











**STATE OF DELAWARE**



**JOURNAL**  
**OF THE**  
**STATE SENATE**

**SESSION**  
**of the**  
**132nd GENERAL ASSEMBLY**

**Convened**  
**Tuesday, January 11, 1983**  
**Dover, Delaware**



**MEMBERSHIP of THE DELAWARE STATE SENATE**  
**132nd GENERAL ASSEMBLY**

**Lt. Governor Michael N. Castle, President of the Senate**  
**Senator Richard S. Cordrey, President pro Tempore**

<u>District</u>	<u>Senator</u>
1st	Harris B. McDowell, III - 2311 Baynard Boulevard, Wilmington 19802
2nd	Herman M. Holloway, Sr. - 2008 Washington Street, Wilmington 19802
3rd	Robert L. Marshall (Marchlewicz) - 601 S. duPont Street, Wilmington 19805
4th	Robert J. Berndt - 312 Beverly Place, Gordon Heights, Wilmington 19809
5th	Myrna L. Bair - 4 Little Leaf Court, Foulk Woods, Wilmington 19810
6th	Andrew G. Knox - 107 Quintynnes Drive, Centreville, Wilmington 19807
7th	Angelo T. Citro - 301 Taylor Road, Rosemont, Wilmington 19804
8th	John H. Arnold - 2223 Downing Lane, Kiamensi Heights, Wilmington 19804
9th	Thomas B. Sharp - 2226 E. Huntington Drive, Pinecrest, Wilmington 19808
10th	James P. Neal - 111 Radcliffe Drive, Newark 19711
11th	Roger A. Martin - 13 Pinedale Road, Windy Hills, Newark 19711
12th	Robert T. Connor - 18 Crippen Drive, Penn Acres, New Castle 19720
13th	David B. McBride - 161 Villas Drive (Apartment 2), New Castle 19720
14th	James T. Vaughn - 201 Washington Street, Clayton 19938
15th	Nancy W. Cook - Post Office Box 127, Kenton 19955
16th	William C. Torbert - 8A Bradys Lane, Dover 19901
17th	Jacob W. Zimmerman - Post Office Box 775, Dover 19903
18th	Ruth Ann Minner - R.D. 3 - Box 694, Milford 19963
19th	Thurman Adams, Jr. - Post Office Box 218, Bridgeville 19933
20th	Richard S. Cordrey - River Drive - Box 486, Millsboro 19966
21st	W. Lee Littleton - 135 Sharptown Road, Laurel 19956

NOTE: Senator Marshall's  
middle initial is incor-  
rectly listed. The  
correct initial is I.



## SENATE STAFF



## SENATE STAFF – 132ND GENERAL ASSEMBLY

Betty Jean Caniford, Secretary  
Bernard J. Brady, Assistant Secretary  
Charles P. Staats, Bill Clerk

Polly J. Adams, Page  
Louise C. Allen, Page  
Roberta A. Andrus, Majority Clerk  
Margaret M. Anstine, Secretary  
David R. Bethards, Sgt.-at-Arms  
Mystle B. Brittingham, Page  
Deborah J. Broadwater, Secretary  
Diane E. Brown, Stamping Room Clerk  
Joseph G. Butler, Sgt.-at-Arms  
Martin Dwayne Caldwell, Stamping Room  
Mary M. Carey, Page  
Juanita G. Carter, Bill Prep Clerk  
Robert H. Carter, Sgt.-at-Arms  
Karen L. Cassidy, Stamping Room Clerk  
Thomas J. Cook, Page  
Ruth S. Crossan, Secretary  
Claire M. DeMatteis, Page  
Michele K. DeMatteis, Bill Prep Clerk  
Jean A. Diener, Secretary (Wilm. Office)  
Kimberly A. Ely, Bill Prep Clerk  
Emily M. Freeman, Page  
Diane Glenn, Page  
Beulah M. Gray, Sgt.-at-Arms  
Nancy R. Green, Secretary (Wilm. Office)  
Tris V. Gregory, Sgt.-at-Arms  
Joyce A. Griffith, Reading Clerk  
Patricia A. Hagarty, Reading Clerk  
Lorielee J. Harrison, Secretary  
Sylvia S. Hatfield, Bill Prep Clerk  
Mary Ann Hearne, Secretary  
Harold M. Hilyard, Stamping Room Clerk  
Phyllis A. Ingram, Secretary  
Florence E. Irwin, Head Page  
Ronald K. Jackson, Page  
Melanie Jeffcott, Secretary  
Mary Ann Kelly, Bill Prep Clerk  
Howard H. Killen, Sgt.-at-Arms

Frank J. Kosakowski, Bill Prep Clerk  
Irene Larkin, Secretary  
John A. Mancus, Page  
Jacqueline Simone Marshall, Stamping Room Clerk  
Deborah Karen Martin, Stamping Room Clerk  
Lisa Ann Martin, Reading Clerk  
Anna Mae Massey, Stamping Room Clerk  
Eleanor M. Mazzio, Bill Prep Clerk  
F. Edward Melvin, Sgt.-at-Arms  
Stephen Jay Mervine, Page  
Karen D. Neal, Page  
Mary Anne Neville, Secretary  
Marina V. Ney, Page  
Richard L. Norwood, Sgt.-at-Arms  
Lois Orth, Bill Prep Clerk  
Arthur J. Pennewill, Bill Prep Clerk  
Ruth E. Potter, Secretary  
Joan S. Powell, Public Address Operator  
Frank A. Ragan, Page  
Jane L. Rylee, Secretary  
Donna K. Sandstrom, Secretary  
Clarence A. Schwatka, Sgt.-at-Arms  
Romayne B. Seward, Calendar Clerk  
Thomas M. Sharp, Page  
Charlie Mae Skinner, Secretary  
Cecilia T. Stegura, Page  
Pearl E. Talley, Head Bill Prep Clerk  
Abberden N. Tickles, Stamping Room Clerk  
Helen C. Truitt, Secretary to President pro Tem  
Joseph A. Ullrich, Journal Clerk  
Bonita S. Welch, Public Address Operator  
C. Carter Wilkie, Stamping Room Clerk  
Charles P. Wilson, Page  
Raymond T. Wilson, III, Sgt.-at-Arms  
Joyce L. Wright, Calendar Clerk  
E. Elaine Yeatman, Bill Prep Clerk

## ADMINISTRATIVE ASSISTANTS

Mark T. Brainard (Majority)  
Jack K. Russell (Majority)  
David E. Wilkins, (Minority)

## ATTORNEYS

Gary F. Dalton, Esq. (Majority)  
Henry duPont Ridgely, Esq. (Minority)  
William J. Walls, Jr., Esq. (Majority)





132ND GENERAL ASSEMBLY  
1ST LEGISLATIVE DAY  
DOVER, DELAWARE  
JANUARY 11, 1983

Pursuant to Section 4, Article 2, of the Constitution of the State of Delaware, the Senate met at Legislative Hall in Dover, Delaware at 1:57 p.m., Lt. Governor Michael Castle presiding.

The following prayer was offered by Reverend Leroy Davis, Rector of St. Mark's Episcopal Church of Millsboro, Delaware:

O God, the fountain of wisdom, whose will is good and gracious, and whose law is truth:

We beseech you to so guide and bless our Senators of the legislature assembled, that they may counsel together in the light of Your inspiration, that they may come to such decisions as may be pleasing in Your sight, and that they may enact such laws as are in accord with Your will.

We further offer our prayer that our Senators, together with all those who support their efforts, both here in this place and at home, may be granted the courage, wisdom, and foresight to provide for the needs of all our people.

We thank You, Lord, for these men and women who consent to give of themselves in the high calling of service to their fellowman in the ministry of legislative endeavor.

These, our prayers, are offered in the sure and certain knowledge that Yours is the everlasting kingdom, O Lord, and You are exalted as head above all. Amen.

Pledge of Allegiance to the Flag.

On motion of Senator Cordrey, and without objection, the Chair appointed Betty Jean Caniford Temporary Secretary of the Senate.

On motion of Senator Cordrey, and without objection, the Chair appointed Patricia Haggarty Temporary Reading Clerk of the Senate.

On motion of Senator Cordrey, and without objection, the Chair appointed Charles Staats Temporary Bill Clerk of the Senate.

At the request of the Chair, the Temporary Secretary called the roll of the members-elect and their Senatorial Districts:

1st District: Harris B. McDowell, III; 2nd District: Herman M. Holloway, Sr.; 3rd District: Robert I. Marshall; 4th District: Robert J. Berndt; 5th District: Myrna L. Bair; 6th District: Andrew G. Knox; 7th District: Angelo T. Citro; 8th District: John H. Arnold; 9th District: Thomas B. Sharp; 10th District: James P. Neal; 11th District: Roger A. Martin; 12th District: Robert T. Connor; 13th District: David B. McBride; 14th District: James T. Vaughn; 15th District: Nancy W. Cook; 16th District: William C. Torbert; 17th District: Jacob W. Zimmerman; 18th District: Ruth Ann Minner; 19th District: Thurman G. Adams, Jr.; 20th District: Richard S. Cordrey; 21st District: W. Lee Littleton.

On motion of Senator Cordrey, and without objection, the Chair appointed Senators Minner and Bair to examine the Certificates of Election.

At 2:01 p.m., the Chair declared a five minute recess for the examination of the Certificates.

The Senate reconvened at 2:05 p.m., Lt. Governor Castle presiding.

Senator Minner reported that the Certificates were found to be in order.

At the request of the Chair, the Temporary Reading Clerk began to read the Certificates of Election.

On motion of Senator Cordrey, and without objection, the reading of one certificate was considered the reading of all the certificates.

ILLUSTRATION OF NEW CASTLE COUNTY  
CERTIFICATE OF ELECTIONS  
THE STATE OF DELAWARE  
NEW CASTLE COUNTY, S.S.

BE IT REMEMBERED, That at the General Election held on Tuesday next after the first Monday in November in the year of our Lord Nineteen Hundred and Eighty-two, for New Castle County, according to the Constitution and Laws of the State of Delaware,

HARRIS B. MCDOWELL, III

was duly elected Senator for Senatorial District Number One in said County 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 election district of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, the Judges constituting the Superior Court in New Castle County, who met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 6th day of November, A.D. 1982.

ALBERT J. STIFTEL  
President Judge  
ANDREW D. CHRISTIE  
Resident Associate Judge  
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ILLUSTRATION OF KENT COUNTY  
CERTIFICATE OF ELECTIONS  
THE STATE OF DELAWARE  
KENT COUNTY, S.S.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and eighty-two for Kent County, according to the Constitution and Laws of the State of Delaware,

NANCY COOK  
was duly elected Senator for the Fifteenth Senatorial District for said County 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, Grover C. Brown 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 this 4th day of November, A.D. 1982.

GROVER C. BROWN, Chancellor  
GEORGE R. WRIGHT, Resident Associate Judge  
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ILLUSTRATION OF SUSSEX COUNTY  
CERTIFICATE OF ELECTIONS  
THE STATE OF DELAWARE  
SUSSEX COUNTY, S.S.

Be it remembered, that at the General Election held on the Tuesday next after the first Monday in November, 1982, for Sussex County, according to the Constitution and Laws of the State of Delaware,  
Lee Littleton

was duly elected Senator for Senatorial District Number 21, which is manifest by calculating and ascertaining the aggregate amount of all the 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, Claud L. Tease and Bernard Balick, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this 4th day of November, 1982.

Claud L. Tease, Res. Assoc. Judge  
Bernard Balick, Assoc. Judge  
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Senator Sharp moved that the Oath of Office of Senator be administered to Senator Cordrey by the Honorable Andrew G. Moore, Associate Justice, Delaware Supreme Court. There was no objection and the oath was administered as follows:

ILLUSTRATION OF OATH OF OFFICE OF MEMBER OF THE GENERAL ASSEMBLY:

"I, Richard D. Cordrey, 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 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."

Richard S. Cordrey, Senator  
Sworn to this 11th day of January, A.D., 1983, before me.  
Andrew G. Moore  
Associate Justice, Delaware Supreme Court  
\*\*\*\*\*

The Oath of Office was then administered to the following Senators by Justice Moore in the following groups:

- Group 1: Senators Adams and Cook
- Group 2: Senators Holloway and Zimmerman
- Group 3: Senators McDowell and McBride
- Group 4: Senator Sharp
- Group 5: Senators Minner and Torbert
- Group 6: Senator Vaughn
- Group 7: Senators Martin and Marshall

The Oath of Office was then administered by Lt. Governor Castle to the following:

- 1: Senator Knox
- 2: Senators Arnold, Berndt and Littleton
- 3: Senator Citro
- 4: Senator Bair
- 5: Senator Connor
- 6: Senator Neal

Senator Cordrey announced that the Majority Leader would be Senator Thomas Sharp and the Majority Whip would be Senator Harris B. McDowell, III.

Senator Connor announced that the Minority Leader would be Senator Andrew G. Knox and the Minority Whip would be Senator John H. Arnold.

SR 1 was introduced by Senator Cordrey and considered for adoption on his motion:

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

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

SR 2 was introduced by Senator Sharp and considered for adoption on his motion:

SR 2 - IN REFERENCE TO ELECTION OF PRESIDENT PRO TEMPORE. Sponsor: Senator Sharp.

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

On motion of Senator Sharp, the Oath of Office of President Pro Tempore was then administered to Senator Cordrey by the Honorable Andrew G. Moore, Associate Justice of the Delaware Supreme Court.

"I, Richard S. Cordrey, 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 President Pro Tempore in the General Assembly of the State of Delaware 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."

RICHARD S. CORDREY, Senator

Sworn to this 11th day of January, A.D., 1983 before me.

ANDREW G. MOORE,

Associate Justice, Delaware Supreme Court

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At 2:40 p.m., on motion of Senator Cordrey, the Senate recessed for a short period and reconvened at 3:57 p.m., Lt. Governor Castle presiding.

SR 3 was introduced and considered for adoption on motion of Senator Cordrey:

SR 3 - IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Senators Cordrey and Sharp.

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.

Pursuant to the above Resolution, the Oath of Office of Secretary of the Senate was administered to Betty Jean Caniford by Lt. Governor Castle.

SR 4 was introduced and considered for adoption on motion of Senator Cordrey:

SR 4 - IN REFERENCE TO TEMPORARY RULES OF THE DELAWARE STATE SENATE. Sponsors: Senators Cordrey and Sharp.

SA 1 to the Resolution was introduced by Senator Zimmerman and considered for adoption on his motion. 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 SR 4 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Resolution was declared adopted.

SR 5 was introduced and considered for adoption on motion of Senator Cordrey:

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

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.

Pursuant to SR 5, Lt. Governor Castle appointed Senators Vaughn and Citro as a Committee to notify the Governor that the Senate was organized.

SR 6 was introduced and considered for adoption on motion of Senator Cordrey:

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

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

Pursuant to the above Resolution, the Chair appointed Senators Marshall and Neal as a Committee to inform the House that the Senate was organized.

SJR 1 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Cordrey:

SJR 1 - IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Senators Cordrey and Sharp.

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

The Secretary announced that a message from the House informed the Senate that it had adopted HJR L.

HJR 1 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Cordrey:

HJR 1 - IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Representatives Gilligan and Clendaniel.

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.

Senator Cordrey moved that the following Committee appointments be made part of this record:

ADMINISTRATIVE SERVICES/ENERGY: Harris B. McDowell, III, Chairman; Senators Nancy W. Cook, William C. Torbert, Robert Marshall, Roger A. Martin, Myrna L. Bair, Robert T. Connor.

AGRICULTURE: Thurman Adams, Chairman; Senators Richard S. Cordrey, James T. Vaughn, Nancy W. Cook; Lee Littleton, John H. Arnold.

BANKING: Richard S. Cordrey, Chairman; Senators Jake Zimmerman, Thurman Adams, Lee Littleton, Angelo T. Citro.

COMMUNITY AFFAIRS: Ruth Ann Minner, Chairman; Senators William C. Torbert, Harris B. McDowell, Myrna L. Bair, Robert T. Connor.

CORRECTIONS: James T. Vaughn, Chairman; Senators Thomas B. Sharp, Herman M. Holloway, Sr., Nancy W. Cook, Angelo T. Citro, Lee Littleton.

EDUCATION: David B. McBride, Chairman; Senators Jake Zimmerman, William C. Torbert, Robert T. Connor, Myrna L. Bair.

ETHICS COMMITTEE: Richard S. Cordrey, Chairman; Senators Thomas B. Sharp, Harris B. McDowell, Andrew G. Knox, John H. Arnold.

EXECUTIVE: Thurman Adams, Chairman; Senators Richard S. Cordrey, Thomas B. Sharp, Roger A. Martin, Andrew G. Knox, John H. Arnold.

FINANCE: Nancy W. Cook, Chairman; Senators Herman M. Holloway, Sr., David B. McBride, James T. Vaughn, Lee Littleton, Robert J. Berndt.

HEALTH-SOCIAL SERVICES/AGING: Herman M. Holloway, Sr., Chairman; Senators Robert Marshall, David McBride, Harris B. McDowell, William C. Torbert, Robert J. Berndt, Andrew G. Knox.

HIGHWAYS AND TRANSPORTATION: Roger A. Martin, Chairman; Senators Thomas B. Sharp, Nancy W. Cook, Ruth Ann Minner, Robert J. Berndt, Robert T. Connor.

INSURANCE AND ELECTIONS: Thomas B. Sharp, Chairman; Senators Jake Zimmerman, Thurman Adams, Lee Littleton, Angelo T. Citro.

DELAWARE COMMISSION ON INTERSTATE COOPERATION: Thurman Adams, Chairman; Senators Herman M. Holloway, Sr., Robert J. Berndt.

JUDICIARY: Thomas B. Sharp, Chairman; Senators Harris B. McDowell, Jake Zimmerman, James T. Vaughn, Robert T. Connor, Angelo T. Citro.

LABOR AND INDUSTRIAL RELATIONS: Robert Marshall, Chairman; Senators Thomas B. Sharp, David B. McBride, Herman M. Holloway, Sr., Roger A. Martin, Lee Littleton, James P. Neal.

NATURAL RESOURCES/ENVIRONMENTAL CONTROL: Jake Zimmerman, Chairman, Senators Richard S. Cordrey, Roger A. Martin, Ruth Ann Minner, Andrew G. Knox, Robert J. Berndt.

PUBLIC SAFETY: William C. Torbert, Chairman; Senators Thomas B. Sharp, James T. Vaughn, Thurman Adams, Ruth Ann Minner, Angelo T. Citro, James P. Neal.

REVENUE AND TAXATION: Robert Marshall, Chairman; Senators Richard S. Cordrey, David B. McBride, Herman M. Holloway, Sr., John H. Arnold, James P. Neal.

SMALL BUSINESS: Jake Zimmerman, Chairman; Senators Richard S. Cordrey, James P. Neal, Harris B. McDowell, Myrna L. Bair.

SUNSET: Harris B. McDowell, Chairman; Senators William C. Torbert, Robert Marshall, Myrna L. Bair, Robert Connor.

LEGISLATIVE COUNCIL: Senators Richard S. Cordrey, Thomas B. Sharp, Nancy W. Cook, Andrew G. Knox, John H. Arnold.

SENATE LEADERSHIP (13 Democrats, 8 Republicans):

President Pro Tem: Richard S. Cordrey

Majority Leader: Thomas B. Sharp.

Majority Whip: Harris B. McDowell, III

Minority Leader: Andrew G. Knox

Minority Whip: John H. Arnold.

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SR 7 was introduced and considered for adoption on motion of Senator Bair:

**SR 7 - EXTENDING DEEPEST SYMPATHY AND SPIRITUAL SUPPORT TO OUR COLLEAGUE ANGELO CITRO AND HIS FAMILY UPON THE DEATH OF HIS WIFE PATRICIA CLANCY CITRO.** Sponsors: Senators Bair, Adams, Arnold, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, 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.

Pursuant to SR 7, the Senate paused for a moment of silent prayer on motion of Senator Marshall.

Representative Bruce Ennis was admitted to the Chamber and informed the Senate that the House was organized and in session.

At 4:25 p.m. on motion of Senator Cordrey, the Senate recessed until 1:30 p.m., January 12, 1983.

The Senate reconvened at 1:49 p.m., January 12, 1983, Senator Cordrey presiding.

The following legislation was introduced:

**SB 1 - AN ACT TO AMEND TITLE 30, DEL. C., RELATING TO THE COLLECTION OF REALTY TRANSFER TAX.** Sponsors: Senator Cordrey; Representative Bennett. Assigned to Revenue and Taxation Committee.

**SB 3 - AN ACT TO AMEND CHAPTER 6, TITLE 17, DELAWARE CODE, AUTHORIZING THE DEPARTMENT OF HIGHWAYS AND TRANSPORTATION OF THE STATE OF DELAWARE TO CONSTRUCT, MAINTAIN, REPAIR, IMPROVE AND OPERATE AN EXPRESS TOLL HIGHWAY FROM A POINT IN THE VICINITY OF U.S. ROUTE 13 BELOW THE CITY OF DOVER NEAR WOODSIDE TO A CONNECTION WITH THE EXISTING DELAWARE TURNPIKE, INCLUDING A SPUR TO U.S. ROUTE 301 TO THE MARYLAND STATE LINE, TO MAINTAIN, REPAIR, IMPROVE AND OPERATE THE EXISTING DELAWARE TURNPIKE, TO ISSUE TURNPIKE REVENUE BONDS OF THE DEPARTMENT, PAYABLE SOLELY FROM TOLLS AND OTHER REVENUES, FOR THE PURPOSE OF PAYING, WITH OTHER AVAILABLE FUNDS, THE COST OF SAID EXPRESS TOLL HIGHWAY AND IMPROVEMENTS TO THE EXISTING DELAWARE TURNPIKE AND FOR THE PURPOSE OF REFUNDING TURNPIKE REVENUE BONDS ISSUED FOR THE EXISTING DELAWARE TURNPIKE, TO COLLECT TOLLS FOR THE USE OF THE DELAWARE TURNPIKES AND TO PLEDGE SUCH TOLLS AND OTHER REVENUES TO THE PAYMENT OF THE TURNPIKE REVENUE BONDS AND THE STATE BONDS HEREIN AUTHORIZED; AUTHORIZING THE DEPARTMENT TO ISSUE TURNPIKE REVENUE REFUNDING BONDS; AUTHORIZING THE STATE OF DELAWARE TO BORROW MONEY FOR THE PURPOSE OF PAYING A PART OF THE COST OF SAID EXPRESS TOLL HIGHWAY AND TO ISSUE BONDS AND NOTES THEREFOR IN AN AMOUNT NOT EXCEEDING \$100,000,000 UPON THE FULL FAITH AND CREDIT OF THE STATE OF DELAWARE; AND REPEALING SECTIONS 601 THROUGH 623, CHAPTER 6, TITLE 17, DELAWARE CODE, UPON PROVISION BEING MADE FOR THE RETIREMENT OF TURNPIKE REVENUE BONDS ISSUED FOR THE EXISTING DELAWARE TURNPIKE.** Sponsor: Senator Zimmerman. Assigned to Finance Committee.

**SB 5 - AN ACT TO AMEND CHAPTER 23, TITLE 19, DELAWARE CODE, RELATING TO THE EXCLUSION OF OFFICERS OF CORPORATIONS FROM WORKMEN'S COMPENSATION.** Sponsor: Senator Zimmerman. Assigned to Labor and Industrial Relations Committee.

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

**SB 6 - AN ACT TO AMEND THE CONSTITUTION OF THE STATE OF DELAWARE BY LIMITING THE HOURS DURING WHICH THE GENERAL ASSEMBLY MAY BE IN SESSION.** Sponsor: Senator Martin. Assigned to Executive Committee.

**SB 7 - AN ACT TO AMEND SECTION 4, ARTICLE II, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE TIME AND FREQUENCY OF SESSIONS OF THE GENERAL ASSEMBLY.** Sponsor: Senator Martin. Assigned to Executive Committee.

**SB 8 - AN ACT TO AMEND CHAPTER 5, TITLE 5 OF THE DELAWARE CODE RELATING TO OFF-PREMISES SALES LICENSES FOR CLUBS AND MULTIPLE ACTIVITY CLUBS.** Sponsor: Senator Minner. Assigned to Administrative Services/Energy Committee.

**SB 9 - AN ACT TO AMEND SECTION 4347, TITLE 11, DELAWARE CODE RELATING TO PAROLE PROCEDURE.** Sponsors: Senator Vaughn, Representative Plant (co-sponsor). Assigned to Judiciary Committee.

**SB 10 - AN ACT TO AMEND CHAPTER 41, TITLE 21, DELAWARE CODE, RELATING TO CARELESS OR INATTENTIVE DRIVING.** Sponsor: Senator Holloway. Assigned to Public Safety Committee.

**SB 11 - AN ACT TO AMEND CHAPTER 41, TITLE 21, DELAWARE CODE, RELATING TO CARELESS OR INATTENTIVE DRIVING.** Sponsor: Senator Holloway. Assigned to Public Safety Committee.

**SB 12 - 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: Senator Adams, Vaughn; Representatives Barnes, Clendaniel. Assigned to Public Safety Committee.

SB 13 - AN ACT TO AMEND CHAPTER 2, TITLE 11, OF THE DELAWARE CODE RELATING TO THE DEFINITION OF THE TERM "FIREARM". Sponsors: Senators Adams, Vaughn; Representatives Barnes, Clendaniel. Assigned to Judiciary Committee.

SB 14 - 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, Vaughn; Representatives Barnes, Clendaniel. Assigned to Public Safety Committee.

SB 15 - AN ACT TO AMEND CHAPTER 27, SUBCHAPTER 1, TITLE 21, DELAWARE CODE, RELATING TO APPLICATION BY MINOR FOR LICENSE. Sponsor: Senator Torbert. Assigned to Public Safety Committee.

SB 16 - AN ACT TO AMEND CHAPTER 71, TITLE 29, DELAWARE CODE RELATING TO MILEAGE RATES FOR PRIVATELY OWNED VEHICLES. Sponsor: Senator Torbert (by request). Assigned to Revenue and Taxation Committee.

SB 17 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO CONFLICT OF INTEREST. Sponsor: Senator Torbert. Assigned to Executive Committee.

SB 18 - 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. Sponsor: Senator Torbert. Assigned to Executive Committee.

SB 19 - AN ACT TO AMEND TITLE 24, SECTION 1781, DELAWARE CODE PERTAINING TO THE ANATOMICAL GIFTS BY MINORS WITH PARENTAL CONSENT. Sponsors: Senators Cordrey, Bair; Representatives Maroney, Soles. Assigned to Administrative Services/Energy Committee.

At the request of Senator Torbert (and without objection) SB 16 was reassigned from the Revenue and Taxation Committee to the Finance Committee.

At the request of Senator Cordrey (and without objection) SB 19 was reassigned from the Administrative Services/Energy Committee to the Health-Social Services/Aging Committee.

At 2:00 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 2nd Legislative Day.

#### 2ND LEGISLATIVE DAY January 12, 1983

The Senate convened at 2:00 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

Representatives Petrilli and Anderson were admitted to the Chamber and they informed the Senate that a special meeting to explain the financial condition of the State was about to be held in the House Chamber.

At 2:13 p.m. on motion of Senator Sharp, the Senate recessed to attend the meeting in the House and reconvened at 4:35 pm., Senator Cordrey presiding.

Senators Connor, Knox, McBride, McDowell and Martin marked PRESENT.

The following legislation was introduced:

SB 20 - AN ACT TO AMEND CHAPTER 5, TITLE 11, OF THE DELAWARE CODE RELATING TO THEFT OF A FIREARM. Sponsors: Senators Adams, Vaughn; Representatives Barnes, Clendaniel. Assigned to Judiciary Committee.

SB 21 - AN ACT TO AMEND CHAPTER 5, TITLE 11, OF THE DELAWARE CODE RELATING TO RECEIVING A STOLEN FIREARM. Sponsors: Senators Adams, Vaughn; Representatives Barnes, Clendaniel. Assigned to Judiciary Committee.

SB 22 - AN ACT TO AMEND TITLE 28, DELAWARE CODE, TO PROVIDE FOR THE REGULATION AND CONTROL OF LOTTERIES CONDUCTED BY VOLUNTEER FIRE COMPANIES, VETERAN ORGANIZATIONS, RELIGIOUS OR CHARITABLE ORGANIZATIONS, OR BY FRATERNAL SOCIETIES AND AUTHORIZING THE DELAWARE GAMING CONTROL BOARD TO IMPLEMENT SUCH LOTTERIES. Sponsors: Senators Marshall, Citro; Representatives Jonkiert, Campanelli, Gilligan, Free. Assigned to Community Affairs Committee.

SB 23 - AN ACT AWARDED 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, Zimmerman, Minner; Representative Bennett. Assigned to Finance Committee.

SB 24 - AN ACT TO AMEND SUBCHAPTER 1, CHAPTER 19, TITLE 11, DELAWARE CODE RELATING TO PROVIDING STATEWIDE AUTHORITY TO CERTAIN POLICE OFFICERS UNDER CERTAIN CONDITIONS. Sponsors: Senators Adams, Vaughn, Arnold, Torbert, Citro, Cordrey, Minner, Sharp; Representatives Clendaniel, Barnes, Spence, Oberle, B. Ennis, VanSant. Assigned to Judiciary Committee.

SB 25 - AN ACT TO AMEND 16 DEL. C., CHAPTER 73, TO REQUIRE THE LABELING OF KEROSENE FUELS SOLD AT RETAIL WITHIN THE STATE OF DELAWARE. Sponsor: Senator McDowell. Assigned to Administrative Services/Energy Committee.

SA 1 to SB 25. Sponsor: Senator McDowell. Placed with the Bill.

SCR 1 was introduced by Senator Bair and considered for adoption on her motion:

SCR 1 - CONGRATULATING THE CONCORD HIGH SCHOOL SOCCER TEAM AND KEN HORNE, THE COACH, ON WINNING THE STATE CHAMPIONSHIP FOR 1982. Sponsors: Senators Bair, Knox, Berndt; Representatives Smith, Hebner, Maroney.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Marshall and Sharp) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 5 was stricken at the request of the sponsor, Senator Zimmerman.

SCR 2 was introduced by Senator Torbert and considered for adoption on his motion:

SCR 2 - COMMENDING BRITTEN HOLLINGER OF THE BOWERS BEACH FIRE COMPANY FOR OUTSTANDING SERVICE TO THE KENT COUNTY FIRE POLICE ASSOCIATION AND THE CITIZENS OF HIS COMMUNITY. Sponsors: Senators Torbert, Minner, Zimmerman; Representatives Terry, Buckworth.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Marshall and Sharp) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The following communication from the Governor was read:

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 11, 1983

The Honorable Michael N. Castle  
President of the Senate  
Delaware State Senate  
Dover, Delaware 19901

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 1982.

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

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The Secretary announced that a message from the House informed the Senate that it had adopted HJR 1.

At 4:53 p.m. on motion of Senator McDowell, the Senate recessed until 1:30 p.m., January 13, 1983.

The Senate reconvened at 2:07 p.m., January 13, 1983, Senator Cordrey presiding.

The following legislation was introduced:

SB 26 - AN ACT TO AMEND TITLE 6, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A MOTOR VEHICLE FRANCHISING PRACTICES ACT. Sponsors: Senator Adams and Representative Clendaniel. Assigned to Public Safety Committee.

SB 27 - AN ACT TO AMEND CHAPTER 25, TITLE 29, DELAWARE CODE, RELATING TO NOTIFICATION OF CRIME VICTIM DURING PLEA NEGOTIATIONS. Sponsor: Senator Cordrey. Assigned to Judiciary Committee.

SB 28 - AN ACT TO AMEND 29 DEL. C., CHAPTER 91, RELATING TO STATE PLANNING AND THE ADVANCED LAND ACQUISITION FUND. Sponsor: Senator Cordrey. Assigned to Finance Committee.

SB 29 - AN ACT TO AMEND CHAPTER 51, TITLE 24, DELAWARE CODE, RELATING TO THE BOARD OF PERSONAL SERVICES. Sponsors: Senators McDowell, Torbert, Connor, Bair, Marshall, Citro; Representatives Barnes, Smith, Jonkiert, Soles. Assigned to Administrative Services/Energy Committee.

SR 8 was introduced and considered for adoption on motion of Senator Sharp:

SR 8 - IN REFERENCE TO ELECTION OF STAFF. Sponsors: Senators Sharp and Cordrey.

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.

At 2:12 p.m., on motion of Senator Sharp, the Senate adjourned to immediately convene for the 3rd Legislative Day.

### 3RD LEGISLATIVE DAY

January 13, 1983

The Senate convened at 2:12 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

Senator Connor marked PRESENT.

At 2:15 p.m., Lt. Governor Castle presiding.

At 2:17 p.m. on motion of Senator Sharp, the Senate recessed for a few minutes and reconvened at 2:20 p.m., Lt. Governor Castle presiding.

Senator Connor introduced to the Senate 3 winners of the Voice of Democracy contest sponsored by the Veterans of Foreign Wars: Karen Anne Pieslak, Edward McLaughlen and Julie Finley. The privilege of the floor was extended to the Statewide winner, Karen Pieslak, who presented her winning address.

The privilege of the floor was then extended to the National Commander-in-Chief of the Veterans of Foreign Wars, James R. Currie, who also addressed the Senate.

SR 10 was introduced and considered for adoption on motion of Senator Connor:

**SR 10 - CONGRATULATING KAREN PIESLAK AS DELAWARE'S STATE WINNER, AND THE DISTRICT WINNERS, IN THE VOICE OF DEMOCRACY PROGRAM SPONSORED BY THE VETERANS OF FOREIGN WARS OF THE UNITED STATES AND ITS LADIES AUXILIARY, AND WELCOMING THE V.F.W. NATIONAL COMMANDER-IN-CHIEF, JAMES R. CURRIE, TO DELAWARE.** Sponsors: Senators Connor, Cordrey, Adams, Bair, Knox and all the Senators.

Senator Martin marked PRESENT.

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

At 2:40 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 2 - AN ACT TO AMEND CHAPTER 19, TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF NURSING, AND PROVIDING FOR A BOARD OF NURSING.** Sponsors: Senator McBride, Representative Soles; Senators Holloway, Marshall, Martin, McDowell, Sharp, Vaughn, Arnold, Citro, Connor, Littleton, Neal; Representatives Anderson, Campanelli, Cordrey, Dixon, B. Ennis, Gilligan, Holloway, Jester, Meconi, Plant, VanSant, Mack, Petrilli, Roy, Spence. Assigned to Health-Social Services/Aging Committee.

**SB 4 - AN ACT TO AMEND CHAPTER 1, TITLE 26 OF THE DELAWARE CODE RELATING TO NUCLEAR POWER PLANTS; AND PROVIDING FOR A MORATORIUM ON ANY FURTHER CONSTRUCTION UNTIL CERTAIN CONDITIONS ARE MET.** Sponsor: Senator McDowell. Assigned to Administrative Services/Energy Committee.

**SB 30 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE II, SECTION 17, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO GAMBLING.** Sponsors: Senators Marshall, Citro; Representatives Jonkier, Campanelli, Gilligan, Free. Assigned to Executive Committee.

**SB 31 - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO OFF-PREMISES SALES LICENSES FOR CLUBS AND MULTIPLE ACTIVITY CLUBS.** Sponsor: Senator Minner. Assigned to Administrative Services/Energy Committee.

**SB 32 - AN ACT TO AMEND SUBCHAPTER VII, CHAPTER II, TITLE 30, DELAWARE CODE RELATING TO WITHHOLDING OF TAX BY EMPLOYERS.** Sponsors: Senators Zimmerman, McDowell, Cordrey, Neal, Bair; Representatives Outten, Clark, Barnes, Bennett. Assigned to Small Business Committee.

**SB 33 - AN ACT TO AMEND CHAPTER 65, TITLE 29, DELAWARE CODE, RELATING TO PROMPT PAYMENT OF INVOICES BY AGENCIES OF THE STATE OF DELAWARE.** Sponsors: Senators Zimmerman, Cordrey, McDowell, Bair, Neal; Representatives Outten, Clark, Barnes, Bennett. Assigned to Small Business Committee.

**SB 34 - AN ACT TO AMEND CHAPTER 24, TITLE 24, DELAWARE CODE, TO GUARANTEE EX-OFFENDERS THE RIGHT TO PURSUE AN OCCUPATION OR TRADE.** Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SR 9 was introduced and consideration for adoption on motion of Senator Holloway:

**SR 9 - URGING MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO SEEK REPEAL OF WITHHOLDING TAXES FROM INTEREST EARNED.** Sponsor: Senator Holloway.

The privilege of the floor was extended to Francis X. Morris (Delaware Bankers Association) to address the Resolution.

The following news article was read at the request of Senator Holloway and also made part of this record:



## SAVERS BEWARE!

The U. S. Congress recently passed a law that will adversely affect savers like you . . .by imposing a 10% Federal withholding tax against the interest you earn on your savings. Artisans' Savings Bank strongly opposes this unfair law because it will lower your interest earnings by reducing the benefits of compounded savings growth. We are fighting for its repeal by Congress. . .but we need your help, "your votes".

Savers . . .don't let them do it...

Act NOW to help repeal this tax.

We urge you to join this campaign by writing letters to your Representatives and Senators in Washington. Tell them that you want the 10% withholding tax on savings interest repealed. Delaware residents should address their letters as follows:

The Honorable Thomas R. Carper

House of Representatives

House Office Building

Washington, D.C. 20515

"Dear Representative Carper"

\* \* \* \* \*

The Honorable William V. Roth

United States Senate

Senate Office Building

Washington, D.C. 20515

"Dear Senator Roth"

\* \* \* \* \*

The Honorable Joseph R. Biden

United States Senate

Senate Office Building

Washington, D.C. 20515

"Dear Senator Biden"

TIME IS SHORT. . .DON'T WAIT...ACT NOW!

ARTISANS' SAVINGS BANK  
"Your Family Financial Center"

\* \* \* \* \*

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

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 1, HCR 2, HCR 3, HCR 4, SCR 1, SCR 2.

HCR 4 was introduced and considered for adoption on motion of Senator Sharp:

HCR 4 - CONGRATULATING THE WILLIAM PENN HIGH SCHOOL FOOTBALL TEAM AND COACH BRUCE REYNOLDS FOR WINNING THE DIVISION I STATE CHAMPIONSHIP FOR THE 1982 SEASON. Sponsors: Representatives Spence, Mack, Dixon, Houghton, Brady, Jester, Myers; Senators Connor, McBride, Sharp.

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

SB 8 was stricken at the request of Senator Minner.

At 4:57 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 18, 1983.

The Senate reconvened at 2:28 p.m., January 18, 1983, Senator Cordrey presiding.

The following Committee reports were announced:

From the Public Safety Committee: SB 15 - 5 Merits; SB 26 - 5 Merits; SB 12 - 1 Favorable, 4 Merits; SB 14 - 1 Favorable, 4 Merits.

The following legislation was introduced:

SB 35 - AN ACT TO AMEND §902, TITLE 22, DELAWARE CODE RELATING TO LIMITATIONS ON THE MUNICIPAL USER TAX AND A PHASED REDUCTION THEREOF UPON NONRESIDENTS OF THE MUNICIPALITY. Sponsor: Senator Arnold. Assigned to Revenue and Taxation Committee.

SA 1 to SB 26. Sponsor: Senator Adams. Placed with the Bill.

HCR 1 was introduced and considered for adoption on motion of Senator Torbert:

HCR 1 - THANKING ARCHIE R. JORDAN, ED. D., RETIRING AS ASSISTANT SUPERINTENDENT FOR PERSONNEL OF THE CAESAR RODNEY SCHOOL DISTRICT, FOR 35 YEARS OF SERVICE TO PUBLIC EDUCATION IN OUR STATE. Sponsors: Representatives Buckworth, Bennett and Wingate; Senator Torbert.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Connor, Martin, McDowell) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 2 was introduced and considered for adoption on motion of Senator Torbert:

HCR 2 - THANKING VIRGINIA DEWEY, OF CAMDEN, RETIRED ON DECEMBER 31, 1982, FOR 30 YEARS OF SERVICE TO PUBLIC EDUCATION IN THE CAESAR RODNEY DISTRICT. Sponsors: Representative Buckworth; Senator Torbert.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Connor, Martin, McDowell) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 3 was introduced and considered for adoption on motion of Senator Berndt:

HCR 3 - MOURNING THE DEATH OF THE REV. GILBERT F. VAN BEVER, FORMER PASTOR OF THE CONCORD PRESBYTERIAN CHURCH, ON OCTOBER 18, 1982. Sponsors: Representatives Boykin, Smith; Senator Berndt.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Connor, Martin, McDowell) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SR 9 was lifted from the table for consideration on motion of Senator Holloway and the roll call vote taken which revealed:

YES: Senators Adams, Bair, Cook, Cordrey, Holloway, Littleton, Marshall, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 14.

NO: Senators Arnold, Berndt, Citro, Knox, Neal - 5.

ABSENT: Senators Connor and Martin - 2.

Therefore, the Resolution was declared adopted.

SCR 3 (sponsored by Senator Holloway) was introduced and laid on the table at the sponsors request:

SCR 3 - REQUESTING THE GOVERNOR OF THE STATE, PRESIDENT PRO TEMPORE OF THE SENATE, AND THE SPEAKER OF THE HOUSE TO APPOINT A FIFTEEN MEMBER TASK FORCE, INCLUDING SUBSTANTIAL REPRESENTATION FROM THE PRIVATE SECTOR, TO STUDY THE FEASIBILITY OF CREATING A STATEWIDE COMMUNITY FOUNDATION TO ASSIST IN ADDRESSING PRESSING COMMUNITY NEEDS IN DELAWARE.

At 2:41 p.m., Lt. Governor Castle presiding.

At 2:38 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 4th Legislative Day.

#### 4TH LEGISLATIVE DAY January 18, 1983

The Senate convened at 2:38 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

At 2:40 p.m., on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:35 p.m., Senator Cordrey presiding.

Two communications from the President Pro Tem were read which informed the Senate that Senators Berndt and Vaughn were appointed as members of the State Clearinghouse Committee.

Senators Connor, Martin and Holloway marked PRESENT.

The following Committee reports were announced:

From the Judiciary Committee: SB 9 - 1 Favorable, 4 Merits; SB 13 - 1 Favorable, 4 Merits; SB 20 - 1 Favorable, 4 Merits; SB 21 - 1 Favorable, 4 Merits; SB 24 - 1 Favorable, 4 Merits; SB 27 - 1 Favorable, 4 Merits.

At 4:40 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 19, 1983.

The Senate reconvened at 2:15 p.m., January 19, 1983, Senator Cordrey presiding.

The following legislation was introduced:

SB 36 - AN ACT TO AMEND SUBCHAPTER 11, TITLE 19, DELAWARE CODE, RELATING TO UNEMPLOYMENT COMPENSATION BENEFITS. Sponsors: Senator McBride, Zimmerman; Representatives Oberle, Dixon, VanSant. Assigned to Labor and Industrial Relations Committee.

SB 37 - AN ACT TO AMEND CHAPTER 30, TITLE 5, DELAWARE CODE, RELATING TO MORTGAGE BANKING. Sponsors: Senator Holloway, Sr. and Representative Holloway, Jr. Assigned to Banking Committee.

SB 38 - AN ACT TO AMEND 29 DEL. C., CHAPTER 50, RELATING TO STATE PLANNING AND THE ADVANCED LAND ACQUISITION FUND. Sponsor: Senator Cordrey. Assigned to Finance Committee.

SB 39 - 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, Littleton, Marshall; Representatives Corrozi, B. Ennis. Assigned to Highways and Transportation Committee.

SA 2 to SB 26. Sponsor: Senator Cordrey. Placed with the Bill.

At the request of Senator Torbert (and without objection) SB 39 was reassigned from the Highways and Transportation Committee to the Public Safety Committee.

SA 3 to SB 26. Sponsor: Senator Adams. Placed with the Bill.

SCR 4 - EXTENDING THE EXISTENCE AND MANDATE OF THE STATE CORRECTIONS OFFICERS PENSION REVIEW COMMITTEE. Sponsors: Senator Vaughn and Connor; Representatives Corrozi and Dixon.

The Resolution was considered for adoption on motion of Senator Vaughn and the roll call vote taken which revealed 16 Senators voting YES and 5 (Arnold, Connor, Holloway, Littleton, 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 passed HB 2.

HB 2 was introduced and assigned to Executive Committee:

HB 2 - AN ACT TO AMEND CHAPTER 9, TITLE 29, DELAWARE CODE RELATING TO THE APPOINTMENT AND DUTIES OF BILL CLERKS. Sponsor: Representative Gilligan.

At 2:21 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 5th Legislative Day.

#### 5TH LEGISLATIVE DAY January 19, 1983

The Senate convened at 2:21 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

SB 15 was taken up for consideration on motion of Senator Torbert:

SB 15 - AN ACT TO AMEND CHAPTER 27, SUBCHAPTER 1, TITLE 21, DELAWARE CODE, RELATING TO APPLICATION BY MINOR FOR LICENSE.

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

Senators Holloway and Littleton marked PRESENT.

SB 26 was taken up for consideration on motion of Senator Adams:

SB 26 - AN ACT TO AMEND TITLE 6, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A MOTOR VEHICLE FRANCHISING PRACTICES ACT.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to William D. Luke, Jr. (Delaware Automobile Dealers Association), John W. Whitby (Kent County Motor Sales Co.), Robert C. Veit (Motor Vehicle Manufacturers Association), Neil W. Talling (Chrysler Corporation), Ford N. Sims (General Motors Corporation), John H. Burton (Delaware Auto Dealers) and Henry Ridgely (Senate Attorney).

SA 1 to the Bill (which had been placed with the Bill) was taken up for consideration on motion of Senator Adams and the roll call vote taken which revealed 19 Senators voting YES and 2 (Connor and Martin) ABSENT; therefore, the Amendment was declared adopted.

SA 2 to the Bill (which had been placed with the Bill) was laid on the table on motion of Senator Adams.

Senator Connor marked PRESENT.

SA 3 to the Bill (which had been placed with the Bill) was taken up for consideration on motion of Senator Adams and the roll call vote taken which revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the Amendment was declared adopted.

At 2:45 p.m., Senator Sharp presiding.

At 3:38 p.m., the Senate recessed for a change of tape and reconvened at 3:40, Senator Sharp presiding.

SB 26 w SA 1, 3 was still before the Senate.

SA 4 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.

SA 5 to the Bill was introduced by Senator Minner and considered for adoption on her motion. The roll call vote on the Amendment was taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 26 w SA 1, 3, 4, 5 was then taken and announced:

YES: Senators Adams, Citro, Cook, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Arnold, Bair, Connor, Cordrey, Knox, Neal - 6.

NOT VOTING: Senators Berndt, Littleton - 2.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.  
At 5:09 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., January 20, 1983.  
The Senate reconvened at 2:25 p.m., January 20, 1983, Senator Cordrey presiding.

The following Committee reports were announced:

From the Administrative Services/Energy Committee: SB 25 - 7 Merits; SB 29 - 1 Favorable, 6 Merits.

The following legislation was introduced:

SA 1 to SB 13. Sponsor: Senator Adams. Placed with the Bill.

SB 40 - AN ACT TO AMEND CHAPTER 29, PART III, TITLE 30 OF THE DELAWARE CODE RELATING TO RETAIL AND WHOLESALE MERCHANTS' LICENSE REQUIREMENT AND TAXES. Sponsors: Senators McBride, McDowell, Martin, Vaughn, Zimmerman, Citro; Representatives Dixon, D. Ennis, Roy. Assigned to Revenue and Taxation Committee.

SB 41 - AN ACT TO AMEND SUBCHAPTER II, TITLE 30, DELAWARE CODE, RELATING TO PERSONAL EXEMPTIONS ON STATE INCOME TAX. Sponsor: Senator Holloway. Assigned to Revenue and Taxation Committee.

SB 42 - AN ACT TO AMEND CHAPTER 25, TITLE 18, DELAWARE CODE, RELATING TO THE MAKING OF INSURANCE RATES. Sponsors: Senator Holloway, Sr., Representatives Holloway, Jr. Assigned to Insurance and Elections Committee.

SB 43 - AN ACT TO AMEND TITLE 14, DELAWARE CODE, TO PROVIDE TUITION-FREE HIGHER EDUCATION FOR PERSONS AGE 60 OR OLDER. Sponsors: Senators Zimmerman, Cook, Marshall, McBride; Representatives Outten, Campanelli, West. Assigned to Education Committee.

SB 44 - AN ACT TO AMEND SUBCHAPTER I, CHAPTER 5, TITLE 7, DELAWARE CODE, RELATING TO LICENSE FEES FOR NONRESIDENTS. Sponsors: Senators Zimmerman, Vaughn; Representatives Terry, Outten, West, Campanelli. Assigned to Administrative Services/Energy Committee.

SB 45 - 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. Sponsors: Senators Sharp and McDowell. Assigned to Finance Committee.

SB 46 - AN ACT TO AMEND CHAPTER 29 OF TITLE 6 OF THE DELAWARE CODE, RELATING TO RETAIL SALES OF MOTOR FUEL. Sponsors: Senators Adams, Berndt; Representatives Barnes, Dixon. Assigned to Executive Committee.

SB 47 - AN ACT TO AMEND SUBCHAPTER I, CHAPTER 48, TITLE 29, DELAWARE CODE, TO ALLOCATE A PORTION OF STATE LOTTERY OFFICE PROCEEDS TO PROGRAMS FOR DELAWARE SENIOR CITIZENS. Sponsors: Senator Marshall; Representatives Jonkiert, VanSant. Assigned to Finance Committee.

SJR 2 - MEMORIALIZING THE NINETY-EIGHTH CONGRESS OF THE UNITED STATES TO OPPOSE ANY EFFORTS TO REDUCE BENEFITS TO SOCIAL SECURITY BENEFICIARIES. Sponsor: Senator Martin. Assigned to Executive Committee.

SB 19 was reported out of the Health-Social Services/Aging Committee: 5 Merits.

At 2:30 p.m. on motion of Senator McDowell, the Senate adjourned to immediately convene for the 6th Legislative Day.

#### 6TH LEGISLATIVE DAY January 20, 1983

The Senate convened at 2:30 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Torbert.

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, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator McDowell.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 15; HCR 8; HCR 9; HCR 5; HCR 6; SCR 4.

SB 12 was taken up for consideration on motion of Senator Adams:

SB 12 - AN ACT TO AMEND CHAPTER 41, TITLE 21, OF THE DELAWARE CODE RELATING TO FAILURE TO STOP AT THE COMMAND OF A POLICE OFFICER.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Gary Dalton (Senate Attorney), Henry Ridgely (Senate Attorney) and Martin Johnson (Coordinator of Police Chiefs' Council).

At 2:50 p.m. Lt. Governor Castle presiding.

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

YES: Senators Arnold, Berndt, Cordrey, Martin, Neal, Torbert, Zimmerman - 7.

NO: Senators Adams, Bair, Citro, Connor, Cook, Knox, Littleton, Marshall, McBride, McDowell, Minner, Vaughn - 12.

ABSENT: Senators Holloway, Sharp - 2.

Therefore, the Amendment was declared lost.

The roll call vote on SB 12 was then taken and revealed:

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Cordrey, Knox, Littleton, Martin, Minner, Vaughn - 12.

NO: Senators Arnold, Holloway, Marshall, McBride, McDowell, Neal, Torbert, Zimmerman - 8.

ABSENT: Senator Sharp - 1.

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

At 4:02 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 4:39 p.m., Senator Cordrey Presiding.

The following legislation was introduced:

SA 2 to SB 13. Sponsor: Senator Berndt. Placed with the Bill.

SA 1 to SB 14. Sponsor: Senator Adams. Placed with the Bill.

SA 1 to SB 20. Sponsor: Senator Adams. Placed with the Bill.

SA 1 to SB 21. Sponsor: Senator Adams. Placed with the Bill.

SB 48 - AN ACT TO AMEND CHAPTER 11, TITLE 19 OF THE DELAWARE CODE TO PROHIBIT DISCRIMINATION IN RATE OF PAY BECAUSE OF SEX. Sponsors: Senator Knox, Arnold, Bair, Berndt, Citro, Connor, Cook, Littleton, McBride, McDowell, Minner, Neal, Torbert. Assigned to Executive Committee.

SB 49 - AN ACT TO AMEND CHAPTER 38, TITLE 31, DELAWARE CODE, RELATING TO THE RE-ESTABLISHMENT OF A FOSTER CHILD REVIEW ACT. Sponsors: Senators Holloway, Zimmerman, Martin, Citro, Connor, Bair; Representatives Bennett, Soles, Maroney. Assigned to Health-Social Services/Aging Committee.

HCR 11 was introduced and considered for adoption on motion of Senator McDowell:

HCR 11 - PROVIDING THAT A JOINT SESSION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES BE CONVENED TO HEAR THE PRESENTATION OF THE GOVERNOR'S ANNUAL STATE OF THE STATE MESSAGE. Sponsors: Representatives Gilligan, George, Clendaniel.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Adams, Connor and Sharp) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

At 4:40 p.m., Lt. Governor Castle presiding.

SCR 5 was introduced and considered for adoption on motion of Senator Zimmerman:

SCR 5 - URGING THE GOVERNOR OF DELAWARE TO MAKE FUNDS AVAILABLE FOR THE DISTRIBUTION OF FREE SURPLUS CHEESE AND BUTTER. Sponsors: Senators Zimmerman and Holloway; Representatives Gilligan and VanSant.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Adams and Sharp) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

HCR 8 was introduced and considered for adoption on motion of Senator Cook:

HCR 8 - IN MEMORY OF DR. GEORGE B. MCGORMAN, AN OUTSTANDING DELAWARE CITIZEN WHOSE LEADERSHIP IN EDUCATION AND WHOSE FRIENDSHIP TO THOSE OF US IN THE LEGISLATURE WILL BE SORELY MISSED. Sponsors: Representatives Bennett, Gilligan, George, Outten, Petrilli, Corozzi, Buckworth; Senators Cook, Adams, Arnold, Bair, Berndt, Citro, Connor, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman.

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

At 4:59 p.m. on motion of Senator Cordrey, the Senate recessed until 7:25 p.m. for the Joint Session with the House. The President Pro Tem also announced that the Senate would recess immediately after the Governor's speech and reconvene at 1:30 p.m., January 25, 1983.

JOINT SESSION  
House Chamber  
January 20, 1983

Pursuant to HCR 11, Speaker of the House, Orlando George, called the House and Senate into Joint Session at 7:30 p.m.

On motion of Representative Gilligan (and without objection) the House and Senate were declared to be in Joint Session.

On motion of Representative Gilligan (and without objection), Mr. George was appointed to preside over the Joint Session.

On motion of Representative Gilligan (and without objection), the Chief Clerk of the House and the Secretary of the Senate were appointed as secretaries to the Joint Session.

The Sergeant-at-Arms announced the Governor's Cabinet and other State officials who were admitted and seated.

The Sergeant-at-Arms announced the Chief Justice and other members of the Judiciary who were admitted and seated.

On motion of Representative Gilligan, the Chair appointed the following to serve as a Committee to escort the Governor to the chamber: Senators McDowell and Bair, Representatives Wingate and Quillen.

After a brief recess, the Sergeant-at-Arms announced the arrival of the Escort Committee and the Governor.

The Speaker welcomed the Governor to the Joint Session and invited him to the podium.

The Governor addressed the Joint Session as follows:

Mr. Speaker, Lieutenant Governor Castle, Mr. President Pro Tempore, members of the 132nd General Assembly, elected officials, members of the Judiciary, and the Cabinet, and fellow Delawareans.

I am honored to come before you this evening, as I have for the past six years, to report to the people of Delaware on the state of our State. As we consider Delaware, where we are and where we are going, it is important to understand that just as each of us is a very small part of an increasingly complex society, so too is our state. Its health, its successes, its hopes and its dreams are very much intertwined with the health and progress of a much broader community — not only a national community of states, but an international community of nations.

Instantaneous satellite communications, microcomputers, supertankers, and jumbo jets are symbols of the change that has drawn us more closely together in the last decade than in all our previous history.

More than ever, the life of a Chrysler worker living along the Kirkwood Highway is being directly impacted by corporate decisions in Tokyo. The price of grain for a Laurel farmer is determined by international political decisions in Moscow and in Washington. The interest rate a Dover family receives on its savings is linked to the Eurodollar quotation set in Zurich six hours before the alarm clock even rings in the morning.

In today's society, individuals and institutions are becoming less and less islands and more and more citizens of an international community. Each of us is less a master of our own destiny, and more dependent on the political and economic forces at work throughout the world — forces that are changing rapidly as the technological revolution sweeps the globe.

Many of us look at this turn of events with a suspicious eye. No one likes to think they are losing control of their destiny. We don't understand microcircuits or Eurodollars. It amazes us when a rocket lifts off from Cape Canaveral with the Space Shuttle strapped to its back. And we cannot imagine why the United States and the Soviet Union need nuclear arsenals to destroy each other four times over.

These are not easy challenges to face, either as individuals or as a body politic. To survive and prosper during periods of rapid change and increasing interdependence will require skill and patience, and will place a premium on understanding, on cooperation, and on leadership.

Here in Delaware, we have not been immune from the effects of forces beyond our borders and beyond our control. Since we enacted our budget last June 30th, external economic conditions have changed dramatically. The lingering national recession, high unemployment, and rapid changes in interest and inflation rates have reduced state revenues, so that we must find total budget savings of \$28 million to live within our means this year. Even so, we are more fortunate in Delaware than most. The recession has forced many states to take severe steps to deal with declining revenues. New Jersey recently enacted an increase in its sales and income tax. California has borrowed \$400 million to meet its payroll. Michigan has laid off ten thousand state employees, including mental health workers and nurses. Maryland's deficit is \$133 million; Pennsylvania's \$164. Nineteen states have enacted tax increases in the past year; eighteen have laid off state employees, eight have legislated unpaid holidays, and thirty-three are operating under hiring freezes.

Ironically, two of the factors contributing to a decline in state revenues are high on every citizen's list of economic improvements: Lower inflation rates and lower interest rates.

Interest rates on Delaware deposits have fallen from a high of 14 percent last spring to the current rate of less than 9 percent. That's good news if you're buying a car, but lower interest rates on state deposits will cost us nearly \$7 million in revenue this fiscal year.

Since last June 30th, the combination of lower inflation and recession have cost us \$21 million in expected income and business tax receipts. Good news and bad news, both costing us anticipated revenues. Blessed by the slaying of the dragon of inflation, and cursed by the slow death of the monster of recession, national events are taking their toll on Delaware. And so we have a \$28 million problem.

But just because we have been affected by external forces does not mean we cannot work together to continue our progress in the future. To do this we must first solve our current problems. Here, I think the lessons of the past are instructive.

In the last five years, we have reaped the benefits of cooperation and bipartisan support; we have learned to pull together instead of apart. When I stood in this hall six years ago, Delaware was in serious trouble. Economic growth had stalled. Unemployment exceeded the national average. The State-owned bank was in deep trouble. Budget deficits were continuing and compounding. Delaware's credit rating was fiftieth among the states -- dead last. State government had enacted twenty-two separate tax increases in five years -- bigger and bigger bites of your hard-earned money -- to try to halt the flood of red ink. Employers were leaving Delaware, taking job opportunities from you and members of your family.

Then, in 1977 and 1978 Delaware woke up. Your Governor and your legislature decided it was time to put aside petty bickering and partisan politics and develop real solutions to the State's real problems. The resulting partnership led to innovative legislation and a series of financial controls that have made Delaware's economic stability the pride of the fifty states.

Consider the Delaware record. Our budget has been balanced five years in a row, and personal income taxes substantially reduced. In the past year -- a year of unprecedented economic recession -- 1100 net new jobs for you and your neighbors became available in such industries as banking, the Dover Mall and Getty's construction. While the national unemployment rate reached double digits for the first time since the Great Depression, Delaware's unemployment rate stayed below the national average for the entire year. Because of that difference, Delaware has 2650 more jobs than we otherwise would have. Finally, the State's credit rating improved in 1982 for the fifth time since 1977 -- Delaware stands alone in the Nation with such a record.

Improved credit ratings, balanced budgets and lower unemployment rates are more than simple statistics. They are indicators of health, of strength, of improving opportunities for you and your family. Taken together, they demonstrate the success of the policy we have pursued in the past six years: to foster an economic and social environment that creates opportunities for people -- educational opportunities, employment opportunities, quality of life opportunities. That our State has made significant progress in effectively carrying out these crucial tasks is good; to have made such progress while holding the real cost of government constant is even better; to have achieved this in the midst of the worst economic conditions in fifty years is an accomplishment few other states can claim.

If we are to maintain this record, and continue our progress, we must first reduce current spending to live within our means. Already, I have directed \$14 million in spending reductions in cabinet agencies. School districts, the Judiciary, Family Court and others have helped us revert \$7 million more. A technical change in the business tax laws, that will not raise taxes, will net \$3 million before June 30th. In total we have produced a program that will save \$24 of the required \$28 million, and savings are yet to be realized from our institutions of higher education.

We must save the remaining \$4 million without layoffs of state employees. I welcome the General Assembly's suggestions. I hope it will enact legislation to complete this package before adjourning next week. Our goal is to achieve our sixth balanced budget in a row without cutting essential services, and without dipping into the Rainy Day Fund.

I wish I could predict with certainty that a saving of \$28 million would bring the budget into balance, but I cannot. The national recession may well get worse before it gets better; revenues may drop further before the end of this fiscal year. That is why we must protect the rainy day fund: in case it rains harder. To spend our reserve now, to opt for the quick fix of dipping into our savings, is not a prudent course of action, and might well endanger all of our programs later. We cannot sit back and spend our rainy day savings and hope all will be well. We must act, the legislature must act, to protect six years of progress and pave the way for future progress.

Bipartisan legislative cooperation in solving our problem has been good; I know it will continue. The leadership of the House and Senate, which played such an important role in the creation of our financial stability, will not want to see it destroyed.

After we solve the current problem, we face the equally difficult task of developing a budget for fiscal year 1984 in the midst of a deep recession. Our State budgets have traditionally grown by 8 or 9 percent each year, but next year's budget can grow about 2 percent. Whereas in past years we have seen budgets increase \$40, \$50, or \$60 million a year, this year we can add less than \$17 million. That means almost no money for new programs, and precious few dollars to increase funding for existing ones.

So, next week I will present to the legislature a balanced, bare bones budget for fiscal year 1984. That budget will maintain current services. It will not propose any tax increases; it will not propose layoffs of any State employees. Our spending program will neither turn employees and their families out into the street, nor refuse help to Delaware families who come in from the street. The budget will be lean, but it will continue to improve the quality of education. Preparing the budget came down to a simple choice: the only way to live within our means without laying off people, is to hold program growth nearly flat.

While State government learns to adapt to lower rates of inflation, to an international recession, and to the complexities of accelerating technology, we must insure that our citizens are prepared to meet the same challenges. In doing so, nothing is more important to the autoworker's family in Newark, to the farmer's family in Laurel, to the small business woman's family in Dover, than education and jobs.

I believe we are leading the nation in improving our public education system -- basic skills, gifted and talented, an annual achievement testing programs are examples of our progress. A continuing and substantial investment in education is essential to insure future opportunities for our citizens. While we have delayed efforts to reduce class size in the past, my budget will include funds to continue our six year program of improving the teacher/pupil ratios in our public schools.

Last year we began a major effort to implement alternative programs for disruptive students in an effort to preserve the disciplined atmosphere of the classroom that is so necessary for learning. This program has met with success in several school districts, and its funding will be continued.

At my request, the State Board of Education convened a Committee on Teacher Competency that is setting specific requirements to ensure the competency of those teaching our children to read and write and count. We are also considering revamping Delaware's high school curriculum requirements. Today, a student can graduate from high school with one science and one math credit. At a time when the technological revolution is changing the character of America's job market, it is critically important that educational programs in math and science be strengthened, and a course in computer science added to the curriculum.



Computers are changing the way we live and work. By the time today's kindergarten children, the class of '95, graduate from high school, computer proficiency will be essential to further education or employment. Our young people will have little opportunity on either without the basic technical skills to bring them into the world of lasers, microchips, and robotics. Courses to ensure our high school graduates are computer literate are not only a first step in meeting that need, but Delaware would be the first in the nation with such a requirement. My budget will contain funds to begin a statewide computer instruction system in our public schools.

The second area of critical concern to every Delaware family is employment — job opportunities. While Delaware's employment picture is better than most other states, we must continue aggressive efforts to attract jobs to our community.

Delaware's unique Financial Center Development Act has brought 12 banks to our state, and a current total of 1203 jobs. While we can be proud of our past achievements, we cannot afford to admire our work for long, because we are in competition with our sister states. Additional legislative initiatives will seek to build on the strong inroads Delaware has made in attracting jobs in the banking and financial industry. One proposal, consumer credit bank legislation, would attract additional credit card business and several hundred new jobs to our state.

While we continue to foster an economic climate in which we may grow and prosper, it is important to recognize the changes reshaping America's workforce. Two thirds of the new entrants into the workforce of the 1980's will be women, yet our society is not integrating these newcomers effectively. The number of traditional manufacturing jobs in America and in Delaware will continue to decline in the next decade, yet few programs exist to retrain and redirect the workers displaced by advancing technology.

We cannot permit those in Delaware who have been or may be disenfranchised by new technology to linger in unemployment lines. That would be a tragic waste of human resources. Therefore, I am creating within our Department of Labor a new division, a Division of Training Services. Its purpose will be to help train and secure employment for new entrants and re-entrants into Delaware's workforce.

Next week, we will begin a first-of-its-kind pilot program to retrain displaced workers -- those whose jobs may never return -- and place them in new jobs. Labor Secretary Dennis Carey has designed a program providing retraining, counseling and job location assistance, to displaced workers currently receiving unemployment insurance benefits. We hope it will be the prototype of a permanent, full-scale effort to put people back to work.

Women too are affected by unemployment and the need for retraining. More and more women are becoming heads of households, supporting families, taking leadership roles in our economy. But they face particular problems when they are ill prepared to enter the work force. Built into our retraining program in the new division will be an effort to target assistance to women receiving unemployment benefits and an expansion of existing training programs for women.

In addition to providing opportunity to our citizens by improving our educational system, encouraging the creation of jobs, and preparing workers to adapt to changing technology, we must show compassion for those families which cannot help themselves -- the victims of recession and unemployment.

This is a time of unprecedented personal hardship for many people in America and Delaware. Thankfully, inflation has been reduced by two-thirds, but joblessness and the threat of layoffs still stalk the land, bringing tragic consequences to too many families. Some might not have enough food to eat or enough oil to heat their homes; they need our help. Government is more than balance sheets and economic statistics -- government is people. And if we cannot help those who need our assistance the most, our progress on other fronts becomes tarnished.

We must respond with compassion and assistance. The budget I will submit to the General Assembly next week will include an 8 percent increase in Aid to Families with Dependent Children (AFDC) effective January 1, 1984. A bright day lies ahead for Delaware -- more jobs, and more opportunity. Until that day comes, many need help. Let us help them.

This then is the course we chart for Delaware in the year ahead. We must first solve our current financial problem; with cooperation, I believe this is possible. Second, we must balance our budget again next year; with discipline, this too can be accomplished. Third, education must continue to be a priority; a lesser commitment robs us of our future. Fourth, we must expand our job opportunities and our job training; for economic opportunity is the foundation of progress for every Delaware family. Finally, in times of economic hardship, we must be especially compassionate to those most in need.

So as we look to the future, let us not be held hostage by events beyond our control. Making our way to prosperity in a world beset by rapid change, influenced by economic events far beyond these halls, beyond our small state and even our great nation, will not be an easy task. We must respond aggressively to maximize our opportunities, in unity to minimize our problems. Together we have accomplished a great deal in the past six years, and together we can accomplish even more in the next two. Remaining faithful to our course of prudent financial policies, expanding employment opportunities, and improved education will lead to a brighter future for every Delaware family.

This evening I ask you all, individuals, families, leaders and legislators to commit to continue the cooperation that has served Delaware so well for so long. With that commitment in hand, together we will march forward to the beat of a drummer whose rhythm sounds the way to future progress.

Thank you, and good evening.

On motion of Representative Gilligan and without objection, the Joint Session adjourned at 8:03 p.m. and the two Houses separated to their respective Chambers.

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The Senate reconvened at 2:13 p.m., January 25, 1983, Senator Cordrey presiding.

Senator Sharp marked PRESENT.

The following legislation was introduced:

SB 50 - AN ACT TO AMEND SUBCHAPTER VII OF CHAPTER 5, TITLE 11, DELAWARE CODE, RELATING TO CRUELTY TO ANIMALS. Sponsors: Senators Minner, Vaughn, Berndt; Representatives Jester, Fallon, Terry. Assigned to Natural Resources and Environmental Control Committee.

SB 51 - AN ACT AMENDING TITLE 29, DELAWARE CODE, ACKNOWLEDGING THE RIGHTS AND DEFINING THE LIMITATIONS OF LEGISLATIVE OFFICE, ESTABLISHING A CODE OF LEGISLATIVE CONDUCT, AND ESTABLISHING A JOINT COMMITTEE ON LEGISLATIVE CONDUCT IN THE GENERAL ASSEMBLY. Sponsors: Senators Neal, Arnold, Bair, Berndt, Citro, Connor, Holloway, Knox, Littleton, Martin, McBride, McDowell, Minner, Zimmerman; Representatives Anderson, Barnes, Brady, Buckworth, Corrozi, Fallon, Free, Jester, Mack, Maroney, Oberle, Petrilli, Roy, Soles, Spence. Assigned to Executive Committee.

SB 52 - AN ACT TO AMEND CHAPTER 43, TITLE 21, OF THE DELAWARE CODE, RELATING TO VEHICLE WINDSHIELDS, FRONT SIDE WINDOWS AND SIDE WINGS. Sponsors: Senator Marshall, Representative Spence. Assigned to Public Safety Committee.

SB 53 - AN ACT TO AMEND CHAPTER 50, TITLE 24, DELAWARE CODE, RELATING TO THE BOARD OF SERVICES. Sponsors: Senators McDowell, Representative Houghton; Senators Marshall, Bair, Connor, Representatives Brady, B. Ennis, Roy, Smith. Assigned to Administrative Services/Energy Committee.

SB 54 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF WYOMING. Sponsors: Senator Torbert, Representative Buckworth. Laid on the table on motion of the sponsor.

SB 55 - AN ACT TO AMEND CHAPTER 2, TITLE 15, DELAWARE CODE RELATING TO THE PREPARATION OF A MAP OR MAPS OF THE SEVERAL SENATORIAL DISTRICTS. Sponsor: Senator Berndt. Assigned to Judiciary Committee.

SB 56 - AN ACT TO AMEND CHAPTER 29, TITLE 6, DELAWARE CODE, RELATING TO THE REQUIREMENT OF ATTENDANTS AT FULL-SERVICE GASOLINE STATIONS OFFERING SELF-SERVICE TO DISPENSE GASOLINE FROM THE SELF-SERVICE PORTION OF THE STATION TO MOTOR VEHICLES PROPERLY DISPLAYING SPECIAL PLATES OR IDENTIFICATION FOR HANDICAPPED WHEN THE PERSON TO WHOM THE SPECIAL PLATE OR IDENTIFICATION HAS BEEN ISSUED IS THE OPERATOR OF THE VEHICLE AND SUCH SERVICE IS REQUESTED. Sponsor: Senator Holloway. Assigned to Executive Committee.

SA 1 to SB 15. Sponsor: Senator Torbert. Placed with the Bill.

SA 2 to SB 20. Sponsor: Senator Adams. Placed with the Bill.

SA 3 to SB 20. Sponsor: Senator Adams. Placed with the Bill.

SA 2 to SB 25. Sponsor: Senator McDowell. Placed with the Bill.

SA 3 to SB 25. Sponsor: Senator McDowell. Placed with the Bill.

HB 8 - AN ACT TO AMEND 29 DEL. CO., CHAPTER 9 BY ABOLISHING THE PASSED BILL COMMITTEE. Sponsor: Representative Gilligan. Assigned to Executive Committee.

HB 15 - 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: Representatives Outten, Clark, Barnes, Bennett; Senators Zimmerman, Cordrey, McDowell, Bair, Neal. Assigned to Community Affairs Committee.

Senator McDowell moved that HB 15 be reassigned to Administrative Services/Energy Committee; however, Senator Zimmerman moved that the Bill be reassigned to Small Business Committee and his motion prevailed without objection.

HB 19 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF DELMAR" ALSO KNOWN AS VOLUME 61, CHAPTER 137, LAWS OF DELAWARE, BY PROVIDING THAT THE ALDERMAN AND THE ASSISTANT ALDERMAN NEED NOT BE RESIDENTS OF THE TOWN AND REMOVING THE QUALIFICATION THAT AN ALDERMAN OR AN ASSISTANT ALDERMAN SHALL NOT BE MEMBERS OF THE TOWN COUNCIL. Sponsors: Representative Cordrey and Senator Littleton. Assigned to Community Affairs Committee.

HB 29 - AN ACT TO AMEND AN ACT, BEING CHAPTER 516, VOLUME 60, LAWS OF DELAWARE, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD" TO INCREASE THE AMOUNT WHICH MAY BE BORROWED BY THE CITY OF SEAFORD IN ANTICIPATION OF REVENUES. Sponsor: Representative Fallon. Assigned to Community Affairs Committee.

HCN 6 was introduced and considered for adoption on motion of Senator Knox:

HCN 6 - CONGRATULATING DENISE L. GRIFFITHS, OF BRANDYWOOD, UPON HER SELECTION AS TEACHER OF THE YEAR FOR THE BRANDYWINE SCHOOL DISTRICT. Sponsors: Representatives Smith, Maroney; Senator Knox.

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 returned to the House.

HCN 9 was introduced and considered for adoption on motion of Senator Citro:

HCN 9 - CONGRATULATING HENRY B. (HANK) MILLIGAN, OF HOCKESSIN, ON HIS SELECTION AS DELAWARE'S ATHLETE OF THE YEAR. Sponsors: Representatives Corrozi, Petrilli, Buckworth; Senator Citro.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Bair, Connor, Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCN 5 was introduced and considered for adoption on motion of Senator Berndt:

HCN 5 - MOURNING THE DEATH OF GERTRUDE S. HARRISON, OF NORTH HILLS, WIDOW OF THE LATE CLAYTON S. HARRISON, JR., A FORMER CHAIRMAN OF THE REPUBLICAN STATE COMMITTEE. Sponsors: Representatives D. Ennis and Boykin; Senator Berndt.

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 returned to the House.

At 2:28 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 7th Legislative Day.

#### 7TH LEGISLATIVE DAY January 25, 1983

The Senate convened at 2:28 p.m., Senator Cordrey.

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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

SB 25 was taken up for consideration on motion of Senator McDowell:

SB 25 - AN ACT TO AMEND 16 DEL. C., CHAPTER 73, TO REQUIRE THE LABELING OF KEROSENE FUELS SOLD AT RETAIL WITHIN THE STATE OF DELAWARE.

SA 1 to the Bill (which had been placed with the Bill) was stricken at the request of Senator McDowell.

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 18 Senators voting YES and 3 (Connor, Holloway and Martin) ABSENT; therefore, the Amendment was declared adopted.

SA 3 to the Bill (which had been placed with the Bill) was stricken at the request of Senator McDowell.

SB 25 w SA 2 was then deferred for final action on motion of Senator McDowell.

Senators Martin and Connor marked PRESENT.

At 3:08 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:36 p.m., Senator Cordrey presiding.

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

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 20, 1983

To the Senate of the 132nd 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: R. Wayne Ashbee, 1001 Wagoner Drive, Woodland Heights, Wilmington, Delaware 19805, to be reappointed a member of the Delaware Solid Waste Authority to serve for a term of three years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 20, 1983

To the Senate of the 132nd 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: Victor F. Battaglia, 910 DuPont Road, Westover Hills, Wilmington, Delaware 19807, to be Chairman of the Board of Trustees of Delaware Technical and Community College to fill a vacancy, to serve During the Pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 20, 1983

To the Senate of the 132nd 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: Thomas E. Brady, Jr., 2219 West 17th Street, Wilmington, Delaware 19806, to be a member of the Board of Trustees, Delaware Technical and Community College for a term of six years to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 20, 1983

To the Senate of the 132nd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Mrs. Beatrice Patton Carroll, 621 West 39th Street, Wilmington, Delaware, 19802, to be appointed Chairman of the Commission on Adult Entertainment Establishments, to fill a vacancy, to serve During the Pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 20, 1983

To the Senate of the 132nd 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: Charles W. Cole, 37 Olive Avenue, Rehoboth, Delaware 19971, to be reappointed a member of the State Coastal Zone Industrial Control Board to serve for a term of five years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 20, 1983

To the Senate of the 132nd General Assembly  
of the State of Delaware

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

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 20, 1983

To the Senate of the 132nd 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: Carl Goldstein, P.O. Box 3504, 5925 Kennett Pike, Wilmington, Delaware 19807, to be reappointed a member of the Municipal Court - Wilmington, to serve for a term of twelve years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 20, 1983

To the Senate of the 132nd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Robert L. Pigford, 300 Wilson Road, Newark, Delaware 19711, to be appointed a member of the Board of Trustees, University of Delaware to serve for a term of six years, to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 20, 1983

To the Senate of the 132nd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Robert S. Powell, 5455 Crestline Road, Wilmington, Delaware 19808, to be a member of the Industrial Accident Board to serve for a term of six years, to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
January 20, 1983

To the Senate of the 132nd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Edward J. Troise, Sr., 104 N. Saulsbury Road, Dover, Delaware 19901, to be a member of the Alcoholic Beverage Control Commission for a term of three years, to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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SB 22 was reported out of the Community Affairs Committee: 5 Merits.

The following legislation was introduced:

SA 1 to SB 24. Sponsor: Senator Adams. Placed with the Bill.

SA 4 to SB 25. Sponsor: Senator McDowell. Placed with the Bill.

SR 11 was introduced and considered for adoption on motion of Senator Sharp (at the request of Senator Cordrey):

SR 11 - CONGRATULATING WALTER B. WRIGHT, OF ROSEDALE BEACH, UPON REACHING HIS 102ND BIRTHDAY ON JANUARY 21, 1983. Sponsor: Senator Cordrey.

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.

SR 12 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 12 - EXPRESSING BEST WISHES FOR THE SWIFT RECOVERY OF J. EDWIN LEWIS, FORMER SECRETARY OF THE SENATE. Sponsors: Senators Zimmerman, Holloway and Cook.

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

SCR 6 was introduced and considered for adoption on motion of Senator Sharp:

SCR 6 - PROVIDING THAT A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE BE CONVENED TO HEAR THE PRESENTATION OF THE GOVERNOR'S ANNUAL BUDGET MESSAGE. Sponsors: Senators Cordrey, Sharp, McDowell.

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

The following legislation was introduced:

SB 57 - AN ACT TO AMEND CHAPTER 86, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF CONSUMER AFFAIRS AND THE COUNCIL ON CONSUMER AFFAIRS. Sponsors: Senators Bair, Vaughn, Marshall, Connor; Representatives Smith, Barnes, Soles, Jonkiert. Assigned to Administrative Services/Energy Committee.

SB 58 - AN ACT TO AMEND SUBCHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO EXCLUSION OF PENSION INCOME FROM DELAWARE PERSONAL INCOME TAX. Sponsors: Senators Zimmerman, Minner, Torbert, Cook, McBride. Assigned to Revenue and Taxation Committee.

SB 59 - AN ACT TO AMEND TITLE 29, CHAPTER 50 OF THE DELAWARE CODE RELATING TO THE ELIGIBILITY OF APPLICANTS FOR FINANCING. Sponsors: Senators Cook, Zimmerman, Cordrey; Representatives Outten, Clark. The Chair assigned the Bill to the Finance Committee; however, at the request of Senator Cook, it was reassigned to Small Business Committee.

SB 44 which had been assigned to Administrative Services/Energy Committee was reassigned to the Natural Resources and Environmental Control Committee at the request of Senator Zimmerman and without objection.

SB 29 was taken up for consideration on motion of Senator McDowell:

SB 29 - AN ACT TO AMEND CHAPTER 51, TITLE 24, DELAWARE CODE, RELATING TO THE BOARD OF PERSONAL SERVICES.

The privilege of the floor was extended to Henry Ridgely (Senate Attorney) 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 sent to the House for consideration.

At 5:05 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 26, 1983.

The Senate reconvened at 2:12 p.m., January 26, 1983, Senator Cordrey presiding.

SB 32 was reported out of the Small Business Committee: 3 Favorable, 1 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 14 w HA 1 and adopted HCR 7 and HJR 2 w HA 1.

The following legislation was introduced:

HB 14 w HA 1 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE CONVERSION OF ANY MOBILE HOME PROPERTIES INTO MULTIPLE-UNIT HOUSING. Sponsors: Representatives Wingate and Bunting; Representatives Bennett, Clark, Clendaniel, B. Ennis, Gilligan, Van Sant, Barnes, Hebner; Senators McBride, Minner. Assigned to Community Affairs Committee.

HJR 2 w HA 1 - ESTABLISHING THE PROCESS FOR AWARDING GRANTS-IN-AID. Sponsors: Representatives Soles, Smith and Senator McBride; Representatives Anderson, Barnes, Bennett, Brady, Buckworth, Bunting, Boykin, Campanelli, Clark, Clendaniel, Corrosi, Dixon, B. Ennis, D. Ennis, Fallon, Free, George, Gilligan, Hebner, Houghton, Jester, Mack, Maroney, Meconi, Myers, Oberle, Outten, Petrilli, Quillen, Roy, Spence, Terry, VanSant, Wingate; Senators Arnold, Bair, Connor, Knox, Littleton, Martin, McBride, Torbert, Vaughn. Assigned to Finance Committee.

HCR 7 was introduced and considered for adoption on motion of Senator Zimmerman:

HCR 7 - ESTABLISHING AN AD HOC COMMITTEE TO STUDY HAZARDOUS WASTE DUMP SITES IN DELAWARE, WHICH SHALL MAKE FINDINGS AS TO THE PROBLEM AND COMMUNICATE THE SAME TO THE MEMBERS OF THE GENERAL ASSEMBLY. Sponsors: Representative Terry and Senator Zimmerman.

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.

SB 60 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 79, TITLE 29, DELAWARE CODE, RELATING TO FINANCIAL LIABILITY OF PERSONS SERVED BY THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. Sponsors: Senator Holloway and Representative Holloway. Assigned to Health-Social Services/Aging Committee.

SB 61 - AN ACT TO POSTPONE THE SUNSET TERMINATION DATE WHICH OTHERWISE WOULD APPLY TO THREE AGENCIES. Sponsor: Senator McDowell. Laid on the table at the request of the sponsor.

SB 62 - AN ACT TO AMEND CHAPTER 55, TITLE 25 OF THE DELAWARE CODE RELATING TO PAYMENT OF INTEREST ON SECURITY AND OTHER DEPOSITS PAID BY RENTERS OF CERTAIN RESIDENTIAL PROPERTY. Sponsors: Senators Bair, McDowell, Holloway, Connor, Neal; Representatives Brady, Smith, Jester. Assigned to Administrative Services/Energy Committee.

SB 63 - AN ACT TO AMEND A BILL TO INCREASE THE FISCAL YEAR 1983 SPECIAL FUND APPROPRIATION FOR THE DELAWARE TRANSPORTATION AUTHORITY FOR ROAD MAINTENANCE. Sponsors: Senator Cook and Representative Bennett; Senators Cordrey, Sharp, McDowell, Knox, Arnold; Representatives George, Gilligan, Clendaniel, Hebner, Oberle; Senators Adams, Holloway, Marshall, Martin, Minner, Torbert, Vaughn, Zimmerman, Bair, Citro, Connor, Littleton; Representatives Bunting, Clark, Cordrey, Dixon, B. Ennis, Houghton, Outten, Terry, VanSant, West, Wingate, Barnes, Boykin, Buckworth, Corrozi, D. Ennis, Fallon, Mack, Maroney, Petrilli, Spence. Laid on the table at the request of Senator Cook.

SB 64 - AN ACT TO RE-INCORPORATE THE TOWN OF ELLENDALE. Sponsors: Senator Adams, Representative Clendaniel. Assigned to Community Affairs/Energy Committee.

SB 65 - AN ACT TO AMEND TITLE 24, DELAWARE CODE, RELATING TO DENIAL OF OCCUPATIONAL AND PROFESSIONAL LICENSES. Sponsors: Senator Holloway, Representative Holloway. Assigned to Health-Social Services/Aging Committee.

SB 66 - AN ACT TO AMEND CHAPTER 7, TITLE 5, DELAWARE CODE, RELATING TO LIMITATIONS ON POWERS AND ACTIVITIES OF BANK AND TRUST COMPANIES. Sponsors: Senator Holloway and Representative Holloway. Assigned to Banking Committee.

SB 67 - AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REGULATION OF ARCHITECTURE. Sponsors: Senator McDowell; Representatives Houghton and Soles. Laid on the table at the request of Senator McDowell.

The following Committee reports were announced:

From the Small Business Committee: SB 32 (revised report) - 3 Favorable, 2 Merits; SB 33 - 3 Favorable, 2 Merits; SB 59 - 1 Favorable, 4 Merits; HB 15 - 2 Favorable, 3 Merits.

From the Public Safety Committee: SB 52 - 4 Merits; SB 10 - 4 Merits; SB 11 - 4 Merits.

From the Finance Committee: SB 38 - 1 Favorable, 4 Merits.

The following communication from the President Pro Tempore was read:

STATE OF DELAWARE  
SENATE  
DOVER, DELAWARE 19901

January 26, 1982

TO: All Senators

FROM: Senator Richard S. Cordrey, President Pro Tempore

RE: Committee Changes

As there has been requests, from a couple of Senators regarding the time they had available to fulfill the obligations of their Senate Committee assignments, I have made the following changes: Sunset Committee - Senator Citro assigned, Senator Bair resigned; Joint Finance Committee - Senator Neal assigned, Senator Littleton resigned.

\* \* \* \* \*

At 2:22 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 8th Legislative Day.

8TH LEGISLATIVE DAY  
January 26, 1983

The Senate convened at 2:22 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:



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

The Journal of the previous day was approved as read on motion of Senator Sharp.

SB 63 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Cook:

SB 63 - AN ACT TO AMEND A BILL TO INCREASE THE FISCAL YEAR 1983 SPECIAL FUND APPROPRIATION FOR THE DELAWARE TRANSPORTATION AUTHORITY FOR ROAD MAINTENANCE.

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

SB 59 was taken up for consideration on motion of Senator Cook:

SB 59 - AN ACT TO AMEND TITLE 29, CHAPTER 50 OF THE DELAWARE CODE RELATING TO THE ELIGIBILITY OF APPLICANTS FOR FINANCING.

At his request, Senator Neal was added as co-sponsor of the Bill.

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

At 2:34 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 3:37 p.m., Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Community Affairs Committee: HB 19 - 5 Merits; HB 29 - 5 Merits.

The following legislation was introduced:

SA 1 to SB 54. Sponsor: Senator Torbert. Placed with the Bill.

SA 1 and SA 2 to SB 53. Sponsor: Senator Vaughn. Placed with the Bill.

SB 68 - AN ACT TO AMEND SUBPART C, TITLE 11, DELAWARE CODE, RELATING TO MAKING A FALSE WRITTEN STATEMENT. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 69 - AN ACT TO AMEND CHAPTER 13, TITLE 14, DELAWARE CODE, RELATING TO THE SALARY SCHEDULE OF EDUCATIONAL SERVICES TO PERSONS WHO ARE DEAF-BLIND. Sponsor: Senator Holloway. Assigned to Finance Committee.

SB 70 - AN ACT TO AMEND CHAPTER 45, TITLE 21, OF THE DELAWARE CODE RELATING TO EXTRA WEIGHT CAPACITY FOR CERTAIN MOTOR VEHICLES. Sponsors: Senators Littleton, Adams, Citro, Vaughn; Representatives Anderson, Barnes, Boykin, Buckworth, Clark, Cordrey, Fallon, Jester. Assigned to Public Safety Committee.

SB 71 - AN ACT TO AMEND CHAPTERS 1, 21 AND 29 OF TITLE 21, DELAWARE CODE, RELATING TO MINIMUM INSURANCE COVERAGE REQUIREMENTS FOR ALL MOTOR VEHICLES REGISTERED IN THIS STATE. Sponsors: Senator Vaughn and Representative Clark. Assigned to Public Safety Committee.

SB 72 - AN ACT TO AMEND CHAPTER 9, TITLE 7, DELAWARE CODE, RELATING TO MENVADEN FISHING. Sponsor: Senator Cordrey. Assigned to Natural Resources and Environmental Control Committee.

SB 73 - 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 McDowell; Representatives Soles, Smith, Brady, Jester. Assigned to Administrative Services/Energy Committee.

SB 74 - AN ACT TO AMEND DELAWARE CODE, TITLE 14 BY PROVIDING FOR THE USE OF COMPUTERS IN THE PUBLIC ELEMENTARY AND SECONDARY SCHOOLS OF THE STATE. Sponsor: Senator Bair. Assigned to Education Committee.

Senators Connor and Martin marked PRESENT.

SB 54 was taken up for consideration under suspension of the necessary rules on motion of Senator Torbert:

SB 54 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF WYOMING.

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

The roll call vote on SB 54 w SA 1 was then taken and revealed 18 Senators voting YES and 3 (Holloway, Marshall and Neal) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 19 was taken up for consideration on motion of Senator Cordrey:

SB 19 - AN ACT TO AMEND TITLE 24, SECTION 1781, DELAWARE CODE PERTAINING TO THE ANATOMICAL GIFTS BY MINORS WITH PARENTAL CONSENT.

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 sent to the House for consideration.

SB 38 was taken up for consideration on motion of Senator Cordrey:

**SB 38 - AN ACT TO AMEND 29 DELAWARE CODE, CHAPTER 50, RELATING TO STATE PLANNING AND THE ADVANCED LAND ACQUISITION FUND.**

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 14** was taken up for consideration on motion of Senator Adams:

**SB 14 - AN ACT TO AMEND CHAPTER 42, TITLE 21, OF THE DELAWARE CODE RELATING TO LEAVING THE SCENE OF A PERSONAL INJURY ACCIDENT.**

**SA 1** to the Bill (which had been placed with the Bill) was laid on the table on motion of Senator Adams.

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

YES: Senators Adams, Berndt, Citro, Connor, Cook, Knox, Littleton, Martin, McBride, McDowell, Minner, Vaughn - 12.

NO: Senators Cordrey, Marshall, Neal, Sharp, Torbert, Zimmerman - 6.

NOT VOTING: Senator Arnold - 1.

ABSENT: Senators Bair and Holloway - 2.

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

**SB 13** was taken up for consideration on motion of Senator Adams:

**SB 13 - 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 taken up for consideration on motion of Senator Adams and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) 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 Berndt and the roll call vote taken which revealed 18 Senators voting YES, 2 (Minner and Neal) voting NO, and 1 (Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on **SB 13 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.

At 4:35 p.m., Senator Cordrey presiding.

**SB 20** was taken up for consideration on motion of Senator Adams:

**SB 20 - AN ACT TO AMEND CHAPTER 5, TITLE 11, OF THE DELAWARE CODE RELATING TO THEFT OF A FIREARM.**

**SA 1** to the Bill (which had been placed with the Bill) was stricken at the request of the sponsor, Senator Adams.

**SA 2** to the Bill (which had been placed with the Bill) was taken up for consideration on motion of Senator Adams and the roll call vote taken which revealed 21 Senators voting YES; 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 Adams 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 Captain Thomas J. Roman (Delaware State Police) after which the roll call vote on **SB 20 w SA 2, 3** was taken and revealed 19 Senators voting YES, 1 (Neal) voting NO, and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

**SB 21** was taken up for consideration on motion of Senator Adams:

**SB 21 - AN ACT TO AMEND CHAPTER 5, TITLE 11, OF THE DELAWARE CODE RELATING TO RECEIVING A STOLEN FIREARM.**

**SA 1** to the Bill (which had been placed with the Bill) was taken up for consideration on motion of Senator Adams 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 **SB 21 w SA 1** was then taken and revealed 19 Senators voting YES, 1 (Neal) voting NO, and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

**SB 24** was taken up for consideration on motion of Senator Adams:

**SB 24 - AN ACT TO AMEND SUBCHAPTER 1, CHAPTER 19, TITLE 11, DELAWARE CODE RELATING TO PROVIDING STATEWIDE AUTHORITY TO CERTAIN POLICE OFFICERS UNDER CERTAIN CONDITIONS.**

**SA 1** to the Bill (which had been placed with the Bill) was taken up for consideration on motion of Senator Adams 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 **SB 24 w SA 1** was then taken and revealed 18 Senators voting YES and 3 (McDowell, Sharp and Zimmerman) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

Senator McDowell moved that the necessary rules be suspended for consideration of SB 67. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.

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

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

SB 67 - AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REGULATION OF ARCHITECTURE.

At his request, Senator Marshall was added as co-sponsor of the Bill.

The roll call vote on the Bill was then taken and revealed 18 Senators voting YES and 3 (Arnold, Sharp and Zimmerman) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SJR 3 was introduced and considered for adoption on motion of Senator McDowell:

SJR 3 - RECOMMENDING THE CONTINUATION OF THE BOARD OF PODIATRY EXAMINERS UNTIL MAY 31, 1983. Sponsor: Senator McDowell.

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 80 was introduced and considered for passage under suspension of the necessary rules on motion of Senator McDowell and without objection:

SB 80 - AN ACT TO AMEND CHAPTER 86, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF CONSUMER AFFAIRS AND THE COUNCIL ON CONSUMER AFFAIRS.

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

The Secretary announced that a message from the House informed the Senate that it had passed HB 49 w HA 1, HB 50 w HA 1 and adopted HCR 12.

SB 65 was reported out of the Health-Social Services/Aging Committee: 5 Merits.

The following legislation was introduced:

HB 49 w HA 1 - AN ACT TO AMEND SECTION 1154, CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO EMPLOYER WITHHOLDING AND PAYMENT OF DELAWARE INCOME TAX. Sponsors: Representative Bennett and Senator Cook; Representatives George, Gilligan, Clendaniel, Dixon, Hebner, Oberle; Senators Cordrey, McDowell, Knox, Arnold. Assigned to Revenue and Taxation Committee.

HB 50 w HA 1 - AN ACT TO EMPOWER THE GOVERNOR TO EFFECT REDUCTIONS IN APPROPRIATIONS. Sponsors: Representative Bennett and Senator Cook; Representatives George, Gilligan, Clendaniel, Hebner, Oberle; Senators Cordrey, McDowell, Knox, Arnold. Assigned to Finance Committee.

At 5:33 p.m. on motion of Senator Sharp, the Senate recessed until 1:00 p.m., January 27, 1983.

The Senate reconvened at 1:17 p.m., January 27, 1983, Senator Cordrey presiding and immediately adjourned on motion of Senator Sharp to convene for the 9th Legislative Day.

#### 9TH LEGISLATIVE DAY January 27, 1983

The Senate convened at 1:17 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Vaughn.

At 1:18 p.m., Lt. Governor Castle presiding.

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, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

At 1:20 p.m. on motion of Senator Sharp, the Senate recessed to await the arrival of the House members for the Joint Session.

#### JOINT SESSION - SENATE CHAMBER January 27, 1983

Pursuant to SCR 6, the House and Senate convened at 1:26 p.m. for a Joint Session, Lt. Governor Castle presiding.

On motion of Senator Sharp, Lt. Governor Castle presided over the Joint Session.

On motion of Senator Sharp, Lt. Governor Castle appointed the Secretary of the Senate and the Chief Clerk of the House to act as secretaries for the Joint Session.

On motion of Senator Sharp, Lt. Governor Castle appointed Senators Holloway and Berndt, Representatives Anderson and Quillen to be an Escort Committee for the Governor.

There was a brief recess to await the arrival of the Governor.

The Sergeant-at-Arms announced the arrival of the Escort Committee and the Governor and they were admitted. The Governor was invited to the podium by the Lt. Governor and he addressed the Joint Session as follows:

Lieutenant Governor Castle, Mr. President Pro Tempore, Mr. Speaker, members of the 132nd General Assembly, elected officials, members of the Judiciary, and the cabinet, honored guests, ladies and gentlemen.

I am pleased to have this opportunity to appear before you this afternoon to discuss Delaware's financial and budgetary outlook. As I have already noted in my State of the State Address, the combined effects of a lingering national recession and a rapid decline in interest and inflation rates have presented a difficult climate in which to carry out government's most important tasks while still living within our means. The legislative and executive branches of government have sought bipartisan cooperation in solving this fiscal year's revenue shortfall of \$28 million; I am confident that the same spirit will allow us to create a budget for fiscal year 1984 that is fair and equitable and responds effectively to Delaware's needs.

Before I outline my budget proposals to you, I would like to dwell for a moment on one issue that is of paramount importance to this General Assembly and to all the citizens of our State. We can all agree that Delawareans have benefitted tremendously — in terms of employment opportunities, educational progress and effective state services — from the emphasis we have placed on the financial integrity of state government. While we have made great progress in assuring the state's financial integrity, we have not done enough to assure our citizens of elected officials' integrity.

Since 1977 when I first took office, I have spoken often of the need for an ethics bill — one that requires elected officials to disclose financial information, clearly defines conflict of interest and sets standards of conduct for elected officials. While we have seen such legislation introduced several times, and passed by one house or the other, it has never become law. It is past time that Delaware had such a law; it is time to emphasize personal integrity just as firmly as we have emphasized the state's financial integrity.

The Democratic leadership of both houses with the enthusiastic support of a Republican governor, has an opportunity to demonstrate to our citizens that unethical behavior and misconduct by elected officials will not be tolerated, and that comprehensive disclosure and ethics legislation will be enacted this session.

Turning then to our spending plan for the coming fiscal year, the budget I present to you today is characterized by three qualities — qualities that are essential to any budget proposed in these difficult financial times.

First, the budget I am proposing is a balanced budget — one which recognizes and adjusts for the new financial reality of lower inflation rates and lower revenue projections. Second, it is a practical budget — one which seeks to preserve and expand essential State services while conserving in non-essential areas. Finally, it is a compassionate budget -- one which expends our limited additional welfare resources on programs helpful to families and individuals most in need. As the General Assembly wrestles with the budget over the next several months, I ask every legislator to keep in mind these qualities of balance, practicality and compassion. For it is these qualities that have led us in our past five budgets to extraordinary success in providing services and benefits to the people of our State.

As a result of attention to financial management, Delaware has an outstanding five year record of developing budgets that are in balance. But let's reflect for a moment on the other two qualities: practicality and compassion; for here, too, we have built solid achievements of which we can be justly proud.

From a practical perspective, over 50 percent of Delaware's 5,000 miles of roadways have received some resurfacing or repair work in the past three years. \$170 million in road construction funds appropriated by the General Assembly made this work possible.

In the past three years we have constructed 824 new beds in our corrections system, expanding prison capacity by 62% to improve the safety of our homes, streets, and communities.

For the first time in Delaware's history, we succeeded in cutting personal income taxes for every Delawarean, practical progress appreciated by every taxpayer. It is my hope that we can continue these kinds of efforts to improve services and reduce the cost of government.

Building over 1900 units of low and moderate income housing in the past three years, new prison health care programs, and a welfare increase linked with our earlier tax cut are examples of compassionate progress. Efforts to create a climate conducive to economic growth and expansion so that more jobs will be available for you and your neighbors are bearing fruit. Jobs in Delaware increased by over 2 percent in 1982, in contrast to the nation's drop of almost 1 percent.

We continue to make progress in education as measured by annual achievement testing programs. Since 1977 Delaware's per pupil expenditures have increased eighty-one percent; Delaware now spends almost one third more dollars per pupil than the average state in America.

I believe the same commitment to balance, to practicality, and to compassion that has produced those achievements in the past, can produce a budget this year that will position us for continued growth and similar progress in the future. Our present budget squeeze is not a permanent condition. Rather, we are in a transition year, treading water as inflation is wrung from the economy, the national recession ebbs, and a new economic growth cycle begins. A fresh prosperity for Delaware will begin with it. Until then, we must make do with a lean budget for lean times.

The budget bill which I am submitting to the General Assembly today totals \$700.1 million -- only \$14.7 million more than the current year's operating budget. To achieve even this modest \$14 million increase in our level of spending, I have had to make several decisions concerning revenue and expenditures which require legislative concurrence.

First, I do not believe that we should increase taxes on the people of our State, so my budget includes no tax increases of any kind.

Second, I believe that the difficult financial circumstances confronting the State require that we suspend for one year the legislation enacted last spring that returns a portion of the Realty Transfer Tax to county governments. You will recall that when this legislation was debated in the General Assembly, there was agreement that, if the state's financial condition worsened, we would reconsider this \$3 million in county revenue sharing. Since revenue projections have declined nearly \$34 million in the interim, I believe it both in the spirit of our agreement and a practical necessity to take this action. Indeed, if the General Assembly decides to leave the legislation in place this July, an additional \$3 million in program cuts must be made from this budget. Since County governments by law must submit their own budget proposals by April 1st, and since our legislature will not act on a budget measure until June, in fairness to the Counties the legislature should express its intentions regarding this matter when it returns in March.

Third, I urge the General Assembly to support a proposal to reform the manner in which Corporate Income Taxes are paid, bringing them into conformity with federal law. While this change will not increase Corporate Tax liabilities, it is expected to increase collections by \$1 million in the next fiscal year. Finally, we must proceed to implement Phase II of the Community Based Services Plan for the deinstitutionalization of patients at Stockley Hospital. This important initiative -- which allows patients to be served in their communities close to their homes and families -- will also yield federal reimbursements of \$500,000 each year.

Even with these three measures, which increase our revenues by \$4.8 million, the budget for fiscal year 1984 will be lean. But these are lean times. I believe that state government must live within its means the same way thousands of Delaware families are living within their means -- by taking a hard look at current spending, cutting costs and expenses where it hurts the least, and dedicating those precious few additional dollars to our highest priorities.

As I said in my State of the State Address, preparing the budget in the end came down to a simple choice: the only way to live within our means without laying off people, is to hold program expenditures nearly constant. We have had to make many difficult decisions in this budget, decisions which will no doubt come under careful legislative scrutiny in the months ahead.

One such decision involves salary increases for state employees. Over the past three years, state employee salary increases have totalled 27 percent (while the Philadelphia CPI rose 21 percent), and fringe benefits have increased substantially. A 5% salary increase for all state employees and teachers costs about \$18 million, more than our entire projected revenue increase for the coming year. So in this year's difficult economic climate, my budget proposes a one year freeze in step and cost of living increases for state employees.

It is an uncomfortable decision; people should be rewarded for their efforts to improve services for their fellow man. But it is better than the alternative which is a substantial layoff of people. Eighteen other states are doing just that; Delaware could too. If we laid off about 1100 people we could propose a 5% salary increase for the remainder of our employees. But I do not believe that would be fair, nor do I believe our State employees would think it fair. They would not want to see so many of their colleagues join the unemployment lines with all the economic and personal hardship it would cause.

Delaware is not alone in limiting salary increases. Maryland has announced a zero increase policy; Pennsylvania is contemplating a salary freeze. President Reagan has already proposed zero salary growth for federal employees in his 1984 budget.

While I am unable to propose a salary increase at this time, I believe such an increase ought to be our first priority if revenues improve before June 30th. One of the keys to our progress over the past six years has been State employees' commitment to make Delaware a better place in which to live and work. We must reward them for their effort just as soon as the revenue picture brightens.

Let me depart from my text, for just a moment to say that this decision was personally very very difficult for me to begin our budget deliberations of last November. The pay increase which was within our plan. The revenue projections fell in November and December became clear. That to include an increase meant layoffs and that I could not think of. When our brighter day comes, my personal priority will be to build a salary raise, however small, back into the budget.

I should note that I am required in the second year of a three year contract to include in my budget funding for a salary increase for the members of the Delaware State Police. This raises an issue of fundamental fairness that ought to be carefully considered. Surely equity demands some sharing of the burden of tough economic times.

Equity and fairness also suggest some adjustment in our annual Grant-in-Aid bill. At a time when all State agencies are scrutinizing their budgets, reducing costs and limiting program growth, the Grant-in-Aid process too must share in reducing costs. Accordingly, I am recommending a ten percent reduction in Grant-in-Aid expenditures, to \$7.5 million for fiscal year 1984, rather than last year's \$8.3 million.

With these difficult decisions in place, we set out to prepare a budget that responds to our original guidelines of balance, practicality and compassion. I believe we have met these guidelines in a way that preserves our past progress and responds to the present needs of our citizens.

As I have said, I am presenting a spending proposal that increases the operating budget \$14.7 million over the budget of the current fiscal year. Compared to increases in past years of \$40, \$50 or \$60 million, this relatively small increase presents a real challenge to our ability to live within our means. Further, nearly \$9 million of that \$14.7 million must be spent on mandated health insurance, debt service and energy cost increases, and \$3 million more to staff and operate the new Gander Hill prison. As a result, most state agencies will operate next year with the same or less total funds than during the current year. In those departments we have been able to identify ways to become more efficient with fewer dollars. In other areas of critical need where essential services must be maintained or expanded, we have appropriated more dollars than in the current year; but only in two — Corrections and Public Safety — have those increases been substantial. For almost every department of the State government, next year will be a no-growth, economizing year.

As I indicated in my State of the State address, support for public education must remain a top priority in expending public dollars. While we have delayed efforts to reduce class size in the past, this budget includes \$1.8 million to continue our six year program of improving the teacher/pupil ratios in our public schools.

In addition, I am proposing a \$300,000 effort to implement a statewide computer education program, as well as additional training funds for Basic Education teachers in Science and Mathematics. President Reagan's teacher retraining proposal of Tuesday evening will further strengthen this program. At a time when the technological revolution is reshaping the nature of American education, I am determined that Delaware keep pace, and not deprive our young people of the educational training they will need that is essential for success in the technologically-oriented world that awaits them after graduation.

For our institutions of higher education increases will be limited to funding our commitments under the Title VI agreement and additional operating expenses for newly opened facilities. While I am very much aware of the real needs of Delaware's three higher education institutions, until the economy improves we have little choice but to try to maintain our current commitments.

I spoke last week of the importance of our efforts to create more job opportunities for Delawareans while, at the same time, effectively preparing our citizens to cope with the changes taking place in today's job market. Some \$111,000 in direct appropriations will be made available to fund the displaced workers pilot program and improve employment services to women.

Another important component in training people for employment is our vocational rehabilitation effort. Although this is a difficult budget year, I have included \$55,000 in additional dollars to increase services for vocational rehabilitation clients.

In the area of criminal justice, the few marginal dollars available must be devoted almost entirely to fund the operating cost of Gander Hill. Despite the opening of both Gander Hill and the maximum security facility at Smyrna, escalating growth in our prison population may well result in a shortage of beds by the end of this calendar year. To meet this need, I have included \$200,000 in my budget to begin the development and staffing of increased bed capacity at Gander Hill.

While our criminal justice system continues to improve, we will strengthen our effort to remove drunk drivers from Delaware's highways by providing \$20,000 to purchase four new intoxilizers. Our efforts to date have resulted in over 1100 arrests for drunk driving since the new law took effect last fall. I strongly support the program. I want particularly to commend Lieutenant Governor Mike Castle for leading the administration's efforts to remove the menace of drunk drivers from Delaware highways.

I also ask that the General Assembly promptly consider the legislation proposed by the Governor's Task Force on Coastal Fisheries. I join with Senators Zimmerman and Minner in recommending this legislation, which strikes an appropriate balance between the needs of Delaware's commercial and sport fishermen, to the General Assembly.

Finally, we must make a special effort, in these difficult economic times, to respond to the needs of the handicapped, the infirm, and the poor. After all, government is more than statistics and balance sheets — government is helping people.

Children's services is an area receiving our special attention. We have sought to increase direct services to children by providing additional social workers for the Division of Child Protective Services, and I am recommending that we fund the new Inter-Agency Diagnostic Center with \$500,000. Our Adult Protective Services Program which is beginning to provide protection and assistance to vulnerable adults will continue its progress next year.

A community-based system of mental health services for youth will begin in 1983, as residential treatment centers are established and out-patient mental hygiene clinics increase services to youth in all three counties. As the residential treatment centers are established, the Children's Village at Governor Bacon Health Center will be phased out. By the end of 1983, most youth will be receiving help in their own communities, close to their families and at less cost to the State.

Similarly, three group homes will be opened this summer to offer mentally retarded citizens a wide range of services, thereby enabling them to live in a less restrictive environment and to develop their full potential.

And, as I said last week, my budget includes an eight percent increase in Aid to Families with Dependent Children effective January 1, 1984 at a cost of \$870,000. This recommendation, initiated and advocated by Secretary Schramm, increases the average monthly payment per family by only a small amount, but it is essential. At a time of unprecedented personal hardship for many families in America and Delaware, we must respond with compassion and assistance.

No doubt some will look at this budget with a critical eye. That it includes no salary increase for State employees, that some particular programs have not been expansively funded will be viewed with dismay. Of course, we would have liked to do more, to help more. But consider what this budget does achieve: it does not increase taxes; it protects state employees from layoffs; it improves education; it improves human services. It does not do everything for everyone, yet it does do the most for those who need our help the most -- the young, the disabled, the poor. Our spending program will neither turn employees and their families out into the street, nor refuse help to Delaware families who come in from the street.

Development of such a budget was no easy task. My administration has made some tough decisions, some hard choices. As members of the General Assembly begin the difficult journey I have just concluded, I ask that you remember the qualities of balance, practicality and compassion, and that you acknowledge that this is a year in which the maintenance of essential State services and the preservation of the progress Delaware has made in the past six years, must come before personal spending preferences. I look forward to consulting with you and working with you to turn this spending proposal into an effective, affordable spending plan for Delaware.

As I said in my 1977 inaugural address to the people of our State: "No government can be all things to all people and we can neither pretend that it is nor demand that it must be... The challenge, then, will be to recognize our limitations, establish our priorities and live within our means. It will require personal discipline from each of us, and political discipline from all of us."

Those words have served us well for the past six years; they will serve us well in the next year too. So in that spirit, let us go forward together, and do our best for Delaware and its people.

Thank you.

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The previously named Escort Committee escorted the Governor from the Chamber.

On motion of Senator Sharp, the Secretary of the Senate and the Clerk of the House compared their journals and found them to agree.

On motion of Senator Sharp, the Joint Session adjourned at 1:57 p.m.

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The Senate reconvened at 3:08 p.m., January 27, 1983, Lt. Governor Castle presiding.  
The Secretary announced that a message from the House informed the Senate that it had adopted HCR 22, HCR 15, HCR 16, HCR 17, HCR 18, HCR 19, HCR 20, HCR 21, HCR 23, HCR 24, HCR 25, SCR 5, SCR 6.

The following Committee reports were announced:

From the Revenue and Taxation Committee: SB 1 - 1 Favorable, 3 Merits, 2 Unfavorable; HB 49 w HA 1 - 1 Favorable, 4 Merits.

From the Finance Committee: HB 50 w HA 1 - 5 Favorable; HJR 2 w HA 1 - 4 Favorable, 1 Merits.

Senators Martin, Connor, Citro, Neal, Torbert and Zimmerman marked PRESENT.

HCR 12 was introduced and considered for adoption on motion of Senator Vaughn:

HCR 12 - REQUESTING PRESIDENT RONALD REAGAN AND THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO JOIN IN AN EFFORT TO RECONSIDER THE DRAMATICALLY INCREASED HIGHWAY USERS TAX WHICH WILL RAISE CONSUMER GOODS PRICES AT A CRITICAL TIME IN OUR NATIONAL ECONOMY. Sponsors: Representative B. Ennis and Senator Vaughn.

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

YES: Senators Adams, Cook, Cordrey, Littleton, Marshall, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 12.

NO: Senators Arnold, Bair, Berndt, Connor, Knox, Neal - 6.

NOT VOTING: Senators Citro, Holloway and Martin - 3.

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

SR 13 was introduced and considered for adoption on motion of Senator Martin:

SR 13 - REQUESTING THE GOVERNOR OF THE STATE OF DELAWARE TO DESIGNATE FEBRUARY 16TH THROUGH FEBRUARY 23RD, 1983 AS PATRIOTISM WEEK THROUGHOUT DELAWARE. Sponsor: Senator Martin.

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

SB 80 was lifted from the table for consideration on motion of Senator McDowell:

SB 80 - AN ACT TO AMEND CHAPTER 86, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF CONSUMER AFFAIRS AND THE COUNCIL ON CONSUMER AFFAIRS.

SA 1 to the Bill, sponsored by Senators McDowell, Vaughn, Marshall, Bair, Connor; Representatives Jonkier, Soles, Smith, Barnes, was introduced and considered for adoption on motion of Senator McDowell. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Knox) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 80 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Knox) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 33 was taken up for consideration on motion of Senator Zimmerman:

SB 33 - AN ACT TO AMEND CHAPTER 65, TITLE 29, DELAWARE CODE, RELATING TO PROMPT PAYMENT OF INVOICES BY AGENCIES OF THE STATE OF DELAWARE.

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

HB 15 was taken up for consideration on motion of Senator Zimmerman:

HB 15 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, BY ADDING THERETO A NEW CHAPTER 103 RELATING TO ESTABLISHING A BUSINESS REGULATION AND LICENSING SYSTEM.

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

HB 19 was taken up for consideration on motion of Senator Minner:

HB 19 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF DELMAR" ALSO KNOWN AS VOLUME 61, CHAPTER 137, LAWS OF DELAWARE, BY PROVIDING THAT THE ALDERMAN AND THE ASSISTANT ALDERMAN NEED NOT BE RESIDENTS OF THE TOWN AND REMOVING THE QUALIFICATION THAT AN ALDERMAN OR AN ASSISTANT ALDERMAN SHALL NOT BE MEMBERS OF THE TOWN COUNCIL.

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 29 was taken up for consideration on motion of Senator Minner:

HB 29 - AN ACT TO AMEND AN ACT, BEING CHAPTER 516, VOLUME 60, LAWS OF DELAWARE, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD" TO INCREASE THE AMOUNT WHICH MAY BE BORROWED BY THE CITY OF SEAFORD IN ANTICIPATION OF REVENUES.

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

HB 50 w HA 1 - AN ACT TO EMPOWER THE GOVERNOR TO EFFECT REDUCTIONS IN APPROPRIATIONS.

The privilege of the floor was extended to T. Dennis Sullivan (Secretary of Finance) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Minner) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

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

HJR 2 w HA 1 - ESTABLISHING THE PROCESS FOR AWARDING GRANTS-IN-AID.

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.

HB 49 w HA 1 was taken up for consideration on motion of Senator Marshall under suspension of the necessary rules:

HB 49 w HA 1 - AN ACT TO AMEND SECTION 1154, CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO EMPLOYER WITHHOLDING AND PAYMENT OF DELAWARE INCOME TAX.

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

SB 25 w SA 2 was lifted from the table for consideration on motion of Senator McDowell.

On motion of Senator McDowell (and without objection) the roll call on SA 2 was rescinded and the Amendment laid on the table.

SA 4 to the Bill was introduced and considered for adoption on motion of Senator McDowell. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 25 w SA 4 was then taken; however, the roll call was laid on the table before being announced on motion of Senator McDowell.

SCR 7 was introduced and considered for adoption on motion of Senator Sharp:

SCR 7 - EXPRESSING THE GENERAL ASSEMBLY'S WILLINGNESS TO TAKE RESPONSIBLE ACTION TO ENCOURAGE CONTINUATION OF RACING AT DELAWARE PARK. Sponsors: Senator Sharp and Representative Gilligan.

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 32 was taken up for consideration on motion of Senator Zimmerman:

SB 32 - AN ACT TO AMEND SUBCHAPTER VII, CHAPTER 11, TITLE 30, DELAWARE CODE RELATING TO WITHHOLDING OF TAX BY EMPLOYERS.

SA 1 to the Bill was introduced by Senator Zimmerman and immediately stricken at his request.

SA 2 to the Bill was introduced and considered for adoption on motion of Senator Zimmerman. 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 32 w SA 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.

The Secretary announced that a message from the House informed the Senate that it had passed HB 47 w HA 1 and HB 32.

HB 47 w HA 1 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Zimmerman:

HB 47 w HA 1 - AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER, BEING CHAPTER 158, VOLUME 36, LAWS OF DELAWARE, AS AMENDED, RELATING TO ANNEXATION ELECTIONS; THE APPOINTMENT OF DEPUTY ALDERMAN; CONFERRING CERTAIN POWERS ON THE MAYOR AND COUNCIL; RELATIVE COLLECTION OF TAXES ON NEW CONSTRUCTION; POLL ASSESSMENT AND TAX DELINQUENTS; VOTING AGE; TAX EXEMPTIONS FOR PERSONS LESS THAN TWENTY-ONE AND PROVIDING FOR REASSESSMENT OF REAL PROPERTY EVERY TEN YEARS; PERMITTING THE CITY MANAGER TO MAKE MONTHLY REPORTS BASED ON PRESENT DAY BUDGET ACCOUNTING METHODS; BALANCED BUDGET REQUIREMENTS; EQUITABLE DISTRIBUTION ON THE PLANNING COMMISSION; CORRECTING CERTAIN TYPOGRAPHICAL ERRORS IN THE CHARTER; GRANTING POWERS TO THE MAYOR AND COUNCIL; RELATIVE FIRE PROTECTION; BOUNDARIES OF THE THIRD AND FOURTH DISTRICTS AND EMPLOYEE PENSION PLANS. Sponsors: Representatives Outten and Bennett; Senators Zimmerman and Torbert.

The following Resolution of the Mayor and City Council of Dover was read and is made part of this Journal at the request of Senator Zimmerman:

CITY OF DOVER  
Mayor and Council  
RESOLUTION

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER IN COUNCIL MET:

WHEREAS, the Mayor and Council of the City of Dover have worked extensively in attempting to revise the Charter of the City of Dover so that it will be updated and in conformity with the modern complex form of municipal government; and

WHEREAS, the Mayor and Council of the City of Dover have approved these recommended changes to the Charter and have asked the General Assembly of the State of Delaware to amend the Charter accordingly.

THEREFORE, be it resolved by the Mayor and Council of the City of Dover that the General Assembly of the State of Delaware is hereby asked to revise the Charter of the City of Dover in conformity with the Amendment proposed by and approved by the Mayor and Council of the City of Dover as submitted in House Bill #47.

ADOPTED: January 24, 1983

Crawford J. Carroll, Mayor

SEAL OF CITY OF DOVER

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

HCR 16 - MOURNING THE DEATH OF RALPH C. WILSON, OF DOVER, FORMER SECRETARY OF THE STATE BOARD OF AGRICULTURE. Sponsors: Representatives Outten, Bennett, Terry; Senator 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.

The Secretary announced that a message from the House informed the Senate that it had passed SB 63 and SB 29 w HA 1.

On motion of Senator McDowell, SB 29 which had previously passed the Senate, was taken up for reconsideration as now further amended by HA 1.

The roll call vote on SB 29 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.

HCR 8 was introduced and considered for adoption on motion of Senator Adams:

HCR 8 - JOINING IN THE CELEBRATION AS GEORGIA MARKS ITS 250TH BIRTHDAY DURING 1983. Sponsors: Senator Adams and all the Senators; Representatives Clendaniel and Barnes.

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

SR 14 was introduced and considered for adoption on motion of Senator Holloway:

SR 14 - EXPRESSING THE BEST WISHES FOR THE SPEEDY RECOVERY OF TRAFINA WILSON, FORMER SENATE ATTACHE. Sponsor: Senator Holloway.

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

SR 15 was introduced and considered for adoption on motion of Senator Holloway:

SR 15 - MOURNING THE DEATH OF THE REV. HENRY NEWTON HERNDON, FIRST CHAIRMAN OF THE DELAWARE HUMAN RELATIONS COMMISSION. Sponsor: Senator Holloway.

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

HCR 21 was introduced and considered for adoption on motion of Senator Connor:

HCR 21 - CONGRATULATING LUCI TESSEIN, OF WILLIAM PENN HIGH SCHOOL, UPON HER ELECTION AS PRESIDENT OF THE DELAWARE ASSOCIATION OF STUDENT COUNCILS. Sponsors: Representative Mack and Senator Connor; Representatives Brady, Dixon, Houghton, Jester, Myers and Senator McBride.

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

HCR 18 was introduced and considered for adoption on motion of Senator Bair:

HCR 18 - MOURNING THE DEATH OF EDITH C. (JIMMY) WARE, OF ARDEN, ARTIST, AVICULTURIST AND SUFFRAGETTE. Sponsors: Representative Smith and Senator Bair.

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

SCR 9 was introduced and considered for adoption on motion of Senator Martin:

SCR 9 - ESTABLISHING AN AD HOC COMMITTEE TO STUDY MERIT SYSTEM RULES, REGULATIONS, AND ADMINISTRATION AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY REGARDING IMPROVEMENT. Sponsor: Senator Martin.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Holloway, Knox, Littleton, Marshall, Martin, McBride, Minner, Neal, Sharp, Torbert, Vaughn - 18.

NO: Senators Cordrey and Zimmerman - 2.

ABSENT: Senator McDowell - 1.

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

HCR 22 was introduced and considered for adoption on motion of Senator Berndt:

HCR 22 - CONGRATULATING THE CLAYMONT FALCONS FOR WINNING THE 125-POUND DIVISION REGIONAL CHAMPIONSHIP OF THE BERT BELL FOOTBALL LEAGUE. Sponsors: Representatives Brady and Hebner; Senators Bair and Berndt.

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

The following communication was read from the President Pro Tempore:

"I hereby appoint the following to the Ad Hoc Committee pertaining to SCR 9: Senator Roger Martin and Senator James Neal.

Richard S. Cordrey,  
President Pro Tem.

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At 5:25 p.m. on motion of Senator Sharp, the Senate recessed to the call of the President Pro Tempore.

The Senate reconvened at 3:07 p.m., February 17, 1983, Lt. Governor Castle presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 10.

HCR 10 was introduced and considered for adoption on motion of Senator Cordrey:

HCR 10 - REQUESTING THE DELAWARE SOLID WASTE AUTHORITY TO PLAN AND DEVELOP A RESOURCE RECOVERY FACILITY IN SUSSEX COUNTY. Sponsors: Representatives Barnes, Fallon, Smith, Corrozi, Oberle, Bunting, West, Wingate, Clendaniel; Senators Adams, Littleton, Cordrey, Minner, Berndt, Neal, Bair.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Adams, Berndt, Marshall, McDowell) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

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

#### 10TH LEGISLATIVE DAY February 17, 1983

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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, 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 Torbert, SB 99 was introduced and considered for passage under suspension of the required rules:

SB 99 - AN ACT TO AMEND CHAPTER 27 AND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO OPERATION OF MOTOR VEHICLES, SUSPENSION AND REVOCATION OF LICENSE FOR REFUSAL TO SUBMIT TO CHEMICAL TEST, AND TO DRIVING UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS. Sponsors: Senator Torbert, Representative Ennis; Senators Minner, Neal, Citro, McBride, Arnold, Bair, Connor, Knox, Littleton; Representatives Spence, Gilligan, Meconi, Soles, George, Oberle, Barnes, Boykin, Buckworth, D. Ennis, Fallon, Free, Hebner, Maroney, Smith, Roy, Petrilli, Mack, VanSant, Brady, Anderson.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Charles M. Oberly, III (Attorney General), Daniel L. Simpson (Delaware State Police), and Robert J. Voshell (Division of Motor Vehicles).

At 4:35 p.m., the Senate recessed for change of tape and reconvened at 4:40 p.m., Lt. Governor Castle presiding.

SB 99 was still before the Senate.

At 4:46 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:14 p.m., Lt. Governor Castle presiding.

SB 99 was still before the Senate.

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

SA 2 to the Bill was introduced by Senator Marshall and immediately stricken on his motion.  
 SA 3 to the Bill was introduced by Senator McDowell and laid on the table at his request.  
 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, Marshall, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 9.  
 NO: Senators Arnold, Bair, Citro, Connor, Cook, Cordrey, Knox, Littleton, Martin, Neal - 10.  
 ABSENT: Senators Adams and Berndt - 2.  
 Therefore, the Amendment was declared defeated.  
 SA 5 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 Cook, Holloway, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 10.  
 NO: Senators Arnold, Bair, Citro, Connor, Cordrey, Knox, Littleton, Minner, Neal - 9.  
 ABSENT: Senators Adams and Berndt - 2.  
 Therefore, the Amendment was declared defeated.  
 SA 6 to the Bill was introduced by Senator Minner and considered for adoption on her motion.  
 The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Adams and Berndt) ABSENT; therefore, the Amendment was declared adopted.  
 SA 7 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 19 Senators voting YES and 2 (Adams and Berndt) ABSENT; therefore, the Amendment was declared adopted.  
 On motion of Senator Minner, the roll call vote on SA 5 to the Bill was rescinded and the Amendment restored.  
 On motion of Senator Marshall, SA 5 to the Bill was considered for adoption and the roll call vote taken which revealed:  
 YES: Senators Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 12.  
 NO: Senators Arnold, Bair, Citro, Connor, Knox, Littleton, Neal - 7.  
 ABSENT: Senators Adams and Berndt - 2.  
 Therefore, the Amendment was declared adopted.  
 SA 8 to the Bill was introduced by Senator Marshall and then stricken at his request.  
 The roll call vote on SB 99 w SA 5, 6, 7 was then taken and revealed:  
 YES: Senators Arnold, Bair, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 18.  
 NO: Senator McDowell - 1.  
 ABSENT: Senators Adams and Berndt - 2.  
 Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.  
 SCR 10 was introduced and considered for adoption on motion of Senator Zimmerman:  
 SCR 10 - URGING ANNE E. GORSUCH, ADMINISTRATOR FOR THE U. S. ENVIRONMENTAL PROTECTION AGENCY, TO ABANDON THE IDEA OF DESIGNATING THE 106 MILE OCEAN DUMP SITE OFF THE COAST OF DELAWARE AS A PERMANENT DISPOSAL SITE FOR INDUSTRIAL AND MUNICIPAL WASTE. Sponsors: Senators Zimmerman, Cordrey, Minner; Representative Terry.  
 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 sent to the House for consideration.  
 The following legislation was introduced:  
 SB 103 - AN ACT TO AMEND TITLE 16, DELAWARE CODE, BY PROTECTING CITIZENS WHO ARE DEVELOPMENTALLY DISABLED FROM DRUGS AND AVERSIVES. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.  
 SB 105 - AN ACT TO AMEND SUBCHAPTER X, CHAPTER 48, TITLE 21, DELAWARE CODE, RELATING TO THE PENALTY FOR PARKING IN HANDICAPPED AREAS. Sponsor: Senator Holloway. Assigned to Public Safety Committee.  
 SB 106 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE TO GIVE EMPLOYEES THE RIGHT TO KNOW WHAT KIND OF SUBSTANCES THEY ARE IN CONTACT WITH AT WORK. Sponsors: Senator Holloway and Representative Soles. Assigned to Health-Social Services/Aging Committee.  
 SB 107 - AN ACT TO AMEND CHAPTER 9 AND CHAPTER 11, TITLE 7, DELAWARE CODE, RELATING TO FISHING IN TIDAL AND NON-TIDAL WATERS OF THE STATE FOR ALL FISH EXCEPT MENHADEN. Sponsors: Senators Zimmerman, Minner, Knox; Representatives Terry, Smith, Quillen. Assigned to Natural Resources and Environmental Control Committee.  
 At 6:39 p.m. on motion of Senator Sharp, the Senate recessed to the call of the President pro Tempore.

The Senate reconvened at 1:50 p.m., March 15, 1983, Lt. Governor Castle presiding.  
The following letter of nomination for appointment from the Governor was read:

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
March 4, 1983

The Honorable Michael N. Castle  
President of the Senate  
132nd General Assembly of the State of Delaware  
Dover, Delaware

Dear Mr. President:

Pursuant to the provision of Article IV, Section 3 of the Delaware Constitution, this is to notify you of my intention to submit to the Senate for confirmation the name of the Honorable Andrew D. Christie for appointment as Justice of the Supreme Court.

Sincerely yours,  
Pierre S. duPont, IV, Governor

cc: The Honorable Richard S. Cordrey  
The Honorable Andrew Knox  
The Honorable Daniel L. Herrmann  
The Honorable Andrew D. Christie

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The following Committee reports were announced:  
From the Community Affairs Committee: HB 14 w HA 1 - 4 Merits.  
From the Health-Social Services/Aging Committee: SB 60 - 4 Merits.

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

STATE OF DELAWARE  
Office of the Governor  
January 26, 1983

To the Senate of the 132nd 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: Remsen C. Barnard, III, 409 S. Walnut Street, P.O. Box 179, Milford, Delaware, to be reappointed a member of the Delaware River and Bay Authority to serve for a term of five years

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*

STATE OF DELAWARE  
Office of the Governor  
January 26, 1983

To the Senate of the 132nd 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: Cyric W. Cain, 161 Devonshire Road, Wilmington, Delaware, to be reappointed a member of the Tax Appeals Board to serve for a term of three years

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
Office of the Governor  
January 27, 1983

To the Senate of the 132nd 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: Elise Grossman, 2302 Riddle Avenue, Wilmington, Delaware, to be reappointed a member of the State Board of Education to serve for a term of six years

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
Office of the Governor  
January 27, 1983

To the Senate of the 132nd 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: Kenneth Hilton, 201 Marabou Drive, Newark, Delaware, to be reappointed a member of the State Board of Education to serve for a term of six years

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
Office of the Governor  
January 26, 1983

To the Senate of the 132nd 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: James Julian, 4800 Kennett Pike, Wilmington, Delaware, to be reappointed a member of the Delaware River and Bay Authority to serve for a term of five years

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
Office of the Governor  
January 26, 1983

To the Senate of the 132nd 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. Garrett B. Lyons, 1002 Westover Road, Wilmington, Delaware, to be reappointed a member of the Delaware River and Bay Authority to serve for a term of five years

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
Office of the Governor  
January 26, 1983

To the Senate of the 132nd 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 R. McClelland, 2504 Foulk Woods Road, Wilmington, Delaware, to be appointed a member of the Public Service Commission to serve for a term of five years, to fill a vacancy

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
Office of the Governor  
January 26, 1983

To the Senate of the 132nd 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. Walter B. Omans, 624 Wyoming Avenue, Dover, Delaware, to be appointed a member of the Delaware Institute of Medical Education and Research to serve for a term of three years

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*

The following legislation was introduced:

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

SA 1 to SB 27. Sponsor: Senator Cordrey. Placed with the Bill.

SB 75 - AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO THE APPLICATION OF MAXIMUM PENSIONS FOR SERVICE PRIOR TO 1977. Sponsor: Senator Sharp (by request). Assigned to Finance Committee.

SB 76 - AN ACT TO AMEND SUBSECTION (b), SECTION 5854, TITLE 29, DELAWARE CODE, RELATING TO CONFLICTS OF INTEREST OF STATE AGENCY EMPLOYEES. Sponsors: Senator Martin. Assigned to Executive Committee.

SB 77 - AN ACT TO AMEND CHAPTER 58A, OF TITLE 29, DELAWARE CODE, RELATING TO CONFLICTS OF INTEREST OF STATE AGENCIES EMPLOYEES. Sponsor: Senator Martin. Assigned to Executive Committee.

SB 78 - AN ACT TO AMEND CHAPTER 58 A, TITLE 29 OF THE DELAWARE CODE, RELATING TO AN EMANCIPATED CHILD OF A STATE EMPLOYEE OR A BUSINESS OWNED BY SUCH CHILD RENDERING SERVICES IN MATTERS BEFORE OR TRANSACTING BUSINESS WITH A STATE AGENCY. Sponsor: Senator Martin. Assigned to Health and Social Services/Aging Committee.

SB 79 - AN ACT TO AMEND PART X, TITLE 29 OF THE DELAWARE CODE PROVIDING FOR REGULATORY EXCEPTIONS FOR INDIVIDUALS AND SMALL BUSINESSES. Sponsors: Senator Zimmerman, Representative Outten; Senators Cordrey, Sharp, McDowell, Bair, Neal, Citro, Knox, Connor; Representatives Barnes, Clark, Bennett. Assigned to Small Business Committee.

SB 81 - AN ACT TO AMEND CHAPTERS 25 AND 5 OF TITLE 18, DELAWARE CODE, TO REQUIRE HEALTH AND ACCIDENT INSURANCE COMPANIES AND HEALTH SERVICE CORPORATIONS TO FILE RATES 90 DAYS PRIOR TO THE EFFECTIVE DATE AND REQUIRING COMPLETE ANNUAL STATEMENTS FROM HEALTH SERVICE CORPORATIONS. Sponsors: Senators Sharp, Holloway, Zimmerman, Vaughn, Cook, Minner; Representatives Jonkiert, Cordrey, Dixon, Clendaniel, Clark, Bunting, B. Ennis, Plant, West, Terry, Anderson, VanSant, Jester, Campanelli. Assigned to Insurance and Elections Committee.



SB 82 - AN ACT TO AMEND TITLE 24, DELAWARE CODE, TO GUARANTEE CERTAIN EX-OFFENDERS THE RIGHT TO PURSUE AN OCCUPATION OR PROFESSION. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

SB 83 - 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 CONSUMMATED AT TRANSIENT PLACES OF BUSINESS. Sponsors: Senators Bair, Knox, Neal, Marshall, Minner, Vaughn; Representatives Soles, Smith, Free, Jester, Brady. Assigned to Finance Committee.

SB 84 - AN ACT TO AMEND CHAPTER 30, TITLE 14 OF THE DELAWARE CODE RELATING TO A PROFESSIONAL CONSELOR LICENSURE ACT. Sponsor: Senator Holloway. Assigned to Education Committee.

SB 85 - AN ACT TO AMEND SUBCHAPTER III, SUBPART D, OF TITLE II OF THE DELAWARE CODE RELATING TO THEFT AND RELATED OFFENSES. Sponsor: Senator Adams. Assigned to Judiciary Committee.

SB 86 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN DEWEY BEACH TO THE TOWN OF DEWEY BEACH. Sponsors: Senator Cordrey and Representative Wingate. Assigned to Community Affairs Committee.

At the request of Senator Bair (and without objection) SB 83 was reassigned from the Finance Committee to the Community Affairs Committee.

SB 87 - AN ACT TO AMEND CHAPTER 47, PART IV, TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES; AND PROVIDING FOR A FORFEITURE OF DRUG PROFITS ACT. Sponsor: Senator Connor. Assigned to Health-Social Services/Aging Committee.

SB 88 - 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 COMMITTEE OR ITS SUCCESSOR FOR THE PURPOSE OF ESTABLISHING A VETERANS CEMETERY. Sponsors: Senators Vaughn, Sharp, Cook; Representatives Jester, B. Ennis. Assigned to Community Affairs Committee.

SB 89 - AN ACT TO AMEND CHAPTER 31, TITLE 14, DELAWARE CODE, AS IT RELATES TO THE FUNDING OF RESIDENTIAL SERVICES FOR PERSONS WHO ARE AUTISTIC. Sponsors: Senators Holloway, Neal, Arnold, Connor, Knox, Torbert; Representatives Campanelli, Corrozi, Free, Maroney, Oberle, Petrilli, Roy, Soles, Spence. Assigned to Education Committee.

SB 90 - AN ACT TO AMEND CHAPTER 65, TITLE 29, DELAWARE CODE TO PROHIBIT THE INCURRING OF EXPENSES BY A STATE AGENCY WITH A PERSON OR FIRM THAT DISCRIMINATES ON THE BASIS OF SEX. Sponsors: Senators Bair, Knox, McDowell, Neal; Representatives Jester, Smith, Roy. Assigned to Community Services/Energy Committee.

SB 91 - AN ACT TO AMEND SUBPART B, SUBCHAPTER VI, TITLE II, DELAWARE CODE, RELATING TO OFFICIAL MISCONDUCT. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 92 - AN ACT TO PROVIDE A SUPPLEMENTARY APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF REIMBURSING VOLUNTEER FIRE COMPANIES FOR EXTRAORDINARY EXPENSES. Sponsors: Senator Minner, Vaughn, Cook. Assigned to Finance Committee.

SB 93 - AN ACT TO AMEND CHAPTER 25, TITLE 18 OF THE DELAWARE CODE RELATING TO THE MAKING OF INSURANCE RATES FOR PRIVATE PASSENGER VEHICLES. Sponsor: Senator Torbert. Assigned to Insurance and Elections Committee.

SB 89 was reassigned from the Education Committee to the Finance Committee at the request of Senator Cook and without objection.

SB 94 - AN ACT TO AMEND CHAPTER 5, TITLE 19, DELAWARE CODE, RELATING TO PROVISIONAL EMPLOYMENT CERTIFICATES FOR MINORS. Sponsors: Senators Neal, Bair, Holloway, McBride, McDowell, Minner, Knox; Representatives Anderson, Fallon, George, Hebner, Holloway, Maroney, Roy, Smith, Soles. Assigned to Labor and Industrial Relations Committee.

SB 95 - AN ACT TO AMEND CHAPTER 41, TITLE 7, DELAWARE CODE, RELATING TO COMPENSATION OF TAX DITCH COMMISSIONERS. Sponsors: Senator Adams; Representatives Clendaniel, Barnes. Assigned to Finance Committee.

SB 96 - AN ACT TO AMEND CHAPTER 39, TITLE 31, DELAWARE CODE, RELATING TO ADULT PROTECTIVE SERVICES. Sponsors: Senator Holloway, Representative Anderson; Senators Minner, Vaughn, McBride, Knox, Berndt; Representatives Gilligan, Barnes, Jester, Dixon, Smith, Campanelli, D. Ennis, Fallon. Assigned to Corrections Committee.

SB 97 - AN ACT TO AMEND DELAWARE CODE, TITLE 16, AS IT RELATES TO THE REGULATORY PROVISIONS CONCERNING PUBLIC HEALTH FOR RESIDENTIAL FACILITIES FOR DEVELOPMENTALLY DISABLED PERSONS. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SB 98 - AN ACT TO AMEND 63 LAWS OF DELAWARE CHAPTER 446 RELATING TO THE COLLECTION OF THE REALTY TRANSFER TAX. Sponsor: Senator Knox. Assigned to Revenue and Taxation Committee.

SB 100 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 1, TITLE 10, DELAWARE CODE, RELATING TO ADVISORY OPINIONS OF THE JUSTICES OF THE SUPREME COURT UPON REQUEST OF THE GOVERNOR OR GENERAL ASSEMBLY. Sponsor: Senator Cordrey. Assigned to Judiciary Committee.

SB 101 - AN ACT TO AMEND CHAPTER 268, VOLUME 62, LAWS OF DELAWARE, RELATING TO THE TRANSFER OF THE WARWICK SCHOOL NO. 225. Sponsor: Senator Cordrey. Assigned to Administrative Services/Energy Committee.

SB 102 - AN ACT TO AMEND 29 DEL. C., CHAPTER 52, RELATING TO HEALTH CARE INSURANCE FOR STATE EMPLOYEES. Sponsor: Senator Cordrey. Assigned to Finance Committee.

SB 104 - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO SPORTS AND AMUSEMENTS BY AUTHORIZING AND PROVIDING FOR THE REGULATION, CONTROL AND LICENSING OF, AND PARI-MUTUEL BETTING ON, GREYHOUND DOG RACING IN THE STATE OF DELAWARE. Sponsor: Senator Holloway. Assigned to Community Affairs Committee.

SB 108 - AN ACT TO AMEND CHAPTER 61, TITLE 7, DELAWARE CODE, RELATING TO THE MANAGEMENT OF OIL, GAS AND RELATED MINERAL RESOURCES OF THE STATE. Sponsor: Senator Martin. Assigned to Natural Resources and Environmental Control Committee.

SB 109 - AN ACT TO AMEND TITLE 7, DELAWARE CODE RELATING TO THE MANAGEMENT OF HARD MINERAL RESOURCES OF THE STATE. Sponsor: Senator Martin. Assigned to Natural Resources and Environmental Control Committee.

SB 110 - AN ACT TO AMEND CHAPTER 29, TITLE 24, DELAWARE CODE, RELATING TO QUALIFICATIONS OF MEMBERS OF THE DELAWARE REAL ESTATE COMMISSION. Sponsor: Senator Cordrey. Assigned to Administrative Services/Energy Committee.

SB 111 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 55; TITLE 16, DELAWARE CODE, RELATING TO LIABILITY FOR MAINTENANCE OF PATIENT. Sponsor: Senator Cordrey. Assigned to Health-Social Services/Aging Committee.

SB 112 - AN ACT TO AMEND CHAPTER 39, TITLE 25, DELAWARE CODE, TO ESTABLISH A SPECIAL FUND FOR BALANCES FROM LIENHOLDER SALES AND TO REQUIRE A LIENHOLDER TO FILE WITH THE COURT A DISPOSITION OF PROCEEDS FORM AS A CONDITION TO RECEIVING TITLE TO THE VEHICLE SOLD. Sponsor: Senator Minner. Assigned to Judiciary Committee.

SB 113 - AN ACT TO AMEND 14 DELAWARE CODE, CHAPTER 10, RELATING TO THE SALE OF EXCESS SCHOOL DISTRICT PROPERTY. Sponsors: Senator Sharp and Representative VanSant. Assigned to Education Committee.

SB 114 - AN ACT TO AMEND CHAPTER 13, TITLE 14, DELAWARE CODE, TO PROVIDE FOR CONTRACTED SERVICES FOR CERTAIN THERAPISTS PROVIDED FOR ORTHOPEDICALLY HANDICAPPED AND SEVERELY MENTALLY RETARDED PUPILS. Sponsors: Senator Vaughn, McBride; Representatives Jester, Soles, Meconi, Outten. Assigned to Executive Committee.

SB 113 was reassigned from the Education Committee to the Executive Committee on request of Senator Sharp and without objection.

SA 3, SA 4, SA 5 to SB 53. Sponsor: Senator Vaughn. Placed with the Bill.

SR 16 was introduced and considered for adoption on motion of Senator Cordrey:

SR 16 - IN REFERENCE TO ELECTION OF STAFF. Sponsors: Senators Cordrey and Sharp.

The Roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Citro, Martin and Neal) ABSENT; therefore, the Resolution was declared adopted.

Senators Berndt and Adams marked PRESENT.

At 2:23 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 11th Legislative Day.

#### 11TH LEGISLATIVE DAY March 15, 1983

The Senate convened at 2:23 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

Legislative Advisories 1, 2 and 3 received from the Office of Counsel to the Governor were read which indicated that the Governor took the following action on passed legislation:

Legislative Advisory #1: On January 31, 1983 the Governor signed SB 67 (Volume 64, Chapter 1, Laws of Delaware), SB 80 w SA 1 (Volume 64, Chapter 2, Laws of Delaware). On February 2 the Governor signed HB 19 (Volume 64, Chapter 3, Laws of Delaware); HB 29 (Volume 64, Chapter 4, Laws of Delaware); HB 47 w HA 1 (Volume 64, Chapter 5, Laws of Delaware); HB 49 w HA 1 (Volume 64, Chapter 6, Laws of Delaware); HB 50 w HA 1 (Volume 64, Chapter 7, Laws of Delaware); SB 29 w HA 1 (Volume 64, Chapter 8, Laws of Delaware); SB 54 w SA 1 (Volume 64, Chapter 9, Laws of Delaware); SB 59 (Volume 64, Chapter 10, Laws of Delaware); SB 63 (Volume 64, Chapter 11, Laws of Delaware). The following Resolutions were signed by the Governor on February 2, 1983 (no Chapter numbers assigned); HJR 1; SJR 1; SJR 3.

Legislative Advisory #2: On February 8, 1983 the Governor signed HB 15 (Volume 64, Chapter 12, Laws of Delaware) and HJR 2 w HA 1 (no Chapter number assigned).

Legislative Advisory #3: On February 18, 1983 the Governor signed SB 99 w SA 5, 6, 7 (Volume 64, Chapter 13, Laws of Delaware).

SB 28 was stricken at the request of Senator Cordrey and without objection.

The Secretary announced that a message from the House informed the Senate that it had passed SB 99 w SA 5, 6, 7; SB 67; SB 59; SB 80 w SA 1; SB 54 w SA 1; and adopted SCR 7, SCR 8; SJR 3; HCR 26; HCR 27; HCR 28; HCR 30.

The Secretary announced that a letter received from the Secretary of the Senate of the State of California, Darryl R. White, indicated that the Legislature of that State passed a Joint Resolution (SJR 67) urging a nationwide celebration and support of the principles of the Constitution of the United States on the 195th anniversary of its signing (September 17, 1787.)

The following letter from U. S. Senator Joseph R. Biden, Jr. was read:

UNITED STATES SENATE

Washington, D.C.

March 2, 1983

Ms. Betty Jean Caniford  
Secretary, Delaware State Senate  
Legislative Hall  
Dover, Delaware 19901

Dear Ms. Caniford:

Thank you for forwarding to me a copy of Delaware Senate Resolution No. 9 urging members of the Delaware Congressional Delegation to seek repeal of withholding taxes on interest.

The new law requiring withholding of taxes on interest and dividends is tremendously unfair. Therefore, I have cosponsored S. 222, a bill introduced by Senator Kasten that will repeal this burdensome law. I am going to fight for the repeal as I have done since the law's enactment and hopefully my Senate colleagues can be persuaded to support my efforts.

The problems caused by withholding of taxes on interest and dividends are three-fold for the individual. First, for those dependent on a regular flow of cash interest or dividends, the amount will be reduced. Second, compounding or automatic reinvestment will be lessened, because the amount withheld will not be available for these purposes. And third, much needed income may be unnecessarily lost for those whose taxes are withheld and who do not file for a refund.

This withholding will also penalize the individual by reducing the earnings of a financial institution that might otherwise be available for additional interest or dividend payments. Financial institutions will have to contend with reduced deposits and increased record keeping and paperwork.

I sincerely hope that we can turn this around. It is simply unfair to lay this on the average taxpayer's shoulders.

Sincerely,  
Joe Biden  
Joseph R. Biden, Jr.  
United States Senator

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

STATE OF DELAWARE  
Executive Department  
DOVER  
March 15, 1983

To the Senate of the 132nd General Assembly  
of the State of Delaware

In conformity with the Constitution of the State of Delaware, I hereby nominate and appoint for the consideration and confirmation of the Senate, the following: Andrew C. Christie, Greenville, Delaware, to be appointed Justice of the Supreme Court of the State of Delaware for a term of 12 years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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SR 17 was introduced and considered for adoption on motion of Senator Holloway:  
**SR 17 - PRAISING FORMER DU PONT COMPANY CHAIRMAN IRVING S. SHAPIRO FOR HIS LEADERSHIP IN URGING A NATIONAL HEALTH CARE COMMISSION AND URGING PRESIDENT RONALD REGAN TO CREATE SUCH A COMMISSION.** Sponsor: Senator Holloway.  
 The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Littleton and Martin) ABSENT; therefore, the Resolution was declared adopted.  
 SR 18 was introduced and considered for adoption on motion of Senator Holloway:  
**SR 18 - EXTENDING CONGRATULATIONS TO BRENDA JEAN CANIFORD ON HER EIGHTEENTH BIRTHDAY.** Sponsor: Senator Holloway.  
 The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Littleton and Martin) ABSENT; therefore, the Resolution was declared adopted.  
 SCR 11 was introduced and considered for adoption on motion of Senator Minner:  
**SCR 11 - RECOGNIZING THE EFFECTIVENESS AND NEED FOR THE FEDERAL WOMEN'S PROGRAM AND DESIGNATING MARCH 21 THROUGH 25, 1983, AS FEDERAL WOMEN'S RECOGNITION WEEK IN DELAWARE.** Sponsors: Senator Minner and Representative Smith.  
 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.  
 HB 32 was introduced and assigned to Administrative Services/Energy Committee:  
**HB 32 - AN ACT TO AUTHORIZE AND DIRECT THE TRANSFER OF CERTAIN PROPERTY IN THE LAUREL SCHOOL DISTRICT.** Sponsors: Representative Cordrey and Senator Littleton.  
 HCR 15 was introduced and considered for adoption on motion of Senator Cordrey:  
**HCR 15 - CONGRATULATING COACH HAROLD L. (TUBBY) RAYMOND AND THE UNIVERSITY OF DELAWARE'S FOOTBALL TEAM FOR WINNING THEIR THIRTEENTH LAMBERT CUP IN ANOTHER BIG SEASON.** Sponsors: Representative George and Senator Cordrey.  
 Senator Martin marked PRESENT.  
 The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Littleton) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.  
 HCR 17 was introduced and considered for adoption on motion of Senator Vaughn:  
**HCR 17 - CONGRATULATING THE SMYRNA SCHOOL SYSTEM FOR ITS NATIONALLY RECOGNIZED VOCATIONAL AGRICULTURE PROGRAM.** Sponsors: Representatives Clark, B. Ennis; Senators Vaughn, Cook.  
 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 116 was introduced and assigned to Public Safety Committee:  
**SB 116 - AN ACT TO AMEND SUBCHAPTER V, CHAPTER 41, TITLE 21, DELAWARE CODE, RELATING TO PEDESTRIANS' RIGHTS AND DUTIES.** Sponsors: Senators Minner, Sharp, Zimmerman, Cook, Holloway; Representative B. Ennis.  
 At 2:47 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 3:58 p.m., Senator Cordrey presiding.  
 The following legislation was introduced:  
 SB 115 - AN ACT TO AMEND DELAWARE CODE, TITLE 29 BY PROVIDING FOR THE RETIREMENT OF A FULL-TIME CLASSROOM TEACHER AFTER TWENTY-FIVE YEARS OF SERVICE, WHO IS AT LEAST FIFTY-FIVE YEARS OF AGE, WITHOUT PENALTY. Sponsors: Senator Bair; Representatives Jester, Soles, Fallon. Assigned to Finance Committee.  
 SB 117 - AN ACT TO AMEND CHAPTER 5, TITLE 13, DELAWARE CODE RELATING TO DETERMINATION OF AMOUNT OF SUPPORT. Sponsor: Senator Torbert. Assigned to Judiciary Committee.  
 SB 118 - AN ACT TO WAIVE COLLECTION OF STATE INHERITANCE TAX FROM MRS. JANE M. MEDER OF DOVER, WIDOW OF COLONEL PAUL O. MEDER, DECLARED MISSING IN ACTION FEBRUARY 11, 1972, AND OFFICIALLY DECLARED KILLED IN ACTION FEBRUARY 11, 1982. Sponsor: Senator Torbert (by request). Assigned to Judiciary Committee.  
 SB 119 - AN ACT TO AMEND CHAPTER 9, TITLE 4, DELAWARE CODE, RELATING TO ALCOHOLIC BEVERAGES OFFENSES INVOLVING MINORS. Sponsor: Senator Torbert. Assigned to Administrative Services/Energy Committee.  
 SB 120 - AN ACT TO AMEND SUBPART B, TITLE 11, DELAWARE CODE, RELATING TO OFFICIAL MISCONDUCT. Sponsor: Senator Holloway. Assigned to Judiciary Committee.  
 SB 121 - AN ACT TO AMEND SUBCHAPTER II OF CHAPTER 66, TITLE 7, DELAWARE CODE, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL MAKING CORRECTIONS TO ERRORS IN WETLANDS MAPS. Sponsors: Senators Zimmerman and Minner. Assigned to Natural Resources and Environmental Control Committee.

SB 122 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 60, TITLE 7, DELAWARE CODE, RELATING TO THE PREPARATION OF WRITTEN TRANSCRIPTS OF TESTIMONY TAKEN AT PUBLIC HEARINGS. Sponsors: Senators Zimmerman and Minner. Assigned to Executive Committee.

SB 123 - AN ACT TO AMEND SUBCHAPTER II OF CHAPTER 60, TITLE 7, DELAWARE CODE, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL ADVERTISING PERMIT APPLICATIONS FOR SOURCES OF WATER OR A SEWAGE SYSTEM FOR THREE OR FEWER FAMILIES, MUNICIPAL OR PUBLICLY OWNED OR OPERATED SEWAGE COLLECTION SYSTEMS NOT HAVING PUMP OR LIFT STATIONS, SMALL COMMERCIAL SEPTIC SYSTEMS, GASOLINE DISPENSING FACILITIES, DRY CLEANING FACILITIES, AND OPEN BURNING. Sponsors: Senators Zimmerman and Minner. Assigned to Natural Resources and Environmental Control Committee.

SB 124 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 1, TITLE 16 DELAWARE CODE, RELATING TO THE PROHIBITION OF SMOKING IN PUBLIC BUILDINGS WHERE NO SMOKING SIGNS ARE POSTED AND PROVIDING A PENALTY THEREFORE. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SA 1 to HB 14. Sponsor: Senator Cordrey. Placed with the Bill.

SR 19 - THANKING AL CARTWRIGHT, NEWS-JOURNAL COLUMNIST, FOR COUNTLESS HOURS OF GOOD READING AND WISHING HIM A GOLDEN RETIREMENT. Sponsor: Senator Holloway.

The Resolution was considered for adoption on motion of Senator Holloway and the roll call vote taken which revealed 20 Senators voting YES and 1 (Neal) ABSENT; therefore, the Resolution was declared adopted.

HCN 19 was introduced and considered for adoption on motion of Senator Bair:

HCN 19 - REQUESTING ALL DEPARTMENTS TO CONTINUE THEIR COMMITMENT TO ENERGY CONSERVATION AS A STATE POLICY. Sponsors: Representatives Smith, Bunting, Meconi, Terry; Senators Bair, Knox, McDowell, Minner.

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

HCN 20 was introduced and considered for adoption on motion of Senator Bair:

HCN 20 - EXPRESSING OUR APPRECIATION FOR THE RESEARCH OF THE DELAWARE COMMISSION FOR WOMEN IN ITS SELECTION OF FOUR WOMEN FOR THE HALL OF FAME. Sponsors: Representatives Smith, Anderson, Boykin, Fallon, Jester, Maroney, Soles; Senators Bair, Cook, Minner.

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.

HCN 23 was introduced and considered for adoption on motion of Senator Berndt:

HCN 23 - MOURNING THE DEATH OF S. MARSTON FOX, OF BRANDYWINE HUNDRED, WHO MADE HISTORICAL AND RECREATIONAL PRESERVATION A FULLTIME RETIREMENT OCCUPATION. Sponsors: Representatives D. Ennis, Smith, Brady; Senator Berndt.

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.

HCN 24 was introduced and considered for adoption on motion of Senator Zimmerman:

HCN 24 - REQUESTING THE CONGRESS OF THE UNITED STATES TO SUPPORT THE STATES' EFFORTS IN MANAGING THEIR COASTAL RESOURCES AND TO PROVIDE ESSENTIAL FUNDING THEREFORE. Sponsors: Representatives Smith, Bunting, Meconi, Terry; Senators Knox, 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.

HCN 25 - RECOGNIZING THE CONTRIBUTIONS OF NATIONAL CONFERENCE OF CHRISTIANS AND JEWS "COMMUNITY BUILDERS". Sponsors: Representative George; Senators Bair, McBride.

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.

HCN 26 was introduced and considered for adoption on motion of Senator Sharp:

HCN 26 - EXPRESSING OUR READINESS TO CONSIDER A SOUND PLAN TO KEEP DELAWARE PARK OPEN. Sponsors: Representative Gilligan and Senator Sharp.

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.

HCN 28 was introduced and considered for adoption on motion of Senator Connor:

HCN 28 - MARKING THE DEATH OF EDWARD F. MCDANIEL, FORMER MAYOR OF NEW CASTLE. Sponsors: Representative Mack and Senator Connor.

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.

HCN 27 was introduced and assigned to Finance Committee on motion of Senator Cordrey:

HCR 27 - ESTABLISHING A JOINT AD HOC GRANT-IN-AID REFORM COMMITTEE FOR THE PURPOSE OF CONTINUED REFORM OF THE GRANTS-IN-AID PROCESS. Sponsors: Representatives Soles and Smith, Senator McBride; Representatives Corrozi, George, Meconi, Bennett.

SB 114 which had been assigned to Executive Committee was reassigned to Education Committee at the request of Senator Vaughn and without objection.

HCR 30 was introduced and considered for adoption on motion of Senator Berndt:

HCR 30 - MOURNING THE DEATH OF HERMAN ROSENBLUM, M.D., FORMER DIRECTOR OF THE DEPARTMENT OF PEDIATRICS AT THE WILMINGTON MEDICAL CENTER. Sponsor: Representative Maroney.

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 roll call vote on SB 25 w SA 4 was lifted on motion of Senator McDowell (without objection) and announced:

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

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

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

The following Committee reports were announced:

From the Executive Committee: SB 6 - 1 Favorable, 2 Merits, 1 Unfavorable; SB 7 - 1 Favorable, 4 Merits; SB 30 - 5 Merits, 1 Unfavorable; SB 56 - 6 Merits; SJR 2 - 1 Favorable, 3 Merits.

From the Health-Social Services/Aging Committee: SB 106 - 4 Merits, 1 Unfavorable.

At 4:33 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., March 16, 1983.

The Senate reconvened at 2:10 p.m., March 16, 1983, Senator Cordrey presiding.

The following Committee reports were announced:

From the Public Safety Committee: SB 71 - 4 Favorable, 1 Merits; SB 105 - 4 Favorable, 1 Merits; SB 116 - 4 Favorable, 1 Merits.

From the Community Affairs Committee: SB 64 - 1 Favorable, 3 Merits; SB 86 - 1 Favorable, 2 Merits; SB 88 - 3 Merits.

From the Judiciary Committee: SB 55 - 2 Favorable, 2 Merits; SB 68 - 3 Merits, 1 Unfavorable, SB 85 - 4 Merits; SB 91 - 4 Merits; SB 100 - 1 Favorable, 3 Merits; SB 112 - 4 Merits; SB 117 - 4 Merits; SB 120 - 4 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 35 w HA 1, 2, 3; HB 65 and adopted HJR 3 w HA 2.

The following legislation was introduced:

SB 125 - AN ACT TO AMEND CHAPTER 25, TITLE 24, DELAWARE CODE, RELATING TO QUALIFICATIONS OF APPLICANTS FOR PHARMACIST LICENSE. Sponsors: Senators Marshall, Holloway; Representative Jonkiert. Assigned to Administrative Services/Energy Committee.

SB 126 - AN ACT TO AMEND CHAPTER 86, TITLE 29 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF CEASE AND DESIST ORDERS BY THE DIVISION OF CONSUMER AFFAIRS. Sponsor: Senator Knox. Assigned to Judiciary Committee.

SB 127 - AN ACT TO AMEND CHAPTER 15, TITLE 13, OF THE DELAWARE CODE, RELATING TO AN AWARD OF ALIMONY IN DIVORCE AND ANNULMENT ACTIONS. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

At 2:14 p.m., Lt. Governor Castle presiding.

SB 128 - AN ACT TO AMEND CHAPTER 15, TITLE 13, OF THE DELAWARE CODE, RELATING TO AN AWARD OF ALIMONY IN DIVORCE AND ANNULMENT ACTIONS. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 129 - AN ACT TO AMEND CHAPTER 53, TITLE 11, DELAWARE CODE, REGARDING RIGHT TO TRIAL BY JURY. Sponsors: Senators Holloway and Berndt. Assigned to Judiciary Committee.

SB 130 - AN ACT TO AMEND CHAPTERS 3, 7, 21, 23, 27, 31, 41, 42 AND 43 OF TITLE 21, DELAWARE CODE, TO UPDATE PENALTY PROVISIONS OF THE MOTOR VEHICLE CODE. Sponsors: Senators Holloway and Berndt. Assigned to Public Safety Committee.

SB 131 - AN ACT TO AMEND CHAPTER 17, TITLE 7, DELAWARE CODE, TO PROVIDE FOR RABIES IMMUNIZATION FOR CATS. Sponsor: Senator Torbert. Assigned to Natural Resources and Environmental Control Committee.

SB 132 - AN ACT TO AMEND CHAPTER 92, OF TITLE 10, OF THE DELAWARE CODE RELATING TO ORGANIZATION AND OPERATION OF THE JUSTICE OF THE PEACE COURTS. Sponsor: Senator Vaughn. Assigned to Judiciary Committee.

SR 20 was introduced and considered for adoption on motion of Senator Holloway:

SR 20 - REQUESTING THE FAMILY COURT OF THE STATE OF DELAWARE TO UNDERTAKE A STUDY WITH RESPECT TO NON-SUPPORT CLIENTS WITH THE IDEA OF ESTABLISHING A LOCATER STIPEND TO FEMALE SPOUSES WHO REPORT THE WHEREABOUTS OF SUCH PERSONS AND MAKING A RECOMMENDATION TO THE GENERAL ASSEMBLY AS TO WHAT LEGISLATIVE ACTION SHOULD BE PURSUED. Sponsor: Senator Holloway.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Citro, Connor and Martin) ABSENT; therefore, the Resolution was declared adopted.

The following legislation was introduced:

HB 35 w HA 1, 2, 3 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN MILL CREEK HUNDRED TO THE MILL CREEK FIRE COMPANY. Sponsors: Representatives Gilligan, Corrozi, Petrilli, Meconi, Spence, Roy; Senators Arnold, Citro, Knox, McBride, Connor. Assigned to Finance Committee.

HB 65 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PUBLIC NOTICE REQUIREMENTS OF THE BOARD OF LANDSCAPE ARCHITECTURE, BOARD OF VETERINARY MEDICINE, BOARD OF SOCIAL WORK EXAMINERS. Sponsor: Representative Bennett. Assigned to Administrative Services/Energy Committee.

HJR 3 w HA 2 - TO ESTABLISH A COMMITTEE ON INSURING THE AVAILABILITY OF PROFESSIONAL EDUCATORS IN CRITICAL CURRICULAR AREAS. Sponsors: Representatives Bennett, Jester, Soles. Assigned to Education Committee.

The following Committee reports were announced:

From the Administrative Services/Energy Committee: SB 53 - 5 Merits; SB 101 - 5 Merits.

At 2:23 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 12th Legislative Day.

12TH LEGISLATIVE DAY  
MARCH 16, 1983

The Senate convened at 2:23 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

Senator Zimmerman marked PRESENT.

HB 14 w HA 1 was taken up for consideration on motion of Senator Minner:

HB 14 w HA 1 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE CONVERSION OF ANY MOBILE HOME PROPERTIES INTO MULTIPLE-UNIT HOUSING.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to Henry Ridgely (Senate Attorney), Gene Bayard (Sea Air Associates), Robert T. Wolchar (Sea Air Associates).

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 18 Senators voting YES and 3 (Connor, Martin and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

Senator Citro marked PRESENT.

SA 2 to the Bill was introduced by Senator Minner and taken up for discussion.

The following communication was read at the request of Senator Arnold and is made part of this Journal at his request:

LOG-CABIN HILL CAMPING AREA & MOBILE PARK  
LEWES, DELAWARE 19958  
February 28, 1983

Due to the passing of House Bill #14, the operation of the mobile home section of the park is causing us due hardship. We have tried to keep the lot fees down for Senior Citizens, but the owner's attorneys and his auditors find it necessary to increase the lot rent to aid in deflecting the expense of operating this section of the park.

Beginning May 1, 1983, the rate will increase to nine-hundred dollars (\$900.00) per year, payable in one payment, or at the rate of seventy-five dollars (75.00) each month, due the first of every month. We will have leases for you to sign.

Sincerely,  
Walter J. Hamilton, Mgr.  
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Senator Martin marked PRESENT.

At 3:28 p.m., the Senate recessed for change of tape and reconvened at 3:30 p.m.

HB 14 w HA 1, SA 1 (SA 2) was then laid on the table on motion of Senator Minner.

At 3:40 p.m., the Senate recessed for Party Caucus and reconvened at 4:25 p.m., Senator Cordrey presiding.

SB 36 was reported out of the Labor and Industrial Relations Committee; 7 Merits.

Senator Connor marked PRESENT.

The following legislation was introduced:

SB 133 - AN ACT TO AMEND CHAPTER 25, TITLE 24, DELAWARE CODE, RELATING TO RENEWAL OF LICENSES TO PHARMACEUTISTS AND TO ASSISTANT PHARMACEUTISTS. Sponsors: Senators Marshall and Holloway. Assigned to Administrative Services/Energy Committee.

SA 1 to SA 2 to HB 14 w HA 1. Sponsor: Senator Minner. Placed with the Bill.

SA 3 to HB 14 w HA 1. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to SB 2. Sponsors: Senators Holloway and Berndt. Placed with the Bill.

SA 1 to SB 9. Sponsor: Senator Vaughn. Placed with the Bill.

SA 1 to SB 71. Sponsor: Senator Vaughn. Placed with the Bill.

SA 1 to SB 86. Sponsor: Senator Cordrey. Placed with the Bill.

SB 15 was lifted from the table for consideration on motion of Senator Torbert.

At 4:35 p.m., Lt. Governor Castle presiding.

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

The roll call vote on SB 15 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.

SR 21 was introduced and considered for adoption on motion of Senator Sharp:

SR 21 - URGING THE GOVERNOR OF THE STATE OF DELAWARE TO APPOINT A SECRETARY OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES. Sponsors: Senators Sharp, Cordrey, McDowell, Vaughn.

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

The following communications were read and made part of this Journal at the request of Senator Adams:

The State Senate  
Atlanta  
February 4, 1983

Honorable Thurman Adams, Jr.  
State Senator  
Box 218  
Bridgeville, Delaware 19933

Dear Senator Adams:

Thank you very much for introducing and obtaining adoption of the resolution congratulating Georgia on its 250th birthday.

Your interest is appreciated, and I have furnished a copy of your letter and the resolution to each member of the Georgia Senate.

If we can ever be of assistance to you, we would be pleased to hear from you.

Sincerely,  
Joe  
Joseph E. Kennedy, President Pro Tempore  
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HOUSE OF REPRESENTATIVES  
Atlanta, Georgia  
February 3, 1983

Honorable Thurman Adams, Jr.  
State Senator  
Legislative Hall  
Dover, Delaware 19901

Dear Senator Adams:

Thank you for introducing and obtaining the adoption of a resolution congratulating our great state on its 250th birthday.

I certainly appreciate your kindness in doing this for us here in Georgia.

With best wishes and kind personal regards, I am

Sincerely,  
Thomas B. Murphy, Speaker  
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GEORGIA SEMIQUINCENTENARY COMMISSION

P. O. Box 2139  
Savannah, Georgia 31498  
February 22, 1983

Ms. Betty Jean Caniford  
Ms. Doris L. Dayton  
c/o State Capitol  
Wilmington, Delaware

Dear Ms. Caniford and Mrs. Dayton:

The Honorable Joseph E. Kennedy, President Pro Tempore of the Georgia State Senate, has been kind enough to forward me the wonderful certified copy of Senate Concurrent Resolution No. 8 of the Senate and House of the State of Delaware.

Since I do not know the names of your Speaker and presiding officer of your Senate, I must ask that you two, respectively, convey to your Representatives and Senators the gratitude and deep appreciation of this Commission (which was established by the Georgia Legislature) for their thoughtfulness and courtesy in forwarding this Concurrent Resolution. It will be used by us during this year in connection with the more than 300 celebrations that are and will be going on throughout the State of Georgia. After that it will be delivered to the Archives of the Georgia Historical Society to be a part of the permanent collection maintained by this Society covering Georgia history from 1773 to date.

You and the members of your Legislature may be interested to know that this is the first we have received from any of Georgia's sister states.

All of us here in Georgia are a bit puzzled; because of the detailed knowledge of Georgia expressed in this Resolution. We feel that it must have been written by a former Georgian or someone very familiar with the history of our State.

Again our gratitude and very best wishes from all of us.

Cordially yours,  
B. H. Levy, Chairman

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At 4:50 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., March 17, 1983.

The Senate reconvened at 2:03 p.m., March 17, 1983, Senator Cordrey presiding.

At 2:04 p.m., Lt. Governor Castle presiding.

The following legislation was introduced:

SB 134 - AN ACT TO AMEND CHAPTER 47, TITLE 16, DELAWARE CODE, RELATING TO DRUG TRAFFICKING. Sponsors: Senators Marshall, Citro; Representative VanSant. Assigned to Judiciary Committee.

SB 135 - AN ACT TO AMEND CHAPTER 79, TITLE 29 OF THE DELAWARE CODE, RELATING TO THE "OFFICE OF THE OMBUDSMAN." Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 136 - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO OFF-PREMISES SALES LICENSES FOR TAPROOMS. Sponsors: Senators Marshall, Holloway, Citro; Representative Jonkiert. Assigned to Administrative Services/Energy Committee.

SCR 12 - CONGRATULATING THE WILMINGTON HIGH SCHOOL RED DEVILS BASKETBALL TEAM FOR WINNING THE DELAWARE STATE BOY'S HIGH SCHOOL BASKETBALL CHAMPIONSHIP. Sponsor: Senator Marshall. Laid on the table.

SCR 13 - CONGRATULATING THE ST. MARK'S HIGH SCHOOL GIRLS' (SPARTANS) BASKETBALL TEAM FOR WINNING THE DELAWARE STATE GIRLS' BASKETBALL CHAMPIONSHIP. Sponsor: Senator Marshall. Laid on the table.

HCR 33 was introduced and considered for adoption on motion of Senator Sharp:

HCR 33 - COMMENDING THE GENERAL MOTORS CORPORATION AND ITS EMPLOYEES AND EXECUTIVES AT THE BOXWOOD ROAD ASSEMBLY PLANT FOR THE CARE-AND-SHARE PROGRAM FOR THE NEEDY. Sponsors: Representative Campanelli and Senator Sharp.

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

YES: Senators Adams, Bair, Cook, Cordrey, Littleton, McBride, Minner, Neal, Sharp, Torbert, Vaughn - 11.

ABSENT: Senators Arnold, Berndt, Citro, Connor, Holloway, Knox, Marshall, Martin, McDowell, Zimmerman - 10.

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

At 2:09 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 13th Legislative Day.

13TH LEGISLATIVE DAY  
March 17, 1983

The Senate convened at 2:09 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

HB 14 w HA 1, SA 1 was lifted from the table for consideration on motion of Senator Minner.

During discussion of the Bill and the Amendments offered to it the privilege of the floor was extended to Eugene H. Bayard (Sea Air Associates), Robert Wolchar, Jr. (Sea Air Associates) and Henry Ridgely (Senate Attorney).

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

SA 1 to SA 2 to the Bill which had been placed with the Amendment was stricken on motion of Senator Minner.

SA 3 to the Bill (sponsored by Senator Zimmerman) was introduced and laid on the table on motion of Senator McDowell in the absence of the sponsor.

SA 4 (sponsored by Senator Minner; Representatives Wingate and Bunting) was introduced and considered for adoption on motion of Senator Minner.

Senator Zimmerman was marked PRESENT.

The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Connor and Martin) ABSENT; therefore, the Amendment was declared adopted.

SA 3 to the Bill was lifted from the table for discussion on motion of Senator Zimmerman.

Senator Martin marked PRESENT.

At 3:08 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 3:40 p.m., Senator Cordrey presiding.

HB 14 w HA 1, SA 1 was still before the Senate.

SA 3 to the Bill was stricken on motion of Senator Zimmerman.

SA 5 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 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on HB 14 w HA 1, SA 1, 4, 5 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 Amendments.

SB 86 was taken up for consideration on motion of Senator Cordrey:

SB 86 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN DEWEY BEACH TO THE TOWN OF DEWEY BEACH.

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

The roll call vote on SB 86 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Holloway and McDowell) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SR 22 was introduced and considered for adoption on motion of Senator Holloway:

SR 22 - CONGRATULATING THE FIVE HIGH SCHOOL STUDENTS WHO HAVE WON AWARDS IN THE NATIONAL ACHIEVEMENT SCHOLARSHIP PROGRAM FOR OUTSTANDING NEGRO STUDENTS. Sponsor: Senator Holloway.

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

SR 23 was introduced and considered for adoption on motion of Senator McDowell:

SR 23 - WELCOMING SEAN O'HUIGINN, CONSUL GENERAL OF IRELAND, TO DELAWARE. Sponsors: Senators McDowell, McBride and Connor.

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

SR 24 was introduced and considered for adoption on motion of Senator Connor:

SR 24 - SAYIN' A FEW KIND WORDS FOR SAINT PATRICK ON HIS FEAST DAY, MARCH 17, 1983. Sponsors: Senators Connor, Martin, McDowell, McBride, Sharp, Torbert.

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

SCR 14 was introduced and considered for adoption on motion of Senator Connor:

SCR 14 - WISHING THE NEW CASTLE COUNTY SOCCER ASSOCIATION VIPERS SOCCER TEAM WELL ON THEIR UPCOMING TRIP TO BERMUDA AND EXTENDING GREETINGS TO THEIR HOSTS IN BERMUDA. Sponsors: Senator Arnold and Representative Petrilli.

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

HCR 31 was introduced and considered for adoption on motion of Senator McDowell:

**HCR 31 - COMMENDING THE NATURE CONSERVANCY AND THE MELLON FOUNDATION FOR A NEW NATIONWIDE WETLANDS PRESERVATION PROGRAM.** Sponsors: Representative Smith and Senator Minner.

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

**HCR 32 - THANKING PRESIDENT RONALD REAGAN FOR SIGNING HOUSE JOINT RESOLUTION 487 OF THE 98TH CONGRESS PROCLAIMING 1983 AS THE YEAR OF THE BIBLE.** Sponsors: Representatives Barnes, Spence; Senators Adams, Littleton.

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

SCR 12 was lifted from the table for consideration on motion of Senator Marshall:

**SCR 12 - CONGRATULATING THE WILMINGTON HIGH SCHOOL RED DEVILS BASKETBALL TEAM FOR WINNING THE DELAWARE STATE BOY'S HIGH SCHOOL BASKETBALL CHAMPIONSHIP.**

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 13 was lifted from the table and considered for adoption on motion of Senator Marshall:

**SCR 13 - CONGRATULATING THE ST. MARK'S HIGH SCHOOL GIRLS' (SPARTANS) BASKETBALL TEAM FOR WINNING THE DELAWARE STATE GIRLS' BASKETBALL CHAMPIONSHIP.**

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 sent to the House for consideration.

HCR 34 was introduced and considered for adoption on motion of Senator Torbert:

**HCR 34 - CONGRATULATING EDWIN F. ENGLEHART, OF CAMDEN, ON HIS OUTSTANDING CAREER AS DIRECTOR OF THE CAESAR RODNEY HIGH SCHOOL BAND.** Sponsors: Representative Buckworth and 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 35 was introduced and considered for adoption on motion of Senator Minner:

**HCR 35 - EXPRESSING OUR DELIGHT AT THE ACCOMPLISHMENTS OF HARRIETT B. DONOFRIO, A BIOLOGY AND MARINE RESOURCE TEACHER FOR THE CAPE HENLOPEN SCHOOL DISTRICT.** Sponsors: Representatives Wingate, Bunting, Clendaniel; Senators Cordrey and Minner.

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.

SR 25 was introduced and considered for adoption on motion of Senator Martin:

**SR 25 - COMMENDING NEWARK CITY COUNCILMAN WILLIAM M. COVERDALE FOR HIS THIRTY TWO YEARS OF SERVICE ON COUNCIL.** Sponsor: Senator 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.

HCR 36 was introduced and considered for adoption on motion of Senator Torbert:

**HCR 36 - CONGRATULATING OLIVE F. SHOEMAKER FOR HER OUTSTANDING CAREER AS SCHOOL NURSE AT CAESAR RODNEY AS SHE PREPARES TO RETIRE THIS SPRING.** Sponsors: Representative 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 37 was introduced and considered for adoption on motion of Senator Cook:

**HCR 37 - REQUESTING THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO GIVE FAVORABLE CONSIDERATION TO S. 108 WHICH OFFERS TAX BENEFITS TO INDUSTRIES THAT PROVIDE STATE-OF-THE-ART EQUIPMENT AND OTHER HELP TO POSTSECONDARY VOCATIONAL PROGRAMS.** Sponsors: Representatives Gilligan, Bennett, Roy; Senators Cook, Berndt.

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

**SB 124** was reported out of the Health-Social Services/Aging Committee: 5 Merits.

The following legislation was introduced:  
SB 137 - AN ACT TO ESTABLISH A MEDICAL INSURANCE PLAN FOR PERSONS RECEIVING UNEMPLOYMENT BENEFITS. Sponsor: Senator Sharp. Assigned to Insurance and Elections Committee.

SB 138 - 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 139 - AN ACT TO AMEND CHAPTER 10, TITLE 14, DELAWARE CODE, RELATING TO THE USE OF THE PROCEEDS FROM THE SALE OF SCHOOL DISTRICT PROPERTY. Sponsors: Senator McBride; Representative VanSant. Assigned to Education Committee.

SB 140 - AN ACT TO AMEND PART VI, TITLE 6 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY; AND PROVIDING FOR AN AMUSEMENT RIDES SAFETY ACT. Sponsors: Senator Connor and McBride. Assigned to Public Safety Committee.

SA 2 to SB 9. Sponsor: Senator Vaughn. Placed with the Bill.

SA 6 to SB 53. Sponsor: Senator McDowell. Placed with the Bill.

SCR 15 was introduced and considered for adoption on motion of Senator Adams:

SCR 15 - MARKING THE WEEK OF MARCH 18-24 AS NATIONAL AGRICULTURE WEEK AND MARCH 21 AS NATIONAL AGRICULTURE DAY, AND CONGRATULATING THE DELAWARE COUNCIL OF FARM ORGANIZATIONS FOR ITS CONTRIBUTION TO THE DEVELOPMENT OF DELAWARE'S BASIC INDUSTRY. Sponsors: Senator Adams, Representative Clark; Senators Cordrey, Vaughn, Cook, Littleton, Arnold; Representatives Jester, Fallon, Barnes, Clendaniel.

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.

SCR 16 - COMMENDING AND ENCOURAGING THE PUBLIC SCHOOL DISTRICTS FOR PARTICIPATION IN ENERGY SAVING PROGRAMS. Sponsors: Senator Bair, Representative Smith; Senators Minner, McBride, Martin, McDowell, Knox, Neal; Representatives Boykin, Soles, Jester, Bunting, Brady, Meconi, D. Ennis, Fallon, Spence, Petrilli, Free.

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.

SR 26 was introduced:

SR 26 - ADVISING THE GOVERNOR OF THE STATE OF DELAWARE OF THE INTENT OF THE DELAWARE STATE SENATE TO ACT PROMPTLY ON PENDING NOMINATIONS. Sponsor: Senator Neal.

A motion was made to lay SR 26 on the table.

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

YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.

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

Therefore, the motion prevailed and the Resolution was laid on the table.

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

STATE OF DELAWARE  
Office of the Governor  
March 17, 1983

To the Senate of the 132nd 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: Richard C. Sames, 306 North Porter Street, Seaford, Delaware, to be appointed a member of the Environmental Appeals Board to serve for a term of three years to fill a vacancy

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*

STATE OF DELAWARE  
Office of the Governor  
March 17, 1983

To the Senate of the 132nd 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: Clifton H. Hubbard, Jr., 24 Bellrive Court, Dover, Delaware, to be reappointed a member of the Environmental Appeals Board to serve for a term of three years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*

STATE OF DELAWARE  
Office of the Governor  
March 17, 1983

To the Senate of the 132nd 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: Evelyn H. Greenwood, 547 Pennsylvania Avenue, Dover, Delaware, to be reappointed a member of the Environmental Appeals Board to serve for a term of three years

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*

STATE OF DELAWARE  
Office of the Governor  
March 17, 1983

To the Senate of the 132nd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Holger H. Harvey, 502 Main Street, Odessa, Delaware, to be appointed a member of the Environmental Appeals Board to serve for a term of three years to fill the expired term of Ray N. Woodward

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*

STATE OF DELAWARE  
Office of the Governor  
March 17, 1983

To the Senate of the 132nd 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: George A. Wharton, Houston Street, Millsboro, Delaware, to be appointed a member of the Environmental Appeals Board to serve for a term of three years to fill the expired term of Earl Benjamin Tull

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*

STATE OF DELAWARE  
Office of the Governor  
March 17, 1983

To the Senate of the 132nd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Edward C. Painter, 3 Meyers Road, Newark, Delaware, to be appointed a member of the Environmental Appeals Board to serve for a term of three years to fill a vacancy

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*

STATE OF DELAWARE  
Office of the Governor  
March 17, 1983

To the Senate of the 132nd 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 reappointed a member of the Cash Management Policy Board to serve for a term of three years

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*

At 4:55 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., March 22, 1983.

The Senate reconvened at 2:19 p.m., March 22, 1983, Lt. Governor Castle presiding.

SB 139 was reported out of the Education Committee: 3 Merits.

The following legislation was introduced:

SB 141 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO MILDRED CARPENTER, A FORMER STATE EMPLOYEE; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE MADE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsor: Senator Cordrey. Assigned to Finance Committee.

SB 142 - AN ACT AUTHORIZING THE TRANSFER OF THE FUNCTION OF THE BUREAU OF CHILD SUPPORT ENFORCEMENT FROM THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO THE FAMILY COURT; AND FURTHER TRANSFERRING ALL FISCAL '84 APPROPRIATIONS, PERSONNEL, FUNCTIONS, BOOKS, RECORDS, PAPERS EQUIPMENT IN CONNECTION WITH THE FUNCTION HEREBY TRANSFERRED TO THE FAMILY COURT ON THE EFFECTIVE DATE OF THE ACT. Sponsor: Senator Holloway. Assigned Health-Social Services/Aging Committee.

SA 1 to SB 49. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 10. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 56. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 137. Sponsor: Senator Sharp. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 23, HB 51 w HA 1, HB 71 w HA 1 and adopted HCR 39, HCR 40, HCR 41, SCR 11, SCR 12, SCR 13 and SCR 14.

The following legislation was introduced:

HB 23 - AN ACT TO AMEND CHAPTER 5, TITLE 1, DELAWARE CODE, RELATING TO LEGAL HOLIDAYS AND ESTABLISHING MARTIN LUTHER KING'S BIRTHDAY AS A LEGAL HOLIDAY. Sponsors: Representatives Plant and Holloway; Senator Holloway. Assigned to Executive Committee.

HB 51 w HA 1 - AN ACT TO AMEND CHAPTER 60, PART V, TITLE 29 OF THE DELAWARE CODE RELATING TO CLASSIFICATION AND COMPENSATION OF KEY EXECUTIVES. Sponsor: Representative Meconi. Assigned to Finance Committee.

HB 71 w HA 1 - AN ACT TO AMEND CHAPTER 82, TITLE 29 OF THE DELAWARE CODE RELATING TO THE TRANSPORTATION OF HAZARDOUS MATERIALS. Sponsors: Representatives B. Ennis, Gilligan, Brady, Dixon, Roy, Spence, Mack; Senators McBride, Minner, Martin, Citro, Connor. Assigned to Natural Resources and Environmental Control Committee.

SCR 17 was introduced and laid on the table on motion of Senator Sharp:

SCR 17 - MOURNING THE DEATH OF DELORES J. BAYLOR, WARDEN OF DELAWARE'S WOMEN'S PRISON, AND EXTENDING CONDOLENCES TO MEMBERS OF HER FAMILY. Sponsors: Senators Sharp, Holloway and all the Senators; Representative Gilligan.

HCR 39 was introduced and considered for adoption on motion of Senator Sharp:

HCR 39 - THANKING HORACE SHORT, AS HE RETIRES FROM CAESAR RODNEY HIGH SCHOOL, FOR 39 YEARS OF OUTSTANDING SERVICE TO AGRICULTURAL EDUCATION IN DELAWARE. Sponsors: Representatives Buckworth, Bennett; Senator Torbert.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Connor, Littleton, Martin and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

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

HCR 40 -THANKING RICHARD F. KELLEY, JR., PRESIDENT OF DIAMOND ICE AND COLD STORAGE, INC., FOR HIS GENEROUS OFFER TO STORE AND HANDLE SURPLUS CHEESE OR BUTTER WHICH THE STATE WILL DISTRIBUTE. Sponsor: Representative George.

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

HCR 41 - REQUESTING THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO JOIN IN CONSIDERATION OF SENATE RESOLUTION 113 OR OTHER SIMILAR LEGISLATION OF THE 98TH CONGRESS CHANGING THE HIGHWAY USERS TAX ON HEAVY TRUCKS. Sponsors: Representatives B. Ennis, Anderson, Bennett, Brady, Bunting, Campanelli, Clark, Houghton, Jester, Outten, Soles, Terry, VanSant; Senators Minner and Vaughn.

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

YES: Senators Adams, Cook, Cordrey, Holloway, Littleton, Marshall, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Arnold and Neal - 2.

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

ABSENT: Senators Citro, Connor, Martin - 3.

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

At 2:39 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 14th Legislative Day.

#### 14TH LEGISLATIVE DAY

March 22, 1983

The Senate convened at 2:39 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

Legislative Advisory #4 received from the Office of Counsel to the Governor was read which informed the Senate of the Governor's action on passed legislation as follows: On March 21, 1983 the Governor signed HB 14 w HA 1, SA 1, 4, 5 (Volume 64, Chapter 14, Laws of Delaware).

Senator Citro marked PRESENT.

SB 1 was stricken at the request of the sponsor, Senator Cordrey.

SB 100 was taken up for consideration on motion of Senator Cordrey:

SB 100 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 1, TITLE 10, DELAWARE CODE, RELATING TO ADVISORY OPINIONS OF THE JUSTICES OF THE SUPREME COURT UPON REQUEST OF THE GOVERNOR OR GENERAL ASSEMBLY.

Senator McBride marked PRESENT.

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 sent to the House for consideration.

SB 85 was taken up for consideration on motion of Senator Adams:  
SB 85 - AN ACT TO AMEND SUBCHAPTER III, SUBPART D, OF TITLE II OF THE DELAWARE CODE RELATING TO THEFT AND RELATED OFFENSES.

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.

SB 101 was taken up for consideration on motion of Senator Cordrey:  
SB 101 - AN ACT TO AMEND CHAPTER 268, VOLUME 62, LAWS OF DELAWARE, RELATING TO THE TRANSFER OF THE WARWICK SCHOOL NO. 225.

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 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 53 was taken up for consideration on motion of Senator McDowell:  
SB 53 - AN ACT TO AMEND CHAPTER 50, TITLE 24, DELAWARE CODE, RELATING TO THE BOARD OF SERVICES.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Henry Ridgely, Senate Attorney.

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

Senator Connor marked PRESENT.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Vaughn and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Martin, McBride, Minner, Neal, Sharp, Torbert, Vaughn - 17.

NO: Senators Marshall, McDowell, Zimmerman - 3.

ABSENT: Senator Citro - 1.

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 Vaughn and the roll call vote taken which revealed:

YES: Senators Adams, Cook, Cordrey, Littleton, Martin, McBride, Minner, Neal, Sharp, Torbert, Vaughn - 11.

NO: Senators Bair, Berndt, Citro, Connor, Knox, Marshall, McDowell, Zimmerman - 8.

ABSENT: Senators Arnold and Holloway - 2.

Therefore, the Amendment was declared adopted.

At 3:40 p.m., the Senate recessed for change of tape and reconvened at 3:41 p.m., Senator Sharp presiding.

SB 53 was still before the Senate.

SA 4 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Vaughn and the roll call vote taken; however, the roll call was laid on the table before being announced on motion of Senator Vaughn.

At 4:07 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 4:31 p.m., Senator Sharp presiding.

SB 53 was still before the Senate.

SA 5 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Vaughn and the roll call vote taken which revealed:

YES: Senators Adams, Cook, Holloway, Martin, McBride, Minner, Sharp, Torbert, Vaughn - 9.

NO: Senators Arnold, Bair, Berndt, Citro, Connor, Cordrey, Knox, Marshall, McDowell, Neal - 10.

ABSENT: Senators Littleton and Zimmerman - 2.

Therefore, the Amendment was declared defeated.

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 (Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

SA 7 to the Bill was introduced by Senator Bair and considered for adoption on her motion. The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Amendment was declared adopted.

SB 53 w SA 1, 2, 3, 6, 7 was then laid on the table on motion of Senator McDowell.

On motion of Senator Cordrey (and without objection) the roll call vote on SB 101 was rescinded and the Bill taken up for reconsideration.

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 101 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 53 w SA 1, 2, 3, 6, 7 was lifted from the table for consideration on motion of Senator McDowell.

SA 8 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 19 Senators voting YES and 2 (Arnold and Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SA 4 to the Bill was lifted from the table on motion of Senator Vaughn and announced:

YES: Senators Adams, Cook, Holloway, Martin, McBride, Neal, Sharp, Torbert, Vaughn - 9.

NO: Senators Bair, Berndt, Citro, Connor, Cordrey, Knox, Littleton, Marshall, McDowell, Minner, Zimmerman - 11.

NOT VOTING: Senator Arnold - 1.

Therefore, the Amendment was declared defeated.

The roll call vote on SB 53 w SA 1, 2, 3, 6, 7, 8 was then taken on motion of Senator McDowell and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Knox, Littleton, Martin, McBride, Minner, Neal, Torbert, Vaughn, Zimmerman - 15.

NO: Senators Connor, Cordrey, Holloway, Marshall, McDowell, Sharp - 6.

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

SB 112 was taken up for consideration on motion of Senator Minner:

SB 112 - AN ACT TO AMEND CHAPTER 39, TITLE 25, DELAWARE CODE, TO ESTABLISH A SPECIAL FUND FOR BALANCES FROM LIENHOLDER SALES AND TO REQUIRE A LIENHOLDER TO FILE WITH THE COURT A DISPOSITION OF PROCEEDS FORM AS A CONDITION TO RECEIVING TITLE TO THE VEHICLE SOLD.

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 116 was taken up for consideration on motion of Senator Minner:

SB 116 - AN ACT TO AMEND SUBCHAPTER V, CHAPTER 41, TITLE 21, DELAWARE CODE, RELATING TO PEDESTRIANS' RIGHTS AND DUTIES.

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

The roll call vote on SB 116 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 6 was taken up for consideration on motion of Senator Martin:

SB 6 - AN ACT TO AMEND THE CONSTITUTION OF THE STATE OF DELAWARE BY LIMITING THE HOURS DURING WHICH THE GENERAL ASSEMBLY MAY BE IN SESSION.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Torbert - 13.

NO: Senators Berndt, Cook, Cordrey, Holloway, Neal, Sharp, Vaughn, Zimmerman - 8.

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

At 5:24 p.m., Senator Cordrey presiding.

SCR 17 was lifted from the table for consideration on motion of Senator Sharp:

SCR 17 - MOURNING THE DEATH OF DELORES J. BAYLOR, WARDEN OF DELAWARE'S WOMEN'S PRISON, AND EXTENDING CONDOLENCES TO MEMBERS OF HER FAMILY.

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.

Pursuant to the above Resolution the Senate observed a moment of silence at the request of Senator Sharp.

SR 27 was introduced and considered for adoption on motion of Senator Holloway:

SR 27 - EXPRESSING SADNESS AT THE ILLNESS OF E. ELAINE YEATMAN, SECRETARY TO THE SENATE MAJORITY LEADER, AND EXTENDING BEST WISHES OF THE SENATE FOR A SPEEDY RECOVERY. Sponsors: Senators Holloway and Sharp.

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

SR 28 was introduced and considered for adoption on motion of Senator McBride:

SR 28 - COMMENDING WILLIAM "BILL" HENSHAW, MANAGER OF THE SMYRNA RT. 13 REST AREA, ON HIS SELECTION FOR A COMMUNITY CITIZEN AWARD BY CAPITAL GRANGE NO. 18. Sponsors: Senators McBride and Torbert.

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

At 5:34 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., March 23, 1983.

The Senate reconvened at 2:55 p.m., March 23, 1983, Senator Cordrey presiding.

SB 96 was reported out of the Corrections Committee: 4 Merits.

The following legislation was introduced:

SB 143 - AN ACT TO AMEND CHAPTER II, TITLE 30, OF THE DELAWARE CODE TO ALLOW SET-OFF OF INCOME TAX OVERPAYMENTS AND REFUNDS BY THE DIVISION OF REVENUE. Sponsors: Senator Holloway and Representative VanSant. Assigned to Health-Social Services/Aging Committee.

SB 144 - AN ACT TO AMEND CHAPTER 59, TITLE 29, DELAWARE CODE, RELATING TO VETERAN'S PREFERENCE. Sponsors: Senator Neal, Knox, Berndt, Cook, Holloway, Bair, Arnold, Minner, Martin, McDowell; Representatives Free, Maroney, Petrilli, Meconi, Smith, Soles, Wingate, Jester, George. Assigned to Executive Committee.

SB 145 - AN ACT TO AMEND CHAPTER 83, TITLE II, DELAWARE CODE RELATING TO PENSION BENEFITS FOR STATE POLICE. Sponsors: Senators Neal, Knox, Berndt, Cook, Holloway, Bair, Arnold, Minner, Martin, McDowell; Representatives Free, Maroney, Petrilli, Meconi, Smith, George, Soles, Wingate, Jester. Assigned to Judiciary Committee.

SB 146 - AN ACT TO AMEND CHAPTER II, TITLE 30 OF THE DELAWARE CODE TO EXEMPT SOCIAL SECURITY BENEFITS FROM DELAWARE PERSONAL INCOME TAX. Sponsors: Senator Bair, Representative Hebner. Assigned to Revenue and Taxation Committee.

SB 147 - AN ACT TO AMEND CHAPTER 56, TITLE 29, OF THE DELAWARE CODE RELATING TO DISABILITY PENSIONS FOR NEW JUDGES. Sponsors: Senators Adams, Berndt; Representatives Roy, Clendaniel. Assigned to Executive Committee.

SB 148 - AN ACT TO AMEND SUBCHAPTER XI, CHAPTER 50, TITLE 10, DELAWARE CODE, TO AUTHORIZE SUPERIOR COURT TO STAY WRITS OF SCIRE FALCIAS ON MORTGAGES IN CERTAIN CONDITIONS. Sponsors: Senator Marshall; Representatives Jonkiert, Campanelli. Assigned to Judiciary Committee.

SB 149 - AN ACT TO AMEND CHAPTER 29, TITLE 21, DELAWARE CODE, BY INCREASING THE MANDATORY MINIMUM INSURANCE UNDER A MOTOR VEHICLE LIABILITY POLICY. Sponsor: Senator Cordrey. Assigned to Insurance and Elections Committee.

SA 2 to SB 10. Sponsor: Senator Holloway. Placed with the Bill.

SA 3 to SB 10. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 64. Sponsor: Senator Adams. Placed with the Bill.

SA 1 to SB 84. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 52. Sponsor: Senator Bair. Placed with the Bill.

SR 29 was introduced and considered for adoption on motion of Senator Arnold;

SR 29 - COMMENDING ANGELIA LEE SEBOK AND RICHARD SO, DELAWARE'S WINNERS IN THE 42ND ANNUAL WESTINGHOUSE SCIENCE TALENT SEARCH. Sponsors: Senator Arnold and Knox.

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

At 3:03 p.m., Lt. Governor Castle presiding.

SR 30 was introduced and considered for adoption on motion of Senator Cordrey:

SR 30 - CONGRATULATING LEROY H. RYAN SR., A CHARTER MEMBER OF THE FRANKFORD VOLUNTEER FIRE COMPANY, ON HIS SELECTION AS 1982 FIREMAN OF THE YEAR BY THE DELAWARE VOLUNTEER FIREMEN'S ASSOCIATION. Sponsor: Senator Cordrey.

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

SCR 18 was introduced and assigned to the Education Committee on motion of Senator McBride and without objection:

SCR 18 - REQUESTING THE STATE BOARD OF EDUCATION TO ESTABLISH AN AD HOC TASK FORCE ON SPECIAL EDUCATION. Sponsors: Senators Bair, Neal, Torbert; Representatives Jester, Free, Soles, Outten.

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: SB 44 - 6 Merits; SB 50 - 6 Merits; SB 123 - 6 Merits; SB 131 - 6 Merits; SB 121 - 6 Merits.

From the Small Business Committee: SB 79 - 4 Merits.

SB 7 was taken up for consideration on motion of Senator Martin:

SB 7 - AN ACT TO AMEND SECTION 4, ARTICLE II, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE TIME AND FREQUENCY OF SESSIONS OF THE GENERAL ASSEMBLY.

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

YES: Senators Adams, Berndt, Citro, Connor, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn - 15.

NO: Senators Arnold, Bair, Cook, Knox, Zimmerman - 5.

ABSENT: Senator Cordrey - 1.

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

At 3:21 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus and reconvened at 4:52 p.m., Senator Sharp presiding.

The following Committee reports from the Executive Committee on the Governor's nominations for appointment were read: Mrs. Beatrice Patton Carroll - 1 Favorable, 5 Merits; Andrew C. Christie - 2 Favorable, 3 Merits; Robert A. Fischer, Jr. - 1 Favorable, 5 Merits; Clifton H. Hubbard, Jr. - 6 Merits; James Julian - 2 Favorable, 4 Merits; David F. Marvin - 2 Favorable, 4 Merits; Dr. Walter B. Omans - 6 Merits; Robert L. Pigford - 3 Favorable, 3 Merits.

At 4:55 p.m. on motion of Senator McDowell, the Senate adjourned to immediately convene for the 15th Legislative Day.

#### 15TH LEGISLATIVE DAY

March 23, 1983

The Senate convened at 4:55 p.m., Senator Sharp presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read on motion of Senator McDowell.

On motion of Senator Adams, the Governor's nomination for appointment of Dr. Walter B. Omans was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

Senator Cook marked PRESENT.

At 5:00 p.m., Senator Cordrey presiding.

On motion of Senator Adams, the Governor's nomination for appointment of Robert A. Fischer, 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 James Julian 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 Andrew C. Christie was taken up for consideration and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Torbert - 17.

NO: Senators Cook, Sharp, Vaughn, Zimmerman - 4.

Therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of David F. Marvin was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Robert L. Pigford 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 Clifton H. Hubbard, 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 Mrs. Beatrice Patton Carroll was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

Senator Neal moved that SB 6 which had been defeated in the Senate be restored to the Calendar. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Arnold, Bair, Citro, Connor, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Torbert - 15.

NO: Senators Berndt, Cook, Cordrey, Sharp, Vaughn, Zimmerman - 6.

Therefore, the motion prevailed and the Bill was restored to the Calendar.

Senator Martin moved that the necessary rules be suspended for consideration of SB 6. The roll call vote on the motion was taken and revealed:

YES: Senators Arnold, Bair, Citro, Connor, Holloway, Knox, Littleton, Marshall, Martin, McBride, Minner, Neal, Torbert - 13

NO: Senators Adams, Berndt, Cook, Cordrey, McDowell, Sharp, Vaughn, Zimmerman - 8.

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

SB 6 - AN ACT TO AMEND THE CONSTITUTION OF THE STATE OF DELAWARE BY LIMITING THE HOURS DURING WHICH THE GENERAL ASSEMBLY MAY BE IN SESSION.

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

SA 2 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 Cordrey, Holloway, Knox, Martin, McBride, McDowell, Sharp, Zimmerman - 8.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Littleton, Marshall, Minner, Neal, Torbert, Vaughn - 13.

Therefore, the Amendment was declared defeated.

SA 3 to the Bill was introduced by Senator Martin and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Bair, Cordrey, Knox, Marshall, Martin, McBride, Neal - 8.

NO: Senators Arnold, Berndt, Citro, Connor, Cook, Holloway, Littleton, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.

Therefore, the Amendment was declared defeated.

The roll call vote on SB 6 w SA 1 was then taken on motion of Senator Martin and revealed:

YES: Senators Adams, Arnold, Bair, Citro, Connor, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Torbert - 14.

NO: Senators Berndt, Cook, Cordrey, Holloway, Sharp, Vaughn, Zimmerman - 7.

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

SJR 2 was taken up for consideration on motion of Senator Martin:

SJR 2 - MEMORIALIZING THE NINETY-EIGHTH CONGRESS OF THE UNITED STATES TO OPPOSE ANY EFFORTS TO REDUCE BENEFITS TO SOCIAL SECURITY BENEFICIARIES.

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

SB 52 was taken up for consideration on motion of Senator Marshall:

SB 52 - AN ACT TO AMEND CHAPTER 43, TITLE 21, OF THE DELAWARE CODE, RELATING TO VEHICLE WINDSHIELDS, FRONT SIDE WINDOWS AND SIDE WINGS.

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

The roll call vote on SB 52 w SA 1 was then taken on motion of Senator Marshall and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 139 was taken up for consideration on motion of Senator McBride:

SB 139 - AN ACT TO AMEND CHAPTER 10, TITLE 14, DELAWARE CODE, RELATING TO THE USE OF THE PROCEEDS FROM THE SALE OF SCHOOL DISTRICT PROPERTY.

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

SB 9 was taken up for consideration on motion of Senator Vaughn:

SB 9 - AN ACT TO AMEND SECTION 4347, TITLE 11, DELAWARE CODE RELATING TO PAROLE PROCEDURE.

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

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Vaughn and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

SA 1 to the Bill which had been laid on the table was then stricken at the request of Senator Vaughn.

The roll call vote on SB 9 w SA 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 10 was taken up for consideration on motion of Senator Holloway:

SB 10 - AN ACT TO AMEND CHAPTER 41, TITLE 21, DELAWARE CODE, RELATING TO CARELESS OR INATTENTIVE DRIVING.

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

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the roll call vote taken which revealed 21 Senators voting YES; 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 Holloway and the roll call vote taken which revealed 20 Senators voting YES and 1 (Marshall) ABSENT; therefore, the Amendment was declared adopted.

Final consideration of SB 10 w SA 2, 3 was then deferred on motion of Senator Holloway.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 42.

HCR 42 was introduced and considered for adoption on motion of Senator Berndt:

HCR 42 - COMMENDING DANNY FARLEY, 14, OF GORDON HEIGHTS FOR AN ACT OF HEROISM IN PROTECTING A YOUNG GIRL FROM THE ASSAULTS OF AN ADULT ON MARCH 18, 1983. Sponsors: Representative D. Ennis and Senator Berndt.

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.

SB 61 was stricken at the request of the sponsor, Senator McDowell.

At 6:22 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., March 24, 1983.

The Senate reconvened at 3:10 p.m., March 24, 1983, Senator Cordrey presiding.

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

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
March 23, 1983

To the Senate of the 132nd 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: Werner C. Brown, Old Kennett Road, Greenville, Delaware, to be reappointed as a member of the Board of Trustees, University of Delaware, for a six year term to expire December 5, 1988

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*

3:11 p.m. Lt. Governor Castle presiding.

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
March 23, 1983

To the Senate of the 132nd 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: Andrew Booth Kirkpatrick, Jr., 9 Barley Mill Drive, Wilmington, Delaware, to be appointed as a member of the Board of Trustees, University of Delaware, for a six year term to succeed James M. Tunnell, Jr., resigned, to expire December 9, 1988

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
March 23, 1983

To the Senate of the 132nd 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: Edward G. Jefferson, P.O. Box 4027, Snuff Mill Road, Greenville, Delaware, to be reappointed as a member of the Board of Trustees, University of Delaware, for a six year term to expire December 6, 1988

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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SB 150 was introduced and assigned to Revenue and Taxation Committee:  
SB 150 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER II, TITLE 30, DELAWARE CODE, RELATING TO TAX CREDIT FOR CHILD PASSENGER RESTRAINT SYSTEMS. Sponsors: Senator McDowell, Representative VanSant; Senators Adams, Berndt, Connor, Holloway, Marshall, Martin, McBride, Minner, Sharp, Torbert, Vaughn, Zimmerman; Representatives Campanelli, D. Ennis, Houghton, Oberle, Outten, Smith, Soles, Terry, Wingate.

The privilege of the floor was extended to John Kling who spoke on behalf of the Delaware Council of Farm Organizations. Each Senator was presented with a gift box of varied farm products.

The following legislation was introduced:

SB 151 - AN ACT TO AMEND SUBCHAPTER VII OF CHAPTER 65 OF TITLE II OF THE DELAWARE CODE RELATING TO THE PUBLICATION OF THE NAMES AND CRIMES OF INMATES PLACED ON SUPERVISED CUSTODY OR WORK RELEASE. Sponsors: Senators Vaughn, Sharp, Cook, Minner; Representatives Jester, B. Ennis, Clark. Assigned to Judiciary Committee.

SB 152 - AN ACT TO AMEND CHAPTER 19, TITLE 14, DELAWARE CODE, AS IT RELATES TO THE POWER OF SCHOOL DISTRICTS TO LEVY TAXES. Sponsor: Senator Minner. Assigned to Revenue and Taxation Committee.

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

At the request of Senator Cordrey, the privilege of the floor was extended to Harriett Donofrio, Delaware Teacher of the Year.

SA 1 to SB 47 Sponsored by Senator Marshall; Representatives Jonkiert, VanSant was introduced and placed with the Bill.

SA 1 to SB 50 was introduced by Senator Minner and placed with the Bill.

SA 1 to HCR 27 Sponsored by Senator Cook, Cordrey and Berndt was introduced and placed with the Resolution.

SR 31 was introduced and considered for adoption on motion of Senator Neal:

SR 31 - CONGRATULATING CAREN ELLEN IRR OF NEWARK FOR HER AWARD BY THE NATIONAL COUNCIL OF TEACHERS OF ENGLISH FOR ACHIEVEMENT IN WRITING. Sponsor: Senator Neal.

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

SR 32 was introduced and considered for adoption on motion of Senator Sharp:

SR 32 - IN REFERENCE TO STAFF. Sponsor: Senator Cordrey.

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

SCR 19 was introduced and considered for adoption on motion of Senator Berndt:

SCR 19 - MEMORIALIZING THE 98TH CONGRESS OF THE UNITED STATES TO SUPPORT THE STATES' EFFORTS IN PROMOTING MARINE RESOURCE DEVELOPMENT THROUGH THE NATIONAL SEA GRANT COLLEGE PROGRAM AND TO PROVIDE ESSENTIAL FUNDING THEREFOR. Sponsors: Senators Berndt, Adams, Knox, Littleton, Cordrey, Minner; Representatives Soles, Smith, Wingate, Buckworth, Barnes, Clendaniel.

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

SCR 20 - COMMENDING THE SALESIANUM PARENTS' ASSOCIATION FOR ITS EFFORTS TO CURB ALCOHOL ABUSE BY STUDENTS. Sponsors: Senators Bair, McDowell; Representatives George, D. Ennis, Boykin.

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 138 was reported out of the Agriculture Committee: 5 Merits.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 43; HCR 44; HCR 45; HCR 46; SCR 15; SCR 16; SCR 17.

HCR 43 was introduced and considered for adoption on motion of Senator Vaughn:

HCR 43 - PRAISING CLINTON BURKE, OF DELAWARE CITY, FORMER WILLIAM PENN HIGH SCHOOL WRESTLING STAR, FOR AN EXCELLENT SHOWING IN THE NATIONAL COLLEGIATE ASSOCIATION CHAMPIONSHIPS AT OKLAHOMA CITY. Sponsors: Representative Mack; Senator Vaughn.

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 44 was introduced and considered for adoption on motion of Senator Connor:

HCR 44 - CONGRATULATING THE WILLIAM PENN HIGH SCHOOL TEAM ON WINNING THE SCHOOL'S FIRST STATE WRESTLING CHAMPIONSHIP. Sponsors: Representatives Mack, Brady, Spence, Dixon, Jester, Houghton; Senators Connor, McBride.

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

HCR 45 - COMMENDING HUGH J. MCBRIDE, CHAIRMAN OF THE ST. PATRICK'S DAY PARADE, SPONSORED AGAIN THIS YEAR BY THE IRISH CULTURE CLUB OF DELAWARE. Sponsors: Representative George; 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 by the Senate and returned to the House.

HCR 46 was introduced and considered for adoption on motion of Senator Knox:

HCR 46 - CONGRATULATING BRIAN E. DIEHL, MATTHEW W. JONES AND ERIC M. MEIER ON THEIR ACHIEVING THE RANK OF EAGLE SCOUT. Sponsors: Representatives Boykin, Smith, D. Ennis; Senators Berndt, Knox.

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.

At 3:55 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 16th Legislative Day.

#### 16TH LEGISLATIVE DAY March 24, 1983

The Senate convened at 3:55 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

SB 117 was taken up for consideration on motion of Senator Torbert:

SB 117 - AN ACT TO AMEND CHAPTER 5, TITLE 13, DELAWARE CODE RELATING TO DETERMINATION OF AMOUNT OF SUPPORT.  
Senator Holloway marked PRESENT.

At 4:05 p.m., the Senate recessed for change of tape and reconvened at 4:09 p.m., Lt. Governor Castle presiding.

SB 117 was still before the Senate.

The privilege of the floor was extended to Jack Russell (Administrative Assistant to the Senate Majority Caucus), Henry Ridgely (Senate Attorney) and Judge Robert D. Thompson (Family Court).

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

At 4:35 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 6:50 p.m., Senator Cordrey presiding.

The following letter of nomination for appointment from the Governor was read and laid on the table on motion of Senator Adams:

STATE OF DELAWARE  
Office of the Governor  
March 24, 1983

To the Senate of the 132nd 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 R. McClelland, 2504 Foulk Woods Road, Wilmington, Delaware, 19810 to be appointed a member of the Public Service Commission to serve for a term to begin upon date of confirmation and expiring May 1, 1983, filling the unexpired term of Joshua W. Martin, III.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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SCR 25 was introduced and considered for adoption on motion of Senator Minner:

SCR 25 - DIRECTING THE SECRETARY OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL NOT TO INCREASE ANY EXISTING, OR ESTABLISH ANY NEW LICENSE AND/OR PERMIT FEES WITHOUT FIRST RECEIVING APPROVAL BY THE GENERAL ASSEMBLY THROUGH LEGISLATION IN COMPLIANCE WITH THE PROVISIONS OF ARTICLE VIII, SECTION II, (a) OF THE DELAWARE CONSTITUTION. Sponsors: Senator Minner, Cordrey, Littleton, Adams, Representatives West, Terry, Clendaniel.

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

YES: Senators Adams, Cook, Cordrey, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 14.

NO: Senators Arnold, Bair, Berndt, Citro, Knox, Neal - 6.

ABSENT: Senator Connor - 1.

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

On motion of Senator Adams, the Governor's nomination for appointment of John R. McClelland 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 (Connor) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Elise Grossman 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 (Connor) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Kenneth Hilton 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 (Connor) ABSENT; 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 (Connor) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Werner C. Brown 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 (Connor) ABSENT; therefore, the appointment was declared confirmed.

SB 143 was reported out of the Health-Social Services/Aging Committee: 4 Merits.

At 7:12 p.m. on motion of Senator Sharp, the Senate recessed for a dinner break and reconvened at 10:45 p.m., Senator Adams presiding.

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

Senator Cordrey moved that the necessary rules be suspended for the introduction and consideration of HB 1.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Zimmerman - 12.

NO: Senators Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn - 9.

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

HB 1 - AN ACT TO AMEND TITLE 30, DEL. C., RELATING TO THE COLLECTION OF REALTY TRANSFER TAX. Sponsors: Representative Bennett; Senator Cordrey.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Knox, Littleton, Neal, Zimmerman - 12.



NO: Senators Connor, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn - 9. Therefore, the Bill was declared passed by the Senate and returned to the House.

At 1:20 p.m. on motion of Senator Sharp, the Senate recessed to the call of the President pro Tempore.

The Senate reconvened at 2:14 p.m., April 12, 1983, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 81 w HA 1 and adopted SCR 25.

The following legislation was introduced:

SB 153 - AN ACT TO AMEND CHAPTER 54, TITLE 30, DELAWARE CODE, RELATING TO THE REALTY TRANSFER TAX. Sponsor: Senator Marshall. Assigned to Revenue and Taxation Committee.

SB 154 - AN ACT TO AMEND CHAPTER 85, TITLE 11, DELAWARE CODE TO PROVIDE FOR A PROGRAM FOR THE VOLUNTARY FINGERPRINTING OF CERTAIN SCHOOL CHILDREN. Sponsors: Senators Connor, Citro, Vaughn, Littleton, Torbert, Minner. Assigned to Judiciary Committee.

SB 155 - AN ACT TO AMEND CHAPTER 47, PART III, TITLE 10 OF THE DELAWARE CODE RELATING TO JUDGMENTS; AND PROVIDING FOR A UNIFORM ENFORCEMENT OF FOREIGN JUDGMENTS ACT. Sponsor: Senator McBride. Assigned to Judiciary Committee.

SB 156 - 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 McDowell, Holloway, Marshall, McBride, Martin, Sharp, Torbert, Vaughn, Zimmerman, Connor, Neal. Assigned to Revenue and Taxation Committee.

SA 2 to SB 84. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to SB 110. Sponsor: Senator Cordrey. Placed with the Bill.

SA 1 to SB 139. Sponsor: Senator Connor. Placed with the Bill.

SA 1 to SR 26. Sponsor: Senator Neal. Placed with the Resolution.

SA 1 to SJR 2. Sponsor: Senator Martin. Placed with the Resolution.

SA 1 to HB 23. Sponsor: Senator Arnold. Placed with the Bill.

HB 81 w HA 1 - AN ACT AMENDING CHAPTER 70, TITLE 16 OF THE DELAWARE CODE PROHIBITING THE STORAGE OF EXPLOSIVES IN CERTAIN AREAS. Sponsors: Representatives Meconi and Roy; Senator Sharp. Assigned to Health-Social Services/Aging Committee.

SB 157 - AN ACT TO AMEND CHAPTER 10 AND CHAPTER 19, TITLE 14 OF THE DELAWARE CODE RELATING TO ELECTIONS IN REORGANIZED SCHOOL DISTRICTS; AND PROVIDING FOR ABSENTEE VOTING. Sponsor: Senator McBride. Assigned to Education Committee.

SCR 21 was introduced and considered for adoption on motion of Senator McBride:

SCR 21 - MEMORIALIZING MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION PENDING IN CONGRESS TO GRANT PRESUMPTIVE SERVICE-CONNECTION TO VIET NAM VETERANS FOR AGENT ORANGE DISABILITIES. Sponsors: Senator McBride, Representative Hebner; Senators McDowell, Marshall, Vaughn, Arnold, Knox; Representatives Dixon, Jonkiert, Oberle.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Citro, Connor, Martin, McDowell) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 22 was introduced and considered for adoption on motion of Senator McBride:

SCR 22 - CONGRATULATING THE COLONIAL SCHOOL DISTRICT AND THE MCCULLOUGH ELEMENTARY SCHOOL FOR DEVELOPING "PROJECT SKYWALK", A NATIONALLY RECOGNIZED ELEMENTARY PLANETARIUM SCIENCE PROGRAM. Sponsors: Senators McBride, Vaughn, Holloway, Sr., Connor; Representatives Mack, Spence, Jester, Plant, Dixon, Holloway, Jr., Houghton.

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.

SCR 23 was introduced and considered for adoption on motion of Senator Knox:

SCR 23 - REQUESTING THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO GIVE SPECIAL CONSIDERATION TO PENDING LEGISLATION WHICH WOULD IMPROVE THE TEACHING OF MATHEMATICS AND SCIENCE AT THE HIGH SCHOOL AND COLLEGE LEVELS. Sponsor: Senator Knox.

Senator McBride was added as co-sponsor of the Resolution after which the roll call vote 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.

SCR 24 was introduced and considered for adoption on motion of Senator Neal:

SCR 24 - REQUESTING STATE AGENCIES TO REQUIRE PROOF OF PROFESSIONAL OR OCCUPATIONAL LICENSURE AND BUSINESS LICENSURE FROM PERSONS SEEKING ANY CONTRACT FOR SERVICES WITH SAID AGENCY. Sponsors: Senator Neal, Representative Wingate.

At 2:30 p.m., Lt. Governor Castle presiding.

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.

SCR 26 was introduced and laid on the table on motion of Senator Holloway:

SCR 26 - REQUESTING THE STATE PERSONNEL COMMISSION TO POSTPONE THE ESTABLISHMENT AND IMPLEMENTATION OF ANY NEW MERIT SYSTEM RULES AND REGULATIONS UNTIL SUCH TIME AS THE GENERAL ASSEMBLY HAS AN OPPORTUNITY TO REVIEW SAME. Sponsor: Senator Holloway.

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 12, 1983

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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

SB 44 was taken up for consideration on motion of Senator Zimmerman:

SB 44 - AN ACT TO AMEND SUBCHAPTER I, CHAPTER 5, TITLE 7, DELAWARE CODE, RELATING TO LICENSE FEES FOR NONRESIDENTS.

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 79 was taken up for consideration on motion of Senator Zimmerman:

SB 79 - AN ACT TO AMEND PART X, TITLE 29 OF THE DELAWARE CODE PROVIDING FOR REGULATORY EXCEPTIONS FOR INDIVIDUALS AND SMALL BUSINESSES.

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 121 was taken up for consideration on motion of Senator Zimmerman:

SB 121 - AN ACT TO AMEND SUBCHAPTER II OF CHAPTER 66, TITLE 7, DELAWARE CODE RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL MAKING CORRECTIONS TO ERRORS IN WETLANDS MAPS.

The privilege of the floor was extended to Thomas P. Eichler (Department of Natural Resources and Environmental Control) after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (Sharp) voting NO and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 123 was taken up for consideration on motion of Senator Zimmerman:

SB 123 - AN ACT TO AMEND SUBCHAPTER II OF CHAPTER 60, TITLE 7, DELAWARE CODE, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL ADVERTISING PERMIT APPLICATIONS FOR SOURCES OF WATER OR A SEWAGE SYSTEM FOR THREE OR FEWER FAMILIES, MUNICIPAL OR PUBLICLY OWNED OR OPERATED SEWAGE COLLECTION SYSTEMS NOT HAVING PUMP OR LIFT STATIONS, SMALL COMMERCIAL SEPTIC SYSTEMS, GASOLINE DISPENSING FACILITIES, DRY CLEANING FACILITIES, AND OPEN BURNING.

The privilege of the floor was extended to Thomas P. Eichler (Department of Natural Resources and Environmental Control) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Berndt, Citro, Cook, Knox, Littleton, Martin, Minner, Neal, Torbert, Vaughn, Zimmerman - 12.

NO: Senators Arnold, Bair, Connor, Cordrey, Marshall, McBride, McDowell, Sharp - 8.

ABSENT: Senator Holloway - 1.

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

At 3:22 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:26 p.m., Senator Cordrey presiding.

The following Committee Reports were announced from Health and Social Service Committee - SB 49 - 4 Merits; SB 97 - 5 Merits; SB 111 - 5 Merits; SB 142 - 5 Merits

The Secretary announced that a message from the House informed the Senate that it had passed HB 62 w HA 1; HB 105 and HB 109.

The following legislation was introduced:

SB 158 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO A TAX CREDIT FOR VOLUNTEER AMBULANCE AND RESCUE SQUAD DRIVERS NOT AFFILIATED WITH VOLUNTEER FIRE COMPANIES. Sponsor: Senator Minner. Assigned to Revenue and Taxation Committee.

SB 159 - 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 McBride, Connor and Bair; Representatives Jester, Mack and Spence. Assigned to Administrative Services/Energy Committee.

SB 160 - 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; AND TO AMEND CHAPTER 9, PART I, TITLE 10 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE FAMILY COURT. Sponsors: Senators Neal, Holloway, Arnold, Bair, Berndt, Connor, Knox, Littleton, Martin, McBride, Vaughn, Zimmerman; Representatives Anderson, Barnes, Brady, Bunting, Campanelli, Clendaniel, Corrozi, Dixon, D. Ennis, Fallon, Free, Gilligan, Holloway, Jester, Mack, Maroney, Meconi, Oberle, Roy, Soles, Spence, VanSant. Assigned to Executive Committee.

SB 161 - AN ACT TO AMEND CHAPTER 5, TITLE 1, DELAWARE CODE, RELATING TO LEGAL HOLIDAYS AND ESTABLISHING THE FOURTH FRIDAY IN NOVEMBER AS HEROES DAY. Sponsors: Senators Citro, Bair, Arnold. Assigned to Executive Committee.

SA 4 and SA 5 to SB 2. Sponsor: Senator Bair. Placed with the Bill.

SCR 27 was introduced and considered for adoption on motion of Senator Cook:

SCR 27 - MOURNING THE DEATH OF IRVING H. GARTON, OF DOVER, A MEMBER OF THE HOUSE OF REPRESENTATIVES IN THE 118TH GENERAL ASSEMBLY. Sponsors: Senators Cook and Zimmerman; Representative Clark.

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

SCR 28 was introduced and considered for adoption on motion of Senator Cook:

SCR 28 - CALLING ATTENTION TO NATIONAL MARKETING RESEARCH WEEK APRIL 18 THROUGH 24, 1983. Sponsors: Senators Cook and Zimmerman; Representative Outten.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Citro and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 29 was introduced and assigned to the Executive Committee:

SCR 29 - RATIFYING THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES GIVING WASHINGTON, D.C., REPRESENTATION IN THE HOUSE OF REPRESENTATIVES AND SENATE OF THE UNITED STATES. Sponsors: McDowell, Citro, Holloway, Sr.; Representatives Campanelli, Buckworth, Corrozi, George, Holloway, Jr., Plant.

The following legislation was introduced:

HB 62 w HA 1 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO THE PROHIBITION OF DANGEROUS WEAPONS. Sponsors: Representative VanSant; Senator McBride. Assigned to Judiciary Committee.

HB 105 - AN ACT TO AMEND §3104(c), CHAPTER 31, TITLE 10 OF THE DELAWARE CODE RELATING TO PERSONAL JURISDICTION BY ACTS OF NONRESIDENTS. Sponsor: Representative Gilligan. Assigned to Judiciary Committee.

HB 109 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE X, SECTION 2, OF THE CONSTITUTION OF THE STATE OF DELAWARE TO REMOVE THE REQUIREMENT FOR SEPARATE SCHOOLS FOR WHITE AND BLACK CHILDREN. Sponsor: Representative Plant. Assigned to Judiciary Committee.

The Secretary announced that a message from the House informed the Senate that it had passed SB 13 w SA 1, 2; SB 19 w HA 1 and defeated SB 14 w HA 1.

SB 50 was taken up for consideration on motion of Senator Minner:

SB 50 - AN ACT TO AMEND SUBCHAPTER VII OF CHAPTER 5, TITLE 11, DELAWARE CODE, RELATING TO CRUELTY TO ANIMALS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Minner.

The privilege of the floor was extended to Mary Watford (Animal League of Delaware, Inc.) after which the roll call vote on the Amendment was taken and revealed:

YES: Senators Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 17.

NO: Senators Adams, Arnold, Littleton - 3.

ABSENT: Senator Bair - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 50 w SA 1 was then taken and revealed 18 Senators voting YES and 3 (Adams, Arnold and Littleton) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 36 was taken up for consideration on motion of Senator McBride:

SB 36 - AN ACT TO AMEND SUBCHAPTER II, TITLE 19, DELAWARE CODE, RELATING TO UNEMPLOYMENT COMPENSATION BENEFITS.

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

At 5:00 p.m., Senator Adams presiding.

SB 139 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 Connor and the roll call vote taken which revealed:

YES: Senators Adams, Berndt, Connor, Cordrey, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn - 14.

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

NOT VOTING: Senator Zimmerman - 1.

ABSENT: Senator Cook - 1.

Therefore, the Amendment was declared adopted.

SB 139 w SA 1 was then laid on the table on motion of Senator McBride.

At 5:30 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 13, 1983.

The Senate reconvened at 2:20 p.m., Lt. Governor Castle presiding.

The following legislation was introduced:

SB 162 - AN ACT TO AMEND SECTION 2118, CHAPTER 21, TITLE 21, DELAWARE CODE, RELATING TO POSSESSION BY THE OPERATOR OF A MOTOR VEHICLE OF AN INSURANCE IDENTIFICATION CARD. Sponsors: Senators Littleton, Berndt, Connor, Holloway, Knox, Neal, Torbert; Representatives Anderson, Barnes, Boykin, Clark, Clendaniel, Jonkiert, Maroney. Assigned to Public Safety Committee.

SB 163 - AN ACT TO AMEND CHAPTER 56, TITLE 29 OF THE DELAWARE CODE RELATING TO THE JUDICIAL PENSION PLAN. Sponsors: Senators Adams, Berndt; Representatives Jonkiert, Petrilli. Assigned to Finance Committee.

SB 164 - AN ACT TO AMEND CHAPTER 74, TITLE 16, DELAWARE CODE, RELATING TO THE COMPOSITION OF THE AUTHORITY ON RADIATION PROTECTION. Sponsors: Senators Zimmerman, Holloway; Representatives VanSant, Free. Assigned to Health-Social Services/Aging Committee.

SB 165 - AN ACT TO AMEND THE DELAWARE CODE IN SUCH A MANNER AS TO ALLOW REORGANIZED SCHOOL DISTRICTS TO RETAIN CERTAIN INCOME AS LOCAL FUNDS OR DESIGNATED FUNDS FOR USE BY THE SCHOOL DISTRICT. Sponsors: Senator McBride; Representative Jester. Assigned to Education Committee.

SR 33 was introduced and laid on the table on motion of Senator McDowell:

SR 33 - CONGRATULATING DEBBY AND RICH BROADWATER ON THE BIRTH OF A BABY GIRL. Sponsors: Senators McDowell and Marshall.

SR 34 was introduced and considered for adoption on motion of Senator Holloway:

SR 34 - IN RECOGNITION OF 50 YEARS OF LEGAL PRACTICE IN DELAWARE. Sponsor: Senator Holloway.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Connor, Littleton, Martin, Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

SR 35 was introduced and considered for adoption on motion of Senator Holloway:

SR 35 - IN COMMEMORATION OF THE HOLOCAUST. Sponsors: Senator Holloway and all the Senators.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Connor, Cook, Martin, Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

SR 36 was introduced and considered for adoption on motion of Senator Citro:

SR 36 - WELCOMING NANCY ELLEN FARLEY, MISS DELAWARE, TO THE SENATE AND COMMENDING HER ON HER REIGN AS MISS DELAWARE. Sponsors: Senators Citro and Marshall.

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.

Pursuant to the above Resolution, the privilege of the floor was extended to Nancy E. Farley, Miss Delaware 1983.

SCR 30 was introduced and considered for adoption on the motion of Senator Vaughn:

SCR 30 - PROVIDING FOR A STUDY OF THE WORK RELEASE, SUPERVISED CUSTODY, AND RELATED PROGRAMS UNDER THE DEPARTMENT OF CORRECTION IN ORDER TO EVALUATE THESE PROGRAMS AND TO DETERMINE THE NATURE OF ANY LEGISLATION THAT MIGHT BE REQUIRED. Sponsors: Senators Vaughn, Sharp; Representatives B. Ennis, Clark, Jester.

The roll call vote on SCR 30 was then 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.

SR 33 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 (Connor) ABSENT; therefore, the Resolution was declared adopted.

Pursuant to the above Resolution, Senator McDowell introduced Debby Broadwater and her new born baby girl to the Senate.

On motion of Senator Cordrey, SB 19 which had previously passed the Senate was taken up for reconsideration as further amended by HA 1.

The roll call vote on SB 19 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.

SB 159 which had been assigned to the Administrative Services/Energy Committee was reassigned to the Education Committee at the request of Senator McDowell. There was no objection.

SB 159 - 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.

At 2:55 p.m., the Senate took a short recess for the purpose of changing the tape and reconvened at 2:57 p.m.

The following Committee reports were announced:

From the Insurance and Elections Committee: SB 42 - 5 Merits; SB 81 - 5 Merits; SB 93 - 5 Merits; SB 137 - 5 Merits; SB 149 - 5 Merits.

At 2:58 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 18th Legislative Day.

#### 18TH LEGISLATIVE DAY April 13, 1983

The Senate convened at 2:58 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Cordrey.

SB 138 which was first on the Agenda of the day was deferred at the request of the sponsor, Senator Cordrey.

Senator McDowell marked PRESENT.

SB 131 was taken up for consideration on motion of Senator Torbert:

SB 131 - AN ACT TO AMEND CHAPTER 17, TITLE 7, DELAWARE CODE, TO PROVIDE FOR RABIES IMMUNIZATION FOR CATS.

The privilege of the floor was extended to Dr. Donald Cowan of the Division of Public Health after which the Bill was laid on the table on further motion of Senator Torbert.

Senator Zimmerman marked PRESENT.

SB 111 was taken up for consideration on motion of Senator Cordrey:

SB 111 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 55, TITLE 16, DELAWARE CODE, RELATING TO LIABILITY FOR MAINTENANCE OF PATIENT.

Senator Berndt made a point of order to the effect that he doubted that a quorum was present in the chamber; therefore a roll call of attendance was taken and revealed:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn - 20.

ABSENT: Senator Zimmerman - 1.

Therefore a quorum was declared present.

SB 111 was still before the Senate and the roll call vote on the Bill was taken on motion of Senator Cordrey and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Martin, Minner, Sharp, Torbert, Vaughn, Zimmerman - 17.

NO: Senators Marshall, McBride, McDowell, Neal - 4.

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

At 3:55 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:00 p.m., Senator Cordrey presiding.

SB 143 was taken up for consideration on motion of Senator Holloway:

SB 143 - AN ACT TO AMEND CHAPTER II, TITLE 30, OF THE DELAWARE CODE TO ALLOW SET-OFF OF INCOME TAX OVERPAYMENTS AND REFUNDS BY THE DIVISION OF REVENUE.

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

YES: Senators Adams, Arnold, Bair, Citro, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, Minner, Neal, Sharp, Torbert, Vaughn - 17.

NO: Senator Connor - 1.

NOT VOTING: Senators Berndt and Zimmerman - 2.

ABSENT: Senator McDowell - 1.

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

At 5:03 p.m., Lt. Governor Castle presiding.

SB 97 was taken up for consideration on motion of Senator Holloway:

SB 97 - AN ACT TO AMEND DELAWARE CODE, TITLE 16, AS IT RELATES TO THE REGULATORY PROVISIONS CONCERNING PUBLIC HEALTH FOR RESIDENTIAL FACILITIES FOR DEVELOPMENTALLY DISABLED PERSONS.

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 68 was taken up for consideration on motion of Senator Holloway:

SB 68 - AN ACT TO AMEND SUBPART C, TITLE 11, DELAWARE CODE, RELATING TO MAKING A FALSE WRITTEN STATEMENT.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (McBride and Zimmerman) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 131 was lifted from the table for consideration on motion of Senator Torbert.

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 18 Senators voting YES and 3 (Citro, Holloway, McDowell) ABSENT; therefore, the Amendment was declared adopted.

SA 2 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 18 Senators voting YES and 3 (Citro, Holloway, Neal) ABSENT; therefore, the Amendment was declared adopted.

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

The roll call vote on SB 131 w SA 1, 2, 3 was then taken and revealed:

YES: Senators Arnold, Bair, Connor, Holloway, Knox, Neal, Torbert - 7.

NO: Senators Adams, Citro, Cook, Cordrey, Littleton, Marshall, Martin, McBride, McDowell, Minner, Sharp, Vaughn, Zimmerman - 13.

NOT VOTING: Senators Berndt - 1.

Therefore, the Bill was declared defeated.

SCR 32 was introduced and considered for adoption on motion of Senator Zimmerman:

SCR 32 - COMMEMORATING THE REOPENING OF THE DELAWARE STATE LIBRARY TO THE PUBLIC AND INVITING CITIZENS TO VIEW THE CIVIL WAR EXHIBIT ON DISPLAY. Sponsors: Senator Zimmerman and Representative Outten.

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.

SR 37 was introduced and considered for adoption on motion of Senator Martin:

SR 37 - COMMENDING THE C. F. SCHWARTZ COMPANY OF DOVER FOR ITS INSPIRING DISPLAY OF THE AMERICAN FLAG. Sponsor: Senator Martin.

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

At 5:40 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. April 14, 1983.

The Senate reconvened at 2:08 p.m., April 14, 1983, Senator Cordrey presiding.

The following Committee reports were announced:

From the Administrative Services/Energy Committee: SB 82 - 6 Merits; SB 110 - 6 Merits; SB 136 - 1 Favorable, 5 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 43; HB 87; HB 112; SB 38; SB 33 w HA 1, 3, 4 and adopted HCR 47; HCR 48; HCR 49; HCR 50; SCR 19; SCR 20; SCR 21; SCR 22; SCR 23; SCR 24; SCR 27; SCR 28 and SCR 32.

The following legislation was introduced:

SA 1 to SB 138. Sponsor: Senator Bair. Placed with the Bill.

SA 2 to SB 139. Sponsor: Senator McBride. Placed with the Bill.

SA 1 to SB 156. Sponsor: Senator McDowell. Placed with the Bill.

HB 43 - AN ACT TO AMEND CHAPTER 23, TITLE 19, DELAWARE CODE, TO PERMIT AN EXEMPTION FROM WORKMEN'S COMPENSATION FOR CERTAIN OFFICERS OF CORPORATIONS. Sponsors: Representatives Outten, Clark, Barnes, Bennett; Senators Zimmerman, McDowell, Cordrey, Bair, Neal. Assigned to Labor and Industrial Relations Committee.

HB 87 - AN ACT TO AMEND CHAPTER 25, TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE PREMIUMS PAID BY PEACE OFFICERS. Sponsors: Representatives West, Spence, B. Ennis, Gilligan; Senator Minner. Assigned to Insurance and Elections Committee.

HB 112 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE V, SECTION 4A OF THE CONSTITUTION OF 1897 OF THE STATE OF DELAWARE RELATING TO ABSENTEE VOTING. Sponsor: Representative George. Assigned to Insurance and Elections Committee.

SCR 31 was introduced and laid on the table on motion of Senator Torbert:

SCR 31 - CONGRATULATING KIMBERLY JONES, DELAWARE'S JUNIOR MISS, AND EXTENDING BEST WISHES FOR SUCCESS AT THE NATIONAL JUNIOR MISS PAGEANT IN JUNE. Sponsors: Senator Torbert and Representative Bennett.

HCR 47 was introduced and considered for adoption on motion of Senator Sharp:

HCR 47 - SALUTING OUR PROFESSIONAL SECRETARIES AND JOINING IN THE CELEBRATION OF PROFESSIONAL SECRETARIES' WEEK, APRIL 24-30, 1983, AND MARKING APRIL 27 AS SECRETARIES DAY. Sponsors: Representative George and Senator Cordrey

The roll call vote on the Resolution was taken and revealed 13 Senators voting YES and 8 (Bair, Citro, Connor, Cook, Holloway, Littleton, Martin and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 49 was introduced and considered for adoption on motion of Senator Neal:

HCR 49 - MARKING APRIL 20 AS NATIONAL TEACHERS DAY AND COMMENDING DELAWARE PUBLIC SCHOOL TEACHERS FOR THEIR CONTRIBUTION TO DELAWARE'S OUTSTANDING PUBLIC SCHOOL SYSTEM. Sponsors: Representatives Jester, Campanelli, Outten, Free, Roy; Senators McBride, Bair, Connor, Neal, Vaughn, Minner.

The roll call vote on the Resolution was taken and revealed 16 Senators voting YES and 5 (Bair, Citro, Connor, Cook, Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 48 was introduced and considered for adoption on motion of Senator Berndt:

HCR 48 - EXPRESSING OUR APPRECIATION FOR THE EXCEPTIONAL SERVICES PROVIDED BY DELAWARE LIBRARIES. Sponsor: Representative George.

The roll call vote on the Resolution was taken and revealed 15 Senators voting YES and 6 (Adams, Bair, Citro, Connor, Cook, Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 50 was introduced and considered for adoption on motion of Senator Vaughn:

HCR 50 - MOURNING THE DEATH OF WALTER J. WASSMER, DIVISION DIRECTOR OF THE CRIMINAL JUSTICE DEPARTMENTS AT DELAWARE TECHNICAL AND COMMUNITY COLLEGE STANTON CAMPUS, AND LIFE-LONG LAW ENFORCEMENT OFFICER AND EDUCATOR. Sponsor: Representative VanSant.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Citro, Connor, Cook, Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

The following Committee reports were announced:

From the Judiciary Committee: SB 127 - 3 Merits; SB 128 - 3 Merits; SB 129 - 3 Merits; SB 132 - 1 Favorable, 3 Merits; SB 134 - 4 Merits; SB 148 - 4 Merits; SB 151 - 1 Favorable, 3 Merits.

At 2:21 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 19th Legislative Day.

19TH LEGISLATIVE DAY  
April 14, 1983

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

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read on motion of Senator Sharp.

SB 22 was taken up for consideration on motion of Senator Marshall:

SB 22 - AN ACT TO AMEND TITLE 28, DELAWARE CODE, TO PROVIDE FOR THE REGULATION AND CONTROL OF LOTTERIES CONDUCTED BY VOLUNTEER FIRE COMPANIES, VETERAN ORGANIZATIONS, RELIGIOUS OR CHARITABLE ORGANIZATIONS, OR BY FRATERNAL SOCIETIES AND AUTHORIZING THE DELAWARE GAMING CONTROL BOARD TO IMPLEMENT SUCH LOTTERIES.

Senators Zimmerman, Cook, Minner, Martin marked PRESENT.

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:

YES: Senators Bair, Berndt, Citro, Cook, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn - 14.

NO: Senators Adams, Cordrey, Littleton - 3.

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

ABSENT: Senator Connor - 1.

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

Senator McBride marked PRESENT.

SB 30 was taken up for consideration on motion of Senator Marshall:

SB 30 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE II, SECTION 17, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO GAMBLING.

The roll call vote on the Bill was taken; however, the roll call was tabled before being announced on motion of Senator Marshall, (with no objections)

SB 33 which had previously passed the Senate was taken up for reconsideration as now further amended by HA 1, 3, 4.

The roll call vote on SB 33 w HA 1, 3, 4 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.

SCR 33 was introduced and considered for adoption on motion of Senator Minner:

SCR 33 - PROVIDING FOR THE ESTABLISHMENT OF AN AD HOC ADVISORY COMMITTEE TO STUDY HOW TO IMPROVE OUR STATEWIDE RADIO COMMUNICATIONS SYSTEM TO ENABLE IT TO BE MORE EFFECTIVE IN ASSISTING EVERY USER IN NEED OF SUCH FACILITIES. Sponsors: Senators Minner and Vaughn; Representatives B. Ennis and Houghton.

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.

SB 91 - AN ACT TO AMEND SUBPART B, SUBCHAPTER VI, TITLE 11, DELAWARE CODE, RELATING TO OFFICIAL MISCONDUCT.

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 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 3:05 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:13 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Judiciary Committee: Corrected Committee Reports SB 127 - 4 Merits; SB 128 - 4 Merits; SB 129 - 4 Merits.

From the Revenue and Taxation Committee: SB 40 - 7 Merits; SB 150 - 7 Merits.

Senator Connor marked PRESENT.

The following legislation was introduced:

SB 168 - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE TO ALLOW FOR AN AWARD OF ATTORNEY'S FEES IN NO FAULT INSURANCE BENEFITS LITIGATION BY AN INSURED. Sponsors: Senator Marshall, Representative Campanelli. Assigned to Public Safety Committee.

SB 167 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV, SECTION 3 OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE JUDICIARY. Sponsors: Senator Adams, Representative Barnes. Assigned to Judiciary Committee.

SB 166 - AN ACT TO AMEND CHAPTER 6, TITLE 24, DELAWARE CODE, RELATING TO NUMBER OF COSMETOLOGISTS' APPRENTICES AND THE FEE SCHEDULE FOR THIS PROFESSION. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SS 1 for SB 49 - AN ACT TO AMEND CHAPTER 38, TITLE 31, DELAWARE CODE, RELATING TO THE RE-ESTABLISHMENT OF A FOSTER CHILD REVIEW ACT. Sponsors: Senators Holloway, Zimmerman, Martin, Citro, Connor, Bair; Representatives Bennett, Soles, Maroney. Adopted in lieu of the original bill and laid on the table on motion of Senator Holloway.

SA 2, SA 3, SA 4 to SB 71. Sponsor: Senator Vaughn. Placed with the Bill.

SCR 34 was introduced and considered for adoption on motion of Senator Berndt:

SCR 34 - COMMENDING KAREN PIESLAK AS THE AMERICAN LEGION DEPARTMENT OF DELAWARE ORATORICAL WINNER AND WELCOMING KAREN TO LEGISLATIVE HALL. Sponsors: Senators Berndt and Minner; Representatives D. Ennis, Clendaniel.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Bair and McDowell) 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 Karen Pieslak who delivered her prize-winning speech.

SCR 35 was introduced and considered for adoption on motion of Senator Zimmerman:

SCR 35 - COMMEMORATING THE REOPENING OF THE DELAWARE STATE MUSEUM TO THE PUBLIC AND INVITING CITIZENS TO VIEW THE CIVIL WAR EXHIBIT ON DISPLAY. Sponsors: Senator Zimmerman, Representative Outten.

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

Senator Connor marked PRESENT.

On motion of Senator Marshall, the roll call vote on SB 30 was lifted and announced:

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

NO: Senators Adams, Arnold, Cook, Cordrey, Knox, Littleton - 6.

NOT VOTING: Senators Minner, Torbert, Zimmerman - 3.

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



SR 38 was introduced and considered for adoption on motion of Senator Minner:

SR 38 - CONGRATULATING LEWES JUNIOR HIGH SCHOOL STUDENTS FOR THEIR OVERALL ACCOMPLISHMENTS IN THE DELAWARE SCIENCE OLYMPICS. Sponsor: Senator Minner.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Bair and McDowell) ABSENT; therefore, the Resolution was declared adopted.

At 4:37 p.m. Senator Sharp presiding.

SB 71 was taken up for consideration on motion of Senator Vaughn:

SB 71 - AN ACT TO AMEND CHAPTERS 1, 21 AND 29 OF TITLE 21, DELAWARE CODE, RELATING TO MINIMUM INSURANCE COVERAGE REQUIREMENTS FOR ALL MOTOR VEHICLES REGISTERED IN THIS STATE.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Henry Ridgely (Senate Attorney).

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

SA 2 to the Bill which had been placed with the Bill was laid on the table on motion of Senator Vaughn.

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

SA 4 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Vaughn and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; 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 Neal and the roll call vote taken which revealed:

YES: Senator Neal - 1.

NO: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 19.

ABSENT: Senator Citro - 1.

Therefore, the Amendment was declared defeated.

SA 2 to the Bill was lifted from the table for consideration on motion of Senator Vaughn and the roll call vote taken which revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Amendment was declared adopted.

On motion of Senator Vaughn (and without objection) the roll call vote on SA 1 to the Bill was rescinded and the Amendment stricken.

SA 6 to the Bill was introduced by Senator Vaughn and considered for adoption on his motion. The roll call vote on the Amendment was then taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 71 w SA 2, 3, 4, 6 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 McBride, SB 139 w SA 1 was lifted for consideration.

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

The roll call vote on SB 139 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Knox, Littleton, Martin, McBride, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 16.

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

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 Cordrey, the Senate recessed until 2:00 p.m., April 19, 1983.

The Senate reconvened at 2:11 p.m. April 19, 1983, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 102; HB 132 w HA 1; HB 128 w HA 2, 3, 4, 5; HB 122; HB 124 and adopted SCR 33 and SCR 34.

The following legislation was introduced:

HB 122 - AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP A PROGRAM FOR DISTRIBUTION OF SURPLUS TEXTBOOKS AND EQUIPMENT AMONG PUBLIC SCHOOL DISTRICTS. Sponsor: Representative Bennett. Assigned to Education Committee.

HB 124 - AN ACT TO AMEND CHAPTER 10, SUBCHAPTER IV, TITLE 14 OF THE DELAWARE CODE RELATING TO THE ANNUAL ELECTION OF SCHOOL BOARD MEMBERS. Sponsors: Representatives Bennett, Soles, George, Jester, Dixon. Assigned to Education Committee.

HB 128 w HA 2, 3, 4, 5 - AN ACT TO AMEND TITLE 9, CHAPTERS 3, 11 AND 81 OF THE DELAWARE CODE RELATING TO THE POWER OF COUNTY GOVERNMENTS TO IMPOSE AND COLLECT A REALTY TRANSFER TAX. Sponsors: Representatives Hebner, Oberle, Davis, Smith, Petrilli, D. Ennis, Gilligan, George, Plant, Houghton, Terry, Dixon, B. Ennis, Soles, VanSant; Senators Knox, Arnold, Cook, Holloway. Assigned to Revenue and Taxation Committee.

HB 102 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF DEWEY BEACH" ALSO KNOWN AS VOLUME 63, CHAPTER 59, LAWS OF DELAWARE, BY PROVIDING THAT THE ANNUAL AUDIT REPORT BE REQUIRED ON OR BEFORE OCTOBER 31ST OF EACH YEAR. Sponsor: Representative Wingate; Senator Cordrey. Assigned to Community Affairs Committee.

HB 132 w HA 1 - AN ACT TO AMEND CHAPTER 8, TITLE 16, OF THE DELAWARE CODE RELATING TO THE TREATMENT OF THE EYE INFLAMMATIONS OF THE NEWBORN. Sponsors: Representative VanSant, Boykin. Assigned to Health-Social Services/Aging Committee.

SB 169 - AN ACT TO AUTHORIZE AND APPROVE THE SALE OF TWO PROPERTIES OWNED BY THE DEPARTMENT OF CORRECTION. Sponsors: Senators Marshall, Citro; Representatives Jonkier, Campannelli, Free. Assigned to Corrections Committee.

SB 170 - AN ACT TO AMEND PART VI, TITLE 11, DELAWARE CODE, TO PROVIDE FOR DISTRIBUTION OF MONEYS RECEIVED AS A RESULT OF THE COMMISSION OF A CRIME TO VICTIMS OF CRIME. Sponsors: Senator Vaughn; Representative B. Ennis. Assigned to Judiciary Committee.

SB 43 was reported out of the Education Committee: 1 Favorable, 2 Merits.

SR 39 was introduced and considered for adoption on motion of Senator Holloway:

SR 39 - COMMENDING CHIEF EUGENE PETTY OF THE CITY OF NEW CASTLE POLICE DEPARTMENT UPON HIS RETIREMENT AFTER 20 YEARS OF HONORABLE SERVICE TO HIS COMMUNITY. Sponsor: Senator Holloway.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Connor, Martin, McDowell) ABSENT; therefore, the Resolution was declared adopted.

Senator Sharp introduced to the Senate a group of students from the First Baptist School.

The following Committee reports were announced:

From the Health-Social Services/Aging Committee: SB 103 - 4 Merits; SB 164 - 4 Merits; SB 166 - 4 Merits.

At the request of Senator Sharp, the privilege of the floor was extended to Rose Downes representing the Delaware Commission on Crime and Justice.

At 2:23 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 20th Legislative Day.

#### 20TH LEGISLATIVE DAY

April 19, 1983

The Senate convened at 2:23 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Minner.

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, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

SB 43 was taken up for consideration on motion of Senator Zimmerman:

SB 43 - AN ACT TO AMEND TITLE 14, DELAWARE CODE, TO PROVIDE TUITION-FREE HIGHER EDUCATION FOR PERSONS AGE 60 OR OLDER.

AT 2:34 p.m., Lt. Governor Castle presiding.

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

YES: Senators Adams, Citro, Cook, Cordrey, Holloway, Littleton, Marshall, McBride, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 14.

NOT VOTING: Senators Arnold, Bair, Berndt, Knox - 4.

ABSENT: Senators Connor, Martin, McDowell - 3.

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

SB 40 was taken up for consideration on motion of Senator McBride:

SB 40 - AN ACT TO AMEND CHAPTER 29, PART III, TITLE 30 OF THE DELAWARE CODE RELATING TO RETAIL AND WHOLESALE MERCHANTS' LICENSE REQUIREMENT AND TAXES.

Senator Citro marked PRESENT.

The Bill was laid on the table on motion of Senator McBride.

SB 93 was taken up for consideration on motion of Senator Torbert:

SB 93 - AN ACT TO AMEND CHAPTER 25, TITLE 18 OF THE DELAWARE CODE RELATING TO THE MAKING OF INSURANCE RATES FOR PRIVATE PASSENGER VEHICLES.

The privilege of the floor was extended to Insurance Commissioner, David Elliott, after which the Bill was laid on the table on further motion of Senator Torbert.

At 2:51 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:03 p.m., Senator Cordrey presiding.

Senator Martin marked PRESENT.

SB 40 was lifted from the table for consideration on motion of Senator McBride.

At 4:05 p.m., Lt. Governor Castle presiding.

Senator Connor marked PRESENT.

The roll call vote on SB 40 was taken and revealed 19 Senators voting YES, 1 (Neal) voting NO and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 93 was lifted from the table for consideration on motion of Senator Torbert.

SA 1 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 19 Senators voting YES and 2 (Citro and Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 93 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Cook and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 150 was taken up for consideration on motion of Senator McDowell.

SB 150 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER II, TITLE 30, DELAWARE CODE, RELATING TO TAX CREDIT FOR CHILD PASSENGER RESTRAINT SYSTEMS.

The privilege of the floor was extended to Henry Ridgely (Senate Attorney).

At 4:30 p.m., Senator Sharp presiding.

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

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

STATE OF DELAWARE

Office of the Governor

April 19, 1983

To the Senate of the 132nd 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 H. McDonald, 1308 Chadwick Road, Welshire, Wilmington, Delaware, 19803, to be appointed as Secretary of the Department of Administrative Services to serve at the Pleasure of the Governor

Your consideration of this nomination will be appreciated.

Sincerely,

Pierre S. duPont, Governor

\* \* \* \* \*

The following legislation was introduced:

SB 171 - AN ACT TO AMEND CHAPTER II, TITLE 30 OF THE DELAWARE CODE TO PERMIT A DEDUCTION FOR CERTAIN HOUSEHOLD AND DEPENDENT CARE EXPENSES. Sponsors: Senators Neal, Knox, Arnold, Connor, Bair, Vaughn, Martin. Assigned to Finance Committee.

SB 172 - AN ACT TO AMEND SUBCHAPTER II, TITLE 30 OF THE DELAWARE CODE, RELATING TO PERSONAL INCOME TAX OF RESIDENT INDIVIDUALS. Sponsors: Senators Neal, Knox, Arnold, Connor, Bair, Vaughn, Martin. Assigned to Revenue and Taxation Committee.

SB 173 - AN ACT TO AMEND CHAPTER 302, VOLUME 49, LAWS OF DELAWARE, BEING "AN ACT TO INCORPORATE THE TOWN OF FENWICK ISLAND, DELAWARE" RELATING TO THE QUALIFICATIONS OF VOTERS AND TO THE POWER OF THE TOWN TO LICENSE, TAX AND COLLECT FEES. Sponsors: Senator Cordrey; Representative Bunting. Assigned to Community Affairs Committee.

SA 1 to SB 60. Sponsor: Senator Knox. Placed with the Bill.

SA 2 to SB 110. Sponsor: Senator Bair. Placed with the Bill.

SA 1 to HB 128. Sponsors: Senators Cook and Minner. Placed with the Bill.

SA 2 to HB 128. Sponsor: Senator Zimmerman. Placed with the Bill.

SR 40 was introduced and considered for adoption on motion of Senator Marshall.

SR 40 - COMMEMORATING THE 50TH ANNIVERSARY OF LEGISLATIVE HALL. Sponsor: Senator Marshall.

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 36 was introduced and considered for adoption on motion of Senator Martin:

SCR 36 - MEMORIALIZING THE DELAWARE CONGRESSIONAL DELEGATION TO REQUEST THE UNITED STATES POSTAL SYSTEM TO ISSUE A COMMEMORATIVE STAMP FOR DR. JAMES TILTON. Sponsor: Senator Martin.

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.

SB 2 was reported out of the Health-Social Services/Aging Committee: 6 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 126 w HA 1 and HB 127 w HA 1.

The following legislation was introduced:

HB 126 w HA 1 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE BY PROVIDING FOR THE ORGANIZATION AND OPERATION OF LIMITED PURPOSE STATE CHARTERED BANKS TO BE KNOWN AS CONSUMER CREDIT BANKS. Sponsors: Representatives Gilligan, George, Hebner, Barnes, Boykin, Buckworth, Clendaniel, Dixon, B. Ennis, D. Ennis, Jester, Maroney, Petrilli, Plant, Roy; Senators Arnold, Bair, Berndt, Citro, Connor, Holloway, Knox, Littleton, Neal, Sharp. Assigned to Banking Committee.

HB 127 w HA 1 - AN ACT TO AMEND TITLE 5, TITLE 6 AND TITLE 30 OF THE DELAWARE CODE, TO PROVIDE EXEMPTION FROM TAXATION AND INTEREST RATE LIMITATIONS FOR INTERNATIONAL BANKING TRANSACTIONS AND INTERNATIONAL BANKING FACILITIES, AND TO PROVIDE EXEMPTION FROM RESERVE REQUIREMENTS FOR DEPOSITS RELATING TO INTERNATIONAL BANKING FACILITIES. Sponsors: Representatives Dixon, D. Ennis, Buckworth; Senators Knox, Citro, Bair, Berndt, Neal, Littleton. Assigned to Banking Committee.

On motion of Senator Cook (and without objection) SB 131 which had been defeated for passage was restored to the Calendar.

SB 131 - AN ACT TO AMEND CHAPTER 17, TITLE 17, DELAWARE CODE, TO PROVIDE FOR RABIES IMMUNIZATION FOR CATS.

At 4:53 p.m. on motion of Senator Cordrey, the Senate recessed until 2 p.m., April 20, 1983.

The Senate reconvened at 2:35 p.m., April 20, 1983, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HJR 6 and passed SB 26 w SA 1, 3, 4, 5, HA 1, 2, 3.

The following Committee reports were announced:

From the Executive Committee: SB 122 - 4 Merits; SB 147 - 1 Favorable, 3 Merits.

From the Public Safety Committee: SB 130 - 4 Merits; SB 168 - 4 Merits.

The following legislation was introduced:

SB 174 - AN ACT TO AMEND PART II, TITLE 16, SECTION 2506(C), OF THE DELAWARE CODE RELATING TO "LIVING WILLS" AND SIMILAR DOCUMENTS BY STRIKING THE TEN YEAR LIMITATION ON THE EFFECTIVENESS OF A DECLARATION. Sponsors: Senator McBride, Holloway, Berndt; Representatives VanSant, Barnes. Assigned to Health-Social Services/Aging Committee.

SB 175 - 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: Senators Cook, Minner, Vaughn; Representatives Bunting, Jester, Roy, B. Ennis. Assigned to Natural Resources and Environmental Control Committee.

SS 1 for SB 129 AN ACT TO AMEND CHAPTER 53, TITLE II, DELAWARE CODE, REGARDING RIGHT TO TRIAL BY JURY. Sponsors: Senators Holloway and Berndt. Assigned to Judiciary Committee.

SS 1 for SB 130 - AN ACT TO AMEND CHAPTERS 3, 7, 21, 23, 27, 31, 41, 42 AND 43 OF TITLE 21, DELAWARE CODE, TO UPDATE PENALTY PROVISIONS OF THE MOTOR VEHICLE CODE. Sponsors: Senators Holloway and Berndt. Laid on the table on motion of Senator Holloway.

SA 3 to SB 110 was introduced by Senator Cordrey and placed with the Bill.

SCR 37 was introduced and laid on the table on motion of Senator Neal:

SCR 37 - CONGRATULATING SHELLEY NANCY PERKINS, MISS DELAWARE - USA - 1983, AND EXTENDING BEST WISHES FOR SUCCESS IN THE NATIONAL MISS USA PAGEANT. Sponsors: Senators Neal, Adams, Minner; Representatives Soles, Terry, Clendaniel.

SCR 38 was introduced and laid on the table on motion of Senator Marshall:

SCR 38 - COMMEMORATING THE 75TH ANNIVERSARY OF THE ESTABLISHMENT OF ST. ELIZABETH'S PARISH IN WILMINGTON. Sponsors: Senator Marshall; Representative Jonkiert.

SB 26 w/SA 1,3,4,5, HA 1,2,3 - was laid on the table on a motion of Senator Adams, no objections.

At 2:40 p.m., Lt. Governor Castle presiding.

The following communication was read from the President Pro Tem

SENATE  
STATE OF DELAWARE  
DOVER, DELAWARE  
April 20, 1983

TO: The members of the Senate of the 132nd General Assembly  
FROM: Richard S. Cordrey, President Pro Tempore  
SUBJECT: Senate Concurrent Resolution No. 33

As per the powers invested in me, by the passage of Senate Concurrent Resolusion No. 33, providing for the establishment of an ad hoc advisory committee to study how to improve our statewide radio communications system to enable it to be more effective in assisting every user in need of such facilities, I hereby appoint: Senator Ruth Ann Minner and Mr. James F. Noonan.

\* \* \* \* \*

HJR 6 was introduced and assigned to Labor and Industrial Relations Committee:

HJR 6 - RELATING TO COLLECTIVE BARGAINING AS IT AFFECTS RULES ADOPTED BY THE STATE PERSONNEL COMMISSION. Sponsors: Representative Campanelli, Plant; Senator Marshall.

SCR 31 was lifted from the table for consideration on motion of Senator Torbert and the roll call vote taken which revealed 19 Senators voting YES and 2 (Connor and McDowell) 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 Kimberley Jones (Delaware's Junior Miss).

Senator Arnold introduced to the Senate the Scout Group from Red Clay Presbyterian Church who were present in the Chamber.

At 2:54 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 21st Legislative Day.

#### 21ST LEGISLATIVE DAY April 20, 1983

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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, 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 Adams, SB 26 w SA 1, 3, 4, 5 which had previously laid on the table was taken up for reconsideration as now further amended by HA 1, 2, 3.

The privilege of the floor was extended to William D. Luke, Jr. (Delaware Automobile Dealers Association), John W. Whitting (Delaware Automobile Dealers Association), Robert C. Veit (Motor Vehicle Manufacturers Association) and Mike Harris of the Governor's Office.

The roll call vote on SB 26 w SA 1, 3, 4, 5, HA 1, 2, 3 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Holloway, Knox, Littleton, Marshall, McBride, Minner, Torbert, Vaughn, Zimmerman - 15.

NO: Senators Connor, Cordrey, Martin, Neal - 4.

ABSENT: Senators McDowell, Sharp - 2.

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

Senator Cordrey marked PRESENT.

SB 96 was taken up for consideration on motion of Senator Holloway:

SB 96 - AN ACT TO AMEND CHAPTER 39, TITLE 31, DELAWARE CODE, RELATING TO ADULT PROTECTIVE SERVICES.

The privilege of the floor was extended to Heidi McWharf (Christian Science Church) and Gary Dalton (Senate Attorney) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Martin) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 164 was taken up for consideration on motion of Senator Zimmerman:

SB 164 - AN ACT TO AMEND CHAPTER 74, TITLE 16, DELAWARE CODE, RELATING TO THE COMPOSITION OF THE AUTHORITY ON RADIATION PROTECTION.

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 132 was taken up for consideration on motion of Senator Vaughn:

SB 132 - AN ACT TO AMEND CHAPTER 92, OF TITLE 10, OF THE DELAWARE CODE RELATING TO ORGANIZATION AND OPERATION OF THE JUSTICE OF THE PEACE COURTS.

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

At 4:16 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus and reconvened at 4:55 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SA 1 to SB 166. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to HB 87. Sponsor: Senator Minner. Placed with the Bill.

SA 4 to SB 110. Sponsor: Senator Cordrey. Placed with the Bill.

SB 177 - AN ACT TO AMEND CHAPTER 17, TITLE 18, DELAWARE CODE, RELATING TO QUALIFICATIONS FOR INSURANCE AGENTS. Sponsor: Senator Holloway. Assigned to Insurance and Elections Committee.

SB 176 - AN ACT TO AMEND TITLES 9 AND 22 OF THE DELAWARE CODE RELATING TO ZONING REQUIREMENTS FOR FACILITIES FOR DEVELOPMENTALLY DISABLED PERSONS. Sponsor: Senator Holloway. Assigned to Community Affairs Committee.

The Secretary announced that a message from the House informed the Senate that it had passed HB 118 w HA 1 and HB 129 w HA 3.

The following legislation was introduced:

HB 118 w HA 1 - AN ACT TO AMEND AN ACT, BEING CHAPTER 42, VOLUME 53, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD" TO PROVIDE A PROCEDURE FOR APPEALING A DECISION OF THE BOARD OF ADJUSTMENT TO THE CITY COUNCIL. Sponsors: Representative Fallon; Senator Littleton. Assigned to Community Affairs Committee.

HB 129 w HA 3 - AN ACT TO AMEND CHAPTER 54, TITLE 30, DELAWARE CODE, RELATING TO THE REALTY TRANSFER TAX. Sponsors: Representatives Bennett, Gilligan, Dixon, D. Ennis. Assigned to Revenue and Taxation Committee.

HB 128 w HA 2, 3, 4, 5, (SA 1, 2) was reported out of the Revenue and Taxation Committee: 4 Merits, 1 Unfavorable.

SB 166 was taken up for consideration on motion of Senator Holloway:

SB 166 - AN ACT TO AMEND CHAPTER 6, TITLE 24, DELAWARE CODE, RELATING TO NUMBER OF COSMETOLOGISTS' APPRENTICES AND THE FEE SCHEDULE FOR THIS PROFESSION.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the roll call vote taken which revealed 18 Senators voting YES and 3 (McBride, McDowell and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Gene I. Slacum (Office of Professional Licensing) after which the Bill was laid on the table on further motion of Senator Holloway.

SB 30 which had been defeated for passage was restored to the Calendar on motion of Senator Cook and without objection.

At 5:25 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 21, 1983.

The Senate reconvened at 2:21 p.m., April 21, 1983, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 51; HCR 52; HCR 53; HCR 54; HCR 55; HCR 56; SCR 35; SCR 36.

The following legislation was introduced:

SB 178 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, TO ELIMINATE THE FINING OF PUBLIC EMPLOYEES AS A DISCIPLINARY MEASURE AND THE REQUIREMENT THAT PUBLIC EMPLOYEES WORK WITHOUT THEIR USUAL REMUNERATION. Sponsors: Senator Marshall; Representative Campanelli. Assigned to Labor and Industrial Relations Committee.

SB 179 - AN ACT TO AMEND CHAPTER 46, TITLE 6, DELAWARE CODE, RELATING TO EQUAL RIGHTS TO HOUSING. Sponsor: Senator Holloway. Assigned to Community Affairs Committee.

SB 180 - AN ACT TO AMEND CHAPTER 21, TITLE 19, DELAWARE CODE, RELATING TO COMPOSITION OF THE INDUSTRIAL ACCIDENT BOARD. Sponsor: Senator Holloway. Assigned to Labor and Industrial Relations Committee.

SB 181 - AN ACT TO AMEND CHAPTER 31, TITLE 16, DELAWARE CODE, RELATING TO DISCLOSURE OF RECORDS. Sponsor: Senator Torbert. Assigned to Administrative Services/Energy Committee.

SA 1 to SB 151. Sponsor: Senator Vaughn. Placed with the Bill.

HCR 52 was introduced and considered for adoption on motion of Senator Neal:

HCR 52 - REQUESTING THAT ALL TASK FORCES, AD HOC COMMITTEES, OR SPECIAL COMMISSIONS CREATED BY MEANS OF EXECUTIVE ORDERS OR RESOLUTIONS OF THE GENERAL ASSEMBLY NOTIFY MEMBERS OF THE GENERAL ASSEMBLY OF THEIR MEETING DATES AND OTHER ORGANIZED ACTIVITIES. Sponsors: Representative Soles; Senator Neal.

At 2:25 p.m., Lt. Governor Castle presiding.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Knox, Marshall, Minner, Neal, Vaughn, Zimmerman - 14.

NO: Senators McBride, McDowell, Torbert - 3.

ABSENT: Senators Connor, Littleton, Martin, Sharp - 4.

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

SCR 37 was lifted for consideration on motion of Senator Neal:

SCR 37 - CONGRATULATING SHELLEY NANCY PERKINS, MISS DELAWARE - USA - 1983, AND EXTENDING BEST WISHES FOR SUCCESS IN THE NATIONAL MISS USA PAGEANT.

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 sent to the House for consideration.

Pursuant to the above Resolution, the privilege of the floor was extended to Shelley Nancy Perkins, Miss Delaware.

SCR 38 was lifted for consideration on motion of Senator Marshall:

SCR 38 - COMMEMORATING THE 75TH ANNIVERSARY OF THE ESTABLISHMENT OF ST. ELIZABETH'S PARISH IN WILMINGTON.

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 returned to the House for consideration.

HCR 53 was introduced and considered for adoption on motion of Senator Marshall:

HCR 53 - MOURNING THE DEATH OF EWING B. HAWKINS, OF WILMINGTON, ONE OF THE STATE'S LEADING COMMUNICATORS AND OWNER OF RADIO STATION WILM. Sponsors: Representative Jonkiert, Hebner; Senator Marshall, Martin.

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 returned to the House.

At 2:44 p.m., Senator Cordrey presiding.

HCR 51 was introduced and considered for adoption on motion of Senator Minner:

HCR 51 - REQUESTING THE FEDERAL COMMUNICATIONS COMMISSION TO ALLOCATE ADDITIONAL RADIO SPECTRUM FREQUENCIES TO LAND MOBILE SERVICES FOR PUBLIC SAFETY AGENCIES IN MAJOR METROPOLITAN AND URBAN AREAS AS AN AID IN RESPONDING TO EMERGENCY INCIDENTS. Sponsors: Representative B. Ennis; Senator Minner.

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

HCR 54 was introduced and considered for adoption on motion of Senator Bair:

HCR 54 - REQUESTING THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT SENATE JOINT RESOLUTION 53 AUTHORIZING PRESIDENT REAGAN TO DESIGNATE MAY 1983 AS NATIONAL PHYSICAL FITNESS AND SPORTS MONTH. Sponsor: Representative Buckworth.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES, 1 (Sharp) NOT VOTING and 1 (Connor) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 55 was introduced and considered for adoption on motion of Senator Vaughn:

HCR 55 - COMMENDING THE STUDENTS AND ADVISORS WHO PARTICIPATED IN THE RECENT HEALTH OCCUPATIONS STUDENTS CAREER DEVELOPMENT CONFERENCE AND RECOGNIZING THOSE WHO WERE AWARD WINNERS. Sponsor: Representative Jester.

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 returned to the House.

HCR 56 was introduced and considered for adoption on motion of Senator Adams:

HCR 56 - REQUESTING GOVERNOR PIERRE S. DU PONT 4TH TO PROCLAIM MAY 5TH, 1983, AS DELAWARE DAY OF PRAYER. Sponsors: Representatives Barnes, Davis; Senators Adams, Littleton.

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 returned to the House.

SCR 39 was introduced and considered for adoption on motion of Senator McBride:

SCR 39 - CONGRATULATING ELOISE E. SPARKMAN OF CONCORD MANOR ON HER ELECTION AS PRESIDENT OF THE NATIONAL ASSOCIATION FOR PRACTICAL NURSE EDUCATION AND SERVICE INC. Sponsors: Senators McBride, Knox; Representative Maroney.

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.

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

SR 41 - IN RECOGNITION OF THE ANNUAL AWARDS DINNER HELD AT HOTEL DUPONT ON MONDAY EVENING, APRIL 18, 1983 BY THE BRANDYWINE PROFESSIONAL ASSOCIATION SALUTING THE OUTSTANDING ENTREPRENEURS, AND OTHERS IN PRIVATE INDUSTRY, GOVERNMENT AND EDUCATION. Sponsor: Senator Holloway.

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.

At 2:58 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 22nd Legislative Day.

22ND LEGISLATIVE DAY  
April 21, 1983

The Senate convened at 2:58 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Martin

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, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

SB 60 was taken up for consideration on motion of Senator Holloway:

SB 60 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 79, TITLE 29, DELAWARE CODE, RELATING TO FINANCIAL LIABILITY OF PERSONS SERVED BY THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES.

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

Senator Zimmerman marked PRESENT.

At 3:07 p.m., Lt. Governor Castle presiding.

Senator Connor marked PRESENT.

The roll call vote on SB 60 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 122 was taken up for consideration on motion of Senator Zimmerman:

SB 122 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 60, TITLE 7, DELAWARE CODE, RELATING TO THE PREPARATION OF WRITTEN TRANSCRIPTS OF TESTIMONY TAKEN AT PUBLIC HEARINGS.

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

SB 147 was taken up for consideration on motion of Senator Adams:

SB 147 - AN ACT TO AMEND CHAPTER 56, TITLE 29, OF THE DELAWARE CODE RELATING TO DISABILITY PENSIONS FOR NEW JUDGES.

The privilege of the floor was extended to Don McArdle of the Pension Board after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Citro, Cook, Cordrey, Knox, Littleton, Marshall, Martin, McDowell, Minner, Vaughn, Zimmerman - 14.

NO: Senators Bair, Connor, McBride, Neal, Torbert - 5.

NOT VOTING: Senator Sharp - 1.

ABSENT: Senator Holloway - 1.

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

At 3:35 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:32 p.m., Lt. Governor Castle presiding.

SB 151 was taken up for consideration on motion of Senator Vaughn:

SB 151 - AN ACT TO AMEND SUBCHAPTER VII OF CHAPTER 65 OF TITLE 11 OF THE DELAWARE CODE RELATING TO THE PUBLICATION OF THE NAMES AND CRIMES OF INMATES PLACED ON SUPERVISED CUSTODY OR WORK RELEASE.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Vaughn and the roll call vote taken which revealed 16 Senators voting YES and 5 (Bair, Citro, Holloway, Littleton, Minner) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 151 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Citro, Connor, Cook, Cordrey, Littleton, Martin, McBride, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Berndt, Knox - 2.

NOT VOTING: Senators Holloway, Marshall, McDowell - 3.

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

SB 122 was taken up for consideration on motion of Senator Zimmerman - no objections.

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



The roll call vote on SB 122 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 Marshall (and without objection) the necessary rules were suspended for consideration of SB 30 which had been defeated and restored to the calendar.

SA 1 to the Bill was introduced by Senator Marshall and considered for adoption on his motion. The privilege of the floor was extended to Henry Ridgely (Senate Attorney) after which the roll call vote on the Amendment was taken and revealed 18 Senators voting YES and 3 (Cordrey, Littleton, Zimmerman) voting NO; therefore, the Amendment was declared adopted.

SB 30 w SA 1 was then laid on the table on further motion of Senator Marshall.

SB 84 and SB 104 were stricken on motion of the sponsor, Senator Holloway.

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

SR 42 - IN REFERENCE TO STAFF. Sponsor: Senator Cordrey.

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

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

SR 43 - AMENDING THE SENATE RULES TO REQUIRE A WRITTEN OR ORAL REPORT BY MEMBERS OF THE SENATE ENGAGING IN OUT-OF-STATE TRAVEL AT TAXPAYER EXPENSE.

Sponsors: Senators Sharp and Cordrey.

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

SA 1 to HB 87 was stricken on motion of the sponsor, Senator Minner.

SS 1 for SB 2 was introduced and adopted in lieu of the Original:

SS 1 for SB 2 - AN ACT TO AMEND CHAPTER 19, TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF NURSING, AND PROVIDING FOR A BOARD OF NURSING. Sponsors: Senator McBride, Representative Soles; Senators Cook, Holloway, Sr., Marshall, Martin, McDowell, Sharp, Torbert, Vaughn, Arnold, Bair, Berndt, Citro, Connor, Knox, Littleton, Neal; Representatives Anderson, Bennett, Brady, Bunting, Campanelli, Clendaniel, C. Cordrey, Dixon, B. Ennis, Gilligan, Holloway, Jr., Houghton, Jester, Jonkiert, Meconi, Outten, Plant, Terry, West, VanSant, Buckworth, D. Ennis, Free, Hebner, Mack, Oberle, Petrilli, Roy, Spence.

At 5:25 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 26, 1983.

The Senate reconvened at 2:15 p.m., April 26, 1983, Senator Sharp presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 96 w HA 1, HB 76, HB 40, HB 45 w HA 1 and adopted HS 1 for HCR 38.

HB 32 was reported out of the Administrative Services Committee: 5 Merits.

The following legislation was introduced:

SB 182 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE; AND PROVIDING CERTAIN RESTRICTIONS RELATING TO AUCTIONS AND AUCTIONEERS. Sponsor: Senator Zimmerman. Assigned to Judiciary Committee.

SB 183 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIME; AND PROVIDING CERTAIN LAW-ENFORCEMENT RIGHTS TO INDIVIDUALS. Sponsor: Senator Zimmerman. Assigned to Judiciary Committee.

SB 184 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE JURISDICTION OF THE SUPREME COURT. Sponsors: Senators Sharp, Citro, McDowell, Zimmerman, Vaughn, Minner; Representatives Oberle, Spence, Plant, Jonkiert. Assigned to Judiciary Committee.

SB 185 - AN ACT TO AMEND TITLE 29, CHAPTER 83 OF THE DELAWARE CODE, RELATING TO THE BOARD OF PENSION TRUSTEES. Sponsor: Senator Sharp. Assigned to Finance Committee.

SA 1 to SB 150. Sponsor: Senator McDowell. Placed with the Bill.

SA 6 to SB 2. Sponsor: Senator Connor. Laid on the table.

SA 2 to HB 87. Sponsor: Senator Minner. Placed with the Bill.

SA 1 to HB 81. Sponsor: Senator Sharp. Placed with the Bill.

SR 44 - IN REFERENCE TO AN ESTABLISHMENT OF A RULE OF THE DELAWARE STATE SENATE PROVIDING FOR A CONSENT CALENDAR. Sponsors: Senators Minner, Torbert and Neal. Assigned to the Executive Committee.

At 2:21 p.m., Senator Cordrey presiding.

SCR 40 was introduced and considered for adoption on motion of Senator Marshall:

SCR 40 - CONGRATULATING OUTSTANDING DELAWARE SPORTS PERSONALITIES WHO WILL BE INDUCTED INTO THE DELAWARE SPORTS HALL OF FAME MAY 12. Sponsors: Senator Marshall, Rep. Jonkiert.

The roll call vote on the Resolution revealed 15 Senators voting YES and 6 (Bair, Citro, Connor, Cook, Martin, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

HB 40 was introduced and assigned to Finance Committee:

HB 40 - AN ACT TO AMEND CHAPTER 65, TITLE 29 OF THE DELAWARE CODE, TO PROVIDE PAYMENT TO GRANT-IN-AID RECIPIENTS BE MADE QUARTERLY. Sponsors: Representative Bennett, Senator Cook; Representatives Corrozi, Meconi, Petrilli, Smith, Soles, Wingate; Senators Littleton, Vaughn.

HB 45 w HA 1 was introduced and assigned to Public Safety Committee:  
HB 45 w HA 1 - 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: Representatives Roy and B. Ennis; Senator Vaughn.  
 HB 76 was introduced and assigned to Administrative Services Committee:  
HB 76 - AN ACT TO AMEND CHAPTER 1, SUBCHAPTER II, TITLE 26 OF THE DELAWARE CODE RELATING TO THE GRANTING OF EASEMENTS FOR PUBLIC UTILITIES ACROSS RAILROAD PROPERTY. Sponsors: Representatives C. Cordrey, Clendaniel, Roy.  
 At 2:25 p.m., Lt. Governor Castle presiding.  
HB 96 w HA 1 was introduced and assigned to Education Committee:  
HB 96 w HA 1 - AN ACT TO AMEND CHAPTER 10, TITLE 14 OF THE DELAWARE CODE RELATING TO LEASE OF SURPLUS SCHOOL PROPERTY TO STATE AGENCIES. Sponsors: Representatives Anderson, West, Dixon, C. Cordrey, Jester.  
HS 1 for HCR 38 was introduced and assigned to Judiciary Committee:  
HS 1 for HCR 38 - ESTABLISHING A BLUE-RIBBON TASK FORCE TO EVALUATE TITLE 13, CHAPTERS 5, 6, 7, 15, AND 19 OF THE DELAWARE CODE AND TO PROPOSE REVISING AND UPDATING OF SAID CHAPTERS. Sponsors: Representatives Meconi, Jester, Smith, Soles; Senators Bair, Berndt, Neal, Vaughn.  
 At 2:27 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 23rd Legislative Day.

### 23RD LEGISLATIVE DAY April 26, 1983

The Senate convened at 2:27 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.  
 The Journal of the previous day was approved as read on motion of Senator Sharp.  
 Legislative Advisory #5 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation on April 21, 1983:  
HB #1 - AN ACT TO AMEND TITLE 30, DELAWARE CODE, RELATING TO THE COLLECTION OF REALTY TRANSFER TAX. (Rep. Bennett) (Volume 64, Chapt 15, Laws of Delaware).  
SB #19 aab HA 1 - AN ACT TO AMEND TITLE 24, SECTION 1781, DELAWARE CODE PERTAINING TO THE ANATOMICAL GIFTS BY MNORS WITH PARENTAL CONSENT. (Sens. Cordrey & Bair) (Volume 64, Chapter 16, Laws of Delaware).  
SS 1 for SB 2 was taken up for consideration on motion of Senator McBride:  
SS 1 for SB 2 - AN ACT TO AMEND CHAPTER 19, TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF NURSING, AND PROVIDING FOR A BOARD OF NURSING.  
 Senators McDowell and Citro marked PRESENT.  
 The privilege of the floor was extended to Amy B. Hecht (Delaware Board of Nursing), Marvin A. Wison (Board of Pharmacy) and Victor F. Battaglia (Attorney).  
 At 3:40 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:15 p.m., Senator Cordrey presiding.  
SS 1 for SB 2 was still before the Senate.  
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:  
 Senators Connor, Martin, Zimmerman marked PRESENT, during roll call.  
 YES: Senators Adams, Arnold, Bair, Citro, Connor, Cordrey, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 17.  
 NO: Senator Berndt - 1.  
 ABSENT: Senators Cook, Holloway, Neal - 3.  
 Therefore, the Amendment was declared adopted.  
 The roll call vote on SS 1 for SB 2 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Cook and Neal) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.  
SB 110 was taken up for consideration on motion of Senator Cordrey:  
SB 110 - AN ACT TO AMEND CHAPTER 29, TITLE 24, DELAWARE CODE, RELATING TO QUALIFICATIONS OF MEMBERS OF THE DELAWARE REAL ESTATE COMMISSION.  
SA 1 to the Bill which had been placed with the Bill was stricken at the request of Senator Cordrey.  
 The Bill was then laid on the table on motion of Senator Cordrey.  
SA 2 to the Bill was temporarily laid on the table.  
 On motion of Senator McBride (and without objection) the roll call vote on SS 1 for SB 2 w SA 1 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 sent to the House for consideration.

SB 110 was lifted from the table for consideration on motion of Senator Cordrey.

SA 2 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 Arnold, Bair, Berndt, Citro, Connor, Knox, Littleton, Marshall, Martin, McDowell, Neal - 11.

NO: Senators Adams, Cook, Cordrey, McBride, Minner, Sharp, Torbert, Vaughn, Zimmerman - 9.

NOT VOTING: Senator Holloway - 1.

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 Cordrey and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

SA 4 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cordrey and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Cook, Cordrey, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 15.

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

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 Cordrey and the roll call vote taken which revealed 20 Senators voting YES and 1 (Citro) 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 Cordrey and the roll call vote taken which revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Amendment was declared adopted.

At 4:43 p.m. the Senate recessed for a change of tape and reconvened at 4:45 p.m.

SB 110 w SA 2, 3, 4, 5, 6 was still before the Senate.

The privilege of the floor was extended to William Walls, Jr., Senate Attorney after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Connor, Cook, Cordrey, Holloway, Littleton, Marshall, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Arnold, Bair, Berndt, Citro, Knox, Martin, McBride, Neal - 8.

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

SR 45 was introduced and considered for adoption on motion of Senator Knox:

SR 45 - CONGRATULATING OUR COLLEAGUE SENATOR ROBERT J. BERNDT ON BEING SELECTED TO RECEIVE THE FIRST ANNUAL GOOD GOVERNMENT AWARD BY THE CIVIC LEAGUE FOR NEW CASTLE COUNTY. Sponsors: Senators Knox, Adams, Arnold, Bair, Citro, Connor, Cook, Cordrey, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman.

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

SCR 41 was introduced and considered for adoption on motion of Senator Zimmerman:

SCR 41 - WISHING VERNON B. DERRICKSON OF DOVER A SPEEDY RECOVERY FROM A HEART ATTACK. Sponsors: Senators Zimmerman, Cook, Minner, Torbert, Vaughn; Representatives E. Stuart Outten, B. Ennis, Clark, Bennett, Terry.

Senators Adams, Littleton, Holloway, Marshall and McDowell 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.

At 5:00 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., April 27, 1983.

The Senate reconvened at 2:50 p.m., April 27, 1983, Lt. Governor Castle presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 144 w HA 1; HB 150; HB 103 w HA 1; SB 9 w SA 2; SB 15 w SA 1; HB 111; HB 130; HB 95 w HA 1; HB 174; HB 176.

The following legislation was introduced:

SB 186 - AN ACT TO AMEND CHAPTER 53, TITLE 7, DELAWARE CODE, BY REVISING CERTAIN SECTIONS RELATING TO THE DEFINITION OF ARCHAEOLOGICAL RESOURCES ON STATE-OWNED LAND AND THE RECOGNITION OF QUALIFIED MUSEUMS. Sponsor: Senator Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

SB 187 - AN ACT TO AMEND CHAPTER 101, PART X, TITLE 29 OF THE DELAWARE CODE RELATING TO ADMINISTRATIVE PROCEDURES; AND PROVIDING FOR AN ADMINISTRATIVE PROCEDURES ACT. Sponsor: Senator Connor. Assigned to Executive Committee.

SA 3, SA 4, SA 5, SA 6 to HB 128. Sponsor: Senator Sharp. Placed with the Bill.

SCR 42 was introduced and considered for adoption on motion of Senator Torbert:

SCR 42 - COMMEMORATING THE 50TH ANNIVERSARY OF THE CREATION OF THE CIVILIAN CONSERVATION CORPS. Sponsors: Senators Torbert and Zimmerman; Representative Terry.

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

SCR 43 was introduced and considered for adoption on motion of Senator Arnold:

**SCR 43** - RECOGNIZING STUDENT ORGANIZATIONS TEACHER APPRECIATION DAY, MAY 6, 1983 Sponsors: Senators Arnold, McBride, Neal; Representatives Jester, Fallon, Petrilli.

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.

The following Committee reports were announced:

From the Education Committee: **SB 114** - 4 Merits; **SB 165** - 3 Merits; **HJR 3 w HA 2** - 3 Merits; **HB 122** - 3 Merits.

The following legislation was introduced:

**HB 95 w HA 1** - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE CRIMINAL JURISDICTION OF INFERIOR COURTS AND JUSTICES OF THE PEACE. Sponsors: Representatives Bennett, George; Senators Berndt, Knox, McDowell. Assigned to Judiciary Committee.

**HB 103 w HA 1** - AN ACT TO AMEND SECTION 1701, TITLE 7 OF THE DELAWARE CODE RELATING TO DOG LICENSES. Sponsor: Representative Oberle. Assigned to Natural Resources and Environmental Control Committee.

**HB 111** - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 1, TITLE 26, DELAWARE CODE RELATING TO THE ABANDONMENT OR DISCONTINUANCE BY PUBLIC UTILITIES OF PUBLIC SERVICE OBLIGATIONS. Sponsors: Representatives Petrilli, Meconi; Senator Arnold. Assigned to Administrative Services/Energy Committee.

**HB 130** - AN ACT TO AMEND CHAPTER 60, TITLE 7, DELAWARE CODE, RELATING TO THE SALE OF BEVERAGES IN GLASS BEVERAGE CONTAINERS. Sponsors: Representatives Outten, Roy. Assigned to Natural Resources and Environmental Control Committee.

**HB 144 w HA 1** - AN ACT TO AMEND TITLE 18, DELAWARE CODE, SECTION 513 BY INCREASING THE MINIMUM DEPOSIT FOR A DOMESTIC INSURANCE COMPANY FROM \$50,000 TO \$100,000. Sponsors: Representatives Dixon and Bunting. Assigned to Insurance and Elections Committee.

**HB 150** - AN ACT TO AMEND CHAPTER 34, TITLE 14 TO CLARIFY THE EDUCATIONAL BENEFITS FOR DELAWARE NATIONAL GUARD MEMBERS. Sponsors: Representatives Gilligan and Bennett. Assigned to Education Committee.

**HB 174** - AN ACT TO AMEND CHAPTER 81, TITLE 10 OF THE DELAWARE CODE RELATING TO PERSONAL ACTION. Sponsors: Representative Oberle and Senator McBride. Assigned to Judiciary Committee.

**HB 176** - AN ACT RELATING TO INDIVIDUAL EMPLOYMENT CONTRACTS ISSUED BY THE STATE BOARD OF EDUCATION AND THE BOARDS OF EDUCATION OF THE REORGANIZED SCHOOL DISTRICTS. Sponsors: Representative Bennett and Senator Cook; Representatives Corrozi, Free, George, Gilligan, Jester, Meconi, Petrilli, Smith, Soles, Wingate; Senators Berndt, Cordrey, Knox. The Bill was laid on the table on motion of Senator Cook.

At 3:03 p.m., on motion of Senator Sharp, the Senate adjourned to immediately convene for the 24th Legislative Day.

#### 24TH LEGISLATIVE DAY

April 27, 1983

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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Cordrey.

SS 1 for SB 49 was taken up for consideration on motion of Senator Holloway under suspension of the necessary rules (and without objection):

**SS 1 for SB 49** - AN ACT TO AMEND CHAPTER 38, TITLE 31, DELAWARE CODE, RELATING TO THE RE-ESTABLISHMENT OF A FOSTER CHILD REVIEW ACT.

During discussion of the Bill, the privilege of the floor was extended to Shirley Cupery (Foster Care Review Board), Margaret Timko (Division of Child Protective Services) and Henry Ridgely (Senate Attorney).

At 3:11 p.m. Senator Cordrey presiding.

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

At 3:28 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:36 p.m., Senator Cordrey presiding.

SS 1 for SB 49 was lifted from the table for consideration on motion of Senator Holloway.

Senator Connor marked PRESENT.

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

The roll call vote on SS 1 for SB 49 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 32 was taken up for consideration on motion of Senator McDowell:

HB 32 - AN ACT TO AUTHORIZE AND DIRECT THE TRANSFER OF CERTAIN PROPERTY IN THE LAUREL SCHOOL DISTRICT.

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.

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: HB 71 w HA 1 - 5 Merits; SB 175 - 5 Merits; SB 186 - 5 Merits.

SB 188 was introduced and assigned to Executive Committee:

SB 188 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO GAMBLING. Sponsors: Senators Marshall, Citro; Representatives Gilligan, Jonkiert, Campanelli, Free.

SA 7 to HB 128 Sponsor: Senator Sharp was introduced and placed with the Bill.

SCR 44 was introduced and considered for adoption on motion of Senator Neal:

SCR 44 - RECOGNIZING THE DESIGNATION OF THE CHESAPEAKE AND DELAWARE CANAL AS A DELAWARE HISTORIC CIVIL ENGINEERING LANDMARK AND COMMENDING THE DELAWARE SECTION OF THE AMERICAN SOCIETY OF CIVIL ENGINEERS ON THE DEDICATION CEREMONY TO BE HELD ON MAY 7, 1983. Sponsors: Senators Neal, Martin, Vaughn, McBride; Representative Wingate.

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 sent to the House for consideration.

At 5:02 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 28, 1983.

The Senate reconvened at 3:42 p.m., April 28, 1983, Senator Cordrey presiding.

The following Committee reports were announced:

From the Corrections Committee: SB 169 - 5 Merits.

From the Judiciary Committee: HB 174 - 3 Favorable, 1 Merits.

SB 189 was introduced and assigned to Revenue and Taxation Committee:

SB 189 - AN ACT TO AMEND CHAPTER 20, TITLE 30, DELAWARE CODE, TO PROVIDE TAX CREDITS AGAINST CORPORATION INCOME TAXES TO BUSINESSES THAT HIRE MATHEMATICS AND SCIENCE TEACHERS TO WORK IN POSITIONS RELEVANT TO THEIR ACADEMIC TRAINING DURING SCHOOL VACATIONS. Sponsors: Senator McBride; Representative Jester.

At 3:44 p.m., Lt. Governor Castle presiding.

The following legislation was introduced:

SA 1 to SB 114. Sponsor: Senator Vaughn. Placed with the Bill.

SA 1 to SB 136. Sponsor: Senator Minner. Placed with the Bill.

SA 1 to HB 71. Sponsor: Senator Minner. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 179 w HA 1 and adopted HCR 58; HCR 59; HCR 60; HCR 61; HCR 62; HCR 63; HCR 64; HCR 65; HCR 66; HCR 67; HCR 68; HCR 69; HCR 70; HCR 71; HJR 7; SCR 31; SCR 37; SCR 38; SCR 39; SCR 40; SCR 41; SCR 42; SCR 43.

HB 179 was introduced and laid on the table on motion of Senator Sharp:

HB 179 - AN ACT TO AMEND CHAPTERS 3, 4, AND 5 OF TITLE 28 OF THE DELAWARE CODE RELATING TO THE STATE TAX AND LICENSEE'S COMMISSIONS ON CONTRIBUTIONS TO PARI-MUTUEL AND TOTALIZATOR POOLS CONDUCTED OR MADE AT HORE AND HARNESS RACING TRACKS AT WHICH SIMULCASTS OF HORSE RACES OR HARNESS HORSE RACES ARE DISPLAYED. Sponsors: Representatives Dixon, Boykin, Hebner, Bunting.

HJR 7 was introduced and assigned to Health-Social Services/Aging Committee:

HJR 7 - DESIGNATING THE WEEK OF MAY 8, 1983, AS SENIOR CENTER WEEK. Sponsors: Representative Jonkiert; Senator Marshall.

SCR 45 was introduced and considered for adoption on motion of Senator Martin:

SCR 45 - EXPRESSING THOUGHTS THAT THE CRUISE VESSEL "STATE OF PENNSYLVANIA" OWNED BY WILSON LINES SHOULD BE REMOVED FROM THE CHRISTINA RIVER DUE TO ITS LIABILITY AS A NAVIGATIONAL HAZARD. Sponsor: Senator 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 sent to the House for consideration.

At 3:50 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 25th Legislative Day.

25TH LEGISLATIVE DAY  
April 28, 1983

The Senate convened at 3:50 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

HB 174 was taken up for consideration on motion of Senator Sharp:

**HB 174 - AN ACT TO AMEND CHAPTER 81, TITLE 10 OF THE DELAWARE CODE RELATING TO PERSONAL ACTIONS.**

The privilege of the floor was extended to John A. Elzefon, Esq. representing Vietnam Veterans 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.

Senators McBride, Zimmerman, Marshall marked PRESENT.

HB 176 was lifted from the table for consideration with rules suspended on motion of Senator Cook:

**HB 176 - AN ACT RELATING TO INDIVIDUAL EMPLOYMENT CONTRACTS ISSUED BY THE STATE BOARD OF EDUCATION AND THE BOARDS OF EDUCATION OF THE REORGANIZED SCHOOL DISTRICTS.**

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 19 Senators voting YES, 1 (Minner) voting NO and 1 (Citro) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 114 was taken up for consideration on motion of Senator Vaughn:

**SB 114 - AN ACT TO AMEND CHAPTER 13, TITLE 14, DELAWARE CODE, TO PROVIDE FOR CONTRACTED SERVICES FOR CERTAIN THERAPISTS PROVIDED FOR ORTHOPEDICALLY HANDICAPPED AND SEVERELY MENTALLY RETARDED PUPILS.**

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Vaughn 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 114 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 71 w HA 1 was taken up for consideration on motion of Senator Zimmerman:

**HB 71 w HA 1 - AN ACT TO AMEND CHAPTER 82, TITLE 29 OF THE DELAWARE CODE RELATING TO THE TRANSPORTATION OF HAZARDOUS MATERIALS.**

SA 1 to the Bill which had been placed with the Bill was taken up for consideration of motion of Senator Minner and the roll call vote taken which revealed 19 Senators voting YES and 2 (Holloway and McDowell) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Betty L. Warren (Kent County Orthopedic School).

The roll call vote on **HB 71 w HA 1, SA 1** was then taken and revealed:

YES: Senators Adams, Connor, Cook, Cordrey, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 16.

NO: Senators Bair, Berndt, Knox - 3.

NOT VOTING: Senators Arnold and Citro - 2.

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

SB 186 was taken up for consideration on motion of Senator Zimmerman:

**SB 186 - AN ACT TO AMEND CHAPTER 53, TITLE 7, DELAWARE CODE, BY REVISING CERTAIN SECTIONS RELATING TO THE DEFINITION OF ARCHAEOLOGICAL RESOURCES ON STATE-OWNED LAND AND THE RECOGNITION OF QUALIFIED MUSEUMS.**

The privilege of the floor was extended to Lawrence C. Henry (Division of Historical and Cultural Affairs).

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

The roll call vote on **SB 186 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 165 was taken up for consideration on motion of Senator McBride:

**SB 165 - AN ACT TO AMEND THE DELAWARE CODE IN SUCH A MANNER AS TO ALLOW REORGANIZED SCHOOL DISTRICTS TO RETAIN CERTAIN INCOME AS LOCAL FUNDS OR DESIGNATED FUNDS FOR USE BY THE SCHOOL DISTRICTS.**

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to John J. Ryan (Department of Public Instruction).

SA 1 to the Bill was taken up for consideration on motion of Senator Bair and the roll call vote taken which revealed 20 Senators voting YES and 1 (Zimmerman) voting NO; therefore, the Amendment was declared adopted.

SA 2 was taken up for consideration on motion of Senator McBride and the roll call vote taken which revealed 19 Senators voting YES and 2 (Berndt and Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 165 w SA 1, 2 was then taken and revealed 18 Senators voting YES and 3 (Marshall, Sharp and Zimmerman) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Sharp, the necessary rules were suspended for consideration of HB 179 w HA 1: HB 179 w HA 1 - AN ACT TO AMEND CHAPTERS 3, 4, AND 5 OF TITLE 28 OF THE DELAWARE CODE RELATING TO THE STATE TAX AND LICENSEE'S COMMISSIONS ON CONTRIBUTIONS TO PARI-MUTUEL AND TOTALIZATOR POOLS CONDUCTED OR MADE AT HORSE AND HARNESS RACING TRACKS AT WHICH SIMULCASTS OF HORSE RACES OR HARNESS HORSE RACES ARE DISPLAYED.

The privilege of the floor was extended to Joseph F. Longo (Brandywine Raceway) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Knox, Martin, McBride, Minner, Sharp, Torbert, Vaughn, Zimmerman - 15.

NO: Senator Neal - 1.

NOT VOTING : Senators Adams and McDowell - 2.

ABSENT: Senators Connor, Littleton, Marshall - 3.

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

SCR 48 was introduced and considered for adoption on motion of Senator Marshall:

SCR 48 - URGING THE DELAWARE BUREAU OF HEALTH PLANNING AND RESOURCE DEVELOPMENT TO RECONSIDER ITS SITE SELECTION FOR THE DELMARVA RURAL MINISTRIES INC. FACILITY IN WILMINGTON. Sponsors: Senator Marshall; Representative Jonkiert.

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

YES: Senators Berndt, Cook, Cordrey, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn - 11.

NO: Senators Adams, Arnold, Bair, Citro, Knox - 5.

NOT VOTING: Senators Holloway, Neal, Zimmerman - 3.

ABSENT: Senators Connor, Littleton - 2.

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

SR 47 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 47 - EXPRESSING BEST WISHES AND A SPEEDY RECOVERY TO HELEN BAYNARD, FORMER CHIEF OF LEGISLATIVE HALL SNACK BAR.

All the Senators were added as co-sponsors after which the roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Connor, Littleton and Marshall) ABSENT; therefore, the Resolution was declared adopted.

SCR 49 was introduced and considered for adoption on motion of Senator Martin:

SCR 49 - REQUESTING THE DIRECTOR OF THE NUCLEAR REGULATORY COMMISSION TO POSTPONE THE RESTART OF THE NUCLEAR PLANT AT SALEM, NEW JERSEY UNTIL SUCH TIME AS THE OPERATOR OF THE PLANT PROVES THAT THE PLANT IS SAFE. Sponsor: Senator Martin.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES, 1 (Knox) voting NO and 3 (Connor, Littleton, Marshall) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 46 was introduced and considered for adoption on motion of Senator McBride:

SCR 46 - CONGRATULATING HAROLD LEE, OF WILMINGTON, ON HIS REMARKABLE HIGH SCHOOL ACHIEVEMENTS THAT HAVE BROUGHT HIM ACCEPTANCES AT EIGHT COLLEGES. Sponsors: Senators McBride, Knox; Representatives Jester, Maroney.

Senator Bair was added as co-sponsor after which the roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Connor, Littleton, Marshall, Torbert) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

HCR 69 was introduced and considered for adoption on motion of Senator McBride:

HCR 69 - HONORING THE NURSING PROFESSION IN DELAWARE ON THE OCCASION OF NURSE'S WEEK MAY 1-7, 1983. Sponsors: Representatives Soles, George, Gilligan, VanSant, Bennett; Senator McBride.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Connor, Littleton, Marshall, Torbert) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

At 6:37 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 5, 1983.

The Senate reconvened at 2:05 p.m., May 3, 1983, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had defeated SB 7 and passed SS 1 for SB 2 w SA 1; HB 157 w HA 1, 2; HB 172; HB 148 w HA 1.

The following Committee reports were announced:

From the Community Affairs Committee: SB 173 - 4 Merits; SB 179 - 3 Merits; HB 102 - 4 Merits.

The following legislation was introduced:

SA 1 to SB 175. Sponsor: Senator Cook. Placed with the Bill.

SA 1 to SB 119. Sponsor: Senator Torbert. Placed with the Bill.

SA 8 to HB 128. Sponsor: Senator Sharp. Placed with the Bill.

HB 148 w HA 1 - AN ACT TO AMEND CHAPTER 3, TITLE 29 OF THE DELAWARE CODE BY DESIGNATING A STATE BEVERAGE. Sponsors: Representatives Clendaniel, Clark, Jester, West; Senators Adams, Minner. Assigned to Executive Committee.

HB 157 w HA 1, 2 - AN ACT TO AMEND CHAPTER 93, TITLE 10 OF THE DELAWARE CODE RELATING TO THE MONETARY LIMITATION OF THE JUSTICE OF THE PEACE COURTS IN CIVIL ACTION. Sponsors: Representatives Clark, Barnes, Bunting, Cordrey, Dixon, B. Ennis, Fallon, Houghton, Jester, Outten, Petrilli, Terry, VanSant, West. Assigned to Judiciary Committee.

HB 172 - AN ACT TO AMEND SECTION 1909(d), CHAPTER 19, TITLE 30, DELAWARE CODE, RELATING TO UNDERPAYMENT OF ESTIMATED TAX FOR CORPORATION INCOME TAX PURPOSES. Sponsors: Representative Bennett; Senators Cook and Cordrey; Representatives Dixon, Anderson, Barnes, Boykin, Brady, Buckworth, Bunting, Campanelli, Clark, Clendaniel, Cordrey, Davis, B. Ennis, D. Ennis, Fallon, Free, Gilligan, Hebner, Holloway, Houghton, Jester, Mack, Meconi, Oberle, Outten, Petrilli, Plant, Quillen, Roy, Smith, Soles, Terry, VanSant, West, Wingate, George; Senator Holloway. Assigned to Finance Committee.

SR 46 - DIRECTING THE SENATE COMMITTEE ON HEALTH AND SOCIAL SERVICES TO APPOINT AN ADVISORY COMMITTEE ON WORKMEN'S RIGHT TO KNOW WHEN THEY ARE DEALING WITH HAZARDOUS WASTE MATERIAL. Sponsor: Senator Holloway. Assigned to Labor Committee.

SCR 47 - URGING THE GOVERNOR OF THE STATE OF DELAWARE TO APPOINT A TASK FORCE ON STRUCTURAL UNEMPLOYMENT. Sponsors: Senators Marshall, Sharp, McBride, Holloway, Martin, Neal, Littleton; Representatives Campanelli, Plant, Anderson, Mack, Spence. Laid on the table on motion of Senator Marshall.

SB 190 - AN ACT TO AMEND CHAPTER 5, TITLE 31, DELAWARE CODE, TO REQUIRE THAT AID TO FAMILIES OF DEPENDENT CHILDREN BE NO LESS THAN THE MAY, 1971, STANDARD OF NEED. Sponsor: Senator Holloway. Assigned to Finance Committee.

At 2:10 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 26th Legislative Day.

#### 26TH LEGISLATIVE DAY

May 3, 1983

The Senate convened at 2:10 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read on motion of Senator Sharp.

HB 128 w HA 2, 3, 4, 5 was taken up for consideration on motion of Senator Marshall:

HB 128 w HA 2, 3, 4, 5 - AN ACT TO AMEND TITLE 9, CHAPTERS 3, 11 AND 81 OF THE DELAWARE CODE RELATING TO THE POWER OF COUNTY GOVERNMENTS TO IMPOSE AND COLLECT A REALTY TRANSFER TAX.

Senator Holloway requested that his name be stricken as a co-sponsor of the Bill.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Michael Purzycki (New Castle County Councilman), Gary F. Dalton (Senate Attorney), William Walls, Jr. (Senate Attorney) and Henry Ridgely (Senate Attorney).

At 2:15 p.m., Lt. Governor Castle presiding.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Knox, Marshall, McBride, Minner, Neal, Torbert, Vaughn - 15.

NO: Senator Zimmerman - 1.

NOT VOTING: Senators McDowell and Sharp - 2.

ABSENT: Senators Connor, Littleton, Martin - 3.

Therefore, the Amendment was declared adopted.

Senators Adams and Minner marked PRESENT.

SA 2 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 Marshall, McDowell, Minner, Torbert, Zimmerman - 5.

NO: Senators Adams, Arnold, Berndt, Cook, Cordrey, Knox, McBride, Neal, Sharp, Vaughn - 10.



NOT VOTING: Senator Holloway - 1.

ABSENT: Senators Bair, Citro, Connor, Littleton, Martin - 5.

Therefore, the Amendment was declared defeated.

SA 3 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 Holloway, Marshall, McBride, McDowell, Sharp - 5.

NO: Senators Adams, Arnold, Berndt, Cook, Cordrey, Knox, Littleton, Minner, Neal, Vaughn, Zimmerman - 11.

NOT VOTING: Senator Torbert - 1.

ABSENT: Senators Bair, Citro, Connor, Martin - 4.

Therefore, the Amendment was declared defeated.

SA 4 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 Holloway, Marshall, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 9.

NO: Senators Adams, Arnold, Berndt, Cook, Cordrey, Knox, Littleton, Neal - 8.

ABSENT: Senators Bair, Citro, Connor, Martin - 4.

Therefore, the Amendment was declared defeated.

SA 5 to the Bill which had been placed with the Bill was laid on the table on motion of the sponsor, Senator Sharp.

SA 6 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 Cordrey, Marshall, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 10.

NO: Senators Adams, Arnold, Berndt, Cook, Knox, Littleton, Neal - 7.

ABSENT: Senators Bair, Citro, Connor, Martin - 4.

Therefore, the Amendment was declared defeated.

SA 7 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Sharp.

SA 8 to the Bill was introduced by Senator Sharp and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Cordrey, Holloway, Marshall, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 11.

NO: Senators Arnold, Bair, Berndt, Cook, Knox, Littleton, Neal - 7.

ABSENT: Senators Citro, Connor, Martin - 3.

Therefore, the Amendment was declared adopted.

At 3:07 p.m., Senator Cordrey presiding.

SA 9 to the Bill was introduced by Senator Knox 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, Knox, Littleton, Neal - 9.

NO: Senators Adams, Cordrey, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 10.

ABSENT: Senators Holloway and Marshall - 2.

Therefore, the Amendment was declared defeated.

At 3:45 p.m., Lt. Governor Castle presiding.

The roll call vote on HB 128 w HA 2, 3, 4, 5, SA 1, 8 was then taken on motion of Senator Marshall; however, before being announced, Senator Marshall moved that it be laid on the table. The roll call vote on the tabling motion was taken and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Neal - 12.

NO: Senators Adams, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 9.

Therefore, the motion prevailed and the roll call on the Bill was laid on the table.

At 3:48 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:42 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 191 - AN ACT TO AMEND TITLE 5, CHAPTER 11 OF THE DELAWARE CODE RELATING TO THE TAXATION ON NET EARNINGS OF BANKS, TRUST COMPANIES AND NATIONAL BANKS. Sponsors: Senators Vaughn, Cook, Sharp. Assigned to Banking Committee.

SB 192 - AN ACT TO AMEND CHAPTER 51, TITLE 15, DELAWARE CODE, RELATING TO THE RIGHT OF EMPLOYEES TO VOTE. Sponsors: Senator Marshall; Representative Campanelli. Assigned to Labor and Industrial Relations Committee.

SB 193 - AN ACT TO AMEND CHAPTER 63, PART VII, TITLE 7 OF THE DELAWARE CODE RELATING TO HAZARDOUS WASTE; AND PROVIDING PENALTIES FOR CERTAIN OFFENSES RELATING TO HAZARDOUS WASTE. Sponsor: Senator Sharp. Assigned to Natural Resources and Environmental Control Committee.

SA 1 to SS 1 for SB 130. Sponsor: Senator Holloway. Placed with the Bill.

SCR 50 was introduced and considered for adoption on motion of Senator McBride:

SCR 50 - COMMENDING THE VETERANS OF FOREIGN WARS FOR ITS ANNUAL SALE OF "BUDDY" POPPIES TO RAISE FUNDS FOR DISABLED VETERANS AND OBSERVING 1983 "BUDDY" POPPY DAYS IN DELAWARE MAY 19 THROUGH 21. Sponsors: Senators McBride, Vaughn; Representatives Brady, Oberle.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Citra, Connor, Littleton, Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

Senator Martin marked present.

SCR 51 was introduced and considered for adoption on motion of Senator McBride:

SCR 51 - EXPRESSING SUPPORT FOR THE CURRENT KINDERGARTEN PROGRAM OFFERED BY SCHOOL DISTRICTS IN THE STATE OF DELAWARE. Sponsors: Senators McBride, Bair; Representative Jester.

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.

SR 48 was introduced and considered for adoption on motion of Senator Marshall:

SR 48 - CONGRATULATING SEN. HARRIS. B. MCDOWELL III AND HIS LOVELY WIFE, SUNEEL, ON THE BIRTH OF THEIR FIRST SON. Sponsor: Senator Marshall.

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

The following legislation was introduced:

HB 149 w HA 1, 2 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE BY ADDING A NEW CHAPTER 2 RELATING TO A VOLUNTARY CONTRIBUTION FROM STATE INCOME TAX REFUNDS OR A CONTRIBUTION TO BE ADDED TO STATE INCOME TAX PAYMENTS FOR THE SUPPORT OF NONGAME FISH AND WILDLIFE, NONGAME HABITAT AND NATURAL AREAS PRESERVATION PROGRAMS AND TO ESTABLISH A FUND FOR SAID PROGRAMS. Sponsors: Representatives Terry, Anderson, Bennett, Brady, Bunting, Clark, C. Cordrey, Dixon, B. Ennis, Holloway Jr., Houghton, Jester, Oberle, Outten, Smith, Soles, VanSant, Wingate; Senators Berndt, Martin, McDowell, Neal, Sharp, Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

HB 177 - AN ACT TO AMEND CHAPTER 70, TITLE 25 OF THE DELAWARE CODE RELATING TO SUMMARY POSSESSION PROCEEDINGS FOR LEASED MOBILE HOMES AND MOBILE HOME LOTS. Sponsors: Representatives Wingate, Bunting, Meconi, Roy, Soles, Smith; Senator Minner. Assigned to Judiciary Committee.

HB 203 - AN ACT TO AMEND 7, DEL. C., CHAPTER 19, RELATING TO THE DUTIES AND POWERS OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL IN TESTING CREEKS, STREAMS, RIVERS AND BAYS AND TAKING APPROPRIATE CORRECTIVE ACTION. Sponsors: Representatives West, Bunting, Clendaniel, Jonkiert, Mack. Assigned to Natural Resources and Environmental Control Committee.

SA 10 to HB 128. Sponsor: Senator Berndt. Placed with the Bill.

At 4:49 p.m. on motion of Senator Sharp, the Senate recessed until 1:30 p.m., May 4, 1983.

The Senate reconvened at 1:44 p.m., May 4, 1983 Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 90 w HA 1, 2, 4 and SB 116 w SA 1.

The following legislation was introduced:

HB 90 w HA 1, 2, 4 - AN ACT TO AMEND TITLE 24, DELAWARE CODE, RELATING TO EX-OFFENDERS AND THE RIGHT TO PURSUE AN OCCUPATION OR TRADE. Sponsors: Representatives Hebner, Oberle, Plant, Campanelli; Senator Holloway. Assigned to Judiciary Committee.

SA 2 to SB 1 for SB 130. Sponsor: Senator Holloway. Placed with the Bill.

At 1:45 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 27th Legislative Day.

#### 27TH LEGISLATIVE DAY

May 4, 1983

The Senate convened at 1:45 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendances:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citra, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, 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 Minner the following House Concurrent Resolutions were read by title as a Consent Calendar:

HCR 58 - THANKING OUR TEACHERS FOR THEIR OUTSTANDING SERVICE, YEAR IN AND YEAR OUT, AS WE OBSERVE NATIONAL TEACHERS DAY. Sponsors: Representatives Fallon, Anderson, Barnes, Bennett, Boykin, Brady, Buckworth, Bunting, Campanelli, Clark, Clendaniel, C. Cordrey, Corrozi, Davis, Dixon, B. Ennis, D. Ennis, Free, George, Gilligan, Hebner, Holloway, Jr., Houghton, Jester, Jonkiert, Mack, Maroney, Meconi, Oberle, Outten, Petrilli, Plant, Roy, Smith, Soles, Terry, VanSant, West, Wingate; Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway Sr., Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman.

HCR 59 - EXTENDING MANY THANKS TO WARREN J. GEHRT FOR HIS DISTINGUISHED SERVICE TO THE STATE OF DELAWARE. Sponsors: Representatives Bennett, Outten, Wingate; Senator Zimmerman.

HCR 60 - THANKING CARL T. MCKINNEY, OF DOVER, FOR TWENTY-SIX YEARS OF ADMIRABLE SERVICE TO EDUCATION IN OUR COMMUNITY AS HE RETIRES AS ASSOCIATE PRINCIPAL OF THE CENTRAL MIDDLE SCHOOL. Sponsors: Representative Outten, Bennett; Senator Zimmerman.

HCR 61 - EXTENDING BEST WISHES TO JAMES B. JACKSON ON HIS RECENT RETIREMENT AS EXECUTIVE VICE-PRESIDENT AND TREASURER OF THE DELAWARE BANKERS ASSOCIATION. Sponsors: Representatives Bennett, Outten, Terry, Oberle, Buckworth, B. Ennis, C. Cordrey, Jester, Anderson, D. Ennis, Clendaniel, VanSant; Senator Zimmerman.

HCR 62 - CONGRATULATING SENATOR ROBERT J. BERNDT, OF GORDON, HEIGHTS, UPON HIS SELECTION AS THE FIRST RECIPIENT OF THE GOOD GOVERNMENT AWARD OF THE CIVIC LEAGUE FOR NEW CASTLE COUNTY. Sponsors: Representative Jonkiert; Senator Marshall. Representatives Smith, VnSant, Boykin, Terry, Jester, Bennett, D. Ennis, Clendaniel, Meconi, Houghton, C. Cordrey, Soles, Wingate, Gilligan, Hebner, Outten, Davis, Clark, Oberle, Brady,

HCR 63 - EXTENDING CONGRATULATIONS TO MRS. CHERYL L. MYERS OF FREDERICA, DELAWARE FOR HAVING BEEN SELECTED DELAWARE'S OUTSTANDING YOUNG MOTHER OF THE YEAR. Sponsors: Representative Terry; Senator Torbert, Representative Buckworth.

HCR 64 - MOURNING THE DEATH OF RODNEY M. LAYTON, A PROMINENT LAWYER AND PUBLIC CITIZEN, AND A CHAIRMAN OF THE FORMER FISH AND GAME COMMISSION. Sponsor: Representative Maroney.

HCR 65 - CONGRATULATING KIMERLY M. ROBINSON, OF SMYRNA, FOR WINNING THE MISS DELAWARE NATIONAL PRE-TEEN COMPETITION AT THE THIRD ANNUAL PAGEANT IN WILMINGTON ON APRIL 10. Sponsors: Representative B. Ennis; Senator Vaughn.

HCR 66 - ESTABLISHING A SYSTEM OF COOPERATION AND INTEGRATION BETWEEN THE GOVERNOR'S TASK FORCE ON DRUNK DRIVING AND THE GENERAL ASSEMBLY. Sponsor: Representative Soles.

HCR 67 - CONGRATULATING FORMER STATE SENATOR LOUISE T. CONNOR UPON HER SELECTION BY FAMILY SERVICE OF NORTHERN DELAWARE FOR THE J. THOMPSON BROWN AWARD. Sponsors. Representative Smith; Senators Bair, Berndt, Knox.

HCR 68 - REQUESTING ALL CITIZENS OF DELAWARE TO PARTICIPATE IN ARBOR DAY ACTIVITIES INCLUDING PLANTING OF TREES. Sponsors: Representatives Smith, Soles, Terry.

HCR 70 - CONGRATULATING THE CHRISTIANA HIGH SCHOOL COLOR GUARD FOR ITS FINE SHOWING IN THE FOUR-STATE COMPETITION OF THE CAVALCADE INDIAN DRILL ASSOCIATION (CIDA). Sponsors: Representatives Oberle, Anderson, Meconi, Davis; Senators Martin, Neal, Sharp.

HCR 71 - THANKING SARAH J. MONTAGUE, OF DOVER, FOR 30 YEARS OF DEVOTED SERVICE IN THE STATE LIBRARY SYSTEM. Sponsor: Representative Outten; Senator Zimmerman.

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On motion of Senator Berndt (and without objection) HCR 62 was stricken from the above Consent Calendar.

The Senate recessed at 2:00 p.m. on motion of Senator Sharp and reconvened at 2:11 p.m., Senator Cordrey presiding.

Senators Berndt and Cook marked PRESENT.

SB 55 was taken up for consideration on motion of Senator Berndt:

SB 55 - AN ACT TO AMEND CHAPTER 2, TITLE 15, DELAWARE CODE RELATING TO THE PREPARATION OF A MAP OR MAPS OF THE SEVERAL SENATORIAL DISTRICTS.

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 lby the Senate and sent to the House for consideration.

Senators Zimmerman, Martin, Marshall, Littleton marked PRESENT.

On motion of Senator Minner, the House Concurrent Resolutions (HCR 58; HCR 59; HCR 60; HCR 61; HCR 63; HCR 64; HCR 65; HCR 66; HCR 67; HCR 68; HCR 70; HCR 71) listed above were voted upon as a Consent Calendar with 21 Senators voting YES; therefore, the Resolutions were declared adopted by the Senate and returned to the House.

Senator McDowell marked PRESENT.

On motion of Senator Sharp, HCR 62 was taken up for consideration 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 returned to the House.

HJR 3 w HA 2 was taken up for consideration on motion of Senator McBride:

HJR 3 w HA 2 - TO ESTABLISH A COMMITTEE ON INSURING THE AVAILABILITY OF PROFESSIONAL EDUCATORS IN CRITICAL CURRICULAR AREAS.

At 2:37 p.m., Lt. Governor Castle presiding.

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.

Senator McBride added as co-sponsor on HJR 3 w HA 2.

HB 122 was taken up for consideration on motion of Senator McBride:

HB 122 - AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP A PROGRAM FOR DISTRIBUTION OF SURPLUS TEXTBOOKS AND EQUIPMENT AMONG PUBLIC SCHOOL DISTRICTS.

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

HB 102 was taken up for consideration on motion of Senator Minner:

HB 102 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF DEWEY BEACH", ALSO KNOWN AS VOLUME 63, CHAPTER 59, LAWS OF DELAWARE, BY PROVIDING THAT THE ANNUAL AUDIT REPORT BE REQUIRED ON OR BEFORE OCTOBER 31ST OF EACH YEAR.

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 returned to the House.

Senator Holloway moved SS 1 for 130 be adopted in lieu of the original, no objections.

SS 1 for SB 130 was taken up for consideration with suspension of rules on motion of Senator Holloway:

SS 1 for SB 130 - AN ACT TO AMEND CHAPTERS 3, 7, 21, 23, 27, 31, 41, 42 AND 43 OF TITLE 21, DELAWARE CODE, TO UPDATE PENALTY PROVISIONS OF THE MOTOR VEHICLE CODE.

The privilege of the floor was extended to Norman A. Barron, Chief Magistrate, after which the Bill was laid on the table on further motion of Senator Holloway.

SB 58 was reported out of the Revenue and Taxation Committee: 5 Merits.

At 3:25 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 10, 1983.

The Senate reconvened at 2:12 p.m., May 10, 1983, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 97; SB 25 w SA 4; HB 189 w HA 2 and adopted HCR 72, HCR 73, SCR 44, SCR 45, SCR 46, SCR 49, SCR 50.

The following legislation was introduced:

SB 194 - AN ACT TO AMEND CHATER 57, TITLE 25, DELAWARE CODE, RELATING TO JURISDICTION AND VENUE IN ACTIONS TO RECOVER THE POSSESSION OF PREMISES. Sponsors: Senato Holloway; Representative D. Ennis. Assigned to Judiciary Committee.

SA 1 to HB 90. Sponsor: Senator Holloway. Placed with the Bill.

HB 97 - AN ACT TO AMEND CHAPTERS 11 AND 29, TITLE 18 OF THE DELAWARE CODE, RELATING TO INSURANCE; AND PROVIDING FOR A STANDARD NON-FORFEITURE AND VALUATION LAW. Sponsors: Representatives Jonkiert and Bunting; Senator Marshall. Assigned to Insurance and Elections Committee.

HB 189 w HA 2 - AN ACT TO AMEND SUBCHAPTER VI, CHAPTER 7, TITLE 7 OF THE DELAWARE CODE RELATING TO POSSESSION OF RED FOX WHELPS. Sponsors: Representative Terry, Senator Zimmerman; Representatives Clark, B. Ennis, West. Assigned to Natural Resources and Environmental Control Committee.

HCR 73 - CONGRATULATING JOSHUA T. WEST UPON HIS SELECTION AS RECIPIENT OF THE DSBA 7TH ANNUAL DISTINGUISHED SERVICE AWARD. Sponsors: Representative Bennett, Senator Zimmerman; Representatives Buckworth, Clark, Terry; Senator Cook and Torbert.

The Resolusion was considered for adoption on motion of Senator Cook and the roll call vote taken which revealed 16 Senators voting YES and 5 (Adams, Citro, Connor, Martin, Minner) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 72 - THANKING THE GIRLS CLUBS OF DELAWARE FOR THEIR OUTSTANDING WORK AND MARKING THE WEEK OF MAY 8-14, 1983, AS GIRLS CLUB WEEK. Sponsors: Representatives Jonkiert, Maroney; Senator Marshall.

The Resolution was considered for adoption on motion of Senator Marshall and the roll call vote taken which revealed 18 Senators voting YES and 3 (Adams, Connor, Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

At 2:22 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 28th Legislative Day.

#### 28TH LEGISLATIVE DAY

May 10, 1983

The Senate convened at 2:22 p.m., Senator Cordrey 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

At 2:24 p.m., Lt. Governor Castle presiding.

SCR 52 was introduced and considered for adoption on motion of Senator Cordrey:

SCR 52 - REQUESTING THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DREDGE CERTAIN CREEKS AND LAKES IN THE STATE.  
Sponsor: Senator Cordrey.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Adams, Connor, Martin, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 2:31 p.m. there was a short recess for change of tape.

SB 105, SB 82 and SB 65 were stricken at the request of the sponsor, Senator Holloway.

SB 124 was taken up for consideration on motion of Senator Holloway:

SB 124 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 1, TITLE 16 DELAWARE CODE, RELATING TO THE PROHIBITION OF SMOKING IN PUBLIC BUILDINGS WHERE NO SMOKING SIGNS ARE POSTED AND PROVIDING A PENALTY THEREFORE.

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.

SB 36 was lifted from the table for consideration on motion of Senator McBride.

The privilege of the floor was extended to Dennis C. Carey (Department of Labor).

Senators Connor and Zimmerman marked PRESENT.

Senator Torbert was added as co-sponsor of the Bill at his request.

At 3:50 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:55 p.m., Senator Cordrey presiding.

SB 36 was still before the Senate.

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

YES: Senators Connor, Cook, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 12.

NO: Senators Arnold, Bair, Citro, Cordrey, Knox, Littleton, Neal - 7.

NOT VOTING: Senator Berndt - 1.

ABSENT: Senator Adams 0 1.

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

SB 134 was taken up for consideration on motion of Senator Marshall:

SB 134 - AN ACT TO AMEND CHAPTER 47, TITLE 16, DELAWARE CODE, RELATING TO DRUG TRAFFICKING.

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

SB 136 was taken up for consideration on motion of Senator Marshall:

SB 136 - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO OFF-PREMISES SALES LICENSES FOR TAPROOMS.

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

YES: Senators Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Torbert, Vaughn, Zimmerman - 12.

NO: Senators Arnold, Bair, Connor, Littleton, Neal - 5.

NOT VOTING: Senators Berndt and Citro - 2.

ABSENT: Senators Adams, Sharp - 2.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 136 w SA 1 was then taken; however, the roll call was laid on the table before being announced on motion of Senator Marshall.

SB 169 was taken up for consideration on motion of Senator Marshall:

SB 169 - AN ACT TO AUTHORIZE AND APPROVE THE SALE OF TWO PROPERTIES OWNED BY THE DEPARTMENT OF CORRECTION.

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

On motion of Senator Torbert (and without objection) the roll call vote on SB 117 was rescinded.

SCR 47 was lifted from the table for consideration on motion of Senator Marshall:

SCR 47 - URGING THE GOVERNOR OF THE STATE OF DELAWARE TO APPOINT A TASK FORCE ON STRUCTURAL UNEMPLOYMENT.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES, 1 (Knox) voting NO, and 1 (Adams) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 5:35 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 11, 1983.

The Senate reconvened at 2:38 p.m., May 11, 1983, Senator Cordrey presiding.

Senator Adams marked present.

The Secretary announced that a message from the House informed the Senate that it had passed HB 138 w HA 1, HB 206, SB 52 w SA 1, SB 112, SB 132, HB 117 w HA 1, SB 50 w SA 1, HA 1, 2; HB 210.

The following legislation was introduced:

SB 195 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, RELATING TO REPORT OF EARNINGS BY DISABILITY PENSIONERS. Sponsor: Senator Torbert. Assigned to Finance Committee.

SB 196 - AN ACT TO AMEND CHAPTER 23, TITLE 19, DELAWARE CODE, RELATING TO WORKMEN'S COMPENSATION. Sponsor: Senator Martin. Assigned to Labor and Industrial Relations Committee.

SB 197 - AN ACT TO AMEND CHAPTER 6, TITLE 29, DELAWARE CODE, RELATING TO THE REMOVAL OF FURNISHINGS AND OTHER CHATTEL IN STATE OFFICES OCCUPIED BY CONSTITUTIONALLY ELECTED OFFICERS AND CABINET OFFICERS. Sponsor: Senator Martin. Assigned to Administrative Services/Energy Committee.

SB 198 - AN ACT TO AMEND §6305, TITLE 9, DELAWARE CODE, AS IT RELATES TO SUSSEX COUNTY BUILDING PERMIT FEES. Sponsors: Senators Cordrey, Adams, Minner, Littleton; Representatives Barnes, Bunting, Clendaniel, Cordrey, Fallon, West, Wingate. Assigned to Community Affairs Committee.

SB 199 - AN ACT TO AMEND TITLES 9 AND 10, DELAWARE CODE, RELATING TO SUSSEX COUNTY SHERIFF, PROTHONOTARY, REGISTER IN CHANCERY AND CLERK OF THE PEACE FEES. Sponsors: Senators Cordrey, Adams, Minner, Littleton; Representatives Barnes, Bunting, Clendaniel, Cordrey, Fallon, West, Wingate. Assigned to Community Affairs Committee.

SB 200 - AN ACT TO AMEND TITLE 9, DELAWARE CODE §7002 RELATING TO THE ANNUAL OPERATING BUDGET ORDINANCE AND TO BUDGETS OF REVENUE. Sponsors: Senators Cordrey, Adams, Minner, Littleton; Representatives Barnes, Bunting, Clendaniel, Cordrey, Fallon, West, Wingate. Assigned to Community Affairs Committee.

SB 201 - AN ACT TO AMEND CHAPTER 67, TITLE 9, DELAWARE CODE, RELATING TO THE LIEN OF SERVICE CHARGES ON REAL ESTATE FOR SANITARY SEWER OR WATER DISTRICTS IN SUSSEX COUNTY. Sponsors: Senators Cordrey, Adams, Minner, Littleton; Representatives Barnes, Bunting, Clendaniel, Cordrey, Fallon, West, Wingate. Assigned to Community Affairs Committee.

SB 202 - AN ACT TO AMEND CHAPTERS 65 AND 67, TITLE 9, DELAWARE CODE, RELATING TO THE ISSUANCE OF BONDS BY SUSSEX COUNTY. Sponsors: Senators Cordrey, Adams, Minner, Littleton; Representatives Barnes, Bunting, Clendaniel, Cordrey, Fallon, West, Wingate. Assigned to Community Affairs Committee.

SB 203 - AN ACT TO AMEND §7002, TITLE 9, DELAWARE CODE, RELATING TO COUNTY GOVERNMENT. Sponsors: Senators Cordrey, Adams, Minner, Littleton; Representatives Barnes, Bunting, Clendaniel, Cordrey, Fallon, West, Wingate. Assigned to Community Affairs Committee.

SB 204 - AN ACT TO AMEND §7002, TITLE 9, DELAWARE CODE, RELATING TO THE OFFICIAL MAP OF THE COUNTY. Sponsors: Senators Minner, Cordrey, Adams, Littleton; Representatives Barnes, Bunting, Clendaniel, Cordrey, Fallon, West, Wingate. Assigned to Community Affairs Committee.

SB 205 - AN ACT TO AMEND CHAPTER 69, TITLE 9, DELAWARE CODE, RELATING TO ZONING IN SUSSEX COUNTY. Sponsors: Senators Adams, Cordrey, Minner, Littleton; Representatives Barnes, Bunting, Clendaniel, Cordrey, Fallon, West, Wingate. Assigned to Community Affairs Committee.

SB 206 - AN ACT TO AMEND CHAPTER 68, TITLE 9, DELAWARE CODE, RELATING TO PLANNING AND ZONING IN SUSSEX COUNTY. Sponsors: Senators Adams, Cordrey, Minner, Littleton; Representatives Barnes, Bunting, Clendaniel, Cordrey, Fallon, West, Wingate. Assigned to Community Affairs Committee.

SB 207 - AN ACT TO AMEND SUBCHAPTER XI, CHAPTER 41, TITLE 21, DELAWARE CODE, RELATING TO THE PENALTY FOR PARKING IN HANDICAPPED AREAS. Sponsor: Senator Holloway. Assigned to Public Safety Committee.

SB 208 - AN ACT TO AMEND TITLE 21, CHAPTER 21, DELAWARE CODE, REGARDING SPECIAL PARKING ID CARDS FOR HANDICAPPED PERSONS. Sponsors: Senator Martin; Representative Oberle. Assigned to Public Safety Committee.

SB 209 - AN ACT TO AMEND TITLE 31, DELAWARE CODE, RELATING TO STANDARD OF NEED FOR AID TO FAMILIES WITH DEPENDENT CHILDREN. Sponsor: Senator Holloway. Assigned to Finance Committee.

SB 210 - EXTENDING THE EXISTENCE OF MANDATE OF THE STATE CORRECTIONS OFFICERS PENSION REVIEW COMMITTEE. Sponsor: Senator Vaughn. The Bill was immediately stricken at the request of the sponsor.

SB 211 - AN ACT TO AMEND CHAPTER 14, TITLE 14 OF THE DELAWARE CODE RELATING TO HEARING RIGHTS OF NON-TENURED TEACHERS. Sponsor: Senator Minner. Assigned to Education Committee.

SA 1 and SA 2 to SB 117. Sponsor: Senator Torbert. Placed with the Bill At 2:45 p.m., Lt. Governor Castle presiding.

SA 1 to SB 173. Sponsor: Senator Cordrey. Placed with the Bill.

HB 138 w HA 1 - AN ACT TO AMEND CHAPTER 21, TITLE 30 OF THE DELAWARE CODE TO REQUIRE THE DIVISION OF REVENUE TO NOTIFY ALL BUSINESSES AND MERCHANTS WHEN NEW TAXES OR RULES AND REGULATIONS AFFECTING TAXES ARE PUT INTO EFFECT. Sponsors: Representatives Clark, Anderson, Barnes, Brady, Clendaniel, Dixon, B. Ennis, Free, Jester, Outten, VanSant; Senator Vaughn. Assigned to Revenue and Taxation Committee.

HB 206 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF FEES BY THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. Sponsors: Representatives West, Clendaniel. Assigned to Natural Resources and Environmental Control Committee.

HB 210 - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE, TO AUTHORIZE THE ESTABLISHMENT OF A DELAWARE VETERANS CEMETERY, TO PROVIDE FOR THE OPERATION OF THE CEMETERY, AND TO ESTABLISH CRITERIA FOR BURIAL IN THE CEMETERY. Sponsors: Representatives West, Anderson, Barnes, Bennett, Boykin, Brady, Buckworth, Bunting, Campanelli, Clark, Clendaniel, C. Cordrey, Davis, Dixon, B. Ennis, D. Ennis, Fallon, Gilligan, Hebner, Houghton, Jester, Jonkiert, Mack, Meconi, Oberly, Outten, Petrilli, Plant, Quillen, Roy, Soles, Terry, VanSant, Wingate; Senators McBride, McDowell, Vaughn. Assigned to Community Affairs Committee.

SA 1 to HB 189. Sponsor: Senator Torbert. Placed with the Bill.

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: HB 189 w HA 2 - 4 Merits.

From the Judiciary Committee: HB 177 - 4 Merits; SB 135 - 4 Merits; HS 1 for HCR 38 - 4 Merits; SB 154 - 4 Merits; SB 170 - 4 Merits; SB 182 - 4 Merits; SB 183 - 4 Merits; SB 184 - 4 Merits; SB 194 - 4 Merits; HB 62 w HA 1 - 4 Merits; HB 105 - 4 Merits; HB 109 - 1 Favorable, 3 Merits; HB 157 w HA 1, 2 - 4 Merits.

From the Executive Committee: SB 160 - 3 Favorable, 1 Merits; SB 76 - 1 Favorable, 3 Merits, 2 Unfavorable; SB 77 - 1 Favorable, 3 Merits, 2 Unfavorable.

SR 49 was introduced by Senator Holloway and considered for adoption on his motion:

SR 49 - WISHING A SPEEDY RECOVERY TO FORMER DELAWARE STATE SENATOR LOUISE T. CONNER. Sponsors: Senators Holloway and Knox.

The roll call vote on the Resolution was taken and revealed 16 Senators voting YES and 3 (Citro, Connor and Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

The privilege of the floor was extended to Stephen W. Bisenius and George D. Buchana (US Department of Commerce) at the request of Senator Knox.

At 3:04 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 29th Legislative Day.

#### 29TH LEGISLATIVE DAY May 11, 1983

The Senate convened at 3:04 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

Legislative Advisory #6 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation:

SB #13 w SA 1 & 2 - 4/21/83 (Volume 64, Chapter 17, Laws of Delaware); SB #38 - 4/25/83 (Volume 64, Chapter 18, Laws of Delaware); SB #33 w HA 1, 3 & 4 - 4/26/83 (Volume 64, Chapter 19, Laws of Delaware); HB #176 - 4/29/83 (Volume 64, Chapter 20, Laws of Delaware); HB #179 w HA 1 - 4/29/83 (Volume 64, Chapter 21, Laws of Delaware); SB #9 w SA 2 - 5/9/83 (Volume 64, Chapter 22, Laws of Delaware); SB #15 w SA 1 - 5/9/83 (Volume 64, Chapter 23, Laws of Delaware); SB #32 - 5/10/83 (Volume 64, Chapter 24, Laws of Delaware); HB #174 - 5/10/83 (Volume 64, Chapter 25, Laws of Delaware); SS #1 for SB #2 w SA 1 - 5/10/83 (Volume 64, Chapter 26, Laws of Delaware).

The following became law without the Governor's signature on the date indicated and a Volume number and Chapter number was assigned: SB #26 w SA 1, 3, 4, 5, & HA 1, 2, 3 - 5/3/83 (Volume 64, Chapter 27, Laws of Delaware)

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On motion of Senator Marshall, the roll call vote on SB 136 w SA 1 was lifted and announced:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Holloway, Knox, Littleton, Marshall, Martin, McDowell, Minner, Torbert, Vaughn, Zimmerman - 16.

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

NOT VOTING: Senator Connor - 1.

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

SCR 53 was introduced and considered for adoption on motion of Senator Vaughn:

SCR 53 - EXTENDING THE EXISTENCE OF MANDATE OF THE STATE CORRECTIONS OFFICERS PENSION REVIEW COMMITTEE. Sponsor: Senator Vaughn.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Connor and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 50 w SA 1, HA 1, 2 was laid on the table on motion of Senator Minner.

Senator Citro marked PRESENT.

SCR 54 was introduced and considered for adoption on motion of Senator Minner:

SCR 54 - CONGRATULATING HELEN ROBLENSKI, PRESIDENT OF THE LEWES CHEER CENTER, UPON HER SELECTION AS DELAWARE'S SENIOR VOLUNTEER OF THE YEAR. Sponsors: Senator Minner, Representative Wingate.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Connor and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

HB 117 w HA 1 was introduced and assigned to Natural Resources and Environmental Control Committee:

HB 117 w HA 1 - AN ACT TO AMEND CHAPTER 7, TITLE 7 OF THE DELAWARE CODE RELATING TO GAME REFUGES BY PROVIDING THAT STATE LANDS MAY BE USED FOR TRAINING DOGS AT CERTAIN TIME OF YEAR.

SB 173 was taken up for consideration on motion of Senator Cordrey:

SB 173 - AN ACT TO AMEND CHAPTER 302, VOLUME 49, LAWS OF DELAWARE, BEING "AN ACT TO INCORPORATE THE TOWN OF FENWICK ISLAND, DELAWARE" RELATING TO THE QUALIFICATIONS OF VOTERS AND TO THE POWER OF THE TOWN TO LICENSE, TAX AND COLLECT FEES.

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

Senator Connor marked PRESENT.

The roll call vote on SB 173 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Martin and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 3:20 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 Committee reports were announced:

From the Executive Committee: SB 48 - 2 Favorable, 3 Merits.

From the Health-Social Services/Aging Committee: SB 78 - 4 Merits.

From the Labor and Industrial Relations Committee: SB 178 - 6 Merits; SB 180 - 7 Merits; SB 192 - 6 Merits, 1 Unfavorable; SR 46 - 7 Merits; HJR 6 - 6 Merits.

The following legislation was introduced:

SB 212 - AN ACT TO AMEND CHAPTER 52, TITLE 30, DELAWARE CODE, RELATING TO EXCLUSION OF CERTAIN MOTOR VEHICLES FROM THE OPERATION OF THE MOTOR FUEL TAX. Sponsor: Senator Minner. Assigned to Revenue and Taxation Committee.

SB 213 - AN ACT TO AMEND CHAPTER 11, SUBCHAPTER II, TITLE 30, OF THE DELAWARE CODE TO PROVIDE AN EDUCATIONAL EXEMPTION FROM TAXABLE INCOME. Sponsors: Senators Marshall, Zimmerman, McBride, Citro, Connor; Representatives Jonkiert, Anderson, Dixon, Campanelli, Gilligan, Plant, VanSant. Assigned to Revenue and Taxation Committee.

On motion of Senator Minner (and without objection) SB 212 was reassigned from the Revenue and Taxation Committee to the Public Safety Committee.

SA 3 to SB 117 was introduced by Senator Torbert and placed with the Bill.

SB 117 was taken up for consideration on motion of Senator Torbert.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to William Walls 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 (Holloway and Littleton) ABSENT; therefore, the Amendment was declared adopted.

Senator Zimmerman marked PRESENT.

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

The roll call vote on SB 117 w SA 3 was then 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.

SCR 55 was introduced and considered for adoption on motion of Senator Adams:

SCR 55 - WISHING FOR A FULL RECOVERY FOR FORMER UNIVERSITY OF DELAWARE FOOTBALL COACH WILLIAM D. (BILL) MURRAY WHO WILL BE UNABLE TO ATTEND HIS DELAWARE SPORTS HALL OF FAME INDUCTION THURSDAY NIGHT, MAY 12, 1983. Sponsors: Senator Adams; Representatives Barnes, Gilligan, Bennett.



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.

SB 58 was taken up for consideration on motion of Senator Zimmerman:

SB 58 - AN ACT TO AMEND SUBCHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO EXCLUSION OF PENSION INCOME FROM DELAWARE PERSONAL INCOME TAX.

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

YES: Senators Adams, Arnold, Bair, Citro, Connor, Cook, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 17.

NO: Senators Berndt, Cordrey, Knox - 3.

ABSENT: Senator Holloway - 1.

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

The following Committee reports were announced:

From the Finance Committee: SB 23 - 5 Merits; SB 95 - 4 Merits, 1 Unfavorable; SB 102 - 5 Merits; SB 141 - 5 Merits; SB 163 - 5 Merits; HB 51 w HA 1 - 5 Merits; HB 172 - 5 Merits; HCR 27 - 5 Merits.

SB 214 was introduced and assigned to Finance Committee:

SB 214 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO EXEMPTION OF MILITARY PENSION FROM PERSONAL INCOME TAX. Sponsors: Senator Martin, Representative Oberle.

At 5:17 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 12, 1983.

The Senate reconvened at 2:27 p.m., May 12, 1983, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 188 and adopted SCR 55, HCR 74, HCR 75, HCR 76, HCR 77, HCR 78, HCR 79, HCR 80, HCR 81, HCR 82, HCR 83, HCR 84, HCR 85, HCR 86 HCR 87; SCR 47.

The following Committee reports were announced:

From the Executive Committee: SB 188 - 2 Merits, 2 Unfavorable; HB 148 w HA 1 - 1 Favorable, 4 Merits.

From the Public Safety Committee: SB 70 - 1 Favorable, 3 Merits; SB 207 - 4 Merits; SB 208 - 4 Merits; SB 212 - 1 Favorable, 3 Merits.

HB 188 was introduced and assigned to the Sunset Committee:

HB 188 - AN ACT TO AMEND CHAPTER 301, VOLUME 62 OF THE LAWS OF DELAWARE RELATING TO THE PERIODIC REVIEW AND TERMINATION OF CERTAIN STATE AGENCIES. Sponsor: Representative Houghton.

SR 50 was introduced and considered for adoption on motion of Senator McDowell:

SR 50 - ALERTING THE CITIZENS OF DELAWARE TO THE IMMINENT DANGER POSED BY THE GYPSY MOTH AND URGING THEM TO IMMEDIATELY REPORT TO THE APPROPRIATE STATE OFFICIALS ANY INFESTATION. Sponsor: Senator McDowell.

The roll call vote on the Resolution was taken and revealed 16 Senators voting YES and 5 (Connor, Holloway, Marshall, Martin, Minner) ABSENT; therefore, the Resolution was declared adopted.

At 2:38 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 30th Legislative Day.

### 30TH LEGISLATIVE DAY

May 12, 1983

The Senate convened at 2:38 p.m., Senator Cordrey 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

Senator Zimmerman marked PRESENT.

HB 189 w HA 2 was taken up for consideration on motion of Senator Zimmerman:

HB 189 w HA 2 - AN ACT TO AMEND SUBCHAPTER VI, CHAPTER 7, TITLE 7 OF THE DELAWARE CODE RELATING TO POSSESSION OF RED FOX WHEELPS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Torbert. The Amendment was then stricken on further motion of the Senator.

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

Senators Martin and Marshall marked PRESENT.

SB 95 was taken up for consideration on motion of Senator Adams:

SB 95 - AN ACT TO AMEND CHAPTER 41, TITLE 7, DELAWARE CODE, RELATING TO COMPENSATION OF TAX DITCH COMMISSIONERS.

At 2:55 p.m., Lt. Governor Castle presiding.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Berndt, Connor, Holloway, Knox) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 3:00 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:15 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 215 - AN ACT TO AMEND CHAPTER 71, TITLE 29, DELAWARE CODE, RELATING TO THE USE OF STATE-OWNED VEHICLES. Sponsors: Senators Vaughn, Martin, Cook; Representatives Bunting, Wingate, Clendaniel. Assigned to Administrative Services Committee.

SB 216 - AN ACT TO AMEND CHAPTER 25, TITLE 6, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A CONSUMER PROTECTION REVOLVING FUND. Sponsors: Senators McDowell, Sharp, Vaughn, Berndt; Representatives Barnes, Meconi, B. Ennis. Assigned to Finance Committee.

SB 217 - AN ACT TO AMEND PART 3, ARTICLE 9 OF TITLE 6 OF THE DELAWARE CODE RELATING TO SECURED TRANSACTIONS. Sponsor: Senator Cordrey. Assigned to Agriculture Committee.

SA 1 to SB 154. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SB 182. Sponsor: Senator Bair. Placed with the Bill.

SA 11 to HB 128. Sponsor: Senator Neal. Placed with the Bill.

HJR 8 - ESTABLISHING A COMMITTEE TO DETERMINE THE FEASIBILITY OF ESTABLISHING A LAW ENFORCEMENT CAPIAS TEAM. Sponsors: Representatives Houghton, VanSant, Anderson, Bennett, Brady, Bunting, Campanelli, Clark, Cordrey, Dixon, B. Ennis, Jester, Meconi, Outten, Plant, Soles, West; Senators Martin, McBride, Sharp. Assigned to Judiciary Committee.

At 4:15 p.m., Lt. Governor Castle presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 20 w SA 2, 3; SB 21 w SA 1, HA 1 and adopted HJR 8.

SB 21 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 Adams.

Senator Connor marked PRESENT.

The roll call vote on SB 21 w SA 1, HA 1 was then taken and revealed 19 Senators voting YES and 2 (Holloway and Martin) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for consideration.

HB 148 w HA 1 was taken up for consideration on motion of Senator Adams:

HB 148 w HA 1 - AN ACT TO AMEND CHAPTER 3, TITLE 29 OF THE DELAWARE CODE BY DESIGNATING A STATE BEVERAGE.

The privilege of the floor was extended to Holly Webb (Delaware Dairy Princess) after which 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.

At 4:26 p.m. on motion of Senator Adams, the Senate recessed for tape change and reconvened at 4:34 p.m., Lt. Governor Castle presiding.

On motion of Senator Marshall, the roll call vote on HB 128 w HA 2, 3, 4, 5, SA 1, 8 was lifted from the table and announced:

YES: Senators Arnold, Bair, Berndt, Citro, Cook, Knox, Neal - 7.

NO: Senators Adams, Connor, Cordrey, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 14.

Therefore, the Bill was declared defeated.

SB 163 was taken up for consideration on motion of Senator Adams:

SB 163 - AN ACT TO AMEND CHAPTER 56, TITLE 29 OF THE DELAWARE CODE RELATING TO THE JUDICIAL 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.

Consent Calendar #2 was taken up for consideration on motion of Senator Sharp.

The House Concurrent Resolutions on the Consent Calendar were as follows:

HCR 74 - COMMENDING THE COMMUNITY SERVICES CORPORATION FOR ITS JOB TRAINING AND PLACEMENT PROGRAMS AND REQUESTING THE STATE ADMINISTRATION TO CONTINUE TO PROVIDE ASSISTANCE. Sponsors: Representatives Anderson, Soles, Meconi; Senators Martin, Neal.

HCR 75 - RECOGNIZING THE 1983 CONGRESSIONAL ART EXHIBIT AND COMPETITION. Sponsors: Representatives Soles, Corrozz; Senators McBride, Bair.

HCR 76 - COMMENDING MELVILLE F. WARREN, WHO IS RETIRING AFTER 25 YEARS OF OUTSTANDING SERVICE TO THE CAPITOL SCHOOL DISTRICT. Sponsors: Representatives Outten, Bennett; Senator Zimmerman.

**HC** 77 - MOURNING THE DEATH OF JOHN A. HARTNETT, WORLD WAR II VETERAN AND PROMINENT DOVER BUSINESS MAN. Sponsors: Representatives Outten, Bennett, Terry; Senator Zimmerman.

**HC** 78 - COMMENDING DARLENE T. WEBB, OF WILMINGTON, FOR THIRTY YEARS OF EXCELLENT SERVICE WITH THE STATE. Sponsors: Representative Free; Senator McDowell.

**HC** 80 - CONGRATULATING DONALD K. SHARPE, OF THE UNITED AUTO WORKERS, AND BOBETTE W. MANSON AND ELLIS UNDERKOFFLER, TEACHERS, FOR THEIR CITATIONS FROM THE DELAWARE NATURE EDUCATION SOCIETY. Sponsors: Representative Campanelli; Senator Sharp. Representatives Anderson, Meconi, Smith, and Soles.

**HC** 81 - CONGRATULATING PRESTON C. TOWNSEND, OF MILLSBORO, UPON HIS SELECTION BY DELMARVA POULTRY INDUSTRY, INC., AS DISTINGUISHED CITIZEN. Sponsors: Representatives Clendaniel, Barnes, Wingate, Bunting, Fallon, C. Cordrey, Bennett, West; Senators Adams, Cordrey, Littleton.

**HC** 82 - MOURNING THE DEATH OF VERNON BLADES DERRICKSON, OF DOVER, POLITICAL AND COMMUNITY LEADER AND AN ORIGINAL MEMBER OF THE PUBLIC SERVICE COMMISSION. Sponsors: Representatives Outten, B. Ennis, Clark, Quillen, Bennett, Terry, Buckworth; Senators Cook, Torbert, Zimmerman, Minner, Adams, Vaughn.

**HC** 83 - SALUTING THE ELEVEN OFFICERS OF THE DELAWARE STATE POLICE, MEMBERS OF THE CLASS OF 1964, WHO ARE RETIRING. Sponsors: Representative Spence and all Representatives and Senators.

**HC** 84 - CONGRATULATING FORMER UNITED STATES SENATOR JOHN J. WILLIAMS, OF MILLSBORO, AS HE OBSERVES HIS 79TH BIRTHDAY ON MAY 17, 1983. Sponsors: Representatives Fallon, C. Cordrey, Clendaniel, Boykin, Petrilli, Quillen, Mack, Hebner, Davis, Corrozi, Wingate, Buckworth, Barnes, Meconi, West; Senators Cordrey, Knox, Littleton, Bair, Neal, Citro, Arnold, Holloway, McBride, Minner, Torbert, Cook, Vaughn, Martin, Berndt, Marshall, Connor, McDowell.

**HC** 85 - COMMEMORATING THE WEEK OF MAY 9 AS SMALL BUSINESS WEEK IN DELAWARE. Sponsors: Representative Outten, Senator Zimmerman; Representatives Barnes, Clark; Senators Bair, Cordrey, McDowell, Neal.

**HC** 86 - MOURNING THE DEATH OF LAW ENFORCEMENT OFFICERS THROUGHOUT THE STATE WHO HAVE LOST THEIR LIVES IN THE LINE OF DUTY AND PAYING TRIBUTE TO THEM SO THAT THEIR CONTRIBUTIONS AND SACRIFICE TO THE PEOPLE OF DELAWARE SHALL NEVER BE FORGOTTEN. Sponsors: Representatives VanSant, B. Ennis, Houghton; Senators Vaughn and Citro.

**HC** 87 - URGING THE FIRE MARSHALL OF THE STATE OF DELAWARE TO TAKE ALL POSSIBLE STEPS TO ENSURE THE SAFETY OF AMUSEMENT RIDES IN OUR STATE. Sponsors: Representatives Gilligan, Mack; Senators McBride, Connor.

The roll call vote on Consent Calendar #2 was taken on motion of Senator Minner under suspension of the necessary rules and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Resolutions were declared adopted by the Senate and returned to the House.

**SJR** 4 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Minner:

**SJR** 4 - DIRECTING THE AUDITOR OF ACCOUNTS OF THE STATE OF DELAWARE TO CONDUCT AN IMMEDIATE AUDIT OF THE EXPENDITURE OF FUNDS BY AND THE CONTRACTUAL ARRANGEMENTS OF THE DELAWARE ADMINISTRATION FOR REGIONAL TRANSIT. Sponsors: Senators Minner, Sharp, Martin, Vaughn; Representatives VanSant, Campanelli, Jester, Gilligan, Jonkiert, Anderson, Wingate, Cordrey, West, Clendaniel, B. Ennis, Clark, Dixon.

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

**SB** 102 was taken up for consideration on motion of Senator Cordrey:

**SB** 102 - AN ACT TO AMEND 29 DELAWARE CODE, CHAPTER 52, RELATING TO HEALTH CARE INSURANCE FOR STATE EMPLOYEES.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Berndt, Citro, Holloway and Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

**SB** 141 was taken up for consideration on motion of Senator Cordrey:

**SB** 141 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO MILDRED CARPENTER, A FORMER STATE EMPLOYEE; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE MADE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE.

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.

**SR** 51 was introduced and considered for adoption on motion of Senator Knox:

**SR** 51 - COMMENDING THE PARTICIPANTS AND WINNERS IN THE CONGRESSIONAL ART EXHIBIT AND COMPETITION. Sponsors: Senators Knox, Arnold, Bair, Citro, Littleton, Neal.

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

SCR 56 - COMMENDING THE STUDENT WINNERS OF THE 1983 CAREER DEVELOPMENT CONFERENCE OF THE DISTRIBUTIVE EDUCATION CLUBS OF DELAWARE. Sponsors: Senators Berndt, McBride, Knox, Connor, Bair, Cook, Zimmerman, Martin; Representatives Soles, Outten, Gilligan, Barnes, Davis, Jester, Meconi, Petrilli, Fallon, D. Ennis, Smith, Boykin.

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.

The following Committee reports were announced:

From the Administrative Services Committee: SB 90 - 1 Favorable, 5 Merits; SB 119 - 1 Favorable, 5 Merits; SB 181 - 6 Merits.

The Secretary announced that a message from the House informed the Senate that it had adopted SJR 4.

At 5:17 p.m. on motion of Senator Sharp, the Senate recessed to the call of the President Pro Tempore.

The Senate reconvened at 2:28 p.m., May 24, 1983, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 194; HB 201; HB 91 w HA 1; HB 198; HB 208.

The following legislation was introduced:

HB 91 w HA 1 - AN ACT TO AMEND CHAPTER 43, PART IV, TITLE 29 OF THE DELAWARE CODE RELATING TO NOTARIES PUBLIC; AND PROVIDING FOR A UNIFORM LAW ON NOTARIAL ACTS. Sponsors: Representatives Jonkiert, Meconi, Barnes, Mack; Senators Minner, Connor. Assigned to Judiciary Committee.

HB 194 - AN ACT TO PROVIDE FOR THE DEACCESSION OF A SILVER TEA SERVICE FROM THE DELAWARE STATE MUSEUM TO PRISCILLA HARDESTY CLEAVER MERRIKEN (MRS. WILBERT I. MERRIKEN). Sponsors: Representative Barnes and Senator Adams. Assigned to Executive Committee.

HB 198 - AN ACT TO AMEND CHAPTER 380, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF LAUREL, TO REMOVE THE MINIMUM ON CAPITAL INVESTMENTS. Sponsors: Representative Cordrey, Senator Littleton. Assigned to Community Affairs Committee.

HB 201 - AN ACT TO AMEND CHAPTER 9, PART I, TITLE 19 OF THE DELAWARE CODE RELATING TO INCREASES IN THE MINIMUM WAGE RATE. Sponsor: Representative Campanelli. Assigned to Labor and Industrial Relations Committee.

HB 208 - AN ACT TO AMEND PART X, CHAPTER 100, TITLE 29 OF THE DELAWARE CODE RELATING TO INCLUDING GRANTS-IN-AID WITHIN THE DEFINITION OF PUBLIC FUNDS. Sponsors: Representatives Bennett, Soles and Senator Cook; Representatives Anderson, Brady, Bunting, Clark, Clendaniel, Cordrey, Corrozi, Dixon, B. Ennis, Gilligan, Houghton, Jester, Jonkiert, Meconi, Outten, Petrilli, Plant, Terry, VanSant, West, Wingate; Senators Berndt, Holloway, McBride, Neal, Vaughn. Assigned to Finance Committee.

The following Committee reports were announced:

From the Sunset Committee: HB 188 - 5 Merits.

From the Agriculture Committee: SB 217 - 2 Favorable, 4 Merits.

HCR 79 was introduced and laid on the table on motion of Senator Cordrey:

HCR 79 - MEMORIALIZING THE DELAWARE CONGRESSIONAL DELEGATION TO INVESTIGATE AND STUDY THE FEASIBILITY OF FEDERAL LEGISLATION REQUIRING MANUFACTURERS AND PROCESSORS OF FOOD PRODUCTS TO LABEL THE FOOD AS TO ITS SALT OR SODIUM CONTENT BY MILLIGRAMS AND TO MAKE AVAILABLE TO THE PUBLIC LOW OR NO SALT CONTENT PRODUCTS. Sponsors: Representative Terry and Senator Torbert.

At 2:35 p.m., Lt. Governor Castle presiding.

At 2:38 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 31st Legislative Day.

### 31ST LEGISLATIVE DAY

May 24, 1983

The Senate convened at 2:38 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Vaughn, Zimmerman - 20.

ABSENT: Torbert - 1.

The Journal of the previous day was approved as read on motion of Senator Sharp.

The two following communications were read:

UNITED STATES SENATE  
WASHINGTON, D.C.  
May 13, 1983

Ms. Betty Jean Caniford  
Secretary of the Senate  
Legislative Hall  
Dover, Delaware 19901

Dear Ms. Caniford:

I have received a copy of Senate Concurrent Resolution 36, asking the Postal Service to issue a commemorative stamp in honor of Dr. James Tilton.

I have forwarded a copy of the resolution to the Citizens Stamp Advisory Committee. I appreciate your forwarding a copy to me.

Sincerely,  
Joseph R. Biden, Jr.  
United States Senator  
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STATE OF DELAWARE  
DEPARTMENT OF ADMINISTRATIVE SERVICES  
DOVER, DELAWARE  
April 28, 1983

B. J. Caniford  
Secretary of the Senate  
Dover, Delaware

RE: Senate Concurrent Resolution 24

Dear Ms. Caniford:

I hereby acknowledge receipt of your communication dated April 20, 1983, transmitting a copy of Senate Concurrent Resolution 24.

I have communicated a copy of the resolution to each Division Director within the Department of Administrative Services. Personally, I think that the objectives of the legislation are most desirable and worthwhile. Accordingly, I have made it mandatory within the Department of Administrative Services that agencies contracting for services require proof of professional or occupational licensing and of business licensing before awarding a contract to a bidder.

Sincerely yours,  
John H. McDonald  
Secretary (Acting)  
\*\*\*\*\*

Senators Minner, Neal, Adams marked PRESENT.

On motion of Senator Minner, SB 50 w SA 1 which was returned from the House with HA 1,2 was lifted from the table for consideration. The roll call vote on SB 50 w SA 1, HA 1, 2 was then taken; however, the roll call vote was tabled before being announced on motion of Senator Minner.

HB 51 w HA 1 was taken up for consideration on motion of Senator Cook:

HB 51 w HA 1 - AN ACT TO AMEND CHAPTER 60, PART V, TITLE 29 OF THE DELAWARE CODE RELATING TO CLASSIFICATION AND COMPENSATION OF KEY EXECUTIVES.

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

HCR 27 was taken up for consideration on motion of Senator Cook:

HCR 27 - ESTABLISHING A JOINT AD HOC GRANT-IN-AID REFORM COMMITTEE FOR THE PURPOSE OF CONTINUED REFORM OF THE GRANTS-IN-AID PROCESS.

SA 1 to the Resolution which had been placed with the Resolution was taken up for consideration on motion of Senator Cook and the roll call vote taken which revealed 18 Senators voting YES, 1 (Minner) voting NO, and 2 (McDowell and Torbert) ABSENT; therefore, the Amendment was declared adopted.

Senator Connor marked PRESENT.

The roll call vote on HCR 27 w SA 1 was then taken and revealed 18 Senators voting YES, 1 (Minner) voting NO, and 2 (McDowell and Torbert) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House for consideration of the Senate Amendment.

SB 188 was taken up for consideration on motion of Senator Marshall:

**SB 188 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO GAMBLING.**

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

Senator McDowell marked PRESENT.

SB 148 was taken up for consideration on motion of Senator Marshall:

**SB 148 - AN ACT TO AMEND SUBCHAPTER XI, CHAPTER 50, TITLE 10, DELAWARE CODE, TO AUTHORIZE SUPERIOR COURT TO STAY WRITS OF SCIRE FACIAS ON MORTGAGES IN CERTAIN CONDITIONS.**

The privilege of the floor was extended to Gary Dalton (Senate Attorney) and Joseph M. Moran (Delaware Bankers Association).

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

At 3:56 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:57 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Community Affairs Committee: SB 83 - 1 Favorable, 3 Merits; SB 198 - 4 Merits; SB 199 - 4 Merits; SB 200 - 4 Merits; SB 201 - 4 Merits; SB 202 - 4 Merits; SB 203 - 4 Merits; SB 204 - 4 Merits; SB 205 - 4 Merits; SB 206 - 4 Merits; HB 210 - 4 Merits.

From the Banking Committee: HB 126 w HA 1 - 4 Merits; HB 127 w HA 1 - 4 Merits.

The following legislation was introduced:

**SB 218 - AN ACT TO AMEND CHAPTER 9, TITLE 3, DELAWARE CODE, RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF AGRICULTURE BY PROVIDING FOR AGRICULTURAL LANDS PRESERVATION.** Sponsors: Senator Adams; Representatives Clark, Barnes and Jester. Assigned to Agriculture Committee.

**SB 219 - AN ACT TO AMEND PART III, CHAPTER 29, TITLE 29, DELAWARE CODE, RELATING TO THE AUDITOR OF ACCOUNTS.** Sponsor: Senator Sharp. Assigned to Judiciary Committee.

**SB 220 - AN ACT TO AMEND CHAPTER 25, PART II, TITLE 16 OF THE DELAWARE CODE RELATING TO A PATIENT'S RIGHT TO TERMINATE TREATMENT.** Sponsors: Senator McBride, Representative VanSant; Senator Berndt, Representative Barnes. Assigned to Health-Social Services/Aging Committee.

**SB 221 - AN ACT TO AMEND CHAPTER 23, TITLE 19, DELAWARE CODE, RELATING TO WORKMEN'S COMPENSATION.** Sponsors: Senator Holloway; Representatives Oberle and Plant. Assigned to Labor and Industrial Relations Committee.

**SR 53** was introduced and considered for adoption on motion of Senator Sharp:

**SR 53 - COMMENDING RUTH GULA FOR HER 13 YEARS OF OUTSTANDING SERVICE TO THE NEW CASTLE COUNTY DEPARTMENT OF ELECTIONS AS SHE PREPARES TO RETIRE.** Sponsor: Senator Sharp.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Littleton and Torbert) ABSENT; therefore, the Resolution was declared adopted.

**SR 54** was introduced and laid on the table on motion of Senator Holloway:

**SR 54 - RESPECTFULLY REQUESTING THE MAYOR AND COUNCIL OF THE CITY OF WILMINGTON TO CONSIDER A MORE LENIENT POLICY TOWARD PARKING VIOLATIONS BY RESIDENTS AND VISITORS IN AREAS SURROUNDING INNER CITY HOSPITALS.** Sponsors: Senators Holloway, McDowell, Marshall.

**SR 55 - COMMENDING FLORENCE M. REDMOND FOR 23 YEARS OF OUTSTANDING SERVICE WITH THE NEW CASTLE COUNTY DEPARTMENT OF ELECTIONS AS SHE PREPARES FOR RETIREMENT.** Sponsor: Senator Sharp.

The Resolution was considered for adoption on motion of Senator Sharp and the roll call vote taken which revealed 20 Senators voting YES and 1 (Torbert) ABSENT; therefore, the Resolution was declared adopted.

**SR 52** was introduced and assigned to the Executive Committee.

**SR 52 - AMENDING THE TEMPORARY RULES OF THE SENATE RELATING TO CONDUCT.** Sponsors: Senators McBride, Adams, Cook, Cordrey, Holloway, Marshall, Martin, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman, Neal, Littleton, Knox.

**SCR 57** was introduced and considered for adoption on motion of Senator Vaughn:

**SCR 57 - AUTHORIZING THE TOWN OF CLAYTON TO ERECT INFORMATIONAL SIGNS AT THREE LOCATIONS ON HIGHWAY RIGHTS-OF-WAY.** Sponsors: Senators Vaughn, Cook; Representative B. Ennis.

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

**SCR 58** was introduced and considered for adoption on motion of Senator McBride:

**SCR 58 - COMMENDING THE SCHOOLS AND STUDENTS WHO PARTICIPATED IN THE DELAWARE OLYMPICS OF THE MIND CHAMPIONSHIP COMPETITION AND WISHING GOOD LUCK TO THE DELAWARE CONTINGENT WHICH WILL COMPETE IN THE WORLD FINALS.** Sponsors: Senators McBride, Cordrey; Representatives Free and Jester.

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

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

STATE OF DELAWARE  
Office of the Governor  
May 24, 1983

To the Senate of the 132nd 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 R. McClelland, 2504 Foulk Woods Road, Wilmington, Delaware, 19810 to be reappointed a member of the Public Service Commission to serve for a term of five years.

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\* \* \* \* \*

On motion of Senator Minner the roll call vote on SB 50 w SA 1, HA 1, 2 was lifted from the table and announced:

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

NO: Senator Cordrey - 1.

NOT VOTING: Senators Arnold and Sharp - 2.

ABSENT: Senator Torbert - 1.

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

SB 30 was stricken on motion of the sponsor, Senator Marshall.

At 5:21 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 25, 1983.

The Senate reconvened at 2:30 p.m., May 25, 1983, Senator Cordrey presiding.

The following Committee reports were announced:

From the Administrative Services/Energy Committee: SB 125 - 6 Merits.

From the Judiciary Committee: HJR 8 - 4 Merits.

The following legislation was introduced:

SB 222 - AN ACT TO AMEND TITLES 9 AND 22 OF THE DELAWARE CODE RELATING TO ZONING REQUIREMENTS FOR FACILITIES FOR DEVELOPMENTALLY DISABLED PERSONS. Sponsors: Senator Holloway; Representative VanSant. Assigned to Community Affairs Committee.

SB 223 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE, RELATING TO FAMILY COURT DISPOSITIONS. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 224 - AN ACT TO AMEND SECTION 4302, TITLE 11, DELAWARE CODE, TO INCLUDE FAMILY COURT AS A COURT UNDER THE CHAPTER ENTITLED "SENTENCING PROBATION, PAROLE AND PARDONS." Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 225 - AN ACT TO AMEND CHAPTER 51, TITLE 31, DELAWARE CODE, RELATING TO COMMITMENT OF JUVENILES BY FAMILY COURT FOR A MANDATORY PERIOD OF THIRTY (30) DAYS. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 226 - AN ACT TO AMEND CHAPTER 7, TITLE 13, DELAWARE CODE, RELATING TO CUSTODY INVESTIGATIONS AND REPORTS. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 227 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE, RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE, AND PROVIDING FOR EXPUNGEMENT OF RECORDS UNDER CERTAIN CIRCUMSTANCES. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 228 - AN ACT TO AMEND CHAPTER 17, TITLE 24, DELAWARE CODE, RELATING TO DISCIPLINARY ACTION AGAINST PHYSICIANS AND MEMBERSHIP ON THE BOARD OF MEDICAL PRACTICE. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

The Secretary announced that a message from the House informed the Senate that it had passed HB 185 and HB 186.

The following legislation was introduced:

HB 185 - AN ACT TO AMEND TITLE 6 AND TITLE 8 OF THE DELAWARE CODE RELATING TO THE DELAWARE SECURITIES ACT AND THE DELAWARE GENERAL CORPORATION LAW. Sponsors: Representatives Terry, Plant, Houghton, Davis, Barnes, B. Ennis; Senators Vaughn, Citro. Assigned to Judiciary Committee.

HB 186 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE; AND PROVIDING CERTAIN AMENDMENTS TO THE UNIFORM COMMERCIAL CODE OF DELAWARE. Sponsors: Representatives Plant, Terry, Houghton, B. Ennis, Barnes, Davis; Senators Vaughn, Citro. Assigned to Judiciary Committee.

SB 228 was reassigned from the Administrative Services/Energy Committee to the Health-Social Services/Aging Committee.

At 2:40 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 32nd Legislative Day.

32ND LEGISLATIVE DAY  
May 25, 1983

The Senate convened at 2:40 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read on motion of Senator Sharp.

SB 70 was taken up for consideration on motion of Senator Littleton:

SB 70 - AN ACT TO AMEND CHAPTER 45, TITLE 21, OF THE DELAWARE CODE RELATING TO EXTRA WEIGHT CAPACITY FOR CERTAIN MOTOR VEHICLES.

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:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, McBride, McDowell, Minner, Neal, Sharp, Vaughn - 17.

NO: Senators Martin and Zimmerman - 2.

ABSENT: Senators Connor and Torbert - 2.

Therefore, the Amendment was declared adopted.

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

At 2:47 p.m., Senator Sharp presiding.

HB 126 w HA 1 was taken up for consideration on motion of Senator Cordrey:

HB 126 w HA 1 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE BY PROVIDING FOR THE ORGANIZATION AND OPERATION OF LIMITED PURPOSE STATE CHARTERED BANKS TO BE KNOWN AS CONSUMER CREDIT BANKS.

The privilege of the floor was extended to G. Francis Biondi (Charge Card Association), John Malarky (State Bank Commissioner) and Nathan Hayward, III, (Delaware Development Office).

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

YES: Senators Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Zimmerman - 16.

NO: Senators Adams, Minner, Vaughn - 3.

ABSENT: Senators Connor, Torbert - 2.

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

SCR 59 was introduced and considered for adoption on motion of Senator Marshall:

SCR 59 - EXPRESSING SUPPORT OF DELAWARE'S UKRAINIAN COMMUNITY IN COMMEMORATING THE 50TH ANNIVERSARY OF THE GREAT FAMINE IN UKRAINE. Sponsors: Senator Marshall and Representative Jonkiert.

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

HB 127 w HA 1 was taken up for consideration on motion of Senator Cordrey:

HB 127 w HA 1 - AN ACT TO AMEND TITLE 5, TITLE 6 AND TITLE 30 OF THE DELAWARE CODE, TO PROVIDE EXEMPTION FROM TAXATION AND INTEREST RATE LIMITATIONS FOR INTERNATIONAL BANKING TRANSACTIONS AND INTERNATIONAL BANKING FACILITIES, AND TO PROVIDE EXEMPTION FROM RESERVE REQUIREMENTS FOR DEPOSITS RELATING TO INTERNATIONAL BANKING FACILITIES.

The privilege of the floor was extended to David S. Swayze (Manufacturers Hanover Bank, Delaware) and John Malarky (State Bank Commissioner).

At 4:10 p.m. a one minute recess was taken for purpose of changing the tape.

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 with no objection.

At 4:20 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 4:47 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SA 2 and SA 3 to SB 70. Sponsor: Senator Zimmerman. Placed with the Bill.



SB 229 - AN ACT TO AMEND CHAPTER 44, TITLE 18, DELAWARE CODE, RELATING TO THE APPOINTMENT OF A REHABILITATOR, AND THE PAYMENT OF CLAIMS THEREBY AND WITH RESPECT TO CLASS A ASSESSMENTS FOR THE DELAWARE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION. Sponsor: Senator Sharp. Assigned to Insurance and Elections Committee.

SB 230 - AN ACT TO AMEND TITLE 29, CHAPTER 69, DELAWARE CODE, RELATING TO PUBLIC WORKS CONTRACTS AND RETAINAGES. Sponsors: Senators Minner, Adams, Arnold, Citro; Representatives Anderson, Dixon, Gilligan, Mack, Roy. Assigned to Community Affairs Committee.

The following Committee reports were announced:

From the Education Committee: HB 96 w HA 1 - 3 Merits; HB 150 - 3 Merits.

SB 70 w SA 1 was lifted from the table for consideration on motion of Senator Littleton.

SA 2 to the Bill was stricken on a motion of Senator Zimmerman.

SA 3 to the Bill was requested by Senator Zimmerman and considered for adoption on his motion.

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

YES: Senators Arnold, Bair, Berndt, Citro, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Zimmerman - 13.

NO: Senators Adams, Cook, Cordrey, Minner, Vaughn - 5.

ABSENT: Senators Connor, Holloway, Torbert - 3.

Therefore, the Amendment was declared adopted.

At 5:00 p.m., Senator Sharp presiding.

The roll call vote on SB 70 w SA 1, 3 was then taken on motion of Senator Littleton and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, McBride, Vaughn, Zimmerman - 14.

NO: Senators Martin, McDowell, Minner, Neal, Sharp - 5.

ABSENT: Senators Connor and Torbert - 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 127 w HA 1 was lifted and announced:

YES: Senators Arnold, Bair, Berndt, Citro, Holloway, Knox, Littleton, Marshall, Martin, McBride, Neal, Zimmerman - 12.

NO: Senators Adams, Cook, Cordrey, McDowell, Minner, Sharp, Vaughn - 7.

ABSENT: Senators Connor and Torbert - 2.

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

At 5:05 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m. May 26, 1983.

The Senate reconvened at 2:13 p.m., May 26, 1983, Senator Cordrey presiding.

The following Committee reports were announced:

From the Insurance and Elections Committee: HB 87 - 4 Merits; SB 177 - 4 Merits; HB 112 - 4 Merits; HB 144 - 4 Merits; SB 229 - 4 Merits; HB 97 - 4 Merits.

The following legislation was introduced:

SB 231 - AN ACT TO AMEND CHAPTER 9 AND CHAPTER 11, TITLE 7, DELAWARE CODE, RELATING TO FINFISHING IN TIDAL AND NON-TIDAL WATERS OF THE STATE FOR ALL FINFISH EXCEPT MENHADEN. Sponsors: Senators Zimmerman, Minner, Knox; Representatives Terry, Smith, Quillen. Assigned to Natural Resources and Environmental Control Committee.

SB 232 - AN ACT TRANSFERRING THE FUNCTIONS, PERSONNEL, BOOKS, RECORDS, PAPERS, NOTES, EQUIPMENT, AND POWERS OF THE WELFARE FRAUD INVESTIGATION UNIT, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, TO THE OFFICE OF AUDITOR OF ACCOUNTS. Sponsors: Senators Vaughn, Sharp, Cook; Representatives B. Ennis, Bennett, Jester. Assigned to Administrative Services/Energy Committee.

SA 1 to SB 83. Sponsor: Senator Bair. Placed with the Bill.

SA 1 to SB 160. Sponsor: Senator Neal. Placed with the Bill.

SA 1 to SB 168. Sponsor: Senator Citro. Placed with the Bill.

SA 1 to HB 210. Sponsor: Senator Vaughn. Placed with the Bill.

Senator Torbert marked PRESENT.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 88; HCR 89; HCR 90; HCR 91; HCR 92; HCR 93; HCR 94; SCR 53; HCR 54; HCR 56; HCR 58.

On motion of Senator Marshall, the roll call vote on SB 188 was lifted and announced:

YES: Senators Bair, Berndt, Citro, Connor, Cook, Holloway, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn - 14.

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

NOT VOTING: Senator Minner - 1.

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

SB 160 was taken up for consideration on motion of Senator Neal:

SB 160 - 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; AND TO AMEND CHAPTER 9, PART I, TITLE 10 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE FAMILY COURT.

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

The privilege of the floor was extended to Dr. William B. Keene (Department of Public Instruction) after which the roll call vote on SB 160 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.

At 2:46 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 3:31 p.m., Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Executive Committee: John R. McClelland - 5 Merits; George A. Wharton - 1 Favorable, 4 Merits; Richard C. Sames - 5 Merits; John H. McDonald - 1 Favorable, 3 Merits, 1 Unfavorable; Andrew B. Kirkpatrick - 1 Favorable, 4 Merits; Evelyn H. Greenwood - 5 Merits.

At 3:38 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 33rd Legislative Day.

### 33RD LEGISLATIVE DAY

May 26, 1983

The Senate convened at 3:38 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

The following Committee reports were announced:

From the Community Affairs Committee: SB 222 - 4 Merits.

From the Health-Social Services/Aging Committee: SB 228 - 4 Merits.

The following communications were read:

UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
Rockville, Md., 20852  
May 20, 1983

Ms. Betty J. Caniford  
Secretary of the Senate  
Delaware State Senate  
Dover, Delaware 19901

Dear Ms. Caniford:

Thank you on behalf of Secretary Malcolm Baldrige for sending the Senate Concurrent Resolution No. 19 in which the Delaware General Assembly expresses support for continued funding for the National Sea Grant College Program.

Sincerely,  
Ned A. Ostensio  
Acting Assistant Administrator  
for Oceanic and Atmospheric Research

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SENATE CHAMBER  
STATE OF COLORADO  
DENVER  
May 25, 1983

Delaware State Legislature  
State Capitol Building  
Dover, Delaware,

Dear Sir:

The Senate of the Fifty-fourth General Assembly of the State of Colorado, meeting in first regular session has adopted the enclosed Senate Memorial No. 1 and requested that a copy be forwarded to you for your information

Sincerely yours,  
Marjorie L. Nielson,  
Secretary of the Senate

\* \* \* \* \*

Senators Zimmerman, Littleton, and Holloway marked PRESENT.

On motion of Senator Adams, the Governor's nomination for appointment of John R. McClelland 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 George A. Wharton 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 Richard C. Sames 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 John H. McDonald was taken up for consideration and the roll call vote taken.

Senator Knox moved that the roll call be tabled. The roll call vote on the tabling motion was taken and revealed:

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

NO: Senators Adams, Cook, Cordrey, Marshall, Martin, McBride, Minner, Sharp, Vaughn, Zimmerman - 10.

NOT VOTING: Senators Holloway, McDowell, Torbert.

Therefore, the motion was defeated and the roll call vote on the nomination was announced:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Knox, Littleton, Neal, Torbert- 9.

NO: Senators Adams, Cook, Cordrey, Marshall, McBride, McDowell, Minner, Sharp, Vaughn, Zimmerman - 10.

NOT VOTING: Senators Holloway and Martin - 2.

Therefore, the nomination was declared defeated.

On motion of Senator Adams, the Governor's nomination for appointment of Andrew Booth Kirkpatrick, Jr., was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

SB 48 was taken up for consideration on motion of Senator Knox:

SB 48 - AN ACT TO AMEND CHAPTER 11, TITLE 19 OF THE DELAWARE CODE TO PROHIBIT DISCRIMINATION IN RATE OF PAY BECAUSE OF SEX.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Phyllis A Shappard (Delaware NOW), Elizabeth H. Archer (Governor's Commission on Families) and Henry Ridgely (Senate Attorney).

SA 1 to the Bill was introduced by Senator Knox 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 48 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.

The following communications from the Governor were read:

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
May 26, 1983

The Honorable Michael N. Castle  
President of the Senate  
132nd General Assembly of the State of Delaware  
Legislative Hall  
Dover, Delaware 19901

Dear Mr. President:

Pursuant to the provision of Article IV, Section 3 of the Delaware Constitution, this is to notify you of my intention to submit to the Senate for confirmation the name of the Honorable Joshua W. Martin for appointment as Resident Associate Judge of the Superior Court for New Castle County.

Sincerely yours,  
Pierre S. duPont, IV, Governor

cc: The Honorable Richard S. Cordrey  
The Honorable Andrew Knox  
The Honorable Thurmond Adams  
The Honorable Daniel L. Herman  
The Honorable Joshua W. Martin  
Secretary of the Senate

\*\*\*\*\*  
STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
May 26, 1983

The Honorable Michael N. Castle  
President of the Senate  
132nd General Assembly of the State of Delaware  
Legislative Hall  
Dover, Delaware 19901  
Dear Mr. President:

Pursuant to the provision of Article IV, Section 3 of the Delaware Constitution, this is to notify you of my intention to submit to the Senate for confirmation the name of the Honorable Vincent J. Poppiti for appointment as Associate Judge of the Superior Court.

Sincerely yours,  
Pierre S. duPont, IV, Governor  
\*\*\*\*\*

SB 90 was taken up for consideration on motion of Senator Bair:  
SB 90 - AN ACT TO AMEND CHAPTER 65, TITLE 29, DELAWARE CODE TO PROHIBIT THE INCURRING OF EXPENSES BY A STATE AGENCY WITH A PERSON OR FIRM THAT DISCRIMINATES ON THE BASIS OF SEX.

The privilege of the floor was extended to Paula Roy (Delaware Commission for Women) Henry Ridgely (Senate Attorney) and Richard Norwood.

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

HB 210 was taken up for consideration on motion of Senator Minner:

HB 210 - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE, TO AUTHORIZE THE ESTABLISHMENT OF A DELAWARE VETERANS CEMETERY, TO PROVIDE FOR THE OPERATION OF THE CEMETERY, AND TO ESTABLISH CRITERIA FOR BURIAL IN THE CEMETERY.

The privilege of the floor was extended to Thomas P. Dickey (State Veterans Affairs Committee).

SA 1 to the Bill was requested 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 HB 210 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.

At 5:00 p.m., Senator Cordrey presiding.

SCR 60 was introduced and considered for adoption on motion of Senator Neal:

SCR 60 - COMMENDING JANE LONG DILEY FOR HER DEDICATED AND EFFECTIVE SERVICE AS A MEMBER AND CHAIRMAN OF THE STATE HUMAN RELATIONS COMMISSION. Sponsors: Senator Neal, Representative Soles. Senators McBride was added as co-sponsor at his request.

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 sent to the House for consideration.

SR 56 was introduced and considered for adoption on motion of Senator Berndt:

SR 56 - ACKNOWLEDGING THE PRESENCE OF THE POLITICAL SCIENCE CLASS OF THE ACADEMY OF LIFELONG LEARNING FROM THE UNIVERSITY OF DELAWARE. Sponsors: Senators Berndt, Knox, Bair, Holloway, McBride, Marshall, McDowell.

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

SR 57 was introduced and considered for adoption on motion of Senator Sharp:

SR 57 - EXTENDING BEST WISHES FOR A SPEEDY RECOVERY TO PATRICIA HAGARTY, READING CLERK OF THE SENATE. Senator Sharp and all the Senators.

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

Consent Calendar #3 was introduced and considered for adoption on motion of Senator Minner under suspension of the necessary rules.

The seven Resolutions on the Consent Calendar were as follows:

HCR 88 - CONGRATULATING THE UNIVERSITY OF DELAWARE'S WOMEN'S LACROSSE TEAM FOR WINNING THE FIRST DIVISION I NATIONAL TITLE IN THE HISTORY OF THE INSTITUTION. Sponsors: Representative Bennett; Senator Adams.

HCR 89 - URGING THE CHRYSLER CORPORATION TO AMEND CONDITIONS OF THE COLLATERAL LOAN AGREEMENT ENTERED INTO BY THE CHRYSLER CORPORATION AND THE STATE OF DELAWARE IN FEBRUARY 1980 BY PAYING THE FIVE MILLION DOLLAR LOAN IN FULL AT THIS TIME OR SPEEDING UP THE SCHEDULE OF PAYMENTS ON THE PRINCIPAL. Sponsors: Representative Bennett; Senator Cook.

HCR 90 - CONGRATULATING THE REVEREND ROBERT KENNEY ON WINNING HIS 300TH GAME AS COACH OF THE SALESIANUM HIGH SCHOOL BASEBALL TEAM. Sponsors: Representative Gilligan; Senator Marshall.

HCR 91 - MOURNING THE DEATH OF OAKLEY M. BANNING, SR., OF MIDDLETOWN, A FORMER CHIEF INSPECTOR FOR THE HIGHWAY DEPARTMENT. Sponsors: Representative Jester; Senator Vaughn.

HCR 92 - CONGRATULATING WILLIAM E. MATTHEWS, JR., OF SMYRNA, ON HIS ELECTION TO THE WESLEY COLLEGE ALUMNI HALL OF FAME. Sponsors: Representatives B. Ennis, Clark; Senator Vaughn.

HCR 93 - CONGRATULATING ROBERT L. EVERETT, FORMER SMYRNA HIGH SCHOOL BASEBALL COACH FOR TWENTY YEARS, FOR WHOM THE SCHOOL'S NEW DIAMOND HAS BEEN NAMED. Sponsors: Representatives B. Ennis, Clark; Senator Vaughn.

HCR 94 - CONGRATULATING CONNIE GERARDI, OF LAKE FOREST HIGH SCHOOL, ON WINNING SECOND PLACE IN THE 1983 ABILITY COUNTS JOURNALISM CONTEST SPONSORED BY THE GOVERNOR'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED. Sponsor: Representative Quillen.

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

SR 58 was introduced and considered for adoption on motion of Senator Holloway:

SR 58 - COMMENDING MRS. LORRAINE PETERSON, OWNER OF THE BRANDYWINE BEAUTY ACADEMY, FOR ESTABLISHING AT HER OWN EXPENSE A COSMETOLOGY TRAINING CENTER AT DELAWARE CORRECTIONAL CENTER. Sponsor: Senator Holloway.

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 Education Committee: SB 157 - 3 Merits; HB 124 - 4 Merits.

At 5:20 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 31, 1983.

The Senate reconvened at 2:30 p.m., May 31, 1983, Senator Cordrey presiding.

The following legislation was introduced:

SB 233 - AN ACT TO AMEND CHAPTER 87, TITLE 11, DELAWARE CODE RELATING TO ADMINISTRATION OF THE CRIMINAL JUSTICE PLANNING COMMISSION. Sponsor: Senator Vaughn. Assigned to Judiciary Committee.

SB 234 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE TO INCREASE THE NUMBER OF FAMILY COURT JUDGES TO 13 TO PROVIDE FOR AN ADDITIONAL FAMILY COURT JUDGE FOR SUSSEX COUNTY. Sponsors: Senators Adams, Minner, Cordrey; Representatives Barnes, Fallon, Bunting, Cordrey, Clendaniel, West. Assigned to Judiciary Committee.

SB 235 - AN ACT TO AMEND TITLE 11, TITLE 24 AND TITLE 31 OF THE DELAWARE CODE RELATING TO CHILDREN; AND PROVIDING FOR CERTAIN PROTECTIONS AGAINST ABUSE AND MOLESTATION. Sponsors: Senators Connor, Arnold, Bair, Berndt, Holloway, Knox, Littleton, McBride; Representatives Maroney, Barnes, Boykin, Buckworth, Bunting, Corrozi, Davis, Dixon, Free, Houghton, Jester, Jonkiert, Petrilli, Roy, Smith, VanSant. Assigned to Judiciary Committee.

SB 236 - AN ACT TO AMEND CHAPTER 29, TITLE 29, DELAWARE CODE, RELATING TO SUBPOENA POWER OF THE AUDITOR OF ACCOUNTS. Sponsors: Senators Marshall, McDowell; Representative Dixon. Assigned to Judiciary Committee.

At 2:31 p.m., Lt. Governor Castle presiding.

SB 237 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE, RELATING TO EMPLOYMENT OF ASSISTANT PRINCIPALS IN DELAWARE PUBLIC SCHOOLS. Sponsors: Senators McBride, Bair; Representatives Jester, Outten. Assigned to Education Committee.

SR 59 was introduced and considered for adoption on motion of Senator Vaughn:

SR 59 - EXPRESSING APPRECIATION TO J. VERNON GREEN ON HIS RETIREMENT FROM STATE GOVERNMENT. Sponsor: Senator Vaughn.

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.

SA 1 to SB 187 sponsored by Senator Connor was introduced and placed with the Bill.

At 2:39 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 34th Legislative Day.

34TH LEGISLATIVE DAY  
May 31, 1983

The Senate convened at 2:39 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

Legislative Advisory #7 received from the Office of Counsel to the Governor was read which informed the Senate of the Governor's action on the following legislation:

The Governor signed the following legislation: On May 16, 1983: HB 71 w HA 1 SA 1 (Volume 64, Chapter 28, Laws of Delaware); HB 102 (Volume 64, Chapter 29, Laws of Delaware); HB 122 (Volume 64, Chapter 30, Laws of Delaware); SB 25 w SA 4 (Volume 64, Chapter 31, Laws of Delaware); SB 116 w SA 1 (Volume 64, Chapter 32, Laws of Delaware); On May 20, 1983 the Governor signed SB 52 w SA 1 (Volume 64, Chapter 33, Laws of Delaware); SB 112 (Volume 64, Chapter 34, Laws of Delaware); SB 132 (Volume 64, Chapter 35, Laws of Delaware); On May 24 the Governor signed HB 189 w HA 2 (Volume 64, Chapter 36, Laws of Delaware); SB 20 w SA 2, 3 (Volume 64, Chapter 37, Laws of Delaware); SB 21 w SA 1, HA 1 (Volume 64, Chapter 38, Laws of Delaware). The Governor signed the following Resolutions; however no Chapter numbers were assigned: On May 20, 1983, HJR 2 w HA 2; on May 24, 1983, SJR 4.

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SB 131 w SA 1, 2, 3 (which had previously been defeated then restored to the Calendar) was taken up for reconsideration on motion of Senator Torbert.

The privilege of the floor was extended to H. Ellen White, DVM (Tehcnical Services Veterinarian, Fromm Laboratories) and Bernard Brown, DVM (Kent County SPCA).

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 Torbert.

SB 154 was taken up for consideration on motion of Senator Connor:

SB 154 - AN ACT TO AMEND CHAPTER 85, TITLE II, DELAWARE CODE TO PROVIDE FOR A PROGRAM FOR THE VOLUNTARY FINGERPRINTING OF CERTAIN SCHOOL CHILDREN.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Alex vonKoch (Newark Police Department), Lt. R. David Wilkinson (Delaware State Police) and Susan A. Mathe (State Parent Teachers Association).

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

SA 2 to the Bill was introduced and considered for adoption on motion of Senator Connor

At 3:48 p.m. recess for change of tape. Reconvened at 3:50 p.m., Lt. Governor Castle presiding.

The roll call vote on SA 2 to SB 154 was taken and revealed 19 Senators voting YES and 2 (Holloway and Neal) ABSENT; therefore, the Amendment was declared adopted.

SA 1 to the Bill was lifted from the table for consideration on motion of Senator Connor; however, the Amendment was again laid on the table before final consideration on further motion of the Senator.

SA 3 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 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Vicky Cooke (Girls Clubs of Delaware).

At 4:28 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:14 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: SB 231 - 1 Favorable, 4 Merits.

From the Revenue and Taxation Committee: SB 41 - 4 Merits; SB 189 - 4 Merits; SB 213 - 1 Favorable, 3 Merits.

From the Labor and Industrial Relations Committee: SB 5 - 7 Merits; SB 196 - 1 Favorable, 6 Merits; SB 221 - 7 Merits; HB 43 - 7 Merits; HB 201 - 3 Favorable, 3 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 207 w HA 1, 2, 3, 4, 5; SS 1 for SB 49 w SA 1; HB 5 w HA 1, 2; HB 221w HA 1; HB 31 and adopted HCR 57 w HA 2 and SCR 59.

The following legislation was introduced:

HB 5 w HA 1, 2 - AN ACT TO AMEND CHAPTER 42, SECTION 4209, TITLE II OF THE DELAWARE CODE, RELATING TO THE METHOD OF PUNISHMENT FOR FIRST DEGREE MURDER. Sponsor: Representative Roy. Assigned to Judiciary Committee.

HB 31 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO ELIZABETH W. BAUMGARDT; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE; AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE MADE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsors: Representative Anderson and Senator Neal. Assigned to Finance Committee.

HCRR 57 w HA 2 - RATIFYING THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES GIVING WASHINGTON, D.C., REPRESENTATION IN THE HOUSE OF REPRESENTATIVES AND SENATE OF THE UNITED STATES. Sponsors: Representatives Meconi and Plant and Senator McDowell; Representatives Anderson, Brady, Campanelli, Dixon, Free, George, Holloway, Houghton, Jester, Soles, VanSant; Senators Holloway and Marshall. Assigned to Judiciary Committee.

SB 238 - AN ACT TO AMEND CHAPTER 5, TITLE 7, DELAWARE CODE, RELATING TO A MIGRATORY WATERFOWL STAMP. Sponsor: Senator Sharp. Assigned to Natural Resources and Environmental Control Committee.

SB 239 - AN ACT TO AMEND TITLE 9 AND TITLE 14 OF THE DELAWARE CODE, RELATING TO THE TAX ON MOBILE HOMES. Sponsors: Senators Cook, Minner, Torbert, Vaughn; Representatives Clark, B. Ennis, Buckworth and Quillen. Assigned to Community Affairs Committee

SB 240 - AN ACT TO AMEND CHAPTER 41, PART III, TITLE 9 OF THE DELAWARE CODE RELATING TO KENT COUNTY; AND CONFERRING CERTAIN POWERS UPON THE KENT COUNTY GOVERNMENT. Sponsors: Senator Cook and Representative B. Ennis; Senators Minner, Torbert, Vaughn. Assigned to Community Affairs Committee.

SB 241 - AN ACT TO AMEND CHAPTER 27, PART II, TITLE 10 OF THE DELAWARE CODE RELATING TO CONSTABLES; AND PROVIDING TWENTY SPECIAL CONSTABLES FOR KENT COUNTY. Sponsors: Senators Cook, Minner, Torbert, Vaughn; Representatives Clark, B. Ennis, Outten, Buckworth and Quillen. Assigned to Community Affairs Committee.

SB 242 - AN ACT TO AMEND CHAPTER 83, PART V, TITLE 9 OF THE DELAWARE CODE, RELATING TO THE ANNUAL ASSESSMENT OF ALL ASSESSABLE PROPERTY AND PERSONS. Sponsors: Senators Cook, Minner, Torbert, Vaughn, Zimmerman; Representatives Bennett, Clark, B. Ennis, Outten, Buckworth and Quillen. Assigned to Community Affairs Committee.

SB 243 - AN ACT TO AMEND CHAPTER 3, PART I, TITLE 9 OF THE DELAWARE CODE, RELATING TO APPROPRIATIONS TO THE WOODSHAVEN SCHOOL FOR GIRLS. Sponsors: Senators Cook, Minner, Torbert, Vaughn, Zimmerman; Representatives Clark, B. Ennis, Outten and Buckworth. Assigned to Community Affairs Committee.

SB 244 - AN ACT TO AMEND CHAPTER 23, PART II, TITLE 21 OF THE DELAWARE CODE, BY PERMITTING THE RECEIVER OF TAXES AND COUNTY TREASURER OF KENT COUNTY TO CHARGE A FEE FOR ISSUING LETTER OF CERTIFICATION RELATING TO THE TAX STATUS OF MOBILE HOMES. Sponsors: Senators Cook, Minner, Torbert, Vaughn, Zimmerman; Representatives Bennett, Clark, B. Ennis, Outten, Buckworth and Quillen. Assigned to Community Affairs Committee.

SB 245 - AN ACT TO AMEND CHAPTER 96, PART VI, TITLE 9 OF THE DELAWARE CODE RELATING TO RECORDERS; AND PERMITTING THE KENT COUNTY LEVY COURT TO SET THE FEES FOR THE RECORDER OF DEEDS IN KENT COUNTY. Sponsors: Senators Cook, Minner, Torbert, Vaughn, Zimmerman; Representatives Bennett, Clark, B. Ennis, Outten, Buckworth and Quillen. Assigned to Community Affairs Committee.

SB 246 - AN ACT TO AMEND CHAPTER 43, PART II, TITLE 9 OF THE DELAWARE CODE RELATING TO KENT COUNTY; AND REPEALING THE PROVISION WHICH ALLOWS A KENT COUNTY EMPLOYEE TO BE CONSIDERED A COVERED EMPLOYEE FOR RETIREMENT PURPOSES DURING THE TIME HE IS NOT WORKING DUE TO DISABILITY. Sponsors: Senators Cook, Minner, Torbert, Vaughn, Zimmerman; Representatives Bennett, Clark, B. Ennis and Buckworth. Assigned to Community Affairs Committee.

SB 247 - AN ACT TO AMEND CHAPTER 25, TITLE 12 OF THE DELAWARE CODE RELATING TO THE REGISTER OF WILLS; AND PERMITTING THE KENT COUNTY LEVY COURT TO SET THE FEES FOR THE REGISTER OF WILLS IN KENT COUNTY. Sponsors: Senators Cook, Minner, Torbert, Vaughn, Zimmerman; Representatives Bennett, Clark, B. Ennis, Outten, Buckworth and Quillen. Assigned to Community Affairs Committee.

SB 248 - AN ACT TO AMEND CHAPTER 5, SUBCHAPTER II, TITLE 13 OF THE DELAWARE CODE RELATING TO CIVIL ENFORCEMENT OF THE DUTY OF SUPPORT. Sponsors: Senators Holloway, Knox, Bair; Representatives VanSant and Plant. Assigned to Judiciary Committee.

HB 221 w HA 1 - AN ACT TO AMEND CHAPTER 94, TITLE 16 OF THE DELAWARE CODE RELATING TO THE INCLUSION OF THE COUNCIL ON DEAF EQUALITY ON THE STATE ADVISORY COUNCIL FOR THE COORDINATION OF SERVICES TO THE HANDICAPPED AND PROVIDING FOR TECHNICAL AMENDMENTS RELATED THERETO. Sponsors: Representative Gilligan, Senator Martin. Assigned to Health-Social Services/Aging Committee.

SA 4 to SB 154. Sponsor: Senator McDowell. Placed with the Bill.

SB 220 was reported out of the Health-Social Services/Aging Committee: 4 Merits.

HB 207 w HA 1, 2, 3, 4, 5 was introduced and laid on the table on motion of Senator McDowell:

HB 207 w HA 1, 2, 3, 4, 5 - AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO PODIATRY; AND PROVIDING FOR A BOARD OF PODIATRY. Sponsors: Representatives VanSant, Gilligan, Houghton, Dixon, Maroney, Barnes; Senators Holloway, Marshall and Citro.

SB 154 w SA 2, 3 was lifted from the table for consideration on motion of Senator Connor.

SA 4 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 Cook, Cordrey, Marshall, McDowell, Minner, Sharp, Zimmerman - 7.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Knox, Littleton, Martin, McBride, Neal, Torbert, Vaughn - 13.

NOT VOTING: Senator Holloway - 1.

Therefore, the Amendment was declared defeated.

The roll call vote on SB 154 w SA 2, 3 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, Minner, Neal, Torbert, Vaughn - 18.

NO: Senators Sharp and Zimmerman - 2.

NOT VOTING: Senator McDowell - 1.

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

SB 184 was stricken at the request of the sponsor, Senator Sharp.

Senator McDowell moved that the necessary rules be suspended for lifting HB 207 w HA 1, 2, 3, 4, 5 from the table for consideration.

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

YES: Senators Adams, Cook, Cordrey, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Minner, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Arnold, Bair, Berndt, Citro, Knox, Neal - 6.

NOT VOTING: Senators Connor and Sharp - 2.

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

HB 207 w HA 1, 2, 3, 4, 5 - AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO PODIATRY; AND PROVIDING FOR A BOARD OF PODIATRY.

The privilege of the floor was extended to Paul G. Smith (representing the Podiatry Society) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Neal) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

SCR 61 was introduced and laid on the table on motion of Senator Martin:

SCR 61 - EXTENDING THE TIME FOR THE TASK FORCE STUDYING THE FEASIBILITY OF STATE PURCHASE OF WHITE CREEK VALLEY LAND FROM THE DUPONT COMPANY TO REPORT TO THE GOVERNOR AND THE GENERAL ASSEMBLY. Sponsors: Senators Martin, Neal, Sharp; Representatives Anderson, Oberle, Soles, Petrilli.

At 6:11 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 1, 1983.

The Senate reconvened at 2:18 p.m., June 1, 1983, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 165 w SA 1, 2; HB 143; SB 79; SB 91.

HB 143 was introduced and assigned to Executive Committee:

HB 143 - AN ACT TO AMEND CHAPTERS 33 AND 35 OF TITLE 18, OF THE DELAWARE CODE RELATING TO PAYMENT FOR THE SERVICES OF LICENSED CLINICAL SOCIAL WORKERS AS MENTAL HEALTH PROVIDERS. Sponsors: Representatives VanSant, Senator Holloway; Representatives Brady, B. Ennis, Houghton, Jonkiert, Meconi, Plant.

HB 221 was reported out of the Health-Social Services/Aging Committee: 4 Merits.

The following legislation was introduced:

SB 249 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE JURISDICTION OF THE SUPREME COURT. Sponsors: Senators Sharp, Citro, McDowell, Zimmerman, Vaughn, Minner; Representatives Oberle, Spence, Plant, Jonkiert. Assigned to Judiciary Committee.

SB 250 - AN ACT TO AMEND CHAPTER 42, TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE INSURANCE GUARANTY ASSOCIATION BY REDEFINING THE DEFINITION OF INSOLVENT INSURER. Sponsor: Senator Citro. Assigned to Insurance and Elections Committee.

SB 251 - AN ACT TO AMEND CHAPTERS 1, 3, 5, 9 AND 13, TITLE 10 OF THE DELAWARE CODE RELATING TO THE AWARD OF ATTORNEYS' FEES IN CIVIL PROCEEDINGS. Sponsor: Senator Citro. Assigned to Judiciary Committee.

At 2:25 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 35th Legislative Day.



35TH LEGISLATIVE DAY  
June 1, 1983

The Senate convened at 2:25 p.m., Senator Cordrey 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

A letter from Joann Derrickson Sights was read thanking the Senate for HC 82.

Senator Holloway marked PRESENT.

SR 60 was introduced and considered for adoption on motion of Senator Neal:

SR 60 - COMMENDING PAUL V. KLEMAS OF NEWARK HIGH SCHOOL AND GERHARD F. KUSHA OF DELCASTLE TECHNICAL HIGH SCHOOL, DELAWARE'S WINNERS IN THE JAPAN-U.S. SENATE SCHOLARSHIP PROGRAM.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Citro, Connor, Martin and Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

Senator McDowell marked PRESENT.

SB 198 was taken up for consideration on motion of Senator Minner (acting at the request of the prime sponsor, Senator Cordrey):

SB 198 - AN ACT TO AMEND §6305, TITLE 9, DELAWARE CODE, AS IT RELATES TO SUSSEX COUNTY BUILDING PERMIT FEES.

The roll call vote on the Bill was 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 199 was taken up for consideration on motion of Senator Minner (acting at the request of Senator Cordrey):

SB 199 - AN ACT TO AMEND TITLES 9 AND 10, DELAWARE CODE, RELATING TO SUSSEX COUNTY SHERIFF, PROTHONOTARY, REGISTER IN CHANCERY AND CLERK OF THE PEACE FEES.

The roll call vote on the Bill was 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.

At 2:32 p.m., Lt. Governor Castle presiding.

SB 200 was taken up for consideration on motion of Senator Minner (acting at the request of Senator Cordrey):

SB 200 - AN ACT TO AMEND TITLE 9, DELAWARE CODE, §7002 RELATING TO THE ANNUAL OPERATING BUDGET ORDINANCE AND TO BUDGETS OF REVENUE.

The roll call vote on the Bill was 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 201 was taken up for consideration on motion of Senator Minner (acting at the request of Senator Cordrey):

SB 201 - AN ACT TO AMEND CHAPTER 67, TITLE 9, DELAWARE CODE, RELATING TO THE LIEN OF SERVICE CHARGES ON REAL ESTATE FOR SANITARY SEWER OR WATER DISTRICTS IN SUSSEX COUNTY.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Connor, Holloway, Martin, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 202 was taken up for consideration on motion of Senator Minner (acting at the request of Senator Cordrey):

SB 202 - AN ACT TO AMEND CHAPTERS 65 AND 67, TITLE 9, DELAWARE CODE, RELATING TO THE ISSUANCE OF BONDS BY SUSSEX COUNTY.

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

SB 203 was taken up for consideration on motion of Senator Minner:

SB 203 - AN ACT TO AMEND §7002, TITLE 9, DELAWARE CODE, RELATING TO COUNTY GOVERNMENT.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Connor, Holloway, Martin and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 204 was taken up for consideration on motion of Senator Minner:

SB 204 - AN ACT TO AMEND §7002, TITLE 9, DELAWARE CODE, RELATING TO THE OFFICIAL MAP OF THE COUNTY.

Senator Zimmerman marked PRESENT.

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

SB 205 was taken up for consideration on motion of Senator Adams:  
**SB 205 - AN ACT TO AMEND CHAPTER 69, TITLE 9, DELAWARE CODE, RELATING TO ZONING IN SUSSEX COUNTY.**

Senator Martin marked PRESENT.

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

SB 206 was taken up for consideration on motion of Senator Adams:

**SB 206 - AN ACT TO AMEND CHAPTER 68, TITLE 9, DELAWARE CODE, RELATING TO PLANNING AND ZONING IN SUSSEX COUNTY.**

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

SB 202 was lifted from the table for consideration on motion of Senator Minner.

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

The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Connor and Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 202 w SA 1 was then taken and revealed 18 Senators voting YES , 1 (McDowell) voting NO and 2 (Connor and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 62 w HA 1 was taken up for consideration on motion of Senator Sharp:

**HB 62 w HA 1 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO THE PROHIBITION OF DANGEROUS WEAPONS.**

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.

HB 105 was taken up for consideration on motion of Senator Sharp:

**HB 105 - AN ACT TO AMEND §3104(c), CHAPTER 31, TITLE 10 OF THE DELAWARE CODE RELATING TO PERSONAL JURISDICTION BY ACTS OF NONRESIDENTS.**

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.

HS 1 for HCR 38 was taken up for consideration on motion of Senator Sharp:

**HS 1 for HCR 38 - ESTABLISHING A BLUE-RIBBON TASK FORCE TO EVALUATE TITLE 13, CHAPTERS 5, 6, 7, 15, AND 19 OF THE DELAWARE CODE AND TO PROPOSE REVISIONS AND UPDATING OF SAID CHAPTERS.**

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 returned to the House.

SB 83 was taken up for consideration on motion of Senator Bair:

**SB 83 - 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 BUSINESS.**

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 (Connor and Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 83 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Connor and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 3:10 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 3:55 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Judiciary Committee: SS 1 for SB 129 - 4 Merits; SB 155 - 4 Merits; SB 167 - 4 Merits; SB 219 - 4 Merits; SB 223 - 4 Merits; SB 225 - 4 Merits; SB 226 - 4 Merits; SB 227 - 4 Merits; SB 233 - 1 Favorable, 3 Merits; SB 234 - 4 Merits; SB 236 - 4 Merits; HB 91 w HA 1 - 4 Merits; HB 185 - 4 Merits; HB 186 - 4 Merits.

The following legislation was introduced:

SA 1 to SB 208. Sponsor: Senator Martin. Placed with the Bill.

At 3:56 p.m., Lt. Governor Castle presiding.

SA 2 to SB 50. Sponsor: Senator Minner. Placed with the Bill.

SA 1 to SB 220. Sponsor: Senator McBride. Placed with the Bill.

**SB 252 - AN ACT TO AMEND CHAPTER 85, TITLE 11, DELAWARE CODE, RELATING TO THE DEFINITION OF A CRIMINAL JUSTICE AGENCY.** Sponsor: Senator Marshall. Assigned to Judiciary Committee.

Senator Connor marked PRESENT.

SB 253 - AN ACT TO AMEND CHAPTER 17, TITLE 7, DELAWARE CODE, RELATING TO DOGS RUNNING AT LARGE. Sponsor: Senator Torbert. Assigned to Natural Resources and Environmental Control Committee.

SB 254 - AN ACT TO AMEND CHAPTER 3, TITLE 26, DELAWARE CODE, RELATING TO THE FUEL ADJUSTMENT RATE FOR ELECTRIC UTILITIES. Sponsor: Senator Cordrey. Assigned to Administrative Services/Energy Committee.

SB 178 was taken up for consideration on motion of Senator Marshall:

SB 178 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, TO ELIMINATE THE FINING OF PUBLIC EMPLOYEES AS A DISCIPLINARY MEASURE AND THE REQUIREMENT THAT PUBLIC EMPLOYEES WORK WITHOUT THEIR USUAL REMUNERATION.

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 Marshall and without objection.

SB 208 was taken up for consideration on motion of Senator Martin:

SB 208 - AN ACT TO AMEND TITLE 21, CHAPTER 21, DELAWARE CODE, REGARDING SPECIAL PARKING ID CARDS FOR HANDICAPPED PERSONS.

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 18 Senators voting YES and 3 (Arnold, Bair and Neal) voting NO; therefore, the Amendment was declared adopted.

The roll call vote on SB 208 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 Marshall, the roll call vote on SB 178 was lifted and announced:

YES: Senators Citro, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 11.

NO: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Knox, Littleton, Neal - 10.

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

SB 192 was taken up for consideration on motion of Senator Marshall:

SB 192 - AN ACT TO AMEND CHAPTER 51, TITLE 15, DELAWARE CODE, RELATING TO THE RIGHT OF EMPLOYEES TO VOTE.

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:

YES: Senators Berndt, Citro, Cook, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Zimmerman - 13.

NO: Senators Adams, Arnold, Bair, Connor, Knox, Minner, Vaughn - 7.

ABSENT: Senator Cordrey - 1.

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

SB 23 was taken up for consideration on motion of Senator Torbert:

SB 23 - AN ACT AWARDED 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.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Martin and McBride) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 96 w HA 1 was taken up for consideration on motion of Senator McBride:

HB 96 w HA 1 - AN ACT TO AMEND CHAPTER 10, TITLE 14 OF THE DELAWARE CODE RELATING TO LEASE OF SURPLUS SCHOOL PROPERTY TO STATE AGENCIES.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Knox, Littleton, McBride, Minner, Neal - 12.

NO: Senators Cordrey, Marshall, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 7.

NOT VOTING: Senators Holloway and Martin - 2.

Therefore, the Bill was declared passed by the Senate; however, on motion of Senator McBride, the roll call vote on the Bill was rescinded.

HB 150 was taken up for consideration on motion of Senator McBride:

HB 150 - AN ACT TO AMEND CHAPTER 34, TITLE 14 TO CLARIFY THE EDUCATIONAL BENEFITS FOR DELAWARE NATIONAL GUARD MEMBERS.

At 5:00 p.m., Senator Cordrey presiding.

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 125 was taken up for consideration on motion of Senator Marshall:

SB 125 - AN ACT TO AMEND CHAPTER 25, TITLE 24, DELAWARE CODE, RELATING TO QUALIFICATIONS OF APPLICANTS FOR PHARMACIST LICENSE.

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.

SB 212 was taken up for consideration on motion of Senator Minner:

SB 212 - AN ACT TO AMEND CHAPTER 52, TITLE 30, DELAWARE CODE, RELATING TO EXCLUSION OF CERTAIN MOTOR VEHICLES FROM THE OPERATION OF THE MOTOR FUEL TAX.

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

The following Committee reports were announced:

From the Revenue and Taxation Committee: SB 156 - 3 Merits, 1 Unfavorable.

From the Natural Resources and Environmental Control Committee: HB 130 - 4 Merits.

The following legislation was introduced:

SB 256 - AN ACT TO AMEND CHAPTER 81, PART V, TITLE 9 OF THE DELAWARE CODE; RELATING TO PROPERTY OWNED BY A GOVERNMENTAL, RELIGIOUS, EDUCATIONAL OR CHARITABLE AGENCY. Sponsors: Senators Cook, Minner, Torbert, Vaughn; Representatives Bennett, Clark, B. Ennis, Outten, Buckworth and Quillen. Assigned to Community Affairs Committee.

SB 257 - AN ACT TO AMEND CHAPTER 53, TITLE 30, OF THE DELAWARE CODE RELATING TO TAXATION OF TOBACCO PRODUCTS. Sponsors: Senator Sharp, Representative Dixon. Assigned to Revenue and Taxation Committee.

SB 258 - AN ACT TO AMEND CHAPTER 39, TITLE 7, DELAWARE CODE, RELATING TO USE OF APPROPRIATED MONEY BY THE DIVISION OF SOIL AND WATER CONSERVATION. Sponsors: Senator Adams; Representatives Clendaniel, Barnes, West. Assigned to Natural Resources and Environmental Control Committee.

SA 1 to SB 191. Sponsor: Senator Vaughn. Placed with the Bill.

SA 1 to SB 222. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 230. Sponsor: Senator Minner. Placed with the Bill.

SCR 62 was introduced and considered for adoption on motion of Senator Martin:

SCR 62 - EXTENDING THE TIME FOR THE TASK FORCE STUDYING THE FEASIBILITY OF STATE PURCHASE OF WHITE CLAY CREEK VALLEY LAND FROM THE DUPONT COMPANY TO REPORT TO THE GOVERNOR AND THE GENERAL ASSEMBLY. Sponsors: Senators Martin, Neal, Sharp, Arnold, McBride, Vaughn; Representatives Anderson, Oberle, Soles, 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 sent to the House for consideration.

The following legislation was introduced:

SB 259 - AN ACT TO AUTHORIZE THE DEPARTMENT OF ADMINISTRATIVE SERVICES TO LEASE IN ITS DISCRETION SPACE IN PUBLIC BUILDINGS TO THE DELAWARE STATE EMPLOYEES FEDERAL CREDIT UNION, A COOPERATIVE ASSOCIATION ORGANIZED UNDER THE LAWS OF THE UNITED STATES OF AMERICA. Sponsors: Senator Cook, Representative Cordrey; Senators Cordrey, McDowell, Vaughn, Zimmerman, Berndt; Representatives Bennett, Gilligan. Assigned to Administrative Services/Energy Committee.

SB 260 - AN ACT TO AMEND CHAPTER 7, TITLE 4, DELAWARE CODE, RELATING TO SALES OF ALCOHOLIC LIQUORS. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

At 5:21 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 2, 1983.

The Senate reconvened at 2:16 p.m., June 2, 1983, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 114 w SA 1, HA 1 and adopted HCR 95; HCR 96; HCR 98; HCR 99; HCR 100 and SCR 60.

The President pro Tempore, Senator Cordrey, appointed Senators Minner and Bair as a Committee to consider the above House Resolutions as a Consent Calendar.

SB 114 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 Vaughn.

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

YES: Senators Adams, Bair, Citro, Cook, Cordrey, Knox, Littleton, Marshall, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 16.

ABSENT: Senators Arnold, Berndt, Connor, Holloway, Martin - 5.

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

At 2:25 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 36th Legislative Day.

36TH LEGISLATIVE DAY  
June 2, 1983

The Senate convened at 2:25 p.m., Senator Cordrey 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

Senator Berndt introduced to the Senate students from the Immaculate Heart of Mary School in Wilmington who were present in the Chamber.

SB 107 was stricken on motion of Senator Zimmerman.

SB 231 was taken up for consideration on motion of Senator Zimmerman:

SB 231 - AN ACT TO AMEND CHAPTER 9 AND CHAPTER 11, TITLE 7, DELAWARE CODE, RELATING TO FINFISHING IN TIDAL AND NON-TIDAL WATERS OF THE STATE FOR ALL FINFISH EXCEPT MENHADEN.

During discussion of the Bill and the Amendment offered thereto the privilege of the floor was extended to Bill Wagner (Division of Fish and Wildlife), Charles A. Lesser (Division of Fish and Wildlife), Hans J. Borchardt (Delaware Saltwater Sportfishing Association), Philip A. Messina, Jr. (Delaware Saltwater Sportfishing Association) and Henry Koziski (Delaware Wild Life Association).

At 2:33 p.m., Lt. Governor Castle presiding.

At 2:40 p.m., Senator Cordrey presiding.

At 2:55 p.m., Senator Sharp presiding.

Senators Holloway, Martin and Connor marked PRESENT.

At 4:05 p.m., Senator Cordrey presiding.

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

DELAWARE NATURE EDUCATION SOCIETY  
R.D. #4 - Box 207  
Milford, Delaware 19963  
June 2, 1983

TO MEMBERS OF THE DELAWARE GENERAL ASSEMBLY:

Fisheries legislation now before the General Assembly is only the second time in nearly a century that Delaware has attempted to address the management of its marine finfishery. To overhaul the complicated legal machinery that governs this resource is a difficult and controversial matter which probably will not be done again for some time. For this reason it is important that what is done by this General Assembly be done in a way that meets both the needs of the fisheries resource and the interests of the people who either fish in Delaware or make a living serving the fishing business.

Most important is the matter of the wise use of the fisheries resource. It should be the objective of the State to do its part along with other States and jurisdictions to assure suitable water and rearing grounds for finfish production. I believe Delaware has made great strides in this direction. This has been accomplished largely by the enactment of the State and Federal legislation which has set water quality standards and protected wetlands and bay bottoms. This legislative policy has been implemented by competent scientists.

In a parallel vein it should be the objective of the State to do its part to assure that fish entering the waters of the State or that reside here year round are not overexploited. Chronic over-exploitation is easily done, especially with modern fishing equipment methods. The history of marine fishing is replete with examples. For Delaware to do its part in avoiding this situation, it is absolutely fundamental that when conditions warrant it adequate authority for the full control of the catch rests with the agency charged with management. Unfortunately S.B. 231 in its present state does not do this. Although it provides some regulatory authority to the State Division of Fish and Wildlife, it exempts the potentially most exploitive aspects of fishing from such regulations; and although mention is made for interstate management plans, it appears that the Division of Fish and Wildlife is not provided with authority to change the times and methods for commercial fishing in Delaware either now or in the future.

It is my concern that Delaware meets its environmental needs in a responsible manner as we come into the 21st century. I would urge the General Assembly to make this happen in fisheries management as it has for the other great natural resources of our state. I assume that the General Assembly has been advised that fisheries management by regulation is a common practice and is the method used to manage fisheries in the Atlantic Ocean and the nearby Chesapeake Bay. I am aware that proposals for adequate fishing controls have been drawn up by several groups including the Delaware Wildlife Federation. I would urge that their proposals be given full public hearing and the opportunity to be offered as amendments to S.B. 231 before this important legislation is enacted.

Sincerely,  
Norman G. Wilder, Executive Director

\* \* \* \* \*

At 4:30 p.m., Senator Adams presiding.

Senators McDowell and Arnold marked PRESENT.

SA 1 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 Arnold, Bair, Berndt, Citro, Connor, Cook, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn - 16.

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

ABSENT: Senator Holloway - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 231 w SA 1 was then taken; however, the roll call was laid on the table before being announced on motion of Senator Zimmerman and without objection.

SJR 2 was taken up for consideration on motion of Senator Martin:

SJR 2 - MEMORIALIZING THE NINETY-EIGHTH CONGRESS OF THE UNITED STATES TO OPPOSE ANY EFFORTS TO REDUCE BENEFITS TO SOCIAL SECURITY BENEFICIARIES.

SA 1 to the Resolution which had been placed with the Resolution was taken up for consideration on motion of Senator Martin and the roll call vote taken which revealed 19 Senators voting YES and 2 (Citro and Holloway) ABSENT; therefore, the Amendment was declared adopted.

At 5:21 p.m., Lt. Governor Castle presiding.

The roll call vote on SJR 2 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.

On motion of Senator Minner and without objection, the roll call vote on SB 50 w SA 1, HA 1, 2 was rescinded and the Bill laid on the table.

The following Committee reports were announced:

From the Community Affairs Committee: SB 230 - 2 Favorable, 2 Merits; SB 239 - 4 Merits; SB 240 - 1 Favorable, 3 Merits; SB 241 - 1 Favorable, 3 Merits; SB 242 - 1 Favorable, 3 Merits; SB 243 - 1 Favorable, 3 Merits; SB 244 - 1 Favorable, 3 Merits; SB 245 - 1 Favorable, 3 Merits; SB 246 - 1 Favorable, 3 Merits; SB 247 - 1 Favorable, 3 Merits; SB 256 - 1 Favorable, 3 Merits; HB 198 - 1 Favorable, 3 Merits.

SA 1 to SB 230 was stricken at the request of the sponsor, Senator Minner.

SA 1 to SB 222 was stricken at the request of the sponsor, Senator Holloway.

At 5:29 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 7, 1983.

The Senate reconvened at 2:13 p.m., June 6, 1983, Senator Cordrey presiding.

The following legislation was introduced:

SB 255 - AN ACT TO AMEND TITLES 10, 11, 13, 16, 29 AND 31 OF THE DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES. Sponsors: Senators McDowell, Bair, Vaughn, Marshall, Connor, Berndt, Holloway, Martin, Minner, Neal, Sharp, Zimmerman; Representatives Anderson, Bennett, Campanelli, George, Gilligan, Jester, Jonkiert, Meconi, Plant, Roy, Smith, Soles, Spence, VanSant, West. Assigned to Administrative Services/Energy Committee.

SB 261 - AN ACT CONCURRING IN A PROPOSED 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. Sponsor: Senator Cordrey. Assigned to Executive Committee.

SB 262 - AN ACT TO AMEND TITLE 11, TITLE 14, AND TITLE 31 OF THE DELAWARE CODE RELATING TO CERTAIN SEXUAL OFFENSES. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 263 - AN ACT TO AMEND CHAPTER 69, TITLE 29, DELAWARE CODE, RELATING TO PUBLIC WORKS CONTRACTS. Sponsors: Senators McDowell, Torbert, Martin, Berndt; Representatives Anderson, Barnes, Roy, Clendaniel. Assigned to Labor and Industrial Relations Committee.

SA 1 to HB 96. Sponsor: Senator Bair. Placed with the Bill.

SA 2 to HB 96. Sponsor: Senator Sharp. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 182 w HA 1; HB 215; SB 188 and adopted SJR 2 w SA 1.

The following legislation was introduced:

HB 182 w HA 1 - AN ACT TO AMEND CHAPTER 27, TITLE 21, OF THE DELAWARE CODE RELATING TO LICENSE QUALIFICATION. Sponsors: Representatives Mack, Dixon, Houghton; Senator Connor. Assigned to Public Safety Committee.

HB 215 - AN ACT TO AMEND CHAPTER 61, TITLE 21 OF THE DELAWARE CODE RELATING TO CIVIL LIABILITY FOR NEGLIGENCE RESULTING IN INJURY TO PASSENGERS OF VEHICLES. Sponsors: Representatives Brady, Campanelli, Gilligan, Mack, Meconi, Roy; Senator McBride. Assigned to Public Safety Committee.

SA 1 to SB 170 Sponsor: Senator Vaughn. Placed with the Bill.

SCR 63 was introduced and considered for adoption on motion of Senator Holloway:

SCR 63 - EXTENDING CONGRATULATIONS TO EDWARD S. G. DENNIS, JR. ON BECOMING THE FIRST BLACK U.S. ATTORNEY IN EASTERN PENNSYLVANIA. Sponsors: Senator Holloway; Representatives Quillen and Buckworth.

The roll call vote on the Resolution was taken and revealed 13 Senators voting YES and 8 (Citro, Connor, Littleton, Martin, McDowell, Minner, Torbert, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

At 2:20 p.m., Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Agriculture Committee: SB 218 - 5 Merits.

From the Revenue and Taxation Committee: SB 257 - 5 Merits.

At 2:20 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 37th Legislative Day.

37th Legislative Day

June 7, 1983

The Senate convened at 2:20 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

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

STATE OF DELAWARE

Office of the Governor

June 7, 1983

To the Senate of the 132nd 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: Frederick N. VanSant, 308 Mimosa Avenue, Dover, Delaware, to be appointed as Secretary of the Department of Administrative Services to serve at the Pleasure of the Governor

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

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STATE OF DELAWARE

Office of the Governor

June 7, 1983

To the Senate of the 132nd 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: Honorable Vincent J. Poppiti, No. 1 Imperial Drive, Wilmington, Delaware, to be appointed a Judge of the Superior Court of the State of Delaware for a term of 12 years to fill a vacancy

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\*\*\*\*\*  
STATE OF DELAWARE  
Office of the Governor  
June 7, 1983

To the Senate of the 132nd 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: Honorable Joshua W. Martin, 4619 Big Rock Road, Wilmington, Delaware, to be appointed as Resident Judge of the Superior Court for New Castle County of the State of Delaware for a term of 12 years to fill a vacancy

Your consideration of this nomination will be appreciated.

Sincerely,  
Pierre S. duPont, Governor

\*\*\*\*\*  
Senators Marshall, McDowell and Zimmerman marked PRESENT.  
HJR 6 was taken up for consideration on motion of Senator Marshall:  
HJR 6 - RELATING TO COLLECTIVE BARGAINING AS IT AFFECTS RULES ADOPTED BY THE STATE PERSONNEL COMMISSION.

During discussion of the Resolution the privilege of the floor was extended to Thomas L. Little; Vance E. Sulsky (Delaware Public Employees Council #81) and John Dillman (State Personnel Director).

Senator Connor marked PRESENT.

At 3:05 p.m., few minutes recess to change tape.

Senator Martin marked PRESENT.

The roll call vote on HJR 6 was then taken and revealed:

YES: Senators Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 11.

NO: Senators Adams, Arnold, Bair, Berndt, Cook, Knox, Littleton, Neal - 8.

NOT VOTING: Senators Citro and Connor - 2.

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

At 4:21 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:45 p.m., Senator Cordrey presiding.

SB 258 was reported out of the Natural Resources and Environmental Control Committee: 6 Merits.

SB 239 was taken up for consideration on motion of Senator Cook:

SB 239 - AN ACT TO AMEND TITLE 9 AND TITLE 14 OF THE DELAWARE CODE, RELATING TO THE TAX ON MOBILE HOMES.

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

SB 247 was taken up for consideration on motion of Senator Cook:

SB 247 - AN ACT TO AMEND CHAPTER 25, TITLE 12 OF THE DELAWARE CODE RELATING TO THE REGISTER OF WILLS; AND PERMITTING THE KENT COUNTY LEVY COURT TO SET THE FEES FOR THE REGISTER OF WILLS IN KENT COUNTY.

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 256 was taken up for consideration on motion of Senator Cook:

SB 256 - AN ACT TO AMEND CHAPTER 81, PART V, TITLE 9 OF THE DELAWARE CODE: RELATING TO PROPERTY OWNED BY A GOVERNMENTAL, RELIGIOUS, EDUCATIONAL OR CHARITABLE AGENCY.



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 240 was taken up for consideration on motion of Senator Cook:

SB 240 - AN ACT TO AMEND CHAPTER 41, PART III, TITLE 9 OF THE DELAWARE CODE RELATING TO KENT COUNTY; AND CONFERRING CERTAIN POWERS UPON THE KENT COUNTY GOVERNMENT.

The privilege of the floor was extended to Robert W. O'Brien (Kent County Levy Court) after which the Bill was laid on the table on motion of Senator Cook.

SB 241 was taken up for consideration on motion of Senator Cook:

SB 241 - AN ACT TO AMEND CHAPTER 27, PART II, TITLE 10 OF THE DELAWARE CODE RELATING TO CONSTABLES; AND PROVIDING TWENTY SPECIAL CONSTABLES FOR KENT COUNTY.

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 242 was taken up for consideration on motion of Senator Cook:

SB 242 - AN ACT TO AMEND CHAPTER 83, PART V, TITLE 9 OF THE DELAWARE CODE, RELATING TO THE ANNUAL ASSESSMENT OF ALL ASSESSABLE PROPERTY AND PERSONS.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Neal and Zimmerman) voting NO; 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 Cook:

SB 243 - AN ACT TO AMEND CHAPTER 3, PART I, TITLE 9 OF THE DELAWARE CODE, RELATING TO APPROPRIATIONS TO THE WOODSHAVEN SCHOOL FOR GIRLS.

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 244 was taken up for consideration on motion of Senator Cook:

SB 244 - AN ACT TO AMEND CHAPTER 23, PART II, TITLE 21 OF THE DELAWARE CODE, BY PERMITTING THE RECEIVER OF TAXES AND COUNTY TREASURER OF KENT COUNTY TO CHARGE A FEE FOR ISSUING LETTER OF CERTIFICATION RELATING TO THE TAX STATUS OF MOBILE HOMES.

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

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

SB 245 - AN ACT TO AMEND CHAPTER 96, PART VI, TITLE 9 OF THE DELAWARE CODE RELATING TO RECORDERS; AND PERMITTING THE KENT COUNTY LEVY COURT TO SET THE FEES FOR THE RECORDER OF DEEDS IN KENT COUNTY.

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 246 was taken up for consideration on motion of Senator Cook:

SB 246 - AN ACT TO AMEND CHAPTER 43, PART II, TITLE 9 OF THE DELAWARE CODE RELATING TO KENT COUNTY; AND REPEALING THE PROVISION WHICH ALLOWS A KENT COUNTY EMPLOYEE TO BE CONSIDERED A COVERED EMPLOYEE FOR RETIREMENT PURPOSES DURING THE TIME HE IS NOT WORKING DUE TO DISABILITY.

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

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, Martin, McBride, Minner, Torbert, Vaughn, Zimmerman - 17.

NO: Senators McDowell, Neal, Sharp - 3.

ABSENT: Senator Arnold - 1.

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

SB 240 was lifted from the table for consideration on motion of Senator Cook.

The privilege of the floor was extended to Senate Attorneys Gary Dalton and Henry Ridgely after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, McBride, Minner, Neal, Torbert, Vaughn, Zimmerman - 16.

NOT VOTING: Senators Arnold, Marshall, Martin, McDowell, Sharp - 5.

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

SB 222 was taken up for consideration on motion of Senator Holloway:

SB 222 - AN ACT TO AMEND TITLES 9 AND 22 OF THE DELAWARE CODE RELATING TO ZONING REQUIREMENTS FOR FACILITIES FOR DEVELOPMENTALLY DISABLED PERSONS.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Berndt and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to O. T. George, representing the Delaware Association of Retarded Citizens after which the roll call vote on SB 222 w SA 2 was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Holloway, Knox, Littleton, Martin, McBride, Minner, Neal, Sharp, Torbert - 15.

NO: Senators Cook, Cordrey, McDowell, Vaughn, Zimmerman - 5.

NOT VOTING: Senator Marshall - 1.

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

SB 228 was taken up for consideration on motion of Senator Holloway:

SB 228 - AN ACT TO AMEND CHAPTER 17, TITLE 24, DELAWARE CODE, RELATING TO DISCIPLINARY ACTION AGAINST PHYSICIANS AND MEMBERSHIP ON THE BOARD OF MEDICAL PRACTICE.

The privilege of the floor was extended to Edward F. Kafader, representing the Attorney General 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 sent to the House for consideration.

On motion of Senator Holloway and without objection, the roll call vote on SCR 63 was rescinded and the Resolution stricken.

SCR 64 was introduced and considered for adoption on motion of Senator Zimmerman:

SCR 64 - EXTENDING CONGRATULATIONS TO EDWARD S. G. DENNIS JR. ON BECOMING THE FIRST BLACK U. S. ATTORNEY IN EASTERN PENNSYLVANIA. Sponsors: Senators Zimmerman, Holloway, Torbert; Representatives Outten, Bennett, Quillen, 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.

SR 61 was introduced and considered for adoption on motion of Senator Arnold:

SR 61 - CONGRATULATING THE DICKINSON HIGH SCHOOL RAMS SOFTBALL TEAM ON WINNING THEIR SECOND CONSECUTIVE STATE CHAMPIONSHIP. Sponsors: Senators Arnold and Sharp.

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

At 6:30 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 8, 1983.

The Senate reconvened at 2:05 p.m., June 8, 1983, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 247; HB 170; HB 226; HB 94 w HA 1 HB 154; HB 219 SB 173 w SA 1; HB 220; HB 163 and adopted SCR 57 and SCR 52.

The following legislation was introduced:

HB 247 - AN ACT TO AMEND CHAPTER 15, SUBCHAPTER I, TITLE 9, OF THE DELAWARE CODE RELATING TO THE SALE OF SURPLUS COUNTY LANDS. Sponsor: Representative Gilligan. Assigned to Judiciary Committee.

HB 94 w HA 1 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO THE TERM OF OFFICE OF SHERIFF FOR KENT AND SUSSEX COUNTIES. Sponsor: Representative Bennett. Assigned to Executive Committee.

HB 163 - AN ACT TO AMEND CHAPTER 11, TITLE 28 OF THE DELAWARE CODE EXEMPTING CERTAIN NON-PROFIT ORGANIZATIONS FROM THE REQUIREMENT OF FILING AFTER OCCASION BINGO REPORTS. Sponsors: Representatives Wingate and Barnes. Assigned to Community Affairs Committee.

HB 170 - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO ASSISTING RESTAURANT OWNERS IN THE CONTROL OF ILLEGAL SALE OF ALCOHOL TO PERSONS UNDER THE AGE OF 20. Sponsors: Representatives VanSant, Davis, Dixon, B. Ennis, Houghton, Maroney; Senators Adams, Neal, Sharp, Vaughn. Assigned to Community Affairs Committee.

HB 220 - AN ACT AMENDING TITLE 17 OF THE DELAWARE CODE RELATING TO THE MAINTENANCE OF UNUSED OR UNOCCUPIED AUTOMOTIVE SERVICE STATIONS. Sponsors: Representatives B. Ennis, Anderson, Jester, Oberle; Senators Minner, Vaughn. Assigned to Community Affairs Committee.

HB 226 - AN ACT TO AMEND CHAPTER 56, TITLE 29, DELAWARE CODE, RELATING TO JUDICIAL PENSIONS. Sponsors: Representatives Maroney, Soles, Anderson, Fallon, Free, Roy, Smith; Senators Neal, Holloway, McBride, McDowell, Minner. Assigned to Finance Committee.

SB 264 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, BY ADDING THERETO A DELAWARE BALANCED GROWTH POLICY ACT. Sponsor: Senator Marshall. Assigned to Community Affairs Committee.

SB 265 - AN ACT TO AMEND CHAPTER 35, TITLE 10 OF THE DELAWARE CODE RELATING TO ATTACHMENT AND GARNISHMENT. Sponsors: Senator Adams; Representative Terry. Assigned to Judiciary Committee.

SB 266 - AN ACT TO AMEND SUBCHAPTER V, CHAPTER 11, TITLE 24, OF THE DELAWARE CODE RELATING TO RECORDS SUBMITTED TO AND RECORDS AND PROCEEDINGS OF COMMITTEES OR ORGANIZATIONS REVIEWING DENTAL RECORDS AND DENTISTS' WORK. Sponsor: Senator Zimmerman. Assigned to Health-Social Services/Aging Committee.

SB 267 - AN ACT TO AMEND CHAPTER 10, TITLE 14, DELAWARE CODE, RELATING TO THE QUALIFICATIONS OF VOTERS IN SCHOOL ELECTIONS. Sponsors: Senators McBride, Bair, Torbert; Representatives Jester, Free, Roy, Campanelli. Assigned to Insurance and Elections Committee. The Bill was then reassigned to Education Committee.

SB 269 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV, SECTION 3 OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE JUDICIARY. Sponsors: Senator Adams, Representative Barnes. Assigned to Judiciary Committee.

SB 270 - AN ACT TO AMEND CHAPTER 21, TITLE 21, OF THE DELAWARE CODE, TO PROVIDE FOR THE ISSUANCE OF SPECIAL LICENSE PLATES TO FORMER PRISONERS OF WAR. Sponsor: Senator Cordrey. Assigned to Public Safety Committee.

SB 271 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, TO PROVIDE FOR A DEDUCTION ON MOTOR VEHICLE DOCUMENT FEE PAID. Sponsor: Senator Holloway. Assigned to Public Safety Committee.

SB 272 - AN ACT TO AMEND CHAPTER 7, PART I, TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES; AND PROVIDING FOR CERTAIN REQUIREMENTS IN THE TERMINATION OF AN EMPLOYEE'S SERVICES. Sponsor: Senator Sharp (by request). Assigned to Labor and Industrial Relations Committee.

SA 2 to SB 138. Sponsor: Senator Cordrey. Placed with the Bill.

SA 1 to SB 193. Sponsor: Senator Sharp. Placed with the Bill.

SA 1 to SB 81. Sponsor: Senator Sharp. Placed with the Bill.

The following Committee reports were announced:

From the Judiciary Committee: SB 126 - 4 Merits; SB 249 - 4 Merits; SB 252 - 1 Favorable, 3 Merits; SB 262 - 4 Merits.

Senator Cordrey introduced to the Senate, Mrs. Sally Oberle (Greater Newark Republican Women's Club). At the request of Senator Cordrey, the privilege of the floor was extended to Mrs. Oberle to address the Senate.

SR 62 was introduced and considered for adoption on motion of Senator Knox:

SR 62 - MOURNING THE DEATH OF FORMER SENATOR DEAN C. STEELE. Sponsors: Senator Knox and all the Senators.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Connor, Holloway and Martin) ABSENT; therefore, the Resolution was declared adopted.

SCR 65 was introduced and considered for adoption on motion of Senator Bair:

SCR 65 - COMMENDING BRANDYWINE HIGH SCHOOL ON BEING CHOSEN ONE OF 200 FINALISTS AMONG EXEMPLARY SECONDARY SCHOOLS IN THE UNITED STATES. Sponsors: Senators Bair, Knox, Berndt; Representatives Smith, Boykin, Maroney.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Connor, Holloway, Martin, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The following legislation was introduced:

HB 154 - AN ACT TO AMEND CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, AS AMENDED, ALSO KNOWN AS "AN ACT REVISING THE PRIOR CHARTER OF THE CITY OF REHOBOTH BEACH AND ESTABLISHING A NEW CHARTER THEREFOR AND PRESCRIBING THE POWERS AND THE DUTIES OF THE COMMISSIONERS OF REHOBOTH BEACH" RELATING TO THE POLICE FORCE; RELATING TO THE AREA FROM WHICH ALDERMEN OR ASSISTANT ALDERMEN MAY BE SELECTED; AND RELATING TO BONDED INDEBTEDNESS. Sponsors: Representative Wingate, Senator Cordrey. Assigned to Community Affairs Committee.

HB 219 - AN ACT TO AMEND CHAPTER 63, TITLE 29 OF THE DELAWARE CODE TO CHANGE THE COMPOSITION OF THE BUDGET COMMISSION. Sponsor: Representative Clark. Assigned to Finance Committee.

SB 268 - AN ACT CONCERNING NORTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT FOR THE PURPOSE OF ENACTING ON THE PART OF THIS STATE A COMPACT PURSUANT TO STATE AND FEDERAL LAW FOR THE INTERSTATE MANAGEMENT OF LOW-LEVEL RADIOACTIVE WASTE TO BE CALLED THE "NORTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT"; DEFINING CERTAIN TERMS; PROVIDING FOR CERTAIN RIGHTS, RESPONSIBILITIES, AND OBLIGATIONS OF THE PARTY STATES; CREATING A NORTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE COMMISSION; PROVIDING FOR THE MEMBERSHIP OF THE COMMISSION; ESTABLISHING PROCEDURES, A BUDGETARY SYSTEM, AND INITIAL FUNDING OF THE COMMISSION; ESTABLISHING THE POWERS AND DUTIES OF THE COMMISSION; PROVIDING FOR A HOST STATE SELECTION PROCESS FOR THE DEVELOPMENT AND OPERATION OF REGIONAL FACILITIES; PROVIDING FOR CERTAIN FEES AND SURCHARGES; PROVIDING FOR THE CLOSURE OF A REGIONAL FACILITY UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR THE REPEAL OF CERTAIN STATE AND LOCAL LAWS AND REGULATIONS; PROHIBITING THE ENACTMENT OF CERTAIN STATE AND LOCAL LAWS AND REGULATIONS; PROVIDING A LIST OF INITIALLY ELIGIBLE STATES; PROVIDING FOR AN EXPIRATION DATE OF INITIAL ELIGIBILITY; PROVIDING FOR CONGRESSIONAL REVIEW AND RATIFICATION; PROVIDING FOR WITHDRAWAL FROM THE COMPACT; PROVIDING FOR TERMINATION OF THE COMPACT; PROVIDING FOR ENFORCEMENT OF THE PROVISIONS OF THE COMPACT; PROVIDING CERTAIN PROHIBITIVE ACTS; PROVIDING FOR COMPENSATION AND CLEANUP DURING A REGIONAL FACILITY'S OPERATION AND POST-CLOSURE PERIOD; ESTABLISHING A COMMISSION COMPENSATION AND CLEANUP FUND OR INSURANCE ENTITY; PROVIDING FOR UTILIZATION OF THE FUND OR INSURANCE ENTITY UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR CLAIMS OR SUITS AGAINST THE FUND; PROVIDING FOR RECOVERY FOR DAMAGES; PROVIDING FOR THE SEVERABILITY OF THIS ACT; AND GENERALLY RELATING TO THE NORTHEAST INTERSTATE LOW-LEVEL

**RADIOACTIVE WASTE MANAGEMENT COMPACT.** Sponsors: Senators Zimmerman, Berndt, Knox, Cordrey, Minner; Representatives Terry, Bunting, Smith. Assigned to Natural Resources and Environmental Control Committee.

At his request, Senator McBride was added as a co-sponsor of SB 268.

At 2:31 p.m., Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Executive Committee: SB 261 - 5 Merits.

From the Community Affairs Committee: HB 118 w HA 1 - 3 Merits.

At 2:33 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 38th Legislative Day.

**38TH LEGISLATIVE DAY  
June 8, 1983**

The Senate convened at 2:33 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 21.

The Journal of the previous day was approved as read on motion of Senator Sharp.

Senator Cook marked PRESENT.

HB 97 was taken up for consideration on motion of Senator Marshall, acting as floor manager of the Bill at the request of Senator Sharp:

HB 97 - AN ACT TO AMEND CHAPTERS 11 AND 29, TITLE 18 OF THE DELAWARE CODE, RELATING TO INSURANCE; AND PROVIDING FOR A STANDARD NON-FORFEITURE AND VALUATION LAW.

Senators Connor and McDowell marked PRESENT.

The privilege of the floor was extended to Anthony T. Spano (American Council of Life Insurance) after which 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.

SB 181 was taken up for consideration on motion of Senator Torbert:

SB 181 - AN ACT TO AMEND CHAPTER 31, TITLE 16, DELAWARE CODE, RELATING TO DISCLOSURE OF RECORDS.

The privilege of the floor was extended to Raymond W. Dill of Dover, Delaware; Michael L. Richards (Vital Statistics Office) and Donald Cowan (Division of Public Health).

At 3:11 p.m. short recess to change tape.

The Bill was laid on the table on motion of Senator Torbert without objection.

At 3:32 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:39 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Executive Committee: SR 44 - 4 Merits; SR 52 - 2 Favorable, 4 Merits; HB 194 - 1 Favorable, 5 Merits; Joshua Martin - 4 Favorable, 1 Merits; Vincent J. Poppiti - 5 Favorable, Frederick VanSant - 5 Favorable.

From the Revenue and Taxation Committee: SB 158 - 4 Merits.

The following legislation was introduced:

SB 273 - AN ACT TO AMEND CHAPTER 27, TITLE 24 OF THE DELAWARE CODE, RELATING TO PROFESSIONAL LAND SURVEYORS. Sponsors: Senator Cordrey, Representative Wingate. Assigned to Administrative Services/Energy Committee.

SB 274 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE FAMILY COURT. Sponsors: Senators McDowell, Vaughn, Berndt; Representatives Bennett, Jonkiert, Houghton, Barnes, Spence. Assigned to Judiciary Committee.

SA 2 to SB 220. Sponsor: Senator McBride. Placed with the Bill.

SR 63 was introduced and considered for adoption on motion of Senator Holloway:

SR 63 - REQUESTING THE SUPPORT OF THE DELAWARE CONGRESSIONAL DELEGATION FOR SENATE JOINT RESOLUTION 56 OF THE 98TH CONGRESS WHICH DESIGNATES AUGUST 1983 AS "NATIONAL CHILD SUPPORT ENFORCEMENT MONTH." Sponsor: 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.

SB 50 w SA 1, HA 1, 2 was lifted from the table for consideration on motion of Senator Minner.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Minner and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 50 w SA 1, 2, HA 1, 2 was then taken and revealed 20 Senators voting YES and 1 (Cordrey) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration of SA 2.

SB 119 was taken up for consideration on motion of Senator Torbert:

SB 119 - AN ACT TO AMEND CHAPTER 9, TITLE 4, DELAWARE CODE, RELATING TO ALCOHOLIC BEVERAGES OFFENSES INVOLVING MINORS.

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 20 Senators voting YES and 1 (McDowell) voting NO; therefore, the Amendment was declared adopted.

At 4:53 p.m., Senator Adams presiding.

The privilege of the floor was extended to Frederick N. VanSant (Delaware Alcohol Beverage Control Commission), and Gary Dalton (Senate Attorney).

At 5:28 p.m., Lt. Governor Castle presiding.

The roll call vote on SB 119 w SA 1 was then taken and revealed:

YES: Senators Arnold, Bair, Berndt, Connor, Knox, Littleton, Martin, McBride, Neal - 9.

NO: Senators Adams, Cook, Cordrey, Holloway, Marshall, McDowell, Minner, Sharp, Vaughn - 9.

NOT VOTING: Senators Citro, Torbert, Zimmerman - 3.

Therefore, the Bill was declared defeated.

The following Committee reports were announced:

From the Administrative Services/Energy Committee: SB 255 - 6 Favorable, 1 Merits; SB 259 - 7 Merits.

From the Finance Committee: HB 31 - 6 Merits.

SCR 48 and SB 133 were stricken at the request of the sponsor, Senator Marshall.

On motion of Senator Adams and without objection, SB 269 was removed from the Judiciary Committee and laid on the table.

At 6:02 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 9, 1983.

The Senate reconvened at 2:22 p.m., June 9, 1983, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 214 w HA 1 and adopted HCN 101; HCN 102; HCN 103; HCN 104; HCN 105; HCN 106; HCN 109; HCN 110; SCR 65; SCR 64.

The following legislation was introduced:

SB 275 - AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO THE MANDATORY RETIREMENT AGE FOR STATE EMPLOYEES. Sponsors: Senator Adams; Representatives Bennett, Jonkiert; Senators Berndt, Holloway; Representatives Clendaniel, Barnes, B. Ennis, Smith, Clark, Cordrey, Maroney, Jester, Plant, Brady, Fallon, Campanelli, West. Assigned to Finance Committee.

SB 276 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO CERTAIN AUTOMOBILE WARRANTIES. Sponsors: Senators Arnold, Sharp, Neal. Assigned to Public Safety Committee.

SA 1 to SB 255 and SA 2 to SB 255. Sponsor: Senator Bair. Placed with the Bill.

HCN 101; HCN 102; HCN 103; HCN 104; HCN 105; HCN 106; HCN 109 and HCN 110 were laid on the table to be placed on the Consent Calendar.

HB 214 w HA 1 - AN ACT TO AMEND CHAPTER 50, TITLE 29 OF THE DELAWARE CODE RELATING TO THE HIRING OF DELAWARE RESIDENTS FOR PROJECTS FINANCED UNDER THE DELAWARE ECONOMIC DEVELOPMENT AUTHORITY. Sponsors: Representatives Clark, Barnes, Buntin, Campanelli, Clendaniel, Cordrey, Corrozi, Davis, B. Ennis, Gilligan, Hebner, Houghton, Jester, Jonkiert, Outten, Plant, Smith, VanSant, Wingate; Senators Cook, Holloway, Martin, Minner, Vaughn, Zimmerman. Assigned to Labor and Industrial Relations Committee.

SB 271 was reassigned at the request of Senator Holloway (and without objection) from the Public Safety to the Finance Committee.

The following Committee reports were announced:

From the Public Safety Committee: SB 270 - 4 Merits; HB 215 - 5 Merits.

SR 64 was introduced and considered for adoption on motion of Senator Bair:

SR 64 - WISHING NANCY HOUSTON AND GRETCHEN CHAMBERS, SENATORIAL ASSISTANTS DURING THE 132ND GENERAL ASSEMBLY, THE BEST OF LUCK IN THEIR COLLEGE CAREERS. Sponsors: Senators Bair and Knox.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Connor, Holloway and Martin) ABSENT; therefore, the Resolution was declared adopted.

At 2:29 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 39th Legislative Day.

39TH LEGISLATIVE DAY  
June 9, 1983

The Senate convened at 2:29 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, Knox, Littleton, Marshall, Martin, McBride, McDowell, Minner, 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 Adams, the Governor's nomination for appointment of Frederick N. VanSant was taken up for consideration and the roll call vote taken which revealed 19 Senators voting YES and 2 (Connor and Holloway) ABSENT; therefore, the appointment was declared confirmed.

Senator Holloway marked PRESENT.

On motion of Senator Adams, the Governor's nomination for appointment of Honorable Joshua W. Martin was taken up for consideration and the roll call vote taken which revealed 19 Senators voting YES and 2 (Connor and Sharp) ABSENT; therefore, the appointment was declared confirmed.

SB 255 was taken up for consideration on motion of Senator McDowell:

SB 255 - AN ACT TO AMEND TITLES 10, 11, 13, 16, 29 AND 31 OF THE DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES.

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

SA 2 to the Bill which had been placed with the Bill was laid on the table on motion of the sponsor, Senator Bair.

At 2:45 p.m., Lt. Governor Castle presiding.

The Bill was laid on the table on motion of Senator McDowell.

The Bill was then again lifted from the table for further discussion.

SA 1 to the Bill was lifted from the table for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Amendment was declared adopted.

SA 2 to the Bill was lifted from the table for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 255 w SA 1, 2 was then taken; however, the roll call was laid on the table before being announced on motion of Senator McDowell.

Senator Martin moved that the necessary rules be suspended for the purpose of considering SB 196 without a fiscal note.

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

YES: Senators Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 8.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Minner, Neal - 13.

Therefore, the motion was defeated and the Bill was laid on the table on motion of Senator Martin.

On motion of Senator Martin, the roll call vote on SB 255 w SA 1, 2 was lifted and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

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

SB 220 - AN ACT TO AMEND CHAPTER 25, PART II, TITLE 16 OF THE DELAWARE CODE RELATING TO A PATIENT'S RIGHT TO TERMINATE TREATMENT.

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 20 Senators voting YES and 1 (Marshall) 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 McBride and the roll call vote taken which revealed 20 Senators voting YES and 1 (Marshall) ABSENT; therefore, Amendment was declared adopted.

The roll call vote on SB 220 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.

The following letter from the Governor was read:

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR  
June 9, 1983

The Honorable Michael N. Castle  
President of the Senate  
132nd General Assembly of the State of Delaware  
Dover, Delaware 19901