from the House informed the Senate that it had passed SB 103 w SA 1, HA 1; SB 128; SB 146 w SA 1; SB 169; SB 171; SB 223; SB 224; SB 245 w HA 1; SB 271 w HA 1.

At 5:00 p.m., Lt. Governor Castle presiding.

SB 271 which had previously passed the Senate, was taken up for reconsideration as now further amended by HA 1 on motion of Senator Sharp. The roll call vote on SB 271 w HA 1 was then taken and revealed 20 Senators voting YES and 1 (Marshall) ABSENT; therefore, the Bill was declared passed.

SB 103 w SA 1 which had previously passed the Senate, was taken up for reconsideration as now further amended by HA 1 on motion of Senator Cordrey. The roll call vote on SB 103 w SA 1, HA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed.

SB 245 which had previously passed the Senate, was taken up for reconsideration as now further amended by HA 1 on motion of Senator Berndt. The roll call vote on SB 245 w HA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed.

HCR 75 was taken up and considered for adoption under suspension of the necessary rules on motion of Senator Cordrey who then yielded to Senator Neal to floor manage the Resolution:

HCR 75 - REQUESTING THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO GIVE THEIR FULL SUPPORT TO THE SOLUTION OF THE DISAPPEARANCE OF THE POET, THE SHIP THAT WAS LOST IN AN ATLANTIC STORM ON OCTOBER 25, 1980. Sponsors: Representative Jester and Senator Neal.

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 Adams, the Governor's nomination for appointment of Morris Levenberg was taken up for consideration under suspension of the necessary rules 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 J. Allen Frear was taken up for consideration under suspension of the necessary rules 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 Ruth Graham was taken up for consideration under suspension of the necessary rules 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 Hudson Gruwell was taken up for consideration under suspension of the necessary rules 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 Edward G. Jefferson 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 (Zimmerman) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Herbert Norris 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 (Zimmerman) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of G. Burton Pearson, Jr., was taken up for consideration under suspension of the necessary rules 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 Dr. Jack E. Robinson, D.V.M., was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Hughes, Littleton, Neal - 8.

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

NOT VOTING: Senator Holloway - 1.

ABSENT: Senator Knox - 1.

Therefore, the appointment was declared defeated.

On motion of Senator Adams, the Governor's nomination for appointment of Edward S. Stansky 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 (Knox) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of William W. Brittingham was taken up for consideration under suspension of the necessary rules 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 Russell Thomas Rash was taken up for consideration under suspension of the necessary rules 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 Donna R. Kramer was taken up for consideration under suspension of the necessary rules 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 Barbara Clare Hughes 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 (McDowell) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Dr. Kent S. Price, Jr., was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 18 Senators voting YES and 3 (Cook, Marshall and McDowell) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Frances S. C. Quigley was taken up for consideration under suspension of the necessary rules 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 Andrew A. Williamson was taken up for consideration under suspension of the necessary rules 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 Mayor Alfred Stango was taken up for consideration under suspension of the necessary rules 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 William H. McFadden was taken up for consideration under suspension of the necessary rules 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 Samuel Lenher 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 (Zimmerman) ABSENT; therefore, the appointment was declared confirmed.

At 5:45 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 48th Legislative Day.

48TH LEGISLATIVE DAY
June 30, 1981

The Senate convened at 5:45 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read.

Legislative Advisory #17 received from the Office of the Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation: On June 26, 1981 - HB 71 (Volume 63, Chapter 55, Laws of Delaware), HB 212 w HA 1, SA 1 (Volume 63, Chapter 56, Laws of Delaware), SB 122 w SA 2, HA 2 (Volume 63, Chapter 57, Laws of Delaware; on June 29, 1981 the Governor signed SB 155 (Volume 63, Chapter 58, Laws of Delaware), HB 389 w HA 1, 2, 3, 4 (Volume 63, Chapter 59, Laws of Delaware). The Governor vetoed SB 118 w SA 1 on June 29, 1981.

The Secretary announced that a message from the House informed the Senate that it had passed HB 390 w HA 1; HB 371; HB 337; HB 353 w HA 1 (as amended by HA 1 to HA 1), HA 2; HS 1 for HB 247 w HA 1 and adopted SJR 20; SJR 21; SJR 22; HCR 83; SCR 68.

SR 40 was introduced and considered for adoption on motion of Senator McDowell:

SR 40 - PROVIDING FOR THE ESTABLISHMENT OF AN AD HOC COMMITTEE TO INVESTIGATE METHODS OF IMPROVING THE DELIVERY OF SERVICES TO CHILDREN AND YOUTH IN DELAWARE. Sponsors: Senators McDowell, Vaughn, Marshall, Bair, Connor.

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

SR 41 was introduced and considered for adoption on motion of Senator Neal:

SR 41 - CONGRATULATING JOHN A. MUNROE, PROFESSOR OF HISTORY AT THE UNIVERSITY OF DELAWARE, UPON HIS SELECTION TO RECEIVE THE FRANCIS ALISON AWARD BASED ON HIS ABILITY TO TEACH AMERICAN HISTORY. Sponsors: Senators Neal, Hughes, Littleton, Adams, Martin.

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

The following Committee reports were announced:

From the Labor and Industrial Relations Committee: SB 357 - 5 Merits, 1 Unfavorable; HB 371 - 6 Merits.

SCR 69 was introduced and considered for adoption on motion of Senator Bair:

SCR 69 - REQUESTING THE JOINT SUNSET COMMITTEE TO FOLLOW-UP ITS INVESTIGATION OF BOARDS AND COMMISSIONS. Sponsors: Senators Bair, McDowell, Vaughn, Marshall; Representatives Brady, Smith, Soles, Jonkiet.

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

SB 184 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Martin:

SB 184 - AN ACT TO AMEND THE CITY CHARTER FOR THE CITY OF NEWARK, DELAWARE.

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 20 Senators voting YES and 1 (Cordrey) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 184 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 363 was introduced and laid on the table on motion of Senator Cook:

SB 363 - 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, 1982; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BEING HOUSE SUBSTITUTE NO. 1 FOR HOUSE BILL NO. 250 OF THE 131ST GENERAL ASSEMBLY OF THE STATE OF DELAWARE. Sponsors: Senators Cook, Adams, Berndt, Citro, Cordrey, Holloway, Hughes, Littleton, Murphy, Vaughn, Zimmerman; Representatives Bennett, Brady, Cain, Campanelli, Cordrey, Corrozi, Darling, Derrickson, Fallon, George, Gilligan, Harrington, Holloway, Jonkiert, Minner, Plant, Powell, Roy, Spence.

SB 364 was introduced and laid on the table on motion of Senator Cook:

SB 364 - AN ACT TO AMEND CHAPTER 41, TITLE 9, DELAWARE CODE RELATING TO THE GOVERNMENT OF KENT COUNTY. Sponsors: Senators Cook, Zimmerman, Murphy, Vaughn; Representatives Minner, Bennett, Darling.

SA 1 to SB 364 was introduced by Senator Cook and placed with the Bill.

At 6:10 p.m. on motion of Senator Sharp, the Senate recessed and reconvened at 10:07 p.m., Lt. Governor Castle presiding.

HS 1 for HB 250 was taken up for consideration under suspension of the necessary rules on motion of Senator Cook:

HS 1 for HB 250 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1982; 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 17 Senators voting YES and 4 (Holloway, Littleton, Martin, McBride) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 363 was taken up for consideration under suspension of the necessary rules on motion of Senator Cook:

SB 363 - 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, 1982; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BEING HOUSE SUBSTITUTE NO. 1 FOR HOUSE BILL NO. 250 OF THE 131ST GENERAL ASSEMBLY OF THE STATE OF DELAWARE.

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

SB 67 w SA 1 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1 on motion of Senator Zimmerman. The roll call vote on SB 67 w SA 1, HA 1 was then taken and revealed:

YES: Senators Adams, Citro, Connor, Cordrey, Holloway, Hughes, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 16.

NO: Senators Arnold and Bair - 2.

NOT VOTING: Senator Knox - 1.

ABSENT: Senators Berndt and Cook - 2.

Therefore, the Bill was declared passed.

HB 226 was taken up for consideration on motion of Senator Martin:

HB 226 - AN ACT TO AMEND §151, SUBCHAPTER IV, TITLE 17 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF TRANSPORTATION PARTICIPATING IN CONTRACTS ISSUED BY OTHER GOVERNMENTAL AGENCIES.

The privilege of the floor was extended to Stephen T. Golding (Delaware Department of Transportation) after which 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.

On motion of Senator Cook and without objection, the previous roll call vote on HS 1 for HB 250 was rescinded and a new roll call vote taken which revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 423 was taken up for consideration under suspension of the necessary rules on motion of Senator Cordrey:

HB 423 - AN ACT TO AMEND AN ACT BEING CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT REVISING THE PRIOR CHARTER OF THE CITY OF REHOBOTH BEACH AND ESTABLISHING A NEW CHARTER THEREFOR AND PRESCRIBING THE POWERS AND DUTIES OF THE COMMISSIONERS OF REHOBOTH BEACH" TO INCREASE THE AMOUNT WHICH MAY BE SPENT FOR MATERIALS OR SERVICES WITHOUT REQUIRING COMPETITIVE BIDDING.

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

HB 311 - AN ACT TO AMEND CHAPTER 1, TITLE 17, DELAWARE CODE, RELATING TO THE CREATION OF AN ACCESS TO A STATE-MAINTAINED HIGHWAY.

The privilege of the floor was extended to John T. Davis (Delaware Department of Transportation) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Holloway, Knox, Marshall, Martin, McBride, Neal, Sharp - 14.

NO: Senators Adams, Cordrey, Hughes, Littleton, Murphy, Vaughn, Zimmerman - 7.

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

On motion of Senator Adams SB 150 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 2. The roll call vote on SB 150 w HA 2 was then taken and revealed 20 Senators voting YES and 1 (Hughes) voting NO; therefore, the Bill was declared passed.

HB 312 w HA 1 was taken up for consideration on motion of Senator Martin:

HB 312 w HA 1 - AN ACT TO AMEND CHAPTER 11, TITLE 17 OF THE DELAWARE CODE RELATING TO THE REGULATION OF OUTDOOR ADVERTISING.

The privilege of the floor was extended to John Davis (Delaware Department of Transportation).

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Littleton and the roll call vote taken which revealed:

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Murphy, Vaughn, Zimmerman - 14.

NO: Senators Marshall, Martin, McBride, McDowell, Neal, Sharp - 6.

NOT VOTING: Senator Arnold - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on HB 312 w HA 1, SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Holloway, Hughes, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Vaughn - 17.

NO: Senators Cordrey, Sharp, Zimmerman - 3.

ABSENT: Senator Knox - 1.

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

HB 371 was taken up for consideration on motion of Senator Marshall who yielded to Senator Holloway to floor manage the Bill:

HB 371 - AN ACT TO AMEND CHAPTER 51, TITLE 29, DELAWARE CODE, RELATING TO CONDITIONS OF STATE EMPLOYMENT.

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

HB 20 w HA 1 was taken up for consideration on motion of Senator McDowell:

HB 20 w HA 1 - AN ACT TO AMEND CHAPTER 29, TITLE 24 OF THE DELAWARE CODE RELATING TO CERTIFICATION OF LICENSURE FOR REAL ESTATE SALESPERSONS, AND THE RETENTION ON AN INACTIVE LIST.

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.

HB 318 was taken up for consideration on motion of Senator Zimmerman under suspension of the necessary rules:

HB 318 - AN ACT TO AMEND CHAPTER 63, TITLE 7 OF THE DELAWARE CODE RELATING TO THE MANAGEMENT OF HAZARDOUS WASTES.

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

HB 114 was taken up for consideration on motion of Senator Cook under suspension of the necessary rules:

HB 114 - AN ACT TO AMEND CHAPTER 52, TITLE 29, OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE.

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

SB 360 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Murphy:

SB 360 - AN ACT TO AMEND CHAPTER 39, TITLE 18, OF THE DELAWARE CODE RELATING TO THE CASUALTY INSURANCE CONTRACTS FOR MOTOR VEHICLES.

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

HB 266 w HA 1 was taken up for consideration on motion of Senator Murphy:

HB 266 w HA 1 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO EMERGENCY VEHICLES.

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

HB 252 w HA 1 was taken up for consideration under suspension of the necessary rules on motion of Senator Cook:

HB 252 w HA 1 - AN ACT TO AMEND CHAPTER 13, SUBCHAPTER 1, TITLE 30, DELAWARE CODE RELATING TO THE ESTATE TAX TREATMENT OF SURVIVOR BENEFITS AWARDED BY A STATE OR POLITICAL SUBDIVISION THEREOF.

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 11:55 p.m. on motion of Senator Sharp, the Senate recessed and reconvened at 11:58 p.m.

At 11:58 p.m., June 30, 1981, the 1st Session of the 131st General Assembly adjourned.

SPECIAL SESSION

July 1, 1981

Pursuant to the letter printed below, the Senate convened at 12:01 a.m., Lt. Governor Castle presiding.

**STATE OF DELAWARE
OFFICE OF THE LIEUTENANT GOVERNOR**

**TO: MEMBERS OF THE SENATE AND THE HOUSE OF
REPRESENTATIVES OF THE 131st GENERAL ASSEMBLY**

**FROM: PRESIDENT OF THE SENATE, MICHAEL N. CASTLE
SPEAKER OF THE HOUSE, CHARLES L. HEBNER**

DATE: TUESDAY, JUNE 30TH, 1981, 12 MIDNIGHT

RE: DECLARATION OF SPECIAL SESSION

Pursuant to Article II, Section 4 of the the Constitution of the State of Delaware, you are hereby notified that the House of Representatives and the Senate of the 131st General Assembly of the State of Delaware are recalled into special session on July 1, 1981, at 12:01 a.m.

Michael N. Castle,
President of the Senate
Charles Hebner
Speaker of the House

A Prayer was offered by Senator Arnold.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 21.

The reading of the previous day's Journal was dispensed with on motion of Senator Sharp and without objection.

HB 328 w HA 1 was taken up for consideration on motion of Senator McBride under suspension of the necessary rules:

HB 328 w HA 1 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO SICK LEAVE AND ABSENCES FOR OTHER REASONS.

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.

Senator Holloway marked PRESENT.

On motion of Senator Berndt, the necessary rules were suspended for the introduction and consideration of SJR 23:

SJR 23 - ESTABLISHING A LITTER STUDY COMMITTEE APPOINTED BY THE GOVERNOR TO STUDY ALL ASPECTS OF THE LITTER PROBLEM IN DELAWARE AND THE POTENTIAL BENEFITS AND IMPACT OF VARIOUS ANTI-LITTER PROGRAMS, INCLUDING MANDATORY CONTAINER DEPOSITS. Sponsors: Senators Berndt, Connor, Sharp, Holloway, Littleton Hughes, Citro, Murphy, Zimmerman, Marshall, Bair; Representatives Bennett, Cain, Gilligan, Holloway, Plant, Darling, Mack, Cathcart, Sincok, Buckworth, Powell, VanSciver, Cordrey, West, Oberle.

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.

At 2:17 a.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 2:40 a.m., Senator Berndt presiding.

HB 337 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 337 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO ESCAPES BY PRISONERS FROM THE CUSTODY OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES OR THE DEPARTMENT OF CORRECTIONS.

At 2:42 a.m., Lt. Governor Castle presiding.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Bair and Zimmerman) ABSENT; 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 McDowell under suspension of the necessary rules:

HB 326 - AN ACT TO AMEND TITLE 9, TITLE 14, TITLE 16, TITLE 22, AND TITLE 29 OF THE DELAWARE CODE RELATING TO ACCESS TO PUBLIC LAND BY CERTAIN PUBLIC AGENCIES.

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 215 was taken up for consideration on motion of Senator Cordrey:

HB 215 - AN ACT TO AMEND CHAPTER 23 OF TITLE 10, DELAWARE CODE IN ORDER TO PERMIT THE PROTHONOTARY OF EACH COUNTY TO EARN MAXIMUM INTEREST ON CERTAIN FUNDS BY PURCHASING CERTIFICATES OF DEPOSIT.

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

HB 133 w HA 1 - AN ACT TO AMEND CHAPTER 57, TITLE 29, DELAWARE CODE, RELATING TO SOCIAL SECURITY COVERAGE OF EMPLOYEES OF POLITICAL SUBDIVISIONS.

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 357 was taken up for consideration under suspension of the necessary rules on motion of Senator Holloway:

SB 357 - AN ACT TO AMEND PART I, TITLE 19, DELAWARE CODE, BY ADDING A NEW CHAPTER AUTHORIZING COLLECTIVE BARGAINING BETWEEN LAW ENFORCEMENT OFFICERS AND THEIR PUBLIC EMPLOYERS; PROVIDING FOR ARBITRATION IN ORDER TO SETTLE DISPUTES; AND REQUIRING COMPLIANCE WITH COLLECTIVE BARGAINING AGREEMENT AND FIND OF ABRITRATORS.

The Bill was then laid on the table on further motion of the Senator.

HB 441 w HA 1 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 441 w HA 1 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE WITH REFERENCE TO THE ASSESSMENT AND COLLECTION OF SEWER SERVICE CHARGES IN NEW CASTLE COUNTY, BY ESTABLISHING THE MONITION METHOD OF COLLECTION, INCREASING THE PENALTIES FOR LATE PAYMENT AND PROVIDING FOR A MINIMUM DELINQUENCY AND SHORTENED WAITING PERIOD FOR INSTITUTION OF THE MONITION PROCEDURE.

The privilege of the floor was extended to Michael Hankins, representing New Castle County after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Cook and Cordrey) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 257 w HA 1 was taken up for consideration on motion of Senator Berndt under suspension of the necessary rules:

HB 257 w HA 1 - AN ACT TO AMEND SECTION 7309, CHAPTER 73, TITLE 6 OF THE DELAWARE CODE RELATING TO THE DELAWARE SECURITIES ACT.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Holloway, Littleton, Murphy and Zimmerman) 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 Berndt under suspension of the necessary rules:

HB 258 - AN ACT TO AMEND CHAPTER 73, TITLE 6 OF THE DELAWARE CODE RELATING TO THE DELAWARE SECURITIES ACT.

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

HB 296 was taken up for consideration on motion of Senator Cordrey under suspension of the necessary rules:

HB 296 - AN ACT TO AMEND CHAPTER 26, TITLE 14 OF THE DELAWARE CODE RELATING TO THE POWER OF COUNTY VOCATIONAL SCHOOL DISTRICTS TO LEVY TAXES.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Hughes, Knox, Littleton, Martin, McDowell, Neal, Vaughn, Zimmerman - 15.

NO: Senators Cordrey, McBride, Murphy, Sharp - 4.

NOT VOTING: Senator Marshall - 1.

ABSENT: Senator Holloway - 1.

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

At 3:40 a.m., July 1 on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:09 a.m., July 1, Lt. Governor Castle presiding.

HB 465 was introduced and considered for passage under suspension of the necessary rules on motion of Senator McDowell:

HB 465 - AN ACT TO AMEND CHAPTER 87 OF TITLE II OF THE DELAWARE CODE, REORGANIZING THE DELAWARE CRIMINAL JUSTICE PLANNING COMMISSION AND TRANSFERRING CERTAIN FUNCTIONS AND DUTIES.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Hughes and Sharp) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

At 5:14 a.m., July 1, 1981, the Senate recessed until 2:00 p.m., July 7, 1981.

The Senate reconvened at 2:54 p.m., July 7, 1981, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 268 w SA 1, HA 1; SB 141 w SA 1, HA 1; SB 256 w HA 1; SB 328 w HA 1; SB 330 w HA 1; SB 294 w HA 1.

SB 328 which had previously passed the Senate, was taken up for reconsideration as now further amended by HA 1.

The roll call vote on SB 328 w HA 1 was then taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed.

SB 330 which had previously passed the Senate, was taken up for reconsideration on motion of Senator McDowell as now further amended by HA 1.

The roll call vote on SB 330 w HA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate.

SB 256 which had previously passed the Senate, was taken up for reconsideration as now further amended by HA 1.

The roll call vote on SB 256 w HA 1 was then taken and revealed 20 Senators voting YES and 1 (Holloway) voting NO; therefore, the Bill was declared passed by the Senate.

SB 268 w SA 1 which had previously passed the Senate and now returned from the House further amended by HA 1 was assigned to the Judiciary Committee at the request of the sponsor, Senator Vaughn.

SB 294 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1 on motion of Senator Neal.

The roll call vote on SB 294 w HA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate.

SB 141 w SA 1 which had previously passed the Senate and now returned from the House further amended by HA 1 was laid on the table on motion of the sponsor, Senator Holloway.

HB 411 was lifted from the table and taken up for consideration under suspension of the necessary rules on motion of Senator Cook:

HB 411 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANTS-IN-AID.

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 366 was introduced and taken up for consideration under suspension of the necessary rules on motion of Senator Cook:

SB 366 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANTS-IN-AID. Sponsors: Senator Cook and Representative George.

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 21 Senators voting YES; therefore, the Amendment was declared adopted.

At 3:19 p.m., Lt. Governor Castle presiding.

The roll call vote on SB 366 w SA 1 was then taken; however, the roll call was laid on the table before being announced on motion of Senator Cook.

On motion of Senator Holloway, SB 141 w SA 1 which had previously passed the Senate was taken up for reconsideration, under suspension of the necessary rules, as further amended by HA 1. The roll call vote on SB 141 w SA 1, HA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate.

HB 454 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cook:

HB 454 - AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF SOCIAL SERVICES FOR THE PURPOSE OF AN EMERGENCY CONCERNING MEDICAID FUNDS FOR STATE AND NON-STATE INSTITUTIONS AND TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION TO THE STATE TREASURER FOR THE PURPOSE OF AN EMERGENCY CONCERNING ATTORNEYS' FEES FOR DESEGREGATION LITIGATION. Sponsors: Representatives Sincok and George; Senators Cook and Berndt.

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

At 3:37 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 8:53 p.m., Lt. Governor Castle presiding.

HB 448 was taken up for consideration under suspension of the necessary rules on motion of Senator Cook:

HB 448 - A BOND ACT OF THE STATE OF DELAWARE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE AND HIGHWAY REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY PAYABLE FROM MOTOR FUEL TAX REVENUES, PLEDGING SUCH REVENUES TO THE SUPPORT OF ALL BONDS ISSUED BY THE DELAWARE TRANSPORTATION AUTHORITY, AUTHORIZING THE TRANSFER FROM THE DELAWARE TRANSPORTATION AUTHORITY TO THE STATE GENERAL FUND A SUM EQUAL TO MOTOR FUEL TAX REVENUES LEVIED AT NINE CENTS PER GALLON, CHANGING THE MOTOR FUEL TAX FROM NINE CENTS PER GALLON TO ELEVEN CENTS PER GALLON AND THEN TO A PERCENTAGE OF THE WHOLESALE PRICE, CREATING A ROAD IMPROVEMENT FUND TO FINANCE ROAD IMPROVEMENTS WITH AVAILABLE MOTOR FUEL TAX REVENUES, MAKING NECESSARY CHANGES TO THE STATUTES UNDER WHICH THE DELAWARE TRANSPORTATION AUTHORITY MAY LEVY TOLLS, COLLECT AND DISBURSE INCOME, AND OPERATE ITS SUBSIDIARIES, APPROPRIATING SUMS IN CERTAIN SPECIAL FUND ACCOUNTS AND PLACING CERTAIN CONDITIONS ON THOSE APPROPRIATIONS, AND MAKING CERTAIN ADDITIONAL CHANGES TO THE DELAWARE CODE APPLICABLE TO THE ISSUANCE OF BONDS BY THE STATE AND THE DELAWARE TRANSPORTATION AUTHORITY.

SA 1 to the Bill was taken up for consideration on motion of Senator Cook and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

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

The privilege of the floor was extended to Nathan Hayward, III, Department of Community Affairs and Economic Development.

Senator Connor moved that the Bill be laid on the table. The roll call vote on the motion was taken and revealed:

YES: Senators Citro, Connor, Cordrey, Marshall, McBride, Sharp - 6.

NO: Senators Adams, Arnold, Bair, Berndt, Cook, Hughes, Knox, Littleton, Martin, McDowell, Murphy, Neal, Vaughn, Zimmerman - 14.

ABSENT: Senator Holloway - 1.

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

The roll call vote on HB 448 w SA 1, 2 was then taken; however, the roll call was laid on the table before being announced on motion of Senator Cook.

SCR 70 was introduced and laid on the table on motion of Senator Zimmerman:

SCR 70 - URGING BLUE CROSS AND BLUE SHIELD OF DELAWARE TO CONTINUE TO ACCEPT ASSIGNMENT OF BENEFITS FOR PATIENTS TREATED AT KENT GENERAL HOSPITAL PENDING THE OUTCOME OF LITIGATION. Sponsors: Senators Zimmerman, Murphy, Cook; Representatives Bennett, Harrington.

SB 364 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Cook:

SB 364 - AN ACT TO AMEND CHAPTER 41, TITLE 9, DELAWARE CODE RELATING TO THE GOVERNMENT OF KENT COUNTY.

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 21 Senators voting YES; therefore, the Amendment was declared adopted.

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

The roll call vote on SB 364 w SA 1 was taken up for consideration on motion of Senator Cook and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 12.

NO: Senators Arnold, Citro, Connor, Hughes, Neal - 5.

NOT VOTING: Senators Bair, Berndt, Littleton - 3.

ABSENT: Senator Knox - 1.

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

At 11:05 p.m., July 7, 1981 the Senate recessed on motion of Senator Sharp and reconvened at 12:53 a.m., July 8, 1981.

At 12:54 a.m., July 8, 1981, the Senate recessed to the call of the President Pro Tem on motion of Senator Sharp.

SPECIAL SESSION CALLED BY THE GOVERNOR
July 22, 1981

Pursuant to the PROCLAMATION printed below, the Senate convened for Special Session at 5:44 p.m., July 22, 1981, Lt. Governor Castle presiding:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
July 22, 1981

The Honorable Michael N. Castle
President of the Senate
131st General Assembly of the State of Delaware
Dover, Delaware

Dear Mr. President:

Enclosed please find the proclamation which I have issued on July 21, 1981, calling the 131st General Assembly into Special Session.

After this has been read into the record, would you please return the original to my office for inclusion in the Governor's Register. I am enclosing a copy of the proclamation for your files.

Sincerely,
Pierre S. duPont, IV

Enclosures

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

P R O C L A M A T I O N

I, PIERRE S. du PONT, IV, Governor of the State of Delaware, in accordance with the powers granted to me by Article III, Section 16, of the Constitution of the State of Delaware, do hereby call the 131st General Assembly of the State of Delaware to convene in Special Session, with the Senate of the 131st General Assembly to formally convene on Wednesday, July 22, 1981, at 2:30 p.m., and the House of Representatives of the 131st General Assembly to formally convene on Thursday, July 23, 1981 at 2:30 p.m., for the purpose of acting on emergency legislation concerning the Fiscal Year 1982 Capital Improvement Bond Bill, the 1982 Grants-in-Aid Bill, the 1982 Emergency Appropriations Measure and for the transaction of such other business as may properly come before the General Assembly

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 21st day of July, in the year of our Lord, the One Thousand Nine Hundred and Eighty-First, and of the Independence of the United States of America, the Two Hundred and Fifth.

Pierre S. duPont, Governor
ATTEST:
Glenn C. Kenton, Secretary of State

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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 21.

SR 43 was introduced and considered for adoption on motion of Senator Cook:

SR 43 - EXTENDING CONGRATULATIONS TO HARRIS AND SUNEE MCDOWELL ON THE BIRTH OF THEIR FIRST CHILD, A DAUGHTER. Sponsor: Senator Cook.

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

Senator Cordrey moved that the necessary rules be suspended for the introduction and consideration of SJR 24.

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

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 12.

NO: Senators Bair, Citro, Connor, Hughes, Knox, Neal - 6.

NOT VOTING: Senators Arnold, Berndt, Littleton - 3.

Therefore, the motion prevailed and the Resolution was introduced:

SJR 24 - REVISING THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1981. Sponsors: Senators Cordrey and Cook.

The privilege of the floor was extended to T. Dennis Sullivan (Department of Finance) after which the roll call vote on the Resolution was taken and revealed:

YES: Senators Adams, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 17.

NO: Senators Arnold and Bair - 2.

NOT VOTING: Senators Hughes and Knox - 2.

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

Senator Cordrey moved that the necessary rules be suspended for the introduction and consideration of SJR 25.

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

YES: Senators Adams, Citro, Connor, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 14.

NO: Senators Arnold, Bair, Hughes, Knox, Neal - 5.

NOT VOTING: Senators Berndt and Littleton - 2.

Therefore, the motion prevailed and the Resolution was introduced:

SJR 25 - REVISING THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1982. Sponsors: Senators Cordrey and Cook.

The privilege of the floor was extended to T. Dennis Sullivan (Department of Finance) after which the roll call vote on the Resolution was taken and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 12.

NO: Senators Arnold, Bair, Citro, Connor, Hughes, Knox, Littleton, Neal - 8.

NOT VOTING: Senator Berndt - 1.

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

Senator Cordrey moved that the necessary rules be suspended for the introduction and consideration of SB 370:

SB 370 - AN ACT TO AMEND CHAPTER 80, VOLUME 63, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1982; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS". Sponsors: Senators Cordrey and Cook.

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

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 12.

NO: Senators Arnold, Bair, Citro, Connor, Hughes, Knox, Littleton, Neal - 8.

NOT VOTING: Senator Berndt - 1.

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

Senator Cordrey moved that the necessary rules be suspended for the introduction and consideration of SB 371:

SB 371 - AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF SOCIAL SERVICES FOR THE PURPOSE OF AN EMERGENCY CONCERNING MEDICAID FUNDS FOR STATE AND NON-STATE INSTITUTIONS. Sponsors: Senators Cordrey and Cook.

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.

On motion of Senator McDowell, the necessary rules were suspended for the introduction and consideration of SB 372:

SB 372 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANTS-IN-AID. Sponsor: Senator McDowell.

The privilege of the floor was extended to T. Dennis Sullivan (Department of Finance) after which the roll call vote on the Bill was taken and revealed:

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

NO: Senators Arnold, Bair, Citro, Connor, Hughes, Knox, Sharp - 7.

NOT VOTING: Senators Berndt, Littleton and Neal - 3.

Therefore, the Bill was declared defeated since a 3/4 vote was required for passage.

On motion of Senator Cook, the roll call vote on SB 366 w SA 1 was lifted; however, before being announced, the roll call was again laid on the table on further motion of the Senator.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 409 w HA 1**.

On motion of Senator Cordrey, the necessary rules were suspended for the introduction and consideration of **HB 400 w HA 1**:

HB 400 w HA 1 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE PROVIDING FOR REAPPORTIONMENT OF THE STATE LEGISLATIVE DISTRICTS. Sponsors: Representatives Burris, Hebner, Petrilli; Senators Knox and Arnold.

SA 1 to the Bill was introduced by Senator Cordrey and laid on the table at his request.

SA 2 to the Bill (sponsored by Senators Cordrey, Sharp, McDowell) was introduced and considered for adoption on motion of Senator Cordrey.

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

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 12.

NO: Senators Bair, Berndt, Knox, Neal - 4.

NOT VOTING: Senators Arnold, Citro, Connor, Hughes, Littleton - 5.

Therefore, the Amendment was declared adopted.

SA 3 to the Bill (sponsored by Senators Cordrey, Sharp and McDowell) was introduced and laid on the table on motion of Senator Cordrey.

SA 4 to the Bill (sponsored by Senators Cordrey, Sharp and McDowell) was introduced and considered for adoption on motion of Senator Cordrey.

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

YES: Senators Adams, Cook, Connor, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 14.

NO: Senators Bair and Berndt - 2.

NOT VOTING: Senators Arnold, Hughes, Knox, Littleton, Neal - 5.

Therefore, the Amendment was declared adopted.

SA 5 to the Bill (sponsored by Senators Cordrey, Sharp and McDowell) was introduced and considered for adoption on motion of Senator Cordrey.

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

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 12.

NO: Senators Arnold, Bair, Berndt, Citro, Connor, Hughes, Knox, Littleton, Neal - 9.

Therefore, the Amendment was declared adopted.

The roll call vote on HB 400 w HA 1, SA 2, 4, 5 was then taken and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 12.

NO: Senators Arnold, Bair, Berndt, Citro, Connor, Knox, Neal - 7.

NOT VOTING: Senators Hughes and Littleton - 2.

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

On motion of Senator Cook, the roll call vote on HB 448 w SA 1, 2 was lifted; however, before it was announced, Senator Knox moved that the roll call be rescinded. The Chair ruled that the roll call could be rescinded; however, Senator Cook objected that a roll call which had not yet been announced could not be rescinded and moved that the Chair's ruling be overridden. The roll call vote to override the Chair's ruling on rescinding the roll call on the Bill was then taken and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 12.

NO: Senators Arnold, Bair, Berndt, Citro, Connor, Hughes, Knox, Littleton, Neal - 9.

Therefore, the motion prevailed and the roll call vote on the Bill was again laid on the table on further motion of Senator Cook.

The privilege of the floor was extended to Nathan Hayward (Department of Community Affairs and Economic Development) to speak on HB 448 w SA 1, 2.

SCR 71 was introduced and considered for adoption on motion of Senator Zimmerman:

SCR 71 - EXPRESSING THE RESOLVE OF THE GENERAL ASSEMBLY THAT HEALTH CARE INSURERS HONOR ASSIGNMENTS OF BENEFITS BY THEIR INSUREDS TO HOSPITALS IN PAYMENT FOR HEALTH CARE SERVICES RENDERED BY THE HOSPITALS. Sponsors: Senators Zimmerman, Murphy and Cook; Representatives Bennett and Harrington.

The privilege of the floor was extended to William E. Kirk, III, representing Blue Cross/Blue Shield after which the roll call vote on the Resolution was taken and revealed:

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

NO: Senators Connor, Knox, Neal - 3.

NOT VOTING: Senators Arnold, Bair, Berndt, Citro, Hughes, Littleton - 6.

ABSENT: Senator Sharp - 1.

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

At 8:32 p.m. the Special Session called by the Governor adjourned on motion of Senator Cordrey.

At 8:32 p.m., July 22, 1981, the Special Session which was convened on July 1 reconvened, Lt. Governor Castle presiding.

SR 42 was introduced and considered for adoption on motion of Senator Holloway:

SR 42 - COMMENDING DR. BARBARA B. ROSE, DIRECTOR OF THE DIVISION OF PUBLIC HEALTH, FOR HER MANY YEARS OF SERVICE TO THE CITIZENS OF DELAWARE. Sponsors: Senators Holloway, Hughes, Littleton, Knox, Vaughn.

The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Zimmerman) NOT VOTING; therefore, the Resolution was declared adopted.

At 8:40 p.m. the Special Session recessed to the call of the President Pro Tem on motion of Senator Cordrey.

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SPECIAL SESSION CALLED BY THE GOVERNOR JULY 23, 1981

Pursuant to the PROCLAMATION printed below, the Senate convened at 11:53 p.m., July 23, 1981, Lt. Governor Castle presiding:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
PROCLAMATION

I, PIERRE S. du PONT, IV, Governor of the State of Delaware, in accordance with the powers granted to me by Article III, Section 16, of the Constitution of the State of Delaware, do hereby call the 131st General Assembly of the State of Delaware to convene in Special Session on Thursday, July 23, 1981 at 2:00 p.m., for the purpose of acting on emergency legislation concerning the Fiscal Year 1982 Capital Improvement Bond Bill, the 1982 Grants-in-Aid Bill, the 1982 Emergency Appropriations Measure and for the transaction of such other business as may properly come before the General Assembly.

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 22nd day of July, in the year of our Lord, the One Thousand Nine Hundred and Eighty-First, and of the Independence of the United States of America, the Two Hundred and Fifth.

Pierre S. duPont, Governor

ATTEST:

Bruce M. Tobey, Assistant Secretary of State

* * * * *

A Prayer was offered by Senator Littleton.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 21.

* * * * *

At 11:56 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 7:20 a.m., July 24, 1981, Lt. Governor Castle presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 400 w HA 1, 2, SA 2, 4, 5; SB 371 and adopted SJR 24.

On motion of Senator Cordrey, HB 400 w HA 1, SA 2, 4, 5 which had previously passed the Senate was taken up for reconsideration as further amended by HA 2. The roll call vote on HB 400 w HA 1, 2, SA 2, 4, 5 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 18.

NO: Senators Berndt, Hughes and Neal - 3.

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

The following letter from the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
July 22, 1981

The Honorable Michael N. Castle
President of the Senate
131st General Assembly of the State of Delaware
Dover, Delaware

Dear Mr. President:

This is to acknowledge receipt of Senate Resolution No. 38 which requests the Governor and the Delaware Congressional delegation to support the retention of categorical programs for school districts in Delaware.

I assure the members of the Senate that the Department of Public Instruction and my office are carefully monitoring the status of federal legislation which would affect Title I programs in the State, and I am sensitive to the concerns of the Title I Parents Advisory Council at Corpus Christi School.

Sincerely,
Pierre S. duPont, IV

cc: Patricia Turtoro, Corpus Christi School

* * * * *

On motion of Senator Cook, and without objection, the roll call vote on HB 448 w SA 1, 2 was lifted from the table and rescinded.

HB 448 w SA 1, 2 was then taken up for consideration on motion of Senator Cook.

SA 3 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:

YES: Senators Adams, Bair, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 18.

NO: Senators Berndt and McBride - 2.

ABSENT: Arnold - 1.

Therefore, the Amendment was declared adopted.

SA 4 to the Bill was introduced by Senator Cook and considered for adoption. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

SA 5 to the Bill was introduced by Senator Berndt and laid on the table at his request.

SA 6 to the Bill was introduced by Senator Knox and immediately stricken at his request.

The roll call vote on HB 448 w SA 1, 2, 3, 4 was then taken; however, the roll call was laid on the table before being announced on motion of Senator Knox.

The roll call vote on HB 448 w SA 1, 2, 3, 4 was then lifted on motion of Senator Cordrey and announced:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Holloway, Hughes, Knox, Littleton, Martin, McBride, Murphy, Neal, Vaughn, Zimmerman - 16.

NO: Senators Adams, Cordrey, Marshall, McDowell, Sharp - 5.

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

On motion of Senator Cordrey, the necessary rules were suspended for the introduction and consideration of SB 375:

SB 375 - AN ACT TO AMEND CHAPTER 80, VOLUME 63, 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, 1982; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS." Sponsor: Senator Cordrey.

SA 1 to the Bill was introduced by Senator Cordrey and considered for adoption. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 375 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.

On motion of Senator Sharp, SB 372 which had been defeated for passage was restored to the Calendar. The Bill was then taken up for reconsideration on motion of Senator Sharp and the roll call vote taken; however, the roll call was laid on the table before being announced on motion of Senator Sharp.

On motion of Senator Cook, the roll call on SB 366 w SA 1 was lifted from the table; however, the roll call was again laid on the table before being announced on further motion of the Senator.

The following legislation was introduced:

SB 374 - A BOND ACT OF THE STATE OF DELAWARE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE OF DELAWARE AND APPROPRIATING THE PROCEEDS OF THOSE BONDS TO THE DEPARTMENT OF TRANSPORTATION TO MATCH ANTICIPATED FEDERAL HIGHWAY FUNDS. Sponsor: Senator Berndt. Assigned to Finance Committee.

SB 373 - AN ACT TO AMEND CHAPTER 80, VOLUME 63, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1982; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS" AND TO PROVIDE FOR THE ADJUSTMENT OF THE FORMULA FOR PUBLIC SCHOOL BUS CONTRACTORS, AND PROVIDING FUNDS THEREFOR. Sponsors: Senators Murphy, Sharp, Holloway, Littleton; Representatives Minner, Fallon, Plant, West, Roy, Spence, Buckworth, Oberle, Campanelli, Corrozi, Holloway. Assigned to Finance Committee.

At 8:00 a.m., July 24, 1981, the Senate recessed for Party Caucus and reconvened at 10:18 a.m., July 24, 1981, Senator Cordrey presiding.

On motion of Senator McDowell, the necessary rules were suspended for the introduction and consideration of SS 1 for SB 372:

SS 1 for SB 372: AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANTS-IN-AID. Sponsors: Senators McDowell and Arnold; Representatives Petrilli and Cain.

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

YES: Senators Adams, Arnold, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Vaughn, Zimmerman - 17.

NO: Senators Neal and Sharp - 2.

ABSENT: Senator Bair and Berndt - 2.

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

At 10:21 a.m., July 24, 1981, the Special Session called by the Governor was adjourned.

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At 10:21 a.m., July 24, 1981, the Special Session which had been convened on July 1, 1981 reconvened and immediately recessed to the call of the President Pro Tempore on motion of Senator Sharp.

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SPECIAL SESSION CALLED BY THE GOVERNOR OCTOBER 1, 1981

Pursuant to the following PROCLAMATION, the Senate convened at 5:02 p.m., Lt. Governor Castle presiding:

STATE OF DELAWARE EXECUTIVE DEPARTMENT DOVER PROCLAMATION

I, PIERRE S. duPONT, IV, Governor of the State of Delaware, in accordance with the powers granted to me by Article III, Section 16, of the Constitution of the State of Delaware, do hereby call the 131st General Assembly of the State of Delaware to convene in Special Session on Thursday, October 1, 1981, at 1:00 p.m. for the purpose of acting on legislation authorizing the sale of the State's interest in the Farmer's Bank and dealing with other matters related thereto; legislation which provides for the reorganization of agencies of the executive branch responsible for economic development in the State; House Bill No. 418 dealing with unemployment compensation; legislation providing for the apportionment of the Kent County Levy Court Districts; legislation making technical amendments to House Bill No. 400, as amended, which provides for the reapportionment of State Legislative Districts; and for the transaction of such other business as may properly come before the General Assembly.

IN WITNESS WHEREOF, I, PIERRE S. duPONT, 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 22nd Day of September, in the Year of our Lord, the One Thousand Nine Hundred and Eighty-First, and of the Independence of the United States of America, the Two Hundred and Sixth.

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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 21.

SR 45 was introduced by Senator Holloway and considered for adoption on his motion:

SR 45 - COMMENDING THE DELAWARE LEAGUE FOR PLANNED PARENTHOOD FOR SERVICES TO THOUSANDS OF WOMEN AS THE ORGANIZATION OBSERVES ITS 50TH BIRTHDAY. Sponsor: Senator Holloway.

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

SR 46 was introduced by Senator Holloway and considered for adoption on his motion:
SR 46 - CREATING A SENATE COMMITTEE TO EXAMINE THE OPERATIONS OF THE DELAWARE STATE LOTTERY. Sponsor: Senator Holloway.

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

YES: Senators Adams, Arnold, Bair, Berndt, Cook, Cordrey, Holloway, Hughes, Knox, Martin, McDowell, Murphy, Neal, Sharp, Vaughn - 15.

NO: Senators Citro, Connor, Littleton, Marshall, McBride, Zimmerman - 6.

Therefore, the Resolution was declared adopted.

SCR 74 was introduced and considered for adoption on motion of Senator Zimmerman:

SCR 74 - URGING THE NEMOURS FOUNDATION INC. TO OPEN ONE OR MORE DOWNSIDE OFFICES TO DISPENSE DENTURES, EYEGLASSES, AND PHARMACEUTICAL ASSISTANCE TO NEEDY SENIOR CITIZENS. Sponsors: Senators Zimmerman, Cordrey, Adams, Murphy, Vaughn, Cook, Littleton; Representatives Bennett, Riddagh, Buckworth, Minner, Barnes, Cordrey, Fallon, Burris, Harrington, Darling, Derrickson, West.

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.

SCR 73 was introduced and considered for adoption on motion of Senator Cook:

SCR 73 - MOURNING THE DEATH OF GEORGE H. EXLEY, OF HARRINGTON, A FORMER MEMBER OF THE HOUSE OF REPRESENTATIVES. Sponsors: Senator Cook; Representatives Darling and Bennett.

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.

The Secretary announced that a message from the House informed the Senate that it had passed HB 480.

HB 480 was introduced:

HB 480 - AN ACT TO AUTHORIZE AND APPROVE THE STATE'S PROPOSED SALE OF ITS PREFERRED AND COMMON STOCK IN THE FARMERS BANK OF THE STATE OF DELAWARE, AND TO PROVIDE FOR THE USE OF THE FUNDS FROM SUCH SALE AND TO AMEND TITLE 5 OF THE DELAWARE CODE TO PROVIDE FOR THE CONSIDERATION FOR SHARES IN BANK MERGERS AND TO PROVIDE FOR THE ACQUISITION BY OUT-OF-STATE BANK HOLDING COMPANIES OF STOCK, ASSETS AND INTERESTS IN BANKS LOCATED IN DELAWARE TO WHICH THE STATE HAS PROVIDED FINANCIAL ASSISTANCE RESULTING IN THE STATE OBTAINING STOCK IN THE BANK. Sponsors: Representative Powell, Senator Cordrey; Representatives Burris, Petrilli, Spence, Bennett, George, Harrington, Maroney, Fallon, Derrickson, Hebner, Buckworth, Edwards, McKay, Sincoc, Brady, Barnes, Corrozi, Roy, Anderson, Dixon; Senators Adams, Littleton, Citro, Arnold, Bair, Berndt, Connor, Knox.

The Bill was taken up for consideration under suspension of the necessary rules on motion of Senator Cordrey.

SA 1 to the Bill was introduced by Senator Holloway and laid on the table at his request.

The roll call vote on HB 480 was then taken and revealed 20 Senators voting YES and 1 (Murphy) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 418 w HA 1 was taken up for consideration under suspension of the necessary rules on motion of Senator Marshall:

HB 418 w HA 1 - AN ACT TO AMEND TITLE 19, DELAWARE CODE, RELATING TO UNEMPLOYMENT COMPENSATION.

The privilege of the floor was extended to Dennis C. Carey (representing the State of Delaware) and Samuel E. Houes (representing the Delaware Department of Labor) after which 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.

On motion of Senator Vaughn, SB 268 w SA 1 which had previously passed the Senate, was taken up for reconsideration as now further amended by HA 1.

SA 2 to the Bill which had been placed with the Bill was stricken on motion of the sponsor, Senator Holloway.

SA 3 to the Bill was introduced by Senator Vaughn 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 roll call vote on SB 268 w SA 1, 3; HA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of SA 3.

The Secretary announced that a message from the House informed the Senate that it had passed HB 483.

HB 483 was introduced:

HB 483 - AN ACT AMENDING 31 DELAWARE CODE §505 TO CLARIFY THAT THE PURPOSE OF SECTION 505 IS TO ALLOW PROVISION OF CERTAIN WELFARE SERVICES BY THE STATE RATHER THAN MANDATE THE PROVISION OF SUCH SERVICES. Sponsors: Representative Sincoc and Senator Cook.

The Bill was considered for passage under suspension of the necessary rules on motion of Senator Cook and the roll call vote taken which revealed 18 Senators voting YES and 3 (Holloway, McDowell and Zimmerman) voting NO; 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 HB 481 and adopted HCR 85; HCR 86; HCR 87; HCR 89; HCR 90.

On motion of Senator Cordrey, the necessary rules were suspended for the introduction and consideration of HB 481:

HB 481 - AN ACT TO AMEND CHAPTER 29, TITLE 14 OF THE DELAWARE CODE TO EXPAND THE GROUP OF INDIVIDUALS AND BUSINESSES TO WHOM EXPIRING TRANSPORTATION CONTRACTS SHALL BE OPEN TO AND TO PERMIT AND REGULATE THE TRANSFER OF TRANSPORTATION CONTRACTS. Sponsor: Representative Minner.

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.

HCR 90 was introduced and considered for adoption on motion of Senator Sharp:

HCR 90 - COMMENDING MILL CREEK VOLUNTEER FIRE COMPANY ON WINNING THE GOVERNOR'S CUP FOR THE FOURTH CONSECUTIVE YEAR. Sponsors: Representatives Gilligan, Roy, Powell, Spence, McKay, Petrilli; Senators Arnold, Sharp, Martin, Knox.

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

HCR 86 - CONGRATULATING THE GEORGETOWN SENIOR LITTLE LEAGUE TEAM ON WINNING THE WORLD SERIES AND BRINGING THE CHAMPIONSHIP BACK TO THE UNITED STATES FOR THE FIRST TIME IN TEN YEARS. Sponsors: Representatives Barnes, West, Corozzi, Ennis, Sinecock, Derrickson; Senators Adams and Cordrey.

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

HCR 85 - MOURNING THE DEATH OF NANCY T. STOKES, OF GEORGETOWN, AN ADVOCATE OF PARTICIPATION IN PUBLIC AFFAIRS. Sponsors: Representatives Barnes, Smith; Senators Adams and Cordrey.

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

HCR 89 was introduced and considered for adoption on motion of Senator Adams:

HCR 89 - MOURNING THE DEATH OF VICTOR R. ADAMS, OF BRIDGEVILLE, A MEMBER OF THE FORMER SUSSEX COUNTY LEVY COURT AND A TROUBADOUR OF THE FIRST STATE. Sponsors: Representatives Barnes and Burris; Senator Adams.

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.

At the request of Senator Sharp, SB 308 which had been assigned to Health-Social Services/Aging Committee was reassigned to the Insurance and Elections Committee.

At 6:20 p.m. on motion of Senator Sharp, the Senate recessed for dinner and reconvened at 10:15 p.m., Lt. Governor Castle presiding.

The following communications were read at the request of Senator Cordrey:

SENATE
STATE OF DELAWARE
DOVER
July 26, 1981

TO THE MEMBERS OF THE SENATE, 131ST GENERAL ASSEMBLY, STATE OF DELAWARE:

Pursuant to the provisions of Senate Resolution No. 40, I hereby appoint the following members of the Senate to serve on the special committee to investigate methods of improving the efficiency and effectiveness of the delivery of services to children and youth in the State of Delaware: Senator Harris B. McDowell, III, Chairman; Senator James T. Vaughn; Senator Robert I. Marshall; Senator Myrna Bair; Senator Robert T. Connor.

Sincerely yours,
Richard S. Cordrey,
President pro Tempore

STATE OF DELAWARE
DOVER
October 1, 1981

TO: The Members of the 131st General Assembly
FROM: Senator Richard S. Cordrey, President pro Tempore
SUBJECT: Appointment

As per the power invested in me according to Senate Resolution No. 46, I hereby appoint the following as members of the special Senate Lottery Committee: Senator Herman M. Holloway, Senator Jacob W. Zimmerman, Senator Thurman Adams, Jr., Senator Robert J. Berndt, Senator Charles E. Hughes

HB 484 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cordrey:

HB 484 - AN ACT TO AMEND CHAPTER 8, TITLE 29 OF THE DELAWARE CODE RELATING TO THE REAPPORTIONMENT OF THE STATE LEGISLATIVE DISTRICTS. Sponsors: Representatives Burris, Hebner, Petrilli, George, Cain; Senators Cordrey, Sharp, McDowell, Knox and Arnold.

The privilege of the floor was extended to Michael Purzycki (Senate Attorney) after which the Bill was laid on the table on further motion of Senator Cordrey.

SB 381 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cordrey:

SB 381 - 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, 1982; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BEING HOUSE SUBSTITUTE NO. 1 FOR HOUSE BILL NO. 250 OF THE 131ST GENERAL ASSEMBLY OF THE STATE OF DELAWARE, CHAPTER 80, OF VOLUME 63, DELAWARE LAWS. Sponsors: Senators Cordrey, Citro; Representatives Sincock, Powell, Derrickson, Dixon, Anderson, George.

The privilege of the floor was extended to Tom Carper (State Treasurer) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Sharp) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 484 was lifted from the table for consideration on motion of Senator Cordrey and the roll call vote taken which revealed 20 Senators voting YES and 1 (Hughes) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 382 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Marshall:

SB 382 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANT-IN-AID. Sponsors: Senator Marshall and Representative Jonkiert.

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

YES: Senators Adams, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Vaughn, Zimmerman - 16.

NO: Senators Arnold, Bair, Neal - 3.

NOT VOTING: Senators Knox and Sharp - 2.

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 passed HB 482.

HB 482 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Connor:

HB 482 - AN ACT TO AMEND AN ACT ENTITLED "A BOND ACT OF THE STATE OF DELAWARE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE AND HIGHWAY REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY PAYABLE FROM MOTOR FUEL TAX REVENUES, PLEDGING SUCH REVENUES TO THE SUPPORT OF ALL BONDS ISSUED BY THE DELAWARE TRANSPORTATION AUTHORITY, AUTHORIZING THE TRANSFER FROM THE DELAWARE TRANSPORTATION AUTHORITY TO THE STATE GENERAL FUND A SUM EQUAL TO MOTOR FUEL TAX REVENUES LEVIED AT NINE CENTS PER GALLON, CHANGING THE MOTOR FUEL TAX FROM NINE CENTS PER GALLON TO ELEVEN CENTS PER GALLON AND THEN TO A PERCENTAGE OF THE WHOLESALE PRICE, CREATING A ROAD IMPROVEMENT FUND TO FINANCE ROAD IMPROVEMENTS WITH AVAILABLE MOTOR FUEL TAX REVENUES, MAKING NECESSARY CHANGES TO THE STATUTES UNDER WHICH THE DELAWARE TRANSPORTATION AUTHORITY MAY LEVY TOLLS, COLLECT AND DISBURSE INCOME, AND OPERATE ITS SUBSIDIARIES, APPROPRIATING SUMS IN CERTAIN SPECIAL FUND ACCOUNTS AND PLACING CERTAIN CONDITIONS ON THOSE APPROPRIATIONS, AND MAKING CERTAIN ADDITIONAL CHANGES TO THE DELAWARE CODE APPLICABLE TO THE ISSUANCE OF BONDS BY THE STATE AND THE DELAWARE TRANSPORTATION AUTHORITY," BEING HOUSE BILL NO. 448, AS AMENDED, OF THE 131ST GENERAL ASSEMBLY OF THE STATE OF DELAWARE TO PROVIDE FOR DIFFERENT MATCHING CONDITIONS WITH RESPECT TO IMPROVEMENTS TO THE NEW CASTLE TOWN WHARF. Sponsors: Representatives Mack, Dixon, Cathcart; Senator Connor.

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 383 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Sharp:

SB 383 - AN ACT TO AMEND CHAPTER 180, VOLUME 63, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT TO AMEND CHAPTER 80, VOLUME 63, 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, 1982; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.'" Sponsors: Senators Sharp, McBride, McDowell; Representatives George and Cain.

The privilege of the floor was extended to Duane Olsen (Controller General) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Arnold) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 250 was taken up for consideration under suspension of the necessary rules on motion of Senator Cordrey:

SB 250 - AN ACT TO AMEND TITLE 29, OF THE DELAWARE CODE BY ESTABLISHING A NEW CHAPTER 50 AND REDESIGNATING THE DIVISION OF ECONOMIC DEVELOPMENT AS THE OFFICE OF ECONOMIC DEVELOPMENT DIRECTLY RESPONSIBLE TO THE GOVERNOR, AND AMEND TITLE 29, CHAPTER 86, TRANSFERRING ALL DUTIES AND FUNCTIONS OF THE DIVISION OF ECONOMIC DEVELOPMENT TO THE OFFICE OF ECONOMIC DEVELOPMENT AND ALL DUTIES AND RESPONSIBILITIES OF THE SECRETARY OF THE DEPARTMENT OF COMMUNITY AFFAIRS AND ECONOMIC DEVELOPMENT TO THE DIRECTOR OF THE OFFICE OF ECONOMIC DEVELOPMENT AND TO AMEND TITLE 29, CHAPTER 86, ABOLISHING SUBCHAPTER II, STATE DEVELOPMENT.

The Bill was then laid on the table on further motion of Senator Cordrey.

At 11:09 p.m. on motion of Senator Cordrey the Senate recessed for Party Caucus and reconvened at 11:21 p.m., Senator Sharp presiding.

At 11:22 p.m., October 1, 1981, on motion of Senator Cordrey, the Special Session called by the Governor on October 1 adjourned.

SPECIAL SESSION CALLED BY THE GOVERNOR OCTOBER 9, 1981

Pursuant to the following Proclamation, the Senate convened at 2:40 p.m., Senator Sharp presiding.

STATE OF DELAWARE EXECUTIVE DEPARTMENT DOVER PROCLAMATION

I, PIERRE S. duPONT, IV, Governor of the State of Delaware, in accordance with the powers granted to me by Article III, Section 16, of the Constitution of the State of Delaware do hereby call the 131st General Assembly of the State of Delaware to convene in Special Session on Friday, October 9, 1981, at 1:00 p.m. for the purpose of acting on Senate Substitute No. 1 for Senate Bill No. 250, together with Senate Bill 368, providing for the reorganization of agencies of the executive branch responsible for economic development in the State; Senate Bill No. 383, providing additional contingency funds to each county election department to cover expenses incident to reapportionment; and Senate Bill No. 364, providing for the apportionment of the Kent County Levy Court Districts.

IN WITNESS WHEREOF, I, PIERRE S. duPONT, 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 5th day of October, in the Year of our Lord, the One Thousand Nine Hundred and Eighty-First, and of the Independence of the United States of America, the Two Hundred and Sixth.

Pierre S. duPont, Governor

ATTEST:

Bruce M. Tobey, Assistant Secretary of State

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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn - 19.

ABSENT: Senators Hughes and Zimmerman - 2.

SCR 77 was introduced and considered for adoption on motion of Senator Marshall:

SCR 77 - COMMEMORATING THE 202ND ANNIVERSARY OF THE DEATH OF REVOLUTIONARY WAR HERO CASIMIR PULASKI AND URGING THE STATE TO HONOR THE HERO AT THE PULASKI DAY PARADE IN WILMINGTON ON OCTOBER 11, 1981. Sponsors: Senator Marshall; Representative Jonkiert.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Hughes, Martin and Zimmerman) 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 HCR 87.

HCR 87 was introduced and considered for adoption on motion of Senator Adams:

HCR 87 - MARKING OCTOBER 7, 1981, AS NATIONAL GUARD DAY TO HONOR THESE CITIZEN-SOLDIERS UPON WHOM WE DEPEND IN OUR EMERGENCIES. Sponsor: Representative Barnes.

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

Senator Martin marked PRESENT.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 91, SCR 73 and SCR 74.

HCR 91 was introduced and considered for adoption on motion of Senator Cook:

HCR 91 - MOURNING THE DEATH OF ANDREW F. EVERETT, OF DOWNES CHAPEL, A MEMBER OF THE HOUSE OF REPRESENTATIVES IN THE 110TH GENERAL ASSEMBLY. Sponsors: Representative Riddagh and Senator Cook.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Hughes, Marshall and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SR 47 was introduced and considered for adoption on motion of Senator Vaughn:

SR 47 - COMMENDING MR. CHARLES T. OUTTEN, CHIEF OF ADMINISTRATION, DEPARTMENT OF CORRECTIONS, FOR HIS OUTSTANDING WORK IN DEVELOPING AND MAINTAINING FISCAL CONTROL WITHIN THE DEPARTMENT. Sponsors: Senators Vaughn and Sharp.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Hughes and Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

SCR 76 was introduced and considered for adoption on motion of Senator Marshall:

SCR 76 - COMMENDING THE "AID TO POLAND" DRIVE AND URGING DELAWAREANS TO PARTICIPATE. Sponsors: Senator Marshall and Representative Jonkiert.

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

SS 1 for SB 250 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cordrey:

SS 1 for SB 250 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE BY ESTABLISHING A NEW CHAPTER 50 AND REDESIGNATING THE DIVISION OF ECONOMIC DEVELOPMENT AS THE OFFICE OF ECONOMIC DEVELOPMENT DIRECTLY RESPONSIBLE TO THE GOVERNOR, AND AMEND TITLE 29, CHAPTER 86, TRANSFERRING ALL DUTIES AND FUNCTIONS OF THE DIVISION OF ECONOMIC DEVELOPMENT TO THE OFFICE OF ECONOMIC DEVELOPMENT AND ALL DUTIES AND RESPONSIBILITIES OF THE SECRETARY OF THE DEPARTMENT OF COMMUNITY AFFAIRS AND ECONOMIC DEVELOPMENT TO THE DIRECTOR OF THE OFFICE OF ECONOMIC DEVELOPMENT AND TO AMEND TITLE 29, CHAPTER 86, ABOLISHING SUBCHAPTER II, STATE DEVELOPMENT. Sponsor: Senator Cordrey.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Nathan Hayward, III (Acting Secretary of the Department of Community Affairs and Economic Development).

SA 1 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Bair.

SA 2 to the Bill was introduced and considered for adoption on motion of Senator Cordrey.

The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Hughes and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

SA 3 to the Bill was introduced and considered for adoption on motion of Senator Cordrey.

The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Hughes and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

SA 4 to the Bill was introduced by Senator McBride and laid on the table on his motion.

The roll call vote on SS 1 for SB 250 w SA 2, 3 was then taken and revealed 19 Senators voting YES and 2 (Hughes and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 368 was taken up for consideration under suspension of the necessary rules on motion of Senator Cordrey:

SB 368 - AN ACT AMENDING TITLES 7, 14, 16, AND 29 OF THE DELAWARE CODE BY TRANSFERRING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL RESPONSIBILITY FOR THE ADMINISTRATION OF THE STATE'S COASTAL ZONE ACT AND COASTAL MANAGEMENT PROGRAM, TRANSFERRING TO THE BUDGET OFFICE RESPONSIBILITY FOR PROVIDING SUPPORT TO THE DELAWARE STATE CLEARINGHOUSE COMMITTEE, CREATING A CABINET COMMITTEE ON STATE PLANNING ISSUES AND AN ADVISORY PANEL ON INTERGOVERNMENTAL PLANNING AND COORDINATION, AMENDING AN ACT ENTITLED, "AN ACT MAKING APPROPRIATION FOR THE EXPENSE OF THE STATE

GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1982; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS," BEING HOUSE SUBSTITUTE NO. 1 FOR HOUSE BILL NO. 250 OF THE 131ST GENERAL ASSEMBLY OF THE STATE OF DELAWARE, AND MAKING OTHER NECESSARY CONFORMING AMENDMENTS TO THE LAWS OF DELAWARE AND THE DELAWARE CODE.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Nathan Hayward, III (Acting Secretary of the Department of Community Affairs and Economic Development).

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Bair and the roll call vote taken which revealed 19 Senators voting YES and 2 (Hughes and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

SA 2 to the Bill was introduced by Senator Cordrey and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Hughes and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 368 w SA 1, 2 was then taken and revealed 19 Senators voting YES and 2 (Hughes and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 4:26 p.m. on motion of Senator Cordrey, the Senate recessed and reconvened at 5:13 p.m., Senator Sharp presiding.

SR 48 was introduced by Senator Holloway and considered for adoption on his motion:

SR 48 - COMMENDING MARVIN S. GILMAN, GRADUATE ECONOMIST AND ATTORNEY, FOR HIS UNTIRING WORK WITH THE NATIONAL HOUSING CONFERENCE, A NON PARTISAL CITIZENS ORGANIZATION WORKING FOR BETTER HOUSING AND COMMUNITY DEVELOPMENT FOR ALL AMERICANS. Sponsor: Senator Holloway.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Hughes, Littleton and Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

The Secretary announced that a message from the House informed the Senate that it had passed SB 364 w SA 1, HA 4.

On motion of Senator Cook, SB 364 w SA 1 which had previously passed the Senate was taken up for reconsideration as further amended by HA 4.

The roll call vote on SB 364 w SA 1, HA 4 was then taken and revealed 19 Senators voting YES and 2 (Hughes and Zimmerman) ABSENT; therefore, the Bill was declared passed.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 93, HCR 94, SCR 76 and SCR 77.

HCR 94 was introduced and considered for adoption on motion of Senator Citro:

HCR 94 - COMMEMORATING THE HISTORIC LANDING OF CHRISTOPHER COLUMBUS ON OCTOBER 12, 1492, THE EVENT WHICH LED TO THE DEVELOPMENT OF THE AMERICAS. Sponsors: Representatives Corrozi, Campanelli, George, Petrilli; Senator Citro.

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

HCR 93 was introduced and considered for adoption on motion of Senator Cordrey:

HCR 93 - EXPRESSING OUR SHOCK AT THE ASSASSINATION OF ANWAR SADAT, FOR 11 YEARS PRESIDENT OF EGYPT, ON OCTOBER 6, 1981. Sponsors: Representatives Petrilli and Hebner.

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

At 5:23 p.m. on motion of Senator Cordrey, the Special Session called by the Governor adjourned.

EXECUTIVE SESSION CALLED BY THE GOVERNOR
December 17, 1981

Pursuant to the Proclamation printed below, the Senate convened at 3:55 p.m., December 17, 1981, Lt. Governor Castle presiding.

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

PROCLAMATION

I, PIERRE S. duPONT, IV, Governor of the State of Delaware, in accordance with the powers granted to me by Article III, Section 16, of the Constitution of the State of Delaware, do hereby call the Senate of the 131st General Assembly into Executive Session to convene on Thursday, December 17, 1981, at 3:30 p.m., for the purpose of confirming officers appointed by the Governor.

IN WITNESS WHEREOF, I PIERRE S. duPONT, IV, Governor of the State of Delaware, have hereunto set my Hand caused the Great Seal of the said State to be hereunto affixed at Dover this 3rd day of December, in the Year of our Lord One Thousand Nine Hundred and Eighty-one, and of the Independence of the United States of America, the Two Hundred and Sixth.

Pierre S. duPont, Governor

ATTEST:

Glenn C. Kenton, Secretary of State

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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Vaughn, Zimmerman - 19.

ABSENT: Senator Neal - 1.

The following communication from the Lt. Governor to the Secretary of the Senate was read:

STATE OF DELAWARE
OFFICE OF THE LIEUTENANT GOVERNOR
DOVER, DELAWARE
November 25, 1981

Mrs. B. J. Caniford
Secretary of the Senate
Legislative Hall
Dover, Delaware

Dear Mrs. Caniford:

I am attaching herewith Senator Murphy's letter of resignation, dated October 28, 1981, as well as the official Writ of Election, dated November 25, 1981. I have today officially delivered the Writ to the Kent County Board of Elections.

Would you please see that these documents are included in the Senate Journal at the earliest possible date.

Thank you.

Sincerely,
Michael N. Castle
Lieutenant Governor

The following letter of resignation from Senator Murphy was read at the request of Senator Cordrey:

SENATE
STATE OF DELAWARE
LEGISLATIVE HALL
DOVER, DELAWARE

October 28, 1981

Honorable Richard S. Cordrey, President pro Tempore
Delaware State Senate
Legislative Hall
Dover, Delaware

Dear Senator Cordrey:

Please consider this my resignation as a member of the Senate of the State of Delaware. This resignation is compelled by the verdict and judgment of the District Court of Delaware. With God's help that matter will someday be rectified.

I am grateful to the members of the Senate and to my constituents for continued support in the face of adversity.

Respectfully,
William M. Murphy, Jr.
Senate 18th District

cc: Michael N. Castle
Lt. Governor, State of Delaware

* * * * *

The following Writ of Election was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
WRIT OF ELECTION

TO: The Department of Elections for Kent County
1030 South duPont Highway
Dover, Delaware 19901

GREETINGS:

WHEREAS, a vacancy exists in the Senate of the 131st General Assembly of the State of Delaware by reason of the resignation of William M. Murphy, Jr., on October 28, 1981, the Member of the 18th Senatorial District of Kent County, State of Delaware; and

WHEREAS, such vacancy has occurred and exists while said General Assembly is in session:

NOW, THEREFORE, I, Michael N. Castle, Lieutenant Governor of the State of Delaware, Presiding Officer of the Delaware State Senate, in accordance with the Constitution and the laws of the State of Delaware in such cases made and provided, do hereby issue this Writ of Election and command that you shall cause a special election to be held in said 18th Senatorial District of Kent County, State of Delaware, by the qualified electors thereof on a day to be appointed by you, such day not to be more than eleven nor less than ten days after the day of your receiving this Writ, exclusive of that day, for the purpose of electing a Senator to the Senate of the 131st General Assembly for the said Senatorial District to fill the aforesaid vacancy, the person thereupon chosen to hold office for the residue of the term of the said William M. Murphy, Jr.

IN WITNESS THEREOF, I, Michael N. Castle, President of the Senate of the 131st General Assembly have hereunto set my hand and seal this 25th day of November in the year One Thousand Nine Hundred and Eight-one, the Two Hundred and Sixth Year of Independence of the United States of America.

Michael N. Castle
Lt. Governor of the State of Delaware
and Presiding Officer of the Delaware State Senate

ATTEST:
Betty Jean Caniford
Secretary of the Senate
131st General Assembly

Receipt of the foregoing Writ of Election is hereby acknowledged this 25th day of November, 1981.
Department of Elections for Kent County
By Joseph R. Slight, Jr.
Edna M. Gruwell, Notary

* * * * *

The following Certification was read:

CERTIFICATION

I do hereby certify that the above and foregoing is a true and correct copy of the Writ of Election, received by me this 25th day of November, 1981, as delivered by Lt. Governor Michael J. Castle.

IN TESTIMONY WHEREOF, I have hereunto set my hand at Dover this 25th day of November in the year of our Lord 1981.

Joseph R. Slight, Jr.
for the Department of Elections
Edna M. Gruwell, Notary

The following receipt of Certificate of Election was read:

KENT COUNTY
SUPERIOR COURT
Emily G. Morris, Prothonotary
Dover, Delaware

December 7, 1981

RECEIVED OF Emily G. Morris, Prothonotary of Kent County and Special Messenger of the Board of Canvass of the Superior Court of the State of Delaware in and for Kent County, Certificate of the Election at the Special Election of December 5, 1981, of Senator in the General Assembly: 18th Senatorial District - Kent County - William C. Torbert.

(Signed) Betty Jean Caniford
Secretary of the Senate

12/17/81

The following Certificate of Election was read:

THE STATE OF DELAWARE
KENT COUNTY, ss.

BE IT REMEMBERED, That at the Special Election held on Saturday, December 5, in the year of our Lord one thousand nine hundred and EIGHTY-ONE for Kent County, according to the Constitution and Laws of the State of Delaware, Two Thousand Three Hundred Twenty One votes were given for William C. Torbert for State Senator for the 18th Senatorial District in the General Assembly; Two Thousand Forty Eight votes were given for Gerald Allan Buckworth for State Senator for the 18th Senatorial District in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, We, William Marvil and George R. Wright constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on the 7th day of December A.D. 1981

William Marvel, Chancellor
George R. Wright, Resident Associate Judge

Senator Cordrey moved that Senator Torbert be sworn into Office.

The Oath of Office of Senator was administered by Lt. Governor Castle as follows:

"I, William C. Torbert, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the Office of Senator according to the best of my ability.

And I do further solemnly swear (or affirm) that I have not directly or indirectly paid, offered or promised to pay, contributed, or offered or promised to contribute, any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office."

William C. Torbert, Senator

Sworn to this 17th day of December, A.D. 1981, before me.
Michael N. Castle, President, Delaware State Senate

At 4:15 p.m. the Senate recessed on motion of Senator Cordrey and reconvened at 5:21 p.m., Lt. Governor Castle presiding.

SR 49 (sponsored by Senators Cordrey and Sharp) was introduced and considered for adoption:

SR 49 - IN REFERENCE TO THE ROLL OF MEMBERS OF THE SENATE.

BETTER RESOLVED by the Senate of the 131st General Assembly of the State of Delaware that the following constitute the permanent roll of the Senate of the 131st General Assembly: Thurman Adams, Jr.; John H. Arnold; Myrna L. Bair; Robert J. Berndt; Angelo T. Citro; Robert T. Connor; Nancy W. Cook; Richard S. Cordrey; Herman M. Holloway, Sr.; Charles E. Hughes; Andrew G. Knox; Lee Littleton; Robert Marshall; Roger A. Martin; David B. McBride; Harris B. McDowell, III; James P. Neal; Thomas B. Sharp; William C. Torbert; James T. Vaughn; Jake Zimmerman.

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

The Secretary then called the new roll of the Senate which revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Neal - 1.

SR 50 (sponsored by Senator Martin and all the Senators) was introduced and considered for adoption: SR 50 - EXPRESSING CONGRATULATIONS TO MR. AND MRS. J. CALEB BOGGS ON THEIR 50TH WEDDING ANNIVERSARY.

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

SR 51 (sponsored by Senator Martin and all the Senators) was introduced and considered for adoption: SR 51 - EXPRESSING CONDOLENCES TO THE FAMILY OF THE LATE WILLIAM S. POTTER, ESQ.

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

SR 52 (sponsored by Senators Adams, Littleton and Connor) was introduced and considered for adoption:

SR 52 - SALUTING THE SEAFORD HIGH SCHOOL FOOTBALL TEAM ON BECOMING 1981 DIVISION I STATE CHAMPIONS.

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

SR 53 (sponsored by Senators Zimmerman, Torbert, Knox, Arnold and Cook) was introduced and considered for adoption:

SR 53 - EXPRESSING CONDOLENCES TO THE FAMILY OF THE LATE JOHN B. CARSON.

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

SR 54 (sponsored by Senators Berndt, Hughes, Bair) was introduced and considered for adoption:

SR 54 - JOINING THE PRAISE FOR THE GREEN KNIGHTS OF MOUNT PLEASANT HIGH SCHOOL WHO WON THE BLUE HEN CONFERENCE FLIGHT B FOOTBALL TITLE FOR THE FIRST TIME.

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

SR 55 - REQUESTING THE CHIEF OF ENGINEERS, U.S. ARMY CORPS OF ENGINEERS TO ISSUE A PERMIT TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL FORTHWITH FOR EMERGENCY DREDGING AT INDIAN RIVER INLET. Sponsor: Senator Cordrey. No action was taken on the Resolution.

SCR 78 (sponsored by Senator Holloway) was introduced and laid on the table at the request of the sponsor:

SCR 78 - MOURNING THE DEATH OF WILLIAM S. POTTER, FORMER DEMOCRATIC NATIONAL COMMITTEEMAN AND PROMINENT CORPORATE ATTORNEY.

At 5:39 p.m., Senator Sharp presiding.

SJR 26 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator McDowell:

SJR 26 - PROVIDING FOR START-UP FUNDING FOR THE 1982 DELAWARE LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM ADMINISTERED BY THE OFFICE OF ECONOMIC OPPORTUNITY. Sponsor: Senator McDowell.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES, 2 (Arnold and Knox) voting NO, and 2 (Berndt and Neal) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The following letter of nomination for appointment by the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

December 17, 1981

To the Senate of the 131st 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: Alexander L. Searl, 1011C Cloister Road, Wilmington, Delaware, to be appointed to the Cash Management Policy Board for a term of two years.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

The nomination was taken up for consideration under suspension of the necessary rules on motion of Senator Adams and the roll call vote taken which revealed 20 Senators voting YES and 1 (Neal) ABSENT; therefore, the appointment was declared confirmed.

The following letter of nomination for appointment by the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
December 17, 1981

To the Senate of the 131st 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: David F. Marvin, Skyline Orchard, Hockessin, Delaware, to be appointed to the Cash Management Policy Board for a term of one year.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

The nomination was taken up for consideration under suspension of the necessary rules on motion of Senator Adams and the roll call vote taken which revealed 20 Senators voting YES and 1 (Neal) ABSENT; therefore, the appointment was declared confirmed.

The following letter of nomination for appointment by the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
December 17, 1981

To the Senate of the 131st 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: Mark W. Diehl, Savannah Road, Lewes, Delaware, to be appointed to the Cash Management Policy Board for a term of two years.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

The nomination was taken up for consideration under suspension of the necessary rules on motion of Senator Adams and the roll call vote taken which revealed 20 Senators voting YES and 1 (Neal) ABSENT; therefore, the appointment was declared confirmed.

The following letter of nomination for appointment by the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
December 17, 1981

To the Senate of the 131st 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 V. Flynn, Jr., 1020 Kent Road, Wilmington, Delaware, to be appointed to the Cash Management Policy Board for a term of three years.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

The nomination was taken up for consideration under suspension of the necessary rules on motion of Senator Adams and the roll call vote taken which revealed 20 Senators voting YES and 1 (Neal) ABSENT; therefore, the appointment was declared confirmed.

The following letter of nomination for appointment by the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

December 17, 1981

To the Senate of the 131st 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: Weston E. Nellius, 5 Tam O'Shanter Court, Dover, Delaware, to be appointed to the Cash Management Policy Board for a term of three years.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

The nomination was taken up for consideration under suspension of the necessary rules on motion of Senator Adams and the roll call vote taken which revealed 20 Senators voting YES and 1 (Neal) ABSENT; therefore, the appointment was declared confirmed.

The Governor's nomination for appointment of Jay H. Conner was taken up for consideration under suspension of the necessary rules on motion of Senator Adams and the roll call vote taken which revealed 19 Senators voting YES and 2 (Neal and Zimmerman) ABSENT; therefore, the appointment was declared confirmed.

A prayerful moment of silence was observed by the Senate for the suffering people of Poland at the request of Senator Marshall.

At 6:08 p.m. on motion of Senator Cordrey, the Executive Session called by the Governor adjourned.

131ST GENERAL ASSEMBLY
SECOND SESSION
1ST LEGISLATIVE DAY
JANUARY 12, 1982

The Senate convened at 3:06 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Secretary announced that a message from the House informed the Senate that it had passed HB 471; SS 1 for SB 250 w SA 2, 3; SB 368 w SA 1, 2; SB 381 w HA 1; HB 418 w HA 1; HB 313 w HA 2, HA 1 to HA 2, HA 3; SB 295 w SA 1; SB 150 w HA 2; HB 454; SB 291 w SA 1; HB 441 w HA 1; HB 344; HB 345; HB 346; HB 347; HB 423; SB 45; SB 200; HB 430 w HA 1; SB 259; SB 287; SB 152 w SA 1; HB 465; SB 331 w SA 1; SB 323 w SA 1; SB 361; HB 448; HB 400 w HA 1; SB 276 w SA 1; SB 375 w SA 1; HB 366 w HA 1, 2; HB 348; SB 327 w SA 1; SB 328 w HA 1; SB 329; SB 330 w HA 1; SB 339 w SA 1; SB 334 w SA 1; SB 340; SB 299; SB 172; SB 256 w HA 1; SB 184 w SA 1; SB 270 w SA 1; SB 282; SB 145 w SA 1; SB 316 w SA 1; SB 67 w SA 1, HA 1; SB 141 w SA 1, HA 1; SB 333; SB 220 w SA 1; SB 325; SB 102; HB 311; SB 335; HB 455 w HA 1, HA 1 to HA 1; SB 294 w HA 1; SB 338 w SA 1, HA 1, HA 1 to HA 1; HB 428; SB 208 w SA 1; HB 421 w HA 1; SB 300 w SA 1, 2; SB 292 w SA 1, HA 2; SS 1 for SB 372; HB 467 w HA 1, 3, 4, 5 and adopted HC 92 and HC 84.

The Secretary announced that Legislative Advisories #18 through 29 were received from the Office of Counsel to the Governor as follows:

Advisory #18: The Governor signed the following legislation on June 30, 1981: HB 112 w HA 1 (Volume 63, Chapter 60, Laws of Delaware); HB 131 w HA 1 (Volume 63, Chapter 61, Laws of Delaware); HB 132 (Volume 63, Chapter 62, Laws of Delaware); HB 147 (Volume 63, Chapter 63, Laws of Delaware); HB 148 (Volume 63, Chapter 64, Laws of Delaware); HB 161 (Volume 63, Chapter 65, Laws of Delaware); HB 169 (Volume 63, Chapter 66, Laws of Delaware); HB 219 (Volume 63, Chapter 67, Laws of Delaware); HB 259 (Volume 63, Chapter 68, Laws of Delaware); SB 86 (Volume 63, Chapter 69, Laws of Delaware); SB 101 w SA 1, HA 1 (Volume 63, Chapter 70, Laws of Delaware); SB 154 (Volume 63, Chapter 71, Laws of Delaware); SB 230 w HA 1 (Volume 63, Chapter 72, Laws of Delaware); SB 238 (Volume 63, Chapter 73, Laws of Delaware); SB 241 w SA 1 (Volume 63, Chapter 74, Laws of Delaware); SB 246 (Volume 63, Chapter 75, Laws of Delaware); HB 273 w HA 4, SA 2 (Volume 63, Chapter 76, Laws of Delaware); SB 350 (Volume 63, Chapter 77, Laws of Delaware); SB 102 (Volume 63, Chapter 78, Laws of Delaware); SB 215 (Volume 63, Chapter 79, Laws of Delaware); SJR 21. The Governor signed the following legislation on July 1, 1981: HS 1 for HB 250 (Volume 63, Chapter 80, Laws of Delaware); SB 211 w HA 1 (Volume 63, Chapter 81, Laws of Delaware). The Governor vetoed the following legislation on July 1, 1981: SB 195, SB 218.

Advisory #19: The Governor signed the following legislation on July 7, 1981: HB 22 w HA 1 (Volume 63, Chapter 82, Laws of Delaware); HB 48 w HA 1, SA 1 (Volume 63, Chapter 83, Laws of Delaware); HB 90 w HA 1, 2 (Volume 63, Chapter 84, Laws of Delaware); HB 93 (Volume 63, Chapter 85, Laws of Delaware); HB 116 (Volume 63, Chapter 86, Laws of Delaware); HB 120 w HA 1, SA 1 (Volume 63, Chapter 87, Laws of Delaware); HB 121 (Volume 63, Chapter 88, Laws of Delaware); HB 152 (Volume 63, Chapter 89, Laws of Delaware); HB 179 (Volume 63, Chapter 90, Laws of Delaware); HB 189 (Volume 63, Chapter 91, Laws of Delaware); HB 242 (Volume 63, Chapter 92, Laws of Delaware); HB 243 (Volume 63, Chapter 93, Laws of Delaware); HB 245 (Volume 63, Chapter 94, Laws of Delaware); HB 277 w HA 1 (Volume 63, Chapter 95, Laws of Delaware); HB 330 (Volume 63, Chapter 96, Laws of Delaware); HB 360 (Volume 63, Chapter 97, Laws of Delaware); SB 45 (Volume 63, Chapter 98, Laws of Delaware); SB 54 (Volume 63, Chapter 99, Laws of Delaware); SB 56 w SA 1, HA 1 (Volume 63, Chapter 100, Laws of Delaware); SB 96 (Volume 63, Chapter 101, Laws of Delaware); SB 103 w SA 1, HA 1 (Volume 63, Chapter 102, Laws of Delaware); SB 128 (Volume 63, Chapter 103, Laws of Delaware); SB 133 (Volume 63, Chapter 104, Laws of Delaware); SB 142 w HA 1 (Volume 63, Chapter 105, Laws of Delaware); SB 146 w SA 1 (Volume 63, Chapter 106, Laws of Delaware); SB 152 w SA 1 (Volume 63, Chapter 107, Laws of Delaware); SB 153 w SA 2 (Volume 63, Chapter 108, Laws of Delaware); SB 160 w HA 1 (Volume 63, Chapter 109, Laws of Delaware); SB 200 (Volume 63, Chapter 110, Laws of Delaware); SB 245 w HA 1 (Volume 63, Chapter 111, Laws of Delaware); SB 259 (Volume 63, Chapter 112, Laws of Delaware); SB 283 (Volume 63, Chapter 113, Laws of Delaware); SB 287 (Volume 63, Chapter 114, Laws of Delaware); SB 298 w SA 1 (Volume 63, Chapter 115, Laws of Delaware); SB 335 (Volume 63, Chapter 116, Laws of Delaware); HS 1 for HB 3 w HA 1 (Volume 63, Chapter 117, Laws of Delaware); HB 307 w HA 1, 2 (Volume 63, Chapter 118, Laws of Delaware); SB 333 is a Constitutional Amendment on its 1st Leg and does not require the Governor's signature (Volume 63, Chapter 119, Laws of Delaware); HS 1 for HB 1 w HA 1, 2, 3, 4, 5 (Volume 63, Chapter 120, Laws of Delaware); SJR 6 w SA 1; SJR 19; HJR 22. The Governor vetoed the following legislation on July 8, 1981: SB 271 w HA 1; HB 137 w HA 2, 3, 4.

Advisory #20: The Governor signed the following legislation on July 9, 1981: HCN 74; SJR 20; HB 94 w HA 1 (Volume 63, Chapter 121, Laws of Delaware); HB 196 (Volume 63, Chapter 122, Laws of Delaware); HB 233 w HA 1 (Volume 63, Chapter 123, Laws of Delaware); HB 422 w HA 1 (Volume 63, Chapter 124, Laws of Delaware); SB 67 w SA 1, HA 1 (Volume 63, Chapter 125, Laws of Delaware); SB 145 w SA 1 (Volume 63, Chapter 126, Laws of Delaware); SB 150 w HA 2 (Volume 63, Chapter 127, Laws of Delaware); SB 171 (Volume 63, Chapter 128, Laws of Delaware); SB 172 (Volume 63, Chapter 129, Laws of Delaware); SB 220 w SA 1 (Volume 63, Chapter 130, Laws of Delaware); SB 223 (Volume 63, Chapter 131, Laws of Delaware); SB 224 (Volume 63, Chapter 132, Laws of Delaware); SB 247 (Volume 63, Chapter 133, Laws of Delaware); SB 270 w SA 1 (Volume 63, Chapter 134, Laws of Delaware); SB 325 (Volume 63, Chapter 135, Laws of Delaware); SB 340 (Volume 63, Chapter 136, Laws of Delaware); SB 361 (Volume 63, Chapter 137, Laws of Delaware). The Governor vetoed the following legislation on July 9, 1981: HB 178 w HA 1; SB 169; SB 276 w SA 1. The Governor vetoed SJR 22 on July 10, 1981.

Advisory #21: The Governor signed the following legislation on July 13, 1981: HB 423 (Volume 63, Chapter 138, Laws of Delaware); SB 184 w SA 1 (Volume 63, Chapter 139, Laws of Delaware); SB 282 (Volume 63, Chapter 140, Laws of Delaware); SB 291 w SA 1 (Volume 63, Chapter 141, Laws of Delaware); SB 316 w SA 1 (Volume 63, Chapter 142, Laws of Delaware); SB 323 w SA 1 (Volume 63, Chapter 143, Laws of Delaware); SB 327 w SA 1 (Volume 63, Chapter 144, Laws of Delaware); SB 329 (Volume 63, Chapter 145, Laws of Delaware); SB 331 w SA 1 (Volume 63, Chapter 146, Laws of Delaware). The Governor vetoed the following legislation on July 13, 1981: SB 295 w SA 1; SB 299.

Advisory #22: SB 208 w SA 1 is a Constitutional Amendment on its 2nd Leg and does not require the Governor's signature (Volume 63, Chapter 147, Laws of Delaware). The Governor signed the following legislation on July 14, 1981: SB 141 w SA 1, HA 1 (Volume 63, Chapter 148, Laws of Delaware); SB 256 w HA 1 (Volume 63, Chapter 149, Laws of Delaware); SB 328 w HA 1 (Volume 63, Chapter 150, Laws of Delaware); SB 330 w HA 1 (Volume 63, Chapter 151, Laws of Delaware); SB 334 w SA 1 (Volume 63, Chapter 152, Laws of Delaware); SB 339 w SA 1 (Volume 63, Chapter 153, Laws of Delaware); HB 20 w HA 1 (Volume 63, Chapter 154, Laws of Delaware); HB 114 (Volume 63, Chapter 155, Laws of Delaware); HB 133 w HA 1 (Volume 63, Chapter 156, Laws of Delaware); HB 211 w HA 1, SA 1 (Volume 63, Chapter 157, Laws of Delaware); HB 215 (Volume 63, Chapter 158, Laws of Delaware); HB 252 w HA 1 (Volume 63, Chapter 159, Laws of Delaware); HB 257 w HA 1 (Volume 63, Chapter 160, Laws of Delaware); HB 258 (Volume 63, Chapter 161, Laws of Delaware); HB 266 w HA 1 (Volume 63, Chapter 162, Laws of Delaware); HB 311 (Volume 63, Chapter 163, Laws of Delaware); HB 318 (Volume 63, Chapter 164, Laws of Delaware); HB 324 w HA 1 (Volume 63, Chapter 165, Laws of Delaware); HB 326 (Volume 63, Chapter 166, Laws of Delaware); HB 328 w HA 1 (Volume 63, Chapter 167, Laws of Delaware); HB 337 (Volume 63, Chapter 168, Laws of Delaware); HB 441 w HA 1 (Volume 63, Chapter 169, Laws of Delaware); HB 465 (Volume 63, Chapter 170, Laws of Delaware); HB 226 (Volume 63, Chapter 171, Laws of Delaware); HB 296 w HA 1 (Volume 63, Chapter 172, Laws of Delaware); SB 300 w SA 1, 2 (Volume 63, Chapter 173, Laws of Delaware); HB 99 w HA 1, SA 1 (Volume 63, Chapter 174, Laws of Delaware); HB 209 w HA 1 (Volume 63, Chapter 175, Laws of Delaware); HB 411 (Volume 63, Chapter 175, Laws of Delaware). The Governor signed the following legislation on July 13, 1981: SB 294 w HA 1 (Volume 63, Chapter 176, Laws of Delaware). The Governor vetoed HB 454 on July 14, 1981.

Legislative Advisory #23: The Governor signed the following legislation on July 23, 1981: SJR 12; HB 312 w HA 1, SA 1 (Volume 63, Chapter 178, Laws of Delaware). Please note the following corrections on Legislative Advisory #22: HB 411 should read "Chapter 176" rather than Chapter 175; SB 294 w HA 1 should read "Chapter 177" rather than Chapter 176.

Legislative Advisory #24: The Governor signed the following legislation on July 24, 1981: HB 448 w SA 1, 2, 3, 4 (Volume 63, Chapter 179, Laws of Delaware).

Legislative Advisory #25: The Governor signed the following legislation on July 29, 1981: SJR 24; SB 375 w SA 1 (Volume 63, Chapter 180, Laws of Delaware).

Legislative Advisory #26: The Governor signed the following legislation on July 31, 1981: SB 371 (Volume 63, Chapter 181, Laws of Delaware); SS 1 for SB 372 (Volume 63, Chapter 182, Laws of Delaware, except as to those items that are stricken and disapproved pursuant to Article III, Section 18, Delaware Constitution).

Legislative Advisory #27: The Governor signed the following legislation on August 12, 1981: HB 400 w HA 1, 2, SA 2, 4, 5 (Volume 63, Chapter 183, Laws of Delaware.

Legislative Advisory #28: The Governor signed the following legislation on October 5, 1981: HB 481 (Volume 63, Chapter 184, Laws of Delaware); HB 483 (Volume 63, Chapter 185, Laws of Delaware); HCR 90 . On October 9, the Governor signed HB 480 (Volume 63, Chapter 186, Laws of Delaware) and HB 484 (Volume 63, Chapter 187, Laws of Delaware).

Legislative Advisory #29: On October 21, 1981 the Governor signed SB 268 w SA 1, 3, HA 1 (Volume 63, Chapter 188, Laws of Delaware. On October 23, the Governor signed: SS 1 for SB 250 w SA 2, 3 (Volume 63, Chapter 189, Laws of Delaware; SB 364 w SA 1, HA 4 (Volume 63, Chapter 190, Laws of Delaware); SB 368 w SA 1, 2 (Volume 63, Chapter 191, Laws of Delaware); HB 418 w HA 1 (Volume 63, Chapter 192, Laws of Delaware); HB 482 (Volume 63, Chapter 193, Laws of Delaware).

The following veto messages from the Governor were read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 29, 1981

To the Senate of the 131st General Assembly
of the State of Delaware:

I am returning without my signature Senate Bill No. 118, as amended by Senate Amendment No. 1, received on June 17, 1981, and which is entitled: "AN ACT TO AMEND CHAPTER 27, TITLE 21, DELAWARE CODE, RELATING TO TEMPORARY INSTRUCTION PERMITS."

The purpose of this legislation is to allow young people driving with a temporary instruction permit to have a licensed parent or guardian and two other family members present in a vehicle when they are operating it. It is claimed that this will give an applicant more experience in real driving situations.

However, the bill perhaps inadvertently creates a hardship for adults who also may be learning to drive under a temporary instruction permit. The bill strikes the existing requirement that a person over 16 be accompanied by a "licensed operator" and substitutes the requirement that he or she be accompanied by a "licensed parent or guardian". Since many adults would choose to be accompanied by a spouse, an instructor or even a grown child, rather than by a parent or guardian, the bill appears to be unduly restrictive.

Moreover, it would seem to forbid any person whose parents are deceased from ever obtaining learners' permits and drivers' licenses at all, unless they were to petition Chancery Court for the appointment of a guardian, a costly process requiring legal representation and court proceedings. And what of citizens whose parents reside in distant states or foreign countries? The cost of bringing them to Delaware to participate in learning sessions for their adult children seems an unnecessary burden.

Perhaps a reworking of the bill can cure these problems; but because of them, I am returning Senate Bill No. 118, as amended by Senate Amendment No. 1 without my signature.

Respectfully submitted,
Pierre S. duPont, IV, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
July 1, 1981

To the Senate of the 131st General Assembly
of the State of Delaware

I am returning without my signature Senate Bill No. 195, which I received on June 22, 1981, and which is entitled: "AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR THE PURPOSE OF PAYING COMPENSATORY AND PUNITIVE DAMAGES IN BEHALF OF WILBERT KEE, GUARD AT THE DELAWARE CORRECTIONAL CENTER FACILITY IN THE CASE OF COURTLAND PITTS, PLAINTIFF, VS. WILBERT KEE, DEFENDANT."

This Bill appropriates \$680.00 to the Department of Corrections for the purpose of paying an award of damages assessed against Wilbert Kee for actions in his capacity as a correctional officer which allegedly violated the civil rights of an inmate.

However, the Office of the Budget, as authorized and directed by the Budget Commission, has already transferred to the Department of Corrections the funds necessary to extinguish the liability. Because this action obviates the need for a special appropriations measure, I am returning Senate Bill No. 195 without my signature.

Respectfully submitted,
Pierre S. duPont, IV

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
July 1, 1981

To the Senate of the 131st General Assembly
of the State of Delaware

I am returning without my signature Senate Bill No. 218, which I received on June 23, 1981, and which is entitled: "AN ACT TO AUTHORIZE THE DEPARTMENT OF HIGHWAYS AND TRANSPORTATION TO CONVEY CERTAIN LANDS TO THE DELAWARE CENTER FOR CONTEMPORARY ARTS, INC."

The bill would transfer title to certain State owned property in the City of Wilmington to the Delaware Center for Contemporary Arts, Inc. for use as studio space and an exhibition gallery. This property is currently leased to the Center.

In recent weeks, the development of a Christian Gateway Project in the area in which the Center is located has been announced, and indeed, the first step in the development has been accomplished with an agreement between the Mayor of Wilmington, the State, and the American Life Insurance Company Inc. The City of Wilmington has advised of a possibility that the building in which the arts center is located may conflict with that project. I believe that until such time as final plans for the Gateway project are completed, it would be a wiser course for the State to retain title to the building, with the Delaware Center for Contemporary Arts, Inc. being invited to continue with the present lease arrangement.

For this reason, I am returning Senate Bill No. 218 without my signature.

Respectfully submitted,
Pierre S. duPont, IV, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
July 8, 1981

To the Senate of the 131st General Assembly
of the State of Delaware

Because it erroneously amends an incorrect section of the Delaware Code, I am returning Senate Bill No. 271, as amended by House Amendment No. 1, without my signature. This bill was received in my office on June 30, 1981, and is entitled: "AN ACT TO AMEND CHAPTER 41 OF TITLE 14 OF THE DELAWARE CODE RELATING TO DISTURBING SCHOOLS OR DESTROYING SCHOOL PROPERTY."

The plain intent to the bill, as evidenced by the title and the synopsis, is to assure that persons who cause serious damage to a school may be prosecuted under applicable provisions of the criminal code. However, rather than amending Section 4110 of Title 14, which deals with "disturbing schools or destroying school property" the bill erroneously amends Section 4102 of Title 14 which deals with penalties for teachers and principals who refuse to comply with the requirement for a daily moment for "moral, philosophical or patriotic meditation."

As this does not appear to be the type of error which the Code Revisors may handle, I am returning Senate Bill No. 271, as amended by House Amendment No. 1 without my signature for revision.

Respectfully submitted,
Pierre S. duPont, IV, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
July 9, 1981

To the Senate of the 131st General Assembly
of the State of Delaware

I am returning without my signature Senate Bill No. 169 which I received on June 30, 1981, and which is entitled: "AN ACT TO AMEND CHAPTER 23, TITLE 10, OF THE DELAWARE CODE, RELATING TO THE DEPOSIT OF MONIES BY THE PROTHONOTARY."

This bill directs that all interest earned on costs and fees collected by the Prothonotary of each County be paid to the County. At present, state law directs that 75% of these funds be paid to the State and the Controller General indicates that in FY 1980, the State realized \$35,452 from this source.

The monies collected by the Prothonotary come from costs and fees imposed in connection with proceedings in the Superior Court of the State of Delaware. This Court is a state-wide Court and is operated by the State of Delaware. Indeed, the current Budget Act appropriates close to three million dollars for the operation of the Superior Court. It seems only fair, therefore, that a portion of the interest on costs and fines collected by the Court be returned to the State. To be sure, the counties do bear some expense in connection with the operation of the Prothonotaries offices, and this contribution is reflected by the distribution formula currently contained in the Code. I believe the present formula is equitable and fair and recognizes the joint venture of the State and the County in the operation of the Superior Court and the Office of its Clerk, the Prothonotary.

Accordingly, I return Senate Bill No. 169 without my signature.

Respectfully submitted,
Pierre S. duPont, IV, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
July 9, 1981

To the Senate of the 131st General Assembly
of the State of Delaware

I am returning without my signature Senate Bill No. 276, as amended by Senate Amendment No. 1, which was received on June 30, 1981, and is entitled: "AN ACT TO AMEND CHAPTER 10, TITLE 14, DELAWARE CODE, RELATING TO SKILLED MAINTENANCE PERSONNEL IN REORGANIZED SCHOOL DISTRICTS."

This bill commands the four recently reorganized school districts in New Castle County to enter into a consortium arrangement for the purpose of creating a "Central Skilled Maintenance Unit", comprised of various types of skilled laborers. The consortium would provide skilled laborers to do district maintenance work, for which each district would be required to contribute a proportional number of custodial positions and the requisite supporting funds. And with respect to funding the unit personnel, the bill authorizes each of the four districts to contribute either capital improvement or bond monies.

My decision not to sign the bill is based on the following reasons:

1. If enacted, the bill will usurp the prerogative of the newly elected school boards to decide upon, and to establish, optimal measures for ensuring the safe and economical functioning of public schools in the new districts, including the physical structures in which they operate. And while I need not rehearse here all the reasons for creating the four new districts in New Castle County, I think it is important to remember that one of the principle reasons was the desire to transfer the responsibility for running our schools back to the school officials and to the local communities where it rightfully belongs. By handcuffing the four districts at the outset with a new organizational structure and by imposing on them against their will, a substantial financial burden, this bill would seriously undermine the principles of autonomy and local control which were at the heart of the reorganization plan.

2. A related reason for refusing to sign the bill is my belief that its supporters mistakenly pursued their appeal for relief in the wrong forum. The local school boards, rather than officials of state government, are the appropriate decision-making authorities to address the concern which appear to have animated the proposal for a maintenance consortium. Because they are far more knowledgeable than state government about the day-to-day operation and maintenance of their school systems, the local boards should not be saddled by government fiat with an expensive and possibly unnecessary organizational arrangement.

3. Finally, the bill authorizes the districts to assign funds to the consortium in a manner inconsistent with Article X, Section 6 of the Delaware Constitution. Section 6 forbids public school districts from using special purpose property tax receipts for any alternative purpose unless approved in referendum by a majority vote. It was intended to bring an end to the long history of school districts coming to the General Assembly for permission to transfer debt service money to current operating expenditures. Therefore, by authorizing the districts to assign capital improvement and bond monies to support operating expenses of the consortium, the bill runs afoul of the letter, and certainly the spirit, of Article X, Section 6.

The reasons enumerated above in my view constitute serious objections to the bill, and their seriousness is amplified by the strong reservations that I understand have been voiced by representatives of the affected school districts. Nevertheless, I hope, and I strongly recommend, that the involved school boards carefully consider the concept of a consortium arrangement for skilled maintenance, since they might well find it would indeed redound to their financial benefit. But because I believe the district boards should be allowed to reach that judgment for themselves, I am returning Senate Bill No. 276, as amended by Senate Amendment No. 1, without my signature.

Respectfully submitted,
Pierre S. duPont, IV, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
July 10, 1981

To the Senate of the 131st General Assembly
of the State of Delaware

I am pleased to be able to return Senate Joint Resolution No. 22 to the Senate without my signature. This resolution, enacted on June 29, 1981, and received by me on the same date, appropriates \$1.5 million dollars from the Budget Reserve Account in order to finance an unexpected revenue deficiency for Fiscal Year 1981.

Estimates of the State's revenues for the 1981 Fiscal Year available at the time the Resolution was adopted indicated that the transfer of monies from the Budget Reserve Fund was necessary in order to keep expenditures for that fiscal year within the limits set by the Constitution. The members of the General Assembly considered Senate Joint Resolution No. 22 at a time when Fiscal Year 1981 revenues were estimated at \$639.2 million; however, actual revenue collections for Fiscal Year 1981 were \$643.2 million. As a result, an "unanticipated deficit" has not occurred and an appropriation from the Budget Reserve Account is not necessary.

In other words, actual data for Fiscal Year 1981 establish that our government ended the fiscal year with a surplus; thus this transfer is not necessary. Accordingly, I am returning the Resolution without my signature.

Respectfully submitted,
Pierre S. duPont, IV, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
July 13, 1981

To the Senate of the 131st General Assembly
of the State of Delaware

I am returning without my signature Senate Bill No. 299 which I received on July 1, 1981, and which is entitled: "AN ACT TO AMEND CHAPTER 71, TITLE 7 OF THE DELAWARE CODE TO PROVIDE FOR ADDITIONAL EXEMPTIONS FROM THE NOISE CONTROL LAW."

This bill would exempt from Delaware's Noise Control Laws sirens which summon volunteer firemen and ambulance crews.

Obviously, these sirens play a vital role in protecting the health and safety of Delaware citizens. At the same time, the Department of Natural Resources and Environmental Control advises that it receives a number of complaints from citizens about the loudness and location of some sirens. This indicates that there needs to be a means of mediating between these two valid concerns. I believe that the procedures set out in the noise control law fulfills such a function, and that the few problems that do exist are being satisfactorily handled under the present law. Since the current procedures are working well, it does not seem necessary to change them. Accordingly, I am returning Senate Bill No. 299 without my signature.

Respectfully submitted,
Pierre S. duPont, IV, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
July 13, 1981

To the Senate of the 131st General Assembly
of the State of Delaware

On July 1, 1981, I received Senate Bill No. 295 as amended by Senate Amendment No. 1, which is entitled: "AN ACT TO AMEND CHAPTER 44, TITLE 21, OF THE DELAWARE CODE RELATING TO THE REMOVAL OF ABANDONED VEHICLES."

I am returning this bill without my signature because it perhaps inadvertently authorizes the disposition of private property in violation of constitutional requirements of procedural due process.

This bill deals with the removal of abandoned vehicles which are on private property with the consent of the property owner. Under the existing law, the Department of Highway and Transportation is directed to notify the owner of an abandoned vehicle, demand removal of the vehicle, and, if it is not removed, to remove the vehicle at the owners expense to a storage area maintained by the Department. Then, armed with a possessory lien, the Department may conduct a lien sale pursuant to the procedural requirements delineated in 25 Delaware Code §3901 et seq.

Senate Bill No. 295, as amended, is a substitute for Senate Bill No. 43 which had been worked on and agreed to by the Department of Highway and Transportation, the Department of Motor Vehicle, and the State Police. The present bill, however, permits a salvage yard operator, rather than the Department of Highway and Transportation, to remove abandoned vehicles located on private property. Unfortunately, as it is now written, the bill allows the salvage yard operator to dispose of the vehicle as he or she sees fit, evidently free of the notice and judicial proceedings which are required by 25 Delaware Code §3901, et seq. In so doing, the bill permits the abrogation of ownership rights in such vehicles absent the procedural due process protections which are generally required by both constitutional and statutory law.

Perhaps the bill can be reworked in order to avoid this problem, but because of the potential constitutional deficiency I am returning Senate Bill No. 295, as amended by Senate Amendment No. 1, without my signature.

Respectfully submitted,
Pierre S. duPont, IV, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
July 31, 1981

To the Senate of the 131st General Assembly of the
State of Delaware

On July 24, 1981, I received Senate Substitute No. 1 for Senate Bill No. 372, entitled: "AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANTS-IN-AID."

I have today approved this Act. However, pursuant to Article 3, Section 18 of the Delaware Constitution, I have specifically disapproved two items of appropriation by line item veto for the following reasons:

1. (35-14-001) Division of Aging - Senior Centers (line 35, p. 2) St. Hedwig's Senior Center Engineering Fees. \$12,500

This appropriation would fund an engineering study to determine the feasibility and cost of constructing senior citizen housing at the site of the St. Hedwig's Senior Center. This Senior Center also received this year a grant for operating expenses of \$135,000, an increase of 11 percent over last year's appropriation. I believe the cost of the engineering fees should be funded, along with all other operations expenses, through the normal operations budget or through private contributions. For this reason, therefore, I am withholding my approval of the additional appropriation for engineering fees.

2. (Section 2) Item/Description (line 17, p. 3) Delaware Agricultural Museum Association, Inc. \$5,000

I am withholding my approval of this appropriation in the amount of \$5,000 to the Delaware Agriculture Museum because of an agreement reached in 1977 among the Museum, the Governor and members of the General Assembly. When the Museum was established in 1977, the State deeded the land to the Museum at no cost, on the clear understanding that no operating funds would be appropriated to the Museum. While the grant proposed in this Act is small, it would mark the beginning of an annual operating subsidy to the Museum, contrary to the original understanding among the parties.

Because the General Assembly may, if it should so elect, exercise its authority to override the Executive Veto, I am returning herewith Senate Substitute No. 1 for Senate Bill No. 372 as approved except as disapproved by distinct line item. I expressly note, however, that in accordance with Article 3, Section 18 of the Delaware Constitution, all parts of the bill which stand approved are now law.

Respectfully submitted,
Pierre S. duPont, IV

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Senators Martin and Marshall marked PRESENT.

The following communication was read and made part of the record on motion of Senator Martin:

LAW OFFICES
BAYARD, BILL & HANDELMAN, P. A.
Wilmington, Delaware
January 4, 1982

Ms. B. J. Caniford
Secretary of the Senate
State of Delaware
Legislative Hall
Dover, Delaware

Dear Ms. Caniford:

Best wishes for a happy, healthy and prosperous New Year. Would you kindly give Mrs. Boggs and my deep and warm appreciation to the Members of the Senate of the 131st General Assembly of the State of Delaware for Senate Resolution No. 50, expressing congratulations to us on our 50th wedding anniversary. It is a wonderful coincidence that the Senate Resolution is No. 50 and our wedding anniversary is the 50th.

We received a copy most timely the day before Christmas. It made a wonderful Christmas present and surprise and made the December 26th 50th wedding anniversary an especially happy occasion.

We are most grateful that the Senate would think of us and extend to us this wonderful recognition and honor.

We send our personal appreciation to each Member with our warmest and highest respect and best wishes for the New Year.

Sincerely,
Bess and Cale Boggs
* * * * *

The following communication from the Governor was read:
STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
January 12, 1982

The Honorable Michael N. Castle
President of the Senate
Delaware State Senate
Dover, Delaware

Dear Mr. President:

As required by Article VII, Section 1 of the Delaware Constitution, I am hereby transmitting to the General Assembly copies of all reprieves, pardons and remissions granted by me in 1981.

I would appreciate your advising the members of the Senate that this transmittal has been received and making it available to them. I would also appreciate your reading this communication into the Journal, as formal acknowledgement of receipt.

Sincerely yours,
Pierre S. duPont, IV, Governor

Attachments

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The above mentioned pardons may be found in the files of the Bureau of Archives and Records.
HB 61 w HA 1, 2 was reported out of the Administrative Services/Energy Committee: 5 Merits.

The following legislation was introduced:

SB 362 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 10, TITLE 14, DELAWARE CODE, RELATING TO ELECTIONS IN REORGANIZED SCHOOL DISTRICTS. Sponsors: Senator Neal and Representative Oberle. Assigned to Education Committee.

SB 365 - AN ACT TO AMEND SECTION 2906, OF TITLE 25, DELAWARE CODE, RELATING TO PRIORITY OF LIENS FOR GOVERNMENT SERVICES. Sponsor: Senator Neal. Assigned to Administrative Services/Energy Committee.

SB 367 - AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO BE USED FOR THE CONSTRUCTION AND MAINTENANCE OF WATERSHED AND TAX DITCHES. Sponsors: Senator Cook; Representatives Darling and Minner. Assigned to Finance Committee.

SB 369 - AN ACT TO AMEND CHAPTER 80, VOLUME 63, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1982; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS". Sponsor: Senator Cook. Assigned to Finance Committee.

SB 376 - AN ACT AUTHORIZING THE STATE OF DELAWARE TO BORROW MONEY AND TO ISSUE BONDS AND NOTES THEREFOR; AND APPROPRIATING THE FUNDS THUS OBTAINED TO THE DEPARTMENT OF TRANSPORTATION, TO BE UTILIZED IN CONJUNCTION WITH CERTIFICATION OF ELIGIBILITY FOR FEDERAL HIGHWAY ASSISTANCE MATCHING FUNDS. Sponsors: Senators Cordrey and Sharp. Assigned to Finance Committee.

SB 377 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO SLOT MACHINES. Sponsor: Senator Holloway. The Bill was immediately stricken at the request of the sponsor.

SB 376 was stricken at the request of the sponsor, Senator Cordrey.

SB 378 - AN ACT TO AMEND VOLUME 62, CHAPTER 277, LAWS OF DELAWARE RELATING TO BUS TRANSPORTATION OF PUBLIC SCHOOL STUDENTS PREVIOUSLY DECLARED INELIGIBLE BY THE UNIQUE HAZARDS COMMITTEE. Sponsor: Senator Bair. Assigned to Education Committee.

SB 379 - AN ACT TO PROVIDE THAT A REFERENDUM BE HELD IN THE NOVEMBER 1982 GENERAL ELECTION ON THE QUESTION OF SLOT MACHINES IN DELAWARE. Sponsor: Senator Holloway. Immediately stricken at the request of the sponsor.

SB 380 - AN ACT TO AMEND AN ACT ENTITLED "A BOND ACT OF THE STATE OF DELAWARE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE AND HIGHWAY REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY PAYABLE FROM MOTOR FUEL TAX REVENUES, PLEDGING SUCH REVENUES TO THE SUPPORT OF ALL BONDS ISSUED BY THE DELAWARE TRANSPORTATION AUTHORITY, AUTHORIZING THE TRANSFER FROM THE DELAWARE TRANSPORTATION AUTHORITY TO THE STATE GENERAL FUND A SUM EQUAL TO MOTOR FUEL TAX REVENUES LEVIED AT NINE CENTS PER GALLON, CHANGING THE MOTOR FUEL TAX FROM NINE CENTS PER GALLON TO ELEVEN CENTS PER GALLON AND THEN TO A PERCENTAGE OF THE WHOLESALE PRICE, CREATING A ROAD IMPROVEMENT FUND TO FINANCE ROAD IMPROVEMENTS WITH AVAILABLE MOTOR FUEL TAX REVENUES, MAKING NECESSARY CHANGES TO THE STATUTES UNDER WHICH THE DELAWARE TRANSPORTATION AUTHORITY MAY LEVY TOLLS, COLLECT AND DISBURSE INCOME, AND OPERATE ITS SUBSIDIARIES, APPROPRIATING SUMS IN CERTAIN SPECIAL FUND ACCOUNTS AND PLACING CERTAIN CONDITIONS ON THOSE APPROPRIATIONS, AND MAKING CERTAIN ADDITIONAL CHANGES TO THE DELAWARE CODE APPLICABLE TO THE ISSUANCE OF BONDS BY THE STATE AND THE DELAWARE TRANSPORTATION AUTHORITY," BEING HOUSE BILL NO. 448, AS AMENDED, OF THE 131ST GENERAL ASSEMBLY OF THE STATE OF DELAWARE TO PROVIDE FOR DIFFERENT MATCHING CONDITIONS WITH RESPECT TO IMPROVEMENTS TO THE NEW CASTLE TOWN WHARF. Sponsors: Senator Connor; Representatives Mack, Dixon, Cathcart. Assigned to Finance Committee.

SB 384 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANT-IN-AID. Sponsors: Senators Hughes, Berndt, Bair. Assigned to Finance Committee.

SA 1 to SB 71. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 72. Sponsor: Senator Holloway. Placed with the Bill.

SA 3 to SB 292. Sponsor: Senator Berndt. Placed with the Bill.

SA 1 to HB 329. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to HB 353. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SB 369. Sponsor: Senator Cook. Placed with the Bill.

SA 1 to SB 381. Sponsor: Senator Cordrey. Placed with the Bill.

HB 313 w HA 2 as amended by HA 1; HA 3 - AN ACT TO AMEND TITLE 29, DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTS. Sponsors: Representatives Bennett and Roy. Assigned to Administrative Services/Energy Committee.

HB 344 - AN ACT TO AMEND AN ACT BEING CHAPTER 277, VOLUME 49, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF LAUREL" TO PROVIDE FOR THE REPORTING OF MOTOR VEHICLE ACCIDENTS, EQUIPMENT ON MOTOR VEHICLES, THE REMOVAL AND DISPOSITION OF ABANDONED MOTOR VEHICLES, TO MAKE PROVISION FOR STOLEN, UNAUTHORIZED USE AND DAMAGE TO MOTOR VEHICLES, AND FOR REMOVAL OF MOTOR VEHICLES FROM PUBLIC STREETS. Sponsors: Representative Cordrey; Senator Littleton. Assigned to Community Affairs Committee.

HB 345 - AN ACT TO AMEND AN ACT BEING CHAPTER 277, VOLUME 49, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF LAUREL" TO GRANT THE ALDERMAN JURISDICTION FOR CERTAIN CRIMINAL OFFENSES. Sponsors: Representative Cordrey and Senator Littleton. Assigned to Community Affairs Committee.

HB 346 - AN ACT TO AMEND AN ACT BEING CHAPTER 277, VOLUME 49, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF LAUREL" TO PROVIDE FOR THE DETERMINATION OF OTHER INCOME TO THE TOWN AND FOR THE FIXING OF THE TIME OF ASSESSMENT OF TAXES. Sponsors: Representative Cordrey; Senator Littleton. Assigned to Community Affairs Committee.

HB 347 - AN ACT TO AMEND AN ACT BEING CHAPTER 277, VOLUME 49, LAWS OF DELAWARE, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF LAUREL" TO PROVIDE FOR THE APPOINTMENT OF AN ALDERMAN AND AN ASSOCIATE ALDERMAN; TO ESTABLISH LIMITS OF JURISDICTION; TO PERMIT THE REMOVAL OF THE ALDERMAN AND ASSOCIATE ALDERMAN AND PROVIDING FOR DISPOSITION OF BOOKS AND RECORDS UPON REMOVAL. Sponsors: Senators Cordrey and Littleton. Assigned to Community Affairs Committee.

HB 348 - AN ACT PROPOSING AN AMENDMENT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO CERTAIN GUBERNATORIAL APPOINTMENTS. Sponsors: Representatives Jonkiert, Barnes, Brady, Smith and Soles; Senators Marshall, McDowell, Vaughn, Bair and Connor. Assigned to Executive Committee.

HB 366 - AN ACT TO AMEND TITLES 24 AND 28 OF THE DELAWARE CODE IMPLEMENTING RECOMMENDATIONS OF THE SUNSET COMMITTEE RELATING TO CERTAIN STATE BOARDS AND COMMISSIONS. Sponsors: Representative Brady, Senator McDowell; Representatives Barnes, Jonkiert, Smith, Soles; Senators Bair, Connor, Marshall and Vaughn. Assigned to Administrative Services/Energy Committee.

HB 421 w HA 1 - AN ACT TO AMEND TITLES 5 AND 29 OF THE DELAWARE CODE, PROVIDING REORGANIZATION OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES: BY THE TRANSFER OF THE STATE BANK COMMISSIONER FROM THE DEPARTMENT OF ADMINISTRATIVE SERVICES TO THE DEPARTMENT OF STATE; BY THE REORGANIZATION OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES THROUGH THE CONSOLIDATION AND ESTABLISHMENT OF DIVISIONS WITHIN THE DEPARTMENT; AND BY THE TRANSFER OF RESPONSIBILITY FOR THE STATE-FACILITIES ENERGY MANAGEMENT PLAN TO THE DEPARTMENT OF ADMINISTRATIVE SERVICES. Sponsor: Representative Sinecock. Assigned to Executive Committee.

HB 428 - AN ACT TO AMEND DELAWARE CODE, CHAPTER 17, TITLE 14 AS IT RELATES TO THE EDUCATIONAL SERVICES TO PERSONS WHO ARE DEAF-BLIND. Sponsors: Representatives VanSciver, Fallon, Maroney, Edwards, Corrozi, Barnes, Dixon, Mack, Riddagh; Senators Connor, Citro, Holloway, Sr. Assigned to Education Committee.

HB 430 - AN ACT TO REINCORPORATE THE TOWN OF WOODSIDE. Sponsors: Representatives Buckworth and Darling. Assigned to Community Affairs Committee.

HB 455 w HA 1 w HA 1 - AN ACT TO AMEND CHAPTER 41, TITLE 9 OF THE DELAWARE CODE RELATING TO KENT COUNTY LEVY COURT DISTRICTS. Representatives Harrington, Buckworth and Riddagh. Assigned to Insurance and Elections Committee.

HB 467 w HA 1, 3, 4, 5 - 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, 1982; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS", BEING HOUSE SUBSTITUTE NO. 1 FOR HOUSE BILL, NO. 250 OF THE 131ST GENERAL ASSEMBLY OF THE STATE OF DELAWARE, AND TO PROVIDE AN APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO BE USED FOR THE CONSTRUCTION AND MAINTENANCE OF WATERSHED AND TAX DITCHES. Sponsors: Representatives Sinecock, Burris, Petrilli. Assigned to Finance Committee.

HB 471 - AN ACT TO AMEND CHAPTER 68, TITLE 16 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM CIVIL OR CRIMINAL LIABILITY FOR FOOD DONATIONS. Sponsor: Representative Smith. Assigned to Health-Social Services/Aging Committee.

SB 385 AN ACT TO AMEND CHAPTER 55, TITLE 15, DELAWARE CODE, RELATING TO ABSENTEE VOTING IN SPECIAL ELECTIONS. Sponsor: Senator Torbert. Assigned to Insurance and Elections Committee.

SB 386 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, TO REQUIRE FINANCIAL DISCLOSURE FOR CERTAIN STATE OFFICIALS AND EMPLOYEES OF THE LEGISLATIVE, EXECUTIVE, AND JUDICIAL BRANCHES OF GOVERNMENT. Sponsors: Senator Torbert and Representative Bennett. Assigned to Executive Committee.

SB 387 - AN ACT TO REQUIRE HEALTH CARE FACILITIES TO ASCERTAIN UPON ADMISSION WHETHER OR NOT A PATIENT HAS DONATED ALL OR PART OF HIS OR HER BODY AS AN ANATOMICAL GIFT, AND TO MAINTAIN A RECORD THEREOF. Sponsor: Senator Cordrey. Assigned to Health-Social Services/Aging Committee.

SB 388 - AN ACT TO AMEND TITLE 14, DELAWARE CODE, TO PROVIDE TUITION-FREE HIGHER EDUCATION FOR PERSONS AGE 60 OR OLDER. Sponsor: Senator Zimmerman. Assigned to Education Committee.

SB 389 - AN ACT TO AMEND DELAWARE CODE, TITLE 29, BY PROVIDING FOR THE RETIREMENT OF FULL-TIME CLASSROOM TEACHERS AFTER TWENTY-FIVE YEARS OF SERVICE WITHOUT PENALTY. Sponsors: Senator Bair, Representative Jester. Assigned to Education Committee.

SB 390 - AN ACT TO AMEND CHAPTER 9, TITLE 13, DELAWARE CODE, RELATING TO CONFIDENTIALITY OF RECORDS IN ADOPTION PROCEEDINGS. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SB 391 - AN ACT TO AMEND CHAPTER 21, PART II, TITLE 25 OF THE DELAWARE CODE RELATING TO MORTGAGES ON REAL ESTATE BY PROVIDING FOR INTEREST PAYMENTS ON ESCROW FUNDS. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 392 - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A DELAWARE CRIMINAL JUSTICE INFORMATION SYSTEM. Sponsor: Senator Vaughn. Assigned to Judiciary Committee.

SB 393 - AN ACT TO ESTABLISH THE DELAWARE MANAGEMENT ADVISORY COMMITTEE WHICH HAS THE RESPONSIBILITY FOR DEVELOPING A COMPREHENSIVE MANAGEMENT PROGRAM FOR DELAWARE STATE GOVERNMENT. Sponsors: Senator Bair, Neal, McDowell; Representative Jester. Assigned to Executive Committee.

SB 394 - AN ACT TO AMEND CHAPTER 90, TITLE 11, DELAWARE CODE RELATING TO COMPENSATION FOR INNOCENT VICTIMS OF CRIME. Sponsors: Senators Vaughn, Sharp; Representative Riddagh. Assigned to Judiciary Committee.

SB 395 - AN ACT TO AMEND SUBCHAPTER VII OF CHAPTER 5, TITLE 11, DELAWARE CODE, RELATING TO ABANDONMENT OF ANIMALS. Sponsors: Senator Zimmerman; Representative Jester. Assigned to Judiciary Committee.

SR 56 (sponsored by Senator Cordrey and Sharp) was introduced and considered for adoption:

SR 56 - AUTHORIZING THE DIVISION OF RESEARCH OF LEGISLATIVE COUNCIL TO FURNISH POSTAGE FOR THE SECOND SESSION OF THE 131ST GENERAL ASSEMBLY.

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

The following Bills were re-assigned to the Public Safety Committee: SB 351; SB 213; SB 319; SB 343; HB 253; HB 232.

SR 44 was introduced and considered for adoption on motion of Senator Holloway:

SR 44 - REQUESTING DELAWARE'S TWO UNITED STATES SENATORS TO SUPPORT SENATE JOINT RESOLUTION 109 DESIGNATING AUGUST 30, 1982, AS ROY WILKINS DAY. Sponsor: Senator Holloway.

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

SCR 72 was introduced and immediately stricken at the request of the sponsor, Senator Holloway.

SCR 72 - CONGRATULATING DONALD MATHEWSON OF THE DELAWARE STATE TRAVEL SERVICE ON HIS NEWLY ELECTED POSITIONS AND RECOGNIZING HIS OUTSTANDING SERVICE TO THE STATE OF DELAWARE.

SCR 75 was introduced and considered for adoption on motion of Senator Zimmerman:

SCR 75 - MOURNING THE DEATH OF ARTHUR W. DOBBERSTEIN, OF DOVER, MEMBER OF THE HOUSE OF REPRESENTATIVES IN THE 126TH GENERAL ASSEMBLY. Sponsors: Senator Zimmerman; Representatives Bennett, Harrington, Riddagh.

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.

HCR 84 was introduced and assigned to Community Affairs Committee at the request of Senator McDowell:

HCR 84 - DIRECTING THE DELAWARE SUNSET COMMITTEE TO STUDY THE FEASIBILITY AND DESIRABILITY OF REMOVING THE REGULATION OF HEARING AID DEALERS FROM THE BOARD OF EXAMINERS OF SPEECH PATHOLOGY AND AUDIOLOGY, OR ITS SUCCESSOR; REPEALING ANY LEGISLATION ESTABLISHED FOR SUCH JOINT REGULATION; AND PLACING RESPONSIBILITY FOR THE REGULATION OF HEARING AID DEALERS UNDER THE BOARD OF SERVICES. Sponsor: Representative Burris.

HCR 92 was introduced and considered for adoption on motion of Senator Cordrey:

HCR 92 - AUTHORIZING THE TOWN OF DAGSBORO TO ERECT INFORMATION SIGNS NORTH AND SOUTH OF THE TOWN OF DAGSBORO IN THE PARKWAY OF U.S. 113. Sponsors: Representative West, Senator Cordrey.

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 Holloway, SB 292 w SA 1 which had passed the Senate and now returned from the House further amended by HA 2 was reassigned to Health-Social Services/Aging Committee.

SB 380 was stricken at the request of the sponsor, Senator Connor.

SB 206 was stricken at the request of the sponsor, Senator Knox.

The following legislation was introduced:

SB 396 - AN ACT TO AMEND CHAPTER 39, TITLE 18, DELAWARE CODE RELATING TO PROHIBITIONS AGAINST PREMIUM INCREASES. Sponsor: Senator Zimmerman. Assigned to Insurance and Elections Committee.

SB 397 - AN ACT RELATING TO LITTER CONTROL. Sponsor: Senator Zimmerman. Assigned to Highways and Transportation Committee.

SR 57 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 57 - IN REFERENCE TO TEMPORARY RULES OF THE DELAWARE STATE SENATE. Sponsors: Senators Zimmerman, Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn.

The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Berndt) voting NO; therefore, the Resolution was declared adopted.

At 4:15 p.m. on motion of Senator Sharp, the Senate recessed until January 13 at 2:00 p.m., weather permitting.

Due to hazardous traveling conditions throughout the State on Wednesday (January 13) and Thursday (January 14), the sessions were cancelled for those days.

The Senate reconvened at 2:40 p.m., January 19, 1982, Lt. Governor Castle presiding.

HB 353 w HA 1 (as amended by HA 1), HA 2 was reported out of the Education Committee: 3 Favorable, 1 Merits.

The following communication from the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
December 11, 1981

The Honorable Michael N. Castle
Lt. Governor of the State of Delaware
Dover, Delaware

Dear Lt. Governor Castle:

This is in response to Senate Concurrent Resolution No. 74 which directed that a copy be sent to me. This Resolution urges the Nemours Foundation, Inc. to open an office in southern Delaware to serve elderly citizens in that part of the State.

I assure you that I share the Senate's concern that the medical programs of the Nemours Foundation should begin serving all eligible Delawareans as soon as possible.

Indeed, during discussions between officials of Nemours and the State of Delaware, all parties agreed that an efficient system of delivering services to each eligible state resident was of paramount importance. Since then, I have received every indication that the Nemours trustees are highly sensitive to their duty in this regard and will honor their obligations faithfully.

Nemours has recently opened a clinic and a pharmacy and pharmaceutical dispensary in Wilmington. According to Nemours officials, an expansion of facilities to serve Kent and Sussex County residents will be an immediate next step.

In the interest of Delaware's low-income, elderly residents, it is the State's duty to ensure that the Nemours Foundation's services are performed as provided in its trustees' agreement with the State. But I believe, also, that we must keep in mind that the Foundation should proceed with an adequate measure of caution, given the need to design a practical and efficient statewide delivery system.

Please advise the Senate that I will continue to observe closely the Foundation's progress in fulfilling Nemours' commitment to Delaware's citizens.

Sincerely yours,
Pierre S. duPont, IV, Governor

cc: Thomas Ferry, Nemours Foundation

SA 2 to HB 353 (sponsored by Senator McBride and Representative Soles) was introduced and placed with the Bill.

SCR 79 was introduced and considered for adoption on motion of Senator Cordrey:

SCR 79 - 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 ADDRESS. Sponsors: Senators Cordrey and Sharp; Representatives Burris and Petrilli.

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

SJR 27 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Cordrey:

SJR 27 - REQUESTING THE CHIEF OF ENGINEERS, U.S. ARMY CORPS OF ENGINEERS TO ISSUE A PERMIT TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL FORTHWITH FOR EMERGENCY DREDGING AT INDIAN RIVER INLET. Sponsor: Senator Cordrey.

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

At 2:55 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 2nd Legislative Day.

2ND LEGISLATIVE DAY

January 19, 1982

The Senate convened at 2:55 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Cordrey.

Senator Cordrey announced that Senator Littleton tendered to him his resignation from the Joint Finance Committee; however, Senator Cordrey refused to accept the resignation.

There was considerable discussion on the question.

Senator Zimmerman marked PRESENT.

At 3:07 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:30 p.m., Senator Sharp presiding.

Senator Connor marked PRESENT.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 96; HCR 97; HJR 23 and SCR 75.

On motion of Senator Cordrey, SB 381 which had previously passed the Senate, was taken up for reconsideration as further amended by HA 1.

Consideration of SA 1 to the Bill was deferred on motion of Senator Cordrey.

The roll call vote on SB 381 w HA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SA 1 to SB 381 w HA 1 was then stricken on motion of Senator Cordrey.

HB 353 w HA 1 w HA 1; HA 2 was taken up for consideration on motion of Senator McBride:

HB 353 w HA 1 w HA 1; HA 2 - AN ACT TO AMEND TITLE 14 AND TITLE 7 OF THE DELAWARE CODE TO PROVIDE A MECHANISM BY WHICH SCHOOL DISTRICTS MAY DISPOSE OF UNEEDED BUILDINGS AND LAND BY SALE OR LEASE.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McDowell.

The privilege of the floor was extended to Hank Ridgley (Senate Attorney) after which the roll call vote on the Amendment was taken and revealed:

YES: Senators Cordrey, Marshall, McDowell, Torbert, Zimmerman - 5.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Hughes, Knox, Littleton, Martin, McBride, Neal, Sharp, Vaughn - 15.

NOT VOTING: Senator Holloway - 1.

Therefore, the Amendment was declared defeated.

SA 2 to the Bill was introduced by Senator McBride.

The Bill and the Amendment were then laid on the table on motion of Senator Knox.

At 5:55 p.m. Lt. Governor Castle presiding.

HJR 23 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Cordrey:

HJR 23 - IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Representatives Burris and Petrilli.

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 following communications were read:

SENATE
STATE OF DELAWARE
DOVER

January 19, 1982

TO: Members of the Senate of the 131 General Assembly

FROM: Senator Richard S. Cordrey, President Pro Tempore

SUBJECT: Appointment

As there is a vacancy on the Sunset Committee, because of the resignation of Senator Jim Vaughn, due to his appointment on the Finance Committee, I hereby appoint Senator William Torbert to the Sunset Committee.

SENATE
STATE OF DELAWARE
DOVER

January 19, 1982

TO: Delaware State Senate - 131st General Assembly
FROM: Richard S. Cordrey, President Pro Tempore
SUBJECT: Committee Appointment

Due to the resignation of Senator Lee Littleton, I hereby appoint Senator Charles E. Hughes to fill the vacancy on the Senate Finance Committee, for the remainder of the 131st General Assembly.

* * * * *

At 5: 59 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 20, 1982.

The Senate reconvened at 2:32 p.m., January 20, 1982, Lt. Governor Castle presiding.

At 2:37 p.m. on motion of Senator Sharp, the Senate recessed due to failure of the tape recorder and reconvened at 3:37 p.m., Senator Cordrey presiding.

On motion of Senator Sharp and without objection, the roll call vote on SR 56 was rescinded and the Resolution stricken.

The following Committee reports were announced:

From the Executive Committee: Kathryn S. Andersen - 1 Favorable, 5 Merits; R. Wayne Ashbee - 2 Favorable, 4 Merits; Gene Derrickson - 1 Favorable, 4 Merits; Joseph F. Desmond - 6 Merits; Elizabeth Henry - 6 Merits; Stephen L. Hershey, M.D. - 1 Favorable, 5 Merits; Stephen L. Manista - 6 Merits; Chrystyna M. Rigby - 6 Merits.

The following legislation was introduced:

SB 398 - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE, RELATING TO SPECIAL PLATES AND PARKING PERMITS FOR HANDICAPPED PERSONS. Sponsor: Senator Cordrey. Assigned to Public Safety Committee.

SB 399 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE III, SECTION 22, OF THE 1897 CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE TERM OF THE OFFICE OF SHERIFF. Sponsor: Senator Sharp. Assigned to Insurance and Elections Committee.

SB 400 - AN ACT TO PROHIBIT CERTAIN TINTED WINDSHIELDS AND WINDOWS ON MOTOR VEHICLES. Sponsors: Senator Marshall and Representative Jonkiert. Assigned to Public Safety Committee.

SB 401 - AN ACT TO AMEND CHAPTER 8, TITLE 22 OF THE DELAWARE CODE PROHIBITING ADULT ENTERTAINMENT ACTIVITIES IN CERTAIN LOCATIONS WITHIN THE CORPORATE LIMITS OF MUNICIPAL CORPORATIONS. Sponsors: Senators McBride, Berndt, Citro, Connor, Littleton, Torbert, Vaughn; Representatives Dixon, Petrilli, Soles, Spence. Assigned to Community Affairs Committee.

SB 402 - AN ACT TO AMEND CHAPTER 16, TITLE 24 OF THE DELAWARE CODE RELATING TO THE LICENSING, OPERATION AND LOCATION OF ADULT ENTERTAINMENT ESTABLISHMENTS. Sponsors: Senators McBride, Berndt, Citro, Connor, Littleton, Torbert, Vaughn; Representatives Dixon, Petrilli, Soles, Spence. Assigned to Community Affairs Committee.

SB 403 - AN ACT TO AMEND CHAPTER 16, TITLE 24 OF THE DELAWARE CODE CREATING ADDITIONAL GROUNDS FOR REVOCATION OF A LICENSE TO OPERATE AN ADULT ENTERTAINMENT ESTABLISHMENT; AND AUTHORIZING THE COMMISSION ON ADULT ENTERTAINMENT ESTABLISHMENTS TO ADOPT REGULATIONS CONCERNING ENFORCEMENT. Sponsors: Senators McBride, Berndt, Citro, Connor, Littleton, Torbert, Vaughn; Representatives Dixon, Petrilli, Soles, Spence. Assigned to Community Affairs Committee.

SB 404 - AN ACT TO AMEND PART VI, TITLE 3, DELAWARE CODE, TO PROVIDE FOR THE HUMANE KILLING OF ANIMALS HELD IN A SHELTER. Sponsor: Senator Cordrey. Assigned to Agriculture Committee.

SB 405 - AN ACT TO AMEND TITLES 19, 9, 11, 18, 24, 29, 30, AND 31 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION PROVIDING FOR THE "WORKERS' COMPENSATION REFORM ACT OF 1981" AND FURTHER TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE LOSS AND EXPERIENCE DISCLOSURE. Sponsor: Senator Sharp. Assigned to Insurance and Elections Committee.

SB 406 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO THE FEE FOR THE ISSUANCE OF A DUPLICATE DRIVER'S LICENSE. Sponsors: Senators Citro, Marshall, Neal, Bair, Arnold, Vaughn; Representatives Jonkiert, Corrozi, Riddagh, Roy, Campanelli. Assigned to Public Safety Committee.

SB 407 - AN ACT TO AMEND CHAPTER 41 OF TITLE 14 OF THE DELAWARE CODE RELATING TO DISTURBING SCHOOLS OR DESTROYING SCHOOL PROPERTY. Sponsor: Senator Sharp. Assigned to Education Committee.

SJR 28 - DIRECTING THE DEPARTMENT OF TRANSPORTATION TO DESIGNATE AND MARK U.S. 495 FROM NAAMANS ROAD TO THE KENNEDY MEMORIAL HIGHWAY NEAR MINQUADALE AS THE VIETNAM VETERANS MEMORIAL HIGHWAY IN HONOR OF DELAWARE SERVICEMEN WHO SERVED IN THE VIETNAM CONFLICT AND MAKING AN APPROPRIATION THEREFOR. Sponsors: Senators McBride, Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman; Representatives Anderson, Barnes, Bennett, Brady, Buckworth, Burris, Cain, Cathcart, Cordrey, Corrozi, Darling, Derrickson, Dixon, Edwards, Ennis, Free, George, Harrington, Jester, Jonkiert, Minner, Oberle, Plant, Powell, Riddagh, Roy, Sincok, Soles, Spence, West. Assigned to Community Affairs Committee.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 96; HCR 97 and HCR 98.

HCR 96 was introduced and laid on the table in the absence of the co-sponsor, Senator Holloway:

HCR 96 - MARKING THE 53RD BIRTHDAY OF THE REVEREND DR. MARTIN LUTHER KING, JR., CIVIL RIGHTS LEADER AND HUMANITARIAN, ON JANUARY 15, 1982. Sponsors: Representatives Plant, Holloway, Jr.; Senator Holloway, Sr.

HCR 97 was introduced and considered for adoption on motion of Senator Berndt:

HCR 97 - CONGRATULATING CLAYTON M. HOFF, OF WILMINGTON, ON HIS SELECTION FOR THE 1981 FRIEND OF RECREATION AWARD OF THE DELAWARE RECREATION AND PARKS SOCIETY. Sponsors: Representatives Smith and Brady; Senators Knox and Berndt.

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

HCR 98 was introduced and considered for adoption on motion of Senator Cordrey:

HCR 98 - WISHING JOE BEN HUDSON, OF MISSION, SUSSEX COUNTY, A HAPPY BIRTHDAY AS HE REACHES NUMBER 108 ON JANUARY 26, 1982. Sponsors: Representatives West and Cordrey; Senators Cordrey and Littleton.

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.

The following communications from the Governor were read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

January 19, 1982

To the Senate of the 131st General Assembly of the State of Delaware

The nomination of Mr. Joseph L. Warnell for Public Service Commission, submitted to you on June 29, 1981, is hereby formally withdrawn.

Sincerely,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

January 19, 1982

To the Senate of the 131st General Assembly of the State of Delaware

The nomination of William H. Brady II for the Delaware Solid Waste Authority, submitted to you on May 14, 1981, is hereby formally withdrawn.

Sincerely,
Pierre S. duPont, Governor

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

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

January 19, 1982

To the Senate of the 131st General Assembly
of the State of Delaware

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that board: Elbert N. Carvel, General Delivery, Laurel, Delaware, to be reappointed as a member of the Board of Trustees, University of Delaware, for a six year term to expire June 10, 1987.

The above name is not a gubernatorial appointment.
Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

January 19, 1982

To the Senate of the 131st General Assembly
of the State of Delaware

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that Board: Harry K. F. Terry, McCauleys Pond, Harrington, Delaware, to be reappointed as a member of the Board of Trustees, University of Delaware, for a six year term to expire December 13, 1987.

The above name is not a gubernatorial appointment.
Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

January 19, 1982

To the Senate of the 131st General Assembly
of the State of Delaware

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that Board: Warner W. Price, Jr., 197 N. Main Street, Smyrna, Delaware, to be reappointed as a member of the Board of Trustees, University of Delaware, for a six year term to expire December 6, 1987.

The above name is not a gubernatorial appointment.
Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

January 19, 1982

To the Senate of the 131st General Assembly
of the State of Delaware

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that Board: J. Bruce Bredin, P.O. Box 87, Wilmington, Delaware, to be reappointed as a member of the Board of Trustees, University of Delaware, for a six year term to expire June 1, 1987.

The above name is not a gubernatorial appointment.
Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
January 19, 1982

To the Senate of the 131st General Assembly
of the State of Delaware

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that Board: E. Norman Veasey, 316 Center Hill Road, Centerville, Delaware, to be reappointed as a member of the Board of Trustees, University of Delaware, for a six year term to expire May 31, 1987.

The above name is not a gubernatorial appointment.
Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
January 19, 1982

To the Senate of the 131st General Assembly
of the State of Delaware

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that Board: Virginia M. Dennis, 100 Queen Street, Dover, Delaware, to be appointed as a member of the Board of Trustees, University of Delaware, for a six year term to fill the expired term of Dr. Luna I. Mishoe, resigned, expiring June 7, 1987.

The above name is not a gubernatorial appointment.
Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
January 19, 1982

To the Senate of the 131st General Assembly
of the State of Delaware

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that Board: R. R. M. Carpenter, Jr., Powder Mill Square, Suite 204, 3844 Kennet Pike, Greenville, Delaware, to be reappointed as a member of the Board of Trustees, University of Delaware, for a six year term to expire December 14, 1987.

The above name is not a gubernatorial appointment.
Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

January 19, 1982

To the Senate of the 131st 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: Alfred Fraczkowski, 1402 Woodlawn Avenue, Wilmington, Delaware, to be reappointed as a Judge of the Municipal Court for the City of Wilmington for a term of twelve years.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

January 19, 1982

To the Senate of the 131st 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: Nathan Hayward III, 192 Brecks Lane, Wilmington, Delaware, to be appointed as Director of the Delaware Development Office and to serve at the Pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

January 19, 1982

To the Senate of the 131st 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: Kirby Kirksey, 25 North Fawn Drive, Newark, Delaware, to be appointed a member of the Delaware Solid Waste Authority for a term of three years to succeed J. Donald Isaacs, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
January 19, 1982

To the Senate of the 131st 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: Donald B. Jacobs, R.D. 1, Box 56, Seaford, Delaware, to be appointed as a member of the Public Service Commission for a term of five years to succeed Roland G. Hastings, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

* * * * *

HCR 96 was lifted from the table and considered for adoption on motion of Senator Holloway. The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House. At 4:05 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 3rd Legislative Day.

* * * * *

3RD LEGISLATIVE DAY
January 20, 1982

The Senate convened at 4:05 p.m., Lt. Governor Castle presiding.
A Prayer was offered by Senator Arnold.
Pledge of Allegiance to the Flag.
Call of the roll revealed the following attendance:
PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 2L.
The Journal of the previous day was approved as read on motion of Senator Sharp.
On motion of Senator Adams, the Governor's nomination for appointment of Gene Derrickson was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the appointment was declared confirmed.
On motion of Senator Adams, the Governor's nomination for appointment of Stephen L. Manista was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the appointment was declared confirmed.
On motion of Senator Adams, the Governor's nomination for appointment of R. Wayne Ashbee was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the appointment was declared confirmed.
On motion of Senator Adams, the Governor's nomination for appointment of Stephen L. Hershey, M.D. was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

The following communication from the President pro Tem was read:

SENATE
STATE OF DELAWARE
DOVER
January 20, 1982

TO: All Members of the Senate of the 131st General Assembly
FROM: Senator Richard S. Cordrey, President pro Tempore
SUBJECT: Committee Appointment

As per the power invested in me, I hereby appoint the following as members of the Small Business Committee of the Senate, to serve during the 131st General Assembly: Senator Jacob W. Zimmerman, Chairman; Senator Harris B. McDowell, III; Senator Richard S. Cordrey; Senator James P. Neal; Senator Myrna L. Bair.

* * * * *

HB 353 w HA 1 w HA 1; HA 2 was taken up for consideration on motion of Senator McBride.
SA 2 to the Bill which had been placed with the Bill was laid on the table on motion of the sponsor, Senator McBride.

SA 3 to the Bill (sponsored by Senator McBride and Representative Soles) was introduced and considered for adoption on motion of Senator McBride.

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 Senate Attorney, Hank Ridgley after which the roll call vote on HB 353 w HA 1 w HA 1; HA 2; SA 3 was taken and revealed 19 Senators voting YES and 2 (Marshall and McDowell) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SB 116 was lifted from the table for consideration on motion of Senator McBride and the roll call vote taken which revealed:

YES: Senators Citro, Connor, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Adams, Bair, Berndt, Hughes, Knox, Littleton, Neal - 7.

ABSENT: Senator Arnold - 1.

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

At 5:08 p.m. on motion of Senator Cordrey, the Senate recessed until 1:30 p.m., January 21, 1982.

The Senate reconvened at 1:40 p.m., January 21, 1982, Lt. Governor Castle presiding and immediately adjourned on motion of Senator Sharp to convene for the 4th Legislative Day.

4TH LEGISLATIVE DAY January 21, 1982

The Senate convened at 1:40 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

At 1:50 p. m., the Sergeant-at-Arms announced the arrival of the members of the House and the Senate recessed on motion of Senator Sharp to meet with the members of the House in Joint Session.

JOINT SESSION SENATE CHAMBER January 21, 1982

The Lt. Governor invited the President pro Tempore of the Senate and the Speaker of the House to the rostrum.

On motion of Senator Sharp the Senate and House convened for the Joint Session pursuant to SCR 79. Senator Sharp moved that the President of the Senate preside over the Joint Session and there was no objection.

Senator Sharp moved that the Secretary of the Senate and the Chief Clerk of the House as secretaries of the Joint Session and there was no objection.

Members of the Judiciary, the Governor's Cabinet and other elected officials were admitted to the Chamber.

The President of the Senate appointed Senators Hughes and McBride, Representatives Dickson and Maroney to act as a Committee to escort the Governor to the Chamber.

The Sergeant-at-Arms announced the arrival of the Governor escorted by the Committee.

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

The Governor addressed the Joint Session as follows:

Lieutenant Governor Castle, Mr. President Pro Tempore, Mr. Speaker, Members of the 131st General Assembly, Members of the Judiciary and Cabinet, Honored Guests, Ladies and Gentlemen.

As has been my privilege and duty for the past five years, I come before you today to report on the State of the State. With considerable wisdom and foresight, the Framers of Delaware's Constitution called upon the Governor to pause and reflect each year upon Delaware's progress and problems, her past and her future. I welcome this constitutional duty: to look beyond the issues and demands of the moment, and to share with my fellow citizens a view of the First State's well-being. I am pleased to report to you today that the state of the state is good, and we have every reason to expect that it will continue to improve.

In my Inaugural Address just a year ago, I began a second term in office saying that we must apply the goodwill and cooperation that has been so helpful in the past, as we addressed the problems of the future.

In the past five years that cooperative spirit has helped us instill a new standard of professionalism in state government, and achieve substantial progress — in financial management and education; in equality of opportunity; in corrections and highway rehabilitation; in spending control and tax reduction, and, perhaps most important of all, in bringing new employment opportunities to Delaware.

That progress has been achieved through partnerships — partnerships between the executive and legislative branches of government, but more importantly, between the public and private elements of our community. We must continue to involve all elements of Delaware life, and all our citizens in those partnerships, for clearly, government by itself cannot effectively respond to all the challenges we face. If we continue united as a community in addressing our problems and opportunities, I am confident that continuing success will result.

Just as a physician observes his patient's temperature and blood pressure in performing an annual check up, those who would determine a state's health will look to her economic vital signs.

Delaware's underlying economic structure is sound. Statistics indicate that we enjoyed strong growth in both personal income and employment in 1981. While we are proud of that record, we must remember that our State is not immune to the effects of the recession that is currently gripping the nation's economy. Clearly, America's economic health is not what it ought to be; nevertheless, compared to our sister States, Delaware's economy is strong.

As we have improved our economic health during the past four years, those partnerships to which I have referred have produced budgets which have yielded surpluses each year, a carefully prescribed set of spending and borrowing limits, a decrease in personal income taxes, and a "rainy day fund" to protect against unforeseen and insurmountable revenue losses. In addition, because of legislative, administration and private efforts, Delaware sold last month its interest in the former Farmers Bank, increasing interest income to the State from almost nothing in 1977 to an estimated \$23 million next year.

But perhaps no single event in the past year promises greater enhancement of our economic health than the passage by this General Assembly of the Financial Center Development Act. In less than a year's time, ten major financial institutions have joined our community to provide thousands of new jobs for Delaware citizens and to build a strong spoke in the wheel of economic activity in Delaware. We expect that several other companies will bring future and further opportunity and growth in the years ahead. I applaud the carefully given consideration to that legislation by the General Assembly; and each of its members can take pride in the fact that Delaware was able to act with the wisdom and dispatch displayed by very few of our sister states.

But while it is fitting that we observe with some pride these accomplishments, I don't believe that the task of improving our economy is complete. Too many people remain unemployed, too many families have yet to realize the full measure of economic opportunity. Too much remains to be done.

Last October the General Assembly recognized the need to strengthen our effort when it approved the creation of the Delaware Development Office and charged it with the responsibility for charting Delaware's course to further economic growth.

The Development office is continuing to direct the state's participation in the Christina Gateway Project - a partnership between Wilmington and the State created to return an important part of center city Wilmington to highly productive use. Just two weeks ago the American Life Insurance Company announced plans to build the first major office building on that site. The Development Office will continue to work with the First National Bank of Maryland in the multi-million dollar renovation of the NCR facility in Millsboro, and to assist a financial institution which presently plans to bring its operations here to Dover. These latter two developments are particularly important since they provide concrete evidence that each of Delaware's three counties will share in our new prosperity.

It is no accident that private investment in expansion projects in Delaware is approaching \$1 billion. It is, instead, an expression of confidence in the partnership struck between Delaware's political leadership and the business community.

But if we are going to continue a healthy economic expansion, we must also aggressively seek out opportunities in diverse sectors of the economy. We have targeted five areas which look particularly promising and in which Delaware has a strong competitive advantage. These include insurance, printing and publishing, electronics, communications, and pharmaceutical and medical technology. If we apply the same ingenuity and effort, and the same successful private/public partnership to these endeavors as we have to others, expanded economic opportunities are going to be realized.

It is my strong belief that if state government fails to nurture an environment offering real economic opportunity to each of its citizens, so that families can prosper and dreams be realized, then the taxpayer has not received the freedom and opportunity that is the basis of self-government. In providing the economic fabric into which those dreams can be woven, those of us who direct the levy and expenditure of tax dollars should constantly ask whether the price being paid by our people is too high. As I have said in the past, I believe it is.

Although there was a reduction in the personal income tax in 1978, Delawareans continue to be saddled with taxes that are among the highest in the nation and are the single greatest deterrent to further economic development in Delaware. Like a ship dragging an anchor, our voyage to economic prosperity has been slowed dramatically. Even with all the progress achieved in the last few years in attracting businesses and employment opportunities to our State, our ability to compete with our sister states remains impeded.

The question, then, is not whether to seek further reductions in the state personal income tax, but when. I believe many of us here today were hopeful, even confident, that anticipated revenues for 1983 would be sufficient to provide at least part of the funds necessary for a tax cut. Although the current national recession has clouded that confidence, we should not yet conclude that this critical decision should be postponed for another year. Tax reduction must be the first priority use for increased revenues beyond those already forecast for the coming fiscal year.

While the current national economic situation has limited estimated revenues in fiscal year 1983, President Reagan's recent and welcome federal tax reduction has had the effect of reducing state revenues as well. While I applaud any change in federal or state laws which reduce taxes, I believe that we should carefully consider the impact of federal tax reductions on state revenues. If we decide to reallocate those reductions, it should be done expressly in the interest of cutting personal income taxes - not for new spending programs.

I remain hopeful that we will soon begin to see the first indications of a rebounding economy. When we do, I intend to submit a personal income tax reduction package to the General Assembly based upon three priorities: to cut income taxes across the board for the average taxpayer; to further reduce the top rates; and to target special tax reductions to the working poor. Such a program will pay dividends in terms of jobs and additional revenues far beyond the immediate cost of the reductions.

In addition to inquiring whether the price paid by the taxpayer for the operation of state government is too high, I believe that government must also devote constant attention to the improvement of the process by which these dollars are spent. In my State of the State message a year ago, I addressed the problem of grants-in-aid with these words: "the authorization, auditing, and use of these funds is almost without control." I suggested three specific corrective actions: capping the total dollars allocated; as careful a review of grants expenditures as other budget decisions; and the submission of an annual audit by all grantees.

None of these measures were adopted, and we have paid a price - in dollars and in trust - for not having done so. Events of the past few months remind us that the controls we place on the private expenditure of public funds are insufficient to insure their proper use. It is time for immediate and comprehensive reform. A committee of the House of Representatives appointed by Speaker Hebner under the leadership of Representatives Smith and Soles has taken a very positive step in the introduction of a package of bills. With the addition of conflict of interest provisions, I believe that all that legislation should be enacted.

We should also enact, as I have urged in years past, a comprehensive ethics bill. I do not believe the people of Delaware are satisfied with the laws governing the ethical standards of public officials; I do not believe we should be either. It is past time to come to grips with the most basic, bi-partisan governmental responsibility: maintaining the public trust by insuring the integrity of the governmental process. Former Senator Everett Hale of Newark worked many years to produce a piece of legislation, now sponsored by Senator Neal. We must unite in a legislative partnership to face this challenge, and we should promptly enact Senate Bill 49.

Along with economic opportunity and a proper accounting for tax dollars, the taxpayer justifiably demands a secure community - one in which people may pursue livelihoods free from violence to their person and property. The new maximum security facility in Smyrna and the 360 bed prison at Gander Hill, both scheduled to open in 1982, demonstrate that progress is continuing toward a stable and secure correction system.

The bricks and mortar cost of these facilities has been enormous - nearly \$30 million. Similarly, the operating budget for the Department of Corrections is today 226% larger than it was in 1977. It's clear to me that an investment of this magnitude cannot be made every four years.

In the past year, the Delaware Sentencing Reform Commission has addressed the problem of spiralling prison population, and developed interim recommendations including expansion of facilities designed for offenders who do not require the rigid custody of a traditional prison setting. Such facilities do provide a stronger and more carefully structured transition for the offender moving from custodial institutions to the community. Two such half-way houses should be funded and opened in the next fiscal year.

But beyond its primary duty to provide security to the community at large, a correction system must attempt to return individuals to the community who share the notion that hard work is better than criminal conduct. I emphasize the word "attempt" because no modern penal system has yet been devised which has broken completely the pattern of recidivism with which we are all too familiar. But promising steps to that end are being taken in Delaware.

Through a partnership with the National Alliance for Business and private industry councils, the Department of Correction is developing a systematic program for employability screening and job placement of correction inmates. In the last half of 1981, thirty-four inmates were placed in positive employment through this program - a good beginning towards solving one of our most difficult problems.

Beyond a prosperous and safe environment, Delaware taxpayers purchase with their dollars the preservation and enhancement of resources - both natural and human.

For Delawareans engaged in our largest industry - agriculture - the land itself is the most enduring and precious asset. A year ago, I received a report and recommendation from the Governor's Advisory Committee on Farmland Preservation. Based on that report, my proposed budget for fiscal year 1983 reflects funds sufficient to establish an agricultural land preservation section within the Department of Agriculture. We also will be appointing the State Agricultural Lands Preservation Board to provide counsel to the Department in this effort.

Perhaps none of Delaware's natural resources are more precious and in need of greater protection than its surface and groundwater supplies. Much of our attention in 1981 was drawn to the need to conserve this resource in the face of drought conditions. Together, Delawareans have successfully begun voluntary water conservation efforts in the face of that condition. But as a community, we are faced with an equally serious challenge: the cleanup of those areas where water supplies are threatened by improper disposal of wastes. We must, as stipulated in the "Superfund" legislation enacted by Congress in 1980, include our \$100,000 share of the funding in our annual bond bill to speed the cleanup of the Tybouts Corner Landfill site.

Steps must also be taken to prevent negligent disregard of our valuable water resources in the future. Although the state's ability to replace federal funds is limited, water quality is deserving of special attention. In my proposed Budget, S On motion of Senator Adams, the Governor's nomination for appointment of and Environmental Control to continue its supervision of the disposal of solid and industrial wastes.

In addition, I have asked the Solid Waste Authority to examine its statutory and technical capability to provide for the disposal of industrial wastes. It is not enough for government to simply say "Do not pollute." A responsible government must also work with industry in finding ways to dispose of industrial wastes in a safe manner. I am confident that, with the cooperation of all concerned, Delaware can continue to harmonize economic growth with environmental safety.

Finally, I turn to Delaware's most important resource of all - her children. There is, perhaps, no more important stewardship demanded of state government than the education of, and care for, our younger citizens. Just as a parent might carefully examine his child's report card, let us examine Delaware's "report card" on public education.

The marks are high, and recent studies display some encouraging statistics. The performance of our public school children, in nationally standardized tests in all subjects, not only exceeds national averages but continues to improve. Our children seeking entrance to the nation's colleges and universities have, for the past ten years, consistently exceeded national averages on entrance examinations. Further, in 1981 Delaware and Connecticut ranked first in the nation in terms of eligibility among our high school seniors for National Merit Scholarships.

The reasons for this good performance are many and varied; but the high level of state support must be among the most significant factors. Traditionally, Delawareans have directed nearly half of their tax dollars toward our educational system. Two-thirds of all funds for public schools are provided by the State, placing Delaware among the nation's leaders in the commitment of state government to local education.

But while our financial commitment to public education is both strong and growing, and while the resulting performance of our school children is encouraging, I am convinced that we must do more. As we expand our economic base and create new employment opportunities we must also be able to develop qualified applicants to fill those jobs. There can be no economic progress without educational progress as well. Now is the time to recognize that truth, and to devote more of our attention, more of our resources, more of our community effort to improving our educational system.

We are all aware of the national attention that has been given to improving student performance in the basic skills - reading, writing and mathematics. That has been the major emphasis of my Administration in the field of education: basic skills at the grade school level; competency based promotion from grade to grade; diplomas granted upon educational ability rather than the mere passage of time.

Our first priority must remain an emphasis on basic skills through providing state funds to replace lost federal dollars.

A second critical component of educational progress is reduced class size. Last Spring's worsening financial picture forced the suspension of our six year class reduction program. Next year it must be resumed; I will allocate an additional \$1.5 million in my budget to permit progress to continue.

But no matter what the class size, nor what basic skills are being taught, no student can learn without the quiet order so necessary for concentration. All too frequently a few disruptive students destroy the learning opportunity for the others by destroying the educational atmosphere of the classroom. It is time uncooperative students were removed to a more disciplined setting; it is time to establish alternative classrooms for disruptive students so that others may learn.

Next year we must begin such a program in every school district, so that we create an atmosphere in which teachers can teach, students can learn and parents can be confident that their children are being educated in a safe and positive environment.

If Delaware's most valuable resource is its youth, then we must be mindful of the fact that preparing children to be productive adults is only partially the responsibility of our public education system. Health and social service agencies, as well as the correctional and judicial systems, are constantly called upon to serve children who have needs in addition to the need for a quality education.

These youth may include runaways, truants, children with serious mental illnesses, or adolescents who exhibit serious behavior and/or emotional problems — some of whom commit criminal acts.

Over the past year, a special Cabinet committee on children has been meeting to consider how Delaware might better serve these children. While the committee has not completed its work, the first report highlights the difficult and complex problems of these young people, problems requiring another partnership — between educators, public and private agencies, and the community at large.

We should focus upon three specific recommendations from that Task Force report. One is for a common intake program with diagnostic capability to help the Division of Social Services and Family Court make appropriate placement decisions. This could go a long way towards reducing duplication of service and pointing the way to better treatment. While much of this work can be done in the community, several in-patient beds might also be required. I have asked the Departments of Health and Social Services, Correction, Public Instruction, and the Family Court to pursue this option, and to commit staff and available resources to this project.

Another recommendation is to provide a community-based extension of the services available at Governor Bacon Health Center, in order to avoid prolonged or unnecessary institutionalization. I am requesting funds in the budget to establish 10 residential placements in the community to implement this recommendation.

The report also recommends that a pilot case management project be initiated by public and private agencies involved with children, so that we can better coordinate state and community services, and improve the delivery of those services to children in need. The simplistic reorganization of government services and shuffling of bureaucratic structures is not the answer. This pilot case Management study should help us focus upon real improvements in child services, and how those services can better be delivered for the children who need them. I have asked Secretary Schramm and the Cabinet Committee on Youth to undertake this project without delay.

I have outlined this afternoon some of the progress we have achieved in the past few years, and what we hope to achieve in the year ahead. Our government has played an important role in our accomplishments; it will continue to do so. But there is more to life in Delaware than what government provides or regulates. There exists outside these halls a vast reservoir of talent, of energy, of intellectual and material resource awaiting our call to help address and solve our common problem.

In recent years government has become so massive, so pervasive, so central to our expectations that we have come to regard it as the sole provider, and the sole response to all of our needs. But the fundamental lesson of the 1980's may well be that this philosophy cannot continue; we cannot afford it, financially or philosophically.

Nor need we rely solely upon it, for government has no monopoly on the resources necessary to better our way of life; they exist as well in the minds and the hearts and the capability of our people and our community institutions. We must bring together all of those public and private resources in a partnership for progress in every field of endeavor.

In recognition of this American spirit of self reliance, President Reagan has established a Task Force on Private Sector Initiatives, on which I am privileged to serve. Its premise is simple: the greatness of America lies in the ingenuity of her people, the strength of her institutions, and the willingness of her citizens to work together. The task force seeks to help American communities identify and promote public and private sector partnerships at work across this nation — partnerships that are solving problems more effectively than government could solve them alone.

In the coming months I will convene in Delaware, and will be asking each of my fellow governors to convene in their states, a statewide Task Force on Private/Public Partnership Initiatives. Working with the President's Task Force, it will help harness the resources of our private sector and direct those boundless energies toward meeting the needs of the community that cannot and should not, be met by government alone. Be it individual volunteers, corporate resources, or community determination to confront and solve a common problem, however you want to define it, Americans and Delawareans stand ready and willing to enthusiastically work for the common good.

President Reagan's continuing commitment to a renewed federalism will return to state and local government the responsibility and the authority to craft Delaware solutions to Delaware's problems. We will accept that responsibility; we will build upon the generous and compassionate spirit of our citizens; we will build new partnerships for tomorrow just as we successfully built the partnerships of yesterday that have served us so well. And with that common determination born of a belief in ourselves, our heritage, and our spirit, we will continue to work for a better future for our neighbors, our children, and our children's children.

I thank you.

The previously named Committee escorted the Governor from the Chamber.

On motion of Senator Sharp, the Secretary of the Senate and the Chief Clerk of the House examined their journals and found them to agree.

On motion of Senator Sharp and without objection, the Joint Session adjourned and the two Houses separated to reconvened in their respective chambers.

The Senate reconvened at 3:50 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 99; HCR 100; HCR 101; HCR 102; HCR 103; HCR 104; HCR 105; HCR 106; HCR 107; HCR 108 and SCR 79.

At 3:51 p.m., Lt. Governor Castle presiding.

HCR 99 was introduced and considered for adoption on motion of Senator Bair:

HCR 99 - GRIEVING FOR THE LATE DELBERT G. (DEL) JACOBY WHO EXEMPLIFIED THE GOLDEN RULE. Sponsors: Representative Smith and Senator Bair.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Adams, Littleton, McDowell and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

Senators Cook, Marshall and Martin marked PRESENT.

Senator Zimmerman marked PRESENT.

HCR 100 was introduced and considered for adoption on motion of Senator Berndt:

HCR 100 - MOURNING THE DEATH OF FORMER REPRESENTATIVE T. LEES BARTLESON. Sponsors: Representatives Sinecock, Ennis; Senators Berndt, Knox, Holloway and Hughes.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Adams, Arnold and McDowell) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 101 was introduced and considered for adoption on motion of Senator Cook:

HCR 101 - CONGRATULATING EAST WIND INDUSTRIES INC., OF CLAYTON, UPON BEING NAMED EMPLOYER OF THE YEAR BY THE NATIONAL ASSOCIATION FOR RETARDED CITIZENS AND THE PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED. Sponsors: Representatives Riddagh, Buckworth, Harrington, Bennett, Darling, Minner; Senators Cook, Torbert, Zimmerman.

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

HCR 102 was introduced and considered for adoption on motion of Senator Littleton:

HCR 102 - COMMENDING WOODROW W. CROSBY, SEAFORD CITY MANAGER, ON HIS RETIREMENT AND HIS LONG YEARS OF DEDICATED SERVICE TO THE PEOPLE OF SEAFORD. Sponsors: Representatives Fallon and Bennett; Senators Littleton and Adams.

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 by the Senate and returned to the House.

HCR 103 was introduced and considered for adoption on motion of Senator Bair:

HCR 103 - MOURNING THE DEATH OF VICTOR F. HANSON, INVENTOR AND RETIRED CHIEF OF ENGINEERING PHYSICS RESEARCH FOR THE DUPONT COMPANY. Sponsors: Representatives Maroney and McKay.

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

HCR 104 was introduced and considered for adoption on motion of Senator McBride:

HCR 104 - HONORING RAOUL WALLENBERG FOR HIS CONTRIBUTION TO THE QUEST FOR HUMAN RIGHTS AND DIGNITY. Sponsors: Representative George; Senator McBride.

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 by the Senate and returned to the House.

HCR 105 was introduced and considered for adoption on motion of Senator Cook:

HCR 105 - CONGRATULATING EDDIE DAVIS, OF SMYRNA, THE FIRST DELAWAREAN TO WIN THE NORTH AMERICAN HARNESS DRIVING DASH-WINS CHAMPIONSHIP. Sponsors: Representatives Riddagh and Bennett; Senator Cook.

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

HCR 106 was introduced and laid on the table on motion of Senator Bair:

HCR 106 - COMMENDING THE DELAWARE STATE POLICE FOR THEIR CONSCIENTIOUS EFFORT TO REDUCE TRAFFIC DEATHS. Sponsors: Representatives VanSciver, Corrozi, Roy, Spence, Cathcart, Mack, Edwards, Dixon, Soles, Jester; Senators Citro, McBride and Connor.

HCR 107 was introduced and considered for adoption on motion of Senator Martin:

HCR 107 - PRAISING LEON J. TURULSKI, JR., OF BROOKSIDE, FOR THE BRAVERY AND PRESENCE OF MIND HE DEMONSTRATED IN SAVING HIS MOTHER AND SISTER FROM A FIRE IN THEIR HOME ON MONDAY, JANUARY 18, 1982. Sponsors: Representatives Anderson, Jonkiert and VanSciver; Senators Martin and Marshall.

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 by the Senate and returned to the House.

HCR 108 was introduced and considered for adoption on motion of Senator Bair:

HCR 108 - DESIGNATING MARCH 7-13 AS WOMEN'S HISTORY WEEK AND REQUESTING EDUCATIONAL INSTITUTIONS THROUGHOUT THE STATE TO GIVE SPECIAL ATTENTION TO THIS SUBJECT DURING THAT TIME. Sponsors: Representatives Maroney, VanSciver, Buckworth, Fallon, Cathcart, Ennis, Smith, Derrickson, Jester, Soles, Brady, Spence, Minner, Anderson, West; Senators Cook, Connor, Bair.

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 by the Senate and returned to the House.

The following legislation was introduced:

SB 408 - AN ACT TO AMEND CHAPTER 14, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO PROCEDURES FOR THE TERMINATION OF SERVICES OF PROFESSIONAL EMPLOYEES; AND PROVIDING THAT FORMAL COMMUNICATIONS BE BY CERTIFIED MAIL. Sponsors: Senators Connor, Bair, McBride; Representatives Mack, Cathcart and Spence. Assigned to Education Committee.

SB 409 - AN ACT TO AMEND CHAPTER 59, TITLE 29, DELAWARE CODE, RELATING TO THE UNIFORM PAY PLAN FOR MERIT SYSTEM EMPLOYEES. Sponsor: Senator Holloway. Assigned to Labor/Industrial Relations Committee.

The following Committee reports were announced:

From the Revenue and Taxation Committee: SB 21 - 1 Favorable, 3 Merits.

From the Agriculture Committee: SB 404 - 1 Favorable, 4 Merits.

From the Executive Committee: HB 421 w HA 1 - 5 Merits.

From the Judiciary Committee: SB 394 - 2 Favorable, 3 Merits; SB 355 - 5 Merits; SB 356 - 5 Merits; SB 395 - 5 Merits; SB 392 - 2 Favorable, 2 Merits.

From the Insurance and Elections Committee: HB 331 - 4 Merits; SB 399 - 4 Merits; SB 396 - 1 Favorable, 3 Merits; SB 385 - 1 Favorable, 3 Merits; SB 313 - 4 Merits; SB 308 - 4 Merits; SB 159 - 4 Merits.

SB 236 was taken up for consideration on motion of Senator Bair:

SB 236 - AN ACT TO AMEND SUBCHAPTER I, OF CHAPTER 43, TITLE 21, DELAWARE CODE, RELATING TO PROJECTIONS FROM THE PERIPHERY OF TIRES.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Citro and the roll call vote taken which revealed 19 Senators voting YES and 2 (Adams and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

The following communications were read and made part of the record on motion of Senator Bair:

STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
DOVER

June 4, 1981

Honorable Myrna L. Bair
Legislative Hall
Dover, Delaware
RE: SB 236

Dear Senator Bair:

The potential hazards associated with pavement damage from studded tires are primarily premature obliteration of pavement markings and reduced friction associated with water retention on worn surfaces.

The four main sources of increased cost reflecting the economic impact of studded tire use are the following:

1. The cost of using improved wear-resistant concrete and hot mix surfaces on new construction;
2. The cost of using improved wear-resistant material for normal resurfacing programs;
3. The additional costs arising from the increase in the resurfacing program due to the use of studs; and
4. The cost of more wear-resistant traffic markings for both existing pavements and new construction.

In 1977 Pennsylvania estimated the damage to their highways due to studded tire use to be 50 million dollars annually. In a 1975 Transportation Research Board report entitled Effects of Studded Tires several highway organizations have estimated 12 million or more dollars annual repair costs.

Studded tire research in Delaware since 1971 has shown a decrease in the number of cars using studded tires on the major corridor routes, which indicates there is no overwhelming public sentiment to retain studded tires.

The following states have banned the use of studded tires: Minnesota, Wisconsin, Michigan, Illinois, Mississippi, Louisiana, Florida, Connecticut, Rhode Island, Utah and most recently Maryland except for the 3 western-most counties and only for vehicles registered there.

The disadvantages far outweigh the advantages of studded tire use. The overall safety to our motorists will be improved by banning studded tires.

Sincerely,

Kermit H. Justice, Secretary

* * * * *

STUDED TIRES

Studded snow tires have long enjoyed the reputation of being invincible during winter snow driving conditions. These tires, which are currently legal in Delaware between October 15th and April 15th, have been known for increasing a vehicle's driving and handling characteristics better than any other readily available source of traction.

How much of this reputation is based on actual road performance? If there is an advantage, can it be measured in effectiveness in certain road and weather conditions? Is there a trade-off involved in striving for increased performance? If so, can Delaware afford to pay the price?

This brief report on studded tires will address those key points and localize the impact of a tire which has outlived its usefulness and has taken a sizable toll in the process.

Extensive tests in Ontario during the 70's illustrated beyond any doubt there is no appreciable difference in handling characteristics between regular snow tires and studded tires for most of winter's driving conditions. The tests including traction from a stop, turning movements and emergency stopping, only favored studded tires during glare ice conditions.

Glare ice conditions prevail 1% of the time in Delaware.

In addition, the advantage of studded tires measured in miles per hour, as compared to a car with regular snow tires, has brought forth the following results:

"The distance required for a vehicle to come to rest from 40 mph with regular snow tires is the same distance needed for a vehicle equipped with studs traveling at 43 mph."

The advantage gained in glare ice is 3 miles per hour.

A study conducted by the State of Minnesota revealed that studded tires have shown to contribute toward a false sense of security on the part of the driver, thus increasing the changes of being involved in an accident.

The net result of studded tire usage, in order to gain the advantage for 1% of the time, is to subject our roadway system to the consequences of steel studs six months out of every year. Most of this driving is on bare pavement and results in considerable wear.

In rainy weather, these worn out areas fill with water resulting in loss of control due to hydroplaning. These rutted areas greatly hinder breaking and steering and blur vision by increasing tire splash. Ironically, stopping distances for these tires are greater on wet pavements than regular snow tires.

The accelerated wear of highway striping and markings render a roadway hazardous at any speed or conditions. Studded tires are the leading cause of premature pavement marking wear during the winter. The amount and effect of the damage is unparalleled and leaves evidence of its destruction for the rest of the year.

All of these situations contribute to a worn and hazardous roadway, which promotes poor handling characteristics and unsafe driving conditions.

Reports depicting unusual wear on the interstate date back to the early 70's. These were the hardest hit areas of our highway system and the most expensive to repair.

In one example, a special one inch thick anti skid wearing surface on the I-95 Wilmington Viaduct had worn clear through in several areas. In another, tungsten carbide studs had worn through material whose strength is often compared to a diamond (aluminum oxide).

More recent findings show this trend will continue not only on interstates, but all major routes, especially in northern portions of the state.

Our current estimates, based on actual wear, state that damage resulting in the loss of one half inch of pavement depth will appear on major New Castle County arteries in the next ten years. All of the wear will have been caused by studded tire damage.

Projections indicate 470 lane miles are to be affected by this damage resulting in \$13,000,000 worth of otherwise needless resurfacing.

Delaware's geographical location results in accommodating heavy traffic flow from neighboring states. New Jersey is in the process of passing legislation to bar studded tires. Maryland only permits their use in the four most western counties. Pennsylvania is the only bordering state permitting their use.

Although local studded tire usage has declined due to consumers preference for all weather radial tires, through traffic using Delaware roadways will continue to take its toll on pavements and markings.

The solution to this lingering problem can only come about through the passage of appropriate legislation banning their use throughout the year.

* * * * *

The roll call vote on SB 236 w SA 1 was then taken; however, the roll call was laid on the table before being announced on motion of Senator Bair.

On motion of Senator McDowell, SB 267 w SA 1 was lifted from the table for consideration and the roll call vote taken; however, the roll call was laid on the table before being announced on further motion of the Senator.

SB 352 was taken up for consideration on motion of Senator Berndt:

SB 352 - AN ACT TO AMEND CHAPTER 11, TITLE 12, CHAPTER 80, TITLE 29 AND CHAPTER 13, TITLE 23 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF LOST, ABANDONED OR STOLEN PROPERTY, MONEY, BOATS ADRIFT, AND ABANDONED VESSELS BY THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.

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:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert Vaughn, Zimmerman - 17.

NO: Senators Holloway, Hughes and Littleton - 3.

ABSENT: Senator Adams - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 352 w SA 1 was then taken and revealed 19 Senators voting YES, 1 (Holloway) NOT VOTING and 1 (Adams) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

The following legislation was introduced:

SB 410 - AN ACT TO AMEND CHAPTERS 10 AND 11, TITLE 16 AND CHAPTER 28, TITLE 31, OF THE DELAWARE CODE REQUIRING CERTAIN HEALTH CARE FACILITIES TO ASCERTAIN UPON ADMISSION WHETHER OR NOT A PATIENT HAS DONATED ALL OR PART OF HIS OR HER BODY AS AN ANATOMICAL GIFT AND TO MAINTAIN A RECORD THEREOF. Sponsor: Senator Cordrey. Assigned to Health-Social Services/Aging Committee.

SB 411 - AN ACT TO AMEND CHAPTER 53, TITLE 25, DELAWARE CODE, RELATING TO A LANDLORD'S OBLIGATION TO SUPPLY A FIT RENTAL AGREEMENT, BY REQUIRING THAT LANDLORDS MAINTAIN A DELAWARE TELEPHONE NUMBER TO RECEIVE AND TO GENERATE SERVICE FOR COMPLAINTS. Sponsors: Senators Bair and Neal; Representative Smith. The Bill was immediately stricken on motion of Senator Bair.

SB 412 - AN ACT TO PROVIDE FOR A "SILVER HAIRE" LEGISLATURE; AND FURTHER PROVIDING FOR THE COMPOSITION OF ITS MEMBERS, AND THOSE CONDITIONS AND RESTRICTIONS UNDER WHICH IT SHALL OPERATE. Sponsor: Senator Connor. Assigned to Health-Social Services/Aging Committee.

SB 413 - AN ACT TO AMEND CHAPTER 55, PART V, TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN; AND PROVIDING FOR A SURVIVOR'S PENSION UNDER CERTAIN CIRCUMSTANCES. Sponsor: Senator Connor. Assigned to Finance Committee.

SB 414 - AN ACT TO AMEND CHAPTER 47, PART V, TITLE 7 OF THE DELAWARE CODE RELATING TO STATE PARKS; AND EXEMPTING CERTAIN PERSONS FROM STATE PARK FEES. Sponsor: Senator Connor. Assigned to Natural Resources and Environmental Control Committee.

SB 415 - AN ACT TO AMEND CHAPTER 55, PART V, TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN; AND PROVIDING "CREDITED SERVICE" STATUS TO CERTAIN PEOPLE. Sponsor: Senator Connor. Assigned to Finance Committee.

SCR 80 was introduced and considered for adoption on motion of Senator Marshall:

SCR 80 - EXPRESSING THE GENERAL ASSEMBLY'S OUTRAGE AT SUPPRESSION OF THE RIGHTS OF THE POLISH PEOPLE AND URGING THE GOVERNOR TO PROCLAIM JANUARY 30 AS "SOLIDARITY DAY" IN RECOGNITION OF THE POLISH PEOPLE'S STRUGGLE FOR BASIC HUMAN RIGHTS. Sponsors: Senator Marshall and Representative Jonkiert.

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 by the Senate and sent to the House for consideration.

The roll call vote on SB 267 w SA 1 was lifted from the table on motion of Senator McDowell and announced:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Holloway, Knox, Marshall, Martin, McDowell, Neal, Sharp, Torbert, Vaughn - 14.

NO: Senators Cook, Cordrey, Hughes, Littleton, McBride, Zimmerman - 6.

ABSENT: Senator Adams - 1.

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

At 5:20 p.m. on motion of Senator Sharp, the Senate recessed until January 26, 1982 at 2:00 p.m..

The Senate reconvened at 2:17 p.m., January 26, 1982, Lt. Governor Castle presiding.

The following Committee reports were announced from the Public Safety Committee: SB 398 - 2 Favorable, 2 Merits; SB 400 - 3 Favorable, 1 Merits; SB 402 - 3 Favorable, 1 Merits.

At 2:18 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 5th Legislative Day.

5TH LEGISLATIVE DAY

January 26, 1982

The Senate convened at 2:18 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.
The Journal of the previous day was approved as read on motion of Senator Sharp.

HB 421 w HA 1 was taken up for consideration on motion of Senator Adams:

HB 421 w HA 1 - AN ACT TO AMEND TITLES 5 AND 29 OF THE DELAWARE CODE, PROVIDING REORGANIZATION OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES: BY THE TRANSFER OF THE STATE BANK COMMISSIONER FROM THE DEPARTMENT OF ADMINISTRATIVE SERVICES TO THE DEPARTMENT OF STATE; BY THE REORGANIZATION OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES THROUGH THE CONSOLIDATION AND ESTABLISHMENT OF DIVISIONS WITHIN THE DEPARTMENT; AND BY THE TRANSFER OF RESPONSIBILITY FOR THE STATE-FACILITIES ENERGY MANAGEMENT PLAN TO THE DEPARTMENT OF ADMINISTRATIVE SERVICES.

The privilege of the floor was extended to John E. Malarkey (State Bank Commissioner) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, McBride, Neal, Sharp, Torbert, Vaughn - 17.

NO: Senator McDowell - 1.

ABSENT: Senators Connor, Martin and Zimmerman - 3.

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

At 2:40 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:11 p.m., Senator Cordrey presiding.

The following Committee reports were announced from the Community Affairs Committee: SJR 28 - 4 Favorable; HB 430 w HA 1 - 4 Merits.

The following legislation was introduced:

SB 416 - AN ACT TO AMEND DELAWARE CODE, TITLE 14, IN ORDER TO PROVIDE FOR PHYSICAL THERAPISTS, OCCUPATIONAL THERAPISTS, AND SPEECH AND LANGUAGE CLINICIANS TO SERVE PUPILS WHO ARE ORTHOPEDICALLY HANDICAPPED. Sponsors: Senators Vaughn and McBride. Assigned to Education Committee.

SB 417 - AN ACT TO AMEND CHAPTER 16, TITLE 16, AND CHAPTER 41, TITLE 21, RELATING TO LITTER CONTROL. Sponsor: Senator Zimmerman. Assigned to Public Safety Committee.

SA 1 to SB 396. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to SB 397. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to SB 398. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to SB 404. Sponsor: Senator Cordrey. Placed with the Bill.

SB 418 - AN ACT TO AMEND TITLE 7, CHAPTER 60, DELAWARE CODE RELATING TO APPEALS FROM THE ENVIRONMENTAL APPEALS BOARD. Sponsors: Senators Connor, McBride, McDowell, Martin; Representatives Cathcart, Spence, Mack, Dixon. Assigned to the Natural Resources and Environmental Control Committee.

SB 419 - AN ACT TO AMEND CHAPTER 17 OF TITLE 24 OF THE DELAWARE CODE MANDATING PROPER MEDICAL TREATMENT FOR CHILDREN BORN ALIVE AFTER AN ABORTION OR ATTEMPTED ABORTION. Sponsors: Senators Marshall and Citro; Representatives Jonkier and Edwards. Assigned to Health-Social Services/Aging Committee.

SB 420 - AN ACT TO AMEND CHAPTER 51, TITLE 25, DELAWARE CODE, RELATING TO LANDLORD-TENANT RELATIONS, BY PROVIDING FOR THE PRESENCE OF A RESIDENTIAL AGENT. Sponsor: Senator Bair. Assigned to Administrative Services/Energy Committee.

The Secretary announced that a message from the House informed the Senate that it had passed HB 503 and HB 504.

The following legislation was introduced:

HB 503 - AN ACT TO AMEND CHAPTER 63, TITLE 29, DELAWARE CODE, TO PROVIDE FOR A DEFINITION OF GRANTS-IN-AID, AND TO AMEND CHAPTER 65, TITLE 29, DELAWARE CODE, TO LIMIT APPROPRIATIONS TO 12 PERCENT OF THE ESTIMATED NET STATE GENERAL FUND REVENUE FOR GRANTS-IN-AID. Sponsors: Representatives Soles, Smith, Anderson, Barnes, Bennett, Brady, Buckworth, Burris, Cain, Cathcart, Cordrey, Corrozi, Derrickson, Dixon, Edwards,

Ennis, Fallon, George, Gilligan, Harrington, Hebner, Holloway, Jester, Jonkiert, Mack, Maroney, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Spence, VanSciver, West; Senators Arnold, Bair, Cook, Connor, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman. Laid on the table on motion of Senator Sharp.

HB 504 - AN ACT PROPOSING AMENDMENTS TO ARTICLE VIII, SECTION 4 OF THE CONSTITUTION OF 1897 OF THE STATE OF DELAWARE TO PROVIDE FOR A DEFINITION OF GRANTS-IN-AID, AND PROPOSING AN AMENDMENT TO ARTICLE VIII, SECTION 6 OF THE CONSTITUTION OF 1897 OF THE STATE OF DELAWARE BY LIMITING APPROPRIATIONS TO 1.2 PERCENT OF THE ESTIMATED NET STATE GENERAL FUND REVENUE FOR GRANTS-IN-AID. Sponsors: Representatives Smith, Soles, Anderson, Barnes, Bennett, Brady, Buckworth, Burris, Cain, Cathcart, Cordrey, Corrozi, Derrickson, Dixon, Edwards, Ennis, Fallon, George, Gilligan, Harrington, Hebner, Holloway, Jester, Jonkiert, Mack, Maroney, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Spence, VanSciver, West; Senators Arnold, Bair, Connor, Holloway, Hughes, Knox, Littleton, Martin, McBride, McDowell, Sharp, Torbert, Vaughn. Laid on the table on motion of Senator Sharp.

SB 399 was taken up for consideration on motion of Senator Sharp:

SB 399 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE III, SECTION 22, OF THE 1897 CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE TERM OF THE OFFICE OF SHERIFF.

Senator Zimmerman marked PRESENT.

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

SB 308 was taken up for consideration on motion of Senator Sharp:

SB 308 - AN ACT TO AMEND PART VIII, TITLE 16 OF THE DELAWARE CODE RELATING TO HOSPITALS AND OTHER HEALTH FACILITIES: AND PROVIDING FOR THE ESTABLISHMENT OF HEALTH MAINTENANCE ORGANIZATIONS. Sponsors: Senators Sharp, McDowell, Arnold; Representatives Petrilli, Gilligan.

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 6 was taken up for consideration on motion of Senator Holloway:

SB 6 - AN ACT TO AMEND TITLE 5, CHAPTER 27, DELAWARE CODE, RELATING TO LIMITATION ON FEES AND CHARGES FOR CASHING CHECKS OR MONEY ORDERS.

At 4:31 p.m., Lt. Governor Castle presiding.

The privilege of the floor was extended to Jack K. Russell (Administrative Assistant to the Majority Party) and James B. Jackson (Delaware Bankers Association).

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 Holloway.

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

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

January 26, 1982

To the Senate of the 131st 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: Owen F. Peagler, 29 Shaw Place, Hartsdale, New York, to be appointed as Secretary of the Department of Community Affairs to serve during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

The following legislation was introduced:

SB 421 - AN ACT TO AMEND CHAPTER 59, TITLE 29, DELAWARE CODE RELATING TO THE PLACEMENT OF CERTAIN EMPLOYEES OF THE COURT OF COMMON PLEAS INTO THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION. Sponsors: Senators Citro and Marshall; Representative Corrozi. Assigned to Judiciary Committee.

SB 422 - AN ACT TO AMEND CHAPTER 53, TITLE 25, DELAWARE CODE, RELATING TO A LANDLORD'S OBLIGATION TO SUPPLY A FIT RENTAL AGREEMENT, BY REQUIRING THAT LANDLORDS MAINTAIN A DELAWARE TELEPHONE NUMBER TO RECEIVE AND TO GENERATE SERVICE FOR COMPLAINTS. Sponsors: Senators Bair and Neal; Representatives Smith and Soles. Assigned to Administrative Services/Energy Committee.

SB 423 - AN ACT TO AMEND DELAWARE CODE, TITLE 14, CHAPTER 19 REGARDING PAYMENT OF INTEREST ON SCHOOL FUNDS ON DEPOSIT WITH THE STATE TREASURER. Sponsors: Senators Connor, Bair, Neal, McBride, Citro, Holloway, Martin; Representatives Cathcart, Spence, Gilligan, Mack. Assigned to Finance Committee.

SB 424 - AN ACT TO AMEND TITLE 7, CHAPTER 60, DELAWARE CODE, RELATING TO COMPOSITION AND DECISIONS OF THE ENVIRONMENTAL APPEALS BOARD. Sponsors: Senators Connor, McBride, McDowell, Martin; Representatives Cathcart, Spence, Mack, Smith. Assigned to Natural Resources and Environmental Control Committee.

SB 425 - AN ACT TO AMEND SUBCHAPTER I, CHAPTER 17, TITLE 7 OF THE DELAWARE CODE, RELATING TO THE KILLING OF DOGS. Sponsors: Senators Zimmerman and Representative Barnes. Assigned to the Natural Resources and Environmental Control Committee.

SA 2 to SB 236. Sponsor: Senator Bair. Placed with the Bill.

SA 1 to HJR 25. Sponsor: Senator Cordrey. Placed with the Resolution.

The Secretary announced that a message from the House informed the Senate that it had adopted HJR 25 w HA 3.

HJR 25 w HA 3 was introduced and laid on the table on motion of Senator Sharp:

HJR 25 w HA 3 - ESTABLISHING CHANGES IN THE PROCESS FOR AWARDING GRANTS-IN-AID. Sponsors: Representatives Smith, Soles, Anderson, Barnes, Bennett, Brady, Buckworth, Burris, Cain, Cathcart, Cordrey, Corrozi, Derrickson, Dixon, Edwards, Ennis, Fallon, Free, George, Gilligan, Harrington, Hebner, Holloway, Jr., Jester, Jonkiert, Mack, Maroney, McKay, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Spence, VanSeiver, West; Senators Adams, Arnold, Cook, Connor, Holloway, Sr., Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman.

SCR 81 was introduced and laid on the table in the absence of the sponsor, Senator Zimmerman:

SCR 81 - RELATING TO STATE ICY AND DANGEROUS PRIMARY AND SECONDARY ROADS. Sponsor: Senator Zimmerman.

SR 58 was introduced and considered for adoption on motion of Senator McDowell:

SR 58 - RELATING TO THE REPORTING DATE OF THE AD HOC COMMITTEE TO STUDY THE DELIVERY OF SERVICES TO CHILDREN AND YOUTH IN DELAWARE. Sponsor: Senator McDowell.

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.

SCR 81 was lifted from the table for consideration on motion of Senator Zimmerman and the roll call vote taken which revealed:

YES: Senators Adams, Bair, Citro, Connor, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 15.

NO: Senators Arnold, Hughes, Littleton, Neal - 4.

NOT VOTING: Senators Berndt and Knox - 2.

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

At 5:42 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 27, 1982.

The Senate reconvened at 3:05 p.m., January 27, 1982, Lt. Governor Castle presiding.

SB 426 was introduced and assigned to the Administrative Services/Energy Committee:

SB 426 - AN ACT TO AMEND CHAPTER 86, TITLE 29, DELAWARE CODE RELATING TO TRUTH IN HEATING OF RESIDENTIAL STRUCTURES. Sponsors: Senators McDowell, Vaughn, Marshall, Connor, Bair; Representatives Anderson and Jonkiert.

The Secretary announced that a message from the House informed the Senate that it had passed HB 319 w HA 1; HB 332 w HA 1; SB 248; SB 284 and adopted HJR 20 w HA 1.

The following legislation was introduced:

HB 319 w HA 1 - AN ACT TO AMEND CHAPTER 47, TITLE 7 OF THE DELAWARE CODE RELATING TO PENALTIES FOR VIOLATIONS OF STATE PARK REGULATIONS. Sponsors: Representatives Buckworth, Barnes, Harrington, Smith, Darling, Soles. Assigned to Natural Resources and Environmental Control Committee.

HB 332 w HA 1 - AN ACT TO AMEND CHAPTER 41 AND CHAPTER 70, TITLE 21 OF THE DELAWARE CODE RELATING TO ISSUANCE OF MAIL-IN SUMMONS FOR CERTAIN PARKING VIOLATIONS, AND APPROPRIATE FINES FOR VIOLATIONS. Sponsors: Representatives Spence, Corrozi, Ennis, Fallon, Cathcart, Roy, Barnes, Buckworth, Darling, Cordrey, Jester, Holloway, Jr., West; Senator Holloway, Sr. Assigned to Judiciary Committee.

HJR 20 w HA 1 - DIRECTING DELAWARE PUBLIC SCHOOL DISTRICTS TO NOTIFY PARENTS OF ENROLLEES WHEN CERTAIN SEX EDUCATION PROGRAMS ARE TO BE OFFERED AND MAKING PROVISION FOR PARENT RESPONSE INCLUDING TEMPORARY REMOVAL OF AN ENROLLEE FROM A PROPOSED PROGRAM. Sponsor: Representative Spence. Assigned to Education Committee.

The following Committee reports were announced from the Community Affairs Committee: SB 124 - 4 Merits; SB 326 - 4 Merits; HB 344 - 4 Merits; HB 345 - 4 Merits; HB 346 - 4 Merits; HB 347 - 4 Merits.

The following Committee reports were announced from the Administrative Services/Energy Committee: SB 251 - 6 Merits; HB 313 w HA 2, 3 - 6 Merits.

At 3:10 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 6th Legislative Day.

6TH LEGISLATIVE DAY
January 27, 1982

The Senate convened at 3:10 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Cordrey.

SB 425 was stricken at the request of the sponsor, Senator Zimmerman.

SB 292 w SA 1 which had previously passed the Senate was taken up for reconsideration as further amended by HA 1 under suspension of the necessary rules on motion of Senator Holloway.

During discussion of the Bill and the various other Amendments offered to it, the privilege of the floor was extended to the following: William E. Kirk, III (Blue Cross and Blue Shield), Richard V. Pryor (Catholic Social Services), Victor Battaglia (Medical Society of Delaware).

SA 3 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Berndt; however, the Amendment was laid on the table before final action was taken on its adoption.

SA 4 to the Bill was introduced by Senator Holloway.

At 4:18 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:30 p.m., Senator Cordrey presiding.

SB 292 w SA 1, HA 2 was still before the Senate; however, the Bill with Amendments 3 and 4 were laid on the table on motion of Senator Sharp.

HB 329 was reported out of the Judiciary Committee: 1 Favorable, 5 Merits.

SB 427 was introduced and assigned to the Administrative Services/Energy Committee:

SB 427 - AN ACT TO AMEND CHAPTER 31, TITLE 20 AND CHAPTER 61, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF EMERGENCY PLANNING AND OPERATIONS; AUTHORIZING THE DIVISION OF EMERGENCY PLANNING AND OPERATIONS TO CREATE AND MAINTAIN A DELAWARE RADIOLOGICAL EMERGENCY PLAN AND TO ACCEPT AND EXPEND FUNDS FROM PUBLIC OR PRIVATE SOURCES IN CONNECTION THEREWITH. Sponsors: Senator Vaughn, Cook, Torbert; Representatives Jester, Riddagh, Sincok, Dixon.

On motion of Senator Sharp, HB 503 was lifted from the table for consideration under suspension of the necessary rules:

HB 503 - AN ACT TO AMEND CHAPTER 63, TITLE 29, DELAWARE CODE, TO PROVIDE FOR A DEFINITION OF GRANTS-IN-AID, AND TO AMEND CHAPTER 65, TITLE 29, DELAWARE CODE, TO LIMIT APPROPRIATION TO 1.2 PERCENT OF THE ESTIMATED NET STATE GENERAL FUND REVENUE FOR GRANTS-IN-AID.

The privilege of the floor was extended to Representative Soles.

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; however, before being announced the roll call was laid on the table on motion of Senator Marshall. On further motion of Senator Marshall, and without objection, the roll call was then rescinded and the Amendment stricken.

SA 2 to the Bill was introduced by Senator Neal considered for adoption. The roll call vote on the Amendment was taken and revealed 1 Senator (Neal) voting YES and 20 Senators voting NO; therefore, the Amendment was declared defeated.

The roll call vote on HB 503 was then taken on motion of Senator Sharp and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

On motion of Senator Sharp, HB 504 was lifted from the table for consideration under suspension of the necessary rules:

HB 504 - AN ACT PROPOSING AMENDMENTS TO ARTICLE VIII, SECTION 4 OF THE CONSTITUTION OF 1897 OF THE STATE OF DELAWARE TO PROVIDE FOR A DEFINITION OF GRANTS-IN-AID, AND PROPOSING AN AMENDMENT TO ARTICLE VIII, SECTION 6 OF THE CONSTITUTION OF 1897 OF THE STATE OF DELAWARE BY LIMITING APPROPRIATIONS TO 1.2 PERCENT OF THE ESTIMATED NET STATE GENERAL FUND REVENUE FOR GRANTS-IN-AID.

SA 1 to the Bill was introduced by Senator Neal and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 1 Senator (Neal) voting YES and 20 Senators voting NO; therefore, the Amendment was declared defeated.

The roll call vote on HB 504 was then taken on motion of Senator Sharp and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn - 16.

NO: Senators Adams, Cook, Cordrey, Holloway, Zimmerman - 5.

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

HJR 25 w HA 3 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Sharp:

HJR 25 w HA 3 - ESTABLISHING CHANGES IN THE PROCESS FOR AWARDING GRANTS-IN-AID.

During discussion of the Resolution and the various Amendments offered to it, the privilege of the floor was extended to Representatives Smith and Soles and Senate Attorney Mike Pruzyski.

SA 1 to the Resolution was introduced by Senator Cordrey and laid on the table on his motion.

SA 2 to the Resolution was introduced by Senator Adams and laid on the table on his motion.

SA 3 to the Resolution was introduced by Senator Holloway and laid on the table on his motion.

At 7:10 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 7:21 p.m., Senator Cordrey presiding.

SA 4 to the Resolution was introduced by Senator Holloway and considered for adoption on his motion. The roll call vote on the Amendment was taken; however, the roll call was laid on the table before being announced at the request of Senator Holloway.

SA 1 to the Resolution was lifted from the table for consideration on motion of Senator Sharp and the roll call vote taken which revealed:

YES: Senators Adams, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 17.

NO: Senators Arnold, Bair, Berndt, Knox - 4.

Therefore, the Amendment was declared adopted.

SA 5 to the Resolution 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.

SA 6 to the Resolution was introduced by Senator Bair 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.

On motion of Senator Holloway, the roll call vote on SA 4 to the Resolution was lifted and announced:

YES: Senators Adams, Citro, Cook, Cordrey, Holloway, Littleton, Marshall, Martin, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 12.

NO: Senators Arnold, Bair, Berndt, Connor, Hughes, Knox, Littleton, McBride, Neal - 9.

Therefore, the Amendment was declared adopted.

On motion of Senator Cordrey (and without objection) the roll call vote on SA 1 to the Resolution was rescinded and the Amendment laid on the table.

The roll call vote on HJR 25 w HA 3, SA 4, 5, 6 was then taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House for consideration of the Senate Amendments.

At 7:55 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., January 28, 1982.

The Senate reconvened at 2:15 p.m., January 28, 1982, Senator Cordrey Presiding.

The following legislation was introduced:

SB 428 - AN ACT TO MAKE A SUPPLEMENTARY APPROPRIATION TO THE MILLSBORO VOLUNTEER FIRE COMPANY FOR THE MAINTENANCE AND OPERATION OF AN AERIAL TRUCK. Sponsors: Senator Cordrey; Representative West. Assigned to Revenue and Taxation Committee.

SB 429 - AN ACT TO AMEND CHAPTER 17, PART I, TITLE 7 OF THE DELAWARE CODE RELATING TO DOGS; AND REMOVING THE DESIGNATION OF "PUBLIC NUISANCE." Sponsors: Senator Zimmerman; Representative Barnes. Assigned to Natural Resources and Environmental Control Committee.

SB 430 - AN ACT TO AMEND CHAPTER 17, PART I, TITLE 14 OF THE DELAWARE CODE CALCULATING PUPIL UNITS IN ORDER TO DETERMINE THE AMOUNT OF STATE FINANCIAL SUPPORT TO THE PUBLIC SCHOOLS. Sponsors: Senators McBride, Martin, Vaughn, Connor; Representatives Dixon, Jester, Soles, Barnes, Spence, Mack. Assigned to Finance Committee.

At 2:17 p.m., Lt. Governor Castle presiding.

SB 431 - AN ACT TO AID THE METHODIST ACTION PROGRAM, BY MAKING AN APPROPRIATION THEREFOR. Sponsors: Senators McDowell, Arnold, Bair, Citro, McBride, Neal; Representatives Free and Gilligan. Assigned to Finance Committee.

SB 432 - AN ACT TO AMEND CHAPTER 27 AND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES; AND PROVIDING PENALTIES FOR THE OPERATION OF A VEHICLE WHILE UNDER THE INFLUENCE OF AN INTOXICATING LIQUOR OR DRUG. Sponsors: Senators Connor, Citro, Hughes, Littleton; Representatives Mack, Spence and Cathcart. Assigned to Public Safety Committee.

SB 433 - AN ACT TO AMEND TITLE 11 AND TITLE 21 OF THE DELAWARE CODE RELATING TO THE OPERATION OF A VEHICLE WHILE UNDER THE INFLUENCE OF AN INTOXICATING LIQUOR OR DRUG; AND PROVIDING PENALTIES THEREFOR. Sponsors: Senators Connor, Citro, Littleton; Representatives Mack and Spence. Assigned to Public Safety Committee.

SB 434 - AN ACT TO AMEND CHAPTER 27, PART II, TITLE 21 OF THE DELAWARE CODE RELATING TO THE OPERATION OF MOTOR VEHICLES; AND PROVIDING FOR CERTAIN TESTS FOR ALCOHOL CONSUMPTION. Sponsors: Senators Connor, Citro, Hughes, Littleton; Representatives Mack, Cathcart and Spence. Assigned to Public Safety Committee.

SA 1 to SB 21. Sponsor: Senator Sharp. Placed with the Bill.

SA 5 to SB 292. Sponsor: Senator Holloway. Placed with the Bill.

SCR 82 - URGING THE GOVERNOR, NEW CASTLE COUNTY EXECUTIVE, AND MAYOR OF THE CITY OF WILMINGTON TO RELEASE FUNDS, UNDER PROPER CONTROLS, FOR PROGRAMS ADMINISTERED BY COMMUNITY ACTION OF GREATER WILMINGTON. Sponsors: Senator Marshall; Representative Jonkiert. Laid on the table on motion of Senator Marshall.

SCR 83 - URGING SECRETARY OF AGRICULTURE, JOHN BLOCK, TO MODIFY RECOMMENDED NEW SOIL CONSERVATION STANDARDS TO MORE ADEQUATELY RECOGNIZE DELAWARE'S NEEDS. Sponsors: Senators Zimmerman, Adams, Berndt, Cordrey, Cook, Knox, Littleton, Torbert, Vaughn; Representatives Barnes, Smith, Bennett, Darling, Minner, Cordrey, West.

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

SCR 84 - CONGRATULATING CHANCELLOR WILLIAM MARVEL ON HIS SELECTION AS RECIPIENT OF THE 32ND ANNUAL JOSIAH MARVEL CUP AWARD. Sponsor: Senator Martin. Laid on the table on motion of Senator Martin.

SCR 85 - CONGRATULATING DR. EUGENE CLESSON OF THE UNIVERSITY OF DELAWARE ON RECEIVING THE WILLIAM ELGIN WICKENDEN AWARD AND ON BEING NAMED DELAWARE'S OUTSTANDING ENGINEER OF 1981. Sponsors: Senators Neal, Adams, Arnold, Bair, Berndt, Citro, Cook, Holloway, Hughes, Knox, Littleton, McBride, Vaughn; Representatives Anderson, Barnes, Bennett, Buckworth, Corrozi, Derrickson, Dixon, Edwards, Ennis George, Harrington, Jonkiert, Maroney, Minner, Petrilli, Powell, Riddagh, Roy, Smith, Soles, Spence, VanSeiver.

The roll call vote on the Resolution was taken on motion of Senator Neal and revealed 17 Senators voting YES and 4 (Connor, Littleton, Marshall and Martin) 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 HCR 111; HCR 112; HCR 113; HCR 114.

HCR 111 was introduced and considered for adoption on motion of Senator McBride:

HCR 111 - CONGRATULATING THE WILLIAM PENN HIGH SCHOOL FOOTBALL TEAM AND COACH BRUCE REYNOLDS FOR WINNING THE BLUE HEN CONFERENCE FLIGHT A CHAMPIONSHIP FOR THE 1981 SEASON. Sponsors: Representatives Mack, Spence, Dixon, Cathcart; Senators Connor and McBride.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Connor, Littleton, Marshall and Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

The Sergeant-at-Arms announced a messenger from the Governor (Henry J. Decker, Budget Director) who delivered the Governor's Budget for Fiscal Year 1982.

HCR 112 was introduced and considered for adoption on motion of Senator Berndt:

HCR 112 - CONGRATULATING POLLY ELIZABETH GONGWER, OF LIFTWOOD ESTATES, FOR EARNING THE ST. CECILIA AWARD, THE HIGHEST HONOR GIVEN A GIRL CHORISTER BY THE ROYAL SCHOOL OF CHURCH MUSIC. Sponsors: Representatives Sincok, Smith, Ennis; Senator Berndt.

The roll call vote on the Resolution was taken and revealed 16 Senators voting YES and 5 (Connor, Littleton, Marshall, Martin, McDowell) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 113 was introduced and considered for adoption on motion of Senator Berndt:

HCR 113 - MARKING THE 100TH ANNIVERSARY OF THE BIRTH OF FRANKLIN DELANO ROOSEVELT, THE 32ND PRESIDENT OF THE UNITED STATES, ON JANUARY 30, 1982. Sponsors: Representatives Bennett, Anderson, Cain, Cordrey, Darling, Dixon, George, Gilligan, Jester, Jonkiert, Minner, Plant, Soles, West.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Connor, Littleton and Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 114 was introduced and considered for adoption on motion of Senator Vaughn:

HCR 114 - MOURNING THE DEATH OF MARTHA REGINA GIVENS. Sponsors: Representative Jester and Senator Vaughn.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Connor, Littleton, Marshall and Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 115 was introduced and considered for adoption on motion of Senator Vaughn:

HCR 115 - CONGRATULATING JOE DUGAN, JR., OF SMYRNA, ON WINNING THE NATIONAL JUNIOR HARNESS DRIVING CHAMPIONSHIP. Sponsors: Representatives Oberle, Riddagh; Senator Vaughn.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Connor, Marshall and Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

At 2:40 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 7th Legislative Day.

7TH LEGISLATIVE DAY
January 28, 1982

The Senate convened at 2:40 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Arnold.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 80.

Senators Cook and Martin marked PRESENT.

SR 59 was introduced and considered for adoption on motion of Senator Holloway:

SR 59 - COMMEMORATING THE BIRTH OF FRANKLIN DELANO ROOSEVELT. Sponsors: Senators Holloway and Zimmerman.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Connor and Marshall) ABSENT; therefore, the Resolution was declared adopted.

SJR 29 was introduced and immediately stricken at the request of Senator Holloway.

SJR 29 - COMMEMORATING THE BIRTH OF FRANKLIN DELANO ROOSEVELT. Sponsors: Senators Holloway and Zimmerman.

SCR 84 was lifted from the table for consideration on motion of Senator Martin.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Connor and Cordrey) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At the request of Senator Marshall, the privilege of the floor was extended to T. W. Tomkowiak (Chairman of the Aid to Poland Committee) and Edward B. Skomorucha (Council of Polish Society of Delaware) to speak on aid to Poland.

SB 292 w SA 1, HA 2 was lifted from the table for consideration on motion of Senator Holloway.

During the discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Charles E. Marvil (Licensed Clinical Social Worker) and William E. Kirk, III (Blue Cross/Blue Shield).

SA 5 to the Bill was introduced and considered for adoption on motion of Senator Holloway. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 292 w SA 1, 5, HA 2 was then taken and revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration of SA 5.

SJR 28 was taken up for consideration on motion of Senator McBride:

SJR 28 - DIRECTING THE DEPARTMENT OF TRANSPORTATION TO DESIGNATE AND MARK U.S. 495 FROM NAAMAN'S ROAD TO THE KENNEDY MEMORIAL HIGHWAY NEAR MINQUADALE AS THE VIETNAM VETERANS MEMORIAL HIGHWAY IN HONOR OF DELAWARE SERVICEMEN WHO SERVED IN THE VIETNAM CONFLICT AND MAKING AN APPROPRIATION THEREFOR.

The Resolution was then laid on the table on further motion of the Senator.

At 3:30 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:45 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 435 - AN ACT TO AMEND SECTION 7002(v), TITLE 9, AS IT RELATES TO SUSSEX COUNTY GOVERNMENT POWER TO REDISTRIBUTE. Sponsors: Senators Adams, Cordrey and Littleton. Assigned to Executive Committee.

SB 436 - AN ACT TO AMEND DELAWARE CODE, TITLE 14, AS IT RELATES TO SUPERVISORS OF SCHOOL LUNCH. Sponsors: Senator Cook; Representative Sinecock. Assigned to Education Committee.

SR 60 - CONGRATULATING ELIZABETH SENTER OF DOVER FOR HER SELECTION AS A UNITED STATES SENATE PAGE. Sponsor: Senator Torbert. Laid on the table at the Senator's request.

At 4:46 p.m. Lt. Governor Castle presiding.

On motion of Senator Adams, the Governor's nomination for appointment of Joseph F. Desmond was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Marshall) ABSENT; therefore, the appointment was declared confirmed.

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

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Knox, Littleton, Neal - 8.

NO: Senators Adams, Cook, Cordrey, McBride, Torbert, Vaughn, Zimmerman - 7.

NOT VOTING: Senators Holloway, Marshall, Martin, McDowell, Sharp 5.

ABSENT: Senator Hughes - 1.

Therefore, the appointment was declared unconfirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Owen F. Peagler was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 18 Senators voting YES, 2 (Cook and Sharp) NOT VOTING, and 1 (Hughes) ABSENT; therefore, the appointment was declared confirmed.

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

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Hughes, Knox, Littleton, Neal - 9.

NO: Senators Adams, Cook, Cordrey, McBride, McDowell, Torbert - 9.

NOT VOTING: Senators Marshall, Martin, Sharp, Vaughn, Zimmerman - 5.

ABSENT: Senator Holloway - 1.

Therefore, the appointment was declared unconfirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Donald B. Jacobs was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 18 Senators voting YES, 2 (McDowell and Sharp) voting NO, and 1 (Holloway) ABSENT; therefore, the appointment was declared confirmed.

SB 394 was taken up for consideration on motion of Senator Vaughn:

SB 394 - AN ACT TO AMEND CHAPTER 90, TITLE II, DELAWARE CODE RELATING TO COMPENSATION FOR INNOCENT VICTIMS OF CRIME.

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

SB 395 was taken up for consideration on motion of Senator Zimmerman:

SB 395 - AN ACT TO AMEND SUBCHAPTER VII OF CHAPTER 5, TITLE II, DELAWARE CODE, RELATING TO ABANDONMENT OF ANIMALS.

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.

HB 430 w HA 1 was taken up for consideration on motion of Senator Marshall:

HB 430 w HA 1 - AN ACT TO REINCORPORATE THE TOWN OF WOODSIDE.

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

HB 344 was taken up for consideration on motion of Senator Marshall:

HB 344 - AN ACT TO AMEND AN ACT BEING CHAPTER 277, VOLUME 49, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF LAUREL" TO PROVIDE FOR THE REPORTING OF MOTOR VEHICLE ACCIDENTS, EQUIPMENT ON MOTOR VEHICLES, THE REMOVAL AND DISPOSITION OF ABANDONED MOTOR VEHICLES, TO MAKE PROVISION FOR STOLEN, UNAUTHORIZED USE AND DAMAGE TO MOTOR VEHICLES, AND FOR REMOVAL OF MOTOR VEHICLES FROM PUBLIC STREETS.

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.

HB 345 was taken up for consideration on motion of Senator Marshall:

HB 345 - AN ACT TO AMEND AN ACT BEING CHAPTER 277, VOLUME 49, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF LAUREL" TO GRANT THE ALDERMAN JURISDICTION FOR CERTAIN CRIMINAL OFFENSES.

SA 1 to the Bill was introduced by Senator Littleton 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 Richard F. Whaley, representing the Mayor and Council of Laurel.

The roll call vote on HB 345 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Zimmerman) NOT VOTING; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 346 was taken up for consideration on motion of Senator Marshall:

HB 346 - AN ACT TO AMEND AN ACT BEING CHAPTER 277, VOLUME 49, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF LAUREL" TO PROVIDE FOR THE DETERMINATION OF OTHER INCOME TO THE TOWN AND FOR THE FIXING OF THE TIME OF ASSESSMENT OF TAXES.

The privilege of the floor was extended to Richard F. Whaley, representing the Mayor and Council of Laurel.

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 347 was taken up for consideration on motion of Senator Marshall:

HB 347 - AN ACT TO AMEND AN ACT BEING CHAPTER 277, VOLUME 49, LAWS OF DELAWARE, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF LAUREL" TO PROVIDE FOR THE APPOINTMENT OF AN ALDERMAN AND AN ASSOCIATE ALDERMAN; TO ESTABLISH LIMITS OF JURISDICTION; TO PERMIT THE REMOVAL OF THE ALDERMAN AND ASSOCIATE ALDERMAN AND PROVIDING FOR DISPOSITION OF BOOKS AND RECORDS UPON REMOVAL.

The privilege of the floor was extended to Richard F. Whaley, representing the Mayor and Council of Laurel.

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

SCR 86 was introduced and considered for adoption on motion of Senator Bair:

SCR 86 - RECOGNIZING THE CONTRIBUTIONS OF "COMMUNITY BUILDERS". Sponsors: Senator Bair; Representative Smith.

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 by the Senate and sent to the House for consideration.

SJR 28 was lifted from the table for consideration on motion of Senator McBride:

SJR 28 - DIRECTING THE DEPARTMENT OF TRANSPORTATION TO DESIGNATE AND MARK U.S. 495 FROM NAAMANS ROAD TO THE KENNEDY MEMORIAL HIGHWAY NEAR MINQUALADE AS THE VIETNAM VETERANS MEMORIAL HIGHWAY IN HONOR OF DELAWARE SERVICEMEN WHO SERVED IN THE VIETNAM CONFLICT AND MAKING AN APPROPRIATION THEREFOR.

SA 1 to the Resolution was introduced by Senator McBride 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 roll call vote on SJR 28 w SA 1 was then taken 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:

SA 2, SA 3, SA 4, SA 5 and SA 6 to HB 200. Sponsor: Senator Sharp. Placed with the Bill.

SA 3 to HB 200 was then stricken at the request of the sponsor, Senator Sharp.

SB 437 - AN ACT TO AMEND CHAPTER 39 OF TITLE 14 AND CHAPTER 55, TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS WHO RETIRED PRIOR TO 1981. Sponsors: Senators Cook, Adams, Citro, Cordrey, McBride, McDowell, Vaughn, Zimmerman. Assigned to Finance Committee.

SB 438 - AN ACT TO AMEND CHAPTER 15, TITLE 13, AND CHAPTER 6L, TITLE 29 OF THE DELAWARE CODE RELATING TO THE CREATION AND FUNDING OF A FAMILY VIOLENCE TRUST FUND. Sponsors: Senator Bair; Representative Smith. Assigned to Judiciary Committee.

SCR 82 was lifted from the table for consideration on motion of Senator Marshall:

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

On further motion of Senator Marshall, the roll call on SCR 82 was lifted and rescinded. The Resolution was then stricken on motion of Senator Marshall, without objection.

The Secretary announced that a message from the House informed the Senate that it had passed SB 297 and adopted HCR 117; SCR 83 and SCR 85.

HCR 117 was introduced and considered for adoption on motion of Senator Holloway:

HCR 117 - WISHING A RAPID RECOVERY FOR ANDREW MCFARLEY, A FORMER SERGEANT AT ARMS IN THE HOUSE OF REPRESENTATIVES. Sponsors: Representative Brady and all the Representatives; Senator Holloway.

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 by the Senate and returned to the House.

At 6:21 p.m. Senator Sharp moved that the Senate recess to the call of the President Pro Tem.

Senator Connor objected to the motion and the roll call vote was taken which revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 10.

NO: Senators Arnold, Bair, Berndt, Citro, Connor, Hughes, Knox, Littleton, McBride, Neal - 10.

ABSENT: Senator Martin - 1.

Since the vote resulted in a tie, the Lt. Governor exercised his prerogative to cast a vote and voted NO; therefore, the motion was declared defeated and the Senate remained in session.

At 6:25 p.m., the Senate recessed for lack of a quorum.

At 6:34 p.m., the Senate reconvened, Lt. Governor Castle presiding.

At 6:35 p.m. on motion of Senator Sharp, the Senate recessed to the call of the President pro Tempore.

The Senate reconvened at 3:02 p.m., March 16, 1982, Lt. Governor Castle presiding.

SCR 87 was introduced and laid on the table on motion of Senator Sharp:

SCR 87 - RELATING TO THE COMMENDABLE JOB OF THE DEPARTMENT OF TRANSPORTATION DURING THE RECENT SNOW STORMS AND ICY CONDITIONS. Sponsors: Senators Bair, Citro, Connor, McBride and Martin.

At 3:03 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 8th Legislative Day.

8TH LEGISLATIVE DAY

March 16, 1982

The Senate convened at 3:03 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

The Secretary announced that a message from the House informed the Senate that it had passed HB 353 w HA 1, HA 1 to HA 1; HA 2, 3, 4, 9 and adopted HCR 116; SCR 85 and SCR 86.

Legislative Advisory #30 received from the Office of Counsel to the Governor was read which indicated the following action taken by the Governor: On January 28, 1982, the Governor signed SB 381 w HA 1 (Volume 63, Chapter 194, Laws of Delaware). The Governor signed the following on February 8: HB 421 w HA 1 (Volume 63, Chapter 195, Laws of Delaware); HB 503 (Volume 63, Chapter 196, Laws of Delaware); SB 248 (Volume 63, Chapter 197, Laws of Delaware); SB 284 (Volume 63, Chapter 198, Laws of Delaware); SB 297 (Volume 63, Chapter 199, Laws of Delaware). On February 11, the Governor signed the following: HB 344 (Volume 63, Chapter 201, Laws of Delaware); HB 346 (Volume 63, Chapter 202, Laws of Delaware); HB 347 (Volume 63, Chapter 203, Laws of Delaware); HB 430 w HA 1 (Volume 63, Chapter 204, Laws of Delaware). The Governor signed HJR 23 on January 21; SCR 80 on January 28; and HJR 25 w HA 3, SA 4, 5, 6 on February 9. HB 504 is a Constitutional Amendment and does not require the Governor's signature (Volume 63, Chapter 200, Laws of Delaware).

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The following communication from the President pro Tempore was read:

SENATE
STATE OF DELAWARE
DOVER, DELAWARE
January 19, 1982

TO: Members of the Senate of the 131st General Assembly
FROM: Richard S. Cordrey, President pro Tempore
SUBJECT: Appointments

The following appointment changes have been made, due to the resignation of William Murphy, to the standing committees, of the Senate: Senator William C. Torbert will be appointed to: Administrative Services/Energy Committee, Community Affairs Committee, Education Committee, Health and Social Services/Aging Committee, Public Safety Committee (Chairman). Senator James T. Vaughn will be appointed to Finance Committee. Senator James T. Vaughn will be removed from the Education Committee.

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The following legislation was introduced:

SB 439 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PROFESSIONAL NEGOTIATIONS AND RELATIONS: DELETING CHAPTER 40 IN ITS ENTIRETY AND SUBSTITUTING IN LIEU THEREOF A NEW CHAPTER 40 TO BE TITLED, "THE PUBLIC SCHOOL EMPLOYMENT RELATIONS ACT." Sponsor: Senator McDowell (by request). Assigned to Education Committee.

SB 440 - AN ACT TO AMEND ADDITIONAL SUBSTITUTE TEACHERS AVAILABLE TO DELAWARE SCHOOL DISTRICTS, AND PROVIDING FUNDS THEREFOR. Sponsor: Senator Torbert. Assigned to Education Committee.

SB 441 - AN ACT TO AMEND CHAPTERS 13, 17, 20, 45, AND 49 OF TITLE 15, DELAWARE CODE, RELATING TO REGISTRATION AND VOTING BY PHYSICALLY DISABLED AND ELDERLY PERSONS. Sponsor: Senator Torbert. Assigned to Insurance and Elections Committee.

SB 442 - AN ACT TO AMEND CHAPTER 41, TITLE 21, DELAWARE CODE, RELATING TO AUTHORIZED EMERGENCY VEHICLES. Sponsor: Senator Torbert. Assigned to Public Safety Committee.

SB 443 - AN ACT TO PROVIDE ADDITIONAL SCHOOL SUPPLIES FOR DELAWARE SCHOOLS, AND PROVIDING THE FUNDS THEREFOR. Sponsor: Senator Torbert. Assigned to Finance Committee.

SB 444 - AN ACT TO AMEND CHAPTER 3, TITLE 21, DELAWARE CODE, RELATING TO THE LIMITATION ON THE REQUESTS BY INSURANCE COMPANIES FOR DRIVERS' PERFORMANCE RECORDS. Sponsor: Senator Torbert. Assigned to Public Safety Committee.

SB 445 - AN ACT TO AMEND CHAPTER 41, TITLE 21, DELAWARE CODE, RELATING TO OPERATING OR RIDING ON MOTORCYCLES. Sponsor: Senator Torbert. Assigned to Public Safety Committee.

SB 446 - AN ACT TO AMEND SUBCHAPTER I, PART II, TITLE 21, DELAWARE CODE, RELATING TO MANDATORY AUTOMOBILE INSURANCE COVERAGE AND PROVIDING FUNDS THEREFOR. Sponsor: Senator Torbert. Assigned to Public Safety Committee.

SB 447 - AN ACT TO AMEND THE CONSTITUTION OF DELAWARE RELATING TO THE ELECTION OF THE LIEUTENANT GOVERNOR. Sponsor: Senator Torbert. Assigned to Insurance and Elections Committee.

SB 448 - AN ACT TO AMEND CHAPTER 29, TITLE 24, DELAWARE CODE, RELATING TO THE DELAWARE REAL ESTATE COMMISSION. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

SB 449 - AN ACT TO AMEND CHAPTER 23, TITLE 21 OF THE DELAWARE CODE RELATING TO CERTIFICATES OF TITLE. Sponsors: Senator Torbert, Representative Bennett. Assigned to Public Safety Committee.

SB 450 - AN ACT TO AMEND CHAPTERS 21 AND 41 OF TITLE 21 DELAWARE CODE, RELATING TO SPECIAL LICENSE PLATES, PARKING ID CARDS, AND PARKING FOR THE HANDICAPPED. Sponsor: Senator Cordrey. Assigned to Public Safety Committee.

SB 451 - AN ACT TO REINCORPORATE THE TOWN OF CAMDEN. Sponsors: Senator Torbert; Representatives Bennett and Buckworth. Assigned to Community Affairs Committee.

SA 1 to SB 315. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SB 401. Sponsor: Senator McBride. Placed with the Bill.

SA 1 to SB 403. Sponsor: Senator McBride. Placed with the Bill.

SA 2 to SB 404. Sponsor: Senator Cordrey. Placed with the Bill.

SA 3 to SB 404. Sponsors: Senators Hughes and Berndt. Placed with the Bill.

SA 3 to HB 200. Sponsor: Senator Sharp. Placed with the Bill.

Senators Holloway, Marshall and Zimmerman marked PRESENT.

SR 61 was introduced and considered for adoption on motion of Senator Torbert:

SR 61 - CONGRATULATING ELIZABETH SENTER OF DOVER FOR HER SELECTION AS A UNITED STATES SENATE PAGE. Sponsor: Senator Torbert.

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

Senator Bair moved that **SCR 87** be lifted from the table for consideration. The roll call vote on the motion was taken and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Hughes, Knox, Littleton, Neal - 9.

NO: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 12.

Therefore, the motion was defeated and the Chair assigned the Resolution to the Highways and Transportation Committee on motion of Senator Cordrey.

SCR 88 was introduced and considered for adoption on motion of Senator Torbert:

SCR 88 - CONGRATULATING THE CAESAR RODNEY HIGH SCHOOL RIDERS FOR CAPTURING THE DELAWARE STATE WRESTLING CHAMPIONSHIP. Sponsors: Senator Torbert; Representatives Bennett and Buckworth.

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.

SCR 89 was introduced and considered for adoption on motion of Senator Sharp:

SCR 89 - URGENTLY REQUESTING THE BOARD OF EDUCATION OF THE RED CLAY CONSOLIDATE SCHOOL DISTRICT TO SELL THE KREBS SCHOOL PROPERTY TO THE WILMINGTON CHRISTIAN SCHOOL. Sponsors: Senators Sharp, McBride, Marshall, Citro and Hughes.

Senator Knox moved that the Resolution be assigned to the Education Committee.

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

YES: Senators Arnold, Bair, Berndt, Connor, Knox - 5.

NO: Senators Adams, Citro, Cook, Cordrey, Hughes, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 15.

ABSENT: Senator Holloway - 1.

Therefore, the motion was defeated and the Resolution was still before the Senate.

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

YES: Senators Adams, Arnold, Berndt, Citro, Cook, Cordrey, Hughes, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn - 15.

NO: Senators Bair, Knox, Neal - 3.

NOT VOTING: Senators Connor, Holloway and Zimmerman - 3.

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

SCR 90 was introduced and considered for adoption on motion of Senator Adams:

SCR 90 - JOINING IN THE OBSERVANCE OF MARCH 14 TO MARCH 20, 1982, AS AGRICULTURE WEEK AND MARCH 18 AS NATIONAL AGRICULTURE DAY, AND CONGRATULATING THE DELAWARE COUNCIL OF FARM ORGANIZATIONS FOR CONTINUING LEADERSHIP IN THE DEVELOPMENT OF OUR BASIC INDUSTRY. Sponsors: Senator Adams, Representative Barnes.

All the Senators were added as co-sponsors of the Resolution after which the roll call vote was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 91 was introduced and considered for adoption on motion of Senator Neal:

SCR 91 - CONGRATULATING THE NEWARK HIGH SCHOOL YELLOWJACKETS ON WINNING THE 1982 STATE CHAMPIONSHIP. Sponsors: Senators Neal, Arnold, Martin; Representatives Petrilli, Soles, Oberle.

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.

SB 404 was taken up for consideration on motion of Senator Cordrey:

SB 404 - AN ACT TO AMEND PART VI, TITLE 3, DELAWARE CODE, TO PROVIDE FOR THE HUMANE KILLING OF ANIMALS HELD IN A SHELTER.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Frederick N. VanSant (Delaware Animals), Patricia W. Prescott (Delaware Humane Association), Phyllis Wright (Human Society of U.S.) and Patricia Peterson Schwartz (Managing Director of Delaware SPCA).

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cordrey and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Berndt, Connor, Cook, Cordrey, Hughes, Knox, Littleton, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 17.

NO: Senators Citro and Marshall - 2.

NOT VOTING: Senator Holloway - 1.

ABSENT: Senator Bair - 1.

Therefore, the Amendment was declared adopted.

SA 2 to the Bill was introduced by Senator Cordrey and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Hughes, Knox, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 17.

NOT VOTING: Senators Holloway and Marshall - 2.

ABSENT: Senators Citro and Littleton - 2.

Therefore, the Amendment was declared adopted.

At 4:35 p.m., Senator Sharp presiding.

SA 3 to the Bill was introduced by Senator Hughes and laid on the table on his motion.

SB 404 w SA 1, 2 was then laid on the table on motion of Senator Cordrey.

SB 185 and SB 321 were stricken at the request of the sponsor, Senator Neal.

At 5:55 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., March 17, 1982.

The Senate reconvened at 2:43 p.m., March 17, 1982, Lt. Governor Castle presiding.

The following legislation was introduced:

SB 452 - 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 PROVIDE FOR A REGISTRATION SYSTEM FOR THE ANNUAL MUNICIPAL ELECTION. Sponsor: Senator Adams. Assigned to Community Affairs Committee.

SB 453 - AN ACT TO AMEND CHAPTER 41, TITLE 7, DELAWARE CODE, RELATING TO COMPENSATION OF TAX DITCH COMMISSIONERS. Sponsor: Senator Adams. Assigned to Finance Committee.

SA 1 to SB 49. Sponsor: Senator Neal. Placed with the Bill.

SA 1 to SB 418. Sponsor: Senator Connor. Placed with the Bill.

SA 1 to HB 164. Sponsor: Senator Holloway. Placed with the Bill.

SR 62 - COMMENDING THE IRISH CULTURE CLUB OF DELAWARE FOR ITS SPONSORSHIP OF THE ANNUAL ST. PATRICK'S DAY PARADE IN WILMINGTON AND LAUDING PARTICIPANTS FOR THEIR OUTSTANDING PERFORMANCES. Sponsor: Senator Marshall.

The roll call vote on the Resolution was taken on motion of Senator Marshall and revealed 17 Senators voting YES and 4 (Citro, Holloway, Sharp and Torbert) ABSENT; therefore, the Resolution was declared adopted.

SR 63 - EXTENDING CONGRATULATIONS TO THE DELAWARE STATE COLLEGE WOMEN'S TRACK TEAM FOR CAPTURING THE MID-EASTERN ATHLETIC CONFERENCE INDOOR TRACK CHAMPIONSHIP ON SATURDAY, FEBRUARY 20, 1982. Sponsor: Senator Zimmerman.

The roll call vote on the Resolution was taken on motion of Senator Zimmerman and revealed 18 Senators voting YES and 3 (Holloway, Sharp and Torbert) ABSENT; therefore, the Resolution was declared adopted.

SR 64 - COMMENDING THE DUPONT COMPANY FOR DONATING MONEY AND EQUIPMENT TO THE WILMINGTON LATIN AMERICAN COMMUNITY CENTER. Sponsor: Senator Marshall.

The Resolution was considered for adoption on motion of Senator Marshall and the roll call vote taken which revealed 20 Senators voting YES and 1 (Sharp) ABSENT; therefore, the Resolution was declared adopted.

SCR 92 - EXTENDING CONGRATULATIONS TO THE DELAWARE STATE COLLEGE WOMEN'S TRACK TEAM FOR CAPUTING THE MID-EASTERN ATHLETIC CONFERENCE INDOOR TRACK CHAMPIONSHIP ON SATURDAY, FEBRUARY 20, 1982. Sponsors: Senator Zimmerman and Representative Bennett.

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

SCR 93 was introduced and laid on the table on motion of Senator Neal:

SCR 93 - COMMENDING MRS. RENEE O'LEARY OF WILMINGTON MANOR ELEMENTARY SCHOOL, COLONIAL SCHOOL DISTRICT, FOR BEING SELECTED AS DELAWARE TEACHER OF THE YEAR FOR 1982. Sponsors: Senators Neal, McBride; Representative Petrilli; Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McDowell, Sharp, Torbert, Vaughn, Zimmerman; Representatives Anderson, Barnes, Bennett, Brady, Buckworth, Burris, Cain, Campanelli, Cathcart, Cordrey, Corrozi, Darling, Derrickson, Dixon, Edwards, Ennis, Fallon, Free, George, Gilligan, Harrington, Holloway, Jester, Jonkiert, Mack, Maroney, McKay, Minner, Oberle, Plant, Powell, Riddagh, Roy, Sinecock, Smith, Soles, Spence, VanSeiver, West.

The Secretary announced that a message from the House informed the Senate that the House Passed HB 334 w HA 1; HB 335; HB 369 and adopted HJR 21 w HA 1.

HB 353 w HA 1 w HA 1; HA 2, SA 3 which had previously passed the Senate was laid on the table as further amended by HA 3, 4, 9.

HB 334 w HA 1 - AN ACT TO AMEND SUBCHAPTER III, TITLE 10 OF THE DELAWARE CODE RELATING TO THE CIVIL JURISDICTION OF THE COURT OF COMMON PLEAS. Sponsors: Representatives Brady, Riddagh and Minner. Assigned to Judiciary Committee

HB 335 - AN ACT TO AMEND CHAPTER 93, TITLE 10 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE JUSTICE OF THE PEACE COURT. Sponsors: Representatives Brady, Riddagh, Minner. Assigned to Judiciary Committee.

HB 369 - AN ACT TO AMEND CHAPTER 39 OF TITLE 18 OF DELAWARE CODE RELATING TO CASUALTY INSURANCE CONTRACTS. Sponsor: Representative Harrington. Assigned to Insurance and Elections Committee.

HJR 21 w HA 1 - ESTABLISHING AN AD HOC COMMITTEE TO STUDY DELAWARE'S CAPITAL PUNISHMENT STATUTE AND TO RECOMMEND REMEDIAL SOLUTIONS TO INCLUDE ALTERNATIVE FORMS OF CAPITAL PUNISHMENT. Sponsors: Representatives Darling, Cain, Anderson, Bennett, Cordrey, Minner, West, Dixon, Jonkiert, Jester, Oberle, Cathcart, Barnes, Harrington, Roy, Sinecock, Buckworth; Senators Sharp, Cook and Vaughn. Assigned to Judiciary Committee.

HCR 116 was introduced and considered for adoption on motion of Senator Marshall:

HCR 116 - CONGRATULATING CHANCELLOR WILLIAM MARVEL ON HIS SELECTION BY THE DELAWARE STATE CHAMBER OF COMMERCE AS WINNER OF THE MARVEL CUP, SO DESIGNATED IN HONOR OF HIS LATE FATHER, JOSIAH MARVEL. Sponsors: Representatives Corrozi, Hebner, McKay; Senator Knox.

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.

At 3:01 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 9th Legislative Day.

9TH LEGISLATIVE DAY

March 17, 1982

The Senate convened at 3:01 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Arnold.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

HB 313 w HA 2 w HA 1; HA 3 was taken up for consideration on motion of Senator McDowell:

HB 313 w HA 2 w HA 1; HA 3 - AN ACT TO AMEND TITLE 29, DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTS.

The privilege of the floor was extended to Clifford B. Hearn (Utility Contractors Association) after which 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.

SCR 93 was lifted from the table for consideration on motion of Senator Neal:

Pursuant to the above Resolution, the privilege of the floor was extended to Renee O'Leary, Teacher of the Year.

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.

SB 398 was stricken at the request of the sponsor, Senator Cordrey.

HB 329 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 329 w HA 1 - AN ACT TO AMEND CHAPTER 7, TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES AND POLYGRAPH EXAMINATIONS.

During discussion of the Bill and the Senate Amendment offered to it, the privilege of the floor was extended to David Devine (American Polygraph Association) and William S. Fox, Jr. (Manor Pharmacy, New Castle Delaware).

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McDowell and the roll call vote taken which revealed:

YES: Senators Holloway, Marshall, McDowell, Neal, Zimmerman - 5.
NO: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Hughes, Knox, Littleton, McBride, Sharp, Torbert, Vaughn - 15.
ABSENT: Senator Martin - 1.

Therefore, the Amendment was declared defeated.

At 4:50 p.m., Senator Adams presiding.

On motion of Senator Sharp, HB 329 w HA 1 was then laid on the table.

At 5:25 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., March 18, 1982.

The Senate reconvened at 2:20 p.m., March 18, 1982, Lt. Governor Castle presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 118; HCR 119; HCR 120; HCR 121; HCR 122; HCR 124; SCR 88; SCR 90; SCR 91; SCR 92; SCR 93.

SB 454 was introduced and assigned to the Judiciary Committee:

SB 454 - AN ACT TO AMEND CHAPTER 61, TITLE 21 OF THE DELAWARE CODE, RELATING TO CIVIL LIABILITY OF AN OWNER OF CERTAIN PERSONAL PROPERTY FOR NEGLIGENCE RESULTING IN INJURY TO A NONPAYING GUEST. Sponsors: Senators Holloway and Connor.

Senator Adams introduced to the Senate the members of the Delaware Council of Farm Organizations who were present in the Chamber and the privilege of the floor was extended to Jack Klino who spoke for the group.

The following legislation was introduced:

SB 455 - AN ACT TO AMEND CHAPTER 19, PART II, TITLE 30 OF THE DELAWARE CODE RELATING TO THE CORPORATION INCOME TAX; AND PROVIDING FOR A CORPORATION TAX REFORM ACT. Sponsors: Senators Connor and McDowell. Assigned to Revenue and Taxation Committee.

SB 456 - AN ACT TO AMEND CHAPTER 19, PART II, TITLE 30 OF THE DELAWARE CODE RELATING TO THE CORPORATION INCOME TAX; AND PROVIDING FOR A "DE-COUPLING" FROM THE FEDERAL ACCELERATED COST RECOVERY SYSTEM. Sponsors: Senators Connor and McDowell. Assigned to Revenue and Taxation Committee.

SB 457 - AN ACT TO AMEND CHAPTER 41, PART III, TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD AND PROHIBITING OPEN OR UNSEALED CONTAINERS OF ALCOHOLIC BEVERAGES WITHIN A MOTOR VEHICLE UNDER CERTAIN CIRCUMSTANCES. Sponsors: Senators Citro, Connor, Marshall; Representative Corrozi. Assigned to Public Safety Committee.

SB 458 - AN ACT TO AMEND PART I, TITLE 11 OF THE DELAWARE CODE RELATING TO DEADLY WEAPONS; AND PROVIDING FOR A PROHIBITION AGAINST CERTAIN TYPES OF BULLETS. Sponsors: Senator Connor and Representative Buckworth; Senators Citro, Hughes, Marshall, McDowell; Representatives Barnes, Campanelli, Cathcart, Ennis, Hebner, Mack, Oberle and Riddagh. Assigned to Public Safety Committee.

SB 459 - AN ACT TO AMEND CHAPTER 5, TITLE 13 OF THE DELAWARE CODE TO PERMIT THE FAMILY COURT TO ATTACH UP TO 50 PERCENT OF THE UNEMPLOYMENT COMPENSATION PAYMENT TO A DEFENDANT WHO FAILS TO PAY A SUPPORT ORDER. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 460 - AN ACT TO AMEND CHAPTER 5, TITLE 13 OF THE DELAWARE CODE TO PROVIDE FOR SEIZING THE STATE INCOME TAX REFUND OF A DEFENDANT WHO FAILS TO PAY A SUPPORT ORDER. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SA 4 to SB 404. Sponsors: Senators Hughes and Berndt. Placed with the Bill.

SA 1 to SB 433. Sponsor: Senator Connor. Placed with the Bill.

SR 65 was introduced and considered for adoption on motion of Senator Torbert:

SR 65 - COMMENDING THE DOVER CHRISTIAN SCHOOL BOY'S BASKETBALL TEAM FOR WINNING THE TRI-STATE CHRISTIAN ATHLETIC CONFERENCE BASKETBALL TOURNAMENT. Sponsors: Senators Torbert and Zimmerman.

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.

SCR 94 was introduced and considered for adoption on motion of Senator Neal:

SCR 94 - EXPRESSING THE WILL OF THE GENERAL ASSEMBLY THAT THE DECREASE IN UNIT SIZE MANDATED BY SECTION 1703, TITLE 14 DELAWARE CODE AND AMENDED BY 63 DELAWARE LAWS CHAPTER 80 BE IMPLEMENTED FOR FISCAL YEAR 1983. Sponsors: Senators Neal and McBride; Representative Petrilli.

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

YES: Senators Adams, Arnold, Bair, Citro, Connor, Cordrey, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp - 14.

NOT VOTING: Senators Berndt, Cook, Hughes, Torbert, Vaughn, Zimmerman - 6.

ABSENT: Senator Holloway - 1.

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

SCR 95 was introduced and laid on the table in the absence of the sponsor, Senator Holloway:

SCR 95 - REQUESTING THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION FOR A UNIFORM NATIONAL STANDARD OF NEED FOR PERSONS RECEIVING CARE THROUGH THE AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM AND THROUGH THE DISTRIBUTION OF FOOD STAMPS. Sponsors: Senator Holloway; Representatives Holloway and Plant.

SJR 30 was introduced and assigned to Public Safety Committee:

SJR 30 - ESTABLISHING A TASK FORCE TO STUDY ALCOHOL-RELATED AND DRUG-RELATED MOTOR VEHICLE OFFENSES. Sponsors: Senators Connor, Martin, Littleton, McDowell and Citro.

HCR 118 was introduced and considered for adoption on motion of Senator Marshall:

HCR 118 - CONGRATULATING THE ST. ELIZABETH HIGH SCHOOL TEAM ON WINNING THE DELAWARE HIGH SCHOOL GIRLS' BASKETBALL TOURNAMENT. Sponsors: Representative Jonkiert and Senator Marshall.

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.

HCR 119 was introduced and laid on the table on motion of Senator Sharp:

HCR 119 - REQUESTING THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT THE FAIR PRACTICES IN AUTOMOTIVE PRODUCTS BILL REQUIRING THAT CARS AND TRUCKS SOLD IN THE UNITED STATES CONTAIN A PERCENTAGE OF AMERICAN-MADE PARTS. Sponsors: Representatives Oberle, Anderson, Brady, Cain, Campanelli, Cathcart, Corrozi, Dixon, George, Gilligan, Mack, Petrilli, Plant, Powell, Roy, Spence, VanSciver; Senators Citro, Connor, Sharp.

HCR 120 was introduced and laid on the table on motion of Senator Sharp:

HCR 120 - CONGRATULATING WJBR-FM, THE NATION'S PIONEER FM STEREO STATION, ON ITS 25TH ANNIVERSARY. Sponsor: Representative Maroney.

HCR 121 was introduced and considered for adoption on motion of Senator Adams:

HCR 121 - COMMENDING STEVE HUFF, OF WOODBRIDGE JUNIOR-SENIOR HIGH SCHOOL, ON HIS SELECTION AS DELAWARE BIOLOGY TEACHER OF THE YEAR. Sponsors: Representative Barnes; Senator Adams.

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

HCR 122 was introduced and considered for adoption on motion of Senator Martin:

HCR 122 - MOURNING THE DEATH OF W. EMERSON WILSON, A WILMINGTON NEWSPAPERMAN AND DELAWARE HISTORIAN FOR MORE THAN 40 YEARS AND A FORMER LEGISLATIVE CORRESPONDENT. Sponsors: Representative Sincok; Senators Hughes and Martin.

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.

HCR 124 was introduced and considered for adoption on motion of Senator Neal:

HCR 124 - EXPRESSING CONDOLENCES UPON LEARNING OF THE TRAGIC DEATH OF DR. PAUL DOLAN, PROFESSOR EMERITUS, UNIVERSITY OF DELAWARE AND EXTOLLING HIS MANY VIRTUES. Sponsors: Representatives Soles, Sincok, Anderson, Barnes, Bennett, Brady, Buckworth, Burris, Cain, Campanelli, Cathcart, Cordrey, Corrozi, Darling, Derrickson, Dixon, Edwards, Ennis, Fallon, Free, George, Gilligan, Harrington, Hebner, Holloway, Jester, Jonkiert, Mack, Maroney, McKay, Minner, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Smith, Spence, VanSciver, West; Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman.

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.

SCR 95 was lifted from the table for consideration 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 by the Senate and sent to the House for consideration.

SCR 99 was introduced and considered for adoption on motion of Senator Sharp:

SCR 99 - URGENTLY REQUESTING THE BOARD OF EDUCATION OF THE RED CLAY CONSOLIDATED SCHOOL DISTRICT TO SELL THE KREBS SCHOOL PROPERTY TO THE WILMINGTON CHRISTIAN SCHOOL. Sponsors: Senators Sharp, Citro, Hughes, McBride; Representatives Petrilli, Spence, Corrozi, Roy, Oberle, Powell, VanSciver.

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

YES: Senators Adams, Arnold, Berndt, Citro, Cook, Cordrey, Hughes, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Bair and Knox - 2.

NOT VOTING: Senators Connor and Neal - 2.

ABSENT: Senator Holloway - 1.

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

SCR 96 was introduced and considered for adoption on motion of Senator Zimmerman:

SCR 96 - EXPRESSING HEARTFELT THANKS AND BEST WISHES TO JUDGE COURTNEY P. HOUSTON, JR. ON HIS RETIREMENT FROM STATE GOVERNMENT. Sponsors: Senator Zimmerman, Torbert, Cook, Holloway; Representatives Bennett and Harrington.

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.

HCR 120 was lifted from the table for consideration on motion of Senator Knox and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

The following Committee reports were announced:

From the Administrative Services/Energy Committee: SB 426 - 4 Favorable, 1 Merits; SB 427 - 6 Merits.

From the Revenue and Taxation Committee: SB 428 - 2 Favorable, 3 Merits.

At 3:26 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 10th Legislative Day.

10TH LEGISLATIVE DAY

March 18, 1982

The Senate convened at 3:26 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

SB 387 was stricken at the request of the sponsor, Senator Cordrey.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 84.

SCR 98 was introduced and considered for adoption on motion of Senator Arnold:

SCR 98 - RESOLVING THAT MARCH 21, 1982 BE DECLARED "FREE AFGHANISTAN DAY."

Sponsors: Senator Arnold, Representative Riddagh; Senator Vaughn, Representative Dixon.

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.

At 3:32 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:45 p.m., Senator Cordrey presiding.

SCR 97 was introduced and considered for adoption on motion of Senator Adams:

SCR 97 - CONGRATULATING FORMER REPRESENTATIVE HOWARD A. CLENDANIEL, OF GEORGETOWN, UPON HIS SELECTION FOR A CERTIFICATE OF APPRECIATION FROM THE UNIVERSITY OF DELAWARE. Sponsor: Senator Adams.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Arnold, Bair, Hughes, McDowell) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SR 66 was introduced and considered for adoption on motion of Senator Sharp:

SR 66 - IN REFERENCE TO STAFF. Sponsors: Senators Cordrey and Sharp.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Hughes and McDowell) ABSENT; therefore, the Resolution was declared adopted.

The following legislation was introduced:

SB 461 - AN ACT TO AMEND CHAPTER 5, TITLE 13 OF THE DELAWARE CODE TO PROVIDE THAT A FAMILY COURT DEFENDANT IN A SUPPORT ACTION WHO FAILS TO PROVIDE THE COURT WITH A CHANGE OF ADDRESS MAY BE HELD IN CONTEMPT. Sponsor: Senator Holloway. Assigned to Health and Social Services Committee.

SB 462 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO PENALTIES FOR FAILURE TO FILE TAX RETURNS. Sponsors: Senator Holloway and Zimmerman; Representative Bennett. Assigned to Revenue and Taxation Committee.

SB 463 - AN ACT TO AMEND CHAPTER 80, VOLUME 63, LAWS OF DELAWARE, TO PROVIDE FOR THE ADJUSTMENT OF THE FORMULA FOR NON-PUBLIC SCHOOL BUS TRANSPORTATION, AND PROVIDING FUNDS THEREFOR. Sponsors: Senator Marshall, McDowell, Zimmerman, Citro, Connor; Representatives Jonkiert, Cain, Brady, Free. Assigned to Finance Committee.

SB 464 - AN ACT TO PROVIDE A SUPPLEMENTARY APPROPRIATION TO THE DEPARTMENT OF PUBLIC INSTRUCTION FOR THE PURPOSE OF INCREASING SUPPORT FOR NON-PUBLIC SCHOOL PUPIL TRANSPORTATION. Sponsors: Senator Marshall, McDowell, Citro, Connor; Representatives Jonkiert, Cain, Brady, Free. Assigned to Finance Committee.

SB 465 - AN ACT TO AMEND CHAPTER 43, TITLE 11, DELAWARE CODE, RELATING TO PAROLE PROCEDURE. Sponsors: Senator Vaughn, Representative Riddagh. Assigned to Judiciary Committee.

SA 1 to SB 450. Sponsor: Senator Cordrey. Placed with the Bill.

Consideration of HB 353 w HA 1 w HA 1; HA 2, 3, 4, 9, SA 3 was deferred on motion of Senator McBride.

Consideration of SB 396 was deferred on motion of Senator Zimmerman.

SB 21 was taken up for consideration on motion of Senator Sharp:

SB 21 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO PERSONAL EXEMPTIONS ON THE DELAWARE STATE INCOME TAX.

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:

YES: Senators Adams, Arnold, Citro, Connor, Cook, Cordrey, Holloway, Littleton, Marshall, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Berndt, Hughes, Knox - 3.

ABSENT: Senators Bair and Martin - 2.

Therefore, the Amendment was declared adopted.

Senator Marshall was added as co-sponsor of the Bill.

The privilege of the floor was extended to T. Dennis Sullivan, Secretary of Finance, after which the roll call vote on SB 21 w SA 1 was taken and revealed:

Senator Adams presiding at 5:35 p.m..

YES: Senators Adams, Citro, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Hughes and Knox - 2.

NOT VOTING: Senators Arnold, Bair, Berndt, Connor, Littleton, Neal - 6.

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

At 6:24 p.m. on motion of Senator Sharp, the Senate recessed until March 23, 1982 at 2:00 p.m.

The Senate reconvened at 2:05 p.m., March 23, 1982, Lt. Governor Castle presiding.

SB 358 was reported out of the Natural Resources and Environmental Control Committee: 5 Merits.

SB 466 was introduced and assigned to the Health-Social Services/Aging Committee:

SB 466 - AN ACT TO AMEND CHAPTER 7, TITLE 13, DELAWARE CODE, RELATING TO CONSENT OF MINORS TO DONATE BLOOD VOLUNTARILY WITHOUT THE NECESSITY OF OBTAINING PARENTAL PERMISSION OR AUTHORIZATION. Sponsors: Senator Holloway; Representatives Gilligan and Maroney.

The Secretary announced that a message from the House informed the Senate that it had passed HB 502 w HA 1, 2, 4, 5; HB 237; HB 298 w HA 1; HB 299; HB 309 w HA 1; HB 414 w HA 1; HB 379 w HA 1, 2; HB 506 w HA 1, 2; HB 507 w HA 1, 2, 3 and adopted SCR 98 and SCR 99.

The following legislation was introduced:

HB 237 - AN ACT TO AMEND TITLE 15, DELAWARE CODE, CHAPTER 55, RELATING TO PROVISIONS FOR ABSENTEE VOTING. Sponsors: Representative Jonkiert; Senator Marshall. Assigned to Insurance and Elections Committee.

HB 298 w HA 1 - AN ACT TO AMEND CHAPTER 7, TITLE 21, DELAWARE CODE, TO ESTABLISH A PROCEDURE WHEN A JUVENILE IS ARRESTED FOR MULTIPLE TRAFFIC OFFENSES, SOME OF WHICH FALL WITHIN THE JURISDICTION OF THE FAMILY COURT WHILE OTHERS FALL WITHIN THE JURISDICTION OF OTHER COURTS. Sponsors: Representative Riddagh; Senator Vaughn. Assigned to Judiciary Committee.

HB 299 - AN ACT TO AMEND CHAPTER 27, TITLE 11, DELAWARE CODE TO GRANT JUSTICE OF THE PEACE COURTS JURISDICTION TO HEAR, TRY AND FINALLY DETERMINE ADDITIONAL MISDEMEANORS THAN THEY PRESENTLY HAVE JURISDICTION TO HEAR, TRY AND FINALLY DETERMINE. Sponsors: Representative Riddagh; Senator Vaughn. Assigned to Judiciary Committee.

HB 309 - AN ACT TO AMEND CHAPTER 7, TITLE 21 OF THE DELAWARE CODE RELATING TO MAIL-IN FINE PROCEDURES AND PENALTYS AND TO FURTHER AMEND CHAPTER 52, TITLE 30 OF THE DELAWARE CODE RELATING TO MOTOR FUEL TAX PENALTYS. Sponsors: Representative Riddagh; Senator Vaughn. Assigned to Judiciary Committee.

HB 379 w HA 1, 2 - AN ACT TO AMEND CHAPTER 45, TITLE 21 OF THE DELAWARE CODE, RELATING TO SIZE AND WEIGHTS OF VEHICLES BEING TOWED BY TOW TRUCKS. Sponsor: Representative Spence. Assigned to Public Safety Committee.

HB 414 w HA 1 - AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO AMOUNT OF SERVICE OR DISABILITY PENSION. Sponsors: Representative Burris; Senator Cook. Assigned to Finance Committee.

HB 502 w HA 1, 2, 4, 5 - AN ACT TO AMEND TITLE 9, TITLE 14, AND TITLE 21 OF THE DELAWARE CODE RELATING TO SCHOOL CROSSING GUARDS; AND PROVIDING FOR REPORTING OF CERTAIN OFFENSES AND INFRACTIONS. Sponsors: Representatives Hebnar, Riddagh, Spence, Mack, Jonkiert and Minner. Assigned to Education Committee.

HB 506 w HA 1, 2 - AN ACT TO AMEND CHAPTER 21, TITLE 11 OF THE DELAWARE CODE TO PERMIT A COURT TO HOLD AN OPERATOR'S LICENSE AS SECURITY FOR THE APPEARANCE FOR TRIAL, OR FOR SENTENCING OF A PERSON CHARGED WITH A VIOLATION OF DELAWARE'S TRAFFIC OR CRIMINAL LAWS. Sponsors: Representatives Riddagh and Hebnar; Senators Vaughn and Arnold. Assigned to Judiciary Committee.

HB 507 w HA 1, 2, 3 - AN ACT TO AMEND CHAPTER 41, TITLE 11 OF THE DELAWARE CODE TO PERMIT A COURT TO HOLD AN OPERATOR'S LICENSE AS SECURITY FOR THE PAYMENT OF FINES, COSTS, RESTITUTION AND FOR THE VICTIMS COMPENSATION FUND ASSESSMENT. Sponsors: Representatives Riddagh and Hebnar; Senators Vaughn and Arnold. Assigned to Judiciary Committee.

The following Bills were reported out of the Natural Resources and Environmental Control Committee: HB 435 - 5 Merits; HB 323 - 5 Merits.

At 2:10 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 11th Legislative Day.

11TH LEGISLATIVE DAY
March 23, 1982

The Senate convened at 2:10 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Cordrey.

On motion of Senator Bair, the roll call vote on SB 236 w SA 1 was lifted from the table and rescinded.

SA 2 to SB 236 w SA 1 which had been placed with the Bill was then taken up for consideration on motion of Senator Bair and the roll call vote taken which revealed 19 Senators voting YES and 2 (Connor and Martin) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 236 w SA 1, 2 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Holloway, Hughes, Knox, Littleton, McBride, Neal, Torbert - 12.

NO: Senators Cook, Cordrey, Marshall, McDowell, Sharp, Vaughn, Zimmerman - 7.

ABSENT: Senators Connor and Martin - 2.

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

Sensors Cook and McDowell marked PRESENT.

SCR 100 was introduced and considered for adoption on motion of Senator Adams:

SCR 100 - CONGRATULATING SHAWNA LESA SAINTS UPON HER SELECTION BY THE GREATER MILFORD CHAMBER OF COMMERCE TO REPRESENT DELAWARE IN THE MISS USA PAGEANT AT BILOXI, MISSISSIPPI, ON MAY 13, 1982. Sponsors: Senators Adams, Sharp, Knox, Cook, Berndt, Neal, Torbert; Representatives Gillian, Barnes and VanSciver.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Connor and Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

Pursuant to the above Resolution, the privilege of the floor was extended to Shawna Lesa Saints.

At 2:36 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:08 p.m., Lt. Governor Castle presiding.

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

SB 251 - AN ACT TO AMEND CHAPTER 31, TITLE 24, DELAWARE CODE RELATING TO PRE-NEED FUNERAL CONTRACTS.

Sensors Connor and Martin marked PRESENT.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Torbert) NOT VOTING and 1 (Littleton) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 124 was taken up for consideration on motion of Senator Bair:

SB 124 - AN ACT TO AMEND SECTION 4403, CHAPTER 44, TITLE 6, DELAWARE CODE PERTAINING TO HOME SOLICITATION SALES, BY EXTENDING THE APPLICATION OF THAT ACT TO TRANSACTIONS CONSUMATED AT TRANSIENT PLACES OF BUSINESS.

The roll call vote on the Bill 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.

Consideration of SB 428 was deferred on motion of Senator Cordrey.

Consideration of SB 189 was deferred on motion of Senator Neal.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 126.

HCR 126 was introduced and considered for adoption on motion of Senator McBride:

HCR 126 - RECOGNIZING THE EFFORTS OF THE DELAWARE RIVER AND BAY SHORELINE COMMITTEE AND DESIGNATING JUNE 15-21, 1982 AS TALL SHIPS FESTIVAL DAYS. Sponsors: Representatives Minner, Ennis, Smith, Edwards; Senators Cordrey and McBride.

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 358 was taken up for consideration on motion of Senator Zimmerman:

SB 358 - AN ACT TO AMEND CHAPTER 60, TITLE 7, DELAWARE CODE, RELATING TO REGULATION OF SOLID WASTE.

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

The following Committee reports were announced:

From the Executive Committee: J. Bruce Bredin - 1 Favorable, 5 Merits; R. R. M. Carpenter, Jr. - 3 Favorable, 3 Merits; Elbert N. Carvel - 4 Favorable, 2 Merits; Virginia Dennis - 6 Merits; Warner W. Price, Jr. - 1 Favorable, 5 Merits; Harry K. F. Terry - 3 Favorable, 3 Merits; E. Norman Veasey - 1 Favorable, 5 Merits.

From the Health-Social Services/Aging Committee: SB 466 - 5 Merits; SB 410 - 3 Merits.

The following legislation was introduced:

SB 467 - AN ACT TO AMEND CHAPTER 7, TITLE 21, DELAWARE CODE, RELATING TO THE JURISDICTION OVER CERTAIN CASES. Sponsor: Senator McDowell. Assigned to Judiciary Committee.

SB 468 - AN ACT TO AMEND CHAPTER 57, TITLE 16, DELAWARE CODE, RELATING TO VOLUNTARY AND INVOLUNTARY STERILIZATION, AND MAKING A SUPPLEMENTARY APPROPRIATION THEREFOR. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SR 60 was stricken on motion of the sponsor, Senator Torbert.

At 4:35 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., March 24, 1982.

The Senate reconvened at 2:40 p.m., March 24, 1982, Senator Cordrey presiding.

The following Committee reports were announced:

From the Executive Committee: SB 435 - 4 Merits.

From the Public Safety Committee: SB 417 - 5 Merits; SB 442 - 5 Merits; SB 444 - 4 Merits; SB 445 - 4 Merits; SB 449 - 1 Favorable, 4 Merits; SB 450 - 5 Merits.

The following legislation was introduced:

SB 469 - AN ACT TO AMEND TITLE 18, DELAWARE CODE, BY ESTABLISHING A DELAWARE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION. Sponsors: Senator Sharp; Representative Harrington. Assigned to Insurance and Elections Committee.

SB 470 - AN ACT TO AMEND SECTION 4209(f) OF TITLE 11, DELAWARE CODE, RELATING TO THE METHOD AND IMPOSITION OF THE SENTENCE OF DEATH. Sponsors: Senators Hughes, Torbert, Vaughn, Littleton, Citro; Representatives Riddagh, Harrington, Spence, Darling, Minner, Oberle. Assigned to Insurance and Elections Committee.

At 2:44 p.m., Lt. Governor Castle presiding.

Senator Sharp introduced to the Senate the members of the New Hampshire Legislature who were in the chamber and the privilege of the floor was extended to Marshall A. French, Speaker pro Tempore of the New Hampshire Legislature.

SB 358 (final consideration of which had been deferred) was taken up for consideration on motion of Senator Zimmerman.

The privilege of the floor was extended to Thomas P. Eichler (Director of Department of Environmental Control) and F. Michael Parkowski (Senate Attorney) after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Adams and Cordrey) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 3:23 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 12th Legislative Day.

12TH LEGISLATIVE DAY

March 24, 1982

The Senate convened at 3:23 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Arnold.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Cordrey.

At 3:26 p.m., Senator Sharp presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 437 w HA 1, 2; HB 322; HB 395 w HA 2; HB 522 w HA 1; HB 523 w HA 1 and adopted HJR 27. SS 1 for SB 8 w SA 2 was defeated in the House.

SB 440 and SB 443 were stricken at the request of the sponsor, Senator Torbert.

The following communication from the Governor was read and assigned to the Executive Committee:

STATE OF DELAWARE EXECUTIVE DEPARTMENT DOVER

March 24, 1982

To the Senate of the 131st 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: Jules Belford, Ph.D., 29 The Strand, New Castle, Delaware, to be appointed a member of the Commission on Adult Entertainment Establishments, for a term of three years from date of confirmation, to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

* * * * *

SB 470 which had been assigned to the Insurance and Elections Committee was reassigned to the Judiciary on motion of Senator Hughes.

SS 1 for SB 466 (sponsored by Senator Holloway) was introduced, adopted in lieu of the Original and laid on the table on motion of Senator Holloway:

SS 1 for SB 466 - AN ACT TO AMEND CHAPTER 7, TITLE 13, DELAWARE CODE, RELATING TO CONSENT OF MINORS TO DONATE BLOOD VOLUNTARILY WITHOUT THE NECESSITY OF OBTAINING PARENTAL PERMISSION OR AUTHORIZATION. Sponsors: Senator Holloway; Representatives Gilligan and Maroney.

On motion of Senator Adams, the Governor's nomination for appointment of R. R. M. Carpenter, 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 Elbert N. Carvel 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 Virginia M. Dennis 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 Warner W. Price, 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 Harry K. F. Terry 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 E. Norman Veasey 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 J. Bruce Bredin was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

At 3:45 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 4:35 p.m., Senator Cordrey presiding.

SB 427 was taken up for consideration on motion of Senator Vaughn:

SB 427 - AN ACT TO AMEND CHAPTER 31, TITLE 20 AND CHAPTER 61, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF EMERGENCY PLANNING AND OPERATIONS; AUTHORIZING THE DIVISION OF EMERGENCY PLANNING AND OPERATIONS TO CREATE AND MAINTAIN A DELAWARE RADIOLOGICAL EMERGENCY PLAN AND TO ACCEPT AND EXPEND FUNDS FROM PUBLIC OR PRIVATE SOURCES IN CONNECTION THEREWITH.

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 435 was taken up for consideration on motion of Senator Adams:

SB 435 - AN ACT TO AMEND SECTION 7002(v), TITLE 9, AS IT RELATES TO SUSSEX COUNTY GOVERNMENT POWER TO REDISTRICT.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Gary Dalton (Senate Attorney) and A. Dean Betts (Sussex County Attorney).

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:

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 12.

NO: Senators Arnold, Bair and Knox - 3.

NOT VOTING: Senators Berndt, Citro, Connor, Hughes, Littleton, Neal - 6.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 435 w SA 1 was then taken and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Arnold, Connor, Neal - 3.

NOT VOTING: Senators Bair, Berndt, Citro, Hughes, Knox - 5.

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

SS 1 for SB 466 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Holloway:

SS 1 for SB 466 - AN ACT TO AMEND CHAPTER 7, TITLE 13, DELAWARE CODE, RELATING TO CONSENT OF MINORS TO DONATE BLOOD VOLUNTARILY WITHOUT THE NECESSITY OF OBTAINING PARENTAL PERMISSION OR AUTHORIZATION.

The privilege of the floor was extended to David V. Bonk (Blood Bank of Delaware) and Gary Dalton (Senate Attorney).

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

YES: Senators Adams, Bair, Berndt, Citro, Holloway, Knox, Littleton, Martin, McDowell, Neal, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Arnold, Connor, Cook, Cordrey, Hughes, McBride, Sharp - 7.

ABSENT: Senator Marshall - 1.

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

SB 471 was introduced and assigned to Insurance and Elections Committee:

SB 471 - AN ACT TO AMEND CHAPTER 71, TITLE 15, DELAWARE CODE, RELATING TO SPECIAL ELECTIONS FOR THE GENERAL ASSEMBLY. Sponsors: Senator Torbert; Representative Buckworth.

The Secretary announced that a message from the House informed the Senate that it had adopted **HCR 127; SCR 95; SCR 96; SCR 97; SCR 100.**

The following legislation was introduced:

HB 322 - AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO WATER WELL PERMITS AND LICENSING OF WATER WELL INSTALLERS. Sponsors: Representatives Smith, Barnes, Buckworth and Darling. Assigned to Natural Resources and Environmental Control Committee.

HB 395 w HA 2 - AN ACT TO AMEND CHAPTER 23, PART II, TITLE 19 OF THE DELAWARE CODE RELATING TO THE USE OF DEDUCTIBILITY CLAUSES IN THE STATE WORKMENS' COMPENSATION ACT. Sponsors: Representatives Dixon, Campanelli; Senators Vaughn and Hughes. Assigned to Judiciary Committee.

HB 522 w HA 1 - AN ACT TO AMEND CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES," BY AMENDING THE PROCEDURE FOR MAKING APPOINTMENTS TO THE POLICE FORCE. Sponsors: Representative Derrickson; Senator Cordrey. Assigned to Community Affairs Committee.

HB 523 w HA 1 - AN ACT TO AMEND CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT REVISING THE PRIOR CHARTER OF THE CITY OF REHOBOTH BEACH AND ESTABLISHING A NEW CHARTER THEREFOR, AND PRESCRIBING THE POWERS AND DUTIES OF THE COMMISSIONERS OF REHOBOTH BEACH," TO AMEND THE INTEREST RATE COLLECTED ON DELINQUENT TAXES. Sponsors: Representative Derrickson; Senator Cordrey. Assigned to Community Affairs Committee.

HJR 27 - DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DESIGNATE THE ATLANTIC BARRIER BEACHES AND NEARBY BAY AREAS AS A "CRITICAL AREA", CHARGING THE INLAND BAYS STUDY GROUP TO MAKE RECOMMENDATIONS TO THE LEGISLATURE, AND REQUIRING REQUESTS FOR PERMITS RELATING TO DEVELOPMENT WITHIN THE AREA TO BE REVIEWED BY THE DEPARTMENT. Sponsor: Representative Derrickson. Assigned to Natural Resources and Environmental Control Committee.

HB 437 w HA 1, 2 - AN ACT TO AMEND PART III, SUBCHAPTER IX, CHAPTER 41, TITLE 21, DELAWARE CODE, RELATING TO MANDATORY REVOCATION OF DRIVER'S LICENSE FOR POSSESSION OF CONTROLLED SUBSTANCES WHILE OPERATING A VEHICLE. Sponsors: Representative Oberle, Senator Sharp; Representatives Edwards and Mack. Assigned to Public Safety Committee.

SA 1 to SB 289. Sponsor: Senator Bair. Placed with the Bill.

SR 67 was introduced and considered for adoption on motion of Senator Holloway:

SR 67 - THANKING THE COLLEGE OF URBAN AFFAIRS OF THE UNIVERSITY OF DELAWARE FOR COOPERATING IN THE SPONSORSHIP OF THE RECENT CONFERENCE ON BLACK ENTREPRENEURS AND BLACK CONSUMERS. Sponsor: Senator Holloway.

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

HCR 127 was introduced and considered for adoption on motion of Senator Knox:

HCR 127 - CONGRATULATING FORMER REPRESENTATIVE JOHN G. S. (JACK) BILLINGSLEY, OF NEWARK, UPON HIS SELECTION AS DELAWARE'S OUTSTANDING ENGINEER OF THE YEAR FOR 1981. Sponsors: Representatives Sincock, Anderson, Bennett, Brady, Burris, Cain, Darling, Derrickson, George, Gilligan, Hebner, Jonkiert, McKay, Minner, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Smith; Senators Adams, Arnold, Berndt, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Martin, McBride, Neal, Sharp, Zimmerman.

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

SR 68 was introduced and immediately stricken at the request of the sponsor, Senator Holloway:

SR 68 - CONGRATULATING THE SIX OUTSTANDING COMMUNITY BUILDERS CHOSEN BY THE DELAWARE REGION OF THE NATIONAL CONFERENCE OF CHRISTIANS AND JEWS. Sponsor: Senator Holloway.

At 6:00 p.m. on motion of Senator Sharp, the Senate recessed until March 25, 1982 at 2:00 p.m.

The Senate reconvened at 2:29 p.m., March 25, 1982, Lt. Governor Castle presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 378; HB 402; HB 403 w HA 1; HB 487 w HA 1; SB 182.

The following legislation was introduced:

SA 1 to SB 392. Sponsor: Senator Vaughn. Placed with the Bill.

HB 378 - AN ACT TO AMEND CHAPTER 3, TITLE 21 OF THE DELAWARE CODE RELATING TO EXEMPTION OF TITLE REQUIREMENTS. Sponsor: Representative Spence. Assigned to Highways and Transportation Committee.

HB 402 - AN ACT TO AMEND CHAPTER 7, TITLE 21, DELAWARE CODE RELATING TO THE AUTHORITY AND DUTIES OF DELAWARE STATE POLICE SIZE AND WEIGHT ENFORCEMENT TECHNICIANS. Sponsors: Representative Roy; Senator Murphy. Assigned to Highways and Transportation Committee.

HB 403 w HA 1 - AN ACT TO AMEND CHAPTER 45, TITLE 21, DELAWARE CODE RELATING TO INCREASED FINES FOR OVERWEIGHT VEHICLES AND THE IMPOSITION OF A NEW FINE SCHEDULE FOR SECOND AND SUBSEQUENT OFFENSES. Sponsors: Representative Roy, Senator Murphy. Assigned to Highways and Transportation Committee.

HB 487 w HA 1 - AN ACT TO AMEND CHAPTER 17, TITLE 14, DELAWARE CODE, RELATING TO THE EXPENDITURE OF APPROPRIATED FUNDS FOR EXCEPTIONAL CHILDREN. Sponsor: Representative Bennett. Assigned to Finance Committee.

Jodie Graham (Miss Delaware) who was present in the Chamber was introduced to the Senate by Senator Cordrey and granted the privilege of the floor.

At 2:35 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 13th Legislative Day.

13TH LEGISLATIVE DAY March 25, 1982

The Senate convened at 2:35 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

On motion of Senator McBride, HB 353 w HA 1 w HA 1; HA 2; 3; 4; 9; SA 3 was lifted from the table for consideration.

Senator Sharp moved that the Bill be laid on the table.

Senators Bair, Citro, Connor, Martin, McDowell marked PRESENT.

The privilege of the floor was extended to Representatives Derrickson and Soles.

The Bill was then laid on the table.

At 3:20 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:46 p.m., Senator Cordrey presiding.

HB 353 w HA 1 w HA 1; HA 2; 3; 4; 9; SA 3 was lifted from the table for consideration on motion of Senator McBride and the roll call vote taken which revealed:

YES: Senators Adams, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn - 16.

NO: Senator Zimmerman - 1.

ABSENT: Senators Arnold, Bair, Littleton, Marshall - 4.

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

SB 426 which was next on the Agenda for the day was deferred for consideration on motion of the sponsor, Senator McDowell.

At 4:50 p.m. Senator Adams presiding.

SB 410 which was next on the Agenda for the day was deferred for consideration on motion of the sponsor, Senator Cordrey.

SB 450 was taken up for consideration on motion of Senator Cordrey:

SB 450 - AN ACT TO AMEND CHAPTERS 21 AND 41 OF TITLE 21 DELAWARE CODE, RELATING TO SPECIAL LICENSE PLATES, PARKING ID CARDS, AND PARKING FOR THE HANDICAPPED.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cordrey and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

Senators McBride and Martin were added as co-sponsors of the Bill after which the roll call vote on SB 450 w SA 1 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 449 was taken up for consideration on motion of Senator Torbert:

SB 449 - AN ACT TO AMEND CHAPTER 23, TITLE 21 OF THE DELAWARE CODE RELATING TO CERTIFICATES OF TITLE.

At 5:11 p.m., Lt. Governor Castle presiding.

The privilege of the floor was extended to Gary Dalton (Senate Attorney) after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Marshall and Martin) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 417 was deferred for consideration on motion of the sponsor, Senator Zimmerman.

SB 465 was reported out of the Judiciary Committee: 1 Favorable, 3 Merits.

SB 465 was taken up for consideration under suspension of the necessary rules on motion of Senator Vaughn:

SB 465 - AN ACT TO AMEND CHAPTER 43, TITLE II, DELAWARE CODE, RELATING TO PAROLE PROCEDURE.

The roll call vote on the Bill was then taken and revealed 20 Senators voting YES and 1 (Littleton) 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 Revenue and Taxation Committee: SB 462 - 6 Merits.

From the Community Affairs Committee: SB 401 - 5 Merits; SB 403 - 5 Merits.

From the Natural Resources and Environmental Control Committee: SB 429 - 5 Merits; SB 139 - 5 Merits.

The following legislation was introduced:

SB 472 - AN ACT TO AMEND CHAPTER 47, TITLE 16 OF THE DELAWARE CODE RELATING TO CIVIL FORFEITURE OF ASSETS USED OR RECEIVED DUE TO VIOLATIONS OF SAID CHAPTER. Sponsors: Senators Citro, Connor, Hughes, Littleton, Vaughn, Sharp, Neal, Bair, Arnold; Representatives Corrozi, Oberle, Riddagh, Free. Assigned to Health-Social Services/Aging Committee.

SB 473 - AN ACT TO AMEND SUBPART B, SUBCHAPTER II, TITLE II, DELAWARE CODE, RELATING TO FIRST DEGREE MURDER. Sponsors: Senator Torbert; Representative Riddagh. Assigned to Judiciary Committee.

SA 1 and SA 2 to SB 458. Sponsor: Senator Connor. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 601; SB 337; SS 1 for SB 466 and adopted HCR 128.

The following legislation was introduced:

HB 601 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL LAND SURVEYORS. Sponsors: Representative Burris; Senator Adams. Assigned to Administrative Services/Energy Committee.

HCR 128 - CONGRATULATING CONSOLIDATED TEMPORARY SERVICES. Sponsors: Representatives Free, Plant; Holloway, Jr.; 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 (Littleton) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SCR 101 was introduced and considered for adoption on motion of Senator Adams:

SCR 101 - MOURNING THE DEATH OF EARL N. (DICK) KEEL, OF BRIDGEVILLE, A MEMBER OF THIS HOUSE OF REPRESENTATIVES IN THE 118TH GENERAL ASSEMBLY. Sponsors: Senator Adams; Representative Barnes.

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 sent to the House for consideration.

SCR 102 was introduced and laid on the table on motion of Senator Sharp:

SCR 102 - ESTABLISHING A WASTE MANAGEMENT STUDY COMMITTEE. Sponsors: Senators Sharp, Neal, Vaughn, Cordrey, Adams; Representatives Petrilli, Roy, Barnes, Bennett.

SR 69 was introduced and considered for adoption on motion of Senator Holloway:

SR 69 - REQUESTING PRESIDENT RONALD REAGAN TO USE HIS GOOD OFFICES TO PROTECT CITIZENS OF FOREIGN NATIONS WHO SEEK ASYLUM IN THE UNITED STATES AGAINST OPPRESSORS. Sponsor: Senator Holloway.

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.

SCR 102 was lifted from the table for consideration on motion of Senator Sharp.

SA 1 to the Resolution was introduced and considered for adoption on motion of Senator Neal, the sponsor of the Amendment.

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

YES: Senators Adams, Arnold, Bair, Citro, Connor, Cook, Cordrey, Hughes, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn - 17.

NOT VOTING: Senators Berndt and Zimmerman - 2.

ABSENT: Senators Holloway and Littleton - 2.

Therefore, the Amendment was declared adopted.

AT 5:41 p.m., Senator Adams presiding.

The roll call vote on SCR 102 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Citro, Connor, Cook, Cordrey, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn - 15.

NOT VOTING: Senators Berndt, Hughes, Knox and Zimmerman - 4.

ABSENT: Senators Holloway and Littleton - 2.

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

At 5:59 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., March 30, 1982.

The Senate reconvened at 2:40 p.m., March 30, 1982, Lt. Governor Castle presiding.

The following legislation was introduced:

SB 474 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, BY ADDING THERETO A NEW CHAPTER 103 RELATING TO ESTABLISHING A BUSINESS REGULATION AND LICENSING SYSTEM. Sponsors: Senators Zimmerman, Cordrey, Neal, Bair, McDowell; Representatives Bennett, Harrington, Dixon, Edwards, Barnes. Assigned to Executive Committee; however, on motion of Senator Zimmerman, the Bill was reassigned to Committee on Small Business.

SB 475 - AN ACT TO AMEND CHAPTER 29, TITLE 25 OF THE DELAWARE CODE TO PROVIDE FOR A PRIORITY FOR LIENS FOR RECOVERY OF COSTS INCURRED BY MUNICIPALITIES OR POLITICAL SUBDIVISIONS FOR RAZING OR DEMOLITION AND FOR IMPROVEMENTS TO THE EXTERIORS OF STRUCTURES BY PUBLIC EXPENDITURE. Sponsors: Senators McDowell, Marshall; Representatives Holloway, George, Plant, Free, Brady. Assigned to Community Affairs Committee.

SB 476 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO CONFLICT OF INTEREST. Sponsors: Senators Torbert, Neal; Representative Bennett. Assigned to Executive Committee.

SA 1 to SB 386. Sponsors: Senators Torbert and Neal; Representative Bennett. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 382; HB 419; HB 577; HB 578; HB 590; SB 399 and adopted HCR 129.

The following legislation was introduced:

HB 382 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REISSUANCE OF LICENSE PLATES. Sponsor: Representative Spence. Assigned to Public Safety Committee.

HB 419 - AN ACT TO AMEND TITLE 11, DELAWARE CODE, BY PUNISHING CERTAIN ACTS AS DISORDERLY CONDUCT. Sponsors: Representatives Plant, Holloway, Jonkiert, Campanelli, West, Dixon; Senator Holloway. Assigned to Judiciary Committee.

HB 577 - AN ACT TO AMEND §5509, TITLE 25, DELAWARE CODE, TO PERMIT ELDERLY TENANTS TO TERMINATE A LEASE WITH THIRTY DAYS NOTICE TO ENTER A RETIREMENT OR SENIOR CITIZENS' HOUSING FACILITY. Sponsors: Representatives Corrozi, Brady, Free, VanSciver, Ennis, Anderson, Campanelli, Gilligan and Jonkiert. Assigned to Administrative Services/Energy Committee.

HB 578 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO PURCHASING BY THE DIVISION OF VISUALLY IMPAIRED. Sponsors: Representative Petrilli and Senator Holloway; Representatives Oberle, Brady. Assigned to Health-Social Services/Aging Committee.

HB 590 - AN ACT TO AMEND CHAPTER 81 OF TITLE 10, DELAWARE CODE, RELATING TO LIABILITY FOR FOOD DONATED TO AND SERVED BY A CHARITY KITCHEN. Sponsors: Representatives Free, Maroney, Barnes, Brady, Buckworth, Cain, Corrozi, Derrickson, Edwards, Ennis, Fallon, George, Hebner, Holloway, Jonkiert, Mack, McKay, Oberle, Petrilli, Plant, Powell, Roy, Sinecock, Smith, Spence, VanSciver; Senators Citro, Holloway, Knox, Littleton, Neal, Vaughn. Assigned to Health-Social Services/Aging Committee.

HCR 129 - SUPPORTING THE REQUEST OF UNITED STATES SENATOR BILL ROTH FOR LOCATING 25 NEW C-5A GALAXIES AT THE DOVER AIR FORCE BASE. Sponsors: Representative Bennett and Senator Zimmerman; Representatives Anderson, Buckworth, Burris, Cain, Campanelli, Cordrey, Corrozi, Dixon, George, Gilligan, Harrington, Hebner, Jester, Jonkiert, Oberle, Minner, Sinecock, West, Roy, Plant, Riddagh, Maroney, Free, Fallon, Edwards, VanSciver, Soles, Mack; Senators Cook, Marshall and Vaughn.

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

HB 601 was reported out of the Administrative Services/Energy Committee: 4 Merits.

A message from Peter M. Tidd, Director, Appraisal and Program Development of the United States Department of Agriculture was read in reference to SCR 83.

At 2:54 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 14th Legislative Day.

14TH LEGISLATIVE DAY March 30, 1982

The Senate convened at 2:54 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

SB 401 was taken up for consideration on motion of Senator McBride:

SB 401 - AN ACT TO AMEND CHAPTER 8, TITLE 22 OF THE DELAWARE CODE PROHIBITING ADULT ENTERTAINMENT ACTIVITIES IN CERTAIN LOCATIONS WITHIN THE CORPORATE LIMITS OF MUNICIPAL CORPORATIONS.

The Bill was then laid on the table on further motion of the sponsor.

Senator Zimmerman marked PRESENT.

SB 417 was taken up for consideration on motion of Senator Zimmerman:

SB 417 - AN ACT TO AMEND CHAPTER 16, TITLE 16, AND CHAPTER 41, TITLE 21, RELATING TO LITTER CONTROL.

The following communication concerning the legislation was read and made part of this Journal at the request of Senator Knox:

MEMORANDUM

TO: John E. Wilson, III, Secretary
FROM: Michael J. Malkiewicz, Deputy Attorney General
DATE: February 4, 1982
SUBJECT: Proposed legislation relating to litter and motor vehicles - SB 417

The synopsis of the bill is correct in saying the proposed law would make fines for violations of either 21 Del. C. Chapter 41 or 16 Del. C. Chapter 16 uniform. However, once passed into law the proposed legislation would significantly limit or narrow the type of littering case that could be prosecuted by the State. The reasons for this observation are as follows:

(a) The proposed legislation would remove the terms "motor vehicle" from 16 Del. C. Chapter 16 for the reason (as stated in the Synopsis) that motor vehicles are already covered under 21 Del. C. Chapter 41. It is true that motor vehicles are covered under 21 Del. C. Chapter 41, but littering offenses involving motor vehicles under 21 Del. C. Chapter 41 are very limited by the language of 21 Del. C. §4189. For example, in order for a person to be charged with a litter violation under 21 Del. C. §4189 the act of littering must have occurred on either a "highway" of the State or on property "adjacent" to a highway of the State. Furthermore, 21 Del. C. §4189 sets forth a list of specific items that can be considered litter. There is no broad definition of the term "litter" in 21 Del. C. §4189.

(b) Unlike 21 Del. C. §4189, the language of 16 Del. C., Chapter 16 is broad so as to include a litter violation on any type of State or private property (not just on highways or property adjacent to said highways in 21 Del. C. §4189. Furthermore, 16 Del. C. Chapter 16 includes a definition of what is "litter", and many items in that definition are not included under provisions of 21 Del. C. §4189.

(c) The point of all this discussion is that if motor vehicles were not regulated under 16 Del. C. Chapter 16, which the proposed legislation attempts to do, then the public will be given more legal opportunities to litter under 21 Del. C. §4189. Citizens will defend a case arguing that they did not litter along a highway or property adjacent to a highway, or citizens will argue that the particular item they deposited was not specified in 21 Del. C. §4189.

(d) DNREC Parks Division has a current regulation that covers littering in State Parks. That regulation makes reference to charging litter violators under 16 Del. C. Chapter 16. However, if 16 Del. C., Chapter 16 is eventually amended to remove "motor vehicles", then the DNREC Parks Division regulations should also be amended to reflect the new law and/or cover areas not addressed by the new law. Obviously, there could be a problem in State Parks with litter from motor vehicles, and many areas of State Parks are not highways or adjacent to highways.

(e) In addition, other State agencies, including other Division of the DNREC may have problems with the proposed legislation if it is passed. There may be instances where a person could litter from a motor vehicle and not be convicted of an offense under 21 Del. C. §4189 (which as amended would be the only statute relating to motor vehicles). For example, a person littering from a motor vehicle on a beach or a dirt road, parking lot, or in a field. Under the provisions of 21 Del. C. §4189 the State would have to prove that (1) the type of item that made up the litter was specified in 21 Del. C. §4189 (remember these specified items are very limited under §4189), and (2) that the act of littering took place on a highway or property adjacent to a highway. Whether or not a beach, dirt road, parking lot, or a field is property "adjacent" to a highway is not clear under 21 Del. C. §4189. Also the term "highway" is not defined in 21 Del. C. Chapter 21. So you have a lot of potential loopholes.

(f) The bottom line in the impact of the proposed legislation is that it would weaken the State's enforcement efforts in attempting to prevent littering from motor vehicles onto public and private property and highways of the State.
cc: Pete Geldof
enc. S.B. 417

The Bill was then laid on the table on further motion of Senator Zimmerman.

SB 402 was taken up for consideration on motion of Senator McBride:

SB 402 - AN ACT TO AMEND CHAPTER 16, TITLE 24 OF THE DELAWARE CODE RELATING TO THE LICENSING, OPERATION AND LOCATION OF ADULT ENTERTAINMENT ESTABLISHMENTS.

The roll call vote on the Bill 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 Connor marked PRESENT.

SB 403 was taken up for consideration on motion of Senator McBride:

SB 403 - AN ACT TO AMEND CHAPTER 16, TITLE 24 OF THE DELAWARE CODE CREATING ADDITIONAL GROUNDS FOR REVOCATION OF A LICENSE TO OPERATE AN ADULT ENTERTAINMENT ESTABLISHMENT; AND AUTHORIZING THE COMMISSION ON ADULT ENTERTAINMENT ESTABLISHMENTS TO ADOPT REGULATIONS CONCERNING ENFORCEMENT.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McBride and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to John J. Polk (Department of Justice) after which the roll call vote on SB 403 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 401 was lifted from the table for consideration on motion of Senator McBride.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McBride and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

SA 2 to the Bill was introduced by Senator McBride 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 roll call vote on **SB 401 w SA 1, 2** 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 426 which was next on the Agenda for the day laid on the table on motion of the sponsor, Senator McDowell.

SB 410 was taken up for consideration on motion of Senator Cordrey:

SB 410 - AN ACT TO AMEND CHAPTERS 10 AND 11, TITLE 16 AND CHAPTER 28, TITLE 31, OF THE DELAWARE CODE REQUIRING CERTAIN HEALTH CARE FACILITIES TO ASCERTAIN UPON ADMISSION WHETHER OR NOT A PATIENT HAS DONATED ALL OR PART OF HIS OR HER BODY AS AN ANATOMICAL GIFT AND TO MAINTAIN A RECORD THEREOF.

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

At 3:48 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:05 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Executive Committee: **SS 1** for **SB 119 - 2** Favorable, 4 Merits.

From the Health-Social Services/Aging Committee: **HB 590 - 1** Favorable, 4 Merits.

The following legislation was introduced:

SB 477 - AN ACT TO AMEND CHAPTER 64, TITLE 29, DELAWARE CODE, RELATING TO AGENCIES TO BE AFFECTED BY THE ADMINISTRATIVE PROCEDURES ACT. Sponsors: Senators McDowell, Marshall, Connor, Torbert, Bair; Representatives Brady, Smith, Barnes, Soles, Jonkiert. Assigned to Administrative Services/Energy Committee.

SB 478 - AN ACT TO AMEND CHAPTER 79, TITLE 29, DELAWARE CODE, BY ESTABLISHING AN OFFICE OF EMERGENCY MEDICAL SERVICES WITHIN THE DIVISION OF PUBLIC HEALTH, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, AND MAKING APPROPRIATION THEREFOR. Sponsor: Senator Holloway. Assigned to Finance Committee.

At 5:06 p.m. Lt. Governor Castle presiding.

SB 479 - AN ACT TO AMEND CHAPTER 56, TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO RETIRED MEMBERS AND SURVIVORS OF THE STATE JUDICIARY RETIREMENT PLAN. Sponsors: Senator Cook; Representative Sincok. Assigned to Finance Committee.

SB 480 - AN ACT TO AMEND CHAPTER 79, TITLE 29, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A DIVISION OF SERVICES TO CHILDREN AND YOUTH WITHIN THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. Sponsors: Senators McDowell and Bair, Jointly; Senators Vaughn, Marshall, Connor, Martin, Zimmerman, Sharp, Holloway, Torbert, Berndt, Neal; Representatives George, Cain, Jester, Gilligan, Anderson, Dixon, Campanelli, Soles, Plant, Darling, West, Minner, Bennett, Cordrey, Jonkiert, Roy, Spence, Cathcart, Smith. Senator McDowell moved that the Bill be assigned to the Executive Committee; however, in the absence of the Chairman of the Health-Social Services/Aging Committee, the Chair temporarily laid the Bill aside.

SB 481 - AN ACT TO AMEND CHAPTER 10 AND CHAPTER 19, TITLE 14 OF THE DELAWARE CODE TO ALLOW LOCAL SCHOOL BOARDS TO CONTROL LOCAL TAXES COLLECTED FOR PUBLIC EDUCATION. Sponsors: Senators Bair, Sharp, Holloway, Arnold, Knox; Representative Gilligan. Assigned to Finance Committee.

SA 1 to SB 426. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SB 431. Sponsor: Senator Hughes. Placed with the Bill.

SA 1 to SB 462. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SJR 30. Sponsors: Senators Citro and Hughes. Placed with the Bill.

SCR 103 - CONGRATULATING RONA G. FINKELSTEIN UPON HER SELECTION TO RECEIVE THE JOSEPH P. DEL TUFO AWARD FOR DISTINGUISHED SERVICE TO THE HUMANITIES. Sponsors: Senators Bair, Knox, McBride; Representative Maroney.

The Resolution was considered for adoption on motion of Senator Bair and the roll call vote taken which revealed 20 Senators voting YES and 1 (Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 104 - STRONGLY RECOMMENDING THAT THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TAKE AN ACTIVE AND AGGRESSIVE ROLE IN PRESERVING THE WHITE CLAY CREEK VALLEY. Sponsors: Senators Martin, Bair, Holloway, Marshall, Vaughn, Connor, Littleton, McDowell, Neal, McBride, Sharp, Knox, Citro, Arnold, Torbert; Representatives Anderson, Oberle, Corrozi, Campanelli, Gilligan, Soles, Jester, Jonkiert, Cain, Bennett, Cathcart, Mack, Powell, Buckworth, Free, Edwards, Petrilli, Barnes.

The Resolution was considered for adoption on motion of Senator Martin and the roll call vote taken which revealed 20 Senators voting YES and 1 (Berndt) NOT VOTING; 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 HCR 35.

HCR 35 was introduced and assigned to the Executive Committee on motion of Senator Adams:

HCR 35 - NOTIFYING THE COUNCIL OF STATE GOVERNMENTS THAT THE DELAWARE GENERAL ASSEMBLY WISHES TO CHANGE ITS AFFILIATION FROM THE EASTERN TO THE SOUTHERN REGIONAL OFFICE. Sponsors: Representatives Gilligan, Bennett, George, McKay, Plant; Senator Hughes.

SA 1 to HB 601 was introduced by Senator McDowell and placed with the Bill.

SA 2 to SB 426 was introduced by Senator McDowell and placed with the Bill.

SB 480 which had been introduced but unassigned was now assigned to the Health-Social Services/Aging Committee by the Chair.

The following communication from the speaker of the House was read:

HOUSE OF REPRESENTATIVES
STATE OF DELAWARE
DOVER, DELAWARE

TO: The Honorable Richard S. Cordrey, President Pro Tem
FROM: The Honorable Charles L. Hebner, Speaker of the House
DATE: March 30, 1982
RE: SS 1 for SB 8 w SA 2

I respectfully request that Senate Substitute No. 1 for Senate Bill No. 8 with Senate Amendment No. 2 be returned to the House of Representatives for the purpose of reconsideration by the House.
CC: Senator Holloway; Representative Cathcart

* * * * *

The roll call vote on the request to return SS 1 for SB 8 w SA 2 was then taken and revealed 20 Senators voting YES and 1 (Hughes) voting NO; therefore, the Bill was ordered back to the House.

At 5:50 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. March 31, 1982.

The Senate reconvened at 2:21 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 383 w HA 1, HB 424, HB 450 w HA 1 and adopted SCR 102 w SA 1.

The following legislation was introduced:

SA 1 to SB 451. Sponsor: Senator Torbert. Placed with the Bill.

HB 383 w HA 1 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLES BEING TOWED BY TOW TRUCKS. Sponsor: Representative Spence. Assigned to Public Safety Committee.

HB 450 w HA 1 - AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO CREDITED SERVICE AND ELIGIBILITY UNDER THE PENSION LAWS. Sponsors: Representative Brady and Senator Adams. Assigned to Executive Committee.

HB 424 - AN ACT TO AMEND CHAPTER 42, TITLE 11 OF THE DELAWARE CODE RELATING TO THE SENTENCE FOR RAPE IN THE FIRST DEGREE. Sponsors: Representatives Darling, Minner, Cordrey, West, Riddagh, Spence. Assigned to Judiciary Committee.

SB 442 was taken up for consideration on motion of Senator Torbert:

SB 442 - AN ACT TO AMEND CHAPTER 41, TITLE 21, DELAWARE CODE, RELATING TO AUTHORIZED EMERGENCY VEHICLES.

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

SB 243 was taken up for consideration on motion of Senator Holloway:

SB 243 - AN ACT TO AMEND CHAPTERS 41 AND 42, TITLE 21, DELAWARE CODE, TO INCREASE THE FINES WHICH MAY BE IMPOSED FOR CERTAIN TRAFFIC OFFENSES.

The Bill was then laid on the table on further motion of the Senator.

At 2:40 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 15th Legislative Day.

15TH LEGISLATIVE DAY
March 31, 1982

The Senate convened at 2:40 p.m., Senator Cordrey presiding.

A Prayer was offered by guest student, Lisa Harbin (Talley Humanities Program).

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

SB 243 was lifted from the table for consideration on motion of Senator Holloway.

Senators Holloway, Martin and Connor marked PRESENT.

The privilege of the floor was extended to Arthur R. Carello (Justice of the Peace) after which the Bill was again laid on the table on motion of Senator Holloway.

HB 601 was taken up for consideration on motion of Senator McDowell:

HB 601 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL LAND SURVEYORS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McDowell and the roll call vote taken which revealed 19 Senators voting YES and 2 (Berndt and Hughes) NOT VOTING; therefore, the Amendment was declared adopted.

Senator Zimmerman marked PRESENT.

At 3:09 p.m. Lt. Governor Castle presiding.

The privilege of the floor was extended to Henry Ridgely (Senate Attorney) after which the roll call vote on HB 601 w SA1 was taken and revealed:

YES: Senators Adams, Arnold, Bair, Citro, Connor, Cook, Holloway, Knox, Littleton, Martin, McDowell, Sharp, Vaughn, Zimmerman - 14.

NO: Senators Berndt, Cordrey, Marshall, McBride, Neal, Torbert - 6.

NOT VOTING: Senator Hughes - 1.

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

At 3:33 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 4:40 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Community Affairs Committee: SB 451 - 4 Merits; SB 452 - 4 Merits; SB 475 - 1 Favorable, 3 Merits; HB 522 w HA 1 - 4 Merits; HB 523 w HA 1 - 4 Merits.

From the Judiciary Committee: HB 506 w HA 1, 2 - 1 Favorable, 4 Merits; HB 507 w HA 1, 2, 3 - 1 Favorable, 4 Merits; HB 332 w HA 1 - 5 Merits; HB 291 w HA 1 - 1 Favorable, 4 Merits; SB 41 - 3 Merits, 3 Unfavorable; SB 258 - 6 Merits; SB 421 - 1 Favorable, 3 Merits; SB 459 - 5 Merits; SB 460 - 5 Merits.

From the Public Safety Committee: HB 232 - 4 Merits.

The following legislation was introduced:

SB 482 - AN ACT TO AMEND CHAPTER 68, TITLE 16, TO PROVIDE EXEMPTION FROM CIVIL LIABILITY FOR PERSONS WHO IN GOOD FAITH INTERVENE TO PROTECT OTHER PERSONS FROM CERTAIN CRIMINAL ACTS. Sponsor: Senator Arnold. Assigned to Judiciary Committee.

SB 483 - AN ACT RELATING TO THE LEASING OF WARWICK SCHOOL NO. 203, LOCATED IN SUSSEX COUNTY. Sponsor: Senator Cordrey. Assigned to Executive Committee.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 130; HCR 132; HCR 133; SCR 101; SCR 103; SCR 104; HCR 131.

The following legislation was introduced:

HCR 130 - CONGRATULATING POLLY JENNIFER ADAMS, DAUGHTER OF SENATOR AND MRS. THURMAN ADAMS, UPON HER SELECTION AS DELAWARE FARM BUREAU QUEEN. Sponsors: Representative Barnes; Senators Cook and Cordrey.

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

HCR 131 - WELCOMING HUMANITIES PROJECT STUDENTS FROM THE TALLEY JUNIOR HIGH SCHOOL AS THEY VISIT THE LEGISLATIVE HALL AND OBSERVE THE GENERAL ASSEMBLY IN ACTION TODAY, MARCH 31, 1982. Sponsors: Representatives McKay, Hebner, Smith, Maroney, Sincok, Ennis, George, Plant, Holloway, Jr., VanSciver; Senators Hughes, Bair, Holloway, Berndt, Knox, McDowell.

The Resolution was considered for adoption on motion of Senator Bair and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 132 - REQUESTING THE GOVERNOR OF THE STATE OF DELAWARE TO DECLARE THE MONTH OF MAY AS DRUG AND ALCOHOL EDUCATION AND PREVENTION MONTH. Sponsors: Representatives Holloway and Plant; Senator Holloway.

The Resolution was considered for adoption on motion of Senator Holloway and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 133 was introduced and considered for adoption on motion of Senator Adams:

HCR 133 - MOURNING THE DEATH OF H. EDWARD MAULL, SR., OF LEWES, FORMER MEMBER OF THE SELECTIVE SERVICE COMMISSION AND SUSSEX COUNTY SOLICITOR FOR 16 YEARS.
Sponsors: Representatives Ennis, Derrickson, Minner, McKay, West, Cordrey, Barnes, Burris; Senators Cordrey, Hughes, Littleton, Cook, Adams.

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 following communication was read:

SENATE
STATE OF DELAWARE
DOVER, DELAWARE

March 31, 1982

TO: Members of the Delaware State Senate, of the 131st General Assembly
FROM: Richard S. Cordrey, President Pro Tempore
SUBJECT: SCR 102

In connection with Senate Concurrent Resolution No. 102, I hereby appoint the following to serve as members of the Waste Management Study Committee: William J. Davidson, 2711 Valley Brook Drive, Hockessin, Delaware; Samuel Cooper, 13 New Castle Street, Rehoboth Beach, Delaware.

SB 429 was deferred for consideration on motion of Senator Zimmerman.

HB 590 was taken up for consideration on motion of Senator Holloway:

HB 590 - AN ACT TO AMEND CHAPTER 81 OF TITLE 10, DELAWARE CODE, RELATING TO LIABILITY FOR FOOD DONATED TO AND SERVED BY A CHARITY KITCHEN.

The privilege of the floor was extended to Representative Free after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Zimmerman) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 426 which had been deferred was taken up for consideration on motion of Senator McDowell.

SA 3 to the Bill was introduced by Senator Hughes and placed with the Bill.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McDowell and the roll call vote taken which revealed 17 Senators voting YES and 4 (Arnold, Holloway, Marshall and 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 McDowell and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Bair, Connor, Cook, Holloway, Hughes, Littleton, Marshall, Martin, McDowell, Neal, Sharp, Torbert, Vaughn - 15.

NO: Senators Cordrey, McBride, Zimmerman - 3.

NOT VOTING: Senators Berndt, Citro, Knox - 3.

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 Hughes and the roll call vote taken which revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Hughes, Littleton, Martin, McDowell, Neal, Vaughn, Zimmerman - 12.

NO: Senators Adams, Cook, Cordrey, Holloway, Marshall, McBride - 6.

NOT VOTING: Senators Knox, Sharp, Torbert - 3.

Therefore, the Amendment was declared adopted.

Senator Vaughn was removed as a co-sponsor of the Bill at his request.

SA 4 to the Bill was introduced by Senator McDowell and immediately stricken at his request.

SA 5 to the Bill was introduced by Senator Bair and laid on the table.

SB 426 w SA 1, 2, 3 (SA 5) was then laid on the table on motion of Senator McDowell.

The following legislation was introduced:

SB 484 - AN ACT TO AMEND CHAPTER 64, TITLE 7 OF THE DELAWARE CODE RELATING TO THE DELAWARE SOLID WASTE AUTHORITY. Sponsors: Senator Citro, Representative Campanelli; Senators Neal, Sharp, McBride; Representatives Corrozi, Jester. Assigned to Natural Resources and Environmental Control Committee.

SB 485 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 47, TITLE 16 OF THE DELAWARE CODE, RELATING TO POSSESSION OF PRESCRIPTION DRUGS. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

At 5:50 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. April 1, 1982.

The Senate reconvened at 2:30 p.m., April 1, 1982, Senator Cordrey presiding.

The following legislation was introduced:

SB 486 - AN ACT TO AMEND SUBCHAPTER III OF CHAPTER 1, TITLE 26, DELAWARE CODE RELATING TO THE PROHIBITION OF AN ADDITIONAL CHARGE FOR THE USE OF UTILITY SERVICES. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

SB 487 - AN ACT TO AMEND SUBCHAPTER VI, CHAPTER 1, TITLE 26, DELAWARE CODE, RELATING TO THE PROHIBITION OF AN ADDITIONAL CHARGE FOR THE USE OF UTILITY SERVICES. Sponsor: Senator Holloway. Assigned to Insurance and Elections Committee.

SB 488 - AN ACT TO AMEND CHAPTER 65, TITLE 29, DELAWARE CODE, RELATING TO AGENCY REIMBURSEMENT FOR COST OF GOODS AND SERVICES PROVIDED. Sponsors: Senator McDowell and Bair. Assigned to Finance Committee.

SA 7 to HB 200. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 6 to SB 426. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SA 5 to SB 426. Sponsor: Senator Bair. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 398; HB 458; HB 530 w HA 1.

The following legislation was introduced:

HB 398 - AN ACT DIRECTING THE TRANSFER OF OAK GROVE SCHOOL SITE OF EAST DOVER HUNDRED, KENT COUNTY DELAWARE TO J. WARD HURLEY AND MILDRED J. HURLEY FOR A FEE. Sponsors: Representatives Bennett and Minner. Assigned to Administrative Services/Energy Committee.

At 2:34 p.m., Lt. Governor Castle presiding.

HB 458 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, RELATING TO ELIGIBILITY FOR APPROVED LEAVE. Sponsors: Representative McKay; Senator Connor. Assigned to Finance Committee.

Senator Zimmerman requested that HB 398 be reassigned to Small Business Committee; however, the Chair ruled that it would remain in the Administrative Services/Energy Committee.

HB 530 w HA 1 - AN ACT TO AMEND CHAPTER 32, TITLE 16 OF THE DELAWARE CODE RELATING TO CANCER CONTROL. Sponsors: Representative Maroney; Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SCR 105 - JOINING IN THE CELEBRATION OF A NEW SET OF COMMEMORATIVE STAMPS FEATURING THE OFFICIAL BIRD AND FLOWER OF EACH OF THE 50 STATES TO BE ISSUED APRIL 14, 1982. Sponsor: Senator Adams and Representative Barnes.

The Resolution was considered for adoption on motion of Senator Adams and the roll call vote taken which revealed 16 Senators voting YES and 5 (Berndt, Connor, Holloway, Hughes and Marshall) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 2:38 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 16th Legislative Day.

16TH LEGISLATIVE DAY

April 1, 1982

The Senate convened at 2:38 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Arnold.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

SB 426 w SA 1, 2, 3 was lifted from the table for consideration on motion of Senator McDowell; however, before any action was taken on the Bill, it was again laid on the table on further motion of the Senator.

SB 429 was stricken at the request of the sponsor, Senator Zimmerman.

SB 451 was taken up for consideration on motion of Senator Torbert:

SB 451 - AN ACT TO REINCORPORATE THE TOWN OF CAMDEN.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Torbert and the roll call vote taken which revealed 18 Senators voting YES and 3 (Connor, Hughes, McBride) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Henry duPont Ridgely, Senate Attorney, after which the roll call vote on SB 451 w SA 1 was taken and revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 232 was taken up for consideration on motion of Senator Torbert:

HB 232 - AN ACT TO AMEND CHAPTER 21, PART II, TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES; AND PROVIDING FOR ISSUANCE OF SUCH PLATES TO OWNERS OF COMMERCIAL VEHICLES.

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

HB 506 w HA 1, 2 was taken up for consideration on motion of Senator Sharp who then yielded to Senator Vaughn to floor-manage the Bill:

HB 506 w HA 1, 2 - AN ACT TO AMEND CHAPTER 21, TITLE II OF THE DELAWARE CODE TO PERMIT A COURT TO HOLD AN OPERATOR'S LICENSE AS SECURITY FOR THE APPEARANCE FOR TRIAL, OR FOR SENTENCING OF A PERSON CHARGED WITH A VIOLATION OF DELAWARE'S TRAFFIC OR CRIMINAL LAWS.

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

HB 507 w HA 1, 2, 3 was taken up for consideration on motion of Senator Vaughn:

HB 507 w HA 1, 2, 3 - AN ACT TO AMEND CHAPTER 41, TITLE II OF THE DELAWARE CODE TO PERMIT A COURT TO HOLD AN OPERATOR'S LICENSE AS SECURITY FOR THE PAYMENT OF FINES, COSTS, RESTITUTION AND FOR THE VICTIMS COMPENSATION FUND ASSESSMENT.

The Bill was then laid on the table on further motion of the Senator.

At 3:24 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:40 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 489 - AN ACT TO AMEND CHAPTER 71, TITLE 7 OF THE DELAWARE CODE TO PROVIDE FOR EXEMPTIONS UNDER CERTAIN CIRCUMSTANCES FROM THE NOISE CONTROL LAW. Sponsors: Senator Cook; Representative Spence. Assigned to Natural Resources and Environmental Control Committee.

SA 1 to SB 319. Sponsor: Senator Hughes. Placed with the Bill.

SA 7 to SB 426. Sponsor: Senator Hughes. Placed with the Bill.

Senator Connor marked PRESENT.

SCR 107 - COMMENDING THE CHAIRMAN, VICE CHAIRMAN, AND MEMBERS OF THE JOINT FINANCE COMMITTEE AND THE CONTROLLER GENERAL AND HIS STAFF FOR IMPLEMENTING INNOVATIVE BUDGET HEARINGS BY PROGRAM RATHER THAN BY INDIVIDUAL AGENCY. Sponsors: Senators Holloway and Berndt.

The Resolution was considered for adoption on motion of Senator Holloway 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.

SCR 106 - AUTHORIZING THE TOWN OF DELMAR TO ERECT A WELCOME SIGN IN THE MEDIAN STRIP AT U.S. 13. Sponsors: Senator Littleton; Representative Cordrey.

The Resolution was considered for adoption on motion of Senator Littleton 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.

HB 332 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 332 w HA 1 - AN ACT TO AMEND CHAPTER 41 AND CHAPTER 70, TITLE 21 OF THE DELAWARE CODE RELATING TO ISSUANCE OF MAIL-IN SUMMONS FOR CERTAIN PARKING VIOLATIONS, AND APPROPRIATE FINES FOR VIOLATIONS.

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

HB 291 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 291 w HA 1 - AN ACT TO AMEND CHAPTER 57, TITLE 25, OF THE DELAWARE CODE TO PERMIT A SUMMARY PROCEEDING FOR POSSESSION TO BE MAINTAINED ONLY IN THAT JUSTICE OF THE PEACE COURT WHICH HANDLES CIVIL CASES AND WHICH IS IN THE SAME COUNTY AS AND IS CLOSEST TO THE LEASED PREMISES.

At 4:55 p.m., Lt. Governor Castle presiding.

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

SS 1 for SB 119 was taken up for consideration on motion of Senator Berndt:

SS 1 for SB 119 - AN ACT TO AMEND CHAPTER 21, PART III, TITLE 29 OF THE DELAWARE CODE RELATING TO THE ANNUAL SALARY OF THE GOVERNOR.

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

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Vaughn - 18.

NO: Senators Adams, Torbert, Zimmerman - 3.

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

HB 68 was returned to the Community Affairs Committee at the request of the Chairman of the Committee, Senator Marshall.

At 5:06 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 6, 1982.

The Senate reconvened at 2:30 p.m., April 6, 1982, Senator Cordrey presiding.

The following Committee reports were announced:

From the Executive Committee: SB 483 - 1 Favorable, 3 Merits.

From the Insurance and Elections Committee: SB 441 - 4 Merits; SB 471 - 4 Merits; SB 447 - 4 Merits; HB 237 - 4 Merits; SB 369 - 4 Merits.

From the Finance Committee: SB 453 - 4 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 384; HB 551 w HA 1; HB 564 w HA 1; HB 566; SB 132; SB 194 w SA 1; SB 239.

The following legislation was introduced:

SB 490 - AN ACT TO AMEND CHAPTER 27, TITLE 21, DELAWARE CODE, RELATING TO TEMPORARY INSTRUCTION PERMITS. Sponsor: Senator Bair. Assigned to Public Safety Committee.

SA 1 to SB 139. Sponsor: Senator Citro. Placed with the Bill.

HB 384 - AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE RELATING TO REAR-WHEEL FLAPS. Sponsor: Representative Spence. Assigned to Public Safety Committee.

HB 551 w HA 1 - AN ACT TO AMEND CHAPTER 7, PART 1, TITLE 21 OF THE DELAWARE CODE RELATING TO APPEALS FROM CONVICTIONS IN INFERIOR COURTS TO THE SUPERIOR COURT. Sponsors: Representatives Riddagh, Oberle, Spence; Senators Arnold, Sharp, Vaughn. Assigned to Judiciary Committee.

HB 564 w HA 1 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN MILL CREEK HUNDRED TO THE MILL CREEK FIRE COMPANY. Sponsors: Representative Gilligan and Senator Arnold; Representatives Corrozi, McKay, Petrilli, Powell, Roy, Spence, VanSeiver; Senators Citro, Connor, Martin, McBride, Knox, Sharp. Assigned to Judiciary Committee.

HB 566 - AN ACT TO AMEND CHAPTER 7, TITLE 11, DELAWARE CODE, RELATING TO CHILD CUSTODY. Sponsors: Representatives Gilligan and Riddagh. Assigned to Judiciary Committee.

At 2:34 p.m., Lt. Governor Castle presiding.

At 2:35 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 17th Legislative Day.

17TH LEGISLATIVE DAY

April 6, 1982

The Senate convened at 2:35 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

SB 243 was lifted from the table for consideration on motion of Senator Holloway.

The privilege of the floor was extended to Norman A. Barron, Chief Magistrate.

Senators Holloway, Citro and Martin marked PRESENT.

SA 1 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:

YES: Senators Arnold, Bair, Berndt, Connor, Holloway, Hughes, Knox, Littleton, McBride, Neal, Sharp, Vaughn - 12.

NO: Senators Adams, Cook, Cordrey, Marshall, Martin, McDowell, Torbert, Zimmerman - 8.

ABSENT: Senator Citro - 1.

Therefore, the Amendment was declared adopted.

Senator Connor marked PRESENT.

The roll call vote on SB 243 w SA 1 was then taken and revealed:

YES: Senators Arnold, Bair, Berndt, Connor, Cook, Holloway, Hughes, Knox, Littleton, Martin, McBride, Neal, Torbert - 13.

NO: Senators Adams, Citro, Cordrey, Marshall, McDowell, Sharp, Vaughn, Zimmerman - 8.

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

SB 452 was taken up for consideration on motion of Senator Adams:

SB 452 - 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 PROVIDE FOR A REGISTRATION SYSTEM FOR THE ANNUAL MUNICIPAL ELECTION.

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

HB 507 w HA 1, 2, 3 was lifted from the table for consideration on motion of Senator Sharp.

The privilege of the floor was extended to Norman A. Barron, Chief Magistrate.

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

HB 95 was lifted from the table for consideration on motion of Senator Sharp.

SA 1 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Holloway.

The privilege of the floor was extended to Norman A. Barron, Chief Magistrate.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cordrey, Hughes, Knox, Littleton, Marshall, Martin, McDowell, Neal, Sharp, Torbert - 16.

NO: Senators Cook, McBride, Zimmerman - 3.

NOT VOTING: Senator Vaughn - 1.

ABSENT: Senator Holloway - 1.

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

At 4:00 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:05 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Insurance and Elections Committee: SB 487 - 4 Merits.

From the Judiciary Committee: HB 334 w HA 1 - 4 Merits; HB 335 - 4 Merits; HB 395 w HA 2 - 1 Favorable, 3 Merits; HB 419 - 4 Merits.

The following legislation was introduced:

SB 491 - AN ACT TO AMEND CHAPTER 94, TITLE 29 OF THE DELAWARE CODE ESTABLISHING AN ENERGY PLANNING TASK FORCE. Sponsors: Senators Bair, Knox, Neal, McDowell, Martin; Representatives Smith, Roy, Darling. Assigned to Administrative Services/Energy Committee.

SB 492 - AN ACT TO AMEND CHAPTER 41, TITLE 21, OF THE DELAWARE CODE RELATING TO FAILURE TO STOP AT THE COMMAND OF A POLICE OFFICER. Sponsors: Senators Adams and Vaughn; Representative Barnes. Assigned to Public Safety Committee.

SB 493 - AN ACT TO AMEND CHAPTER 2, TITLE 11, OF THE DELAWARE CODE RELATING TO THE DEFINITION OF THE TERM "FIREARM." Sponsors: Senators Adams and Vaughn; Representative Barnes. Assigned to Judiciary Committee.

SB 494 - AN ACT TO AMEND CHAPTER 5, TITLE 11, OF THE DELAWARE CODE RELATING TO RECEIVING A STOLEN FIREARM. Sponsors: Senators Adams and Vaughn; Representative Barnes. Assigned to Judiciary Committee.

SB 495 - AN ACT TO AMEND CHAPTER 5, TITLE 11, OF THE DELAWARE CODE RELATING TO THEFT OF A FIREARM. Sponsors: Senators Adams, Vaughn; Representative Barnes. Assigned to Judiciary Committee.

SB 496 - AN ACT TO AMEND CHAPTER 42, TITLE 21, OF THE DELAWARE CODE RELATING TO LEAVING THE SCENE OF A PERSONAL INJURY ACCIDENT. Sponsors: Senators Adams and Vaughn; Representative Barnes. Assigned to Public Safety Committee.

SB 497 - AN ACT TO AMEND CHAPTER 128 OF VOLUME 33, LAWS OF DELAWARE RELATING TO INCREASING THE NUMBER OF MEMBERS WHO SERVE ON THE BOARD OF HEALTH. Sponsors: Senator Vaughn and Representative Jester. Assigned to Executive Committee.

SCR 108 - COMMENDING KENT COUNTY PROTHONOTARY EMILY G. MORRIS FOR HER INITIATIVE IN DISTRIBUTING UNPAID VICTIM'S RESTITUTION FUNDS. Sponsors: Senator Holloway and Representative Riddagh.

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 (Hughes) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SA 2 to SB 392. Sponsor: Senator Vaughn. Placed with the Bill.

The following communication was read and made part of the record at the request of Senator McDowell:

STATE OF DELAWARE
OFFICE OF THE STATE BANK COMMISSIONER
DOVER, DELAWARE
April 6, 1982

The Honorable Harris B. McDowell, III
Member of the Delaware State Senate
2311 Baynard Boulevard
Wilmington, Delaware

Dear Harris:

It is my understanding that per our recent telephone conversation you were distressed with the manner one of our institutions utilized in imposing an annual membership fee. Please be advised that this office has had several complaints about this particular situation.

I have carefully reviewed all of the documents in question and have notified the institution that they have not complied with the legal requirements as set forth in §952, Chapter 9, Title 5, Delaware Code. I have additionally informed them that they have no right to impose such membership fee until such time that they comply with the law.

I hope my action is a satisfactory response to your concern.

Sincerely,
Jack
John E. Malarkey
State Bank Commissioner

The Secretary announced that a message from the House informed the Senate that it had passed HB 536; HB 520 w HA 2; HB 533 w HA 1 w HA 1; HA 2, 3, 4.

The following legislation was introduced:

HB 536 - A BILL TO AMEND THE "TIED-HOUSE" PROVISIONS OF THE LIQUOR CONTROL ACT TO PERMIT CORPORATIONS WHOSE STOCK IS PUBLICLY TRADED TO HAVE OWNERSHIP INTERESTS IN MANUFACTURING AND CONSUMER SALES OF ALCOHOLIC LIQUORS WHERE SUCH OWNERSHIP WOULD NOT BE ANTI-COMPETITIVE. Sponsors: Representatives Roy, Burris, Buckworth, Petrilli, Powell, Hebner, Dixon, Gilligan; Senators Hughes, Adams, Martin, Holloway, Vaughn. Assigned to Judiciary Committee.

HB 533 w HA 1 w HA 1; HA 2, 3, 4 - AN ACT TO AMEND CHAPTER 5, TITLE 4, DELAWARE CODE, TO PERMIT THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO LICENSE ESTABLISHMENTS AS "BOTTLE CLUBS." Sponsors: Representatives Petrilli, Roy; Senators Vaughn, Arnold. Assigned to Judiciary Committee.

HB 520 w HA 2 - AN ACT TO AMEND CHAPTER 39, TITLE 18, DELAWARE CODE RELATING TO REASONS FOR CANCELLATION OR NONRENEWAL OF AUTOMOBILE INSURANCE. Sponsors: Representatives Minner, Cain and Anderson. Assigned to Insurance and Elections Committee.

The following Committee reports were announced:

From the Administrative Services/Energy Committee: SB 477 - 1 Favorable, 4 Merits; HB 49 - 5 Merits; HB 289 w HA 1 - 5 Merits; HB 308 - 5 Merits; HB 398 - 5 Merits.

The following legislation was introduced:

SS 1 for SB 354 - AN ACT TO AMEND CHAPTER 31, PART 1, TITLE 14 OF THE DELAWARE CODE RELATING TO THE EDUCATION OF THE HANDICAPPED AND PROVIDING CERTAIN PROCEDURAL SAFEGUARDS; AND TO AMEND CHAPTER 9, PART 1, TITLE 10 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE FAMILY COURT. Sponsors: Senators Neal, Berndt, Connor, Holloway, Knox, Littleton, Arnold, Marshall, Martin, McBride, McDowell, Vaughn, Zimmerman; Representatives Anderson, Barnes, Brady, Cathcart, Corrozi, Edwards, Ennis, Fallon, Free, Jester, Maroney, Minner, Oberle, Powell, Soles, VanSciver, Dixon, Mack, Harrington, Roy, Spence. Assigned to Education Committee.

SB 498 - AN ACT TO AMEND CHAPTER 8, TITLE 29 OF THE DELAWARE CODE RELATING TO THE REAPPORTIONMENT OF THE STATE LEGISLATIVE DISTRICTS. Sponsors: Senators Cordrey, Sharp, McDowell; Representatives George, Cain. Laid on the table on motion of Senator Sharp.

SB 499 - AN ACT TO AMEND SUBCHAPTER VII, CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO WITHHOLDING OF TAX BY EMPLOYERS. Sponsors: Senators Zimmerman, Cordrey, McDowell, Neal, Bair; Representatives Bennett, Dixon, Barnes, Edwards, Harrington. Assigned to Small Business Committee.

SB 500 - AN ACT TO AMEND CHAPTER 8, TITLE 29 OF THE DELAWARE CODE RELATING TO REAPPORTIONMENT OF THE STATE LEGISLATIVE DISTRICTS. Sponsors: Senators Cordrey, Sharp, McDowell; Representatives George, Cain. Laid on the table on motion of Senator Sharp.

SB 453 was taken up for consideration on motion of Senator Adams:

SB 453 - AN ACT TO AMEND CHAPTER 41, TITLE 7, DELAWARE CODE, RELATING TO COMPENSATION OF TAX DITCH COMMISSIONERS.

The roll call vote on the Bill 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.

HB 61 w HA 1, 2 was taken up for consideration on motion of Senator McDowell:

HB 61 w HA 1, 2 - AN ACT TO AMEND CHAPTER 1, TITLE 13 OF THE DELAWARE CODE RELATING TO THE FEE FOR ISSUING MARRIAGE LICENSES.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Knox, Marshall, McDowell, Neal, Sharp, Torbert Vaughn - 14.

NO: Senators Cordrey, Holloway, Hughes, Littleton, Martin, McBride, Zimmerman - 7.

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

The following Committee reports were announced:

From the Health and Social Services/Aging Committee: HB 471 - 4 Merits; HB 274 w HA 1 - 4 Merits; SB 480 - 4 Merits; SB 468 - 4 Merits; SB 461 - 4 Merits; SB 252 - 4 Merits; HB 578 - 4 Merits; HB 530 w HA 1 - 4 Merits.

On motion of Senator Zimmerman and without objection, SB 243 w SA 1 which had failed for passage in the Senate, was restored to the Calendar and laid on the table at the request of Senator Holloway.

At 5:46 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. April 7, 1982.

The Senate reconvened at 2:24 p.m., April 7, 1982, Lt. Governor Castle presiding.

SJR 31 was introduced and laid on the table on motion of Senator Cordrey in the absence of the prime sponsor, Senator McDowell.

SJR 31 - RELATING TO THE EXTENSION OF THE FINAL REPORT OF THE DELAWARE SUNSET COMMITTEE. Sponsors: Senators McDowell, Torbert, Marshall, Bair, Connor; Representatives Smith, Barnes, Soles, Jonkiert.

The Secretary announced that a message from the House informed the Senate that it had passed HB 517 w HA 1; HB 561 w HA 1; HB 574; HB 372 w HA 1, 2, 3, 4, 5; HS 1 for HB 415 w HA 1 and adopted SJR 28 w SA 1.

The following legislation was introduced:

HB 372 w HA 1, 2, 3, 4, 5 - AN ACT TO AMEND CHAPTER 23, TITLE 24, AND CHAPTER 23, TITLE 30, DELAWARE CODE, PERTAINING TO PAWNBROKERS AND JUNK DEALERS, BY IMPOSING SPECIAL LICENSING, AUDITING, REPORTING AND OTHER REQUIREMENTS UPON DEALERS IN PRECIOUS METALS. Sponsors: Representatives VanSciver, Brady, Buckworth, Cathcart, Corrozi, Dixon, Ennis, Fallon, Gilligan, Mack, Petrilli, Spence, Powell; Senators Arnold, Citro, Littleton, Vaughn. Assigned to Revenue and Taxation Committee.

HS 1 for HB 415 - AN ACT TO AMEND CHAPTER 19, TITLE 29, OF THE DELAWARE CODE RELATING TO FISCAL PROJECTIONS. Sponsors: Representatives Sincok, Bennett, George, Minner, McKay; Senators Cook and McBride. Assigned to Finance Committee.

HB 517 w HA 1 - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO CREDITING OF INTEREST TO LOCAL SCHOOL DISTRICT FUNDS. Sponsors: Representatives Petrilli, Bennett, McKay, Corrozi, Ennis, Brady, Smith, Powell, Burris, Oberle, Roy, Riddagh, Mack, Harrington, Cathcart, Sincok, Spence, Buckworth, Free, Fallon, Maroney, VanSeiver, Dixon, Campanelli, Jester, Jonkiert, Anderson, Minner, Darling, Cain, Soles, Gilligan; Senators Sharp, Arnold, Cook, Holloway, McBride, Berndt, Neal, Knox, Connor, Martin. Assigned to Education Committee.

HB 561 w HA 1 - AN ACT TO AMEND CHAPTER 23, TITLE 11 OF THE DELAWARE CODE RELATING TO SEARCHES AT NIGHTTIME. Sponsors: Representatives Riddagh, Spence, Oberle; Senators Vaughn, Sharp, Arnold. Assigned to Judiciary Committee.

HB 574 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO THE SENTENCE FOR ROBBERY FIRST DEGREE AND ATTEMPTED ROBBERY FIRST DEGREE. Sponsors: Representatives Riddagh, Spence, Oberle; Senators Vaughn, Sharp, Arnold. Assigned to Judiciary Committee.

At 2:30 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 18th Legislative Day.

18TH LEGISLATIVE DAY April 7, 1982

The Senate convened at 2:30 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

Senator Sharp introduced Miss Delaware 1982 to the Senate.

SB 500 was lifted from the table for consideration on motion of Senator Cordrey:

SB 500 - AN ACT TO AMEND CHAPTER 8, TITLE 29 OF THE DELAWARE CODE RELATING TO REAPPORTIONMENT OF THE STATE LEGISLATIVE DISTRICTS.

The privilege of the floor was extended to Michael Purzycki (Senate Attorney).

At 3:00 p.m. on motion of Senator Cordrey, the Senate recessed for a leadership meeting and reconvened at 3:30 p.m., Senator Cordrey presiding.

Senator Connor marked PRESENT.

SB 500 which was before the Senate before the recess was laid on the table on motion of Senator Sharp.

SB 139 was laid on the table on motion of Senator McBride.

At 3:31 p.m., Lt. Governor Castle presiding.

Sensors Marshall, Zimmerman, Neal and Martin marked PRESENT.

HB 522 w HA 1 was taken up for consideration on motion of Senator Marshall:

HB 522 w HA 1 - AN ACT TO AMEND CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES," BY AMENDING THE PROCEDURE FOR MAKING APPOINTMENTS TO THE POLICE FORCE.

The roll call vote on the Bill was then taken and revealed 18 Senators voting YES and 3 (Arnold, Holloway and Knox) ABSENT; 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 Marshall:

HB 523 w HA 1 - AN ACT TO AMEND CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT REVISING THE PRIOR CHARTER OF THE CITY OF REHOBOTH BEACH AND ESTABLISHING A NEW CHARTER THEREFOR, AND PRESCRIBING THE POWERS AND DUTIES OF THE COMMISSIONERS OF REHOBOTH BEACH," TO AMEND THE INTEREST RATE COLLECTED ON DELINQUENT TAXES.

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

SB 483 was taken up for consideration on motion of Senator Cordrey:

SB 483 - AN ACT RELATING TO THE LEASING OF WARWICK SCHOOL NO. 203, LOCATED IN SUSSEX COUNTY.

Senator Arnold marked PRESENT.

SA 1 to the Bill was introduced by Senator Cordrey 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 roll call vote on SB 483 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 258 was taken up for consideration on motion of Senator Neal:

SB 258 - AN ACT TO AMEND CHAPTER 45, TITLE 11 OF THE DELAWARE CODE RELATING TO APPEAL FROM CERTAIN CONVICTIONS BEFORE ALDERMEN AND MAYORS.

The privilege of the floor was extended to Michael Purezycki (Senate Attorney) after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Citro and Cordrey) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 471 was taken up for consideration on motion of Senator Torbert:

SB 471 - AN ACT TO AMEND CHAPTER 71, TITLE 15, DELAWARE CODE, RELATING TO SPECIAL ELECTIONS FOR THE GENERAL ASSEMBLY.

The roll call vote on the Bill was then taken and revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration. SB 459 was taken up for consideration on motion of Senator Holloway:

SB 459 - AN ACT TO AMEND CHAPTER 5, TITLE 13 OF THE DELAWARE CODE TO PERMIT THE FAMILY COURT TO ATTACH UP TO 50 PERCENT OF THE UNEMPLOYMENT COMPENSATION PAYMENT TO A DEFENDANT WHO FAILS TO PAY A SUPPORT ORDER.

At 4:10 p.m., Senator Adams presiding.

The privilege of the floor was extended to Michael Purezycki (Senate Attorney) after which the roll call vote on the Bill was then taken and revealed 19 Senators voting YES and 2 (Martin and Sharp) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 4:18 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:14 p.m., Lt. Governor Castle presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 135; HCR 136; HCR 138; HCR 139; SCR 105; SCR 106; SCR 107; SCR 108.

The following Committee reports were announced:

From the Judiciary Committee: SB 473 - 4 Merits; SB 485 - 5 Merits; HB 533 w HA 1 w HA 1; HA 2, 3, 4 - 5 Merits; HB 566 - 5 Merits; HB 564 w HA 1 - 5 Merits.

From the Executive Committee: SB 388 - 5 Merits; SB 476 - 4 Merits; SB 386 - 6 Merits.

From the Public Safety Committee: SB 492 - 4 Merits; SB 496 - 4 Merits.

The following legislation was introduced:

SB 501 - AN ACT TO AMEND CHAPTER 79, TITLE 29 OF THE DELAWARE CODE, RELATING TO THE "OFFICE OF THE OMBUDSMAN." Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SA 2 to SB 139 was stricken at the request of the sponsor, Senator McBride.

SA 1 to SB 474. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to SB 477. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to SB 498. Sponsors: Senators Cordrey, Sharp, McDowell; Representatives George and Cain. Placed with the Bill.

SA 1 to HB 323. Sponsor: Senator Zimmerman. Placed with the Bill.

SCR 109 - PROVIDING FOR THE APPOINTMENT OF A SPECIAL COMMITTEE TO STUDY PLEA-BARGAINING IN DELAWARE COURTS AND TO RECOMMEND WHETHER THIS PRACTICE SHOULD BE DISCONTINUED. Sponsors: Senator Holloway and Representative Riddagh.

The Resolution was considered for adoption on motion of Senator Holloway 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.

SCR 110 - MEMORIALIZING U. S. SENATOR JOSEPH R. BIDEN, JR. TO CONTINUE TO USE THE GOOD INFLUENCES OF HIS OFFICE IN NEGOTIATING WITH THE U.S. CORPS OF ENGINEERS TO HAVE A LANDFILL LOCATED AT CHERRY ISLAND. Sponsors: Senators Vaughn and Hughes; Representatives Jester and Riddagh.

The Resolution was considered for adoption on motion of Senator Vaughn and the roll call vote taken which revealed 18 Senators voting YES and 3 (Holloway, Marshall and McDowell) voting NO; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

HCR 135 - AUTHORIZING THE CLAYTON CENTURY CLUB TO ERECT INFORMATION SIGNS ON ROUTE 6 EAST OF CLAYTON, DELAWARE ON THE SO CALLED SMYRNA-CLAYTON ROAD. Sponsors: Representative Riddagh and Senator Vaughn.

The Resolution was considered for adoption on motion of Senator Vaughn and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SB 139 was lifted from the table for consideration on motion of Senator McBride:

SB 139 - AN ACT TO AMEND CHAPTER 5 AND CHAPTER 11, PART 1, TITLE 7 OF THE DELAWARE CODE RELATING TO FISHING; AND PROVIDING FOR THE IMPOSITION OF CERTAIN CHARGES.

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

SA 3 to the Bill was introduced by Senator McBride considered for adoption on his motion. The roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 139 w SA 1, 3 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.

SJR 31 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator McDowell and the roll call vote taken which revealed 20 Senators voting YES and 1 (Zimmerman) voting NO; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

HB 398 was taken up for consideration on motion of Senator McDowell:

HB 398 - AN ACT DIRECTING THE TRANSFER OF OAK GROVE SCHOOL SITE OF EAST DOVER HUNDRED, KENT COUNTY DELAWARE TO J. WARD HURLEY AND MILDRED J. HURLEY FOR A FEE.

A communication concerning the Bill was read at the request of Senator Zimmerman.

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 477 was taken up for consideration on motion of Senator McDowell:

SB 477 - AN ACT TO AMEND CHAPTER 64, TITLE 29, DELAWARE CODE, RELATING TO AGENCIES TO BE AFFECTED BY THE ADMINISTRATIVE PROCEDURES ACT.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Henry Ridgely (Senate Attorney) and McDonald Cocker (Legislative Council).

SA 1 to the Bill was introduced by Senator Zimmerman and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Connor, Cook, Cordrey, Holloway, Marshall, Martin, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Citro, Knox, McBride - 3.

NOT VOTING: Senators Arnold, Bair, Berndt, Hughes, Littleton - 5.

Therefore, the Amendment was declared adopted.

SB 477 w SA 1 was then laid on the table on motion of Senator McDowell.

SB 385 was stricken on motion of the sponsor, Senator Torbert.

The following Committee reports were announced:

From the Education Committee: HB 428 - 4 Merits; HB 502 w HA 1, 2, 4, 5 - 4 Merits.

At 6:22 p.m. on motion of Senator Sharp the Senate recessed until 2:00 p.m., April 8, 1982.

The Senate reconvened at 2:11 p.m., April 8, 1982, Lt. Governor Castle presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 579 w HA 1; HB 440 w HA 1, 2 and adopted HCR 140.

The following legislation was introduced:

SS 1 for SB 500 - AN ACT TO AMEND CHAPTER 8, TITLE 29 OF THE DELAWARE CODE RELATING TO REAPPORTIONMENT OF THE STATE LEGISLATIVE DISTRICTS. Sponsors: Senators Cordrey, Sharp, McDowell, Knox, Arnold; Representatives Burris, Hebner, Petrilli, George, Cain. Laid on the table on motion of Senator Cordrey.

HB 440 w HA 1, 2 - AN ACT TO AMEND CHAPTERS 21 AND 41 OF TITLE 21 DELAWARE CODE, RELATING TO SPECIAL LICENSE PLATES, PARKING ID CARDS, AND PARKING FOR THE HANDICAPPED. Sponsors: Representatives Maroney, Barnes, Bennett, Buckworth, Cathcart, Free and Minner. Assigned to Health-Social Services/Aging Committee.

SR 70 - URGING THE PRESIDENT OF THE UNITED STATES TO RECONSIDER RECENT SOCIAL SECURITY PROPOSALS INsofar AS THEY ADVERSELY IMPACT ON SENIOR CITIZENS. Sponsor: Senator Holloway.

The Resolution was considered for adoption on motion of Senator Holloway and the roll call vote taken which revealed:

YES: Senators Bair, Berndt, Citro, Cook, Cordrey, Holloway, Hughes, Littleton, McDowell, Neal, Sharp, Torbert, Vaughn - 13.

NOT VOTING: Senators Arnold and Knox - 2.

ABSENT: Senators Adams, Connor, Marshall, Martin, McBride, Zimmerman - 6.

Therefore, the Resolution was declared adopted.

HCR 136 - EXPRESSING APPRECIATION TO THE VOCATIONAL STUDENT ORGANIZATIONS OF DELAWARE. Sponsors: Representative Burris and all the Representatives; Senator Cordrey and all the Senators.

The Resolution was considered for adoption on motion of Senator Cordrey and the roll call vote taken which revealed 16 Senators voting YES and 5 (Adams, Connor, Marshall, Martin and Zimmermna) ABSENT; 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 Harry Thomas, representing the Vocational Student Organizations.

Each Senator was presented with an Easter lily by the students. Lt. Governor Castle and President pro Tem Cordrey thanked the students on behalf of the Senate.

HCR 138 - CONGRATULATING TINA HARRIS, OF CAESAR RODNEY HIGH SCHOOL, FOR HER OUTSTANDING FOUR-YEAR CAREER. Sponsors: Representative Buckworth and Senator Torbert.

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

HCR 139 - CONGRATULATING HAP HANSEN, PRESIDENT AND GENERAL MANAGER OF BRANDYWINE RACEWAY, UPON HIS NOMINATION FOR THE GOOD GUY AWARD FROM THE UNITED STATES HARNESS WRITERS ASSOCIATION. Sponsors: Representatives George, Cain and Maroney.

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

HCN 140 - DESIGNATING APRIL 30, 1982 AS HUMAN RELATIONS DAY IN DELAWARE AND COMMENDING THE LATE S. LOWAN PITTS, FORMER DIRECTOR OF THE HUMAN RELATIONS COMMISSION AND ALL DELAWAREANS WHO HAVE SERVED AS MEMBERS OF THE COMMISSION SINCE ITS INCEPTION 20 YEARS AGO. Sponsors: Representatives Soles, Ennis, Bennett, Barnes and Fallon; Senators Bair and McBride.

The Resolution was considered for adoption on motion of Senator Bair and the roll call vote taken which revealed 16 Senators voting YES and 5 (Adams, Connor, Holloway, Martin and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HB 579 w HA 1 - AN ACT TO AMEND CHAPTER 23, TITLE 30, DELAWARE CODE, RELATING TO GROSS RECEIPTS TAX ON DRAYMEN OR MOVERS. Sponsors: Representatives Powell, Dixon; Senators Adams and Littleton. Assigned to Revenue and Taxation Committee.

At 2:41 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 19th Legislative Day.

19TH LEGISLATIVE DAY

April 8, 1982

The Senate convened at 2:41 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

SB 1 for SB 500 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Cordrey:

SB 1 for SB 500 - AN ACT TO AMEND CHAPTER 8, TITLE 29 OF THE DELAWARE CODE RELATING TO REAPPORTIONMENT OF THE STATE LEGISLATIVE DISTRICTS.

Senator Holloway marked PRESENT.

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

SB 500 was stricken at the request of the sponsor, Senator Cordrey.

Senator Cordrey moved that the necessary rules be suspended for consideration of SB 498. The roll call vote on the motion was taken and revealed:

YES: Senators Cook, Cordrey, Holloway, Marshall, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 10.

NO: Senators Arnold, Bair, Hughes, Knox, Littleton, Neal - 6.

ABSENT: Senators Adams, Berndt, Citro, Connor, Martin - 5.

Therefore, the motion was defeated.

SB 421 was taken up for consideration on motion of Senator Citro:

SB 421 - AN ACT TO AMEND CHAPTER 59, TITLE 29, DELAWARE CODE RELATING TO THE PLACEMENT OF CERTAIN EMPLOYEES OF THE COURT OF COMMON PLEAS INTO THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION.

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 Citro.

Senator Cordrey moved that the necessary rules be suspended for consideration of SB 498. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 11.

NO: Senators Arnold, Bair, Berndt, Citro, Hughes, Knox, Littleton, Neal - 8.

ABSENT: Senators Connor and Martin - 2.

Therefore, the motion prevailed and the Bill was lifted from the table for consideration:

SB 498 - AN ACT TO AMEND CHAPTER 8, TITLE 29 OF THE DELAWARE CODE RELATING TO THE REAPPORTIONMENT OF THE STATE LEGISLATIVE DISTRICTS.

SA 1 to the Bill (sponsored by Senators Cordrey, Sharp and McDowell; Representatives George and Cain) was introduced and considered for adoption on motion of Senator Cordrey. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Citro and Connor) ABSENT; therefore, the Amendment was declared adopted.

Senators Connor and Martin marked PRESENT.

The roll call vote on SB 498 w SA 1 was then taken and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 12.

NO: Senators Arnold, Bair, Berndt, Connor, Hughes, Knox, Neal - 7.

NOT VOTING: Senator Littleton - 1.

ABSENT: Senator Citro - 1.

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

HB 428 was taken up for consideration on motion of Senator McBride:

HB 428 - AN ACT TO AMEND DELAWARE CODE, CHAPTER 17, TITLE 14 AS IT RELATES TO THE EDUCATIONAL SERVICES TO PERSONS WHO ARE DEAF-BLIND.

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

HB 334 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 334 w HA 1 - AN ACT TO AMEND SUBCHAPTER III, TITLE 10 OF THE DELAWARE CODE RELATING TO THE CIVIL JURISDICTION OF THE COURT OF COMMON PLEAS.

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

HB 335 was taken up for consideration on motion of Senator Cordrey:

HB 335 - AN ACT TO AMEND CHAPTER 93, TITLE 10 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE JUSTICE OF THE PEACE COURT.

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

HB 49 was taken up for consideration on motion of Senator McDowell:

HB 49 - AN ACT TO AMEND CHAPTER 25, TITLE 24 OF THE DELAWARE CODE RELATING TO PENALTIES FOR VIOLATING PHARMACY LICENSING PROVISIONS.

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

HB 100 w HA 1, SA 1, 2, 3, 4 was lifted from the table for consideration on motion of Senator Adams.

SA 5 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Neal and the roll call vote taken which revealed 18 Senators voting YES and 3 (Holloway, Littleton and Marshall) ABSENT; therefore, the Amendment was declared adopted.

SA 6 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McDowell and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on HB 100 w HA 1, SA 1, 2, 3, 4, 5, 6 was then taken; however, the roll call was laid on the table before being announced on motion of Senator Knox.

At 3:45 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:20 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 502 - AN ACT TO AMEND CHAPTER 59 OF TITLE 29, DELAWARE CODE BY PROVIDING FOR THE ASSIGNMENT OF RETIRED JUSTICES AND STATE JUDGES TO ACTIVE DUTY. Sponsors: Senators McDowell and Representative Brady. Assigned to Judiciary Committee.

SB 503 - AN ACT AUTHORIZING THE DEPARTMENT OF AGRICULTURE TO CONTINUE THE PILOT PROJECT ON THE CONCEPTS OF DYNAMIC SEEDING (WEATHER MODIFICATION). Sponsors: Senator Adams; Representatives Barnes and Derrickson. Assigned to Agriculture Committee.

SA 3 and SA 4 to SB 458. Sponsor: Senator Connor. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed SB 394; SB 266 and adopted SCR 9; SB 130 w HA 1 was defeated in the House.

HB 636 w HA 1 was introduced and laid on the table on motion of Senator Cook:

HB 636 w HA 1 - AN ACT TO AMEND CHAPTER 14, TITLE 30, DELAWARE CODE, RELATING TO THE GIFT TAX. Sponsors: Representative Powell; Senator Cook.

SCR III was introduced and considered for adoption on motion of Senator Connor:

SCR III - MOURNING THE DEATH OF PHILLIP F. SUSI, COMMUNITY LEADER IN NEW CASTLE FOR MANY YEARS. Sponsors: Senator Connor; Representative Mack.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Hughes, Littleton, Neal, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

HB 308 was taken up for consideration on motion of Senator McDowell:

HB 308 - AN ACT TO AMEND CHAPTER 1, TITLE 4 OF THE DELAWARE CODE RELATING TO GENERAL PROVISIONS ABOUT ALCOHOLIC LIQUORS.

The Bill was then laid on the table on further motion of the Senator.

HB 369 which was next on the Agenda, was deferred on motion of Senator Sharp.

HB 289 w HA 1 was taken up for consideration on motion of Senator McDowell:

HB 289 w HA 1 - AN ACT TO AMEND SECTION 6503, CHAPTER 65, TITLE 25, OF THE DELAWARE CODE WITH REFERENCE TO LANDLORD-TENANT RELATIONSHIPS; PROVIDING FOR THE CREATION OF RENTAL UNITS FOR THE EXCLUSIVE USE OF SENIOR CITIZENS.

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

HB 274 w HA 1 was taken up for consideration on motion of Senator Holloway:

HB 274 w HA 1 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO LICENSING OF DRUG ABUSE PREVENTION CONTROL, TREATMENT, AND EDUCATION PROGRAMS.

The privilege of the floor was extended to Representative Edwards.

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

HB 502 w HA 1, 2, 4, 5 was taken up for consideration on motion of Senator McBride:

HB 502 w HA 1, 2, 4, 5 - AN ACT TO AMEND TITLE 9, TITLE 14, AND TITLE 21 OF THE DELAWARE CODE RELATING TO SCHOOL CROSSING GUARDS; AND PROVIDING FOR REPORTING OF CERTAIN OFFENSES AND INFRACTIONS.

The privilege of the floor was extended to Michael Purzycki, Senate Attorney, after which the roll call vote on the Bill was taken and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Cordrey, Hughes, Knox, Martin, McBride, McDowell, Sharp, Vaughn - 13.

NO: Senators Adams, Cook, Holloway, Littleton, Marshall, Neal, Torbert, Zimmerman - 8.

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

HB 331 was taken up for consideration on motion of Senator Sharp:

HB 331 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO REQUIRE INSURERS TO INFORM THEIR CLAIMANT, IN WRITING, OF THE APPLICABLE STATUTE OF LIMITATIONS PERIOD.

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

HB 533 w HA 1 w HA 1; HA 2, 3, 4 was taken up for consideration on motion of Senator Sharp:

HB 533 w HA 1 w HA 1; HA 2, 3, 4 - AN ACT TO AMEND CHAPTER 5, TITLE 4, DELAWARE CODE, TO PERMIT THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO LICENSE ESTABLISHMENTS AS "BOTTLE CLUBS."

The privilege of the floor was extended to Michael Purzycki, Senate Attorney.

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

SA 1 to HA 1 to the Bill was then laid on the table on motion of Senator McDowell in the absence of the sponsor, Senator Holloway..

The Amendment was then lifted from the table and then again retabled on motion of Senator Holloway.

At 5:28 p.m., Lt. Governor Castle presiding.

The roll call vote on HB 533 w HA 1 w HA 1; HA 2, 3, 4 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Vaughn - 18.

NOT VOTING: Senators Holloway, Torbert, Zimmerman - 3.

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

Senator Adams moved that HB 502 w HA 1, 2, 4, 5 which had been defeated earlier be restored to the Calendar; however, no action was taken on the motion since the Bill was not physically in the hands of the Secretary.

The roll call vote on SB 421 was lifted on motion of Senator Citro and announced:

YES: Senators Adams, Bair, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, Neal, Sharp, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Berndt, Connor, McBride, McDowell - 4.

NOT VOTING: Senator Arnold - 1.

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

HB 502 w HA 1, 2, 4, 5 which had been defeated earlier was now restored to the Calendar on motion of Senator Adams without objection.

SB 388 was taken up for consideration on motion of Senator Zimmerman:

SB 388 - AN ACT TO AMEND TITLE 14, DELAWARE CODE, TO PROVIDE TUITION-FREE HIGHER EDUCATION FOR PERSONS AGE 60 OR OLDER.

SA 1 to the Bill was introduced by Senator Zimmerman and considered for adoption on his motion.

The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Cordrey and Martin) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 388 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.

HB 564 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 564 w HA 1 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN MILL CREEK HUNDRED TO THE MILL CREEK FIRE COMPANY.

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

HS 1 for HB 91 was lifted from the table for consideration on motion of Senator Holloway.

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

SA 2 to the Bill which had been placed with the Bill was laid on the table on motion of the sponsor, Senator Berndt.

The privilege of the floor was extended to Louis J. Amabili, State Fire Prevention Commissioner.
The roll call vote on HS 1 for HB 91 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

On motion of Senator Adams, the roll call vote on HB 100 w HA 1, SA 1, 2, 3, 4, 5, 6 was lifted and announced:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Hughes, Knox, Littleton, Marshall, Martin, McDowell, Neal - 13.

NO: Senators Adams, Cordrey, McBride, Sharp, Torbert, Vaughn, Zimmerman - 7.

ABSENT: Senator Holloway.

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

The following legislation was introduced:

SB 504 - AN ACT TO AMEND CHAPTER 40, TITLE 14 OF THE DELAWARE CODE RELATING TO PROFESSIONAL NEGOTIATIONS AND RELATIONS. Sponsor: Senator Bair. Assigned to Education Committee.

SB 505 - AN ACT TO AMEND CHAPTER 69, TITLE 21, DELAWARE CODE RELATING TO REMOVAL OF MOTOR VEHICLES FROM PUBLIC HIGHWAYS. Sponsors: Senators Martin, Adams, Holloway, Vaughn, Littleton; Representatives Jester, Minner, Cathcart, Oberle, Roy. Assigned to Public Safety Committee.

SB 506 - AN ACT TO AMEND §6601 (1), CHAPTER 66, TITLE 18, DELAWARE CODE RELATING TO THE DEFINITION OF COVERED PERSON FOR LINE-OF-DUTY DEATH BENEFITS. Sponsors: Senators Connor, Citro, McBride, Torbert, Zimmerman; Representatives Cathcart, Corrozi, Dixon, Edwards, Gilligan, Harrington, Minner, Oberle, Spence, Cain. Assigned to Finance Committee.

SB 507 - AN ACT TO AMEND §111, TITLE 30 DELAWARE CODE TO ALLOW A CREDIT FOR CITY WAGE TAXES PAID IN ANOTHER STATE. Sponsor: Senator Connor. Assigned to Revenue and Taxation Committee.

SB 508 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO BANK BRANCHES. Sponsors: Senators Adams and Cordrey; Representatives Powell and McKay. Assigned to Banking Committee.

SCR 112 was introduced and considered for adoption on motion of Senator McBride:

SCR 112 - REQUESTING PRESIDENT REAGAN TO ABANDON THE CONCEPT OF AN ANNUAL FEE FOR FISHERMEN AND RECREATIONAL BOATERS. Sponsors: Senator McBride; Representatives Minner, Anderson, Bennett, Cain, Campanelli, Cordrey, Darling, Dixon, George, Gilligan, Holloway, Jr., Jester, Jonkiert, Plant, Soles, West; Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McDowell, Sharp, Torbert, Vaughn, Zimmerman.

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

YES: Senators Adams, Connor, Cook, Cordrey, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 14.

NO: Senator Neal - 1.

NOT VOTING: Senators Arnold, Bair, Hughes, Knox - 4.

ABSENT: Senators Berndt and Citro - 2.

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

SCR 113 was introduced and considered for adoption on motion of Senator Bair:

SCR 113 - COMMENDING THE STUDENT AND COMMUNITY AWARD WINNERS AT THE DISTRIBUTIVE EDUCATION CLUBS OF AMERICA 1982 CAREER DEVELOPMENT CONFERENCE. Sponsors: Senators Bair, Adams, Arnold, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman; Representatives Anderson, Barnes, Bennett, Brady, Buckworth, Burris, Cain, Campanelli, Cathcart, Cordrey, Corrozi, Darling, Derrickson, Dixon, Edwards, Ennis, Fallon, Free, George, Gilligan, Harrington, Hebner, Holloway, Jr., Jester, Jonkiert, Mack, Maroney, McKay, Minner, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Soles, Spence, VanSeiver, West.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Berndt, Citro and Cordrey) 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 passed SB 251 w HA 1; SB 449 w HA 1; SB 344 w HA 1; HB 636 w HA 1 and adopted SCR 110 and SCR 111.

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

SA 1 to HB 551. Sponsor: Senator Neal. Placed with the Bill.

At 6:15 p.m. on motion of Senator Sharp, the Senate recessed to the call of the President pro Tempore.

The Senate reconvened at 2:41 p.m., April 27, 1982, Senator Cordrey presiding.

The following letter of veto from the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

April 16, 1982

To the Senate of the 131st General Assembly of the State of Delaware

I am returning without my signature Senate Bill No. 132 which was received on April 6, 1982, and is entitled: "AN ACT TO AMEND CHAPTER 88, TITLE 29 OF THE DELAWARE CODE, RELATING TO THE STATE BANK COMMISSIONER'S OFFICE"

This bill provides that during any vacancy in the Office of State Bank Commissioner, the senior Deputy Commissioner shall exercise all the powers, duties and functions of the Commissioner until the vacancy is filled. The bill's purpose is a salutary one; it is designed to avoid any interruptions in the transaction of public business by vesting the powers and duties of the Bank Commissioner in a senior deputy until such time as the vacancy has been filled in accordance with the constitutional appointments process.

However, I have decided not to sign the bill because I am concerned it may not go far enough in creating an adequate process which assures that the policies and functions of the Bank Commissioner's Office are effectively formulated by an appropriate state official. Banking has become an integral and important aspect of Delaware's economy, and the Office of Bank Commissioner plays an increasingly sensitive and important policymaking role in the State's relations with the banking community. Therefore, I believe we need to craft a statutory mechanism which either provides that the powers and duties of the State Bank Commissioner temporarily devolve upon the Deputy Commissioner or that some other process be developed for temporarily conferring such power until an appointment by the executive branch is duly confirmed by the Senate. Whatever the form, we should be confident that a structure is in place which will afford the State an appropriate official capable of developing the policies and exercising the duties of that important office. The problem with Senate Bill No. 132 is that it does not provide us with such a mechanism. As presently written, the bill would vest the Bank Commissioner's duties and functions in a state merit system employee whose job description may very well not include the caliber of responsibilities exercised by the Bank Commissioner. It is for this reason that I believe the problem needs to be carefully re-examined.

I am told that the Delaware Banker's Association understands this potential difficulty and concurs in my judgment that we need to examine carefully the methods for addressing it. Furthermore, the State Bank Commissioner concurs in my view that Senate Bill No. 132 is not the most desirable response to the problem and he stands ready to assist in developing a proper legislative response.

I am sure that members of the banking community, the State Bank Commissioner, and the members of the General Assembly agree that this important issue deserves further reflection. And because I am confident that it can be reworked in a fashion which answers my concern, I am returning Senate Bill No. 132 without my signature.

Respectfully submitted,
Pierre S. duPont, IV, Governor

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The following legislation was introduced:

SB 509 - AN ACT TO AMEND CHAPTER 41, TITLE 11 OF THE DELAWARE CODE RELATING TO A SPECIAL LAW ENFORCEMENT ASSISTANCE FUND. Sponsors: Senators Marshall, McDowell, Connor, Citro; Representatives Jonkiert, Riddagh. Assigned to Judiciary Committee.

SB 510 - AN ACT TO AMEND CHAPTER 42 OF TITLE 11 OF THE DELAWARE CODE RELATING TO THE PROCEDURE FOR DETERMINING PUNISHMENT FOR FIRST DEGREE MURDER. Sponsors: Senators Marshall, Torbert, Connor, Citro; Representatives Jonkiert and Riddagh. Assigned to Judiciary Committee.

SB 511 - AN ACT TO AMEND CHAPTER 43, TITLE 11 OF THE DELAWARE CODE RELATING TO PRESENTENCE INVESTIGATIONS. Sponsors: Senators Marshall, Torbert, Citro, Connor; Representatives Jonkiert and Riddagh. Assigned to Judiciary Committee.

SB 512 - AN ACT TO AMEND CHAPTER 47, TITLE 16 OF THE DELAWARE CODE RELATING TO DRUG TRAFFICKING. Sponsors: Senators Marshall, McDowell, Citro, Connor; Representatives Jonkiert, Riddagh. Assigned to Health-Social Services/Aging Committee.

SB 513 - AN ACT TO AMEND TITLE 6, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A MOTOR VEHICLE FRANCHISING PRACTICES ACT. Sponsors: Senator Adams and Representative Barnes. Assigned to Public Safety Committee.

SB 514 - AN ACT TO AMEND TITLE 7, DELAWARE CODE, RELATING TO THE LICENSING AND VACCINATION OF CATS. Sponsor: Senator Torbert (by request). Assigned to Natural Resources and Environmental Control Committee.

SS 1 for SB 404 - AN ACT TO AMEND PART VI, TITLE 3, DELAWARE CODE, TO PROVIDE FOR THE HUMANE KILLING OF ANIMALS HELD IN A SHELTER. Sponsor: Senator Cordrey. Adopted in lieu of the Original.

SA 1 to SB 97. Sponsor: Senator Neal. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 141; HCR 142; HCR 144; SCR 109; and passed HB 580; HB 541; HS 1 for HB 343 w HA 1; SS 1 for SB 500; SB 410 w HA 1; HB 613 w HA 1; HB 570; HB 154 w HA 1, 3, 4, 6; SB 280 w HA 1.

HCR 142 was introduced and considered for adoption on motion of Senator Knox:

HCR 142 - SALUTING PROFESSIONAL SECRETARIES' WEEK FOR THEIR CONTRIBUTION TO OUR SOCIETY AND DESIGNATING THE WEEK OF APRIL 18-24, 1982, AS PROFESSIONAL SECRETARIES' WEEK AND WEDNESDAY, APRIL 21, AS SECRETARIES' DAY. Sponsors: Representatives Mack, Anderson, Barnes, Bennett, Buckworth, Burris, Cain, Campanelli, Cordrey, Corrozi, Darling, Derrickson, Edwards, Ennis, Fallon, Free, George, Gilligan, Harrington, Jester, Jonkiert, Maroney, McKay, Minner, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Soles, Spence, VanSciver, West; Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Holloway, Knox, Littleton, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Connor, Martin, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 144 was introduced and considered for adoption on motion of Senator Knox:

HCR 144 - CONGRATULATING SIX DELAWARE EDUCATORS WHO HAVE BEEN CITED FOR THEIR ENVIRONMENTAL WORK BY THE DELAWARE NATURE EDUCATION SOCIETY. Sponsor: Representative Smith.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Connor, Martin, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 141 was introduced and considered for adoption on motion of Senator Knox:

HCR 141 - REQUESTING THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT SENATE JOINT RESOLUTION 180 DESIGNATING THE WEEK OF MAY 9, 1982, AS NATIONAL SMALL BUSINESS WEEK. Sponsors: Representatives Harrington, Barnes, Edwards, Dixon, Bennett.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Connor, Martin, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

The following legislation was introduced:

HB 154 w HA 1, 3, 4, 6 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO THE RULES OF THE ROAD AND THE USE OF CHILD RESTRAINT SYSTEMS. Sponsors: Representatives Maroney, Free, Cathcart, Ennis, Oberle; Senator Knox. Assigned to Judiciary Committee

HS 1 for HB 343 w HA 1 - AN ACT TO AMEND DELAWARE CODE, TITLE 14, RELATING TO UNPAID LEAVES OF ABSENCE. Sponsors: Representatives Jester, Campanelli, Soles, Fallon, Free; Senators Bair, Vaughn, McDowell. Assigned to Education Committee.

HB 541 - AN ACT TO AMEND CHAPTER 64, VOLUME 63, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW IN SUSSEX COUNTY, DELAWARE". Sponsors: Representative Derrickson and Senator Cordrey. Assigned to Community Affairs Committee.

HB 570 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE TO INCREASE FROM TWO TO FIVE MILES THE DISTANCE A REDUCED-REGISTRATION FEE FARM TRUCK MAY BE OPERATED OR TOWED BETWEEN FARMS OWNED OR MANAGED BY THE OWNER OF THE VEHICLE. Sponsors: Representatives Cordrey, West, Minner, Darling. Assigned to Agriculture Committee.

HB 580 - AN ACT TO AMEND SECTION 10004 OF TITLE 29, DELAWARE CODE BY EXEMPTING TOWNS WHICH ARE DIRECT DEMOCRACIES FROM KEEPING INDIVIDUAL VOTING RECORDS. Sponsors: Representative Smith and Senator Bair. Assigned to Insurance and Elections Committee.

HB 613 w HA 1 - AN ACT TO AMEND CHAPTER 18, TITLE 14 OF THE DELAWARE CODE, RELATING TO THE SUNSET PROVISIONS OF THE EDUCATIONAL FINANCE OVERVIEW COMMITTEE. Sponsors: Representatives Corrozi, Bennett, Derrickson, Fallon, Free, Gilligan, Jester, McKay, Petrilli, Sincok; Senators Cook, Bair, Berndt, Holloway, Hughes, McBride, McDowell, Neal, Torbert, Vaughn, Zimmerman. Assigned to Education Committee.

SB 280 which had previously passed the Senate and now returned from the House as further amended by HA 1 was laid on the table on motion of Senator Sharp in the absence of the sponsor, Senator McBride.

SB 410 which had previously passed the Senate, was taken up for reconsideration as further amended by HA 1. Senator Cordrey, sponsor of the Bill, was presiding and at his request, Senator Sharp floor managed the Bill.

The roll call vote on SB 410 w HA 1 was then taken and revealed 18 Senators voting YES and 3 (Connor, Martin and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 344 which had previously passed the Senate, was taken up for reconsideration as now further amended by HA 1 on motion of Senator McDowell.

The roll call vote on SB 344 w HA 1 was then taken and revealed 18 Senators voting YES and 3 (Connor, Martin and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

SB 280 which had previously passed the Senate, was lifted from the table on motion of Senator McBride for reconsideration as now further amended by HA 1.

The roll call vote on SB 280 w HA 1 was then taken and revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

HB 579 w HA 1 was reported out of the Revenue and Taxation Committee: 5 Merits.

SCR 114 was introduced and considered for adoption on motion of Senator Zimmerman:

SCR 114 - PROCLAIMING THE WEEK OF MAY 10 TO MAY 16 AS "SMALL BUSINESS WEEK".
Sponsors: Senator Zimmerman and Representative Harrington.

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.

At 3:10 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 20th Legislative Day.

20TH LEGISLATIVE DAY
April 27, 1982

The Senate convened at 3:10 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.
The Journal of the previous day was approved as read on motion of Senator Sharp.

Legislative Advisories #31, 32 and 33 were read which informed the Senate of the Governor action on legislation as follows: On April 2, 1982 the Governor signed HB 313 w HA 2 w HA 1, HA 3 (Volume 63, Chapter 205, Laws of Delaware). On April 6 the Governor signed HB 345 w SA 1 (Volume 63, Chapter 206, Laws of Delaware); SB 337 (Volume 63, Chapter 207, Laws of Delaware); SS 1 for SB 446 (Volume 63, Chapter 208, Laws of Delaware). On April 8 the Governor signed HB 353 w HA 1 w HA 1, HA 2, 3, 4, 9, SA 3 (Volume 63, Chapter 209, Laws of Delaware). The following are Constitutional Amendments and do not require the Governor's signature: SB 182 (Volume 63, Chapter 210, Laws of Delaware); SB 399 (Volume 63, Chapter 211, Laws of Delaware). On April 15 the Governor signed HB 232 (Volume 63, Chapter 212, Laws of Delaware); HB 291 w HA 1 (Volume 63, Chapter 213, Laws of Delaware); HB 332 w HA 1 (Volume 63, Chapter 214, Laws of Delaware); HB 506 w HA 1, 2 (Volume 63, Chapter 215, Laws of Delaware); HB 590 (Volume 63, Chapter 216, Laws of Delaware); HB 601 w SA 1 (Volume 63, Chapter 217, Laws of Delaware); SB 194 w SA 1 (Volume 63, Chapter 218, Laws of Delaware); SB 239 (Volume 63, Chapter 219, Laws of Delaware). The Governor vetoed SB 132 on April 16. On April 20 the Governor signed HB 61 w HA 1, 2 (Volume 63, Chapter 220, Laws of Delaware); HB 95 (Volume 63, Chapter 221, Laws of Delaware); HB 398 (Volume 63, Chapter 222, Laws of Delaware); HB 507 w HA 1, 2, 3 (Volume 63, Chapter 223, Laws of Delaware); HB 522 w HA 1 (Volume 63, Chapter 224, Laws of Delaware); HB 523 w HA 1 (Volume 63, Chapter 225, Laws of Delaware); SB 266 (Volume 63, Chapter 226, Laws of Delaware); SB 394 (Volume 63, Chapter 227, Laws of Delaware); SS 1 for SB 500 (Volume 63, Chapter 228, Laws of Delaware); SJR 28 w SA 1 (no Chapter number assigned).

* * * * *

Senator McBride marked PRESENT.

SB 449 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1 on motion of Senator Torbert.

The roll call vote on SB 449 w HA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the Governor for his consideration.

SB 251 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1 on motion of Senator Sharp acting at the request of Senator Cordrey, sponsor of the Bill.

The roll call vote on SB 251 w HA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the Governor for his consideration.

SB 97 was taken up for consideration on motion of Senator Holloway:

SB 97 - AN ACT TO AMEND CHAPTER 66, TITLE 16 OF THE DELAWARE CODE RELATING TO THE REQUIREMENT OF RESIDENTIAL SMOKE DETECTORS.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Gregory Haley (State Fire Marshal's Office).

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Neal and the roll call vote taken which revealed 18 Senators voting YES, 1 (Zimmerman) NOT VOTING and 2 (Citro and Marshall) ABSENT; therefore, the Amendment was declared adopted.

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 20 Senators voting YES and 1 (Zimmerman) NOT VOTING; therefore, the Amendment was declared adopted.

SA 3 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 20 Senators voting YES and 1 (Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

SB 97 w SA 1, 2, 3 was then laid on the table on motion of Senator Holloway.

At 4:03 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:01 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 515 - AN ACT TO AMEND TITLE 28, DELAWARE CODE, TO PROVIDE FOR THE REGULATIONS AND CONTROL OF LOTTERIES CONDUCTED BY VOLUNTEER FIRE COMPANIES, VETERAN ORGANIZATIONS, RELIGIOUS OR CHARITABLE ORGANIZATIONS OR BY FRATERNAL SOCIETIES AND AUTHORIZING THE DELAWARE GAMBLING CONTROL BOARD TO IMPLEMENT SUCH LOTTERIES. Sponsors: Senators Marshall, Representative Free; Senator Citro, Representatives Cathcart, Edwards, Gilligan, Buckworth, Mack. Assigned to Revenue and Taxation Committee.

SB 516 - AN ACT TO AMEND CHAPTER 1, TITLE 24, DELAWARE CODE, RELATING TO CERTIFIED PUBLIC ACCOUNTANTS. Sponsor: Senator Sharp. Assigned to Administrative Services Committee.

SB 517 - AN ACT TO AMEND CHAPTER 25, TITLE 18 OF THE DELAWARE CODE RELATING TO COMPETITIVE RATING OF WORKMANS COMPENSATION INSURANCE. Sponsor: Senator Sharp. Assigned to Insurance and Elections Committee.

SR 71 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 71 - MOURNING THE DEATH OF MARY W. HEARN, OF DOVER, PRINCIPAL OF THE TOWNE POINT ELEMENTARY SCHOOL. Sponsors: Senators Zimmerman, Torbert, Berndt; Representative Bennett.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Arnold, Citro and Littleton) ABSENT; therefore, the Resolution was declared adopted.

The following legislation was introduced:

SA 1 to SB 357. Sponsor: Senator Holloway. Placed with the Bill.

SA 4 to SB 97. Sponsor: Senator Holloway. Placed with the Bill.

On motion of Senator Zimmerman, the roll call vote on SR 71 was rescinded and the Resolution stricken.

SA 2 to SB 252 was introduced by Senator Bair and placed with the Bill.

SB 508 was reported out of the Banking Committee: 5 Merits.

SB 97 w SA 1, 2, 3 was lifted from the table for consideration on motion of Senator Holloway.

SA 4 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 (Littleton) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 97 w SA 1, 2, 3, 4 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Holloway, Hughes, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn - 17.

NO: Senators Citro, Cordrey, Zimmerman - 3.

ABSENT: Senator Littleton - 1.

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

SB 252 was taken up for consideration on motion of Senator Holloway:

SB 252 - AN ACT TO AMEND CHAPTER 37, TITLE 31, DELAWARE CODE, RELATING TO LICENSING OF SOCIAL WORKERS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway.

The privilege of the floor was extended to James Prisolli (Geriatrics Service of Delaware).

The Bill and the Amendment were then laid on the table on further motion of Senator Holloway.

HB 220 was lifted from the table for consideration on motion of Senator McBride and again laid on the table on further motion of the Senator.

The following Committee reports were announced:

From the Small Business Committee: SB 499 - 1 Favorable, 4 Merits; SB 474 - 1 Favorable, 4 Merits.

At 5:26 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 28, 1982.

The Senate reconvened at 2:21 p.m., April 28, 1982, Senator Cordrey presiding.

SCR 115 was introduced and considered for adoption on motion of Senator Vaughn:

SCR 115 - EXPRESSING CONDOLENCES UPON LEARNING OF THE DEATH OF B. WALTER JOHNSON, FORMER MEMBER OF THE HOUSE OF REPRESENTATIVES AND THE SENATE. Sponsors: Senator Vaughn; Representatives Jester and Anderson.

The roll call vote on the Resolution was taken and revealed 14 Senators voting YES and 7 (Berndt, Citro, Connor, Cook, Hughes, Martin and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 2:24 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 21st Legislative Day.

21ST LEGISLATIVE DAY
April 28, 1982

The Senate convened at 2:24 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

The following legislation was introduced:

SB 518 - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE TO PROVIDE FOR A BEER AND WINE LICENSE AND TO ESTABLISH A FEE FOR SAID LICENSE. Sponsors: Senators Holloway and Hughes. Assigned to Administrative Services/Energy Committee.

SA 1 to HB 369. Sponsor: Senator Sharp. Placed with the Bill.

The following Committee reports were announced:

From the Public Safety Committee: SB 319 - 1 Favorable, 2 Merits, 2 Unfavorable; SB 446 - 5 Merits; SB 505 - 5 Merits; SB 513 - 5 Merits.

SCR 116 was introduced and considered for adoption on motion of Senator Zimmerman:

SCR 116 - MOURNING THE DEATH OF MARY W. HEARN, OF DOVER, PRINCIPAL OF THE TOWNE POINT ELEMENTARY SCHOOL. Sponsors: Senators Zimmerman, Torbert, Berndt; Representative Bennett.

Senator Hughes marked PRESENT.

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

SB 252 was lifted from the table for consideration on motion of Senator Holloway.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to James Bazzoli.

SA 1 was lifted for discussion on motion of Senator Holloway.

The Bill and Amendment were then again tabled on further motion of the Senator.

Senator Zimmerman introduced students of the Dover High School who were present in the Chamber and the privilege of the floor was extended to Jerry Foote (School Counselor). Senator Holloway introduced the President of the Junior Class, Brenda Caniford (daughter of the Secretary of the Senate).

The following letter from the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
April 28, 1982

The Honorable Michael N. Castle,
President of the Senate of the 131st General Assembly of the State of Delaware

The Honorable Richard S. Cordrey,
President Pro Tempore of the Senate
131st General Assembly of the State of Delaware
Dover, Delaware

Dear Mr. President and Mr. President Pro Tempore:

Pursuant to the provisions of Article IV, Section 3 of the Delaware Constitution of 1897, this is to notify you of my intention to submit to the Senate for confirmation the appointments of: Andrew G. T. Moore II as Justice of the Supreme Court, the Honorable Grover C. Brown as Chancellor, and the Honorable Joseph J. Longobardi as Vice-Chancellor to fill vacancies in the respective judicial offices.

As the Constitution requires that this notification to you be a public communication, I believe it would be appropriate for this communication to be read to the Senate and entered in the Journal.

Sincerely yours,
Pierre S. duPont, IV, Governor

HB 579 w HA 1 was taken up for consideration on motion of Senator Cordrey:
HB 579 w HA 1 - AN ACT TO AMEND CHAPTER 23, TITLE 30, DELAWARE CODE, RELATING TO GROSS RECEIPTS TAX ON DRAYMEN OR MOVERS.

Senators Connor and Martin marked PRESENT.

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 3:35 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:22 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 519 - AN ACT TO AMEND TITLE 18, SECTION 513 OF THE DELAWARE CODE TO INCREASE INSURERS' STATUTORY DEPOSIT. Sponsor: Senator Sharp. Assigned to Insurance and Elections Committee.

SB 520 - AN ACT TO PROPOSE AN AMENDMENT TO ARTICLE I, SECTION 4 OF THE DELAWARE CONSTITUTION OF 1897 RELATING TO SELECTION OF GRAND JURY MEMBERS AND COMPOSITION OF GRAND JURIES. Sponsors: Senator Marshall; Representatives Jonkiert, Riddagh. Assigned to Executive Committee.

SB 521 - AN ACT TO AMEND CHAPTER 45 OF TITLE 10 TO ELIMINATE THE REQUIREMENT THAT JURY COMMISSIONERS NOTE TEMPORARY EXCUSES OR EXCLUSIONS ON THE JUROR QUALIFICATION FORM. Sponsors: Senator Marshall; Representatives Jonkiert, Riddagh. Assigned to Judiciary Committee.

SA 2 to SB 386. Sponsor: Senator Connor. Placed with the Bill.

SA 1 to SB 499. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to HB 372. Sponsor: Senator Zimmerman. Placed with the Bill.

The following Committee reports were announced:

From the Judiciary Committee: **SB 493** - 1 Favorable, 3 Merits; **SB 494** - 1 Favorable, 3 Merits; **SB 495** - 1 Favorable, 3 Merits; **SB 502** - 2 Merits, 2 Unfavorable; **SB 509** - 4 Merits; **SB 510** - 4 Merits; **SB 511** - 4 Merits.

✓HB 369 was taken up for consideration on motion of Senator Sharp:

HB 369 - AN ACT TO AMEND CHAPTER 39 OF TITLE 18 OF DELAWARE CODE RELATING TO CASUALTY INSURANCE CONTRACTS.

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 18 Senators voting YES and 3 (Holloway, Martin and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on **HB 369 w SA 1** was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SB 386 was taken up for consideration on motion of Senator Torbert:

SB 386 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, TO REQUIRE FINANCIAL DISCLOSURE FOR CERTAIN STATE OFFICIALS AND EMPLOYEES OF THE LEGISLATIVE, EXECUTIVE, AND JUDICIAL BRANCHES OF GOVERNMENT.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Torbert and the roll call vote taken which revealed 21 Senators voting YES; 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 Connor and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Henry Ridgely and Michael Purzycki after which the Bill was laid on the table on motion of Senator Torbert.

SB 476 which was next on the Agenda for the day was laid on the table on motion of Senator Torbert.

SB 508 was taken up for consideration on motion of Senator Adams:

SB 508 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO BANK BRANCHES.

The roll call vote on the Bill 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 499 was taken up for consideration on motion of Senator Zimmerman:

SB 499 - AN ACT TO AMEND SUBCHAPTER VII, CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO WITHHOLDING OF TAX BY EMPLOYERS.

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

The following Senators were added as co-sponsors of the Bill: Senators Connor, Cook, McBride, Adams, Sharp, Torbert, Citro, Littleton, Arnold and Vaughn.

The roll call vote on **SB 499 w SA 1** was then taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 474 was taken up for consideration on motion of Senator Zimmerman:

SB 474 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, BY ADDING THERETO A NEW CHAPTER 103 RELATING TO ESTABLISHING A BUSINESS REGULATION AND LICENSING SYSTEM.

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

The privilege of the floor was extended to George E. Hale (Delaware Development Office).

The roll call vote on SB 474 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 512 was reported out of the Health-Social Services/Aging Committee: 5 Merits.

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

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
April 28, 1982

To the Senate of the 131st 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 S. Yucht, 104 Canterbury Drive, Wilmington, Delaware, to be reappointed as Chairman of the Tax Appeals Board to serve for a term of three years.

Sincerely,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
April 28, 1982

To the Senate of the 131st 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: Lynn W. Williams, 202 Brecks Lane, Wilmington, Delaware, to be reappointed as a member of the Coastal Zone Industrial Control Board for a 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
April 28, 1982

To the Senate of the 131st 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: Walter A. Gebhart, 50 East Fourth Street, Box 143, New Castle, Delaware, to be a member of the Unemployment Insurance Appeals Board to serve for a six year term to fill a vacancy.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
April 28, 1982

To the Senate of the 131st 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: Franklin C. Daiber, 37 Kells Avenue, Newark, Delaware, to be appointed as a member of Delaware Advisory Council on Natural Areas to serve at the Pleasure of the Governor from date of confirmation, to fill a vacancy.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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At 5:41 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 29, 1982.

The Senate reconvened at 2:24 p.m., April 29, 1982, Lt. Governor Castle presiding.

SR 72 was introduced by Senator Holloway and considered for adoption on his motion:

SR 72 - COMMENDING UNITED STATES SEN. WILLIAM V. ROTH JR. FOR HIS EFFORTS TO MONITOR AND CONTROL CONTRACT COST OVERRUNS AND MEMORIALIZING OTHER MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO JOIN WITH HIM IN SAID EFFORTS. Sponsor: Senator Holloway.

The roll call vote on the Resolution was taken and revealed 12 Senators voting YES and 9 (Arnold, Berndt, Connor, Hughes, Littleton, Martin, McDowell, Sharp, Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

SR 73 was introduced by Senator Holloway and considered for adoption on his motion:

SR 73 - COMMENDING THE NEWARK POLICE DEPARTMENT FOR ITS SUCCESSFUL EFFORTS TO CONTROL THE SALE OF ILLEGAL DRUGS TO YOUTHS IN THE NEWARK AREA. Sponsors: Senators Holloway and Neal.

The roll call vote on the Resolution was taken and revealed 14 Senators voting YES and 7 (Arnold, Connor, Hughes, Marshall, Martin, McDowell, Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

The following legislation was introduced:

SA 1 to SS 1 for SB 404. Sponsor: Senator Hughes. Placed with the Bill.

SB 522 - AN ACT TO AMEND CHAPTER 9, PART I, TITLE 10 OF THE DELAWARE CODE RELATING TO ADULT CRIMINAL PROCEEDINGS; AND PROVIDING FOR A PERIOD OF TREATMENT AND OBSERVATION IN CERTAIN CASES. Sponsors: Senators Connor, Hughes, Littleton, Citro. Assigned to Judiciary Committee.

At 2:30 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 22nd Legislative Day.

22ND LEGISLATIVE DAY

April 29, 1982

The Senate convened at 2:30 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Arnold - 1.

The Journal of the previous day was approved as read on motion of Senator Sharp.

SB 523 was introduced and laid on the table on motion of Senator Holloway:

SB 523 - AN ACT TO AMEND SUBCHAPTER VI OF CHAPTER 1, TITLE 26, DELAWARE CODE RELATING TO REGULATION BY THE PUBLIC SERVICE COMMISSION OF RATES CHARGED BY CABLE TELEVISION SYSTEMS. Sponsor: Senator Holloway.

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

SB 322 AN ACT TO AMEND CHAPTER 55, TITLE 25, DELAWARE CODE, RELATING TO RENT.

Senator Hughes marked PRESENT.

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 17 Senators voting YES and 4 (Arnold, Connor, Martin and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 322 w SA 1 was then taken and revealed 18 Senators voting YES and 3 (Arnold, Connor and Martin) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senator Zimmerman marked PRESENT.

SB 357 was lifted from the table for consideration on motion of Senator Holloway:

SB 357 - AN ACT TO AMEND PART I, TITLE 19, DELAWARE CODE, BY ADDING A NEW CHAPTER AUTHORIZING COLLECTIVE BARGAINING BETWEEN LAW ENFORCEMENT OFFICERS AND THEIR PUBLIC EMPLOYERS; PROVIDING FOR ARBITRATION IN ORDER TO SETTLE DISPUTES; AND REQUIRING COMPLIANCE WITH COLLECTIVE BARGAINING AGREEMENT AND FIND OF ARBITRATORS.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Myron T. Steele (Fraternal Order of Police) and Henry Ridgely (Senate Attorney).

Senator Connor marked PRESENT.

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 (Arnold) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 357 w SA 1 was then taken; however, the roll call was laid on the table before being announced on motion of Senator Holloway.

SB 461 was taken up for consideration on motion of Senator Holloway:

SB 461 - AN ACT TO AMEND CHAPTER 5, TITLE 13 OF THE DELAWARE CODE TO PROVIDE THAT A FAMILY COURT DEFENDANT IN A SUPPORT ACTION WHO FAILS TO PROVIDE THE COURT WITH A CHANGE OF ADDRESS MAY BE HELD IN CONTEMPT.

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 Martin marked PRESENT.

SB 71 was lifted from the table for consideration on motion of Senator Holloway.

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

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

The roll call vote on SB 71 w SA 1 w SA 1 was then taken; however, the roll call was laid on the table before being announced on motion of Senator Holloway.

At 3:45 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:35 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SA 1 to SA 1 to SB 72. Sponsor: Senator Holloway. Placed with the Bill.

SA 7 to SB 386. Sponsor: Senator Torbert. Placed with the Bill.

SA 1 to SB 493 was introduced and placed with the Bill. Sponsors: Senators Adams and Vaughn; Representative Barnes.

SA 3, SA 4, SA 5, SA 6 to SB 386. Sponsor: Senator Torbert. Placed with the Bill.

SA 1 to SB 516. Sponsor: Senator Sharp. Placed with the Bill.

SB 524 - AN ACT TO AMEND CHAPTER 48, TITLE 29, DELAWARE CODE, RELATING TO LOTTERIES. Sponsor: Senator Holloway. Assigned to Revenue and Taxation Committee.

HB 541 was reported out of the Community Affairs Committee: 4 Merits.

SB 72 was deferred on motion of Senator Sharp at the request of the sponsor, Senator Holloway. No objection.

SB 386 w SA 1, 2 was lifted from the table for consideration on motion of Senator Torbert.

During discussion of the Bill and the several Amendments offered to it, the privilege of the floor was extended to Michael Purzycki and Henry Ridgely (Senate attorneys).

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

At 4:49 p.m., Lt. Governor Castle presiding.

SA 4 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Torbert and the roll call vote taken which revealed:

YES: Senators Adams, Bair, Citro, Cook, Cordrey, Holloway, Marshall, Martin, Neal, Sharp, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Berndt, Connor, Knox, Littleton, McBride - 5.

NOT VOTING: Senators Hughes and McDowell - 2.

ABSENT: Senator Arnold - 1.

Therefore, the Amendment was declared adopted.

SA 5 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Torbert and the roll call vote taken which revealed:

YES: Senators Adams, Bair, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, Neal, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Berndt and McDowell - 2.

NOT VOTING: Senators Hughes and Sharp - 2.

ABSENT: Senator Arnold - 1.

Therefore, the Amendment was declared adopted.

SA 6 to the Bill which had been placed with the Bill was considered for adoption on motion of Senator Torbert and the roll call vote taken which revealed 20 Senators voting YES and 1 (Arnold) ABSENT; therefore, the Amendment was declared adopted.

SA 7 to the Bill which had been placed with the Bill was considered for adoption on motion of Senator Torbert and the roll call vote taken which revealed 20 Senators voting YES and 1 (Arnold) ABSENT; therefore, the Amendment was declared adopted.

SA 8 to the Bill was introduced by Senator Torbert and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Holloway, Knox, Littleton, McBride, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Cordrey, Marshall, Martin, McDowell, Neal, Sharp - 6.

ABSENT: Senators Arnold and Hughes - 2.

Therefore, the Amendment was declared adopted.

SB 386 w SA 1, 2, 3, 4, 5, 6, 7, 8 was then laid on the table on motion of Senator Torbert.

SR 74 was introduced and considered for adoption on motion of Senator Sharp:

SR 74 - CONGRATULATING PATRICIA A. HAGARTY, OF WILMINGTON, UPON HER SELECTION AS THE WINNER OF THE FIRST REGIONAL DIRECTOR'S VOLUNTEER AWARD OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES. Sponsors: Senator Sharp and all the Senators.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Arnold and Hughes) ABSENT; therefore, the Resolution was declared adopted.

Pursuant to the above Resolution, Senator Sharp presented the First Regional Director's Volunteer Award of the Department of Health and Human Services to Patricia Hagarty, Reading Clerk of the Delaware State Senate.

At 5:57 p.m. on motion of Senator Sharp, the Senate recessed until May 4, 1982 at 2:00 p.m.

The Senate reconvened at 2:23 p.m., May 4, 1982, Senator Cordrey presiding.

SB 525 was introduced and assigned to Administrative Services/Energy Committee:

SB 525 - AN ACT TO AMEND CHAPTER 4, TITLE 24 OF THE DELAWARE CODE RELATING TO THE LICENSING OF BARBERS. Sponsor: Senator Holloway.

At 2:25 p.m. on motion of Senator Sharp the Senate adjourned to immediately convene for the 23rd Legislative Day.

23RD LEGISLATIVE DAY

May 4, 1982

The Senate convened at 2:25 p.m., Senator Cordrey 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

At 2:26 p.m., Lt. Governor Castle presiding.

The Journal of the previous day was approved as read on motion of Senator Sharp.

A note addressed to the Secretary of the Senate from U.S. Senator William Roth was read expressing appreciation for SCR 104.

A note addressed to Senator Cordrey from Mrs. Paul Dolan expressing appreciation for SCR 124 was read.

Senator Neal introduced the pupils from the Wilmington Christian School who were present in the chamber.

SB 497 was reported out of the Executive Committee: 5 Merits.

SSI for SB 254 was introduced and adopted for the Original on motion of Senator Sharp:

SS 1 for SB 254 - AN ACT TO AMEND TITLE 18, DELAWARE CODE, BY ADDING SECTION 2525(e) REQUIRING INSURERS LICENSED IN THIS STATE TO WRITE PROPERTY OR CASUALTY INSURANCE TO SUBMIT A LOSS AND EXPENSE EXPERIENCE REPORT WITH ITS ANNUAL STATEMENT. Sponsor: Senator Sharp. Assigned to Insurance and Elections Committee.

SCR 117 was introduced and considered for adoption on motion of Senator Holloway:

SCR 117 - REQUESTING THE PRESIDENT AND THE CONGRESS NOT TO IMPOSE AN IMPORT FEE ON FOREIGN OIL. Sponsors: Senators Holloway and Berndt.

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.

Senator McDowell marked PRESENT.

SR 75 was introduced and considered for adoption on motion of Senator Holloway:

SR 75 - ENCOURAGING BUSINESS AND INDUSTRY, WHERE FEASIBLE, TO PROVIDE EMPLOYEE CAFETERIA SERVICES OPERATED BY THE COMMISSION FOR THE BLIND. Sponsor: Senator Holloway.

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.

SB 355 was taken up for consideration on motion of Senator Berndt:

SB 355 - AN ACT TO AMEND CHAPTER 23, TITLE 12, OF THE DELAWARE CODE RELATING TO DECEDENTS ESTATES PROVIDING FOR ADMINISTRATION OF SMALL ESTATES AND CLAIMS FOR ALLOWANCES OF A SURVIVING SPOUSE.

The privilege of the floor was extended to Richard G. Bacon (Decedent Estate & Trust Committee, Delaware Bar Association).

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

SB 356 was taken up for consideration on motion of Senator Berndt:

SB 356 - AN ACT TO AMEND CHAPTER 15, TITLE 12 OF THE DELAWARE CODE RELATING TO THE REQUIREMENT OF A BOND FOR A PERSONAL REPRESENTATIVE OF A DECEDENT.

The privilege of the floor was extended to Richard G. Bacon (Decedent Estate & Trust Committee, Delaware Bar Association).

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

Senator Connor introduced to the Senate teachers and pupils from William Penn High School who were present in the Chamber.

Senator Neal introduced to the Senate members from the Newark Police Force who were present in the Chamber.

At 3:25 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:22 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Revenue and Taxation Committee: SB 515 - 1 Favorable, 4 Merits.

From the Finance Committee: HB 414 w HA 1 - 4 Merits; HB 458 - 4 Merits.

SA 9 to SB 386 was introduced by Senator Berndt and placed with the Bill.

SB 502 was taken up for consideration on motion of Senator McDowell:

SB 502 - AN ACT TO AMEND CHAPTER 59 OF TITLE 29, DELAWARE CODE BY PROVIDING FOR THE ASSIGNMENT OF RETIRED JUSTICES AND STATE JUDGES TO ACTIVE DUTY.

The privilege of the floor was extended to Victor Battaglia.

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

SB 492 was taken up for consideration on motion of Senator Adams:

SB 492 - AN ACT TO AMEND CHAPTER 41, TITLE 21, OF THE DELAWARE CODE RELATING TO FAILURE TO STOP AT THE COMMAND OF A POLICE OFFICER.

The privilege of the floor was extended to Captain Thomas Roman of the Delaware State Police.

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

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 18.

NO: Senator Neal - 1.

ABSENT: Senators Citro and Martin - 2.

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

SB 496 was taken up for consideration on motion of Senator Adams:

SB 496 - AN ACT TO AMEND CHAPTER 42, TITLE 21, OF THE DELAWARE CODE RELATING TO LEAVING THE SCENE OF A PERSONAL INJURY ACCIDENT.

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

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 18.

NO: Senator Neal - 1.

ABSENT: Senators Citro and Martin - 2.

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

SB 493 was taken up for consideration on motion of Senator Adams:

SB 493 - AN ACT TO AMEND CHAPTER 2, TITLE 11, OF THE DELAWARE CODE RELATING TO THE DEFINITION OF THE TERM "FIREARM."

SA 1 to the Bill which had been placed with the Bill was considered for adoption on motion of Senator Adams and the roll call vote taken which revealed 19 Senators voting YES and 2 (Citro and Martin) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on **SB 493 w SA 1** was then taken and revealed 19 Senators voting YES and 2 (Citro and Martin) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 494 was taken up for consideration on motion of Senator Adams:

SB 494 - AN ACT TO AMEND CHAPTER 5, TITLE 11, OF THE DELAWARE CODE RELATING TO RECEIVING A STOLEN FIREARM.

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

SB 495 was taken up for consideration on motion of Senator Adams:

SB 495 - AN ACT TO AMEND CHAPTER 5, TITLE 11, OF THE DELAWARE CODE RELATING TO THEFT OF A FIREARM.

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

At 5:28 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 5, 1982.

The Senate reconvened at 2:20 p.m., May 5, 1982, Lt. Governor Castle presiding.

SCR 118 was introduced and considered for adoption on motion of Senator McBride:

SCR 118 - CONGRATULATING THE CONRAD JUNIOR HIGH SCHOOL CONCERT BAND AND BAND DIRECTOR MARK DONOVAN FOR TAKING FIRST PRIZE AT THE NATIONAL/INTERNATIONAL MUSIC FESTIVAL IN ORLANDO, FLA. Sponsors: Senators McBride, Sharp, Citro, Marshall; Representatives Campanelli, VanSciver, Corozzi, Spence.

The roll call vote on the Resolution was taken and revealed 15 Senators voting YES and 6 (Arnold, Connor, Littleton, Martin, Sharp, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The following legislation was introduced:

SB 526 - AN ACT TO AMEND CHAPTER 62, TITLE 7 OF THE DELAWARE CODE RELATING TO LIABILITY AND FINANCIAL RESPONSIBILITY OF VESSELS AND FACILITIES INVOLVED IN THE TRANSPORTATION, STORAGE OR TRANSFER OF OIL AND RELATED PETROLEUM PRODUCTS. Sponsor: Senator Knox. Assigned to Natural Resources and Environmental Control Committee.

SA 2 to SS 1 for SB 404. Sponsors: Senators Hughes and Berndt. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 615 and adopted HCR 149 and HCR 153.

HCR 153 was introduced and considered for adoption on motion of Senator Cordrey:

HCR 153 - WELCOMING BERT THE BOOKWORM TO THE 131ST GENERAL ASSEMBLY TO SELL HIS SPECIAL LIBRARY PROGRAM FOR SUMMER 82. Sponsor: Representative Maroney.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Connor, Littleton, Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

Pursuant to the above Resolution, Senator Cordrey introduced the winners of the reading contest to the Senate.

The following legislation was introduced:

HB 615 - AN ACT TO AMEND CHAPTER 212, VOLUME 25, LAWS OF DELAWARE, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF BETHANY BEACH AND GIVING IT AUTHORITY TO ISSUE BONDS" AS AMENDED, BY INCREASING THE AMOUNT WHICH THE TOWN OF BETHANY BEACH MAY RAISE BY TAXATION OF ASSESSABLE REAL ESTATE. Sponsors: Representative Derriksen; Senator Cordrey. Assigned to Community Affairs Committee.

HCR 148 - MOURNING THE DEATH OF JAMES DOMINIC FALLON, JR., OF SEAFORD, HUSBAND OF REPRESENTATIVE EVELYN K. (TINA) FALLON, AND A 1958 FULBRIGHT SCHOLAR. Sponsor: Representative Burris and all Representatives and Senators.

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 (Connor, Littleton and Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 149 - CONGRATULATING THE ROBBINS HOSE COMPANY FOR SERVING DOVER AND DELAWARE IN THE BEST SPIRIT OF VOLUNTARISM FOR 100 YEARS. Sponsors: Representatives Harrington, Riddagh, Bennett, Minner, Buckworth, Darling; Senators Cook, Zimmerman, Torbert.

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

Senator Sharp introduced students from the Red Clay Consolidated School District who were present in the Chamber.

At 2:44 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 24th Legislative Day.

24TH LEGISLATIVE DAY

May 5, 1982

The Senate convened at 2:44 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

SS 1 for SB 404 was taken up for consideration on motion of Senator Cordrey:

SS 1 for SB 404 - AN ACT TO AMEND PART VI, TITLE 3, DELAWARE CODE, TO PROVIDE FOR THE HUMANE KILLING OF ANIMALS HELD IN A SHELTER.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to Frank A. Newton (Kent County S.P.C.A.), Lois Stevenson (A.V.M.A. Euthanasia Panel), Carol Zigman (Delaware S.P.C.A.), Jean Hayes (Kent County S.P.C.A.), John E. Babiarz (former Mayor of Wilmington), Mark E. Sekerke (Delaware Human Association) and Patricia W. Prescott (Delaware Humane Association).

At 4:56 p.m., Senator Sharp presiding.

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

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:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Torbert, Vaughn - 16.

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

Therefore, the Amendment was declared adopted.

The Bill was then laid on the table on motion of Senator Cordrey.

At 5:21 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., May 6, 1982.

The Senate reconvened at 2:18 p.m., Lt. Governor Castle presiding.

SB 520 was reported out of the Executive Committee: 5 Merits.

The following legislation was introduced:

SB 527 - AN ACT TO AMEND §2901(a), TITLE 25 DELAWARE CODE RELATING TO LIENS FOR TAXES AND OTHER GOVERNMENT CHARGES TO LIMIT SAID LIENS TO THE SPECIFIC REAL ESTATE UPON WHICH SAID LIENS AND OTHER GOVERNMENT CHARGES HAVE BEEN LEVIED OR IMPOSED. Sponsor: Senator Neal. Assigned to Administrative Services/Energy Committee.

SB 528 - AN ACT TO AMEND CHAPTER 65, TITLE 29, DELAWARE CODE, RELATING TO PROMPT PAYMENT OF BILLS BY AGENCIES OF THE STATE OF DELAWARE. Sponsors: Senators Zimmerman, Cordrey, McDowell, Bair, Neal. Assigned to Finance Committee.

SB 529 - AN ACT TO AMEND TITLE 10, CHAPTER 87, DELAWARE CODE ANNOTATED, RELATING TO SUSSEX COUNTY SHERIFF AND PROTHONOTARY. Sponsors: Senators Cordrey, Adams and Littleton. Assigned to Judiciary Committee.

SB 530 - AN ACT TO AMEND SECTION 9418, TITLE 9, OF THE DELAWARE CODE ANNOTATED, AS IT RELATES TO THE SUSSEX COUNTY CLERK OF THE PEACE. Sponsors: Senators Adams, Cordrey and Littleton. Assigned to Community Affairs Committee.

SB 531 - AN ACT TO AMEND SECTION 6305, TITLE 9, OF THE DELAWARE CODE ANNOTATED, AS IT RELATES TO SUSSEX COUNTY BUILDING PERMIT FEES. Sponsors: Senators Adams, Cordrey and Littleton. Assigned to Community Affairs Committee.

SB 532 - AN ACT TO AMEND SUBCHAPTER VI, CHAPTER 39, TITLE 12, DELAWARE CODE, RELATING TO POWERS AND DUTIES OF THE PUBLIC GUARDIAN. Sponsor: Senator McDowell. Assigned to Judiciary Committee.

SB 533 - AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE RELATING TO THE USE OF A SPECIAL GREEN LIGHT FOR A COMMAND POST AT AN ACCIDENT, FIRE OR DISASTER. Sponsors: Senators Sharp and Hughes; Representatives Spence, Gilligan, Minner, Campanelli, Oberle, Cathcart, Edwards. Assigned to Public Safety Committee.

SB 534 - AN ACT TO AMEND §8405, TITLE 11, DELAWARE CODE RELATING TO MANDATORY TRAINING FOR POLICE OFFICERS. Sponsor: Senator Arnold. Assigned to Public Safety Committee.

SA 3 to SB 252. Sponsor: Senator Neal. Placed with the Bill.

SA 10 to SB 386. Sponsor: Senator Zimmerman. Placed with the Bill.

SB 528 which had been assigned to the Finance Committee was reassigned to the Small Business Committee at the request of the sponsor, Senator Zimmerman.

SR 76 - DIRECTING LEGISLATIVE COUNCIL TO PROVIDE TO THE MEMBERS OF THE GENERAL ASSEMBLY A LISTING OF JUDICIAL OPINIONS INDICATING LEGAL PROBLEMS DESERVING THE ATTENTION OF THE GENERAL ASSEMBLY. Sponsors: Senators, Neal, Sharp.

The Resolution was laid on the table on motion of Senator Neal.

At 2:40 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 25th Legislative Day.

25TH LEGISLATIVE DAY
May 6, 1982

The Senate convened at 2:40 p.m., Lt. Governor Castle 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, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21. The Journal of the previous day was approved as read on motion of Senator Sharp.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 145; HCR 146; HCR 147; HCR 151; HCR 152; SCR 113; SCR 114; SCR 115; SCR 116.

The following message from the White House was read:

THE WHITE HOUSE
WASHINGTON
May 3, 1982

Dear Miss Caniford and Mr. Johnson:

Thank you for sending President Reagan Concurrent Resolution 69 adopted by the Delaware General Assembly.

Your courtesy in bringing this statement of views to his attention is appreciated, and you may be sure that it has been fully noted.

With best wishes to you and the members of the General Assembly,

Sincerely,
Anne Higgins,
Special Assistant to the President
and Director of Correspondence

The Honorable Betty Jean Caniford
Secretary of the Senate
The Honorable D. R. Johnson
Chief Clerk of the House of Representatives
Legislative Hall
Dover, Delaware

SCR 119 was introduced and considered for adoption on motion of Senator Adams:

SCR 119 - REQUESTING THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT THE BIPARTISAN RESOLUTION ASKING THE SECRETARY OF AGRICULTURE TO OPEN A \$600-MILLION EMERGENCY CREDIT FUND TO ASSIST FARMERS WHO NEED LAST-RESORT LOANS. Sponsors: Senator Adams and Representative Barnes.

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 sent to the House for consideration.

HCR 145 was introduced and considered for adoption on motion of Senator Torbert:

HCR 145 - MOURNING THE DEATH OF MATTIE WALLS BROWN, OF WYOMING, DELAWARE MOTHER OF THE YEAR IN 1951. Sponsors: Representatives Bennett and Buckworth; Senator Torbert.

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.

HCR 146 was introduced and considered for adoption on motion of Senator Knox:

HCR 146 - CONGRATULATING CHARLES E. MARVIL, OF GREEN ACRES, ON HIS SELECTION AS STATE SOCIAL WORKER OF THE YEAR. Sponsors: Representatives Smith and Maroney; Senator Holloway.

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 147 was introduced and considered for adoption on motion of Senator Torbert:

HCR 147 - CONGRATULATING FRANKLIN R. (FRANK) SHAKESPEARE, ELLIS, D. TAYLOR, JOHN J. TOSI, SR., CHARLES A. (CHIP MARSHALL) MARCHLEWICZ, THE REV. JAMES V. O'NEILL, CLIFFORD E. GARVINE AND FRANK L. COVERLESKI UPON THEIR ELECTION TO THE DELAWARE SPORTS HALL OF FAME. Sponsors: Representative Bennett and Senator Torbert.

Senator Marshall was added as co-sponsor of the Resolution after which the roll call vote was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 151 was introduced and considered for adoption on motion of Senator Knox:

HCR 151 - CONGRATULATING JOSH W. McDONALD, OF FAIRFAX, A NATIONAL WINNER IN THE VETERANS OF FOREIGN WARS' VOICE OF DEMOCRACY CONTEST. Sponsors: Representative Sincok; Senator Berndt.

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 152 was introduced and considered for adoption on motion of Senator McDowell:

HCR 152 - COMMEMORATING THE DEATH ONE YEAR AGO OF MARY ELIZABETH HOUE AND COMMENDING HER EFFORTS AS A HALL DIRECTOR IN SERVICE TO THE UNIVERSITY OF DELAWARE. Sponsors: Representatives Soles and West.

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 485 was taken up for consideration on motion of Senator Sharp:

SB 485 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 47, TITLE 16 OF THE DELAWARE CODE, RELATING TO POSSESSION OF PRESCRIPTION DRUGS.

The privilege of the floor was extended to Kline G. Kemp, Jr. (Delaware Office of Narcotics and Dangerous Drugs, Division of Public Health) after which the Bill was laid on the table on motion of Senator Sharp.

SB 386 w SA 1, 2, 3, 4, 5, 6, 7, 8 was lifted from the table for consideration on motion of Senator Torbert.

During discussion of the Bill and the other Amendments offered to it, the privilege of the floor was extended to Michael Purzycki and Henry Ridgely (Senate Attorneys).

SA 9 to the Bill which had been placed with the Bill was laid on the table on motion of Senator Berndt.

SA 10 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Zimmerman and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Berndt, Citro, Cook, Cordrey, Littleton, Marshall, Martin, McBride, McDowell, Neal, Torbert, Vaughn, Zimmerman - 15.

NOT VOTING: Senators Hughes and Sharp - 2.

ABSENT: Senators Bair, Connor, Holloway and Knox - 4.

Therefore, the Amendment was declared adopted.

SA 9 to the Bill was stricken at the request of the sponsor, Senator Berndt.

SB 386 w SA 1, 2, 3, 4, 5, 6, 7, 8, 10 was then laid on the table on motion of Senator Torbert.

At 3:58 p.m. the Senate recessed for Party Caucus on motion of Senator Sharp and reconvened at 4:43 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 535 - AN ACT TO AMEND PART VII, TITLE 7 OF THE DELAWARE CODE RELATING TO THE UTILIZATION OF SOLAR ENERGY; AND PROVIDING FOR THE CREATION OF SOLAR EASEMENTS. Sponsors: Senators McDowell, Marshall, Neal, Bair, Zimmerman, Knox, Arnold and Martin; Representatives Oberle, Anderson, Cain, Cordrey, Jonkiert, Holloway, Smith. Assigned to Community Affairs/Energy Committee.

SA 1 to SS 1 for SB 254. Sponsor: Senator Sharp. Placed with the Bill.

SA 1 to SA 1 to HB 323. Sponsor: Senator Zimmerman. Placed with the Bill.

SJR 32 - PERMITTING REORGANIZED SCHOOL DISTRICTS TO UTILIZE DIVISION II FUNDS TO ESTABLISH ENERGY MANAGEMENT PROGRAMS. Sponsors: Senators Bair and Berndt; Representatives Soles, Ennis, Jester. Assigned to Education Committee.

SB 386 w SA 1, 2, 3, 4, 5, 6, 7, 8, 10 was lifted from the table for consideration on motion of Senator Torbert.

At 5:04 p.m., Senator Adams presiding.

SA 11 to the Bill was introduced and considered for adoption on motion of Senator Berndt. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Hughes) NOT VOTING; therefore, the Amendment was declared adopted.

The roll call vote on SB 386 w SA 1, 2, 3, 4, 5, 6, 7, 8, 10, 11 was then taken and revealed 20 Senators voting YES and 1 (Hughes) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 414 w HA 1 was taken up for consideration on motion of Senator Cook:

HB 414 w HA 1 - AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO AMOUNT OF SERVICE OR DISABILITY PENSION.

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 458 was taken up for consideration on motion of Senator Cook:

HB 458 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, RELATING TO ELIGIBILITY FOR APPROVED LEAVE.

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 5:20 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 11, 1982.

The Senate reconvened at 2:10 p.m., May 11, 1982, Senator Cordrey presiding.

SB 521 was reported out of the Judiciary Committee: 4 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 496 w HA 1; HB 290; HB 310; HB 339 w HA 1; HB 426 w HA 1 (w HA 1), HA 4, 5; SB 318 and adopted SJR 31.

The following legislation was introduced:

SB 536 - AN ACT TO AMEND CHAPTER 2, TITLE 14, DELAWARE CODE, RELATING TO THE USE OF SCHOOL FACILITIES BY NON-PROFIT COMMUNITY ORGANIZATIONS. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 537 - AN ACT TO AMEND CHAPTER 29 OF TITLE 6 OF THE DELAWARE CODE, RELATING TO RETAIL SALES OF MOTOR FUEL. Sponsors: Senator Adams, Representative Barnes. Assigned to Revenue and Taxation Committee.

HB 290 - AN ACT TO AMEND SECTION 4403, CHAPTER 44, TITLE 6, DELAWARE CODE, PERTAINING TO HOME SOLICITATION SALES, BY EXTENDING THE APPLICATION OF THAT ACT TO TRANSACTIONS CONSUMED AT TRANSIENT PLACES OF BUSINESSES. Sponsors: Representatives Ennis, Hebner, Smith; Senators Bair and Berndt. Assigned to Administrative Services/Energy Committee.

HB 310 - AN ACT TO AMEND CHAPTER 71, TITLE 14, DELAWARE CODE RELATING TO FREE PUBLIC LIBRARIES. Sponsor: Representative Barnes (by request). Assigned to Administrative Services/Energy Committee.

HB 339 w HA 1 - AN ACT TO AMEND CHAPTER 5, TITLE 4, DELAWARE CODE, RELATING TO GROUNDS FOR THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO GRANT A LICENSE. Sponsors: Representatives Cathcart, Roy, Spence, Mack; Senators Citro, Connor. Assigned to Administrative Services/Energy Committee.

HB 426 w HA 1 (w HA 1), HA 4, 5 - AN ACT TO AMEND CHAPTER 37, TITLE 10 OF THE DELAWARE CODE RELATING TO WRONGFUL DEATH ACTIONS. Sponsor: Representative Roy. Assigned to Judiciary Committee.

HB 496 w HA 1 - AN ACT TO AMEND CHAPTER 55, TITLE 15, DELAWARE CODE, RELATING TO ABSENTEE VOTING. Sponsors: Representatives Buckworth, Harrington, Riddagh; Senators Knox and Arnold. Assigned to Insurance and Election Committee.

SR 77 - THANKING THE PHILLIES FOR THEIR MANY GAMES THE MEMBERS OF THE GENERAL ASSEMBLY ENJOYED WHILE THE TEAM WAS OWNED BY THE CARPENTER FAMILY OF MONTAHANIN. 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 (Bair, Connor, Martin, McDowell and Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

The following Committee reports were announced:

From the Education Committee: SS 1 for SB 354 - 4 Favorable; SB 416 - 4 Merits.

At 2:18 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 26th Legislative Day.

26TH LEGISLATIVE DAY
May 11, 1982

The Senate convened at 2:18 p.m., Senator Cordrey.

A Prayer was offered by Senator Hughes.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

Senator Sharp introduced to the Senate the students from the Immaculate Heart of Mary School who were present in the Chamber.

Senators Marshall and Bair marked PRESENT.

SB 510 was taken up for consideration on motion of Senator Marshall:

SB 510 - AN ACT TO AMEND CHAPTER 42 OF TITLE 11 OF THE DELAWARE CODE RELATING TO THE PROCEDURE FOR DETERMINING PUNISHMENT FOR FIRST DEGREE MURDER.

The privilege of the floor was extended to Don C. Brown (Chief Deputy Attorney General) and Richard J. McMahon (Attorney General's Office).

Senators Zimmerman, Connor and McDowell marked PRESENT.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Littleton, Marshall, McBride, Neal, Sharp, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Holloway and Knox - 2.

NOT VOTING: Senators Hughes and McDowell - 2.

ABSENT: Senator Martin - 1.

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

SB 511 was taken up for consideration on motion of Senator Marshall:

SB 511 - AN ACT TO AMEND CHAPTER 43, TITLE 11 OF THE DELAWARE CODE RELATING TO PRESENCE INVESTIGATIONS.

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 21 Senators voting YES; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Richard McMahon of the Attorney General's Office.

The roll call vote on SB 511 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 509 was taken up for consideration on motion of Senator Marshall:

SB 509 - AN ACT TO AMEND CHAPTER 41, TITLE 11 OF THE DELAWARE CODE RELATING TO A SPECIAL LAW ENFORCEMENT ASSISTANCE FUND.

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 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 509 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.

At 3:26 p.m., Senator Hughes presiding.

SB 512 was taken up for consideration on motion of Senator Marshall:

SB 512 - AN ACT TO AMEND CHAPTER 47, TITLE 16 OF THE DELAWARE CODE RELATING TO DRUG TRAFFICKING.

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.

At 3:32 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:12 p.m., Senator Cordrey presiding.

SCR 120 was introduced:

SCR 120 - CONGRATULATING MR. LEWIS A. WELLS ON THE OCCASION OF HIS RETIREMENT FROM THE WESLEY COLLEGE FACULTY ON MAY 15, 1982. Sponsors: Senator Bair and Representative Harrington.

Senator Zimmerman moved that the Resolution be assigned to the Executive Committee and there was no objection.

SCR 121 was introduced:

SCR 121 - CONGRATULATING DR. ROLAND O. JONES ON THE OCCASION OF HIS RETIREMENT FROM THE WESLEY COLLEGE FACULTY ON MAY 15, 1982. Sponsors: Senator Bair and Representative Harrington.

Senator Zimmerman moved that the Resolution be assigned to the Executive Committee. Senator Knox requested a roll call on the motion. The roll call was taken and revealed:

YES: Senators Adams, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 11.

NO: Senators Citro, Connor, Hughes, Knox, Neal - 5.

NOT VOTING: Senator Arnold - 1.

ABSENT: Senators Bair, Berndt, Cook, Littleton - 4.

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

The following legislation was introduced:

SA 1 to SB 515. Sponsor: Senator Marshall. Placed with the Bill.

SB 538 - AN ACT TO AMEND SUBCHAPTER II, TITLE 13, DELAWARE CODE, RELATING TO VIOLATION OF FAMILY COURT SUPPORT ORDERS. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SB 539 - AN ACT TO AMEND CHAPTER 14, TITLE 3, DELAWARE CODE, RELATING TO NOXIOUS WEEDS. Sponsors: Senators Adams and Littleton. Assigned to Agriculture Committee.

SB 540 - AN ACT AWARDING SPECIAL PENSION BENEFITS TO GEORGE A. WARD AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER THE PENSION PROVIDED AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsors: Senators Torbert and Zimmerman; Representative Bennett. Assigned to Finance Committee.

SS 1 for SB 517 - AN ACT TO AMEND CHAPTER 25, TITLE 18 OF THE DELAWARE CODE RELATING TO COMPETITIVE RATING OF WORKMANS COMPENSATION INSURANCE. Sponsor: Senator Sharp. Adopted in lieu of the Original and assigned to Insurance and Elections Committee.

SR 78 - ESTABLISHING AN AD-HOC COMMITTEE TO RECOMMEND QUALIFICATIONS AND STANDARDS FOR HUMAN SERVICES PROFESSIONALS. Sponsors: Senators Bair and Holloway.

The Resolution was considered for adoption on motion of Senator Bair and the roll call vote taken which revealed 20 Senators voting YES and 1 (Cook) ABSENT; therefore, the Resolution was declared adopted.

SB 520 was taken up for consideration on motion of Senator Marshall:

SB 520 - AN ACT TO PROPOSE AN AMENDMENT TO ARTICLE I, SECTION 4 OF THE DELAWARE CONSTITUTION OF 1897 RELATING TO SELECTION OF GRAND JURY MEMBERS AND COMPOSITION OF GRAND JURIES.

The privilege of the floor was extended to Don C. Brown, Chief Deputy Attorney General, after which the Bill was laid on the table on further motion of Senator Marshall.

SB 521 was taken up for consideration on motion of Senator Marshall:

SB 521 - AN ACT TO AMEND CHAPTER 45 OF TITLE 10 TO ELIMINATE THE REQUIREMENT THAT JURY COMMISSIONERS NOTE TEMPORARY EXCUSES OR EXCLUSIONS ON THE JUROR QUALIFICATION FORM.

The privilege of the floor was extended to Don C. Brown (Chief Deputy Attorney General) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Knox, Littleton, Marshall, Martin, McDowell, Neal, Torbert, Vaughn - 16.

NO: Senators Holloway, McBride, Sharp, Zimmerman - 4.

NOT VOTING: Senator Hughes - 1.