

Matushefske, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 38.

ABSENT: Representatives Holloway, Maroney, Morris - 3.

Therefore, having received a constitutional majority, HB 390 was sent to the Senate for concurrence.

Representative Minner brought HB 420 before the House for consideration.

HB 420 - An Act to Amend Chapter 71, Title 16 of the Delaware Code, Relating to Sporting Grade of Propellant Type Black Powder.

The roll call on HB 420 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, McKay, Minner, Neal, Oberle, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, Mr. Speaker Ferguson - 37.

ABSENT: Representatives Maroney, Morris, Petrilli, West - 4.

Therefore, having received a constitutional majority, HB 420 was sent to the Senate for concurrence.

Representative Matushefske brought HB 435 - HA 1 before the House for consideration.

Representative Matushefske requested and was granted the privilege of the floor for Ms. Heide McWharff from the Christian Science Church.

HA 1 to HB 435 was adopted by voice vote.

Representative Matushefske moved to place HB 435 w/HA 1 on the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Sincok rose on a point of order.

Representative Bennett brought HB 192 - HA 1 before the House for consideration.

HB 192 - An Act to Amend Chapter 25, Title 24, Delaware Code, Relating to the Practice of Pharmacy.

Representative Bennett brought HA 1 before the House for consideration. HA 1 to HB 192 was adopted by voice vote.

Representative Matushefske moved to place HB 192 w/HA 1 on the Speaker's table. The motion was seconded by Representative Jonkiert.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Cathcart, Clendaniel, Connor, Fallon, Gilligan, Harrington, Hebner, Loughney, Matushefske, McBride, McKay, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincok, Smith - 20.

NO: Representatives Anderson, Bennett, Burris, Cain, Darling, Gordy, Jonkiert, Kelly, Maxwell, Minner, Vernon, West - 12.

NOT VOTING: Representatives T. Brady, W. Brady, Mr. Speaker Ferguson - 3.

ABSENT: Representatives Free, George, Holloway, Maroney, Morris, Plant - 6.

Therefore, not having received a constitutional majority, the motion was defeated and HB 192 w/HA 1 remained before the House.

Representative McBride moved to recommit HB 192 w/HA 1 to the Health and Social Services Committee. The motion was seconded by Representative Matushefske.

The roll call on the motion was taken and revealed:

YES: Representatives Clendaniel, McBride - 2.

NO: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 36.

ABSENT: Representatives Free, Maroney, Morris - 3.

Therefore, not having received a constitutional majority, the motion was defeated and HB 192 w/HA 1 remained before the House.

The roll call on HB 192 w/HA 1 was taken and revealed:

YES: Representatives Bennett, Cain, Clendaniel, Darling, Gordy, Holloway, Loughney, Neal, Vernon - 9.

NO: Representatives Ambrosino, T. Brady, W. Brady, Burris, Cathcart, Connor, George, Gilligan, Harrington, Hebner, Jonkiert, Kelly, Matushefske, Maxwell, McBride, McKay, Minner, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, West, Mr. Speaker Ferguson - 27.

NOT VOTING: Representatives Anderson, Fallon - 2.

ABSENT: Representatives Free, Maroney, Morris - 3.

Therefore, not having received a constitutional majority, HB 192 w/HA 1 was declared defeated.

Representative W. Brady introduced and brought SCR 34, co-sponsored by Senators McDowell and Holloway and Representative W. Brady, before the House for consideration.

SCR 34 - Convening a Special Joint Session of the Senate and House Energy Committees to Investigate Reports of Price-Gouging and Monopolistic Practices in the Home Heating Fuel Oil Business.

Representative Sincok rose on a point of order.

Representative Maxwell moved to place SCR 34 on the Speaker's table. The motion was seconded by Representative McBride and adopted by voice vote.

Representative Plant brought SB 110 before the House for consideration.

SB 110 - An Act to Amend an Act Being Chapter 34, Volume 58, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Blades: to Eliminate the Qualification of Being a Free-Holder for Mayor and Town Councilman, to Reduce the Length of Residence for the Mayor and Councilman, to Eliminate the Payment of Taxes as a Qualification for Mayor and Town Councilman, to Make the Word "Freeholder" Applicable to All Sections of the Charter, to Reduce the Age for Voting in the Annual Municipal Election to Eighteen (18) Years, to Allow Vacancies to Be Filled by the Remaining Members of the Town Council, to Eliminate Qualification of Being a Freeholder for the Assessor and to Allow the County Assessment to be the Town Assessment.

The roll call on SB 110 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Matushefske, Maxwell, McBride, McKay, Minner, Neal, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, Mr. Speaker Ferguson - 36.

NO: Representative Loughney - 1.

ABSENT: Representatives Maroney, Morris, Oberle, West - 4.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 110 was returned to the Senate.

The House recessed at 5:02 p.m. for the purpose of changing the audio tape and reconvened at 5:03 p.m.

Representative Holloway brought SB 81 before the House for consideration.

Representative Holloway moved to place SB 81 on the Speaker's table. The motion was seconded by Representative Vernon and adopted by voice vote.

Representative Kelly requested that HS 1 for HB 104 be deferred to a day certain, Tuesday, June 12, 1979.

Representative Bennett requested that HS 1 for HB 137 be deferred to a day certain, Tuesday, June 12, 1979.

Representative Gordy brought SB 41 w/SA 1 before the House for consideration.

SB 41 - An Act to Amend Chapter 55, Part V, Title 29 of the Delaware Code, Relating to Public Officers and Employees; and Providing for an Increase in the Amount of Money Permitted to be Earned by Persons Under the State Employees' Pension Plan.

The roll call on SB 41 w/SA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Matushefske, McBride, McKay, Minner, Neal, Oberle, Petrilli, Powell, Riddagh, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 36.

ABSENT: Representatives Maroney, Maxwell, Morris, Plant, Roy - 5.

Therefore, having received a constitutional majority, SB 41 w/SA 1 was returned to the Senate.

Representative McKay brought HB 212 before the House for consideration.

Representative McKay moved to place HB 212 on the Speaker's table. The motion was seconded by Representative T. Brady and adopted by voice vote.

Representative Cain requested that HB 347 be deferred to a day certain, Tuesday, June 19, 1979.

Representative Gilligan moved to lift HB 7 - HA 2,3 from the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Gilligan moved to recommit HB 7 - HA 2,3 to Committee. Mr. Speaker recommitted HB 7 - HA 2,3 to the Judiciary Committee.

Representative Petrilli brought HB 406 before the House for consideration.

HB 406 - An Act to Amend Chapter 1, Title 1, Delaware Code, by Providing Free Copies of the Code to Public Libraries.

The roll call on HB 406 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, McKay, Minner, Neal,

Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 38.

NO: Representative Bennett - 1.

ABSENT: Representatives Maroney, Morris - 2.

Therefore, having received a constitutional majority, HB 406 was sent to the Senate for concurrence.

Representative Hebner brought HB 113 before the House for consideration.

HB 113 - An Act to Amend Chapter 31, Title 15 of the Delaware code, Relating to Primary Elections.

The roll call on HB 113 was taken and revealed:

YES: Representatives Connor, Hebner, Loughney, Oberle, Petrilli, Roy - 6.

NO: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Kelly, Matushefske, Maxwell, McBride, McKay, Minner, Neal, Plant, Powell, Riddagh, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 33.

ABSENT: Representatives Maroney, Morris - 2.

Therefore, not having received a constitutional majority, HB 113 was declared defeated.

Representative Matushefske moved to lift HB 435 w/HA 1 from the Speaker's table. The motion was seconded by Representative Jonkiert and adopted by voice vote.

HB 435 - An Act To Amend Chapter 52, Title 29, Of The Delaware Code To Provide For The Payment Of Premium Or Subscription Charges For Health Care Insurance For State Employees And Their Dependents.

Representative Gordy introduced and brought HA 2, co-sponsored by Representative Jonkiert, before the House for consideration.

Representative Gordy requested and was granted the privilege of the floor for Donald Dryden from the Controller General's Office.

Five members rose to stop debate on HA 2 to HB 435. Therefore, in accordance with the House rules, debate on the amendment was stopped.

Representative Hebner rose on a point of order.

The roll call on HA 2 to HB 435 was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, Minner, Oberle, Petrilli, Plant, Riddagh, Roy - 25.

NO: Representatives T. Brady, Burris, Neal, Sincock, Vernon, West - 6.

NOT VOTING: Representatives Free, Hebner, McKay, Powell, Smith - 5.

ABSENT: Representatives Ambrosino, Maroney, Morris, Plant, Mr. Speaker Ferguson - 5.

Therefore, having received a constitutional majority, HA 2 to HB 435 was adopted.

Representative Sincock moved to place HB 435 w/HA 1,2 in the Appropriations Committee. The motion was seconded by Representative Vernon.

The roll call on the motion was taken and revealed:

YES: Representatives Bennett, T. Brady, Burris, Fallon, Free, Harrington, Hebner, McKay, Riddagh, Sincock, Smith, Vernon, West - 13.

NO: Representatives Ambrosino, Anderson, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Gordy, Holloway, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, Minner, Neal, Oberle, Petrilli, Powell, Roy - 23.

ABSENT: Representatives George, Maroney, Morris, Plant, Mr. Speaker Ferguson - 5.

Therefore, not having received a constitutional majority, the motion was defeated and HB 435 w/HA 1,2 remained before the House.

Representative Jonkiert rose on a point of order.

Representative Vernon requested and was granted the privilege of the floor for Donald Dryden from the Controller General's Office.

Representative Burris announced that he would not vote on the bill because of a conflict of interest.

Representative Cain rose on a point of order.

The roll call on HB 435 w/HA 1,2 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, Minner, Oberle, Petrilli, Powell, Riddagh, Roy, West, Mr. Speaker Ferguson - 28.

NO: Representatives Burris, McKay, Neal, Sincok, Smith, Vernon - 6.

NOT VOTING: Representatives T. Brady, Free, Hebner - 3.

ABSENT: Representatives George, Maroney, Morris, Plant - 4.

Therefore, having received a constitutional majority, HB 435 w/HA 1,2 was sent to the Senate for concurrence.

Representative Gordy moved to recess to the call of the Chair at 6:58 p.m.

42nd LEGISLATIVE DAY 1st Session

June 7, 1979

The Speaker called the House to order at 2:12 p.m.

The Chief Clerk read the following Committee Reports into the record:
Community Affairs: HB 521 - 2F, 2M; HB 520 - 2F, 3M; HB 515 - 2F,

4M.

Administrative Services: HB 492 - 5M; HB 519 - 4M.

Highways and Transportation: HB 514 - 6M.

The Majority Leader moved to adjourn at 2:13 p.m., thereby ending the previous legislative day. The House reconvened at 2:14 p.m. A prayer was offered by Representative J. Edward Morris from the 34th Representative District.

The Speaker led those present in a salute to the Flag.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Maroney, Morris - 2.

The minutes of the previous legislative day were approved as posted.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 217

w/SA 1; SB 255; SCR 34; SJR 17; HB 495.

Representative Anderson requested that the following communication be read into the record:

June 5, 1979

TO: All Members of the Aging Committee:

It has been requested of me to meet with Senior Citizens Thursday at 1:00 p.m. in my office.

Please advise me verbally if you can or cannot make it.

Representative Gordy introduced and brought HR 93 before the House for consideration.

HR 93 - Congratulating Former Supreme Court Justice James M. Tunnell, Jr. Upon His Selection by the Delaware Bar Association to Receive its First Distinguished Service Award.

HR 93 was adopted by voice vote.

The following prefiled legislation was introduced:

HB 537 - HEBNER, BURRIS - JUDICIARY: An Act to Amend Chapters 1, 3, 5 and 13, Title 10 of the Delaware Code, Relating to the Award of Attorneys' Fees in Civil Proceedings.

HB 538 - GORDY, SINCOCK - HOUSE ADMINISTRATION: An Act to Amend Chapter 25, Title 29, Delaware Code, Relating to the Salary of the Attorney General.

HB 539 - MINNER - JUDICIARY: An Act to Amend Chapters 9 and 11, Title 13, Delaware Code, Relating to Adoption and Termination of Parental Rights.

HB 540 - WEST, MCBRIDE, OBERLE, POWELL, PETRILLI; SENATORS ADAMS, BERNDT - REVENUE & FINANCE: An Act to Amend Chapter 51 and Chapter 52, Title 30 of the Delaware Code, Relating to the Motor Fuel Tax and the Motor Carriers Fuel Purchase Law. (2/3 bill)

HB 541 - T. BRADY, VERNON - BANKING & INSURANCE: An Act to Amend Chapter 41, Title 21 of the Delaware Code, Relating to Mopeds.

HB 542 - T. BRADY - APPROPRIATIONS: An Act to Make a Supplemental Appropriation to the Lutheran Senior Services, Inc. to Purchase and Acquire a Minibus. (3/4 bill)

HA 1 to HA 1 to HB 85 - OBERLE - Placed with the bill.

HA 1 to HS 1 for HB 137 - BENNETT, MAXWELL - Placed with the bill.

HA 1 to HB 171 - LOUGHNEY - Placed with the bill.

HA 2 to HB 311 - BURRIS - Placed with the bill.

HA 1 to HB 443 - PETRILLI - Placed with the bill.

HA 2 to HB 443 - PETRILLI - Placed with the bill.

HJR 19 - MATUSHEFSKE, POWELL; SENATORS ADAMS, BERNDT - BANKING & INSURANCE: Establishing Principles Governing All Pension Plans Covering State Employees.

HS 1 for HB 444 - PETRILLI - CONSTITUTION: An Act Proposing an Amendment to the Constitution of the State of Delaware, Relating to Constitutional Conventions. (2/3 bill)

SB 217 w/SA 1 - MCDOWELL - ENERGY/FEDERAL-STATE RELATIONS: An Act to Amend Part VII, Title 7 of the Delaware Code, Relating to the Utilization of Solar Energy; and Providing for the Creation of Solar Easements.

SB 255 - ADAMS - EDUCATION: An Act to Amend Section 1056, Title 14 of the Delaware Code, Relating to the Disposition of Fees for the Use of School Property, Facilities and Equipment Not in Use for Educational Purposes.

SJR 17 - MURPHY; REPRESENTATIVE ANDERSON - BANKING & INSURANCE: Requesting the Insurance Commissioner to Deny the Workmen's Compensation Rate Increase Presently Pending Before His Office Because of Factors Herein Mentioned.

HA 1 to SB 2 - CONNOR - Placed with the bill.

HA 3 to SB 37 - MAXWELL, JONKIERT, T. BRADY - Placed with the bill.

Representative Gordy moved to recess at 2:50 p.m. for caucus.

The House was called to order at 3:33 p.m.

Representative Holloway introduced HB 543.

HB 543 - An Act to Amend Subchapter I of Chapter 1, Title 26, Delaware Code, Relating to the Prohibition of the Public Service Commission Regulating Any Public Utility System Selling Electricity Which Serves More than Fifty Subscribers; and Further Providing that the Duties, Powers and Repsonsibilities of Regulating Electric Utilities of this State Shall rest with the Joint Committee of the Senate and House on Administrative Services Herein Established; and Further Defining the Joint Committee's Powers, Duties and Responsibilities.

Mr. Speaker assigned HB 543 to the Administrative Services Committee.

Representative Matushefske introduced HB 544.

HB 544 - An Act to Make an Appropriation to Carry Out the Provisions of Chapter 12, Volume 62, Laws of Delaware, Also Known as "An Act to Amend Title 10 of the Delaware Code, Relating to Judicial Compensation and Making an Appropriation Therefor."

Mr. Speaker assigned HB 544 to the Appropriations Committee.

Representative Matushefske brought HB 294 before the House for consideration.

Representative Matushefske moved to place HB 294 on the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Holloway brought HB 72 before the House for consideration.

HB 72 - An Act to Amend Chapter 41, Title 11, Delaware code, Relating to the Minimum Wage for Employees in Default of Payment of Fines.

Representative Holloway brought HA 1 before the House for consideration. HA 1 to HB 72 was adopted by voice vote.

Representative Holloway requested and was granted the privilege of the floor for Paul Fink, Supervisor of Work Programs for the Department of Corrections.

Representative Holloway rose on a point of order.

Representative Holloway rose on a point of order.

The roll call on HB 72 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Fallon, Free, George, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Matushefske, Maxwell, McKay, Neal, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker

Ferguson - 29.

NO: Representatives Bennett, Clendaniel, Darling, Harrington, Hebner, McBride, Minner, Oberle - 8.

ABSENT: Representatives Kelly, Maroney, Morris, Petrilli - 4.

Therefore, having received a constitutional majority, HB 72 w/HA 1 was sent to the Senate for concurrence.

Representative Burris introduced and brought HCR 71, co-sponsored by Representatives Free, Harrington, Hebner, Ferguson, Sincoc, Cain, Powell, Fallon, Ambrosino, T. Brady and Petrilli and Senators Knox and Arnold, before the House for consideration.

HCR 71 - Thanking Vice President Walter Mondale and Assistant Secretary of Labor Ernest Green, Representing the Federal Government, for Making \$2.5 Million Available for the Jobs for Delaware Graduates Inc. Program.

HCR 71 was adopted by voice vote and sent to the Senate for concurrence.

Representative Clendaniel brought HB 432 before the House for consideration.

Representative Clendaniel brought HA 1 before the House for consideration. HA 1 to HB 432 was adopted by voice vote.

Representative Oberle moved to place HB 432 w/HA 1 on the Speaker's table. There was no second to the motion.

Mr. Speaker Ferguson announced that he would be recorded as "not voting" on the bill because of a conflict of interest.

The roll call on HB 432 w/HA 1 was taken.

Representative Clendaniel moved to table the roll call on HB 432 w/HA 1. The motion was seconded by Representative Minner and adopted by voice vote.

Representative Maxwell moved to lift SB 81 from the Speaker's table. The motion was seconded by Representative Holloway and adopted by voice vote.

SB 81 - An Act to Amend Chapter 5, Title 4 of the Delaware Code, Relating to Licenses for Sales of Alcoholic Liquors to be Consumed Off-Premises.

Representative Maxwell requested and was granted the privilege of the floor for Senator Cicione.

Representative Maxwell rose on a point of order.

The roll call on SB 81 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincoc, Smith, Vernon, West, Mr. Speaker Ferguson - 39.

ABSENT: Representatives Maroney, Morris - 2.

Therefore, having received a constitutional majority, SB 81 was returned to the Senate.

Representative Sincoc brought HB 403 before the House for consideration.

HB 403 - An Act to Amend Chapter 21, Title 21 of the Delaware Code, Relating to Imposing Fees for Late Renewals of Vehicle Registration Fees.

Representative Sincock requested and was granted the privilege of the floor for Robert Voshell, Director of the Delaware Division of Motor Vehicles.

The roll call on HB 403 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Connor, Darling, Fallon, Free, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 35.

NO: Representative Clendaniel - 1.

ABSENT: Representatives Cain, George, Maroney, Morris, Powell - 5.

Therefore, having received a constitutional majority, HB 403 was sent to the Senate for concurrence.

Representative Darling moved to suspend the rules for the purpose of introducing and acting on a bill. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Darling brought SB 288, co-sponsored by Senator Cook and Representative Darling, before the House for consideration.

SB 288 - An Act to Authorize "The City of Harrington to Purchase Certain Real Estate, With Improvements, Known as 27 Clark Street, Harrington, Delaware, to be Used as a City Hall and to Authorize the City to Borrow \$40,000 from the Farmers Home Administration in Order to Finance Said Purchase."

The roll call on SB 288 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 36.

ABSENT: Representatives George, Hebner, Maroney, Morris, Plant - 5.

Therefore, having received a constitutional majority of at least two thirds members of the House, SB 288 was returned to the Senate.

Representative Minner brought HB 421 before the House for consideration.

Representative Minner moved to place HB 421 on the Speaker's table. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Minner brought HB 422 before the House for consideration.

HB 422 - An Act to Amend Chapters 3, 21 and 23, Title 21, Delaware Code, to Delete Certain Outdated Requirements and Procedures Pertaining to the Division of Motor Vehicles.

The roll call on HB 422 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 37.

ABSENT: Representatives George, Maroney, Morris, Roy - 4.

Therefore, having received a constitutional majority, HB 422 was sent

to the Senate for concurrence.

Representative Matushefske brought HB 329 before the House for consideration.

HB 329 - An Act to Amend Chapter 31, Title 19, of the Delaware Code, Relating to Employment Records.

The roll call on HB 329 was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 36.

ABSENT: Representatives Ambrosino, George, Maroney, Morris, Roy - 5.

Therefore, having received a constitutional majority, HB 329 was sent to the Senate for concurrence.

Representative T. Brady brought HB 396 - HA 1 before the House for consideration.

HB 396 - An Act to Amend Chapter 43, Title 21, of the Delaware Code, Relating to Emergency Vehicles.

Representative Minner brought HA 1 before the House for consideration. HA 1 to HB 396 was adopted by voice vote.

The roll call on HB 396 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 37.

ABSENT: Representatives George, Maroney, Matushefske, Morris - 4.

Therefore, having received a constitutional majority, HB 396 w/HA 1 was sent to the Senate for concurrence.

Representative Neal moved to strike HA 2 to HS 1 for HB 104. Without objection, HA 2 to HS 1 for HB 104 was stricken.

Representative Loughney moved to lift HB 171 from the Speaker's table. The motion was seconded by Representative Holloway and adopted by voice vote.

HB 171 - An Act to Amend Chapter 16 of Title 16, Delaware Code, Relating to Penalties for Litter Control and the Payment of Same by Mail.

Representative Loughney brought HA 1 before the House for consideration. HA 1 to HB 171 was adopted by voice vote.

The roll call on HB 171 w/HA 1 was taken.

Representative Jonkiert moved to table the roll call on HB 171 w/HA 1. The motion was seconded by Representative Anderson, but defeated by voice vote.

The roll call on HB 171 w/HA 1 was revealed:

YES: Representatives Gordy, Holloway - 2.

NO: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Clendaniel, Connor, Darling, George, Gilligan, Harrington, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, McKay, Minner, Petrilli, Plant, Riddagh, Roy, West - 26.

NOT VOTING: Representatives Cathcart, Fallon, Free, Hebner, Neal, Oberle, Powell, Sincock, Smith, Vernon, Mr. Speaker Ferguson - 11.

ABSENT: Representatives Maroney, Morris - 2.

Therefore, not having received a constitutional majority of at least two thirds members of the House, HB 171 w/HA 1 was declared defeated.

Representative Minner introduced and brought SCR 36, co-sponsored by Senator Cook and Representatives Darling and Minner, before the House for consideration.

SCR 36 - Congratulating the Lake Forest Spartans on Their Victory in the State Softball Tournament.

SCR 36 was adopted by voice vote and returned to the Senate.

Representative T. Brady moved to restore HB 410 w/HA 2 to the calendar. The motion was seconded by Representative Gordy and adopted by voice vote.

HB 410 - An Act to Amend Title 3 of the Delaware Code, by Adding a New Chapter Relating to Agricultural Commodities Development.

Representative Clendaniel moved to rescind the roll call on HB 410 w/HA 2. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Jonkiert rose on a point of order.

The roll call on HB 410 w/HA 2 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Matushefske, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 37.

NO: Representative Loughney - 1.

ABSENT: Representatives Gilligan, Maroney, Morris - 3.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 410 w/HA 2 was sent to the Senate for concurrence.

Representative McBride introduced HB 545.

HB 545 - An Act to Amend Chapter 1, Title 26 of the Delaware Code, Relating to the Public Service Commission; and Designating Certain Providers of Heating Oil as Public Utilities.

Mr. Speaker assigned HB 545 to the Administrative Services Committee.

The Chief Clerk read the following Committee Report into the record: Community Affairs: HB 278 - 6M; HB 325 - 2F, 3M.

Representative Gordy moved to recess to the call of the Chair at 6:18 p.m.

43rd LEGISLATIVE DAY
1st Session

June 12, 1979

The Speaker called the House to order at 3:02 p.m.

The Chief Clerk read the following Committee Reports into the record:

House Administration: HJR 18 - 1F, 4M; HB 503 - 4M; HB 507 - 5M; HB 530 - 5M; HB 531 - 5M; HB 538 - 3M, 2U; HB 525 - 4M; SB 120 - 3M, 1U.

Labor & Commerce: HB 236 - 5M; SB 53 - 4M; SB 108 - 4M.

Education: HS 1 for HB 249 - 5M; HB 343 - 5M; HB 449 - 5M; HB 478 - 4M; HB 489 - 5M; HB 493 - 5M; HB 546 - 5M.

Judiciary: HB 453 - 2F, 4M; HB 499 - 4M, 2U; HB 504 - 1F, 5M; HB 509 - 6M; HB 510 - 6M; HB 511 - 6M; HB 512 - 6M; SB 21 - 6M; SB 166 - 6M; SB 167 - 6M; SB 168 - 6M; SB 169 - 1F, 6M.

Revenue & Finance: HB 502 - 4M; HB 540 - 4M.

Aging: HB 513 - 5M.

Appropriations: SB 127 - 8M; SB 154 - 7M; SB 220 - 8M; SB 187 - 8M; HB 544 - 3M, 3U; HB 277 - 6M, 1U; HB 468 - 3F, 6M; HB 401 - 8M; HB 434 - 9M; HB 413 - 7M, 1U; HB 175 - 3F, 2M, 1U.

Public Safety: HB 464 - 1F, 2M, 1U; HB 440 - 1F, 1M, 2U; SB 250 - 5M; SB 237 - 4M; SB 236 - 3M; SB 235 - 5M; SB 3 - 2M, 2U; SB 136 - 4M; SB 234 - 4M; SB 232 - 3M; SB 231 - 4M.

Banking & Insurance: HB 516 - 5M; HB 541 - 5M; HB 548 - 5M; HB 518 - 5M; HB 517 - 5M; HJR 19 - 5M; SJR 17 - 5M.

Mr. Speaker reassigned HB 489 and HB 449 to the Appropriations Committee.

Representative Riddagh moved to strike HB 328. Without objection, HB 328 was stricken.

Representative Oberle moved to recommit HB 304 - HA 1 to the Labor and Commerce Committee. Mr. Speaker returned HB 304 - HA 1 to the Labor and Commerce Committee.

Representative Plant moved to strike HB 195. Without objection, HB 195 was stricken.

The Majority Leader moved to adjourn at 3:18 p.m., thereby ending the previous legislative day. The House reconvened at 3:18 p.m. A prayer was offered by the Reverend Raymond B. Eggers from the Victory Baptist Church in New Castle, Delaware.

The Speaker led those present in a salute to the Flag.

The Chief Clerk called the roll.

Members Present: 41.

The minutes of the previous legislative day were approved as posted.

Representative Plant requested and was granted the privilege of the floor for Robert Veit from the Motor Vehicle Manufacturers Association.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SCR 33; SCR 35; HCR 70; SB 288; SB 194 w/SA 1; SCR 36; HCR 71; SJR 19.

LEGISLATIVE ADVISORY #17

FROM: Office of Counsel to the Governor

The Governor signed the following legislation on the dates indicated:
6/5/79: - HB 94. 6/6/79 - HB 334 w/HA 1 & HA 1 to HA 1; SB 275.

June 8, 1979

LEGISLATIVE ADVISORY #18

FROM: Office of Counsel to the Governor

The Governor signed the following legislation on the dates indicated: 6/8/79 - SB 288; HB 283; HB 261; HB 495.

Representative Matushefske introduced and brought SCR 35, co-sponsored by Senators Adams and Berndt and Representatives Matushefske and Powell, before the House for consideration.

SCR 35 - Extending the Existence and Mandate of the State Police Pension Reform Committee.

SCR 35 was adopted by voice vote and returned to the Senate.

Representative McBride introduced and brought HR 94 before the House for consideration.

HR 94 - Honoring Paul Phillips, Commander of the Delaware Department, Veterans of Foreign Wars.

HR 94 was adopted by voice vote.

The following prefiled legislation was introduced:

HB 546 - BENNETT - EDUCATION: An Act to Amend Delaware Code, Title 14, as it Relates to the Funding of Basic Skills Units in the Public Schools.

HB 547 - MINNER - PUBLIC SAFETY: An Act to Amend Subchapter VIII of Chapter 41, Title 21, Delaware Code, Relating to Penalties for Exceeding Speed Limits.

HB 548 - MATUSHEFSKE; SENATOR MURPHY - BANKING & INSURANCE: An Act to Amend Chapter 17, Title 18 of the Delaware Code, Relating to General Qualifications for Agent, Broker or Solicitor Insurance License.

HA 4 to HS 1 for HB 104 - NEAL - Placed with the bill.

HA 1 to HB 294 - MATUSHEFSKE - Placed with the bill.

HA 1 to HB 304 - OBERLE - Placed with the bill.

HA 4 to HB 343 - GILLIGAN - Placed with the bill.

HA 1 to HB 394 - MCBRIDE - Placed with the bill.

HA 1 to HB 447 - MINNER, SMITH - Placed with the bill.

HA 2 to HB 447 - MINNER, SMITH - Placed with the bill.

HA 1 to HB 514 - MINNER - Placed with the bill.

HA 1 to HB 523 - JONKIERT - Placed with the bill.

SB 194 w/SA 1 - MURPHY - HOUSE ADMINISTRATION: An Act to Amend Chapter 69, Title 29, Delaware Code, Relating to the Award of Contracts.

Representative Gordy moved to recess for caucus at 3:40 p.m.

The House was called to order at 4:55 p.m.

Representative Kelly brought HS 1 for HB 104 - HA 1,3,4 before the House for consideration.

Representative Kelly introduced HA 5 to HS 1 for HB 104, co-sponsored by Representatives Connor and Ambrosino.

HA 5 to HS 1 for HB 104 was placed with the bill.

Representative Kelly introduced HA 6 to HS 1 for HB 104, co-sponsored by Representative Connor.

HA 6 to HS 1 for HB 104 was placed with the bill.

Representative Bennett introduced HA 7 to HS 1 for HB 104.

HA 7 to HS 1 for HB 104 was placed with the bill.

Representative Bennett introduced HA 8 to HS 1 for HB 104.

HA 8 to HS 1 for HB 104 was placed with the bill.

Representative Powell requested that his name be removed as a sponsor of HS 1 for HB 104.

Representative Kelly moved to place HS 1 for HB 104 - HA 1,3,4,5,6,7,8 on the Speaker's table. The motion was seconded by Representative Connor and adopted by voice vote.

Representative Bennett brought HS 1 for HB 137 - HA 1 before the House for consideration.

Representative Bennett brought HA 1 before the House for consideration. HA 1 to HS 1 for HB 137 was adopted by voice vote.

Representative Bennett moved to place HS 1 for HB 137 w/HA 1 on the Speaker's table. The motion was seconded by Representative Maxwell and adopted by voice vote.

Representative W. Brady moved to suspend the rules for the purpose of acting on HB 77. The motion was seconded by Representative Smith.

Representative Jonkiert moved to place the motion to suspend the rules on the Speaker's table. The roll call on the motion was taken and revealed:

YES: Representatives Bennett, Holloway, Jonkiert, Kelly, Loughney, McBride, Oberle, Roy - 8.

NO: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Hebner, Maroney, McKay, Minner, Morris, Neal, Petrilli, Powell, Riddagh, Smith, Vernon, West, Mr. Speaker Ferguson - 25.

ABSENT: Representatives Cain, Cathcart, Gordy, Harrington, Matushefske, Maxwell, Plant, Sincock - 8.

Therefore, not having received a constitutional majority, the motion was declared defeated and the motion to suspend the rules for the purpose of acting on HB 77 remained before the House.

The roll call on the motion to suspend the rules was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Hebner, Maroney, McBride, McKay, Minner, Morris, Neal, Petrilli, Riddagh, Smith, Vernon, West - 24.

NO: Representatives Bennett, Cathcart, Gordy, Harrington, Jonkiert, Kelly, Loughney, Maxwell, Oberle, Plant, Powell, Roy, Mr. Speaker Ferguson - 13.

NOT VOTING: Representative Holloway - 1.

ABSENT: Representatives Cain, Matushefske, Sincock - 3.

Therefore, having received a constitutional majority, the motion was adopted and HB 77 was brought before the House for consideration.

Representative Ferguson introduced and brought HA 1 to HB 77 before the House for consideration.

Representative Smith requested and was granted the privilege of the floor for House Attorney, John Rich.

Representative Ferguson moved to strike HA 1. Without objection, HA 1 to HB 77 was stricken.

Representative Ferguson requested the privilege of the floor for Secretary of Finance, Weston E. Nellius.

The House recessed at 5:30 p.m. for the purpose of changing the audio tape and reconvened at 5:35 p.m.

Representative Ferguson was granted the privilege of the floor for Weston E. Nellius.

Representative Smith rose on a point of order.

Representative Loughney rose on a point of order.

Representative Ferguson moved to place HB 77 on the Speaker's table. The motion was seconded by Representative Gordy. The roll call on the motion was taken and revealed:

YES: Representatives Bennett, Burris, Cathcart, Darling, Gordy, Harrington, Jonkiert, Kelly, Loughney, Maxwell, Oberle, Plant, Powell, Roy, Vernon, Mr. Speaker Ferguson - 16.

NO: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Clendaniel, Connor, Fallon, Free, Gilligan, Hebner, Maroney, McBride, McKay, Minner, Morris, Neal, Petrilli, Riddagh, Sincok, Smith - 20.

NOT VOTING: Representative Holloway - 1.

ABSENT: Representatives Cain, George, Matushefske, West - 4.

Therefore, not having received a constitutional majority, the motion was defeated and HB 77 remained before the House.

Representative Oberle rose on a point of order.

Representative Jonkiert rose on a point of order.

Representative Minner moved to waive the fiscal note requirement for HB 77. The motion was seconded by Representative W. Brady, but defeated by voice vote.

Representative Sincok rose on a point of order.

Mr. Acting Speaker Darling ruled that because of a lack of fiscal note, HB 77 was being placed back in the Environmental Control Committee.

Representative Cathcart brought HB 184 before the House for consideration.

Representative Cathcart moved to place HB 184 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Loughney moved to suspend the rules for the purpose of acting on HB 411. The motion was seconded by Representative Matushefske.

Representative Hebner rose on a point of order.

The motion to suspend rules was defeated by voice vote.

Representative Gordy brought HB 363 before the House for consideration.

HB 363 - 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.

The roll call on HB 363 was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 36.

ABSENT: Representatives Ambrosino, Cain, Kelly, Matushefske, Morris - 5.

Therefore, having received a constitutional majority, HB 363 was sent

to the Senate for concurrence.

Representative Darling moved to lift the roll call on HB 93. The motion was seconded by Representative Minner and adopted by voice vote.

Representative Darling moved to table the roll call on HB 93. The motion was seconded by Representative Minner and adopted by voice vote.

Representative Gordy brought HB 447 - HA 1,2 before the House for consideration.

HB 447 - An Act to Amend Chapter 70, Title 7, Delaware Code, Relating to Pipelines in the Coastal Zone.

Representative Minner brought HA 1 before the House for consideration.

Representative Gordy moved to place HA 1 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Minner brought HA 2 before the House for consideration.

Representative Gordy moved to place HA 2 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Gordy rose on a point of order.

Representative Smith introduced and brought HA 3 before the House for consideration.

Representative Gordy moved to place HA 3 on the Speaker's table. The motion was seconded by Representative Jonkiert. The roll call on the motion was taken and revealed:

YES: Representatives Clendaniel, Darling, George, Gilligan, Gordy, Jonkiert, Loughney, Maxwell, McBride, McKay, Oberle, Plant, Powell, Roy, Sincock, Mr. Speaker Ferguson - 16.

NO: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cathcart, Connor, Fallon, Free, Harrington, Hebner, Maroney, Minner, Neal, Petrilli, Riddagh, Smith, Vernon - 19.

ABSENT: Representatives Cain, Holloway, Kelly, Matushefske, Morris, West - 6.

Therefore, not having received a constitutional majority, the motion was declared defeated, and HA 3 remained before the House.

The roll call on HA 3 to HB 447 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Connor, Fallon, George, Harrington, Hebner, Minner, Smith, Vernon - 13.

NO: Representatives Burris, Cathcart, Clendaniel, Darling, Free, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, West, Mr. Speaker Ferguson - 24

ABSENT: Representatives Cain, Kelly, Matushefske, Morris - 4

Therefore, not having received a constitutional majority, HA 3 to HB 447 was declared defeated.

The roll call on HB 447 was taken and revealed:

YES: Representatives Anderson, Cathcart, Clendaniel, Darling, Free, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy,

Sincock, West, Mr. Speaker Ferguson - 24.

NO: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Connor, Fallon, George, Harrington, Hebner, Minner, Smith, Vernon - 13.

ABSENT: Representatives Cain, Kelly, Matushefske, Morris - 4.

Therefore, having received a constitutional majority, HB 447 was sent to the Senate for concurrence.

Representative Gilligan moved to suspend the rules for the purpose of introducing and acting on a resolution. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Gilligan introduced and brought SJR 19, co-sponsored by Senators Sharp, Martin, Arnold, Hughes and Hale and Representatives Ferguson, Gilligan, Oberle, Petrilli, Neal, Anderson, Cain, Powell and Roy, before the House for consideration.

SJR 19 - Urging the Board of Directors of the Wilmington Medical Center, Inc. to Move Ahead with Plan Omega, Providing a Major New Hospital for Delaware, Despite an Adverse Opinion by the United States Circuit Court.

Representative Plant rose on a point of order.

Five members of the House rose to stop debate on SJR 19, therefore, according to the House Rules, debate on SJR 19 was stopped.

The roll call on SJR 19 was taken.

Representative Gilligan moved to table the roll call on SJR 19. The motion was seconded by Representative Gordy.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Burris, Cathcart, Darling, Gilligan, Gordy, Harrington, Hebner, Loughney, McKay, Minner, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincock, Vernon, West, Mr. Speaker Ferguson - 23.

NO: Representatives Ambrosino, T. Brady, Connor, George, Holloway, Jonkiert, Maroney, McBride, Plant, Smith - 10.

NOT VOTING: Representatives Clendaniel, Fallon - 2.

ABSENT: Representatives Cain, Free, Kelly, Matushefske, Maxwell, Morris - 6.

Therefore, having received a constitutional majority, the motion was adopted and the roll call on SJR 19 was tabled.

Representative Bennett brought HS 1 for HB 137 w/HA 1 before the House for consideration.

HS 1 for HB 137 - An Act to Amend Title 26 of the Delaware Code, Relating to Public Utilities and Providing for an Underground Utility Damage Prevention and Safety Act.

Representative Bennett introduced and brought HA 2 before the House for consideration. HA 2 to HS 1 for HB 137 was adopted by voice vote.

The roll call on HS 1 for HB 137 w/HA 1,2 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Vernon, West, Mr. Speaker Ferguson - 35.

NOT VOTING: Representative Smith - 1.

ABSENT: Representatives Cain, Free, Kelly, Matushefske, Morris - 5.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HS 1 for HB 137 w/HA 1,2 was sent to the Senate for concurrence.

Representative McBride introduced HB 549, co-sponsored by Representatives Jonkiert and Loughney and Senators Marshall and Cicione.

HB 549 - An Act to Amend Chapter 59, Part V, Title 29 of the Delaware Code, Relating to the Merit System of Personnel Administration; and Extending Veterans' Preference to Certain Delaware Veterans.

Mr. Speaker assigned HB 549 to the House Administration Committee.

The Chief Clerk read the following Committee Report into the record: Judiciary: HB 190 - 1F, 3M.

Representative Gordy moved to recess to the call of the Chair at 7:05 p.m.

44th LEGISLATIVE DAY 1st Session

June 13, 1979

The Speaker called the House to order at 3:59 p.m.

The Chief Clerk read the following Committee Reports into the record:

Education: SB 153 - 5M; SB 255 - 5M.

Environmental Control: HB 339 - 6M.

The Majority Leader moved to adjourn at 4:01 p.m., thereby ending the previous legislative day. The House reconvened at 4:01 p.m. A prayer was offered by the Reverend Raymond B. Eggers from the Victory Baptist Church of New Castle, Delaware.

The Speaker led those present in a salute to the Flag.

The Chief Clerk called the roll.

Members Present: 41.

The minutes of the previous legislative day were approved as posted.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 163; SB 172; SB 175; SB 184 w/SA 1,2; SB 97 w/SA 1,2; SCR 38.

Representative Morris introduced and brought SCR 38, co-sponsored by Senator Sharp and Representative Morris, before the House for consideration.

SCR 38 - Requesting the United States Bureau of Prisons to Provide Expert Assistance to the General Assembly for the Purpose of Reorganizing Delaware's Correctional System.

The roll call on SCR 38 was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Cain, Clendaniel, Darling, Gilligan, Gordy, Loughney, Matushefske, Minner, Morris, Plant, Mr. Speaker Ferguson - 14.

NO: Representatives Ambrosino, T. Brady, Burris, Cathcart, Connor, Fallon, Free, George, Harrington, Hebner, Holloway, Jonkiert, Maroney,

Maxwell, McBride, McKay, Neal, Oberle, Petrilli, Powell, Roy, Sincock, Smith, Vernon - 24.

NOT VOTING: Representatives Riddagh, West - 2.

ABSENT: Representative Kelly - 1.

Therefore, not having received a constitutional majority, SCR 38 was declared defeated.

Representative Sincock moved to suspend the rules for the purpose of introducing and acting on a resolution. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Sincock introduced and brought SJR 22, jointly sponsored by Senators Martin, Cicione and Cordrey and co-sponsored by Senators Adams, Arnold, Berndt, Cook, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, McCullough, Murphy, Sharp, Spence and Weiss and Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Petrilli, Powell, Riddagh, Roy, Sincock and Smith, before the House for consideration.

SJR 22 - A Resolution Commending and Honoring Former Senator Dean C. Steele for His Dedicated Legislative Efforts and Naming the Forensic Chemistry Laboratory in His Honor.

The roll call on SJR 22 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 38.

ABSENT: Representatives Holloway, Kelly, Plant - 3.

Therefore, having received a constitutional majority, SJR 22 was returned to the Senate.

Representative Sincock requested and was granted the privilege of the floor for Senator Dean Steele.

The House recessed at 4:47 p.m. and reconvened at 4:48 p.m.

Representative Jonkiert introduced and brought HR 95 before the House for consideration.

HR 95 - Providing for the Payment of Mileage to Members of the Staff of the House of Representatives of the 130th General Assembly; Exceptions.

Representative Minner stated that if the Resolution had no fiscal note, it should be placed in committee.

Representative Jonkiert rose on a point of order.

Representative Gordy moved to assign HR 95 to the House Administration Committee.

The roll call on the motion was taken and revealed:

YES: Representatives Bennett, Burris, Clendaniel, Darling, Fallon, Gordy, Harrington, Hebner, Maroney, McKay, Minner, Morris, Neal, Riddagh, Smith, Vernon - 16.

NO: Representatives Ambrosino, Anderson, Cain, Cathcart, Connor, Free, George, Gilligan, Holloway, Jonkiert, Loughney, Matushefske, Maxwell, McBride, Oberle, Petrilli, Plant, Powell, Roy, Sincock, West,

Mr. Speaker Ferguson - 22.

NOT VOTING: Representatives T. Brady, W. Brady - 2.

ABSENT: Representative Kelly - 1.

Therefore, not having received a constitutional majority, the motion was declared defeated.

Representative T. Brady introduced and brought HA 1 before the House for consideration.

Representative Loughney requested and was granted the privilege of the floor for Sandy Krett, Secretary to the Speaker of the House and Payroll Clerk for the House.

HA 1 to HR 95 was defeated by voice vote.

Representative Jonkiert moved to place HR 95 on the Speaker's table. The motion was seconded by Representative Matushefske but defeated by voice vote.

Representative T. Brady rose on a point of order.

The roll call on HR 95 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Cain, Cathcart, Connor, Fallon, Free, George, Gilligan, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, McBride, Oberle, Petrilli, Plant, Powell, Roy, Sincok, West, Mr. Speaker Ferguson - 26.

NO: Representatives Bennett, Burris, Clendaniel, Darling, Gordy, Harrington, Hebner, McKay, Minner, Morris, Neal, Riddagh, Smith, Vernon - 14.

ABSENT: Representative Maxwell - 1.

Therefore, having received a constitutional majority, HR 95 was adopted.

The following prefiled legislation was introduced:

HB 550 - GORDY, CLENDANIEL - APPROPRIATIONS: An Act Authorizing the State of Delaware to Borrow Money and to Issue Bonds and Notes Therefor; and Appropriating the Funds Thus Obtained to the University of Delaware to Finance Certain Capital Improvements and Expenditures. (3/4 bill)

HB 551 - WEST - APPROPRIATIONS: An Act Making a Supplementary Appropriation to the Department of Transportation to be Used for Planning a Spillway at Baltimore Mills Pond in Sussex County.

HB 552 - W. BRADY, KELLY, OBERLE, PETRILLI - PUBLIC SAFETY: An Act to Amend Chapter 41, Title 21 of the Delaware Code, to Require that School Bus Headlights be Turned on Whenever Students are Being Transported. (2/3 bill)

HB 553 - GILLIGAN, AMBROSINO - HEALTH & SOCIAL SERVICES: An Act to Amend Chapter 12, Title 16 of the Delaware Code, Relating to Nursing Home Administrators.

HB 554 - HEBNER - NATURAL RESOURCES: An Act to Amend Title 7 of the Delaware Code, Relating to Falconry Licensing and the Creation of a Falconry Advisory Board.

HA 1 to HB 277 - DARLING - Placed with the bill.

HA 1 to HB 292 - MAXWELL - Placed with the bill.

HA 1 to HS 1 for HB 295 - GILLIGAN - Placed with the bill.

HA 1 to HB 448 - SMITH - Placed with the bill.

HA 1 to HB 534 - GILLIGAN - Placed with the bill.

HA 1 to HB 535 - NEAL - Placed with the bill.

HS 1 for HB 536 - AMBROSINO, KELLY, CONNOR, T. BRADY,

LOUGHNEY, PETRILLI, MATUSHEFSKE, ROY, JONKIERT, CATHCART, MAXWELL, GILLIGAN, SINCOCK, OBERLE, FREE, POWELL - HEALTH & SOCIAL SERVICES: An Act to Amend Subchapter VIII, Chapter 17, Title 24 of the Delaware Code, Relating to Medicine, Surgery and Osteopathy; and Providing for an Infant Protection Act.

SB 97 w/SA 1,2 - SHARP - CORRECTIONS: An Act to Amend Chapter 65, Title 11 of the Delaware Code, Relating to Work by Inmates of Delaware Prisons.

SB 163 - HOLLOWAY - HEALTH & SOCIAL SERVICES: An Act to Amend Chapter 51, Title 16, Delaware Code, Relating to the Procedure for Voluntary Admission of Mentally Ill Persons to the Delaware State Hospital and Other Hospitals and Discharge Therefrom.

SB 172 - HOLLOWAY - HEALTH & SOCIAL SERVICES: An Act to Amend Chapter 53, Title 16, Delaware Code, Relating to Departments Within the Governor Bacon Health Center.

SB 175 - HOLLOWAY - HEALTH & SOCIAL SERVICES: An Act to Amend Chapter 1, Title 31, Delaware Code, Relating to the Burial of the Remains of an Indigent Person by the State.

SB 184 w/SA 1,2 - HOLLOWAY - HEALTH & SOCIAL SERVICES: An Act to Amend Chapter 57, Title 16, Delaware Code, Relating to Voluntary and Involuntary Sterilization, and Making a Supplementary Appropriation Therefor.

Representative Bennett introduced HB 555, co-sponsored by Representatives Anderson, Darling, Maxwell, Gilligan, Clendaniel, Gordy, Minner, Burris and Neal.

HB 555 - An Act to Amend Chapter 6, Title 14 of the Delaware Code, Relating to Tuition Charges Under Certain Circumstances for Handicapped Persons.

Mr. Speaker assigned HB 555 to the Education Committee.

Representative Roy introduced and brought HR 96, co-sponsored by Representatives Sincock, Morris, Maxwell, et al, before the House for consideration.

HR 96 - Saluting the Pride of Delmarva Power & Light, Hummel Sapp as He Retires from the General Assembly Scene.

Representative Connor requested and was granted the privilege of the floor for George Frick, Director of the Delaware Oilmen's Association.

HR 96 was adopted by voice vote.

Representative Plant moved to strike HB 499. Without objection, HB 499 was stricken.

Representative Plant introduced HB 556.

HB 556 - An Act to Amend Chapter 15, Title 15 of the Delaware Code, to Provide for the Appointment of Deputy Registrars Whose Sole Function Would be to Register Qualified Voters Enrolled in a Public, Non-Public or Vocational School in This State.

Mr. Speaker assigned HB 556 to the House Administration Committee.

Representative Holloway introduced HB 557.

HB 557 - An Act to Amend Part II of Title 16, Delaware Code, Relating to Health and Safety and the Right of an Individual to Die With Dignity.

Mr. Speaker assigned HB 557 to the Health and Social Services Committee.

Representative Kelly moved to suspend the rules for the purpose of acting on HB 395. The motion was seconded by Representative Bennett and adopted by voice vote.

Representative Kelly brought HB 395 before the House for consideration.

HB 395 - An Act to Amend Chapter 13, Title 14 of the Delaware Code, Relating to Absence of Teachers and Other School Employees from Employment Because of Death in the Immediate Family.

The roll call on HB 395 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 40.

NO: Representative George - 1.

Therefore, having received a constitutional majority, HB 395 was sent to the Senate for concurrence.

Representative Matushefske moved to suspend the rules for the purpose of acting on a HJR 19. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Matushefske brought HJR 19 before the House for consideration.

HJR 19 - Establishing Principles Governing All Pension Plans Covering State Employees.

Five members of the House stood to cut-off debate. Therefore, according to the House rules, debate on the resolution was discontinued.

The roll call on HJR 19 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, Mr. Speaker Ferguson - 38.

NO: Representative Gilligan - 1.

ABSENT: Representatives Kelly, West - 2.

Therefore, having received a constitutional majority, HJR 19 was sent to the Senate for concurrence.

Representative Gordy brought HB 448 - HA 1 before the House for consideration.

HB 448 - An Act to Amend Chapter 70, Title 7, Delaware Code, Relating to the Definition of "Heavy Industry" in the Coastal Zone Act.

Representative Smith brought HA 1 before the House for consideration.

The roll call on HA 1 to HB 448 was taken and revealed:

YES: Representatives Ambrosino, T. Brady, W. Brady, Cathcart, Connor, Harrington, Hebner, Maroney, Maxwell, Minner, Morris, Neal, Petrilli, Smith, Vernon - 15.

NO: Representatives Anderson, Bennett, Burris, Cain, Clendaniel, Darling, Free, Gilligan, Gordy, Jonkiert, Loughney, Matushefske, McBride, McKay, Oberle, Plant, Powell, Riddagh, Roy, Sincok, West, Mr. Speaker Ferguson - 22.

ABSENT: Representatives Fallon, George, Holloway, Kelly - 4.

Therefore, not having received a constitutional majority, HA 1 to HB 448 was declared defeated.

The roll call on HB 448 was taken and revealed:

YES: Representatives Anderson, Cain, Cathcart, Clendaniel, Darling, Free, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, West, Mr. Speaker Ferguson - 24.

NO: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Connor, George, Harrington, Hebner, Minner, Morris, Neal, Smith, Vernon - 14.

ABSENT: Representatives Fallon, Kelly, Matushefske - 3.

Therefore, having received a constitutional majority, HB 448 was sent to the Senate for concurrence.

Representative Free moved to suspend the rules for the purpose of introducing and acting on a resolution. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Free introduced and brought HJR 20, co-sponsored by Representatives Ambrosino, T. Brady, Burris, Cathcart, Connor, Fallon, Harrington, Hebner, Maroney, McKay, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincok, Smith, Vernon, Anderson, Cain, Ferguson, Gordy, Loughney, Maxwell and Minner and Senators Arnold, Knox, Weiss, Cicione, Kearns, Marshall and McDowell, before the House for consideration.

HJR 20 - Directing the Department of Community Affairs and Economic Development to Study the Ways in Which the State of Delaware May Encourage and Promote the Establishment of General Stock Ownership Plans and Employee Stock Ownership Plans.

The roll call on HJR 20 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 39.

NO: Representative Bennett - 1.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority, HJR 20 was sent to the Senate for concurrence.

Representative Gordy requested that the following communication be read into the record:

MEMO

TO: All Members of the House of Representatives

FROM: William J. Gordy, Majority Leader

Ruth Ann Minner, Majority Whip

John Burris, Minority Leader

DATE: June 13, 1979

SUBJECT: WORK SCHEDULE

Effective tomorrow, June 14, 1979, we will work 20 bills each day from the House Agenda, regardless of the hour. We will not recess until

these 20 bills have been worked. Your cooperation is requested.

The Chief Clerk read the following Committee Reports into the record:

Education: HB 526 - 4M, 2U.

Revenue & Finance: HB 524 - 3M, 2U; SB 238 - 1F, 3M; HB 296 - 1F, 3M; HB 361 - 2F, 2M.

Representative Gordy moved to recess to the call of the Chair at 6:24 p.m.

45th LEGISLATIVE DAY
1st Session

June 14, 1979

The Speaker called the House to order at 2:13 p.m.

The Chief Clerk read the following Committee Report into the record:

Health & Social Services: HB 501 - 3F, 1M.

The Majority Leader moved to adjourn at 2:14 p.m., thereby ending the previous legislative day. The House reconvened at 2:14 p.m. A prayer was offered by the Reverend Raymond B. Eggers from the Victory Baptist Church of New Castle, Delaware.

The Speaker led those present in a salute to the Flag.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Kelly - 1.

The minutes of the previous legislative day were approved as posted.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 94 w/SA 1 & SA 1 to SA 1; SJR 22; SB 119.

Representative Anderson introduced and brought HCR 72, co-sponsored by Representatives W. Brady, Oberle, Petrilli and Neal and Senators Martin, Hale and Spence, before the House for consideration.

HCR 72 - Strongly Urging the New Castle County Board of Education to Restore Advanced and Special Courses of Instruction in Certain New Castle County Schools.

The roll call on HCR 72 was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 36.

ABSENT: Representatives Ambrosino, Cain, Connor, Holloway, Kelly - 5.

Therefore, having received a constitutional majority, HCR 72 was sent to the Senate for concurrence.

Representative Minner introduced and brought HCR 73, co-sponsored by Representative Gordy, before the House for consideration.

HCR 73 - Requesting the United States Congress to Permanently

Suspend the Carryover Basis Rules Enacted Under the 1976 Tax Reform Act and to Restore the Stepped-Up Basis Rules Applicable to the Basis of Property Acquired from a Decedent Dying After 1976 to Apply the Same Basis Rules Which Were Applicable Prior to the 1976 Tax Reform Act.

HCR 73 was adopted by voice vote and sent to the Senate for concurrence.

Representative Anderson introduced and brought HR 97, co-sponsored by Representative Neal before the House for consideration.

HR 97 - Strongly Requesting the New Castle County Board of Education to Investigate Ways to Reduce the Amount of Busing in New Castle County.

HR 97 was adopted by voice vote.

Representative Darling introduced and brought HR 98 before the House for consideration.

HR 98 - Requesting the Newspapers, Radio and Television Media to Publicize the Fact that the Current Super-Enforcement of the Speed Limit on Delaware Highways is Required by the Federal Department of Transportation and Not the General Assembly.

HR 98 was adopted by voice vote.

Representative Gordy introduced and brought HR 99, co-sponsored by Representative Burris before the House for consideration.

HR 99 - Expressing our Deep Appreciation for the Beauty and the Meaning of Our Flag on Flag Day, June 14, 1979.

HR 99 was adopted by voice vote.

Representative Plant introduced and brought HCR 74 before the House for consideration.

HCR 74 - 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.

Representative Oberle moved to assign HCR 74 to committee. The motion was seconded by Representative Sincok.

Representative Plant moved to table the motion to place HCR 74 in committee. The motion was seconded by Representative Matushefske. The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Anderson, Cain, George, Matushefske, McBride, Morris, Neal, Plant - 9.

NO: Representatives Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Gilligan, Gordy, Harrington, Hebner, Loughney, Maroney, Maxwell, McKay, Minner, Oberle, Petrilli, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 28.

ABSENT: Representatives Free, Holloway, Jonkiert, Kelly - 4.

Therefore, not having received a constitutional majority, the motion was defeated.

Representative Plant rose on a point of order.

Representative Oberle moved to place HCR 74 in committee. The motion was seconded by Representative Sincok. The roll call on the motion was taken and revealed:

YES: Representatives Fallon, Hebner, Loughney, Maroney, McKay, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Vernon - 12.

NO: Representatives Ambrosino, Anderson, Bennett, T. Brady, W.

Brady, Burris, Cain, Clendaniel, Connor, Darling, Free, George, Gordy, Harrington, Jonkiert, Matushefske, Maxwell, McBride, Minner, Morris, Neal, Plant, Riddagh, West, Mr. Speaker Ferguson - 25.

ABSENT: Representatives Cathcart, Gilligan, Holloway, Kelly - 4.

Therefore, not having received a constitutional majority, the motion was declared defeated.

The roll call on HCR 74 was taken.

Representative Matushefske moved to table the roll call. The motion was seconded by Representative Gordy.

The roll call on the motion to table the roll call on HCR 74 was taken and revealed:

YES: Representatives Ambrosino, T. Brady, W. Brady, Cain, Clendaniel, Connor, Free, George, Gilligan, Gordy, Jonkiert, Matushefske, McBride, Neal, Plant, Riddagh, West, Mr. Speaker Ferguson - 18.

NO: Representatives Bennett, Burris, Cathcart, Darling, Fallon, Harrington, Hebner, Loughney, Maroney, McKay, Minner, Morris, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Vernon - 19.

ABSENT: Representatives Anderson, Holloway, Kelly, Maxwell - 4.

Therefore, not having received a constitutional majority, the motion was declared defeated.

The roll call on HCR 74 was revealed:

YES: Representatives T. Brady, W. Brady, Free, George, Matushefske, Plant - 6.

NO: Representatives Bennett, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, McBride, McKay, Morris, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 29.

NOT VOTING: Representatives Ambrosino, Minner - 2.

ABSENT: Representatives Anderson, Holloway, Kelly, Maxwell - 4.

Therefore, not having received a constitutional majority, HCR 74 was declared defeated.

The following prefiled legislation was introduced:

HB 558 - GORDY, FERGUSON; SENATOR KEARNS - REVENUE & FINANCE: An Act to Amend Chapter 11, Title 30, Delaware Code, Relating to the Tax Treatment of Pensions.

HB 559 - MINNER, OBERLE; SENATORS MARTIN, ARNOLD - JUDICIARY: An Act to Amend Subchapter VII, Chapter 5, Title 11 of the Delaware Code, Relating to Dangerous Weapons.

HB 560 - ANDERSON - APPROPRIATIONS: An Act to Make an Appropriation to the State Board of Education for Subsequent Allocation to School Districts in New Castle and Kent Counties as Compensation for Revenues not Received by Virtue of the Enactment into Law of House Bill No. 8 (130th General Assembly) (Senior Citizen School Tax Exemption).

HB 561 - PLANT - CONSTITUTION: An Act Proposing an Amendment to Section 2, Article V of the Constitution of the State of Delaware Relating to Voter Qualifications. (2/3 bill)

HB 562 - WEST - APPROPRIATIONS: An Act Making a Supplementary Appropriation to the Department of Health and Social Services to be Used for the Purchase of Furniture for the Hospital for

the Mentally Retarded at Stockley.

HB 563 - WEST - JUDICIARY: An Act to Amend Chapter 45, Title 11 of the Delaware Code, Relating to Convictions before Alderman or Mayor. (2/3 bill)

HB 564 - HARRINGTON - HOUSE ADMINISTRATION: An Act to Amend Chapter 45, Part IV, Title 15 of the Delaware Code, Relating to the Form and Designation of Ballots.

HB 565 - AMBROSINO - HOUSE ADMINISTRATION: An Act to Amend Chapter 9, Part II, Title 29 of the Delaware Code, Relating to the General Assembly; and Providing that Each Bill be Accompanied by an Impact Statement.

HB 566 - AMBROSINO - REVENUE & FINANCE: An Act to Amend Chapter 11, Part II, Title 30 of the Delaware Code, Relating to the Personal Income Tax.

HB 567 - MCBRIDE - PUBLIC SAFETY: An Act to Amend Chapter 21, Part II, Title 21 of the Delaware Code, Relating to the Registration of Motor Vehicles; and Providing for a Separate Fee for Certain Disabled Veterans.

HB 568 - MCBRIDE - PUBLIC SAFETY: An Act to Amend Chapter 21, Part II, Title 21 of the Delaware Code, Relating to the Registration of Motor Vehicles, and Providing Special License Plates for Certain Disabled Veterans.

HB 569 - MCBRIDE, SENATOR KEARNS - APPROPRIATIONS: An Act to Provide a Supplementary Appropriation to the Department of Transportation for Expenses Incurred in Certain Projects.

HB 570 - MCBRIDE - HEALTH & SOCIAL SERVICES: An Act to Amend Chapter 10, Part II, Title 16 of the Delaware Code, Relating to Hospitals; and Providing for a Delaware Death With Dignity Act.

HA 1 to HB 159 - MCKAY - Placed with the bill.

HA 1 to HB 489 - MCKAY - Placed with the bill.

HA 1 to HB 544 - T. BRADY - Placed with the bill.

HA 1 to HB 546 - CONNOR - Placed with the bill.

SB 94 w/SA 1 and SA 1 to SA 1 - MURPHY - BANKING & INSURANCE: An Act to Amend Chapter 59, of Title 18 of the Delaware Code, Relating to Rehabilitation and Liquidation of Insurers and Providing for Summary Proceedings.

HA 1 to SB 120 - VERNON - Placed with the bill.

Representative Gordy moved to recess for caucus at 3:30 p.m.

The House was called to order at 4:28 p.m.

Representative Plant brought HB 446 before the House for consideration.

Representative Plant moved to strike HB 446. Without objection, HB 446 was stricken.

Representative Gordy brought HB 389 before the House for consideration.

HB 389 - An Act to Amend Chapter 61, Title 9 of the Delaware Code, Relating to Aid for Maintenance of Public Dumping Areas.

The roll call on HB 389 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris,

Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Vernon, Mr. Speaker Ferguson - 36.

ABSENT: Representatives T. Brady, Kelly, Loughney, Smith, West - 5.

Therefore, having received a constitutional majority, HB 389 was sent to the Senate for concurrence.

Representative Gordy brought HB 388 before the House for consideration.

Representative Gordy requested and was granted the privilege of the floor for Joseph T. Conaway, Sussex County Administrator.

Representative Vernon moved to place HB 388 on the Speaker's table. The motion was seconded by Representative Harrington and adopted by voice vote.

Representative Gordy brought HB 382 before the House for consideration.

HB 382 - An Act to Amend Chapter 70, Title 9 of the Delaware Code, Relating to the Acquisition of Insurance by the Department of Finance of Sussex County.

Representative Gordy requested and was granted the privilege of the floor for Joseph T. Conaway, Sussex County Administrator.

The roll call on HB 382 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, Mr. Speaker Ferguson - 38.

ABSENT: Representatives Cain, Kelly, West - 3.

Therefore, having received a constitutional majority, HB 382 was sent to the Senate for concurrence.

Representative Burris introduced and brought HCR 75, co-sponsored by all members of the House and Senate, before the House for consideration.

HCR 75 - Recongizing and Commending Marion Evans, Secretary-Receptionist to Governor Pierre S. du Pont IV, and Wishing Her Luck and Best Wishes in Her New Career.

Representative Burris requested and was granted the privilege of the floor for George Frick.

HCR 75 was adopted by voice vote and sent to the Senate for concurrence.

Representative Gordy brought HB 380 before the House for consideration.

HB 380 - An Act to Amend Chapter 64, Title 9 of the Delaware Code, Relating to Sussex County Employees' Retirement Benefits.

The roll call on HB 380 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 40.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority, HB 380 was sent

to the Senate for concurrence.

Representative Gordy brought HB 381 before the House for consideration.

HB 381 - An Act to Amend Chapter 81, Title 9 of the Delaware Code Relating to the Application or Tax Exemptions for Persons over 65 Years of Age.

The roll call on HB 381 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 40.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority, HB 381 was sent to the Senate for concurrence.

Representative Neal brought HB 165 before the House for consideration.

The roll call on HB 165 was taken.

Representative Neal moved to table the roll call on HB 165. The motion was seconded by Representative Matushefske and adopted by voice vote.

Representative Plant brought HB 441 before the House for consideration.

HB 441 - An Act to Amend Title 19, Delaware Code, by Creating a Public Work Program and Providing a Supplementary Appropriation Therefor.

The House recessed at 5:36 p.m. for the purpose of changing the audio tape and reconvened at 5:38 p.m.

The roll call on HB 441 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Connor, Darling, Free, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Loughney, Matushefske, Maxwell, McBride, Minner, Morris, Plant, Powell, Mr. Speaker Ferguson - 25.

NO: Representatives Burris, Fallon, Hebner, Maroney, McKay, Oberle, Petrilli, Roy, Sincock, Vernon, West - 11.

NOT VOTING: Representatives Clendaniel, Neal, Smith - 3.

ABSENT: Representatives Kelly, Riddagh - 2.

Therefore, having received a constitutional majority, HB 441 was sent to the Senate for concurrence.

Representative Morris brought HB 476 before the House for consideration.

HB 476 - An Act to Direct the Board of Pension Trustees to Include for the Purpose of Computing a Pension for Horace Wilkinson, 76 Days of Sick Leave Incurred When Horace Wilkinson Suffered the Loss of an Eye While in the Employ of the State.

The roll call on HB 476 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith,

Vernon, West, Mr. Speaker Ferguson - 39.

ABSENT: Representatives Kelly, Maxwell - 2.

Therefore, having received a constitutional majority, HB 476 was sent to the Senate for concurrence.

Representative Holloway introduced and brought HCR 76 before the House for consideration.

HCR 76 - Requesting the Judges of the Superior Court to Amend Rule 6 (d) of the Superior Court Criminal Rules to Permit the Attendance of an Attorney for a Witness During a Grand Jury Proceeding Except When the Grand Jury is Deliberating or Voting.

The roll call on HCR 76 was taken and revealed:

YES: Representatives Anderson, W. Brady, Cain, Cathcart, Clendaniel, Darling, Fallon, George, Gilligan, Gordy, Hebner, Holloway, Jonkiert, Loughney, Matushefske, Maxwell, McBride, Minner, Morris, Plant, Smith, Mr. Speaker Ferguson - 22.

NO: Representatives Ambrosino, Bennett, T. Brady, Burris, Connor, Free, Harrington, Maroney, Neal, Powell, Roy, Sincock, Vernon, West - 14.

NOT VOTING: Representatives McKay, Oberle, Petrilli, Riddagh - 4.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority, HCR 76 was sent to the Senate for concurrence.

Representative Jonkiert requested that HB 209 be deferred to a day certain, Wednesday, June 20, 1979.

Representative Riddagh brought HB 327 before the House for consideration.

Representative Riddagh moved to place HB 327 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Hebner brought HB 445 before the House for consideration.

HB 445 - An Act to Amend Chapter 68, Title 18 of the Delaware Code, Relating to Medical Expert Witnesses.

Representative Hebner introduced and brought HA 1 before the House for consideration. HA 1 to HB 445 was adopted by voice vote.

The roll call on HB 445 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 39.

NOT VOTING: Representative Maroney - 1.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority, HB 445 w/HA 1 was sent to the Senate for concurrence.

Representative Maroney announced that she was recorded as "not voting" on HB 445 w/HA 1 because of a conflict of interest.

Representative Ambrosino requested that HB 310 be deferred to a day certain, June 19, 1979.

Representative McKay brought HB 213 before the House for consideration.

Representative McKay moved to place HB 213 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Matushefske brought HB 116 before the House for consideration.

Representative Vernon requested the privilege of the floor for House Attorney, John Rich.

Representative Jonkiert moved to reassign HB 116 to the Appropriations Committee. The motion was seconded by Representative Gordy and adopted by voice vote.

Mr. Speaker assigned HB 116 to the Appropriations Committee.

Representative Matushefske brought SB 144 before the House for consideration.

SB 144 - An Act to Amend Chapter 7, Title 18, of the Delaware Code, Relating to the Fee Schedule of the Insurance Code for the State of Delaware.

The roll call on SB 144 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 39.

ABSENT: Representatives Kelly, Roy - 2.

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

Representative Matushefske brought SB 129 before the House for consideration.

SB 129 - An Act to Amend Chapter 29, Title 21, Delaware Code, to Eliminate the Requirement for Filing SR-22 Insurance Certificates.

The roll call on SB 129 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 40.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority, SB 129 was returned to the Senate.

Representative Matushefske brought SB 180 w/SA 1 before the House for consideration.

SB 180 - An Act to Amend Chapter 21, Title 5 of the Delaware Code, Relating to Small Loan Companies.

The roll call on SB 180 w/SA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 38.

NOT VOTING: Representatives Free, Oberle - 2.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority, SB 180 w/SA 1 was returned to the Senate.

Representative McBride brought SB 2 - HA 1 before the House for consideration.

Representative Burris moved to place SB 2 - HA 1 on the Speaker's table. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Bennett brought HJR 15 before the House for consideration.

HJR 15 - Directing the State Superintendent of Public Instruction to Direct All School Districts to Administer the State Certification Rules Concerning Reading and Mathematics Personnel Authorized by Delaware Code, Title 14, Section 1716 or Other Personnel Assigned Specifically to Fulfill a Court Order Including Guidance and Counseling Personnel Without Any Lowering of Standards.

The roll call on HJR 15 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, Matushefske, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincok, Smith, Vernon, Mr. Speaker Ferguson - 36.

NOT VOTING: Representatives Holloway, Plant, West - 3.

ABSENT: Representatives Kelly, Maxwell - 2.

Therefore, having received a constitutional majority, HJR 15 was sent to the Senate for concurrence.

Representative W. Brady moved to strike HB 506. Without objection, HB 506 was stricken.

Representative W. Brady requested that SCR 34 be removed from the Agenda.

Representative Holloway introduced HB 571.

HB 571 - An Act Making a Supplemental Appropriation to the Department of Correction for the Purpose of Funding "Vision" A Program Designed to Help Ex-Offenders.

Mr. Speaker assigned HB 571 to the Appropriations Committee.

The Chief Clerk read the following Committee Report into the record: Revenue & Finance: HB 402 - 1F, 4M.

Representative Gordy moved to recess to the call of the Chair at 6:53 p.m.

46th LEGISLATIVE DAY 1st Session

June 18, 1979

The Speaker called the House to order at 2:05 p.m.

The Majority Leader moved to adjourn at 2:06 p.m., thereby ending the previous legislative day. The House reconvened at 2:06 p.m. A prayer was offered by Representative Al O. Plant from the 2nd

Representative District.

The Speaker led those present in a salute to the Flag.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Holloway, Kelly - 2.

The minutes of the previous legislative day were approved as posted.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HB 333;
HCR 75; HJR 19.

June 14, 1979

LEGISLATIVE ADVISORY #19

FROM: Office of Counsel to the Governor

The Governor signed the following legislation on the dates indicated:
6/8/79 - HB 348 a/a/b HA 1,2. 6/11/79 - HB 230 a/a/b HA 1, SA 1; HB 174. 6/13/79 - HB 271; SJR 22.

Representative Gilligan introduced and brought HCR 77, co-sponsored by Representatives Hebner, Sincock, Ambrosino, Anderson, Cain, W. Brady, Connor, Ferguson, Fallon, George, Kelly, Maxwell, McBride, Neal, Oberle, Petrilli, Powell and Roy and Senators Adams, Berndt, Cook, Hale, Hughes, Kearns, Marshall, Martin, McCullough, McDowell and Sharp, before the House for consideration.

HCR 77 - Saluting the University of Delaware Baseball Team and its Coach Bob Hannah for Attaining Great Success During the 1979 Season.

HCR 77 was adopted by voice vote and sent to the Senate for concurrence.

Representative George introduced and brought HR 100, co-sponsored by Representatives Ambrosino, Bennett, Cain, Clendaniel, Gilligan, Maxwell, Neal and Sincock, before the House for consideration.

HR 100 - Amending the Rules of the House of Representatives Concerning Assignment to Committee and Fiscal Notes.

The roll call on HR 100 was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Fallon, Free, George, Gilligan, Harrington, Hebner, Maroney, Matushefske, Maxwell, McKay, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon - 29.

NO: Representatives Darling, Gordy, Jonkiert, Loughney, McBride, Minner, Morris, West - 8.

NOT VOTING: Mr. Speaker Ferguson - 1.

ABSENT: Representatives Ambrosino, Holloway, Kelly - 3.

Therefore, having received a constitutional majority, HR 100 was adopted.

The following prefiled legislation was introduced:

HB 572 - AMBROSINO - HEALTH & SOCIAL SERVICES: An Act to Amend Title 18 and Title 24 of the Delaware Code, Relating to Health Care; and Providing for a Patients' Bill of Rights.

HB 573 - VERNON, MCKAY; SENATORS ADAMS, CORDREY - COMMUNITY AFFAIRS: An Act to Define the Warner Grant Trust Lands; and to Appropriate Funds to Survey and Monument Those Lands.

HB 574 - OBERLE; SENATOR MCDOWELL - ADMINISTRATIVE SERVICES: An Act to Amend Chapter 1, Title 26 of the Delaware Code, Relating to the Qualifications of the Members and Employees of the Public Service Commission.

HA 2 to HB 77 - FERGUSON - Placed with the bill.

HA 1 to HB 310 - AMBROSINO - Placed with the bill.

HA 1 to HB 388 - HARRINGTON, CATHCART - Placed with the bill.

HA 2 to HB 514 - MINNER - Placed with the bill.

HA 2 to HB 534 - GILLIGAN - Placed with the bill.

SB 119 - MURPHY - HIGHWAYS & TRANSPORTATION: An Act to Amend Subchapter III of Chapter 1, Title 17, Delaware Code, Relating to Powers of the Department of Transportation.

HA 1 to SB 171 - OBERLE - Placed with the bill.

Representative Sincok introduced HB 575, co-sponsored by Representatives Plant, Anderson, Cain, Clendaniel, Fallon, Hebner, Petrilli, Powell, Riddagh, Roy and Vernon.

HB 575 - An Act to Amend Title 14, Delaware Code, Relating to the Abolishment of the State Board of Education and the Office of Superintendent of Education; and Further Establishing the Office of Secretary of Education; and Further Defining its Organization, Powers, Duties and Functions; and Further Creating an Advisory Council on Education to the Secretary of Education.

Mr. Speaker assigned HB 575 to the Education Committee.

Representative Bennett brought HB 423 before the House for consideration.

HB 423 - An Act to Amend Chapter 1, Title 14, Delaware Code, to Provide for a Licensing of Non-Delaware Institutions of Higher Education that Offer Courses, Programs of Courses, or Degrees Within the State of Delaware.

The roll call on HB 423 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 39.

ABSENT: Representatives Holloway, Kelly - 2.

Therefore, having received a constitutional majority, HB 423 was sent to the Senate for concurrence.

Representative Gordy brought SB 230 before the House for consideration.

The roll call on SB 230 was taken.

Representative Gordy moved to table the roll call on SB 230. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Cathcart brought HB 313 before the House for consideration.

The roll call on HB 313 was taken.

Representative Cathcart moved to table the roll call on HB 313. The motion was seconded by Representative Sincok and adopted by voice vote.

Representative Loughney brought HB 89 before the House for

consideration.

Representative Loughney moved to place HB 89 on the Speaker's table. The motion was seconded by Representative Minner and adopted by voice vote.

Representative Gordy brought SB 216 before the House for consideration.

Representative Gordy moved to place SB 216 on the Speaker's table. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Gordy moved to recess for caucus at 3:15 p.m.

The House was called to order at 3:34 p.m.

Representative Gordy moved to recess to the call of the Chair at 3:35 p.m.

47th LEGISLATIVE DAY 1st Session

June 19, 1979

The Speaker called the House to order at 1:41 p.m.

The Majority Leader moved to adjourn at 1:42 p.m., thereby ending the previous legislative day. The House reconvened at 1:42 p.m. A prayer was offered by Representative Al O. Plant from the 2nd Representative District.

The Speaker led those present in a salute to the Flag.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Anderson, Kelly - 2.

The minutes of the previous legislative day were approved as posted.

Representative Burris moved to suspend the rules for the purpose of introducing and acting on a joint resolution. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Burris introduced and brought HJR 21, co-sponsored by Representatives Harrington, McKay, Riddagh, Sincok, Powell, Smith, Gordy, Minner, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Jonkiert, Kelly, Matushefske, Maxwell, Morris, Ambrosino, Plant, Connor, Hebner, T. Brady and Roy, before the House for consideration.

HJR 21 - Congratulating Ann Lorraine Harrington, of Milford, Upon Her Selection as Miss Delaware at the Annual Pageant on June 16, 1979.

The roll call on HJR 21 was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cain, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 36.

ABSENT: Representatives Anderson, Cathcart, Clendaniel, Holloway, Kelly - 5.

Therefore, having received a constitutional majority, HJR 21 was

sent to the Senate for concurrence.

The following prefiled legislation was introduced:

HB 576 - MORRIS - PUBLIC SAFETY: An Act to Amend Chapter 43, Title 21 of the Delaware Code, Relating to Rear-Wheel Flaps.

HB 577 - T. BRADY, AMBROSINO - HOUSE ADMINISTRATION: An Act to Amend Chapter 71, Title 29 of the Delaware Code, Relating to the Mileage Rate for Privately Owned Vehicles of the Members of the General Assembly.

HA 1 to HB 89 - LOUGHNEY - Placed with the bill.

HA 4 to HB 263 - GILLIGAN, PLANT - Placed with the bill.

HA 1 to HB 552 - W. BRADY - Placed with the bill.

HA 1 to HB 554 - HEBNER - Placed with the bill.

Representative Gordy moved to recess for caucus at 1:57 p.m.

The House was called to order at 4:03 p.m.

The Reading Clerk read the following communications into the record:

State of Delaware

Office of the Governor

MEMORANDUM

TO: Members of the 130th General Assembly

FROM: Battle Robinson, Assistant Counsel to the Governor

DATE: June 19, 1979

E: Request for Advisory Opinion

Attached please find the Governor's request for an Advisory Opinion on the constitutionality of SCR 47 (126th General Assembly) by which Delaware ratified the proposed Equal Rights Amendment to the United States Constitution.

This request was made pursuant to SJR 14.

Representative West introduced and brought HR 101 before the House for consideration.

HR 101 - Requesting the Insurance Commissioner to Study the Surcharge System Used by Delaware Automobile Insurance Plan Against Drivers and to Report Back to the House of Representatives Before January 30, 1980.

HR 101 was adopted by voice vote.

Representative West introduced and brought HR 102 before the House for consideration.

HR 102 - Requesting the Secretary of the Department of Health and Social Services to Make Whatever Recommendations are Necessary to Increase the State Amount Payable to a Delaware Nursing Home Resident.

HR 102 was adopted by voice vote.

Representative Jonkiert introduced and brought HR 103 before the House for consideration.

HR 103 - Commending George J. Fisher, of Wilmington, on His Election to a Fourth Term as State Commander of the Disabled American Veterans.

HR 103 was adopted by voice vote.

Representative Loughney introduced and brought HR 104 before the

House for consideration.

HR 104 - Amending House Resolution No. 2, Providing for the Rules of Order of the House of Representatives of the 130th General Assembly of Delaware, by Providing that Bills and Resolutions May be Reported out of Committee by a Majority of the Committee.

HR 104 was adopted by voice vote.

Representative Ambrosino introduced and brought HR 105, co-sponsored by Representatives T. Brady and Connor, before the House for consideration.

HR 105 - Recognizing the Importance of the Recent Papal Visit to Poland.

HR 105 was adopted by voice vote.

Representative Cain brought HB 347 - HA 1 before the House for consideration.

Representative Cain brought HA 1 before the House for consideration. HA 1 to HB 347 was adopted by voice vote.

Representative Cain introduced and brought HA 2, co-sponsored by Representative Maxwell, before the House for consideration. HA 2 to HB 347 was adopted by voice vote.

Representative Maxwell requested and was granted the privilege of the floor for Stephen B. Potter from the Delaware Troopers Lodge, F.O.P. #6.

Representative Cain rose on a point of order.

Mr. Speaker Ferguson requested and was granted the privilege of the floor for House Attorney, John Rich.

Representative Cain moved to place HB 347 w/HA 1,2 on the Speaker's table. The motion was seconded by Representative Maxwell and adopted by voice vote.

Representative Ambrosino brought HB 310 - HA 1 before the House for consideration.

HB 310 - An Act to Amend Chapter 39, Part I, Title 18 of the Delaware Code, Relating to Casualty Insurance Contracts; and Providing a Limitation on Premium Increases and Policy Cancellations.

Representative Ambrosino moved to strike HA 1. Without objection, HA 1 to HB 310 was stricken.

Representative Ambrosino introduced and brought HA 2 before the House for consideration. HA 2 to HB 310 was adopted by voice vote.

Representative Ambrosino requested and was granted the privilege of the floor for House Attorney, John Rich.

Representative Ambrosino rose on a point of order.

The roll call on HA 2 to HB 310 was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Vernon, West, Mr. Speaker Ferguson - 36.

NOT VOTING: Representative Smith - 1.

ABSENT: Representatives Anderson, Burris, Holloway, Kelly - 4.

Therefore, having received a constitutional majority, HA 2 to HB 310 was adopted.

Representative Ambrosino introduced and brought HA 1 to HA 2 before the House for consideration.

Representative Free rose on a point of order.

HA 1 to HA 2 to HB 310 was adopted by voice vote.

The roll call on HB 310 w/HA 2 and HA 1 to HA 2 was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 38.

ABSENT: Representatives Anderson, Cain, Kelly - 3.

Therefore, having received a constitutional majority, HB 310 w/HA 2 and HA 1 to HA 2 was sent to the Senate for concurrence.

Representative Loughney moved to lift HB 89 - HA 1 from the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

HB 89 - An Act to Amend Chapter 27 of Title 14, Chapter 9 of Title 10, and Chapter 5 of Title 11, Delaware Code, Relating to the Definition of Truancy or Truant.

Representative Loughney brought HA 1 before the House for consideration. HA 1 to HB 89 was adopted by voice vote.

The roll call on HB 89 w/HA 1 was taken and revealed:

YES: Representatives Bennett, W. Brady, Cain, Cathcart, Clendaniel, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, McBride, McKay, Minner, Morris, Neal, Oberle, Plant, Powell, Riddagh, Sincock, Vernon, West, Mr. Speaker Ferguson - 31.

NO: Representatives T. Brady, Burris, Connor, Petrilli, Roy, Smith - 6.

NOT VOTING: Representatives Ambrosino, Maxwell - 2.

ABSENT: Representatives Anderson, Kelly - 2.

Therefore, having received a constitutional majority of at least two thirds members of the House, HB 89 w/HA 1 was sent to the Senate for concurrence.

Representative Jonkiert brought SB 37 w/SA 1, - HA 1,2,3 before the House for consideration.

SB 37 - An Act to Amend Title 6 of the Delaware Code, Relating to Commerce and Trade; Prohibiting Restraints of Trade and Monopolistic Practices; Providing Remedies and Penalties Therefor; and Reposing Powers and Duties in the Attorney General.

Representative Maxwell moved to strike HA 1. Without objection, HA 1 to SB 37 w/SA 1 was stricken.

Representative Maxwell moved to strike HA 2. Without objection, HA 2 to SB 37 w/SA 1 was stricken.

Representative Maxwell brought HA 3 to SB 37 w/SA 1 before the House for consideration.

Representative Maxwell requested and was granted the privilege of the floor for House Attorney, John Rich.

Representative Jonkiert requested and was granted the privilege of the floor for George T. Coulson, from the Delaware Department of

Justice.

HA 3 to SB 37 w/SA 1 was adopted by voice vote.

The roll call on SB 37 w/SA 1 and HA 3 was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gordy, Hebner, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Oberle, Plant, Riddagh, Sincok, Smith, West, Mr. Speaker Ferguson - 31.

NO: Representatives Gilligan, Harrington, Neal, Petrilli, Powell, Roy, Vernon - 7.

NOT VOTING: Representative Matushefske - 1.

ABSENT: Representatives Anderson, Kelly - 2.

Therefore, having received a constitutional majority, SB 37 w/SA 1 and HA 3 was returned to the Senate.

Representative Jonkiert brought SB 47 before the House for consideration.

SB 47 - An Act to Amend Section 101, Subchapter I, Chapter 1, Title 13, of the Delaware Code, Relating to the Marriage of Mental Hospital Patients.

The roll call on SB 47 was taken and revealed:

YES: Representatives Ambrosino, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 37.

ABSENT: Representatives Anderson, Bennett, Cain, Kelly - 4.

Therefore, having received a constitutional majority, SB 47 was returned to the Senate.

Representative Plant moved to lift HB 263 w/HA 1 - HA 3, - HA 4 from the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Plant moved to strike HA 4. Without objection, HA 4 to HB 263 was stricken.

Representative Vernon rose on a point of order.

Representative Plant moved to place HB 263 w/HA 1, - HA 3 on the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

The Chief Clerk read the following Committee Reports into the record:

Judiciary: HB 500 - 6M.

Education: HB 527 - 4M; HB 555 - 5M.

Representative Bennett moved to strike HB 373. Without objection, HB 373 was stricken.

Representative Bennett moved to strike HB 374. Without objection, HB 374 was stricken.

Representative Bennett moved to strike HB 375. Without objection, HB 375 was stricken.

Representative Gordy moved to recess to the call of the Chair at 6:45 p.m.

48th LEGISLATIVE DAY
1st Session

June 20, 1979

The Speaker called the House to order at 1:43 p.m.

The Majority Leader moved to adjourn at 1:43 p.m., thereby ending the previous legislative day. The House reconvened at 1:44 p.m. A prayer was offered by Representative Al O. Plant from the 2nd Representative District.

The Speaker led those present in a salute to the Flag.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Anderson, Kelly - 2.

The minutes of the previous legislative day were approved as posted.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HCR 72; SB 35 w/SA 1, SA 1 to SA 1; HCR 77; SB 246 w/SA 1,2.

Representative Oberle requested the following communication be made a part of the record:

State of Delaware
Department of Justice
State Office Building
820 N. French Street, 8th Floor
Wilmington, Delaware 19801

May 17, 1979

The Honorable William A. Oberle, Jr.
State Representative
188 Scottfield Drive
Newark, Delaware 19713

Dear Representative Oberle:

Thank you for your letter of May 1, 1979 concerning evidentiary rulings by the Superior Court. Specifically, the Court has recently held that 24 Del. C. Section 1703 (g) prohibits the introduction of blood-alcohol tests into evidence when the doctor-patient privilege is asserted.

"The confidential relations and communications between a physician registered under this Chapter and his patient are placed on the same basis as those provided by law between attorney and client, and nothing in this subchapter shall be construed to require any such privileged communications to be disclosed except as provided by law." 24 Del. C. Section 1703 (g).

On February 15, 1979, Judge O'Hara of the Superior Court of New Castle County, in the case of State v. Harkin, first applied the statute in a prohibitive fashion. A copy of his opinion therein is included for your information and study. His decision to so hold was followed by Judge Bush in the case of State of Delaware v. Robert Torres, another criminally negligent homicide action. Fortunately, however, the State was able to prove the necessary elements of the offense without blood-alcohol readings.

It is my opinion that the statute in question was drafted without consideration of its application to criminal cases. At present, it is a loophole that could be closed by adding to the section, "that it should not be applied in criminal cases."

I will be happy to speak with you or your Legislative Counsel concerning the statute and its application.

Very truly yours,

Michael F. Foster,
Deputy Attorney General

Representative Gordy requested that the following communication be read into the record:

Sussex County Courthouse
Georgetown, Delaware 19947

June 18, 1979

The Honorable Michael J. Harrington, Sr.
Representative of the State of Delaware
228 North State Street
Dover, Delaware 19901

Dear Representative Harrington:

In discussion of House Bill No. 388 on the floor of the House of Representatives on Thursday, June 14, 1979 you repeatedly indicated to me that you had not received a sewer and water bill from Sussex County for your Dewey Beach property on Bayard Avenue. Apparently, there seems to be some confusion. The County's Utility Billing Department sent your bill for the Dewey property on May 2, 1979. We assume that you received that bill because it was paid on June 13, 1979. I must have misunderstood you when you said you "haven't received a bill for nine months."

If I can be of any further assistance, don't hesitate to call upon me. I am enclosing a copy of the paid bill for your records.

Yours truly,

Joseph T. Conaway,
County Administrator

Representative Gordy moved to recess for caucus at 1:58 p.m.

The House was called to order at 4:19 p.m.

The following prefiled legislation was introduced:

HB 578 - GEORGE - HOUSE ADMINISTRATION: An Act Awarding Special Pension Benefits; Appropriating Monies into the Special Pension Fund Authorized by Volume 61, Chapter 455, Laws of Delaware; and Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by This Act as If the Award Were Pursuant to Chapter 55, Title 29, Delaware Code.

HB 579 - PLANT - PUBLIC SAFETY: An Act to Amend Chapter 5, Title 21, Delaware Code, Relating to the Posting of Speed Limit Signs on Highways of This State Adjacent to High Rise Complexes and Other Housing Developments Occupied Exclusively by Senior Citizens; and Further Requiring Towns and Municipalities of This State to Erect

Similar Speed Signs; and Providing A Penalty Therefor. (2/3 bill)

HB 580 - MAXWELL, GILLIGAN; SENATORS SHARP, HUGHES - JUDICIARY: An Act to Amend Chapter 13 of Title 24, Delaware Code, Relating to Private Detectives. (2/3 bill)

HB 581 - MAXWELL, POWELL, BENNETT, BURRIS, VERNON, MCKAY, GORDY; SENATOR BERNDT - LABOR & COMMERCE: An Act to Amend Chapter 33, Title 19, Delaware Code, Relating to Unemployment Compensation.

HB 582 - MAXWELL, POWELL, BENNETT, BURRIS, VERNON, MCKAY, GORDY; SENATOR BERNDT - LABOR & COMMERCE: An Act to Amend Chapter 33, Title 19, Delaware Code, Relating to Unemployment Compensation.

HB 583 - SINCOCK, POWELL, FALLON, GORDY - PUBLIC SAFETY: An Act to Amend Subchapter I, of Chapter 43, Title 21, Delaware Code, Relating to Projections from the Periphery of Tires.

HB 584 - SINCOCK, POWELL, PLANT, GORDY - HIGHWAYS & TRANSPORTATION: An Act to Amend Titles 14, 21 and 29, Delaware Code, Relating to the Establishment of a Division of Public Pupil Transportation Within the Department of Transportation and Defining Its Powers, Duties and Functions; and Further Transferring the Duties, Functions and Responsibilities of Public School Pupil Transportation from the State Board of Education to the Department of Transportation.

HB 585 - AMBROSINO - EDUCATION: An Act to Amend Chapter 27, Part I, Title 14 of the Delaware Code, Relating to School Attendance; and Providing for a Maximum Number of Absences.

HB 586 - OBERLE - JUDICIARY: An Act to Amend Chapter 17, Title 24 of the Delaware Code, Relating to the Physician/Client Privilege.

HB 587 - VERNON - REVENUE & FINANCE: An Act to Amend Chapter 54, Title 30, Delaware Code, Relating to the Realty Transfer Tax.

HB 588 - NEAL, ANDERSON, W. BRADY, BURRIS, CLENDANIEL, DARLING, FALLON, FREE, GORDY, HARRINGTON, HEBNER, MCKAY, MINNER, PETRILLI, RIDDAGH, SMITH, VERNON, WEST; SENATOR BERNDT - EDUCATION: An Act to Amend Title 14 of the Delaware Code, Relating to the Application of State Money as a Result of a Strike or in the Process of Contract Negotiation.

HB 589 - OBERLE; SENATOR SHARP; REPRESENTATIVES ROY, NEAL, ANDERSON - EDUCATION: An Act to Amend Title 14 of the Delaware Code, Relating to the Assignment of Pupils or Teachers in the Public Schools of This State.

HB 590 - MCBRIDE - JUDICIARY: An Act to Amend Chapter 45, Title 6 of the Delaware Code, Relating to Equal Accommodations; and Providing for a Time Limitation Within Which Complaints Shall be Filled.

HB 591 - CONNOR - EDUCATION: An Act to Amend Chapter 13, Title 14 of the Delaware Code, Relating to the Free Public Schools; and Amending the Salary Schedule Applying to Substitute Teachers and Substitute Nurses.

HB 592 - CONNOR - EDUCATION: An Act to Provide a Supplementary Appropriation to the Department of Public Instruction, to be Utilized in Compensating Margaret Hodges for Salary Earned But Not Yet Paid.

HA 3 to HB 77 - LOUGHNEY - Placed with the bill.

HA 4 to HB 77 - LOUGHNEY - Placed with the bill.

HA 1 to HB 188 - FALLON - Placed with the bill.

HA 1 to HS 1 for HB 249 - MCBRIDE - Placed with the bill.

HA 1 to HB 421 - MATUSHEFSKE - Placed with the bill.

HA 2 to HB 421 - MATUSHEFSKE - Placed with the bill.

HA 2 to HB 544 - MATUSHEFSKE - Placed with the bill.

HA 1 to HB 568 - MCBRIDE - Placed with the bill.

HA 1 to HB 576 - MORRIS - Placed with the bill.

SB 35 w/SA 1, SA 1 to SA 1 - MURPHY - JUDICIARY: An Act to Amend Title 18 of the Delaware Code, to Authorize Legal Expense Insurance.

The Chief Clerk read the following Committee Reports into the record:

Constitution: HB 139 - 1F, 3M; HB 353 - 1F, 1M, 2U; HB 561 - 4M.

Health & Social Services: HB 553 - 2F, 2M.

Labor & Commerce: HB 582 - 3M.

Mr. Speaker announced that HB 455 was reassigned to the Appropriations Committee.

Representative McKay introduced and brought HR 106, co-sponsored by Representative Petrilli, before the House for consideration.

HR 106 - Welcoming Carolyn Beattie, Winner of Last Year's Pushmobile Derby, and Her Parents, Charles and Jean Beattie, to Legislative Hall Today, June 20, 1979.

HR 106 was adopted by voice vote.

Representative Holloway introduced and brought HR 107 before the House for consideration.

HR 107 - Requesting the Governor to Appoint an Advisory Council to Assist the Delaware Energy Office in Field Problems Relating to Emergency Shortages of Certain Fuels by Users and Energy Distributors.

HR 107 was defeated by voice vote.

Representative Sincock introduced and brought HR 108 before the House for consideration.

HR 108 - Requesting the Secretary of the Department of Transportation to Make a Study of the Need for a Traffic Signal at the New Headquarters of the New Castle County Police and Ambulance Service at Minquadale on the du Pont Parkway.

HR 108 was adopted by voice vote.

Representative Gordy moved to suspend the rules for the purpose of acting on a special agenda. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Ambrosino brought HB 341 before the House for consideration.

HB 341 - An Act to Amend Chapter 51, Part V, Title 16 of the Delaware Code, Relating to Mental Health; and Providing for the Expungement or Nullification of Certain Records.

The roll call on HB 341 was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock,

Smith, Vernon, Mr. Speaker Ferguson - 38.

ABSENT: Representatives Anderson, Kelly, West - 3.

Therefore, having received a constitutional majority, HB 341 was sent to the Senate for concurrence.

The House recessed at 4:53 p.m. for the purpose of changing the audio tape and reconvened at 4:54 p.m.

Representative Bennett brought HB 555 before the House for consideration.

HB 555 - An Act to Amend Chapter 6, Title 14 of the Delaware Code, Relating to Tuition Charges Under Certain Circumstances for Handicapped Persons.

The roll call on HB 555 was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Loughney, Maroney, Matushefske, Maxwell, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 36.

NO: Representative Roy - 1.

ABSENT: Representatives Anderson, Jonkiert, Kelly, McBride - 4.

Therefore, having received a constitutional majority, HB 555 was sent to the Senate for concurrence.

Representative T. Brady brought HB 379 - HA 1 before the House for consideration.

HB 379 - An Act Agreeing to a Proposed Amendment to Article III of the Delaware Constitution Relating to the Election and Term of Office for Certain State Officers.

Representative T. Brady brought HA 1 before the House for consideration. HA 1 to HB 379 was adopted by voice vote.

The roll call on HB 379 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 37.

NO: Representative Loughney - 1.

ABSENT: Representatives Anderson, Jonkiert, Kelly - 3.

Therefore, having received a constitutional majority of at least two thirds members of the House, HB 379 w/HA 1 was sent to the Senate for concurrence.

Representative W. Brady brought HB 507 before the House for consideration.

HB 507 - An Act Awarding Pension Benefits to Lawrence C. Pond, a Former State Employee; Appropriating Monies Into the Special Pension Fund Authorized by Volume 61, Chapter 455, Laws of Delaware; and Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by this Act as if it Were Awarded Pursuant to Chapter 55, Title 29 of the Delaware Code.

The roll call on HB 507 was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy,

Holloway, Jonkiert, Loughney, Matushefske, Maxwell, McBride, Minner, Morris, Oberle, Plant, Riddagh, Roy, Sincok, Smith, West, Mr. Speaker Ferguson - 29.

NO: Representatives Burris, Free, Harrington, Hebner, Maroney, McKay, Neal, Powell, Vernon - 9.

ABSENT: Representatives Anderson, Kelly, Petrilli - 3.

Therefore, having received a constitutional majority, HB 507 was sent to the Senate for concurrence.

Representative Burris brought HB 175 before the House for consideration.

Representative Cain requested that his name be removed as a sponsor of HB 175.

Representative Plant rose on a point of order.

Representative Cain introduced and brought HA 1 before the House for consideration. HA 1 to HB 175 was adopted by voice vote.

Representative Burris requested and was granted the privilege of the floor for Deborah Neff from Jobs for Delaware Graduates, Inc.

Representative Burris requested and was granted the privilege of the floor for Dr. William B. Keene from the Department of Public Instruction.

Representative Holloway rose on a point of order.

Representative Hebner rose on a point of order.

Representative Burris rose on a point of order.

Representative Burris rose on a point of order.

Representative Maxwell rose on a point of order.

Representative Burris moved to place HB 175 w/HA 1 on the Speaker's table. The motion was seconded by Representative Sincok.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cathcart, Connor, Darling, Fallon, Free, George, Gilligan, Harrington, Hebner, Holloway, Jonkiert, Maroney, Matushefske, Maxwell, McKay, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon - 31.

NO: Representatives Cain, Clendaniel, Gordy, Loughney, McBride, Minner, West, Mr. Speaker Ferguson - 8.

ABSENT: Representatives Anderson, Kelly - 2.

Therefore, having received a constitutional majority, the motion was adopted and HB 175 w/HA 1 was placed on the Speaker's table.

Representative Gordy moved to recess to the call of the Chair at 6:50 p.m.

49th LEGISLATIVE DAY 1st Session

June 21, 1979

The Speaker called the House to order at 1:42 p.m.

The Chief Clerk read the following Committee Reports into the record:

Education: HB 588 - 7M.

Judiciary: HB 477 - 1F, 4M.

The Majority Leader moved to adjourn at 1:42 p.m., thereby ending the previous legislative day. The House reconvened at 1:43 p.m. A prayer was offered by Representative Charles West from the 41st Representative District.

The Speaker led those present in a salute to the Flag.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Kelly - 1.

The minutes of the previous legislative day were approved as posted.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HB 336; SB 273; HB 268; HB 167; HB 118 w/HA 1; SJR 25; SB 193 w/SA 1; SB 242 w/SA 1; SJR 15; HB 335 w/HA 1,2.

June 20, 1979

LEGISLATIVE ADVISORY #20

FROM: Office of Counsel to the Governor

The Governor signed the following legislation on the dates indicated: 6/15/79 - SB 44. 6/18/79 - SB 110. 6/19/79 - HB 333; SB 81; SB 41 a/a/b SA 1. 6/20/79 - HB 128 a/a/b SA 1,2.

Representative Gordy moved to recess for party caucus at 1:51 p.m.

The House was called to order at 3:13 p.m.

The following prefiled legislation was introduced:

HB 593 - MINNER; SENATOR ZIMMERMAN - ENVIRONMENTAL CONTROL: An Act to Amend Title 7, Delaware Code, by Adding Chapter 63, Relating to the Regulation of Hazardous Waste and the Control of Hazardous Substance Spills; Providing for the Imposition of Duties on the Department of Natural Resources and Environmental Control and the Commission on the Transportation of Hazardous Materials; Prescribing Penalties and Further Providing for Enforcement of the Act.

HB 594 - MAXWELL, POWELL, ROY, MCBRIDE, LOUGHNEY - LABOR & COMMERCE: An Act to Appropriate Funds to the Department of Labor, Division of Vocational Rehabilitation.

HB 595 - MAXWELL, POWELL, LOUGHNEY, ROY, MCBRIDE - LABOR & COMMERCE: An Act to Amend Section 2392, of Title 19, Delaware Code, Relating to Assessment for Administrative Expenses on Workmens Compensation Insurance Carriers, to Require Certain Information be Furnished by the Division of Industrial Affairs.

HB 596 - BENNETT, W. BRADY, BURRIS, CAIN, CLENDANIEL, CONNOR, DARLING, NEAL, OBERLE, PETRILLI; SENATORS MCCULLOUGH, COOK, ZIMMERMAN - EDUCATION: An Act to Amend Chapter 17, Title 14 of the Delaware Code, to Provide a Unit for Gifted and Talented Pupils; to Authorize Staff, Services and Materials for Such Units in Public Schools; and to Make a Supplementary Appropriation Therefore.

HB 597 - BENNETT, W. BRADY, BURRIS, CONNOR, DARLING, NEAL; SENATOR ZIMMERMAN - EDUCATION: An Act to Amend Chapter 12 and Chapter 13, Title 14 of the Delaware Code, Relating to Substitute Teachers; and Providing a Supplementary Appropriation

Therefor.

HB 598 - BENNETT, W. BRADY, CAIN, CONNOR, DARLING, FALLON, GILLIGAN; SENATORS MCCULLOUGH, COOK, ZIMMERMAN - EDUCATION: An Act to Amend Chapter 17, Title 14 of the Delaware Code, to Provide a Three-Year Pilot Program in Elementary School Guidance and to Make an Appropriation Therefore.

HB 599 - BENNETT, W. BRADY, CAIN, CLENDANIEL, DARLING, FALLON, GILLIGAN, MINNER, NEAL; SENATORS MCCULLOUGH, COOK, ZIMMERMAN - EDUCATION: An Act to Amend an Act Entitled "An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1980; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Statutory Provisions."; to Provide for Transportation for Special Education Students.

HB 600 - BENNETT, W. BRADY, CLENDANIEL, DARLING, FALLON, GILLIGAN, NEAL, VERNON, WEST; SENATORS MCCULLOUGH, COOK, ZIMMERMAN - EDUCATION: An Act to Provide a Supplementary Appropriation to the State Board of Education to Increase the Division III Unit Allocation.

HB 601 - GILLIGAN - ADMINISTRATIVE SERVICES: An Act to Amend Chapter 5, Title 9, Delaware Code, to Permit Fire Companies to Inspect Fire Hydrants and Water Mains and to Report Their Findings and to Permit Testing of Fire-Fighting Equipment.

HB 602 - T. BRADY, SINCOCK - HIGHWAYS & TRANSPORTATION: An Act to Amend Chapter 84, Title 29 of the Delaware Code, Relating to Contracts Entered into by the Department of Highways and Transportation.

HA 3 to HB 282 - GEORGE - Placed with the bill.

HA 1 to HB 511 - T. BRADY - Placed with the bill.

HA 1 to HB 524 - MORRIS - Placed with the bill.

HA 1 to HB 551 - WEST - Placed with the bill.

SB 193 w/SA 1 - CORDREY (By Request) - BANKING & INSURANCE: An Act to Amend Chapter 27, Title 5, Delaware Code, Relating to Cashing of Checks, Drafts or Money Orders.

SB 242 w/SA 1 - MARTIN, BERNDT, HUGHES; REPRESENTATIVES KELLY, SINCOCK, POWELL - HIGHWAYS & TRANSPORTATION: An Act to Amend Chapter 7, Title 17, Delaware Code, Relating to Railroad Crossings over Highways.

SB 246 w/SA 1,2 - HOLLOWAY; REPRESENTATIVES FREE, HOLLOWAY, PLANT - COMMUNITY AFFAIRS: An Act Authorizing a Supplemental Appropriation to the Department of Health and Social Services for the Purpose of Raising General Assistance and Aid to Families With Dependent Children Payments and Amending Chapter 5, Title 31, Delaware Code, by Requiring that Aid to Families With Dependent Children be at 100% of the 1969 Standard of Need.

SB 273 - ADAMS, BERNDT; REPRESENTATIVES POWELL, MATUSHEFSKE - HOUSE ADMINISTRATION: An Act to Amend Chapter 663, Volume 60, Laws of Delaware, as Amended by Chapter 531, Volume 61, Relating to Pension Benefits of Corrections Officers.

HA 1 to SB 246 - BENNETT - Placed with the bill.

HA 2 to SB 246 - CONNOR, AMBROSINO - Placed with the bill.

Representative Oberle introduced and brought HR 109 before the

House for consideration.

HR 109 - Requesting that President Jimmy Carter Take Immediate and Effective Action to End the Energy Problem.

Representative Maxwell moved to place HR 109 on the Speaker's table. The motion was seconded by Representative Bennett and adopted by voice vote.

Representative Morris moved to lift HB 280 - HA 1, 2 from the Speaker's table. The motion was seconded by Representative Minner and adopted by voice vote.

HB 280 - An Act to Amend Chapter 27, Title 25 of the Delaware Code, Relating to Mechanics' Liens Against Structures Used Solely as a Residence; Payment of Contractor by Owner or Residence as a Defense; and Payment for Labor and Materials and Release of Lien by Contractor.

Representative Riddagh brought HA 1 before the House for consideration. HA 1 to HB 280 was adopted by voice vote.

Representative Neal brought HA 2 before the House for consideration. HA 2 to HB 280 was adopted by voice vote.

The roll call on HB 280 w/HA 1,2 was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Burris, Cain, Clendaniel, Darling, George, Gilligan, Gordy, Harrington, Jonkiert, Loughney, Matushefske, Maxwell, Minner, Morris, Neal, Plant, Riddagh, West, Mr. Speaker Ferguson - 22.

NO: Representatives Ambrosino, T. Brady, Connor, Fallon, Free, Hebner, Maroney, McBride, McKay, Oberle, Powell, Sincok, Smith, Vernon - 14.

NOT VOTING: Representatives Cathcart, Holloway - 2.

ABSENT: Representatives Kelly, Petrilli, Roy - 3.

Therefore, having received a constitutional majority, HB 280 w/HA 1,2 was sent to the Senate for concurrence.

Representative Cathcart announced that he was recorded as "not voting" on HB 280 because of a conflict of interest.

Representative Cain moved to lift HB 347 w/HA 1,2 from the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

HB 347 - An Act to Amend Title 19, Chapter 13 of the Delaware Code, Providing for Compulsory Arbitration of Labor Disputes for the Delaware State Police and the St2late of Delaware and Prescribing a Procedure Therefore, and th Enforcement Thereof.

Representative Cain introduced and brought HA 3 before the House for consideration. HA 3 to HB 347 was adopted by voice vote.

The roll call on HB 347 w/HA 1,2,3 was taken and revealed:

YES: Representatives Anderson, Cain, Cathcart, Gilligan, Gordy, Holloway, Loughney, Matushefske, Maxwell, Oberle, Plant, Mr. Speaker Ferguson - 12.

NO: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Clendaniel, Connor, Darling, Fallon, George, Harrington, Hebner, Maroney, McBride, McKay, Minner, Morris, Neal, Riddagh, Roy, Sincok, Smith, Vernon - 23.

NOT VOTING: Representatives Free, Powell - 2.

ABSENT: Representatives Jonkiert, Kelly, Petrilli, West - 4.

Therefore, not having received a constitutional majority, HB 347 w/HA 1,2,3 was declared defeated.

Representative Cathcart brought HB 401 before the House for consideration.

HB 401 - An Act Making a Supplementary Appropriation to the State Board of Education for the Purpose of Reimbursing Parents or Guardians of Students for Pupil Transportation Cost.

The roll call on HB 401 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 39.

ABSENT: Representatives Free, Kelly - 2.

Therefore, having received a constitutional majority, HB 401 was sent to the Senate for concurrence.

Representative Clendaniel brought HB 484 before the House for consideration.

HB 484 - An Act to Amend an Act Entitled "An Act Amending, Revising and Consolidating the Charter of Georgetown", Being Chapter 166, Volume 43, Laws of Delaware, as Amended, to Permit Interim Financing for Bond Issues.

The roll call on HB 484 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 40.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 484 was sent to the Senate for concurrence.

Representative Connor brought HB 372 before the House for consideration.

HB 372 - An Act to Amend Chapter 1, Title 16 of the Delaware Code, to Empower the State Board of Health to Post Notices Against Smoking in Certain Public Places.

The roll call on HB 372 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Fallon, Free, George, Gilligan, Gordy, Hebner, Holloway, Jonkiert, Maroney, Matushefske, Maxwell, McKay, Minner, Neal, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, West, Mr. Speaker Ferguson - 30.

NO: Representatives Bennett, Burris, Connor, Darling, Harrington, Loughney, McBride, Morris, Oberle, Vernon - 10.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority, HB 372 was sent to the Senate for concurrence.

Representative Darling brought HB 503 before the House for consideration.

HB 503 - An Act Making an Appropriation to the Department of Agriculture for the Purpose of Paying Sick Leave to J. Noble Carroll of

Felton, Who was not Eligible for a Pension at the Time of His Job Termination in 1977.

Representative Darling introduced and brought HA 1 before the House for consideration. HA 1 to HB 503 was adopted by voice vote.

The roll call on HB 503 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Maroney, Matushefske, Maxwell, McBride, Minner, Morris, Oberle, Plant, Powell, Riddagh, Roy, Sincok, Vernon, West, Mr. Speaker Ferguson - 33.

NO: Representatives Free, Hebner, McKay, Neal, Petrilli - 5.

ABSENT: Representatives Kelly, Loughney, Smith - 3.

Therefore, having received a constitutional majority, HB 503 w/HA 1 was sent to the Senate for concurrence.

Representative Fallon brought HB 407 before the House for consideration.

HB 407 - An Act to Amend Chapter 27, Title 21 of the Delaware Code, Relating to the Issuance of Temporary Instruction Permits Prior to Age 16.

The roll call on HB 407 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Vernon, West, Mr. Speaker Ferguson - 35.

NO: Representatives Jonkiert, Oberle - 2.

NOT VOTING: Representative W. Brady - 1.

ABSENT: Representatives Kelly, Loughney, Smith - 3.

Therefore, having received a constitutional majority, HB 407 was sent to the Senate for concurrence.

Representative George brought HB 470 before the House for consideration.

HB 470 - An Act Authorizing the Department of Health and Social Services to Pay Prior Years' Obligations from Budgetary Appropriations for the Fiscal Year Ending June 30, 1979.

The roll call on HB 470 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Vernon, West, Mr. Speaker Ferguson - 39.

ABSENT: Representatives Kelly, Smith - 2.

Therefore, having received a constitutional majority, HB 470 was sent to the Senate for concurrence.

Representative Gilligan brought HB 413 before the House for consideration.

HB 413 - An Act Authorizing the State Board of Education to Transfer Funds from the Public to the Non-Public Pupil Transportation Allocations for Fiscal Year 1979.

The roll call on HB 413 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Free, Gilligan, Gordy, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, Minner, Morris, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, West, Mr. Speaker Ferguson - 31.

NO: Representatives Bennett, Fallon, Harrington, McKay, Neal, Smith, Vernon - 7.

ABSENT: Representatives Burris, George, Kelly - 3.

Therefore, having received a constitutional majority, HB 413 was sent to the Senate for concurrence.

Representative Gordy brought HB 326 before the House for consideration.

HB 326 - An Act to Permit the Delmar School District to Transfer Certain Funds from Its Debt Service Account to Its Capital Improvement Account.

The roll call on HB 326 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Vernon, West, Mr. Speaker Ferguson - 36.

NOT VOTING: Representative McKay - 1.

ABSENT: Representatives Burris, George, Kelly, Smith - 4.

Therefore, having received a constitutional majority, HB 326 was sent to the Senate for concurrence.

Representative Harrington brought SB 150 before the House for consideration.

SB 150 - An Act to Make a Supplementary Appropriation to the Department of Administrative Services for Interest Owed the City of Dover in July, 1975.

The roll call on SB 150 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Sincok, Smith, Vernon, Mr. Speaker Ferguson - 37.

ABSENT: Representatives Burris, Kelly, Roy, West - 4.

Therefore, having received a constitutional majority, SB 150 was returned to the Senate.

Representative Hebner brought HB 486 before the House for consideration.

HB 486 - An Act to Amend Chapter 25, Title 24 of the Delaware Code, Relating to the Substitution of Drugs, Nonequivalent List Preparation.

The roll call on HB 486 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr.

Speaker Ferguson - 37.

ABSENT: Representatives Burris, Gilligan, Gordy, Kelly - 4.

Therefore, having received a constitutional majority, HB 486 was sent to the Senate for concurrence.

Representative Holloway brought HB 440 before the House for consideration.

Representative Holloway moved to table the roll call on HB 440. The motion was seconded by Representative Gordy and adopted by voice vote.

The House recessed at 4:25 p.m. and reconvened at 4:26 p.m.

Representative Jonkiert brought HB 523 - HA 1 before the House for consideration.

HB 523 - An Act to Amend Title 10, Chapter 40 of the Delaware Code, by Adding New Provisions to the Tort Claims Act Reestablishing the Principle of Sovereign Immunity for Counties and Municipalities Throughout the State of Delaware.

Representative Jonkiert brought HA 1 before the House for consideration. HA 1 to HB 523 was adopted by voice vote.

The roll call on HB 523 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 38.

ABSENT: Representatives Kelly, Loughney, Roy - 3.

Therefore, having received a constitutional majority, HB 523 w/HA 1 was sent to the Senate for concurrence.

Representative Loughney brought HB 331 before the House for consideration.

HB 331 - An Act to Amend Chapter 3, Title 16, Delaware Code, Relating to the Availability of Restrooms in Public Places.

The roll call on HB 331 was taken and revealed:

YES: Representatives Gordy, Jonkiert, Loughney, Matushefske - 4.

NO: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Harrington, Hebner, Holloway, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West - 35.

NOT VOTING: Mr. Speaker Ferguson - 1.

ABSENT: Representative Kelly - 1.

Therefore, not having received a constitutional majority of at least two-thirds members of the House, HB 331 was declared defeated.

Representative Matushefske brought HB 524 - HA 1 before the House for consideration.

HB 524 - An Act to Amend Chapter 26, Part I, Title 14 of the Delaware Code, Relating to the Power of County Vocational High School Districts and County Vocational-Technical School Districts to Levy Taxes for School Purposes.

Representative Morris brought HA 1 before the House for consideration.

Representative Morris moved to place HA 1 on the Speaker's table.

The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Matushefske brought HA 2 before the House for consideration. HA 2 to HB 524 was adopted by voice vote.

Representative Morris moved to lift HA 1 from the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

HA 1 to HB 524 was adopted by voice vote.

The roll call on HB 524 w/HA 1,2 was taken and revealed:

YES: Representatives Burris, Cathcart, Clendaniel, Darling, Fallon, George, Gordy, Hebner, Jonkiert, Loughney, Matushefske, Maxwell, McBride, Minner, Morris, Neal, Oberle, Plant, Riddagh, Roy, Sincock, Vernon, West, Mr. Speaker Ferguson - 24.

NO: Representatives Bennett, T. Brady, Cain, Connor, Free, Harrington, Maroney, McKay, Petrilli, Smith - 10.

NOT VOTING: Representatives Ambrosino, Holloway - 2.

ABSENT: Representatives Anderson, W. Brady, Gilligan, Kelly, Powell - 5.

Therefore, having received a constitutional majority, HB 524 w/HA 1,2 was sent to the Senate for concurrence.

Representative Maxwell brought HB 402 - HA 1 before the House for consideration.

HB 402 - An Act to Amend Chapter 20, Title 30, Delaware Code, to Provide Tax Credits Against Corporation Income Taxes and a Reduction in Manufacturers and Wholesalers Gross Receipts Taxes to Persons Developing New Business Facilities and Creating Additional Jobs Within Delaware.

Representative Cain brought HA 1 before the House for consideration. HA 1 to HB 402 was adopted by voice vote.

The roll call on HB 402 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 38.

NO: Representative Connor - 1.

NOT VOTING: Representative Minner - 1.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority, HB 402 w/HA 1 was sent to the Senate for concurrence.

Representative Gordy moved to recess for party caucus at 4:50 p.m.

The House reconvened at 5:52 p.m.

The Chief Clerk read the following Committee Reports into the record:

Judiciary: HB 586 - 5M; HB 559 - 5M; HB 539 - 5M.

Education: HB 589 - 7M, 1U; HB 598 - 8M.

Public Safety: HB 579 - 3M, 1U.

Representative Gordy introduced HB 603, co-sponsored by Senator Littleton.

HB 603 - An Act Approving the Sale of a Parcel of Land Owned by the Laurel School District to Maurice L. and Nancy B. Cannon.

Mr. Speaker assigned HB 603 to the House Administration Committee. Representative McKay moved to lift HB 212 from the Speaker's table. The motion was seconded by Representative Vernon and adopted by voice vote.

HB 212 - An Act to Amend Chapter 5, Title 1 of the Delaware Code, to Redesignate Lincoln's Birthday, Washington's Birthday and Columbus Day to Their Former Dates as Holidays.

Representative McKay requested and was granted the privilege of the floor for House Attorney, Mike Rich.

The roll call on HB 212 was taken and revealed:

YES: Representatives Ambrosino, Bennett, W. Brady, Cathcart, Clendaniel, Connor, Darling, Fallon, Gordy, Hebner, Maroney, McKay, Minner, Morris, Petrilli, Plant, West, Mr. Speaker Ferguson - 18.

NO: Representatives Anderson, T. Brady, Burris, Cain, Free, George, Gilligan, Harrington, Holloway, Loughney, Maxwell, McBride, Neal, Oberle, Powell, Roy, Sincock, Vernon - 18.

NOT VOTING: Representative Riddagh - 1.

ABSENT: Representatives Jonkiert, Kelly, Matushefske, Smith - 4.

Therefore, not having received a constitutional majority, HB 212 was declared defeated.

Representative McBride brought HB 501 before the House for consideration.

HB 501 - An Act to Amend Chapter 30, Part II, Title 31 of the Delaware Code, Relating to the State Human Relations Commission; and Permitting the Commission to Act as Conciliator in Matters Involving Discrimination Because of One's Sex or Physical Handicap.

Representative McBride requested and was granted the privilege of the floor for Paula Lehrer from the Human Relations Commission.

Five members of the House stood to cut off debate; therefore, according to the House Rules, debate was discontinued.

The roll call on HB 501 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Connor, Darling, Fallon, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, Minner, Neal, Oberle, Plant - 20.

NO: Representatives Bennett, Burris, Cain, Cathcart, Clendaniel, George, Harrington, Hebner, McKay, Morris, Petrilli, Powell, Riddagh, Roy, Sincock, Vernon, West, Mr. Speaker Ferguson - 18.

ABSENT: Representatives Free, Kelly, Smith - 3.

Therefore, not having received a constitutional majority, HB 501 was declared defeated.

Representative Minner brought HB 514 - HA 1,2 before the House for consideration.

HB 514 - An Act to Amend Chapter 82, Title 29, Delaware Code, Relating to Regulation and Transportation of Hazardous Materials Within This State; Providing for the Imposition of Duties Upon the Department of Public Safety, the State Police and Other Departments and Divisions of State Government; Prescribing Penalties and Further Providing for Enforcement of This Act.

Representative Minner brought HA 1 before the House for consideration. HA 1 to HB 514 was adopted by voice vote.

Representative Minner brought HA 2 before the House for

consideration. HA 2 to HB 514 was adopted by voice vote.

The roll call on HB 514 w/HA 1,2 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Vernon, Mr. Speaker Ferguson - 38.

NO: Representative West - 1.

ABSENT: Representatives Kelly, Smith - 2.

Therefore, having received a constitutional majority of at least two thirds members of the House, HB 514 w/HA 1,2 was sent to the Senate for concurrence.

Representative Holloway moved to lift the roll call on HB 440. The motion was seconded by Representative Gordy.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Mr. Speaker Ferguson - 31.

NO: Representatives Harrington, Matushefske, McKay, Vernon - 4.

ABSENT: Representatives T. Brady, Burris, Hebner, Kelly, Smith, West - 6.

Therefore, having received a constitutional majority, the motion was adopted and the roll call on HB 440 was lifted.

HB 440 - An Act to Amend Subchapter II, Chapter 21, Title 21, Delaware Code, Relating to Special License Plates for Justices of the Peace.

The roll call on HB 440 was revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Darling, Fallon, Free, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, McBride, Minner, Neal, Plant, Riddagh, Roy, West, Mr. Speaker Ferguson - 26.

NO: Representatives T. Brady, Connor, George, Gilligan, Matushefske, McKay, Morris, Oberle, Petrilli, Powell, Sincok, Smith, Vernon - 13.

ABSENT: Representatives Kelly, Maxwell - 2.

Therefore, having received a constitutional majority, HB 440 was sent to the Senate for concurrence.

Representative Morris brought HB 477 before the House for consideration.

HB 477 - An Act to Amend Chapter 15, Title 13 of the Delaware Code, Relating to an Award of Alimony in Divorce and Annulment Actions.

The roll call on HB 477 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Vernon, Mr. Speaker Ferguson - 36.

NO: Representatives Minner, West - 2.

ABSENT: Representatives Darling, Kelly, Smith - 3.

Therefore, having received a constitutional majority, HB 477 was sent to the Senate for concurrence.

Representative Neal brought HB 588 before the House for consideration.

Representative Jonkiert rose on a point of order.

Representative Anderson requested that her name be removed as a sponsor of HB 588.

Representative Sincok requested and was granted the privilege of the floor for House Attorney, John Rich.

Representative Maxwell moved to place HB 588 on the Speaker's table. The motion was seconded by Representative Matushefske.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, Cain, Cathcart, Clendaniel, Darling, Fallon, Free, Gilligan, Harrington, Hebner, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Vernon - 26.

NO: Representatives Bennett, W. Brady, Clendaniel, Connor, George, Gordy, Holloway, Jonkiert, Minner, Morris - 10.

NOT VOTING: Mr. Speaker - 1.

ABSENT: Representatives Burris, Kelly, Smith, West - 4.

Therefore, having received a constitutional majority, the motion was adopted and HB 588 was placed on the Speaker's table.

Representative Oberle brought HB 479 before the House for consideration.

HB 479 - An Act to Amend Chapter 39, Title 10, of the Delaware Code, Relating to Parental Liabilities.

The roll call on HB 479 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Sincok, Smith, Vernon, Mr. Speaker Ferguson - 37.

ABSENT: Representatives Cain, Kelly, Roy, West - 4.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 479 was sent to the Senate for concurrence.

Representative Burris rose on a point of order.

Representative Petrilli brought HB 443 - HA 1,2 before the House for consideration.

Representative Petrilli brought HA 1 before the House for consideration. HA 1 to HB 443 was adopted by voice vote.

Representative Petrilli brought HA 2 before the House for consideration. HA 2 to HB 443 was adopted by voice vote.

Representative Petrilli introduced and brought HA 3 before the House for consideration. HA 3 to HB 443 was adopted by voice vote.

Representative Petrilli moved to place HB 443 w/HA 1,2,3 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Hebner moved to restore HB 501 to the calendar.

Representative McBride requested a roll call on HB 501.

Representative Loughney rose on a point of order.

Representative Sincock rose on a point of order.

Representative McBride moved to rescind the roll call on HB 501. The motion was seconded by Representative Hebner and adopted by voice vote.

The roll call on HB 501 was taken.

Representative McBride moved to table the roll call on HB 501. The motion was seconded by Representative Gordy and adopted by voice vote.

Mr. Speaker announced the following members of the House Committee on Desegregation: Representatives McBride, Anderson and Petrilli.

Representative George moved to suspend the rules for the purpose of introducing and acting on a bill. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative George introduced and brought SB 347, co-sponsored by Senator Cicione and Representative George, before the House for consideration.

SB 347 - An Act to Make a Supplementary Appropriation for Certain Grants-In-Aid.

The roll call on SB 347 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Plant, Powell, Riddagh, Roy, Sincock, Vernon, West, Mr. Speaker Ferguson - 38.

NO: Representatives Petrilli, Smith - 2.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority of at least three-fourths members of the House, SB 347 was returned to the Senate.

Representative George moved to suspend the rules for the purpose of introducing and acting on a bill. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative George introduced and brought SB 348, co-sponsored by Senator Cicione and Representative George, before the House for consideration.

SB 348 - An Act to Make a Supplementary Appropriation for Certain Grants-In-Aid.

The roll call on SB 348 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, Mr. Speaker Ferguson - 39.

ABSENT: Representatives Kelly, West - 2.

Therefore, having received a constitutional majority of at least three-fourths members of the House, SB 348 was returned to the Senate.

Representative Plant moved to lift HB 263 w/HA 1 and - HA 3 from the Speaker's table. The motion was seconded by Representative Gordy

and adopted by voice vote.

Representative Plant brought HA 3 before the House for consideration. HA 3 to HB 263 was adopted by voice vote.

Representative Plant introduced and brought HA 1 to HA 3 before the House for consideration. HA 1 to HA 3 to HB 263 was adopted by voice vote.

Representative Sincock requested that the following communication be read into the record:

Donald R. Hull
Engineering Consultant, Reg. Prof. Eng. (Del.)
4925 Lancaster Pike
Wilmington, Delaware 19807

June 15, 1979

Representative Marian P. Anderson, Chairman
House Committee on Aging
41 Anglin Drive
Robscott Manor
Newark, Delaware 19713

RE: "Crisis Alleviation"

Dear Mrs. Anderson:

John Present, a member of the Governor's Advisory Council on Aging, met with your committee while I was traveling. Mr. Present has met with the council and offers the attached proposal. In his absence, I transmit this proposal.

"Crisis Alleviation" is proposed as a worthwhile program not now funded, as a place to use Lottery funds. I feel the attached write-up answers most questions. Please call me if you need more information.

The proposal has been discussed as a part of an executive session of our council. All seven attendees appeared to be in favor; no vote could be taken. We have this subject on the agenda for our stated meeting on June 28.

Yours truly,

Donald R. Hull, Chairman
Governor's Advisory Council on Aging

Hot Line - Crisis

May of Delaware's elderly citizens have a need for crisis alleviation services and personalized information and referral services designed to "walk" them through the "red tape" when, very often, immediate action is critical.

Through the Division of Aging, State Lottery proceeds would provide the needed funds for "crisis alleviation" to qualified senior citizens when the need for such service is clearly established.

State Lottery Funds would also enable the Division of Aging to establish a "Hot Line" for senior citizens which would provide appropriate information, "personalized" referral, and case management.

The "Hot Line" would utilize three phone numbers (one in each county) which will be tied into one central switchboard. All calls will be screened and recorded by the operator who will refer the case to the

appropriate caseworker. The caseworker will work closely with the client in making appointment with the client in making appointments with potential service providers and explaining the circumstances and special needs of the elderly person to the various service providers. The caseworker will make the necessary assurances that the client's needs are satisfied through follow-up.

Should the client need "crisis alleviation" services, the caseworker will establish the client's eligibility (60+ with income under \$4,000) and assess the urgency of the request and assure that appropriate and immediate action is taken by making the necessary contacts with providers.

Fuel and utility bills will be paid directly to the provider and will not exceed \$200 annually.

The system will need the following staff/resources;

	<u>Annual Estimated Cost</u>
Clerk/Operator	\$ 8,822*
Caseworkers (3) \$13,634	40,902*
Cars (3)	13,500
Offices (rent) (2)	1,016
Telephones (central) (1)	2,920**
Supplies	600
Utilities	220

*Includes 20% fringe benefits (estimated)

**\$240 per month plus \$40 installation

Program Guidelines

The eligibility criteria for crisis alleviation service are:

- (1) Person must be 60 years or over.
- (2) Annual income will not exceed \$4,000 annually for one.
\$5,000 annually for two.

The roll call on HB 263 w/HA 1,3 and HA 1 to HA 3 was taken.

Representative Plant moved to table the roll call on HB 263 w/HA 1,3 and HA 1 to HA 3. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Matushefske moved to suspend the rules for the purpose of introducing and acting on a bill. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Matushefske introduced and brought SB 346, co-sponsored by Senator Kearns and Representative Matushefske, before the House for consideration.

SB 346 - An Act to Aid Wilmington Manor Volunteer Fire Company, Inc., by Making an Appropriation Therefor.

The roll call on SB 346 was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Sincock, Vernon, Mr. Speaker Ferguson - 33.

NO: Representatives Ambrosino, Loughney, West - 3.

NOT VOTING: Representative Roy - 1.

ABSENT: Representatives T. Brady, Free, Kelly, Smith - 4.

Therefore, having received a constitutional majority of at least three-fourths members of the House, SB 346 was returned to the Senate.

Representative Riddagh moved to lift HB 303 w/HA 1, - HA 2 from the Speaker's table. The motion was seconded by Representative Hebner and adopted by voice vote.

HB 303 - An Act to Amend Chapter 5, Part I, Title 11 of the Delaware Code, Relating to Unlawful Substances; and Prohibiting the Inhaling of Certain Drugs or Other Noxious Chemical Substances and/or Causing Others to Do So.

Representative Riddagh brought HA 1 before the House for consideration. HA 1 to HB 303 was adopted by voice vote.

Representative Riddagh brought HA 2 before the House for consideration. HA 2 to HB 303 was adopted by voice vote.

Representative Riddagh introduced and brought HA 3 before the House for consideration. HA 3 to HB 303 was adopted by voice vote.

The roll call on HB 303 w/HA 1,2,3 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, Mr. Speaker Ferguson - 38.

NO: Representative West - 1.

ABSENT: Representatives Free, Kelly - 2.

Therefore, having received a constitutional majority of at least two thirds members of the House, HB 303 w/HA 1,2,3 was sent to the Senate for concurrence.

Representative Roy moved to lift HB 85 - HA 1 and HA 1 to HA 1 from the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

HB 85 - An Act to Amend Chapter 43, Part II, Title 21 of the Delaware Code, Relating to the Equipment and Construction of Vehicles and Providing Certain Bumper Height Restrictions.

Representative Oberle brought HA 1 before the House for consideration. HA 1 to HB 85 was adopted by voice vote.

Representative Oberle brought HA 1 to HA 1 before the House for consideration. HA 1 to HA 1 to HB 85 was adopted by voice vote.

The roll call on HB 85 w/HA 1 and HA 1 to HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, Mr. Speaker Ferguson - 37.

ABSENT: Representatives Free, Kelly, Minner, West - 4.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 85 w/HA 1 and HA 1 to HA 1 was sent to the Senate for concurrence.

Representative Vernon introduced and brought HR 110, co-sponsored by Representatives Darling, Fallon, Petrilli, Powell and Clendaniel,

before the House for consideration.

HR 110 - Requesting that the State Fire Prevention Commission Conduct an Inquiry into the Practices and Procedures of the State Fire Marshal and Submit a Written Report Thereon to the House of Representatives.

HR 110 was adopted by voice vote.

The House recessed at 8:35 p.m. for the purpose of changing the audio tape and reconvened at 8:36 p.m.

Representative Sincock brought HB 468 before the House for consideration.

HB 468 - An Act to Amend an Act Entitled "An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1980; Specifying Certain Procedures, Conditions, and Limitations for the Expenditure of Such Funds: And Amending Certain Pertinent Statutory Provisions", Being House Bill No. 333 of the 130th General Assembly of the State of Delaware.

The roll call on HB 468 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Matushefske, Maxwell, McBride, Minner, Morris, Neal, Oberle, Plant, Powell, Riddagh, Roy, Sincock, Mr. Speaker Ferguson - 32.

NO: Representatives Burris, Vernon, West - 3.

NOT VOTING: Representative McKay - 1.

ABSENT: Representatives Free, Kelly, Maroney, Petrilli, Smith - 5.

Therefore, having received a constitutional majority, HB 468 was sent to the Senate for concurrence.

Representative Vernon brought HB 219 before the House for consideration.

HB 219 - An Act to Amend Chapter 9, Title 4, Delaware Code, Relating to Employment of Persons Where Alcoholic Liquor is Served.

The roll call on HB 219 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Oberle, Plant, Powell, Riddagh, Roy, Sincock, Vernon, West, Mr. Speaker Ferguson - 35.

NO: Representatives T. Brady, Neal - 2.

ABSENT: Representatives Free, Kelly, Petrilli, Smith - 4.

Therefore, having received a constitutional majority, HB 219 was sent to the Senate for concurrence.

Representative Ferguson brought HJR 18, co-sponsored by Representative Maxwell, before the House for consideration.

HJR 18 - Supporting the National Rifle Association of America in its Condemnation of Federal Agency Policies Seeking to Curb the Constitutional Right to Possess Firearms.

The roll call on HJR 18 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Matushefske, McBride, McKay, Minner, Morris, Neal, Oberle, Powell,

Riddagh, Roy, Sincock, Vernon, West, Mr. Speaker Ferguson - 33.

NO: Representative Maroney - 1.

NOT VOTING: Representative Holloway - 1.

ABSENT: Representatives Free, Kelly, Maxwell, Petrilli, Plant, Smith - 6.

Therefore, having received a constitutional majority, HJR 18 was sent to the Senate for concurrence.

Representative Anderson moved to suspend the rules for the purpose of introducing and acting on a resolution. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Anderson introduced and brought SJR 18, sponsored by Senator Murphy, before the House for consideration.

SJR 18 - Reestablishing a Workmen's Compensation Commission to Study Workmen's Compensation Insurance in the State of Delaware and Elsewhere for the Purpose of Making Recommendations to the General Assembly as to a Suggested Total Revision of Delaware's Workmen's Compensation Law and Improvement in the Administration of Said Law, and Providing a Supplemental Appropriation Therefor.

The roll call on SJR 18 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 36.

ABSENT: Representatives Burris, Free, Kelly, Petrilli, Plant - 5.

Therefore, having received a constitutional majority, SJR 18 was returned to the Senate.

Representative George introduced HB 604, co-sponsored by Representatives Cain, Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Fallon, Harrington, Hebner, Jonkiert, Maroney, Maxwell, Oberle, Petrilli, Powell, Riddagh, Roy, Sincock, Vernon, West and Senators Adams, Arnold, Berndt, Cicione, Cook, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Spence and Weiss.

HB 604 - A Transportation Program Act of the State of Delaware Repealing Chapters 13, 14, 16, 17 and 19 of Title 2, Delaware Code, as Amended, and Sections 8407, 8408 and 8409 of Chapter 84, Title 29, Delaware Code, as Amended, Constituting Laws Pertaining to the Delaware Transportation Authority, the Delaware Turnpike, Local Transportation Authorities, Specialized Transportation Authorities, and the Council on Transportation, Reestablishing the Delaware Transportation Authority, as Chapter 13 of Title 2, Delaware Code, As Amended, Authorizing the Creation of Subsidiary Corporations for Public Transportation and Specialized Transportation, Authorizing the Issuance of Bonds by the Delaware Transportation Authority and the State of Delaware for Certain Highway Projects, Authorizing the Imposition, Collection and Pledging of Tolls on the Delaware Turnpike, Transferring Certain Highway Projects to the Transportation Authority from the State, Cancelling the Authority of the State to Issue Bonds for Such Highway Purposes, Authorizing the Delaware Transportation Authority to Refund Outstanding Bonds of Such Authority and

Reestablishing the Council on Transportation. (3/4 bill)

Mr. Speaker assigned HB 604 to the Appropriations Committee.

Representative Cain introduced HB 605, co-sponsored by Representative Connor and Senators Marshall and Berndt.

HB 605 - An Act to Amend Title 29 of the Delaware Code, Relating to the Periodic Review and Termination of Certain State Agencies; and Providing for a Delaware Sunset Act.

Mr. Speaker assigned HB 605 to the House Administration Committee.

Representative Ambrosino introduced HB 606, co-sponsored by Representatives Kelly, Connor, T. Brady, Loughney, Petrilli, Roy, Matushefske, Jonkirt, Cathcart, Maxwell, Gilligan, Sincock, Free, Oberle and Powell.

HB 606 - An Act to Amend Chapter 17, Title 24 of the Delaware Code, Relating to Abortions; the Degree of Medical Care to be Rendered to Infants Born Alive Following an Abortion or Attempted Abortion and Prohibiting the Use of Any Fetus or Infant Born Prematurely for Scientific Research or Experimental Purposes.

Mr. Speaker assigned HB 606 to the Health and Social Services Committee.

Representative Ambrosino moved to strike HS 1 for HB 536. Without objection, HS 1 for HB 536 was stricken.

Representative Hebner moved to strike HB 185. Without objection, HB 185 was stricken.

Representative Hebner moved to strike HB 4. Without objection, HB 4 was stricken.

The Chief Clerk read the following Committee Report into the record: Appropriations: HB 562 - 9M.

Representative Gordy moved to recess to the call of the Chair at 9:10 p.m.

50th LEGISLATIVE DAY 1st Session

June 25, 1979

The Speaker called the House to order at 2:09 p.m.

The Chief Clerk read the following Committee Report into the record: Health & Social Services: HB 606 - 1F, 3M.

The Majority Leader moved to adjourn at 2:10 p.m., thereby ending the previous legislative day. The House reconvened at 2:10 p.m. A prayer was offered by Representative J. Edward Morris from the 34th Representative District.

The Speaker led those present in a salute to the Flag.

The Chief Clerk called the roll.

Members Present: 40.

Members Absent: Representative Kelly - 1.

The minutes of the previous legislative day were approved as posted.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SJR 26; SJR 27; SJR 28; SB 103; SB 244; SJR 18; HB 470; HB 345 w/HA 1; HB 46; SB

Department of State
Ambassador at Large
Washington

Dear Mrs. Fitzgerald:

On behalf of Secretary Vance, I acknowledge receipt of House Joint Resolution No. 8 of the General Assembly of the Delaware State Legislature, memorializing the United States Government to urge the Federal Republic of Germany to abolish or extend the statute of limitations for the prosecution of persons accused of capital crimes during World War II. We have transmitted your Memorial to the Embassy of the Federal Republic for forwarding to the appropriate West German officials.

As you know, resolutions were recently passed in the House of Representatives (H. Res. 106) and in the Senate (S. Res. 99) urging the Federal Republic of Germany to extend or abolish the statute of limitations on murder as it applies to accused Nazi war criminals. The Department of State has not, however, taken a position on this issue. We believe that to do so could be misinterpreted in Germany as U.S. interference in the Federal Republic's democratic, parliamentary process and might indeed produce results quite contrary to those intended.

Responsible Germans of all major parties are deeply divided on how to deal with this issue; both those opposing and those advocating abolition of the statute argue from strongly held positions of moral and legal principle. One bill already introduced in the West German parliament would abolish the statute of limitations on murder whenever committed. A second proposal would abolish the limitation on the period of liability for Nazi-era murders which meet the criteria of genocide. A vote is expected perhaps before the German parliament recesses in early July. Irrespective of whether either of these proposals become law, the statute of limitations will not apply to the almost 4,000 individuals accused of Nazi war crimes on whom files have already been opened.

The Department of State has been following very closely the debate in Germany of this important issue, and has provided facilitative assistance and briefings for several private American delegations which have traveled to Germany to discuss it. Chancellor Schmidt, who favors abolition, has met with many such groups from all over the world. He and the other members of the German parliament are very much aware of the intense interest among the American people and in the United States Government in the problem but have, at the same time, cautioned against actions that might appear as foreign pressure. We, therefore, continue to believe that it would not be wise for the United States Government to advocate a position on this issue.

Sincerely,

W. Beverly Carter

Representative W. Brady introduced and brought HR 111 before the House for consideration.

HR 111 - Congratulating Coach Tom Nash of the Middletown High School Baseball Team for His Selection as Coach of the Year by the Delaware Baseball Coaches Association.

HR 111 was adopted by voice vote.

Representative Gordy moved to recess for caucus at 2:22 p.m.

The House reconvened at 5:17 p.m.

The following prefiled legislation was introduced:

HB 607 - RIDDAGH, W. BRADY, T. BRADY - CORRECTIONS: An Act to Amend Chapter 61, Title 29, Delaware Code, Relating to Authorization to Deposit into a Special Fund Specific Department of Correction Agricultural Land Rental Receipts for the Purpose of Providing Continuously Needed Management of the State Land Parcel Upon Which the Delaware Correctional Center is Located.

HB 608 - RIDDAGH, W. BRADY, T. BRADY - CORRECTIONS: An Act to Make a Supplemental Appropriation to the Department of Correction for the Purpose of Meeting Certain Payroll Obligations Necessitated by a Court Decision.

HB 609 - RIDDAGH, W. BRADY, T. BRADY - CORRECTIONS: An Act to Make a Supplemental Appropriation to the Department of Correction for the Purpose of Meeting Certain Payroll Obligations Necessitated by a Court Decision.

HB 610 - RIDDAGH, JONKIERT - JUDICIARY: An Act to Amend Chapter 25, Title 11 of the Delaware Code, Requiring Actual Notice to be Given to Prosecutors by Sentenced Prisoners in Other States Who are Requesting Disposition of Detainers Lodged Against Them by Delaware.

HB 611 - RIDDAGH, W. BRADY, T. BRADY - CORRECTIONS: An Act to Make a Supplemental Appropriation to the Department of Corrections for the Purpose of Meeting Certain Payroll Obligations Necessitated by An Arbitration Ruling.

HA 5 to HB 77 - LOUGHNEY - Placed with the bill.

HA 1 to HB 457 - ANDERSON - Placed with the bill.

HA 2 to HB 461 - ANDERSON - Placed with the bill.

HA 2 to HB 511 - T. BRADY - Placed with the bill.

HA 1 to HB 573 - VERNON, MCKAY; SENATORS CORDREY, ADAMS - Placed with the bill.

HA 2 to HB 573 - VERNON, MCKAY - Placed with the bill.

SB 103 - WEISS - LABOR & COMMERCE: An Act to Amend Subchapter 11, Chapter 7, Title 19 of the Delaware Code, Relating to Discrimination in Employment Because of Age.

SB 244 - MARTIN - ADMINISTRATIVE SERVICES: An Act to Amend Chapter 14, Title 24 of the Delaware Code, Providing for an Exemption from Electrical Inspection to the Department of Transportation.

SJR 15 - MARTIN - EDUCATION: Directing the State Board of Education to Encourage Local School Boards to Consider Unnecessary Student Driving in Planning for the School Year 1979-1980.

SJR 25 - HOLLOWAY - COMMUNITY AFFAIRS: Providing for a Fine for any Gasoline Service Station that Charges More than Its Posted Price for a Gallon of Gasoline.

SJR 26 - WEISS - COMMUNITY AFFAIRS: Designating the Week of November 4 through November 10, 1979 as Albert Einstein Week.

SJR 27 - HOLLOWAY - HIGHWAYS & TRANSPORTATION: Directing the Delaware Authority for Regional Transit to Study the

Feasibility of Initiating Shuttle Service Between the Wilmington and Stanton Campuses of Delaware Technical Community College.

SJR 28 - HUGHES - COMMUNITY AFFAIRS: Designating July 25, 1979 as Edward "Porky" Oliver Day.

The Chief Clerk read the following Committee Report into the record:

Revenue & Finance: HB 208 - 1M, 3U.

Representative Gordy moved to suspend the rules for the purpose of acting on a preferred Agenda. The motion was seconded by Representative Minner and adopted by voice vote.

The Chief Clerk read the following Committee Report into the record:

Community Affairs: SB 246 - 1F, 3M.

Mr. Speaker reassigned SB 246 to the Appropriations Committee.

Representative Jonkiert introduced and brought HR 112 before the House for consideration.

HR 112 - Amend the Rules of the House of Representatives to Provide that the Rules can be suspended only by the Vote of Three-Fifths of All of the Members Elected to the House of Representatives.

The roll call on HR 112 was taken.

Representative Jonkiert moved to table the roll call on HR 112. The motion was seconded by Representative Matushefske and adopted by voice vote.

Representative Ambrosino brought HB 606 before the House for consideration.

HB 606 - An Act to Amend Chapter 17, Title 24 of the Delaware Code, Relating to Abortions; the Degree of Medical Care to be Rendered to Infants Born Alive Following an Abortion or Attempted Abortion and Prohibiting the Use of any Fetus or Infant Born Prematurely for Scientific Research or Experimental Purposes.

Representative Ambrosino introduced and brought HA 1 before the House for consideration. HA 1 to HB 606 was adopted by voice vote.

Representative Ambrosino requested and was granted the privilege of the floor for House Attorney, John Rich.

The roll call on HB 606 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sinecock, Smith, Vernon, West, Mr. Speaker Ferguson - 39.

NOT VOTING: Representative Bennett - 1.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority, HB 606 w/HA 1 was sent to the Senate for concurrence.

Representative Anderson brought HB 461 - HA 1, - HA 2 before the House for consideration.

HB 461 - An Act to Amend Title 21, Chapter 27, Delaware Code, to Prohibit Drivers Aged 16 or 17 from Operating a Motor Vehicle During Certain Hours.

Representative Anderson moved to strike HA 1. Without objection, HA 1 to HB 461 was stricken.

Representative Anderson brought HA 2 before the House for

consideration.

Representative Anderson requested and was granted the privilege of the floor for House Attorney, Richard Cooch.

The roll call on HA 2 to HB 461 was taken and revealed:

YES: Representatives Ambrosino, T. Brady, George, Gordy, Holloway, Maroney, McKay, Minner, Petrilli, Riddagh, Roy, Smith, West, Mr. Speaker Ferguson - 14.

NO: Representatives Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, Gilligan, Harrington, Hebner, Jonkiert, Loughney, Matushefske, Maxwell, McBride, Morris, Neal, Oberle, Powell, Sincock, Vernon - 25.

ABSENT: Representatives Kelly, Plant - 2.

Therefore, not having received a constitutional majority, HA 2 was declared defeated.

The roll call on HB 461 was taken and revealed:

YES: Representatives Ambrosino, Anderson, W. Brady, Connor, Holloway, Loughney, Plant, Riddagh, Mr. Speaker Ferguson - 9.

NO: Representatives Bennett, T. Brady, Burris, Cain, Cathcart, Clendaniel, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Roy, Sincock, Smith, Vernon, West - 31.

ABSENT: Representative Kelly - 1.

Therefore, not having received a constitutional majority of at least two thirds members of the House, HB 461 was declared defeated.

Representative Bennett brought HB 376 before the House for consideration.

HB 376 - An Act to Amend Chapter 54, Title 30, Delaware Code, to Exempt from Realty Transfer Tax Transfers in Connection with, or in Lieu of, the Foreclosure of Certain Mortgages.

The roll call on HB 376 was taken and revealed:

YES: Representatives Bennett, Cathcart, Darling, Fallon, George, Gordy, Hebner, Minner, Plant, Powell, Roy - 11.

NO: Representatives Ambrosino, Anderson, T. Brady, Burris, Clendaniel, Connor, Gilligan, Harrington, Jonkiert, Maroney, Matushefske, Maxwell, McBride, McKay, Morris, Neal, Oberle, Petrilli, Riddagh, Sincock, Smith, Vernon, West - 23.

NOT VOTING: Representatives W. Brady, Cain, Free, Holloway, Loughney, Mr. Speaker Ferguson - 6.

ABSENT: Representative Kelly - 1.

Therefore, not having received a constitutional majority, HB 376 was declared defeated.

Representative Burris moved to lift HB 175 w/HA 1 from the Speaker's table. The motion was seconded by Representative Hebner and adopted by voice vote.

HB 175 - An Act to Make a Supplementary Appropriation for a Grant-In-Aid to Jobs for Delaware Graduates, Inc.

Representative Burris requested and was granted the privilege of the floor for John Campanelli, President of the AFL-CIO.

Representative Loughney rose on a point of order.

Representative Burris rose on a point of order.

Representative Cain rose on a point of order.

Representative Burris rose on a point of order.

Representative Clendaniel introduced and brought HA 2 to HB 175 before the House for consideration.

The roll call on HA 2 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Oberle, Petrilli, Riddagh, Roy, Smith, Vernon, West, Mr. Speaker Ferguson - 31.

NO: Representatives Bennett, Burris, Harrington, Maroney, Sincok - 5.

NOT VOTING: Representatives Hebner, Powell - 2.

ABSENT: Representatives Kelly, Neal, Plant - 3.

Therefore, having received a constitutional majority, HA 2 to HB 175 was adopted.

Representative McKay rose on a point of order.

Mr. Speaker granted the privilege of the floor to John Campanelli.

Representative Jonkiert stated that there were more than five members of the House standing to cut-off debate; therefore, according to the House Rules, debate was stopped.

The roll call on HB 175 w/HA 1,2 was taken.

Representative Loughney moved to table the roll call on HB 175 w/HA 1,2. The motion was seconded by Representative Gordy.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Anderson, W. Brady, Cathcart, Connor, George, Gordy, Harrington, Holloway, Loughney, Matushefske, Minner, West, Mr. Speaker Ferguson - 14.

NO: Representatives Bennett, T. Brady, Burris, Cain, Clendaniel, Darling, Fallon, Free, Gilligan, Hebner, Jonkiert, Maroney, Maxwell, McBride, McKay, Morris, Neal, Oberle, Petrilli, Powell, Riddagh, Sincok, Smith, Vernon - 24.

ABSENT: Representatives Kelly, Plant, Roy - 3.

Therefore, not having received a constitutional majority, the motion was declared defeated.

Representative Riddagh rose on a point of order.

The roll call on HB 175 w/HA 1,2 was revealed:

YES: Representatives Bennett, T. Brady, Burris, Cathcart, Fallon, Free, Gilligan, Harrington, Hebner, Holloway, Jonkiert, Maroney, Matushefske, Maxwell, Neal, Petrilli, Powell, Sincok, Mr. Speaker Ferguson - 19.

NO: Representatives Cain, Clendaniel, Darling, McKay, Morris, Riddagh, Vernon - 7.

NOT VOTING: Representatives Ambrosino, Anderson, W. Brady, Connor, George, Gordy, Loughney, McBride, Minner, Oberle, Smith, West - 12.

ABSENT: Representatives Kelly, Plant, Roy - 3.

Therefore, not having received a constitutional majority of at least three quarters members of the House, HB 175 w/HA 1,2 was declared defeated.

Representative Jonkiert moved to lift the roll call on HR 112. The motion was seconded by Representative Holloway and adopted by voice vote.

Representative Minner rose on a point of order.

HR 112 - Amend the Rules of the House of Representatives to Provide that the Rules can be Suspended Only by the Vote of Three-Fifths of all of the members Elected to the House of Representatives.

Representative Jonkiert moved to table the roll call on HR 112. The motion was seconded by Representative Loughney.

The roll call on the motion was taken and revealed:

YES: Representatives Cain, Cathcart, Clendaniel, Connor, Darling, Holloway, Jonkiert, Loughney, McBride, Minner, Morris, Petrilli, Riddagh, Roy, West - 15.

NO: Representatives Anderson, Bennett, T. Brady, W. Brady, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Maroney, Matushefske, Maxwell, McKay, Neal, Oberle, Powell, Sincock, Smith, Vernon, Mr. Speaker Ferguson - 22.

ABSENT: Representatives Ambrosino, Burris, Kelly, Plant - 4.

Therefore, not having received a constitutional majority, the motion was declared defeated.

The roll call on HR 112 was revealed:

YES: Representatives Cain, Clendaniel, Darling, Gordy, Holloway, Jonkiert, Loughney, Maxwell, McBride, Minner, Morris, Petrilli, Plant, Riddagh, Roy, Vernon, Mr. Speaker Ferguson - 17.

NO: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Connor, Fallon, Free, George, Gilligan, Harrington, Hebner, Maroney, Matushefske, McKay, Neal, Oberle, Powell, Sincock, Smith, West - 23.

ABSENT: Representative Kelly - 1.

Therefore, not having received a constitutional majority, HR 112 was declared defeated.

Representative Cain brought HJR 14 before the House for consideration.

The roll call on HJR 14 was taken.

Representative Cain moved to table the roll call on HJR 14. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Gordy moved to recess to the call of the Chair at 7:32 p.m.

51st LEGISLATIVE DAY 1st Session

June 26, 1979

The Speaker called the House to order at 1:52 p.m.

The Chief Clerk read the following Committee Reports into the record:

Revenue & Finance: HB 376 - 4M.

Administrative Services: HB 404 - 1F, 3M.

Education: HB 425 - 7M; HB 472 - 7M.

Labor & Commerce: HB 465 - 4M.

House Administration: HB 485 - 4M, 1U; HB 578 - 4M, 1U; SB 194 - 5M.

Judiciary: HB 488 - 1F, 5M; HB 292 - 5M.

Appropriations: SB 25 - 8M, 1U.

Community Affairs: SB 181 - 4M; SB 227 - 4M; SB 246 - 1F, 3M.

The Majority Leader moved to adjourn at 1:57 p.m., thereby ending the previous legislative day. The House reconvened at 1:57 p.m. A prayer was offered by Representative J. Edward Morris from the 34th Representative District.

The Speaker led those present in a salute to the Flag.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Kelly - 1.

The minutes of the previous legislative day were approved as posted.

The Chief Clerk read the following Committee Report into the record:

Appropriations: HB 604 - 3F, 3M.

Mr. Speaker announced that HB 604 was reassigned to the Highways and Transportation Committee.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 285; SB 290; SB 315 w/SA 1; SB 254; SB 258; SB 305; SB 303.

United States Senate
Washington, D.C. 20510

June 14, 1979

Ms. Ann Fitzgerald, Chief Clerk
State of Delaware House of Representatives
Legislative Hall
Dover, Delaware 19901

Dear Ms. Fitzgerald:

This is to acknowledge receipt of a copy of House Joint Resolution 8 urging the abolition or extension of the statute of limitation on Nazi war criminals.

I am fully in accord with the views expressed in the House resolution.

Sincerely,

William V. Roth, Jr.
U. S. Senate

Representative Burris moved to suspend the rules for the purpose of introducing and acting on a resolution. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Burris introduced and brought HJR 22, co-sponsored by Representatives McKay, Riddagh, Sincock, Powell, Smith, Gordy, Minner, Cain, Clendaniel, Darling, Ferguson, T. Brady, Harrington, George, Gilligan, Jonkiert, Kelly, Matushefske, Maxwell, Morris, Ambrosino, Plant, Connor, Hebner and Roy and Senators Adams, Cordrey, Murphy and Zimmerman before the House for consideration.

HJR 22 - Congratulating Ann Lorraine Harrington, of Milford, Upon Her Selection as Miss Delaware at the Annual Pageant on June 16, 1979.

The roll call on HJR 22 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 37.

ABSENT: Representatives T. Brady, Clendaniel, Kelly, Matushefske - 4.

Therefore, having received a constitutional majority, HJR 22 was sent to the Senate for concurrence.

Representative Gordy introduced and brought HCR 78, co-sponsored by Representative Minner and Senator Adams, before the House for consideration.

HCR 78 - Requesting the Secretary of Transportation and the Members of the Delaware Congressional Delegation to Strive for National Uniform Truck Length and Weight Laws.

HCR 78 was adopted by voice vote and sent to the Senate for concurrence.

Representative Bennett introduced HB 619, co-sponsored by Representatives George, Anderson, W. Brady, Clendaniel, Minner, Gordy and Darling.

HB 619 - An Act to Amend An Act Entitled "An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1980; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions", Being House Bill No. 333 of the 130th General Assembly of the State of Delaware.

Mr. Speaker assigned HB 619 to the Appropriations Committee.

Representative Holloway introduced and brought HR 113, co-sponsored by Representative Neal, before the House for consideration.

HR 113 - Requesting the Governor to Urge Delaware Gasoline Service Stations to Utilize a Color Code System to Indicate Types of Fuels Available During the Energy Crisis and to Further Indicate for the Consumers Convenience, in Cases Where Service Stations Are Closed, the Time in Which Such Service Stations Will Reopen for Business.

HR 113 was adopted by voice vote.

Representative Ambrosino introduced and brought HR 114 before the House for consideration.

HR 114 - Congratulating Blaise Giroso Upon Winning the Delaware Men's Amateur Golf Championship.

HR 114 was adopted by voice vote.

The following prefiled legislation was introduced:

HB 612 - FERGUSON - HOUSE ADMINISTRATION: An Act to Amend Chapter 94, Title 29, Delaware Code, Relating to the Sources of Energy by Enabling the State of Delaware to Acquire Crude Oil and/or Petroleum Products for Use in the State; Creating a Revolving Fund for the Acquisition and Proceeds of Resales; Authorizing the Borrowing of Money Therefore; and Further Providing a Supplementary Appropriation Therefore.

HB 613 - FERGUSON - HOUSE ADMINISTRATION: An Act Providing a Supplementary Appropriation to the Delaware Heritage Commission.

HB 614 - GORDY, BENNETT, MINNER, CLENDANIEL, WEST, DARLING, FERGUSON, MORRIS, FALLON, VERNON; SENATORS LITTLETON, HUGHES, BERNDT, MURPHY, ADAMS, CICIONE, COOK, CORDREY - EDUCATION: An Act to Amend Chapter 68, Volume 62 of the Laws of Delaware, also Known as House Bill No. 333 of the 130th General Assembly, to Change the Effective Date of State Funding of Transportation of Pupils to Special Schools to July 1, 1980.

HB 615 - LOUGHNEY, FERGUSON, GORDY, MINNER - HOUSE ADMINISTRATION: An Act to Amend Chapter 7, Part II, Title 29 of the Delaware Code, Relating to the Subpoena and Contempt Powers of the General Assembly.

HB 616 - PETRILLI, MCKAY, SINCOCK, RIDDAGH, CONNOR, HEBNER, SMITH, OBERLE, MARONEY, FALLON - HOUSE ADMINISTRATION: An Act to Amend Chapter 7, Title 29 of the Delaware Code, Relating to the Remuneration of Members of the General Assembly from Grant-in-Aid Funds.

HB 617 - MCBRIDE - PUBLIC SAFETY: An Act to Amend Chapter 21, Part II, Title 21 of the Delaware Code, Relating to the Registration of Motor Vehicles, and Providing Special License Plates for Certain Veterans.

HB 618 - CONNOR, MATUSHEFSKE - HEALTH & SOCIAL SERVICES: An Act to Amend Chapter 79, Part VIII, Title 29 of the Delaware Code, Relating to the Financial Liability of Persons Served by the Department of Health and Social Services.

HA 1 to HB 577 - T. BRADY - Placed with the bill.

HA 1 to HB 599 - MCKAY - Placed with the bill.

SB 254 - ADAMS - PUBLIC SAFETY: An Act to Amend Chapter 21, Title 21 of the Delaware Code, Relating to Vehicles Being Towed by Tow Trucks.

SB 258 - COOK; REPRESENTATIVE GORDY - HOUSE ADMINISTRATION: An Act to Amend Chapter 55, Title 29, Delaware Code, to Provide Post-Retirement Increases to Pensioners Who Retired Prior to 1978 and Providing a Supplemental Appropriation Therefor.

SB 285 - KEARNS, ZIMMERMAN - NATURAL RESOURCES: An Act to Amend Chapter 7, Title 7 of the Delaware Code, Relating to Lawful Hunting Devices.

SB 290 - SHARP; REPRESENTATIVE OBERLE - PUBLIC SAFETY: An Act to Amend Chapter 41, Title 21 of the Delaware Code, Relating to Increased Fines for Passing Stopped School Buses. (2/3 bill)

SB 303 - MURPHY, HOLLOWAY, SPENCE; REPRESENTATIVES RIDDAGH, SINCOCK, POWELL, MATUSHEFSKE, HOLLOWAY - HOUSE ADMINISTRATION: An Act Exempting All Persons Duly Registered as an Apprentice Prior to June 23, 1955 from the Requirements of Graduation from a Regular Recognized College of Embalming and Passing an Examination by the Board of Funeral Service Practitioners, Prior to Engaging in the Funeral Service Profession.

SB 305 - ZIMMERMAN - APPROPRIATIONS: An Act to Authorize the Capital School District to Transfer Funds from its Minor Capital Improvements Account to Its Operating Account.

SB 315 w/SA 1 - CORDREY, ADAMS; REPRESENTATIVES VERNON, MCKAY - NATURAL RESOURCES: An Act to Define the Warner Grant Trust Lands; and to Appropriate Funds to Survey and Monument

Those Lands.

HA 1 to SB 125 - CONNOR - Placed with the bill.

HA 3 to SB 246 - CONNOR - Placed with the bill.

HA 4 to SB 246 a/a/b SA 1,2 - BENNETT - Placed with the bill.

Representative Cathcart moved to lift the roll call on HB 313. The motion was seconded by Representative Hebner and adopted by voice vote.

HB 313 - An Act to Amend Chapters 9 and 39, Title 10 of the Delaware Code, Relating to Parental Liability.

The roll call on HB 313 was revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon - 34.

NOT VOTING: Representatives Bennett, Gordy, Minner, Morris, Mr. Speaker Ferguson - 5.

ABSENT: Representatives Kelly, West - 2.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 313 was sent to the Senate for concurrence.

Representative Clendaniel brought SB 255 before the House for consideration.

SB 255 - An Act to Amend Section 1056, Title 14 of the Delaware Code, Relating to the Disposition of Fees for the Use of School Property, Facilities and Equipment Not in Use for Educational Purposes.

The roll call on SB 255 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Harrington, Hebner, Holloway, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Vernon - 34.

NO: Representative Smith - 1.

ABSENT: Representatives Gordy, Jonkiert, Kelly, Morris, West, Mr. Speaker Ferguson - 6.

Therefore, having received a constitutional majority, SB 255 was returned to the Senate.

Representative Connor brought HB 112 - HA 1,2 before the House for consideration.

HB 112 - An Act to Amend Chapter 21, Part II, Title 21 of the Delaware Code, Relating to the Registration of Motor Vehicles; and Providing for a Separate Fee for Persons Sixty-Five Years of Age and Older.

Representative Connor brought HA 1 before the House for consideration. HA 1 to HB 112 was adopted by voice vote.

Representative W. Brady brought HA 2 before the House for consideration. Representative W. Brady moved to strike HA 2. Without objection, HA 2 to HB 112 was stricken.

The roll call on HB 112 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner,

Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock - 35.

NO: Representatives Smith, Vernon - 2.

ABSENT: Representatives Kelly, Morris, West, Mr. Speaker Ferguson - 4.

Therefore, having received a constitutional majority, HB 112 w/HA 1 was sent to the Senate for concurrence.

Representative Darling brought HB 278 before the House for consideration.

HB 278 - An Act to Amend Subchapter II, Chapter 41 and Subchapter II, Chapter 84, Title 9, Delaware Code, to Empower the Government of Kent County to Invest Idle Funds as Recommended by the County Comptroller and Authorized by the County Government.

The roll call on HB 278 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon - 36.

ABSENT: Representatives Harrington, Kelly, Morris, West, Mr. Speaker Ferguson - 6.

Therefore, having received a constitutional majority, HB 278 was sent to the Senate for concurrence.

Representative George brought SB 127 before the House for consideration.

SB 127 - An Act to Provide a Supplementary Appropriation for a New Auditory Amplification System in the Classrooms and Certain Other Facilities at the Margaret S. Sterck School for the Hearing Impaired.

The roll call on SB 127 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon - 36.

ABSENT: Representatives Harrington, Kelly, Morris, West, Mr. Speaker Ferguson - 5.

Therefore, having received a constitutional majority, SB 127 was returned to the Senate.

Representative Gilligan brought HS 1 for HB 295 - HA 1 before the House for consideration.

Representative Gilligan brought HA 1 before the House for consideration. HA 1 to HS 1 for HB 295 was adopted by voice vote.

Representative Gilligan moved to place HS 1 for HB 295 w/HA 1 on the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Hebner rose on a point of order.

Representative Holloway rose on a point of order.

Representative Free brought SB 246 w/SA 1,2, - HA 1,2,3,4 before the House for consideration.

SB 246 - An Act Authorizing a Supplemental Appropriation to the Department of Health and Social Services for the Purpose of Raising General Assistance and Aid to Families with Dependent Children Payments and Amending Chapter 5, Title 31, Delaware Code, by Requiring that Aid to Families with Dependent Children be at 100% of the 1969 Standard of Need.

Representative Holloway requested and was granted the privilege of the floor for Celeste A. Peters from the Community Legal Aid Society, Inc.

Representative Holloway requested and was granted the privilege of the floor for Patricia Schramm, Secretary of the Department of Health and Social Services.

Representative Bennett brought HA 1 before the House for consideration.

The roll call on HA 1 to SB 246 w/SA 1,2 was taken and revealed:

YES: Representatives Anderson, Bennett, Clendaniel, Darling, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maxwell, McKay, Minner, Morris, Oberle, Powell, Riddagh, Roy, Sincock, Smith, Vernon - 20.

NO: Representatives Ambrosino, T. Brady, W. Brady, Cain, Cathcart, Connor, Fallon, Free, George, Gilligan, Holloway, Maroney, Matushefske, McBride, Neal, Petrilli, Plant - 17.

ABSENT: Representatives Burris, Kelly, West, Mr. Speaker Ferguson - 4.

Therefore, not having received a constitutional majority, HA 1 to SB 246 w/SA 1,2 was declared defeated.

Representative Connor brought HA 2 to SB 246 w/SA 1,2 before the House for consideration.

Representative Free requested and was granted the privilege of the floor for Patricia Schramm.

Representative Plant requested and was granted the privilege of the floor for House Attorney, John Rich.

The roll call on HA 2 to SB 246 w/SA 1,2 was taken and revealed:

YES: Representatives Ambrosino, Bennett, Burris, Cathcart, Clendaniel, Connor, Darling, Gordy, Harrington, Hebner, Jonkiert, McKay, Minner, Morris, Oberle, Petrilli, Powell, Riddagh, Roy, Sincock, Smith, Vernon - 22.

NO: Representatives Anderson, T. Brady, W. Brady, Fallon, Free, Gilligan, Holloway, Maroney, Matushefske, McBride, Neal - 11.

NOT VOTING: Representative Plant - 1.

ABSENT: Representatives Cain, George, Kelly, Loughney, Maxwell, West, Mr. Speaker Ferguson - 7.

Therefore, having received a constitutional majority, HA 2 to SB 246 w/SA 1,2 was adopted.

Representative Connor moved to strike HA 3. Without objection, HA 3 to SB 246 w/SA 1,2 was stricken.

Representative Bennett brought HA 4 before the House for consideration.

Representative Bennett moved to strike HA 4. Without objection, HA 4 to SB 256 w/SA 1,2 was stricken.

Representative Bennett introduced and brought HA 5 to SB 246 w/SA 1,2 before the House for consideration.

Representative Gilligan moved to place HA 5 to SB 246 w/ SA 1,2 on the Speaker's table. The motion was seconded by Representative Gordy.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Fallon, Free, Gilligan, Harrington, Holloway, Maroney, Matushefske, McBride, Petrilli, Plant - 17.

NO: Representatives Bennett, Clendaniel, Darling, Gordy, Jonkiert, Maxwell, McKay, Minner, Morris, Neal, Oberle, Powell, Roy, Sincok, Smith, Vernon - 16.

ABSENT: Representatives Anderson, George, Hebner, Kelly, Loughney, Riddagh, West, Mr. Speaker Ferguson - 8.

Therefore, not having received a constitutional majority, the motion was defeated and HA 5 to SB 246 w/SA 1,2 remained before the House.

Representative T. Brady rose on a point of order.

Mr. Acting Speaker Darling requested and granted the privilege of the floor for House Attorney John Rich.

The roll call on HA 5 to SB 246 w/SA 1,2 was taken and revealed:

YES: Representatives Bennett, Darling, Gordy, Jonkiert, McKay, Minner, Morris, Oberle, Powell, Roy, Sincok, Vernon - 12.

NO: Representatives Ambrosino, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Fallon, Free, Gilligan, Harrington, Hebner, Holloway, Loughney, Maroney, Matushefske, Maxwell, McBride, Neal, Petrilli, Plant, Riddagh, Smith - 23.

ABSENT: Representatives Anderson, Clendaniel, George, Kelly, West, Mr. Speaker Ferguson - 6.

Therefore, not having received a constitutional majority, HA 5 to SB 246 w/SA 1,2 was declared defeated.

Representative Connor introduced and brought HA 1 to SA 2 to SB 246 w/SA 1,2 before the House for consideration.

The roll call on HA 1 to SA 2 to SB 246 w/SA 1,2 was taken and revealed:

YES: Representatives Ambrosino, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, Maxwell, McKay, Minner, Morris, Neal, Oberle, Powell, Riddagh, Roy, Sincok, Smith, Vernon - 30.

NO: Representative McBride - 1.

NOT VOTING: Representatives Holloway, Matushefske, Plant - 3.

ABSENT: Representatives Anderson, T. Brady, George, Kelly, Petrilli, West, Mr. Speaker Ferguson - 7.

Therefore, having received a constitutional majority, HA 1 to SA 2 to SB 246 w/SA 1,2 was passed.

Representative Bennett introduced and brought HA 6 to SB 246 w/SA 1,2 before the House for consideration.

The roll call on HA 6 to SB 246 w/SA 1,2 was taken and revealed:

YES: Representatives Bennett, Clendaniel, Darling, McKay, Oberle, Powell, Roy, Vernon - 8.

NO: Representatives Ambrosino, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Fallon, Free, Gilligan, Harrington, Hebner, Holloway, Jonkiert, Maroney, Matushefske, Maxwell, McBride, Minner, Morris, Neal, Petrilli, Plant, Riddagh, Sincok, Smith - 26.

ABSENT: Representatives Anderson, George, Gordy, Kelly, Loughney, West, Mr. Speaker Ferguson - 7.

Therefore, not having received a constitutional majority, HA 6 to SB 246 w/SA 1,2 was declared defeated.

The House recessed at 5:03 p.m. for the purpose of changing the audio tape and reconvened at 5:04 p.m.

Representative McBride requested and was granted the privilege of the floor for Patricia Schramm.

Representative Bennett rose on a point of order.

Representative T. Brady introduced and brought HA 7 to SB 246 w/SA 1,2 before the House for consideration.

Representative Ambrosino moved to place HA 7 on the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Hebner rose on a point of order and stated that five members of the House were standing to cut-off debate; therefore, according to the House Rules, debate was discontinued.

The roll call on SB 246 w/SA 1,2, HA 2, HA 1 to SA 2 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Maroney, Matushefske, Maxwell, Minner, Neal, Petrilli, Plant, Sincock, Smith, Mr. Speaker Ferguson - 27.

NO: Representatives Bennett, Clendaniel, Darling, Loughney, McBride, McKay, Morris, Oberle, Powell, Roy, Vernon - 11.

NOT VOTING: Representative Riddagh - 1.

ABSENT: Representatives Kelly, West - 2.

Therefore, having received a constitutional majority of at least three fifths members of the House, SB 246 w/SA 1,2 and HA 2 and HA 1 to SA 2 was returned to the Senate for action on the amendments.

Representative Gordy brought HB 526 before the House for consideration.

HB 526 - An Act to Amend Chapter 31, Title 14 of the Delaware Code, to Lower the Minimum Age of a Handicapped Person Requiring Special Educational Services to Three.

The roll call on HB 526 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, Minner, Morris, Neal, Oberle, Plant, Powell, Riddagh, Roy, Sincock, Mr. Speaker Ferguson - 34.

NO: Representatives Hebner, McKay, Vernon - 3.

NOT VOTING: Representative Petrilli - 1.

ABSENT: Representatives Kelly, Smith, West - 3.

Therefore, having received a constitutional majority, HB 526 was sent to the Senate for concurrence.

Representative Harrington brought SB 213 w/SA 1 before the House for consideration.

SB 213 - An Act to Amend the Charter of the City of Dover, Being Chapter 158, Volume 36, Laws of Delaware, as Amended, Relating to the Valuation of Farm Land Devoted to Agricultural, Horticultural or Forest Use.

The House recessed at 6:01 p.m. and reconvened at 6:05 p.m.

Representative Harrington requested that the following communication be read into the record.

City of Dover

May 16, 1979

Members of the General Assembly
State of Delaware
Legislative Hall
Dover, DE 19901

Attn: Senator Jacob W. Zimmerman

Dear Members of the General Assembly:

This is to certify that the City of Dover Council, in their meeting of March 26, 1979, unanimously voted to submit the proposed Charter changes as prescribed in Senate Bill #213 to the General Assembly of the State of Delaware for consideration.

The proposed changes to the City of Dover Charter as submitted to your body, are a part of the official Minutes of the City of Dover. Copies of both the Council Minutes and the Senate Bill are attached.

Respectfully,

William H. Willis, City Clerk

The roll call on SB 213 w/SA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Harrington, Hebner, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, Mr. Speaker Ferguson - 36.

ABSENT: Representatives Gordy, Holloway, Kelly, Matushefske, West - 5.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 213 w/SA 1 was returned to the Senate.

Representative Hebner brought HB 465 before the House for consideration.

Representative Hebner moved to place HB 465 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Jonkiert brought HB 481 before the House for consideration.

HB 481 - An Act to Amend Chapter 1, Title 14 of the Delaware Code, Relating to Courses of Instruction in the Italian and Polish Languages in the Public Schools.

The roll call on HB 481 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady,

Cain, Cathcart, Connor, Darling, Free, George, Gilligan, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, McBride, McKay, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Mr. Speaker Ferguson - 27.

NO: Representatives Bennett, Clendaniel, Fallon, Gordy, Minner, Morris, Neal, Vernon - 8.

NOT VOTING: Representatives Sincok, Smith - 2.

ABSENT: Representatives Burris, Kelly, Maxwell, West - 4.

Therefore, having received a constitutional majority, HB 481 was sent to the Senate for concurrence.

Representative Cain moved to restore HB 331 to the calendar. The motion was seconded by Representative Gordy and adopted by voice vote.

HB 331 - An Act to Amend Chapter 3, Title 16, Delaware Code, Relating to the Availability of Restrooms in Public Places.

Representative Loughney moved to rescind the roll call on HB 331. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Loughney moved to place HB 331 on the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Matushefske brought HB 548 before the House for consideration.

Representative Matushefske introduced and brought HA 1 before the House for consideration. HA 1 to HB 548 was adopted by voice vote.

Representative Matushefske requested and was granted the privilege of the floor for Wayne Holden from Dean Witter.

Representative Sincok rose on a point of order.

The roll call on HB 548 w/HA 1 was taken.

Representative Matushefske moved to table the roll call on HB 548 w/HA 1. The motion was seconded by Representative Minner and adopted by voice vote.

Representative Maxwell introduced and brought HCR 79, co-sponsored by Representatives Vernon, Roy, T. Brady, Sincok, Riddagh, Bennett, W. Brady, Gordy, Cain, Morris, Powell, Cathcart, West, McBride, Burris, Ambrosino, Connor, Oberle, Holloway, Jr., George, Loughney, Minner, Darling, McKay, Smith, Petrilli and Gilligan and Senators Murphy, Sharp, Hale, Marshall, Martin, Cordrey, Spence, Cook, Holloway, Sr., McDowell, Cicione, Zimmerman, Arnold, Weiss, Adams, Berndt, Littleton, Knox and Hughes before the House for consideration.

HCR 79 - Commending Frank P. Vavala, Director of the Division of Unemployment Insurance, for an Outstanding Career of Public and Military Service as He Prepares to Retire on June 30, 1979.

HCR 79 was adopted by voice vote and sent to the Senate for concurrence.

Representative Oberle introduced and brought HR 115 before the House for consideration.

HR 115 - Recognizing Former Public Service Commissioners William D. Guthrie and Casimir Ragan.

Representative Cain moved to place HR 115 on the Speaker's table. The motion was seconded by Representative Gordy.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Cain, Clendaniel, Darling, George, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Matushefske, McBride, Minner, Morris, Plant, Mr. Speaker Ferguson - 18.

NO: Representatives Ambrosino, T. Brady, Burris, Cathcart, Connor, Fallon, Free, Harrington, Hebner, Maroney, McKay, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincok, Smith, Vernon - 20.

ABSENT: Representatives Kelly, Maxwell, West - 3.

Therefore, not having received a constitutional majority, the motion was declared defeated and HR 115 remained before the House.

The roll call on HR 115 was taken and revealed:

YES: Representatives Ambrosino, T. Brady, Cathcart, Connor, Fallon, Harrington, Maroney, McKay, Neal, Oberle, Riddagh, Roy, Sincok, Smith, Vernon - 15.

NO: Representatives Bennett, W. Brady, Burris, Cain, Clendaniel, Darling, Free, George, Gordy, Jonkiert, Matushefske, McBride, Minner, Morris, Petrilli, Plant - 16.

NOT VOTING: Representatives Gilligan, Holloway, Loughney, Powell, Mr. Speaker Ferguson - 5.

ABSENT: Representatives Anderson, Hebner, Kelly, Maxwell, West - 5.

Therefore, not having received a constitutional majority, HR 115 was declared defeated.

Representative Cain brought HR 116 before the House for consideration.

HR 116 - Commending the Priest and Parishioners of Holy Family Church for Their Indefatigable and Steadfast Efforts on Becoming an Independent Parish Within the Diocese of Wilmington.

HR 116 was adopted by voice vote.

Representative W. Brady introduced HB 620.

HB 620 - An Act to Amend Chapter 3, Title 25 of the Delaware Code, Relating to Alien Ownership of Agricultural Land.

Mr. Speaker assigned HB 620 to the Agriculture Committee.

Representative Morris moved to restore HB 376 to the calendar. The motion was seconded by Representative Gordy and adopted by voice vote.

HB 376 - An Act to Amend Chapter 54, Title 30, Delaware Code, to Exempt from Realty Transfer Tax Transfers in Connection with, or in Lieu of, the Foreclosure of Certain Mortgages.

Representative Bennett moved to place HB 376 on the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

The Chief Clerk read the following Committee Reports into the record:

Education: HB 614 - 8M.

Revenue & Finance: SB 258 - 5M.

House Administration: HB 615 - 5M; HB 612 - 5M; SB 273 - 5M.

Mr. Speaker reassigned HB 612 to the Appropriations Committee.

Representative Gordy moved to recess to the call of the Chair at 7:28 p.m.

52nd LEGISLATIVE DAY
1st Session

June 27, 1979

The Speaker called the House to order at 2:01 p.m.

The Chief Clerk read the following Committee Reports into the record:

Corrections: HB 607 - 1F, 4M; HB 608 1F, 3M, 1U; HB 609 - 1F, 3M, 1U; HB 611 - 1F, 3M, 1U.

Health & Social Services: SB 245 - 3F, 1M.

The Majority Leader moved to adjourn at 2:03 p.m., thereby ending the previous legislative day. The House reconvened at 2:03 p.m. A prayer was offered by Representative Charles Hebner from the 9th Representative District.

The Speaker led those present in a salute to the Flag.

The Chief Clerk called the roll.

Members Present: 41.

The minutes of the previous legislative day were approved as posted.

The Reading Clerk read the following communications into the record:

Dear Members of the 130th General Assembly,

Words cannot tell you how surprised, excited and honored I was to have received such a beautiful resolution on the floor of the House of Representatives on June 14.

This resolution means so very much to me and I shall always cherish it. I showed it to Mrs. Ford and she agreed with me that it was the nicest, most meaningful parting gift I could have received.

California may be nice, but Delaware will always hold a special place in my heart, as will all the good memories of Legislative Hall.

You're a super bunch of people and I'll miss you.

Love,

Marion (Evans)

June 23, 1979

The Senate wishes to inform the House that it has passed: SB 245 w/SA 5, SA 1 to SA 5; SB 357; HJR 22; SB 264 w/SA 1; SJR 23; SJR 24; HCR 78; SB 351; SB 259; HB 61; HJR 20; SB 133; SB 225 w/SA 2, SA 1 to SA 2; HB 383 w/HA 2; SB 308; SB 339 w/SA 1; SB 350; SB 291; SCR 39; HCR 79.

Representative Oberle introduced and brought HR 117 before the House for consideration.

HR 117 - Urging the Governor to Consider a Modified Odd-Even Plan of Gas Distribution to the Delaware Motoring Public.

Representative Minner moved to place HR 117 on the Speaker's table. The motion was seconded by Representative Bennett but defeated by voice vote.

Representative Oberle moved to place HR 117 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative McBride introduced and brought HR 118, co-sponsored by Representatives Ambrosino, Anderson, Free, George, Gilligan, Jonkiert and Matushefske and Senators Holloway, Kearns, Marshall and McDowell, before the House for consideration.

HR 118 - Requesting that Attention be Brought to the Problems Felt by Senior Citizens in Delaware Concerning Purchase of Pharmaceutical Drugs and that an Accurate Fiscal Note be Developed to Accompany Proposed Legislation Relating to This Issue.

HR 118 was adopted by voice vote.

Representative Connor introduced HJR 23.

HJR 23 - Strongly Requesting and Urging the Commissioner of the Delaware River and Bay Authority to Hold at Least One Public Hearing in Delaware and One Public Hearing in New Jersey for Raising Tolls on the Delaware Memorial Bridge and/or the Cape May-Lewes Ferry.

Mr. Acting Speaker Darling assigned HJR 23 to the House Administration Committee.

Representative Gilligan introduced and brought HR 119 before the House for consideration.

HR 119 - Congratulating Dr. Daniel Nathans, Delaware's First Nobel Prize Winner for His Outstanding Achievement and for Bringing New Honors to His Native State.

HR 119 was adopted by voice vote.

Representative Bennett introduced and brought HCR 80 before the House for consideration.

HCR 80 - Requesting that all Agencies of the State, the Counties, and the Municipal Subdivisions Prohibit the Use of Air Conditioning on Motor Vehicles Within Their Jurisdiction Starting July 1, 1979.

Representative Bennett moved to place HCR 80 on the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Maxwell introduced and brought HR 120, co-sponsored by Representatives McBride and Kelly and Senator Cicione before the House for consideration.

HR 120 - Honoring Tom Chow, Winner of the 10th Annual Delaware State Chess Championship.

HR 120 was adopted by voice vote.

The following prefiled legislation was introduced:

HB 621 - MORRIS - EDUCATION: An Act to Amend Chapter 34, Part I, Title 14 of the Delaware Code, Relating to Financial Assistance for Higher Education; and Providing Certain Educational Benefits for Members of the Delaware National Guard.

HB 622 - MAXWELL, MORRIS, HARRINGTON; SENATORS MURPHY, HOLLOWAY - HOUSE ADMINISTRATION: An Act Creating a Working Committee of the General Assembly Which will Appoint an "Inter-Agency Council on Adolescents", and Making an Appropriation Therefore.

HB 623 - MAXWELL, MATUSHEFSKE, HOLLOWAY - ADMINISTRATIVE SERVICES: An Act to Amend Chapter 1, Title 26 of the Delaware Code, Relating to the Election of Public Service Commission Members.

HB 624 - MAXWELL - APPROPRIATIONS: An Act to Amend an Act Entitled: "An Act Making Appropriations for the Expense of the State

Government for the Fiscal Year Ending June 30, 1980, Specifying Certain Procedures, Conditions, and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions.", Being House Bill No. 333 of the 130th General Assembly of the State of Delaware.

HB 625 - SMITH - REVENUE & FINANCE: An Act to Amend Chapter 11, Part II, Title 30 of the Delaware Code, Relating to the Personal Income Tax; and Requiring that No Interest be Paid on Late Tax Refunds Where the Delay was Caused by the Taxpayer.

HB 626 - ROY, MCBRIDE, ANDERSON, AMBROSINO, BENNETT, T. BRADY, W. BRADY, BURRIS, CAIN, CATHCART, CONNOR, FALLON, FREE, GILLIGAN, HARRINGTON, HEBNER, JONKIERT, MARONEY, MAXWELL, MCKAY, NEAL, OBERLE, PETRILLI, POWELL, RIDDAGH, SINCOCK, SMITH, VERNON - CONSTITUTION: An Act Proposing an Amendment to the Constitution of the State of Delaware Relating to the Imposition of Taxes or License Fees. (2/3 bill)

HB 627 - JONKIERT - JUDICIARY: An Act to Amend Chapter 31, Title 6 of the Delaware Code to Increase the Fee Charged by the Prothonotary for Filing Certain Certificates.

HA 2 to HB 188 - MAXWELL - Placed with the bill.

HA 2 to HB 448 - MINNER - Placed with the bill.

HA 3 to HB 448 - CONNOR, AMBROSINO - Placed with the bill.

HA 1 to HB 539 - MINNER - Placed with the bill.

HA 1 to HB 580 - MAXWELL - Placed with the bill.

HA 1 to HB 582 - MAXWELL - Placed with the bill.

HA 1 to HB 604 - NEAL - Placed with the bill.

HA 1 to HB 608 - RIDDAGH - Placed with the bill.

HA 1 to HB 609 - RIDDAGH - Placed with the bill.

HA 1 to HB 611 - RIDDAGH - Placed with the bill.

SB 133 - SHARP - HOUSE ADMINISTRATION: An Act Awarding Special Pension Benefits to Edward C. Sobolewski, a Former Employee of the University of Delaware. Appropriating Monies into the Special Pension Fund Authorized by Volume 61, Chapter 455, Laws of Delaware and Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by This Act as if the Award Were Pursuant to Chapter 55, Title 29, Delaware Code.

SB 225 w/ SA 2, SA 1 to SA 2 - HUGHES: PUBLIC SAFETY: An Act to Amend Section 4123, Chapter 41, Title 21 of the Delaware Code, Relating to Vehicles Following Another Vehicle Too Closely. (2/3 bill)

SB 245 w/SA 5, SA 1 to SA 5 - HOLLOWAY - HEALTH & SOCIAL SERVICES: An Act to Amend Titles 10 and 31, Delaware Code, for the Purpose of Creating a Foster Child Review Board and Establishing a System of Citizen and Court Review of Foster Child Care.

SB 259 - CORDREY - NATURAL RESOURCES: An Act to Amend Chapter 1, Title 23 of the Delaware Code, Relating to Delaware Bay and River Pilots.

SB 264 w/SA 1 - BERNDT, CORDREY; REPRESENTATIVES MAXWELL, T. BRADY - REVENUE & FINANCE: An Act to Amend Part IV, Title 12 of the Delaware Code by Striking The Present Chapter 45 Entitled "Uniform Gifts to Minors Act" and by Substituting a New Chapter 45 Entitled "Uniform Gifts to Minors Act" in Lieu Thereof.

SB 308 - COOK - APPROPRIATIONS: An Act to Amend Chapter 409,

Volume 61, Laws of Delaware, Entitled "An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1979; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions", Being House Bill No. 888 of the 129th General Assembly of the State of Delaware.

SB 339 w/SA 1 - CICIONE - APPROPRIATIONS: An Act to Provide a Supplemental Appropriation to Departments and Agencies to be Used to Pay Obligations Incurred in a Prior Fiscal Year.

SB 351 - LITTLETON; REPRESENTATIVE GORDY - BANKING & INSURANCE: An Act to Amend Chapter 41, Title 14 of the Delaware Code, Relating to Insurance Requirements for Students Participating in Scholastic Athletic Programs.

SB 357 - CICIONE, BERNDT; REPRESENTATIVES GEORGE, AMBROSINO - APPROPRIATIONS: An Act to Amend an Act Entitled "An Act to Make a Supplementary Appropriation for Certain Grants-in-Aid", Being Senate Bill No. 347 of the 130th General Assembly of the State of Delaware. (3/4 bill)

SJR 23 - CORDREY, BERNDT; REPRESENTATIVES CAIN, GEORGE - APPROPRIATIONS: Revising the Official Estimate of General Fund Revenues for the Fiscal Year Ending June 30, 1979.

SJR 24 - CORDREY, BERNDT; REPRESENTATIVES CAIN, GEORGE - APPROPRIATIONS: Establishing the Official Estimate of General Fund Revenues for the Fiscal Year Ending June 30, 1980, and Unencumbered Funds on June 30, 1979.

Representative Jonkiert moved to restore HB 461 to the calendar. The motion was seconded by Representative Maxwell and adopted by voice vote.

HB 461 - An Act to Amend Title 21, Chapter 27, Delaware Code, to Prohibit Drivers Aged 16 or 17 from Operating a Motor Vehicle During Certain Hours.

Representative Anderson moved to rescind the roll call on HB 461. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Anderson moved to place HB 461 on the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Maxwell brought HB 188 - HA 1, 2 before the House for consideration.

HB 188 - An Act to Amend Chapter 13, Title 14 of the Delaware Code, Relating to Sick Leave for School Employees.

Representative Fallon brought HA 1 before the House for consideration. HA 1 to HB 188 was adopted by voice vote.

Representative Maxwell brought HA 2 before the House for consideration.

Representative Maxwell rose on a point of order.

HA 2 to HB 188 was adopted by voice vote.

The roll call on HB 188 w/HA 1, 2 was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, Minner, Morris, Oberle, Petrilli, Plant, Powell, Roy, West - 26.

NO: Representatives Ambrosino, T. Brady, Burris, Free, Harrington, Hebner, McKay, Neal, Riddagh, Sincock, Smith, Vernon - 12.

ABSENT: Representatives Holloway, Kelly, Mr. Speaker Ferguson - 3.

Therefore, having received a constitutional majority, HB 188 w/HA 1,2 was sent to the Senate for concurrence.

Representative McBride moved to lift the roll call on HB 501. The motion was seconded by Representative Gordy and adopted by voice vote.

HB 501 - An Act to Amend Chapter 30, Part II, Title 31 of the Delaware Code, Relating to the State Human Relations Commission; and Permitting the Commission to Act as Conciliator in Matters Involving Discrimination Because of One's Sex or Physical Handicap.

The roll call on HB 501 was revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, Mr. Speaker Ferguson - 36.

NO: Representatives Bennett, Clendaniel, West - 3.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority, HB 501 was sent to the Senate for concurrence.

Representative Minner brought HB 502 before the House for consideration.

HB 502 - An Act to Amend Part VI, Chapter 61, Title 29, Delaware Code, Relating to Certain Fees and Tuition Payments Collected by Delaware Technical and Community College.

The roll call on HB 502 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West - 36.

NO: Representative T. Brady - 1.

NOT VOTING: Representative George - 1.

ABSENT: Representatives Kelly, Matushefske, Mr. Speaker Ferguson - 3.

Therefore, having received a constitutional majority, HB 502 was sent to the Senate for concurrence.

Representative Oberle brought HB 586 before the House for consideration.

HB 586 - An Act to Amend Chapter 17, Title 24 of the Delaware Code, Relating to the Physician/Client Privilege.

The roll call on HB 586 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Fallon, Free, George, Gilligan, Harrington, Hebner, Holloway, Maroney, McKay, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith - 28.

NO: Representatives Clendaniel, Darling, Gordy, Jonkiert, McBride, Minner, West - 7.

ABSENT: Representatives Kelly, Loughney, Matushefske, Maxwell, Vernon, Mr. Speaker Ferguson - 6.

Therefore, having received a constitutional majority, HB 586 was sent to the Senate for concurrence.

Representative Petrilli brought SB 25 before the House for consideration.

SB 25 - An Act to Provide a Supplementary Appropriation to the Department of Transportation to be Used to Pay an Obligation Incurred in a Prior Fiscal Year.

The roll call on SB 25 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, West - 32.

NO: Representatives Bennett, Smith, Vernon - 3.

ABSENT: Representatives W. Brady, Burris, George, Hebner, Kelly, Mr. Speaker Ferguson - 6.

Therefore, having received a constitutional majority, SB 25 was sent to the Senate for concurrence.

Representative Plant brought HB 579 before the House for consideration.

Representative Plant introduced and brought HA 1 before the House for consideration. HA 1 to HB 579 was adopted by voice vote.

Representative Plant requested and was granted the privilege of the floor for House Attorney, Richard Cooch.

The roll call on HB 579 w/HA 1 was taken.

Representative Plant moved to table the roll call on HB 579 w/HA 1. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Riddagh brought HB 504 before the House for consideration.

HB 504 - An Act to Amend Chapter 49, Title 10, of the Delaware Code, Relating to Executions.

The roll call on HB 504 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 39.

NO: Representative Plant - 1.

ABSENT: Representative Holloway - 1.

Therefore, having received a constitutional majority, HB 504 was sent to the Senate for concurrence.

Representative Roy brought HB 485 before the House for consideration.

HB 485 - An Act Awarding Special Pension Benefits to Helen M. Bunting, a Former Employee of the Stanton School District; Appropriating Monies into the State Employees' Retirement Fund and Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by This Act as if the Award Were Pursuant to Chapter

55, Title 29 of the Delaware Code.

The roll call on HB 485 was taken and revealed:

YES: Representatives Ambrosino, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Harrington, Holloway, Loughney, Maroney, Maxwell, McBride, Minner, Morris, Oberle, Plant, Riddagh, Roy, Sincok, West, Mr. Speaker Ferguson - 27.

NO: Representatives Bennett, Cain, Hebner, Jonkiert, Kelly, McKay, Neal, Petrilli, Vernon - 9.

ABSENT: Representatives Anderson, Gordy, Matushefske, Powell, Smith - 5.

Therefore, having received a constitutional majority, HB 485 was sent to the Senate for concurrence.

Mr. Speaker announced that HB 578 was being assigned to the Appropriations Committee.

Representative Vernon brought HB 466 before the House for consideration.

Representative Vernon moved to place HB 466 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Cain moved to lift the roll call on HJR 14. The motion was seconded by Representative Gordy and adopted by voice vote.

HJR 14 - Directing Each of the Public School Conferences to Schedule Games Between Teams Representing Public schools and Teams Representing Delaware Non-Public Schools.

The roll call on HJR 14 was revealed:

YES: Representatives Anderson, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Darling, Fallon, Free, George, Gilligan, Gordy, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, Morris, Oberle, Plant, Riddagh, Roy, Sincok, Mr. Speaker Ferguson - 27.

NO: Representatives Ambrosino, Bennett, Connor, Harrington, Hebner, McKay, Minner, Neal, Petrilli, Powell, Smith, Vernon - 12.

ABSENT: Representatives Burris, West - 2.

Therefore, having received a constitutional majority, HJR 14 was sent to the Senate for concurrence.

Representative Gordy moved to recess for party caucus at 4:10 p.m.

The House was called to order at 6:22 p.m.

Representative Kelly brought HB 158 w/SA 2 before the House for consideration.

HB 158 - An Act to Amend Chapters 13 and 18, Title 2 and Chapter 1, Title 26 of the Delaware Code, Relating to Regulation of Public Carriers.

Representative Kelly requested and was granted the privilege of the floor for H. James Conaway, Jr. representing Diamond Cab and Yellow Cab Company.

The roll call on HB 158 w/SA 2 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith,

Vernon, West, Mr. Speaker Ferguson - 39.

NO: Representative McBride - 1.

ABSENT: Representative Burris - 1.

Therefore, having received a constitutional majority, HB 158 w/SA 2 was sent to the Senate for concurrence.

Representative Oberle introduced HB 628, co-sponsored by Senators Sharp and Holloway.

HB 628 - An Act to Amend Title 14 of the Delaware Code, by Providing a Unit for Gifted and Talented Pupils and Authorizing Staff or Services or Materials for Such Units in Public Schools; and Further Providing a Supplementary Appropriation Therefor.

Mr. Speaker assigned HB 628 to the Education Committee.

Representative George moved to suspend the rules for the purpose of acting on a resolution. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative George brought SJR 23 before the House for consideration.

SJR 23 - Revising the Official Estimate of General Fund Revenues for the Fiscal Year Ending June 30, 1979.

The roll call on SJR 23 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 41

Therefore, having received a constitutional majority, SJR 23 was returned to the Senate.

Representative Holloway moved to suspend the rules for the purpose of introducing and acting on a resolution. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Holloway introduced and brought SJR 25, sponsored by Senator Holloway, before the House for consideration.

SJR 25 - Providing for a Fine for Any Gasoline Service Station That Charges More Than its Posted Price for a Gallon of Gasoline.

Representative Maxwell introduced and brought HA 1 before the House for consideration. HA 1 to SJR 25 was adopted by voice vote.

Representative Holloway moved to place SJR 25 w/HA 1 on the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative George moved to suspend the rules for the purpose of introducing and acting on a resolution. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative George introduced and brought SJR 24, co-sponsored by Senators Cordrey and Berndt and Representatives Cain and George, before the House for consideration.

SJR 24 - Establishing the Official Estimate of General Fund Revenues for the Fiscal Year ending June 30, 1980, and Unencumbered Funds on June 30, 1979.

The roll call on SJR 24 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George,

Gilligan, Gordy, Harrington, Hebner, Jonkiert, Kelly, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincok, Vernon, West, Mr. Speaker Ferguson - 35.

ABSENT: Representatives T. Brady, Burris, Holloway, Loughney, Plant, Smith - 6.

Therefore, having received a constitutional majority, SJR 24 was returned to the Senate.

Representative Kelly moved to suspend the rules for the purpose of acting on a resolution. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Kelly brought SJR 28 before the House for consideration.

SJR 28 - Designating July 25, 1979 as Edward "Porky" Oliver Day.

The roll call on SJR 28 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 38.

ABSENT: Representatives Burris, Holloway, Plant - 3.

Therefore, having received a constitutional majority, SJR 28 was returned to the Senate.

Representative Harrington moved to suspend the rules for the purpose of acting on a resolution. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Harrington brought SJR 26 before the House for consideration.

SJR 26 - Designating the Week of November 4 through November 10, 1979 as Albert Einstein Week.

The roll call on SJR 26 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, Gilligan, Harrington, Hebner, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 36.

ABSENT: Representatives Burris, George, Gordy, Holloway, Plant - 5.

Therefore, having received a constitutional majority, SJR 26 was returned to the Senate.

Representative Anderson brought SJR 17 before the House for consideration.

SJR 17 - Requesting the Insurance Commissioner to Deny the Workmen's Compensation Rate Increase Presently Pending Before His Office Because of Factors Herein Mentioned.

Five members stood to cut off debate; therefore, according to the House Rules, debate was discontinued.

The roll call on SJR 17 was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Matushefske,

Maxwell, McBride, Minner, Morris, Neal, Oberle, Plant, Powell, Riddagh, Roy, Sincok, West, Mr. Speaker Ferguson - 32.

NO: Representatives Ambrosino, Fallon, Kelly, Vernon - 4.

NOT VOTING: Representatives Free, Maroney, McKay, Smith - 4.

ABSENT: Representative Petrilli - 1.

Therefore, having received a constitutional majority, SJR 17 was returned to the Senate.

Representative T. Brady moved to suspend the rules for the purpose of introducing and acting on a resolution. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative T. Brady introduced and brought HJR 24, co-sponsored by Representative George and Senator McDowell, before the House for consideration.

HJR 24 - Requiring the New Castle County School Board to do a Feasibility Study and Report to the General Assembly on the Ability to Utilize the Dart System as a Supplement to the Provisions for School Transportation.

The roll call on HJR 24 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 38.

NOT VOTING: Representative Gilligan - 1.

ABSENT: Representatives Burris, Gordy - 2.

Therefore, having received a constitutional majority, HJR 24 was sent to the Senate for concurrence.

Representative Bennett moved to suspend the rules for the purpose of acting on a resolution. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Bennett brought SJR 15, sponsored by Senator Martin, before the House for consideration.

SJR 15 - Directing the State Board of Education to Encourage Local School Boards to Consider Unnecessary Student Driving in Planning for the School Year 1979-1980.

Representative Bennett moved to place SJR 15 on the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Fallon introduced HB 629.

HB 629 - An Act Making a Supplemental Appropriation to Leon R. Ellis, a Retired Teacher, for Accrued Sick Leave.

Mr. Speaker assigned HB 629 to the House Administration Committee.

Representative Smith moved to lift HB 218 from the Speaker's table. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Smith requested that HB 218 be returned to committee. Mr. Speaker reassigned HB 218 to the Judiciary Committee.

Representative Holloway introduced HB 630.

HB 630 - An Act to Amend Chapter 59, of Title 29, Delaware Code, Relating to Planners Within Cabinet Level Departments Being Exempt from the Classified Service.

Mr. Speaker assigned HB 630 to the House Administration Committee.
The Chief Clerk read the following Committee Reports into the record:

House Administration: HB 556 - 5M.

Highways & Transportation: SB 242 - 4M.

Judiciary: HB 590 - 4M, 1U.

Agriculture: HB 620 - 2F, 2M.

Constitution: HS 1 for HB 444 - 4M.

Representative Gordy moved to recess to the call of the Chair at 7:35 p.m.

53rd LEGISLATIVE DAY
1st Session

June 28, 1979

The Speaker called the House to order at 1:28 p.m.

The Chief Clerk read the following Committee Reports into the record:

Education: HB 621 - 4M.

House Administration: HB 578 - 4M, 1U.

Administrative Services: HB 601 - 4M; SB 185 - 4M.

The Majority Leader moved to adjourn at 1:30 p.m., thereby ending the previous legislative day. The House reconvened at 1:30 p.m. A prayer was offered by Representative Casimir Jonkiert from the 5th Representative District.

The Speaker led those present in a salute to the Flag.

The Chief Clerk called the roll.

Members Present: 41.

The minutes of the previous legislative day were approved as posted.

Representative Minner introduced and brought HCR 81, co-sponsored by Representatives Fallon, Anderson, Maroney and Smith and Senators Cook and Spence, before the House for consideration.

HCR 81 - Commending the American Legion Auxiliary, Department of Delaware, and the Participants in the 1979 Girls State for Continuing This Enriching Educational Experience.

HCR 81 was adopted by voice vote and sent to the Senate for concurrence.

Representative Gordy introduced and brought HCR 82, co-sponsored by Representatives Smith and Hebner and Senator Adams, before the House for consideration.

HCR 82 - Requesting the Delaware Congressional Delegation to Support Legislation Deregulating the Trucking Industry.

HCR 82 was adopted by voice vote and sent to the Senate for concurrence.

Representative Gordy moved to recess for caucus at 2:09 p.m.

The House was called to order at 5:00 p.m.

The following prefiled legislation was introduced:

HB 631 - CLENDANIEL - AGRICULTURE: An Act to Amend Part II, Title 3 of the Delaware Code, Relating to Agriculture; and Providing

for the Conservation of Agricultural Lands.

HB 632 - MAXWELL, PLANT, MCBRIDE, LOUGHNEY, POWELL, ROY - LABOR & COMMERCE: An Act to Amend Chapter 23, Title 19, Delaware Code, Relating to Workmen's Compensation.

HB 633 - AMBROSINO - EDUCATION: An Act to Amend Part I, Title 14 of the Delaware Code, Relating to Inter-Scholastic Athletic Competition; and Providing for Certain Restrictions on Sports Participation.

HB 634 - T. BRADY - HOUSE ADMINISTRATION: An Act to Amend Chapter 29, Title 29, of the Delaware Code, Relating to the Audits of Agencies or Firms Receiving Grants-in-Aid and Making an Appropriation Therefor.

HB 635 - SMITH - REVENUE & FINANCE: An Act to Amend Chapter 11, Part II, Title 30 of the Delaware Code, Relating to the Personal Income Tax; and Providing for a Rate of Interest on Overpayments.

HB 636 - SMITH - REVENUE & FINANCE: An Act to Amend Chapter 11, Part II, Title 30 of the Delaware Code, Relating to Interest on Personal Income Tax Overpayments.

HA 2 to HB 157 - CONNOR - Placed with the bill.

HA 1 to HB 553 - SINCOCK - Placed with the bill.

SB 224 w/SA 1 - COOK, KNOX; REPRESENTATIVES GORDY, SINCOCK - HOUSE ADMINISTRATION: An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan.

SB 253 - ADAMS - PUBLIC SAFETY: An Act to Amend Chapter 45, Title 21 of the Delaware Code, Relating to Size and Weights of Vehicles Being Towed by Tow Trucks.

SB 265 w/SA 1,2,3,4 - MARTIN, HOLLOWAY, KNOX, ARNOLD; REPRESENTATIVES ANDERSON, OBERLE, CONNOR, MAXWELL, AMBROSINO, HEBNER, SINCOCK, CATHCART, HARRINGTON - HEALTH & SOCIAL SERVICES: An Act to Amend Title 29, Delaware Code, by Providing for the Repeal of Section 6917, by Creating a New Chapter 73, Dealing with Handicapped Persons and Promoting Accessibility to and Use of Certain Buildings and Facilities by Such Persons, and Providing a Supplemental Appropriation Therefor.

SB 267 - HOLLOWAY, HUGHES; REPRESENTATIVES LOUGHNEY, HEBNER - REVENUE & FINANCE: An Act to Amend Sections 4302 and 4305, Title 30, Delaware Code, by Excluding Manufacturing Equipment on Leveraged Leases Guaranteed by the Economic Development Administration from the Lease Tax.

SB 287 - HOLLOWAY, OBERLE - EDUCATION: An Act to Amend Title 14 of the Delaware Code by Providing a Unit for Gifted and Talented Pupils and Authorizing Staff or Services or Materials for Such Units in Public Schools; and Further Providing a Supplementary Appropriation Therefor.

SB 291 - ADAMS, ARNOLD; REPRESENTATIVES CLENDANIEL, VERNON - ENVIRONMENTAL CONTROL: An Act to Amend Chapter 31, Title 7, of the Delaware Code, Relating to the Setting of Woodland on Fire and Unseasonable Marsh Burning. (2/3 bill)

SS 1 for SB 298 - MURPHY - BANKING & INSURANCE: An Act to Amend Chapter 25, Title 18 of the Delaware Code, Relating to the Effectiveness of Rate Filings.

SB 302 - ZIMMERMAN - NATURAL RESOURCES: An Act to Amend

Title 7, Delaware Code, Relating to the Establishment of Mail-in Fines for Violations of State Park Regulations. (2/3 bill)

SB 311 w/SA 1 - MARSHALL, SPENCE; REPRESENTATIVES JONKIERT, AMBROSINO, CONNOR - HEALTH & SOCIAL SERVICES: An Act to Amend Chapter 17, Title 24 of the Delaware Code, Relating to Consent for Termination of Human Pregnancy.

SB 321 w/SA 3 - MCDOWELL - ENERGY: An Act to Amend Chapter 76, Part VII, Title 16 of the Delaware Code, Relating to County and Municipal Building, Plumbing, Electrical and Other Codes. (2/3 bill)

SB 327 - COOK - HOUSE ADMINISTRATION: An Act Awarding Special Pension Benefits to Jeannette V.G. Legates and Appropriating Monies into the Special Pension Fund Authorized by Volume 61, Chapter 455, Laws of Delaware.

SB 350 - CICIONE; REPRESENTATIVE GEORGE - APPROPRIATIONS: An Act to Aid WHYY, Inc. Engaged in Educating the People of this State by Making an Appropriation Therefor. (3/4 bill)

Representative Gordy moved to act on a special agenda of Senate Bills. The motion was seconded by Representative Minner and adopted by voice vote.

Representative Vernon moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Vernon brought SB 315 w/SA 1 before the House for consideration.

SB 315 - An Act to Define the Warner Grant Trust Lands; and to Appropriate Funds to Survey and Monument Those Lands.

The roll call on SB 315 w/SA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sinecock, Smith, Vernon, West, Mr. Speaker Ferguson - 40.

ABSENT: Representative Darling - 1.

Therefore, having received a constitutional majority, SB 315 w/SA 1 was returned to the Senate.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HB 435 w/HA 1,2, SA 2; SB 265 w/SA 1,2,3,4; SS 1 for SB 298; SB 267; SB 311 w/SA 1; SB 321 w/SA 3; SB 253; SB 327; HB 158 w/SA 2; SB 224 w/SA 1; SB 302; SB 287 w/SA 1.

The Senate wishes to inform the House that it is returning to the House, without action on the Amendment SB 246 w/SA 1,2, HA 1 to SA 2, HA 2 to SB 246.

June 27, 1979

LEGISLATIVE ADVISORY #21

FROM - Office of Counsel to the Governor

The Governor signed the following legislation on the dates indicated: 6/26/79 - HJR 22; HJR 19; HB 268; HB 470; HB 336; SB 180 a/a/b SA 1; SB 47; SB 129; SB 144; HB 118 a/a/b HA 1; SB 150; SB 127.

The following is a Constitutional Amendment and did not require the Governor's signature. HB 46.

State of Delaware
Senate
Legislative Hall
Dover, Delaware 19901

June 27, 1979

Honorable John P. Ferguson
Legislative Hall
Dover, Delaware 19901

Dear Mr. Speaker,

The Senate has instructed me to return to the House SB 246 with Senate Amendment No. 1 and 2 and House Amendment 1 to Senate Amendment No. 2. The presiding officer of the Senate has ruled, and the Senate has concurred, that one House may not amend an amendment of another House once it has been lawfully adopted.

Accordingly, the Bill is being returned for whatever corrective action you deem necessary.

Respectfully yours,

B.J. Caniford,
Secretary of the Senate

Mr. George S. Schollenberger
216 West Sixth Street
Laurel, Delaware 19956

June 26, 1979

Office of the Delaware State House of Representatives
c/o Ms. Anne T. Fitzgerald, Chief Clerk
Legislative Building
Dover, Delaware 19901

The Members of the House of Representatives,

This note is to thank the members of the Delaware House of Representatives and express my appreciation for their approval by Resolution of my induction into the Delaware Sports Hall of Fame.

When the copy of the resolution was presented to me by Mr. Al Cartwright of the Wilmington News and Journal, I was sure thrilled that such consideration by be added to the extreme honor of induction.

Kindly accept my sincere thanks and appreciation for your interest and participation in my recent bestowed honor.

Sincerely,

George S. Schollenberger

Representative Morris moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Morris brought SB 97 w/SA 1,2 before the House for consideration.

SB 97 - An Act to Amend Chapter 65, Title 11 of the Delaware Code, Relating to Work by Inmates of Delaware Prisons.

The roll call on SB 97 w/SA 1,2 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 39.

NOT VOTING: Representative Plant - 1.

ABSENT: Representative Holloway - 1.

Therefore, having received a constitutional majority, SB 97 w/SA 1,2 was returned to the Senate.

Representative Jonkiert brought SB 21 w/SA 1 before the House for consideration.

SB 21 - An Act to Amend Title 21, Delaware Code, by Adding a New Chapter 70, Relating to Stopping, Standing or Parking in Designated Fire Lanes and Areas Essential to Fire Safety and Providing Penalties Therefor.

The roll call on SB 21 w/SA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Vernon, West, Mr. Speaker Ferguson - 38.

ABSENT: Representatives Darling, Holloway, Smith - 3.

Therefore, having received a constitutional majority of at least two thirds members of the House, SB 21 w/SA 1 was returned to the Senate.

Representative Gordy moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Minner and adopted by voice vote.

Representative Gordy brought SB 224 w/SA 1 before the House for consideration.

SB 224 - An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan.

The roll call on SB 224 w/SA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 40.

ABSENT: Representative Holloway - 1.

Therefore, having received a constitutional majority, SB 224 w/SA 1 was returned to the Senate.

Representative Minner moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Minner brought SB 185 before the House for

consideration.

SB 185 - An Act to Authorize and Direct the Transfer of the Property Known as the Broadkill School and Formerly Used by the Department of Elections for Sussex County for Election Purposes to the Milton Jaycees, Inc.

The roll call on SB 185 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Holloway, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West - 37.

ABSENT: Representatives Hebner, Jonkiert, Kelly, Mr. Speaker Ferguson - 4.

Therefore, having received a constitutional majority, SB 185 was returned to the Senate.

Representative Maxwell brought SB 108 w/ SA 1,2,3 and HA 1 to SA 3 before the House for consideration.

SB 108 - An Act to Amend Subchapter 1, Chapter 21, Title 19, Delaare Code, Relating to the Composition of the Industrial Accident Board.

Representative Smith moved to strike HA 1 to SA 3. Without objection, HA 1 to SA 3 was stricken.

The roll call on SB 108 w/SA 1,2,3 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Burris, Cain, Clendaniel, George, Gilligan, Hebner, Holloway, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, Minner, Oberle, Plant, Powell, Riddagh, Roy, Sincok, Vernon, West - 26.

NO: Representatives T. Brady, Cathcart, Connor, Darling, Fallon, Free, Harrington, Maroney, McKay, Morris, Neal, Petrilli, Smith - 13.

ABSENT: Representatives Gordy, Mr. Speaker Ferguson - 2.

Therefore, having received a constitutional majority, SB 108 w/SA 1,2,3 was returned to the Senate.

The House recessed at 5:28 p.m. for the purpose of changing the audio tape and reconvened at 5:30 p.m.

Representative Holloway moved to defer SB 120 to the bottom of the agenda.

Representative Gordy brought SB 197 before the House for consideration.

SB 197 - An Act Awarding Special Pension Benefits to Olin Conaway, a Former State Employee Appropriating Monies into the Special Pension Fund Authorized by Volume 71, Chapter 455, Laws of Delaware and Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by This Act as if the Award Were Pursuant to Chapter 55, Title 29, Delaware Code.

The roll call on SB 197 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, McBride, Minner, Morris, Oberle, Plant, Riddagh, Roy, Sincok, Vernon, West - 31.

NO: Representatives Free, Hebner, McKay, Neal, Petrilli, Powell,

Smith - 7.

ABSENT: Representatives W. Brady, Maxwell, Mr. Speaker Ferguson - 3.

Therefore, having received a constitutional majority, SB 197 was returned to the Senate.

Representative George brought SB 154 before the House for consideration.

SB 154 - An Act Authorizing the Capital School District to Expend Funds.

The roll call on SB 154 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West - 39.

ABSENT: Representatives Plant, Mr. Speaker Ferguson - 2.

Therefore, having received a constitutional majority, SB 154 was returned to the Senate.

Representative George brought SB 339 w/SA 1 before the House for consideration.

SB 339 - An Act to Provide a Supplemental Appropriation to Departments and Agencies to be Used to Pay Obligations Incurred in a Prior Fiscal Year.

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

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincock, Vernon, West - 34.

NO: Representatives Hebner, Smith - 2.

NOT VOTING: Representative Free - 1.

ABSENT: Representatives Holloway, McBride, Plant, Mr. Speaker Ferguson - 4.

Representative Gordy brought SB 258 before the House for consideration.

SB 258 - An Act to Amend Chapter 55, Title 29, Delaware Code, to Provide Post-Retirement Increases to Pensioners Who Retired Prior to 1978 and Providing a Supplemental Appropriation Therefor.

The roll call on SB 258 was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Burris, Cain, Clendaniel, Darling, Fallon, George, Gilligan, Gordy, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, Minner, Morris, Oberle, Riddagh, Sincock, West - 23.

NO: Representatives Ambrosino, T. Brady, Cathcart, Connor, Free, Harrington, Hebner, Maroney, McKay, Neal, Petrilli, Powell, Roy, Smith, Vernon - 15.

ABSENT: Representatives Holloway, Plant, Mr. Speaker Ferguson - 3.

Therefore, having received a constitutional majority, SB 258 was returned to the Senate.

Representative West brought SB 250 before the House for consideration.

SB 250 - An Act to Amend Chapter 41, Title 21 of the Delaware Code, Relating to Parking Areas Designated for the Handicapped.

The roll call on SB 250 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West - 35.

NO: Representative Petrilli - 1.

ABSENT: Representatives Burris, Holloway, Maroney, Plant, Mr. Speaker Ferguson - 5.

Therefore, having received a constitutional majority, SB 250 was returned to the Senate.

Representative Darling moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Darling brought SB 285 before the House for consideration.

SB 285 - An Act to Amend Chapter 7, Title 7 of the Delaware Code, Relating to Lawful Hunting Devices.

The roll call on SB 285 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Kelly, Loughney, Maroney, Matushefske, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West - 35.

NO: Representative McBride - 1.

NOT VOTING: Representative Maxwell - 1.

ABSENT: Representatives Burris, Holloway, Plant, Mr. Speaker Ferguson - 4.

Therefore, having received a constitutional majority, SB 285 was returned to the Senate.

Representative Maxwell brought SB 53 before the House for consideration.

SB 53 - An Act to Amend Section 704, Title 19, Delaware Code, Relating to Lie Detectors.

Representative Maxwell requested and was granted the privilege of the floor for Senator Daniel Weiss.

The roll call on SB 53 was taken and revealed:

YES: Representatives Anderson, W. Brady, Burris, Clendaniel, Fallon, Free, George, Gilligan, Gordy, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Powell, Sincok, Smith, West - 23.

NO: Representatives Ambrosino, Cain, Cathcart, Connor, Darling, Harrington, Hebner, Morris, Neal, Oberle, Petrilli, Riddagh, Roy, Vernon - 14.

NOT VOTING: Representative Bennett - 1.

ABSENT: Representatives T. Brady, Plant, Mr. Speaker Ferguson - 3.

Therefore, having received a constitutional majority, SB 53 was returned to the Senate.

Representative Darling moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Gordy and

adopted by voice vote.

Representative Darling brought SB 259 before the House for consideration.

SB 259 - An Act to Amend Chapter 1, Title 23 of the Delaware Code, Relating to Delaware Bay and River Pilots.

The roll call on SB 259 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West - 39.

ABSENT: Representatives Minner, Mr. Speaker Ferguson - 2.

Therefore, having received a constitutional majority, SB 259 was returned to the Senate.

Representative Gordy moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Minner and adopted by voice vote.

Representative Gordy brought SB 133 before the House for consideration.

SB 133 - An Act Awarding Special Pension Benefits to Edward C. Sobolewski, a Former Employee of the University of Delaware. Appropriating Monies into the Special Pension Fund Authorized by Volume 61, Chapter 455, Laws of Delaware and Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by This Act as if the Award Were Pursuant to Chapter 55, Title 29, Delaware Code.

The roll call on SB 133 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, Minner, Morris, Neal, Oberle, Plant, Riddagh, Roy, Sincok, West - 33.

NO: Representatives Hebner, McKay, Powell, Smith, Vernon - 5.

ABSENT: Representatives Bennett, Petrilli, Mr. Speaker Ferguson - 3.

Therefore, having received a constitutional majority, SB 133 was returned to the Senate.

Representative Plant brought SB 227 before the House for consideration.

SB 227 - An Act to Amend 37 Delaware Laws, Chapter 167, Entitled "An Act to Incorporate the Town of Slaughter Beach", as Amended by 52 Delaware Laws, Chapter 44 and 60 Delaware Laws, Chapter 300.

Mr. Acting Speaker Darling requested House Attorney, John Rich to take the floor.

Representative Hebner rose on a point of order.

The roll call on SB 227 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West - 39.

ABSENT: Representatives T. Brady, Mr. Speaker Ferguson - 2.
Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 227 was returned to the Senate.

Representative Gilligan brought SB 125 w/SA 1 - HA 1 before the House for consideration.

Representative Connor brought HA 1 before the House for consideration.

Representative Connor moved to strike HA 1. Without objection, HA 1 to SB 125 was stricken.

Representative Riddagh requested and was granted the privilege of the floor for Senator Herman Holloway, Sr.

Representative Gilligan moved to place SB 125 w/SA 1 on the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Gordy brought SB 198 before the House for consideration.

SB 198 - An Act Awarding Special Pension Benefits to Mildred A. Tieman (Blades), a Former State Employee; Appropriating Monies into the Special Pension Fund Authorized by Volume 61, Chapter 455, Laws of Delaware and Directing the Board of Pension trustees to Administer Payment of the Pension Provided by This Act as if the Award Were Pursuant to Chapter 55, Title 29, Delaware Code.

The roll call on SB 198 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, Minner, Morris, Neal, Oberle, Plant, Riddagh, Roy, Sincock, Smith, West - 33.

NO: Representatives Hebner, McKay, Petrilli, Powell, Vernon - 5.

ABSENT: Representatives Burris, Cain, Mr. Speaker Ferguson - 3.

Therefore, having received a constitutional majority, SB 198 was returned to the Senate.

Representative Minner brought SB 194 w/SA 1 before the House for consideration.

SB 194 - An Act to Amend Chapter 69, Title 29, Delaware Code, Relating to the Award of Contracts.

The roll call on SB 194 w/SA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McKay, Minner, Morris, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West - 36.

NO: Representatives McBride, Neal - 2.

NOT VOTING: Representatives Bennett, Burris - 2.

ABSENT: Mr. Speaker Ferguson - 1.

Therefore, having received a constitutional majority, SB 194 w/SA 1 was returned to the Senate.

Representative Bennett moved to lift SJR 15 from the Speaker's table. The motion was seconded by Representative Minner and adopted by voice vote.

SJR 15 - Directing the State Board of Education to Encourage Local

School Boards to Consider Unnecessary Student Driving in Planning for the School Year 1979 - 1980.

The roll call on SJR 15 was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Clendaniel, Darling, Fallon, Free, George, Harrington, Hebner, Holloway, Jonkiert, Loughney, McKay, Minner, Morris, Plant, Riddagh, Roy, Smith, Vernon, West, Mr. Speaker Ferguson - 25.

NO: Representatives Ambrosino, Cain, Cathcart, Connor, Gilligan, Gordy, Kelly, Maroney, Matushefske, Maxwell, McBride, Neal, Petrilli, Sincock - 14.

NOT VOTING: Representatives Oberle, Powell - 2.

Therefore, having received a constitutional majority, SJR 15 was returned to the Senate.

Representative Maxwell brought SB 153 w/SA 1 before the House for consideration.

Representative Maxwell moved to place SB 153 w/SA 1 on the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative George moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative George brought SB 308 before the House for consideration.

SB 308 - An Act to Amend Chapter 409, Volume 61, Laws of Delaware, Entitled "An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1979; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions", Being House Bill No. 888 of the 129th General Assembly of the State of Delaware.

The roll call on SB 308 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 40.

ABSENT: Representative Cathcart - 1.

Therefore, having received a constitutional majority, SB 308 was returned to the Senate.

Representative West brought SB 136 w/SA 1 before the House for consideration.

Representative West requested and was granted the privilege of the floor for Senator Andrew Knox.

Representative McKay rose on a point of order.

Representative West moved to place SB 136 w/SA 1 on the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Gordy moved to recess for caucus at 7:18 p.m.

The House was called to order at 7:38 p.m.

At 7:38 p.m., Representative Minner moved to recess until 12:00 a.m., Friday, June 29, 1979.

54th LEGISLATIVE DAY
1st Session

June 29, 1979

The Speaker called the House to order at 1:50 p.m.

The Chief Clerk read the following Committee Report into the record:
Highways & Transportation: HB 604 - 3F, 3M.

The Majority Leader moved to adjourn at 1:51 p.m., thereby ending the previous legislative day. The House reconvened at 1:51 p.m. A prayer was offered by Representative David McBride from the 15th Representative District.

The Speaker led those present in a salute to the Flag.

The Chief Clerk called the roll.

Members Present: 41.

The minutes of the previous legislative day were approved as posted.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HB 387; HB 524 w/HA 1,2; HB 360; HB 501; HB 514 w/HA 1,2; HB 423; HB 366; HB 357; HB 484; HB 503 w/HA 1; HB 346 w/HA 1; HB 406; HB 326; HB 523 w/HA 1; HB 89 w/HA 1; HB 120; HB 468; HB 441; SB 309 w/SA 1,2; SB 132; SB 209 w/SA 1,2; SB 90 w/SA 1; SJR 29; HB 477 w/SA 1.

Representative West introduced and brought HR 121 before the House for consideration.

HR 121 - Requesting the Secretary or Acting Secretary of the Department of Natural Resources and Environmental Control to Comply Without Delay to a Simple Request for Information Made More than a Month Ago to the Director of the Division of Fish and Wildlife.

HR 121 was adopted by voice vote.

Representative Neal introduced and brought HR 122, co-sponsored by Representatives Oberle, Anderson, Jonkiert and Holloway, before the House for consideration.

HR 122 - Requesting a Report from the Superintendent of the New Castle County School District Concerning the Procedures of Racial Imbalance in the School District.

HR 122 was adopted by voice vote.

Representative Anderson requested that the following communication be read into the record:

Delaware Police Chiefs' Council
294 E. Main Street
Newark, Delaware 19711
June 28, 1979

The Honorable Marian P. Anderson
41 Anglin Drive
Robscott Manor
Newark, Delaware 19713

Dear Representative Anderson:

It has been brought to our attention that House Bill 461 with revised Amendment 2 will be re-introduced in the General Assembly sometime

in the very near future. In that regard, the Delaware Police Chiefs' Council would like to offer their support of your proposal and view this legislation as a viable tool in containing and preventing many of the problems experienced in our Delaware communities by youth in the age range specified in the bill.

There can be little or no question that many of the offenses that utilize police manpower between the hours of midnight and daylight are committed by youth (with the use of automobiles) in the 16, 17 and 18 years of age category. By way of definition, some of the instances and offenses that appear to be all too common are as follows: driving under the influence of intoxicating beverages or drugs, drag racing, idly sitting in vehicles, possession and consumption of alcohol in shopping centers and parks and other gathering places, juvenile burglaries, larcenies from autos, acts of malicious mischief and the practice of turfing (driving at reckless rates of speed through housing developments and across front lawns, primarily on corner properties.)

When addressing the whole realm of youth behavior between the hours of midnight and daylight, it is apparently clear that parents are in a better position to control curfew restrictions on their children than our police or units of government; i.e., police officers stop a youth at a late or unusual time of night, contact the parents only to find that they have granted him permission to be out in the wee hours of the morning.

Consequently, since curfew violations and other status offenses have been removed from our statutes and ordinances, the dilemma of dealing with unlawful youthful behavior during these hours is a difficult task. In almost every instance the behavior activities or offenses committed by these youth cannot occur without the use of an automobile. The utilization, therefore, of restricted (Cinderella) licenses, in our judgement, would be a successful vehicle for solving many of the problems that I have outlined above.

The Delaware Police Chiefs' Council and certainly members of our police community have no desire to be repressive toward the freedoms of our youth. However, we are convinced that personal injuries which often occur through driving violations at late hours or unusual hours of the night as well as a cost of other activities could be prevented through a vigorous enforcement of the provisions outlined in your bill.

In comparing the success of similar legislation in states bordering Delaware, it is my understanding that these provisions are a successful preventive measure of curbing unlawful youthful behavior. I would offer to you and the members of the General Assembly, also, the opportunity to converse with the Youth Aid officers of our department, who can readily testify to those facts which I have outlined above.

We realize that in many instances where youth are gainfully employed during the restricted hours, it would be necessary to make provisions allowing them to drive to and from their place of residence and employment. Under those circumstances we would be supportive to their needs.

In closing, let me assure you of our continued desire to cooperate in any and all similar matters of mutual interest and concern.

Very truly yours,

William Brierly, Chairman

The following prefiled legislation was introduced:
HB 637 - GILLIGAN, MATUSHEFSKE, SMITH, HEBNER, AMBROSINO, HOLLOWAY; SENATOR WEISS - HEALTH & SOCIAL SERVICES: An Act to Amend Chapter 79, Title 29 of the Delaware Code, to Provide for the Delivery of Child Protective Services Within the Division of Social Services of the Department of Health and Social Services.

HB 638 - FREE - JUDICIARY: An Act to Amend Chapter 43, Title 11 of the Delaware Code, Relating to Sentencing.

HB 639 - W. BRADY, ROY, PETRILLI - HOUSE ADMINISTRATION: An Act to Amend Chapter 29, Title 6 of the Delaware Code, Relating to the Independence of Retail Gasoline Dealers.

HA 1 to SB 245 - BURRIS - Placed with the bill.

HA 2 to SB 245 - BURRIS - Placed with the bill.

HA 1 to SB 265 - AMBROSINO - Placed with the bill.

HA 1 to SB 357 - T. BRADY, MARONEY, AMBROSINO; SENATOR CICIONE - Placed with the bill.

Representative Hebner moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Hebner brought SB 267 before the House for consideration.

SB 267 - An Act to Amend Sections 4302 and 4305, Title 30, Delaware Code, by Excluding Manufacturing Equipment on Leveraged Leases Guaranteed by the Economic Development Administration from the Lease Tax.

The roll call on SB 267 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 39.

ABSENT: Representatives Holloway, Kelly - 2.

Therefore, having received a constitutional majority, SB 267 was returned to the Senate.

Representative Maxwell moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Maxwell brought SB 103 before the House for consideration.

SB 103 - An Act to Amend Subchapter II, Chapter 7, Title 19 of the Delaware Code, Relating to Discrimination in Employment Because of Age.

The roll call on SB 103 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 35.

ABSENT: Representatives Cain, Darling, Free, Holloway, Kelly, Loughney - 6.

Therefore, having received a constitutional majority, SB 103 was returned to the Senate.

Representative Maxwell moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Minner and adopted by voice vote.

Representative Maxwell brought SB 264 w/SA 1 before the House for consideration.

SB 264 - An Act to Amend Part IV, Title 12 of the Delaware Code, by Striking the Present Chapter 45, Entitled "Uniform Gifts to Minors Act" and by Substituting a New Chapter 45, Entitled "Uniform Gifts to Minors Act" in Lieu Thereof.

Representative Maxwell requested and was granted the privilege of the floor for Senator Robert Berndt.

The roll call on SB 264 w/SA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 37.

NOT VOTING: Representative Holloway - 1.

ABSENT: Representatives Kelly, McBride, Plant - 3.

Therefore, having received a constitutional majority, SB 264 w/SA 1 was returned to the Senate.

Representative Maxwell moved to suspend the rules for the purpose of introducing and acting on a bill. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Maxwell introduced and brought SB 90 w/SA 1, sponsored by Senator McDowell, before the House for consideration.

SB 90 - An Act to Amend Title 29 of the Delaware Code, Relating to Audits, Sunset Review, and Repeal of State Agencies.

Representative Connor moved to place SB 90 w/SA 1 on the Speaker's table. The motion was seconded by Representative Burris.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Fallon, Free, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West - 34.

NO: Representatives Bennett, Clendaniel, Darling, George, Maxwell, McBride, Mr. Speaker Ferguson - 7.

Therefore, having received a constitutional majority, the motion was adopted.

Representative Cain introduced and brought HCR 83, co-sponsored by Senator McDowell, before the House for consideration.

HCR 83 - Advising the State Board of Education to Allow Membership to Non-Public Schools in Certain Public School Athletic Conferences.

Representative Cain moved to strike HCR 83. Without objection, HCR 83 was stricken.

Representative Holloway moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Riddagh and adopted by voice vote.

Representative Holloway brought SB 303, co-sponsored by Senators Murphy, Holloway and Spence and Representatives Riddagh, Sincock, Powell, Matushefske and Holloway, before the House for consideration.

SB 303 - An Act Exempting All Persons Duly Registered as an Apprentice Prior to June 23, 1955 from the Requirements of Graduation from a Regular Recognized College of Embalming and Passing an Examination by the Board of Funeral Service Practitioners, Prior to Engaging in the Funeral Service Profession.

Representative Plant requested that the following communication be read into the record:

Delaware State Funeral Directors' Association, Inc.
607 S. Harrison Street
Wilmington, DE 19805

June 25, 1979

Dear Representative Plant:

As Secretary of the Delaware State Funeral Directors' Association, Inc., representing 90% of the duly educated and licensed funeral practitioners in the State of Delaware, I have been directed to forward to you this letter as a position letter and ask that you speak out and vote against SB 303.

The Executive Committee of this Association strongly feels this is special preferential legislation and deems such legislation unfair to the funeral profession. Furthermore, it would be improper on any Legislator to pass or even consider such legislation.

This Committee cannot comprehend any person asking for such action. Can you imagine the medical profession granting a license to anyone because he has been employed in the operating room for 20 years and possibly has knowledge of surgical procedures or to a nurses' aide who has access to charts and the daily routine of hospital procedures? Educational requirements are indeed important and necessary and should not be waived under any circumstances.

Those involved in funeral service must comply with the Law and keep up with the rising cost of education no matter how long he or she has been in the profession. We do not ask for any special privileges - just compliance to the Written Word.

Therefore, the position of this Committee is to take our stand against such matters and ask you and your colleagues to speak out and vote against this piece of legislation.

Representative Plant, thank you, sir, for taking your time and efforts in our concern.

Sincerely,

John F. Yasik, Jr., Secretary

The roll call on SB 303 was taken and revealed:

YES: Representatives Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Free, Harrington, Hebner, Holloway, Jonkiert, Maroney, Matushefske, McKay, Oberle, Petrilli, Powell, Riddagh, Roy, Sincock, Smith, Vernon - 22.

NO: Representatives Ambrosino, Bennett, Clendaniel, Connor,

Darling, George, Gilligan, Gordy, Kelly, Loughney, Maxwell, McBride, Minner, Neal, West, Mr. Speaker Ferguson - 16.

NOT VOTING: Representatives Morris, Plant - 2.

ABSENT: Representative Fallon - 1.

Therefore, having received a constitutional majority, SB 303 was returned to the Senate.

Representative Smith introduced and brought HCR 84, co-sponsored by Representative Maxwell, before the House for consideration.

HCR 84 - Requesting that the Industrial Accident Board Make Certain Entries in its Permanent Minutes with Respect to Matters of Procedure.

HCR 84 was adopted by voice vote and sent to the Senate for concurrence.

Representative Jonkiert moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Jonkiert brought SB 248 w/SA 1 before the House for consideration.

Representative Ambrosino rose on a point of order.

Representative Jonkiert moved to place SB 248 w/SA 1, on the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Maroney brought SB 245 w/SA 5 and SA 1 to SA 5 and - HA 1,2 before the House for consideration.

SB 245 - An Act to Amend Titles 10 and 31, Delaware Code, for the Purpose of Creating a Foster Child Review Board and Establishing a System of Citizen and Court Review of Foster Child Care.

Representative Burris brought HA 1 before the House for consideration. HA 1 to SB 245 w/SA 5 & SA 1 to SA 5 was adopted by voice vote.

Representative Burris brought HA 2 before the House for consideration. HA 2 to SB 245 w/SA 5 & SA 1 to SA 5 was adopted by voice vote.

The roll call on SB 245 w/SA 5 & SA 1 to SA 5 and HA 1,2 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 39.

ABSENT: Representatives Bennett, Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 245 w/SA 5 & SA 1 to SA 5 and HA 1,2 was returned to the Senate for action on the amendments.

Representative Jonkiert moved to lift SB 248 w/SA 1 from the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

SB 248 - An Act to Amend Chapter 35, Part IV, Title 12 of the Delaware Code, Relating to Trusts.

The roll call on SB 248 w/SA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W.

Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, SB 248 w/SA 1 was returned to the Senate.

Representative Gordy introduced and brought HCR 85, co-sponsored by Representatives Clendaniel, W. Brady and Senator Adams, before the House for consideration.

HCR 85 - Requesting the Governor to Confer with the Secretary or Acting Secretary of the Department of Agriculture to End Complaints of a Lack of Communication and Cooperation Between the Delaware Weather Modification Association Steering Committee and the Department.

HCR 85 was adopted by voice vote and sent to the Senate for concurrence.

Representative Morris introduced and brought SCR 40, sponsored by Senator Cook, before the House for consideration.

SCR 40 - Authorizing and Establishing a Special Ad Hoc Committee to Study Employee Classification and Compensation Rates Within the Department of Corrections and to Make Recommendations Thereto.

SCR 40 was adopted by voice vote and returned to the Senate.

Mr. Speaker reassigned HB 639 from the House Administration Committee to the Energy Committee.

Representative Ambrosino moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Ambrosino brought SB 311 w/SA 1 before the House for consideration.

SB 311 - An Act to Amend Chapter 17, Title 24 of the Delaware Code, Relating to Consent for Termination of Human Pregnancy.

Representative Anderson moved to place SB 311 w/SA 1 on the Speaker's table. The motion was seconded by Representative Smith. The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Bennett, Hebner, Minner, Smith, Vernon - 6.

NO: Representatives Ambrosino, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Jonkiert, Kelly, Loughney, Matushefske, McBride, McKay, Morris, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincok, West, Mr. Speaker Ferguson - 31.

NOT VOTING: Representatives Holloway, Maroney - 2.

ABSENT: Representatives Maxwell, Plant - 2.

Therefore, not having received a constitutional majority, the motion was declared defeated.

Representative Maroney announced that she would be recorded as "not voting" on SB 311 w/SA 1 because of a conflict of interest.

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

YES: Representatives Ambrosino, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan,

Harrington, Holloway, Jonkiert, Kelly, Loughney, Matushefske, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Vernon, West, Mr. Speaker Ferguson - 32.

NO: Representatives Sincok, Smith - 2.

NOT VOTING: Representatives Anderson, Bennett, Hebner, Maroney - 4.

ABSENT: Representatives Gordy, Maxwell, Plant - 3.

Therefore, having received a constitutional majority, SB 311 w/SA 1 was returned to the Senate.

Representative Jonkiert moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Jonkiert brought SB 332 w/SA 2 before the House for consideration.

SB 332 - An Act to Amend Chapter 1, Title 22 of the Delaware Code, Relating to the Authorization for Municipalities to Acquire, through Eminent Domain, Properties to be Rehabilitated Using Federal Community Development Funds for Both Acquisition and Rehabilitation.

The roll call on SB 332 w/SA 2 was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Morris, Plant, Powell, Riddagh, Sincok, Mr. Speaker Ferguson - 29.

NO: Representatives Clendaniel, Darling, Fallon, Minner, Neal, Oberle, Roy, Smith, Vernon, West - 10.

NOT VOTING: Representative Petrilli - 1.

ABSENT: Representative Anderson - 1.

Therefore, having received a constitutional majority of at least two thirds members of the House, SB 332 w/SA 2 was returned to the Senate.

Representative Burris moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Burris brought SB 225 w/SA 2 and SA 1 to SA 2 before the House for consideration.

SB 225 - An Act to Amend Section 4123, Chapter 41, Title 21 of the Delaware Code, Relating to Vehicles Following Another Vehicle Too Closely.

Representative Minner announced that she would be recorded as "not voting" on SB 225 w/SA 2 and SA 1 to SA 2 because of a conflict of interest.

The roll call on SB 225 w/SA 2 and SA 1 to SA 2 was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Darling, Fallon, George, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Morris, Neal, Oberle, Petrilli, Plant, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 32.

NOT VOTING: Representatives Clendaniel, Free, Minner, Powell - 4.

ABSENT: Representatives Anderson, Gilligan, Holloway, Kelly, Matushefske - 5.

Therefore, having received a constitutional majority of at least two

thirds members of the House, SB 225 w/SA 2 and SA 1 to SA 2 was returned to the Senate.

Representative West moved to lift SB 136 w/SA 1 from the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative West brought SB 136 w/SA 1 before the House for consideration.

SB 136 - An Act to Amend Chapter 42, Title 21 of the Delaware Code, Prohibiting the Removal of a Vehicle from the Scene of an Accident Except Under Specified Conditions.

The roll call on SB 136 w/SA 1 was taken and revealed:

YES: Representatives Bennett, W. Brady, Burris, Cain, Clendaniel, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Smith, Vernon, West, Mr. Speaker Ferguson - 32.

NO: Representatives T. Brady, Connor, Sincok - 3.

NOT VOTING: Representatives Ambrosino, Cathcart - 2.

ABSENT: Representatives Anderson, Holloway, Kelly, Matushefske - 4.

Therefore, having received a constitutional majority, SB 136 w/SA 1 was returned to the Senate.

Representative Gordy brought HB 448 w/SA 1 before the House for consideration.

HB 448 - An Act to Amend Chapter 70, Title 7, Delaware Code, Relating to the Definition of "Heavy Industry" in the Coastal Zone Act.

Representative Loughney rose on a point of order.

The roll call on HB 448 w/SA 1 was taken and revealed:

YES: Representatives Cain, Clendaniel, Darling, Free, Gordy, Hebner, Holloway, Kelly, Loughney, Maroney, Maxwell, McBride, McKay, Oberle, Petrilli, Plant, Powell, Roy, Sincok, West, Mr. Speaker Ferguson - 21.

NO: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cathcart, Connor, George, Gilligan, Harrington, Minner, Morris, Neal, Riddagh, Smith, Vernon - 16.

ABSENT: Representatives Anderson, Fallon, Jonkiert, Matushefske - 4.

Therefore, having received a constitutional majority, HB 448 w/SA 1 was sent to the Governor.

Representative Gordy moved to recess for caucus at 3:59 p.m.

The House was called to order at 6:28 p.m.

Representative Anderson introduced HB 640.

HB 640 - An Act Relating to Highways Crossing Railroads At-Grade; and Providing Authority to the Secretary of the Department of Transportation to Approve an At-Grade Crossing in the Bellevue Road Area, as Set Forth in a Highway Plat Entitled: Cooch's Bridge Road at State Road 896 (Contract No. 78-021-17).

Mr. Speaker assigned HB 640 to the Highways and Transportation Committee.

Representative Matushefske brought HB 435 w/HA 1,2 and SA 2 before the House for consideration.

HB 435 - An Act to Amend Chapter 52, Title 29, of the Delaware

Code, to Provide for the Payment of Premium or Subscription Charges for Health Care Insurance for State Employees and Their Dependents.

The roll call on HB 435 was taken.

Representative Matushefske moved to table the roll call on HB 435 w/HA 1,2 and SA 2. The motion was seconded by Representative Gordy. The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, Minner, Morris, Oberle, Petrilli, Plant, Powell, Riddagh, West, Mr. Speaker Ferguson - 31.

NO: Representatives Bennett, Maroney, McKay, Neal, Sincock, Smith, Vernon - 7.

NOT VOTING: Representative Hebner - 1.

ABSENT: Representatives George, Roy - 2.

Therefore, having received a constitutional majority, the motion was adopted.

Representative Maxwell brought HB 188 w/HA 1,2, and SA 1 before the House for consideration.

The roll call on HB 188 w/HA 1,2, and SA 1 was taken.

Representative Fallon moved to table the roll call on HB 188 w/HA 1,2, and SA 1. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Morris brought HB 477 w/SA 1 before the House for consideration.

The roll call on HB 477 w/SA 1 was taken.

Representative Morris moved to table the roll call on HB 477 w/SA 1. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Gordy brought SB 273 before the House for consideration.

SB 273 - An Act to Amend Chapter 663, Volume 60, Laws of Delaware, as Amended by Chapter 531, Volume 61, Relating to Pension Benefits of Correction Officers.

The roll call on SB 273 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 39.

ABSENT: Representatives Matushefske, Morris - 2.

Therefore, having received a constitutional majority, SB 273 was returned to the Senate.

Representative Ferguson moved to recess at 6:50 p.m.

The House was called to order at 6:52 p.m.

Representative Jonkiert moved to lift the roll call on HB 435 w/HA 1,2 and SA 2. The motion was seconded by Representative Gordy and adopted by voice vote.

HB 435 - An Act to Amend Chapter 52, Title 29, of the Delaware Code, to Provide for the Payment of Premium or Subscription Charges for Health Care Insurance for State Employees and Their Dependents.

The roll call on HB 435 w/HA 1,2 and SA 2 was revealed:

YES: Representatives Anderson, Bennett, W. Brady, Cain, Clendaniel, Darling, George, Gilligan, Gordy, Holloway, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, Minner, Morris, Plant, West, Mr. Speaker Ferguson - 21.

NO: Representatives T. Brady, Burris, Free, Hebner, Maroney, McKay, Neal, Smith, Vernon - 9.

NOT VOTING: Representatives Ambrosino, Cathcart, Connor, Fallon, Harrington, Powell, Riddagh, Roy, Sincok - 9.

ABSENT: Representatives Oberle, Petrilli - 2.

Therefore, having received a constitutional majority, HB 435 w/HA 1,2 & SA 2 was sent to the Governor.

Representative Sincok rose on a point of order.

Representative Connor rose on a point of order.

Representative Minner rose on a point of order.

Representative George moved to suspend the rules for the purpose of introducing and acting on a bill. The motion was seconded by Representative Gordy. The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Cain, Clendaniel, Darling, George, Gilligan, Gordy, Holloway, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, Minner, Plant, West, Mr. Speaker Ferguson - 20.

NO: Representatives Ambrosino, T. Brady, Burris, Cathcart, Connor, Fallon, Free, Harrington, Hebner, Maroney, Neal, Roy - 12.

NOT VOTING: Representatives McKay, Oberle, Petrilli, Powell, Riddagh, Sincok, Smith, Vernon - 8.

ABSENT: Representative Morris - 1.

Representative Hebner rose on a point of order.

Mr. Speaker requested House Attorney John Rich take the floor.

Representative Ferguson moved to recess at 7:00 p.m.

The House was called to order at 7:23 p.m.

Mr. Speaker announced that the motion to suspend the rules was defeated.

Representative George moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Gordy.

Representative McKay rose on a point of order.

Mr. Speaker announced that the motion to suspend the rules was duly made and seconded and adopted by voice vote.

SB 373 - An Act to Amend an Act Entitled "An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1980; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions", Being House Bill No. 333 of the 130th General Assembly of the State of Delaware; and Extending the Reversion Dates of Certain Supplementary Appropriations Made by the 130th General Assembly of the State of Delaware.

The roll call on SB 373 was taken and revealed:

YES: Anderson, Bennett, W. Brady, Cain, Clendaniel, Darling, George, Gilligan, Gordy, Holloway, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, Minner, Morris, Plant, West, Mr. Speaker Ferguson - 21.

NO: Representatives Cathcart, Connor, Hebner, McKay - 4.

ABSENT: Representatives Ambrosino, T. Brady, Burris, Fallon, Free, Harrington, Maroney, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincock, Smith, Vernon - 16.

Therefore, having received a constitutional majority, SB 373 was returned to the Senate.

Representative Sincock moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Sincock brought HB 157 - HA 1,2,3 before the House for consideration.

Representative Bennett brought HA 1 before the House for consideration.

Representative Bennett moved to strike HA 1. Without objection, HA 1 to HB 157 was stricken.

Representative Connor brought HA 2 before the House for consideration.

Representative Connor moved to place HA 2 to HB 157 on the Speaker's table. The motion was seconded by Representative Sincock and adopted by voice vote.

Representative Connor brought HA 3 before the House for consideration.

Representative Bennett moved to place HA 3 to HB 157 on the Speaker's table. The motion was seconded by Representative Burris.

The roll call on the motion was taken and revealed:

YES: Representatives Bennett, W. Brady, Burris, Clendaniel, Darling, Fallon, George, Gordy, Harrington, Matushefske, McBride, Minner, Morris, Riddagh, Vernon, West - 16.

NO: Representatives Ambrosino, T. Brady, Cain, Cathcart, Connor, Free, Gilligan, Hebner, Kelly, Loughney, Maroney, Maxwell, McKay, Neal, Oberle, Petrilli, Powell, Roy, Sincock, Smith, Mr. Speaker Ferguson - 21.

NOT VOTING: Representatives Anderson, Holloway, Plant - 3.

ABSENT: Representative Jonkiert - 1.

Therefore, not having received a constitutional majority, the motion was declared defeated.

Representative Bennett rose on a point of order.

Representative Gordy stated that there were five members of the House standing to cut off debate; therefore, according to the House Rules, debate on the amendment was discontinued.

The roll call on HA 3 to HB 157 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, Cain, Cathcart, Connor, Free, Gilligan, Hebner, Kelly, Loughney, Maroney, Maxwell, McKay, Neal, Oberle, Petrilli, Powell, Riddagh, Sincock, Smith - 21.

NO: Representatives Bennett, W. Brady, Burris, Clendaniel, Darling, Fallon, George, Gordy, Harrington, Matushefske, McBride, Minner, Morris, Roy, Vernon, West - 16.

NOT VOTING: Representatives Holloway, Plant, Mr. Speaker Ferguson - 3.

ABSENT: Representative Jonkiert - 1.

Therefore, having received a constitutional majority, HA 3 to HB 157

was declared passed.

Representative George introduced and brought HA 4, co-sponsored by Representative Bennett, before the House for consideration.

The House recessed at 8:15 p.m. for the purpose of changing the audio tape and reconvened at 8:17 p.m.

Representative Harrington rose on a point of order.

Representative McBride rose on a point of order.

Representative George rose on a point of order.

HA 4 to HB 157 was adopted by voice vote.

Representative Burris introduced and brought HA 5 before the House for consideration.

Representative McBride rose on a point of order.

Representative Burris moved to strike HA 5. Without objection, HA 5 to HB 157 was stricken.

Representative Oberle introduced and brought HA 1 to HA 4, co-sponsored by Representative Gilligan before the House for consideration.

Representative Oberle moved to place HA 1 to HA 4 to HB 157 on the Speaker's table. The motion was seconded by Representative Sincok and adopted by voice vote.

Representative Sincok moved to place HB 157 w/HA 3,4 on the Speaker's table. The motion was seconded by Representative Oberle and adopted by voice vote.

Representative Gordy moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Minner and adopted by voice vote.

Representative Gordy brought HB 449 before the House for consideration.

HB 449 - An Act to Provide a Supplementary Appropriation to the State Board of Education to Increase the Division III Unit Allocation.

Representative Bennett introduced and brought HA 1 to HB 449, before the House for consideration. HA 1 to HB 449 was adopted by voice vote.

Representative Burris introduced and brought HA 2 before the House for consideration. Representative Burris moved to strike HA 2. Without objection, HA 2 to HB 449 was stricken.

The roll call on HB 449 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, Minner, Morris, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 37.

NO: Representative McKay - 1.

ABSENT: Representatives Anderson, Holloway, Neal - 3.

Therefore, having received a constitutional majority, HB 449 w/HA 1 was sent to the Senate for concurrence.

Representative Sincok moved to lift HB 157 from the Speaker's table. The motion was seconded by Representative Oberle and adopted by voice vote.

Representative Oberle moved to strike HA 1 to HA 4. Without objection, HA 1 to HA 4 to HB 157 was stricken.

Representative Sincock moved to place HB 157 on the Speaker's table. The motion was seconded by Representative Connor and adopted by voice vote.

Representative Oberle moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Oberle brought SB 287 w/SA 1 before the House for consideration.

SB 287 - An Act to Amend Title 14 of the Delaware Code, by Providing a Unit for Gifted and Talented Pupils and Authorizing Staff or Services or Materials for Such Units in Public Schools; and Further Providing a Supplementary Appropriation Therefor.

The roll call on SB 287 w/SA 1 was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Matushefske, Maxwell, McBride, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 38.

NO: Representative McKay - 1.

ABSENT: Representatives Anderson, Maroney - 2.

Therefore, having received a constitutional majority, SB 287 w/SA 1 was returned to the Senate.

Representative Morris moved to lift the roll call on HB 477 w/SA 1. The motion was seconded by Representative Gordy and adopted by voice vote.

HB 477 - An Act to Amend Chapter 15, Title 13 of the Delaware Code, Relating to an Award of Alimony in Divorce and Annulment Actions.

The roll call on HB 477 w/SA 1 was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Fallon, Free, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 38.

NO: Representative Ambrosino - 1.

NOT VOTING: Representative Hebner - 1.

ABSENT: Representative Darling - 1.

Therefore, having received a constitutional majority, HB 477 w/SA 1 was sent to the Governor.

Representative Minner brought HB 469 before the House for consideration.

HB 469 - An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to Classes for Partially Sighted Pupils.

The roll call on HB 469 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 41.

Therefore, having received a constitutional majority, HB 469 was sent

to the Senate for concurrence.

Representative Gordy moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Minner and adopted by voice vote.

Representative Gordy brought HB 614 before the House for consideration.

HB 614 - An Act to Amend Chapter 68, Volume 62 of the Laws of Delaware, Also Known as House Bill No. 333 of the 130th General Assembly, to Change the Effective Date of State Funding of Transportation of Pupils to Special Schools to July 1, 1980.

The roll call on HB 614 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maroney, Matushefske, Maxwell, McBride, Minner, Morris, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 37.

NO: Representatives T. Brady, McKay, Neal - 3.

NOT VOTING: Representative Free - 1.

Therefore, having received a constitutional majority, HB 614 was sent to the Senate for concurrence.

The House recessed to the call of the Chair at 8:59 p.m. and reconvened at 9:07 p.m.

Representative Sincock moved to lift HB 157 from the Speaker's table. The motion was seconded by Representative Connor and adopted by voice vote.

HB 157 - An Act to Amend Chapter 409, Volume 61, Laws of Delaware, the 1979 Budget Act, Relating to Funds Appropriated for Teachers' Salaries.

Representative Burris introduced and brought HA 6 before the House for consideration.

The roll call on HA 6 to HB 157 was taken and revealed:

YES: Representatives Bennett, W. Brady, Burris, Clendaniel, Fallon, George, Gordy, Harrington, Jonkiert, Matushefske, McBride, Minner, Morris, Riddagh, Vernon, West - 16.

NO: Representatives Ambrosino, Anderson, T. Brady, Cain, Cathcart, Connor, Free, Gilligan, Hebner, Holloway, Kelly, Loughney, Maroney, Maxwell, McKay, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith - 23.

NOT VOTING: Mr. Speaker Ferguson - 1.

ABSENT: Representative Darling - 1.

Therefore, not having received a constitutional majority, HA 6 to HB 157 was declared defeated.

The roll call on HB 157 w/HA 3,4 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, Cain, Cathcart, Connor, Free, George, Gilligan, Hebner, Holloway, Jonkiert, Kelly, Loughney, Maroney, Maxwell, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Mr. Speaker Ferguson - 25.

NO: Representatives Bennett, W. Brady, Burris, Clendaniel, Fallon, Gordy, Harrington, McBride, McKay, Minner, Morris, Riddagh, Vernon - 13.

NOT VOTING: Representative Matushefske - 1.

ABSENT: Representatives Darling, West - 2.

Therefore, having received a constitutional majority, HB 157 w/HA 3,4 was sent to the Senate for concurrence.

Representative Gordy moved to recess for caucus at 9:18 p.m.

The House was called to order at 9:58 p.m.

Representative Holloway brought SB 246 before the House for consideration.

SB 246 - An Act Authorizing a Supplemental Appropriation to the Department of Health and Social Services for the Purpose of Raising General Assistance and Aid to Families with Dependent Children Payments and Amending Chapter 5, Title 31, Delaware Code, by Requiring that Aid to Families with Dependent Children be at 100% of the 1969 Standard of Need.

Representative Free moved to rescind the roll call on SB 246 as amended and to rescind the roll call on HA 1 to SA 2 to SB 246. The motion was seconded by Representative Hebner. The roll call on the motion to rescind the roll calls was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Loughney, Maroney, Matushefske, Maxwell, McBride, Morris, Neal, Petrilli, Plant, Powell, Riddagh, Sincok, Smith, West, Mr. Speaker Ferguson - 30.

NO: Representatives Bennett, Clendaniel, Connor, Minner, Oberle, Vernon - 6.

NOT VOTING: Representative McKay - 1.

ABSENT: Representatives Darling, Jonkiert, Kelly, Roy - 4.

Therefore, having received a constitutional majority, the motion was adopted and the roll call on SB 246 w/SA 1,2 and HA 2 and HA 1 to SA 2 and the roll call on HA 1 to SA 2 were rescinded.

Representative Free moved to place HA 1 to SA 2 to SB 246 on the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Petrilli moved to place HA 2 to SB 246 on the Speaker's table. The motion was seconded by Representative Free and adopted by voice vote.

The roll call on SB 246 w/SA 1,2 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Fallon, Free, George, Gilligan, Harrington, Hebner, Holloway, Jonkiert, Maroney, Matushefske, Maxwell, Minner, Neal, Petrilli, Plant, Sincok, Smith - 24.

NO: Representatives Bennett, Clendaniel, Connor, Darling, McBride, McKay, Morris, Oberle, Powell, Roy, Vernon, West, Mr. Speaker Ferguson - 13.

NOT VOTING: Representative Riddagh - 1.

ABSENT: Representatives Gordy, Kelly, Loughney - 3.

Therefore, having received a constitutional majority, SB 246 w/SA 1,2 was returned to the Senate.

Representative Bennett moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Bennett brought HB 597 before the House for consideration.

HB 597 - An Act to Amend Chapter 12 and Chapter 13, Title 14 of the Delaware Code, Relating to Substitute Teachers; and Providing a Supplementary Appropriation Therefor.

The roll call on HB 597 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, Mr. Speaker Ferguson - 39.

ABSENT: Representatives Kelly, West - 2.

Therefore, having received a constitutional majority, HB 597 was sent to the Senate for concurrence.

Representative George brought HB 604 - HA 1 before the House for consideration.

Representative Neal brought HA 1 before the House for consideration.

Representative Neal moved to strike HA 1. Without objection, HA 1 to HB 604 was stricken.

Representative Neal introduced and brought HA 2 before the House for consideration. HA 2 to HB 604 was adopted by voice vote.

Representative George introduced and brought HA 3 before the House for consideration. HA 3 to HB 604 was adopted by voice vote.

Representative Roy introduced and brought HA 4 before the House for consideration. HA 4 to HB 604 was adopted by voice vote.

Representative Maxwell introduced and brought HA 5 before the House for consideration. HA 5 to HB 604 was adopted by voice vote.

The roll call on HB 604 w/HA 2,3,4,5 was taken.

Representative George moved to table the roll call on HB 604 w/HA 2,3,4,5. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Maxwell introduced HB 641, co-sponsored by Representatives Burris, Hebner, Petrilli, Maroney, T. Brady, Free, Sincock, Neal, Harrington, Powell, Bennett, Gilligan, Holloway, Jonkiert, Gordy and Anderson and Senators Holloway, Cicione, McDowell, Knox, Arnold, Spence, Hale, Berndt, Littleton and Weiss.

HB 641 - An Act to Make a Supplementary Appropriation for a Grant-In-Aid to Jobs for Delaware Graduates, Inc. (3/4 bill)

Mr. Speaker assigned HB 641 to the Appropriations Committee.

Representative Ambrosino introduced HB 642, co-sponsored by Representative Jonkiert.

HB 642 - An Act to Amend Title 10, Chapter 40 of the Delaware Code, Relating to Tort Claims and Indemnification of State Officials.

Mr. Speaker assigned HB 642 to the Judiciary Committee.

Representative McKay introduced HB 643, co-sponsored by Representatives Vernon, Maroney, Fallon and Smith.

HB 643 - An Act to Amend Chapter 8, Part I, Title 19 of the Delaware Code, Relating to Prohibition of Discriminatory Conditions of Employment in the Public Sector.

Mr. Speaker assigned HB 643 to the Labor & Commerce Committee.

Representative Minner moved to recess to the call of the Chair at 10:36 p.m.

The House was called to order at 11:40 p.m.

Representative Bennett moved to suspend the rules for the purpose of introducing and acting on a bill. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Bennett introduced and brought SB 289 w/SA 1, sponsored by Senator Cicione, before the House for consideration.

SB 289 - An Act to Amend Section 1321, Chapter 13, Title 14 of the Delaware Code, Relating to School Lunch Supervisors.

The roll call on SB 289 w/SA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Oberle, Petrilli, Plant, Powell, Riddagh, Sincock, Vernon, West, Mr. Speaker Ferguson - 36.

NO: Representatives Hebner, Neal, Roy - 3.

ABSENT: Representatives Kelly, Smith - 2.

Therefore, having received a constitutional majority, SB 289 w/SA 1 was returned to the Senate.

Representative George moved to lift the roll call on HB 604 w/HA 2,3,4,5. The motion was seconded by Representative Gordy and adopted by voice vote.

HB 604 - A Transportation Program Act of the State of Delaware Repealing Chapters 13, 14, 16, 17 and 19 of Title 2, Delaware Code, as Amended, and Sections 8407, 8408 and 8409 of Chapter 84, Title 29, Delaware Code, as Amended, Constituting Laws Pertaining to the Delaware Transportation Authority, the Delaware Turnpike, Local Transportation Authorities, Specialized Transportation Authorities, and the Council on Transportation, Reestablishing the Delaware Transportation Authority, as Chapter 13 of Title 2, Delaware Code, as Amended, Authorizing the Creation of Subsidiary Corporations for Public Transportation and Specialized Transportation, Authorizing the Issuance of Bonds by the Delaware Transportation Authority and the State of Delaware for Certain Highways Projects, Authorizing the Imposition, Collection and Pledging of Tolls on the Delaware Turnpike, Transferring Certain Highway Projects to the Transportation Authority From the State, Cancelling the Authority of the State to Issue Bonds for Such Highway Purposes, Authorizing the Delaware Transportation Authority to Refund Outstanding Bonds of Such Authority and Reestablishing the Council on Transportation.

The roll call on HB 604 w/HA 2,3,4,5 was revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 38.

NOT VOTING: Representative McBride - 1.

ABSENT: Representatives Clendaniel, Kelly - 2.

Therefore, having received a constitutional majority of at least three quarters members of the House, HB 604 w/HA 2,3,4,5 was sent to the Senate for concurrence.

Representative Jonkiert moved to suspend the rules for the purpose

of introducing and acting on a bill. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Jonkiert introduced and brought SB 374, co-sponsored by Senator Cook and Representative Sincock and Senators Hale, Kearns and Littleton and Representatives Darling, Jonkiert and Vernon, before the House for consideration.

SB 374 - An Act of the State of Delaware Authorizing the Issuance of Obligations to Finance Costs of Various Projects, Appropriating the Proceeds to Such Uses by Various Agencies of the State and by the State Board of Education, Appropriating Amounts in the Bond Reversion Account to Finance Costs of Various Projects, Deauthorizing the Issuance of Obligations for Various Projects and Making Provisions for the Issuance of Obligations and the Application of Such Proceeds by Repealing Chapter 74, Title 29, Delaware Code, as Amended, and Reenacting as Chapter 74, Title 29 New Provisions for the Issuance of Obligations by the State and the Application of Such Proceeds, Providing for a First Lien on Revenues of the State in Case of Default in Payment of Such Obligations, Authorizing the Issuance of Revenue Anticipation Notes and by Amending Chapter 75, Title 29, Delaware Code, As Amended, Relating to Issuance of Obligations by the State for School Projects and the Application of Proceeds of Such Obligations. (3/4 bill)

Representative Jonkiert moved to place SB 374 on the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative W. Brady moved to suspend the rules for the purpose of introducing and acting on a bill. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative W. Brady introduced and brought SB 321 w/SA 3, sponsored by Senator McDowell before the House for consideration.

SB 321 - An Act to Amend Chapter 76, Part VII, Title 16 of the Delaware Code, Relating to County and Municipal Building, Plumbing, Electrical and Other Codes. (2/3 bill)

Representative W. Brady requested and was granted the privilege of the floor for Donald A. Crews, representing the Delaware Energy Office.

Representative T. Brady announced that he would be recorded as "not voting" on the bill.

The roll call on SB 321 w/SA 3 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 38.

NOT VOTING: Representatives T. Brady, Minner - 2.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority of at least two thirds members of the House, SB 321 w/SA 3 was returned to the Senate.

Representative West brought SB 196 w/SA 1,2 before the House for consideration.

SB 196 - An Act to Amend Chapters 5, 7 and 13 of Title 7, Delaware Code, Relating to Hunting and Trapping.

Representative Loughney rose on a point of order.

The roll call on SB 196 w/SA 1,2 was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 38.

NO: Representative Ambrosino - 1.

NOT VOTING: Representative Free - 1.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority of at least two thirds members of the House, SB 196 w/SA 1,2 was returned to the Senate.

Representative Burris brought HB 582 - HA 1 before the House for consideration.

HB 582 - An Act to Amend Chapter 33, Title 19, Delaware Code, Relating to Unemployment Compensation.

Representative Maxwell brought HA 1 before the House for consideration. HA 1 to HB 582 was adopted by voice vote.

The roll call on HB 582 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gordy, Harrington, Hebner, Maroney, Matushefske, Maxwell, McBride, McKay, Morris, Neal, Oberle, Petrilli, Riddagh, Sincok, Smith, Vernon, West, Mr. Speaker Ferguson - 32.

NO: Representatives Gilligan, Jonkiert, Plant - 3.

NOT VOTING: Representative Minner - 1.

ABSENT: Representatives Holloway, Kelly, Loughney, Powell, Roy - 5.

Therefore, having received a constitutional majority, HB 582 w/HA 1 was sent to the Senate for concurrence.

Representative Maxwell introduced and brought SCR 41, co-sponsored by Senator Arnold and Representative Maxwell and Senators Cicione, Hughes, Sharp, Spence, Berndt, Kearns, Marshall, Martin and McCullough and Representatives Oberle, Petrilli, Anderson, McBride, Hebner, Ambrosino, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Gilligan, Gordy, Harrington, Loughney, McKay, Minner, Morris, Powell, Riddagh, Roy, Sincok, Smith, Vernon, West and Ferguson, before the House for consideration.

SCR 41 - Urging the Delaware Congressional Delegation in Washington to Support Actively House Joint Resolution No. 74 in the United States Congress Which Proposes an Amendment to the United States Constitution to Prohibit Compelling the Attendance of a Student in a Public School Other Than the Public School Nearest the Student's Residence.

Representative Morris requested that his name be stricken as a co-sponsor of SCR 41.

SCR 41 was adopted by voice vote and returned to the Senate.

Representative Ambrosino moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Ambrosino brought SB 357, co-sponsored by Senators Cicione and Berndt and Representatives George and Ambrosino, before the House for consideration.

SB 357 - An Act to Amend An Act Entitled "An Act to Make a Supplementary Appropriation for Certain Grants-In-Aid; Being Senate Bill No. 347 of the 130th General Assembly of the State of Delaware.

Representative T. Brady introduced and brought HA 1, co-sponsored by Representatives Maroney and Ambrosino and Senator Cicione, before the House for consideration. HA 1 to SB 357 was adopted by voice vote.

Representative Minner introduced and brought HA 2, co-sponsored by Representative Ferguson and Senator Zimmerman, before the House for consideration. HA 2 to SB 357 was adopted by voice vote.

Representative Bennett brought HA 3, co-sponsored by Senator Zimmerman, before the House for consideration.

Representative Jonkiert moved to place HA 3 to SB 357 on the Speaker's table. The motion was seconded by Representative Anderson. The roll call on the motion was taken and revealed:

YES: Representatives Anderson, W. Brady, Cain, Clendaniel, George, Gilligan, Holloway, Jonkiert, Loughney, Matushefske, Maxwell, McBride, Neal, Petrilli, Powell, Roy, Smith, West, Mr. Speaker Ferguson - 19.

NO: Representatives Bennett, Burris, Cathcart, Connor, Darling, Fallon, Free, Harrington, Hebner, Maroney, Minner, Morris, Oberle, Plant, Riddagh, Sincok, Vernon - 17.

NOT VOTING: Representative McKay - 1.

ABSENT: Representatives Ambrosino, T. Brady, Gordy, Kelly - 4.

Therefore, not having received a constitutional majority, the motion was declared defeated and HA 3 remained before the House.

Representative Oberle requested and was granted the privilege of the floor for House Attorney, John Rich.

Mr. Speaker Ferguson announced that he was rescinding his decision on the roll call on the motion to table HA 3 to SB 357; therefore, the motion was adopted and HA 3 to SB 357 was placed on the Speaker's table.

The roll call on SB 357 w/HA 1,2 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, - W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Oberle, Plant, Powell, Riddagh, Sincok, Vernon, West, Mr. Speaker Ferguson - 33.

NO: Representatives Bennett, Harrington, Morris, Neal, Petrilli, Roy, Smith - 7.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority, SB 357 w/HA 1,2 was returned to the Senate for action on the amendments.

Representative Jonkiert moved to lift SB 374 from the Speaker's table. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Jonkiert brought SB 374 before the House for consideration.

SB 374 - An Act of the State of Delaware Authorizing the Issuance of

Obligations to Finance Costs of Various Projects , Appropriating the Proceeds to Such Uses by Various Agencies of the State and by the State Board of Education, Appropriating Amounts in the Bond Reversion Account to Finance Costs of Various Projects, Deauthorizing the Issuance of Obligations for Various Projects and Making Provisions for the Issuance of Obligations and the Application of Such Proceeds by Repealing Chapter 74, Title 29, Delaware Code, As Amended and Reenacting as Chapter 74, Title 29, New Provisions for the Issuance of Obligations by the State and the Application of Such Proceeds, Providing for a First Lien on Revenues of the State in Case of Default in Payment of Such Obligations, Authorizing the Issuance of Revenue Anticipation Notes and by Amending Chapter 75, Title 29, Delaware Code, as Amended, Relating to Issuance of Obligations by the State for School Projects and the Application of Proceeds of Such Obligations.

Representative Darling requested and was granted the privilege of the floor for Kermit Justice, Secretary of the Department of Transportation.

Representative Sincock rose on a point of order.

The roll call on SB 374 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 40.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority of at least three-quarters members of the House, SB 374 was returned to the Senate.

Representative Anderson moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Anderson brought SB 265 w/SA 1,2,3,4 - HA 1, before the House for consideration.

SB 265 - An Act to Amend Title 29, Delaware Code, by Providing for the Repeal of Section 6971, by Creating a New Chapter 73, Dealing with Handicapped Persons and Promoting Accessibility to and Use of Certain Buildings and Facilities by Such Persons, and Providing a Supplemental Appropriation Therefor.

Representative Ambrosino brought HA 1 before the House for consideration.

Representative Ambrosino moved to strike HA 1. Without objection, HA 1 to SB 265 was stricken.

The roll call on SB 265 w/SA 1,2,3,4 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 38.

ABSENT: Representatives Cain, Jonkiert, Kelly - 3.

Therefore, having received a constitutional majority, SB 265 w/SA

1,2,3,4 was returned to the Senate.

Representative Bennett moved to suspend the rules for the purpose of acting on a bill. The motion was seconded by Representative Minner and adopted by voice vote.

Representative Bennett brought SB 305, before the House for consideration.

SB 305 - An Act to Authorize the Capital School District to Transfer Funds from Its Minor Capital Improvements Account to Its Operating Account.

The roll call on SB 305 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Vernon, West, Mr. Speaker Ferguson - 40.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority, SB 305 was returned to the Senate.

Representative Sincock brought HB 157 w/HA 3,4, SA 2, before the House for consideration.

HB 157 - An Act to Amend Chapter 409, Volume 61, Laws of Delaware, the 1979 Budget Act, Relating to Funds Appropriated for Teachers' Salaries.

The roll call on HB 157 w/HA 3,4, SA 2 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Darling, Free, George, Gilligan, Gordy, Hebner, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, Minner, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincock, Smith, Mr. Speaker Ferguson - 30.

NO: Representatives Clendaniel, Fallon, Harrington, Holloway, McBride, McKay, Morris, Plant, Vernon, West - 10.

ABSENT: Representative Kelly - 1.

Therefore, having received a constitutional majority, HB 157 w/HA 3,4, SA 2 was sent to the Governor.

Representative Gordy introduced and brought HR 123, co-sponsored by Representative Burris, before the House for consideration.

HR 123 - Commending Representative John P. Ferguson for His Outstanding Performance as Speaker of the House during the First Session of the 130th General Assembly.

HR 123 was adopted by voice vote.

Representative Gordy moved to recess to the call of the Chair at 1:12 a.m., June 30, 1979.

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HB 329 - An Act to Amend Chapter 31, Title 19, of the Delaware Code, Relating to Employment Records. p. 122, 188, 240.

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HB 347 w/HA 1, HA 2, HA 3 - An Act to Amend Title 19, Chapter 13 of the Delaware Code, Providing for Compulsory Arbitration of Labor Disputes for the Delaware State Police and the State of Delaware and Prescribing a Procedure Therefore, and the Enforcement Thereof. p. 129, 188, 200, 233, 267, 278.

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HB 351 - An Act to Amend Part III, Title 30 of the Delaware Code, Relating to State Tax Assessment and Collection; and Providing for a Unitary Tax Which Utilizes Uniform Division of Income for Tax Purposes as a Basis for Taxation Under Certain Circumstances. p. 130.

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HB 501 - An Act to Amend Chapter 30, Part II, Title 31 of the Delaware Code Relating to the State Human Relations Commission; and Permitting the Commission to Act as Conciliator in Matters Involving Discrimination Because of One's Sex or Physical Handicap. p. 211, 254, 284, 286, 287, 315, 332.

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HB 507 - An Act Awarding Pension Benefits to Lawrence C. Pond, a Former State Employee; Appropriating Monies Into the Special Pension Fund Authorized by Volume 61, Chapter 455, Laws of Delaware; and Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by This Act as if it Were Awarded Pursuant to Chapter 55, Title 29 of the Delaware Code. p. 215, 242, 274, 275.

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HB 509 - An Act to Amend Chapter 57, Title 25, Delaware Code, Relating to Landlord-Tenant Relationships by Providing for an Appeal From a Summary Proceeding for Possession. p. 216, 242.

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HB 524 w/HA 1, HA 2 - An Act to Amend Chapter 26, Part I, Title 14 of the Delaware Code, Relating to the Power of County Vocational High School Districts and County Vocational-Technical School Districts to Levy Taxes for School Purposes. p. 225, 254, 277, 282, 283, 332.

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HB 531 - 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. p. 228, 242.

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HB 593 - An Act to Amend Title 7, Delaware Code, by Adding Chapter 63, Relating to the Regulation of Hazardous Waste and the Control of Hazardous Substance Spills; Providing for the Imposition of Duties on the Department of Natural Resources and Environmental Control and the Commission on the Transportation of Hazardous Materials; Prescribing Penalties and Further Providing for Enforcement of the Act. p. 276.

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HB 603 - An Act Approving the Sale of a Parcel of Land Owned by the Laurel School District to Maurice L. and Nancy B. Cannon. p. 283, 284.

HB 604 w/HA 2, HA 3, HA 4, HA 5 - A Transportation Program Act of the State of Delaware Repealing Chapters 13, 14, 16, 17 and 19 of Title 2, Delaware Code, as Amended, and Sections 8407, 8408 and 8409 of Chapter 84, Title 29, Delaware Code, as Amended, Constituting Laws Pertaining to the Delaware Transportation Authority, the Delaware Turnpike, Local Transportation Authorities, Specialized Transportation Authorities, and the Council on Transportation, Reestablishing the Delaware Transportation Authority, as Chapter 13 of Title 2, Delaware Code, As Amended, Authorizing the Creation of Subsidiary Corporations for Public Transportation and Specialized Transportation, Authorizing the Issuance of Bonds by the Delaware Transportation Authority and the State of Delaware for Certain Highway Projects, Authorizing the Imposition, Collection and Pledging of Tolls on the Delaware Turnpike, Transferring Certain Highway Projects to the Transportation Authority from the State, Cancelling the Authority of the State to Issue Bonds for Such Highway Purposes, Authorizing the Delaware Transportation Authority to Refund Outstanding Bonds of Such Authority and Reestablishing the Council on Transportation. p. 292, 293, 300, 313, 332, 348, 349.

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HB 606 w/HA 1 - An Act to Amend Chapter 17, Title 24 of the Delaware Code, Relating to Abortions; the Degree of Medical Care to be Rendered to Infants Born Alive Following an Abortion or Attempted Abortion and Prohibiting the Use of Any Fetus or Infant Born Prematurely for Scientific Research or Experimental Purposes. p. 293, 296.

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HB 609 - An Act to Make a Supplemental Appropriation to the Department of Correction for the Purpose of Meeting Certain Payroll Obligations Necessitated by a Court Decision. p. 295, 311, 313.

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HB 620 w/HA 2, HA 3, HA 5 - An Act to Amend Chapter 3, Title 25 of the Delaware Code, Relating to Alien Ownership of Agricultural Land. p. 310, 321.

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HCR 33 - Requesting the New Castle County Council to Rezone the Property Purchased by the Delmarva Power Company at Summit so that the Company May Start Construction of a \$700 Million Coal-Fired Energy-Producing Plant There. p. 102.

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HCR 51 - Requesting the Division of Social Services of the Department of Health and Social Services to Fully Implement Without Delay the Provisions of House Bill 303 of the 129th General Assembly, also Known as Chapter 334, Volume 61, Laws of Delaware, Relating to the Custody, Care and Treatment of Delinquent, Neglected and Dependent Children. p. 160.

HCR 52 - Requesting the Division of Parks and Recreation of the Department of Natural Resources and Environmental Control to Provide that Residents of Delaware May Reserve Camp Sites. p. 164, 169.

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HCR 55 - Commending the Work of the Girls Club of Delaware and Marking the Week of May 13-19, 1979, as Girls Club Week. p. 170, 176.

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HCR 62 - Requesting the United States Commissioner of Rehabilitation Services to Honor his Previous Commitment to Allot a Full \$3,000,000 to the State of Delaware as Required by Public Law 95-602. (1978 Rehabilitation Amendments Act) p. 184, 197.

HCR 63 - Congratulating Former United States Senator John J. Williams, of Millsboro, as He Observes his 75th Birthday on May 17, 1979. p. 185, 188.

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HCR 66 - Expressing the Deep Regret of the 130th General Assembly for the Deaths Monday, May 21, 1979, of Gilbert Lambertson, 80, and His Wife, Clara Lambertson, 73, at the Hands of a Murderer who Supposedly was on a Work-Release Program of the Department of Correction; and Offering to Pay the Funeral Expenses of the Lambertsons. p. 200.

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HCR 70 - Joining in the Congratulations for the Sussex Central Junior High School Indoor Drill Team for its Outstanding Record During 1979. p. 229, 242.

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HJR 7 - Requesting President Jimmy Carter and the Delaware Congressional Delegation to Act to Revise the Federal Budget for Fiscal 1980 to Modestly Increase Funds Required for the Agricultural Research and Cooperative Extension Programs at the University of Delaware. p. 88, 94, 98, 101, 111, 125.

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HJR 15 - Directing the State Superintendent of Public Instruction to Direct all School Districts to Administer the State Certification Rules Concerning Reading and Mathematics Personnel Authorized by Delaware Code, Title 14, Section 1716 or Other Personnel Assigned Specifically to Fulfill a Court Order Including Guidance and Counseling Personnel Without Any Lowering of Standards. p. 194, 206, 262.

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HJR 22 - Congratulating Ann Lorraine Harrington, of Milford, Upon Her Selection as Miss Delaware at the Annual Pageant on June 16, 1979. p. 300, 301, 311, 323.

HJR 23 - Strongly Requesting and Urging the Commissioner of the Delaware River and Bay Authority to Hold at Least One Public Hearing in Delaware and One Public Hearing in New Jersey for Raising Tolls on the Delaware Memorial Bridge and/or the Cape May-Lewes Ferry. p. 312.

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SENATE BILLS

SB 2 - An Act Concurring in a Proposed Amendment to Article 8 of the Constitution to Provide for a Three-Fifths Vote of the General Assembly to Enact Laws Authorizing an Increase in the Rate of Taxes and License Fees; to Provide an Exception Thereto for Laws Authorizing an Increase in the Rate of Taxes and License Fees to Satisfy the State's Pledge of its Faith and Credit for the Payment of Principal of and Interest on Debt After Provision Has Been Made Annually for Such Payment; and to Provide for the Allocation of Public Moneys to Make Such Payments. p. 147, 150, 206, 237, 262.

SB 3 - An Act to Amend Chapter 19, Part II, Title 9 of the Delaware Code, Relating to Fire and Police Protection in New Castle County. p. 130, 131, 242.

SB 14 - An Act to Amend Chapter 11, Title 28, Delaware Code, Relating to License Fee for Bingo Games. p. 48, 94, 99, 125.

SB 16 - An Act to Aid the Laurel Senior Center, by Making an Appropriation Therefor. p. 52, 53, 66, 71, 86, 108.

SB 17 - An Act to Amend Chapter 47, Title 7 of the Delaware Code, to Permit the Department of Natural Resources and Environmental Control to Enter into a 25-Year Lease for the Use of Certain Lands Under its Control. p. 64, 66, 68, 72, 74.

SB 21 w/SA 1 - An Act to Amend Title 21, Delaware Code, by Adding a New Chapter 70 Relating to Stopping, Standing or Parking in Designated Fire Lanes and Areas Essential to Fire Safety and Providing Penalties Therefor. p. 147, 150, 242, 325.

SB 25 - An Act to Provide a Supplementary Appropriation to the Department of Transportation to be Used to Pay an Obligation Incurred in a Prior Fiscal Year. p. 52, 53, 300, 316.

SB 33 - An Act to Amend Chapter 1, Title 17, Delaware Code, Relating to Trust Funds. p. 123, 125, 140, 185, 227.

SB 34 - An Act Making a Supplemental Appropriation to the Young Men's Christian Association of Dover and Kent County. p. 115, 121, 125.

SB 35 w/SA 1, SA 1 to SA 1 - An Act to Amend Title 18 of the Delaware Code, to Authorize Legal Expense Insurance. p. 270, 273.

SB 37 w/SA 1 - An Act to Amend Title 6 of the Delaware Code, Relating to Commerce and Trade; Prohibiting Restraints of Trade and Monopolistic Practices; Providing Remedies and Penalties Therefor; and Reposing Powers and Duties in The Attorney General. p. 74, 84, 206, 237, 268, 269.

SB 40 - An Act Pursuant to 22 Delaware Code, Section 813(c), Negating the Vote on November 7, 1978, by the Citizens of the City of Wilmington on the Question of Adding an Annexation Amendment (Proposed Section 1-105) to the Wilmington Home Rule Charter of 1979. p. 32, 36, 56, 74.

SB 41 w/SA 1 - An Act to Amend Chapter 55, Part V, Title 29 of the Delaware Code Relating to Public Officers and Employees; and Providing for an Increase in the Amount of Money Permitted to be Earned by Persons Under the State Employees' Pension Plan. p. 67, 68, 188, 233, 276.

SB 44 - An Act to Amend Chapter 72, Title 16, Delaware Code Relating to the Removal of Liquified Petroleum Gas Containers. p. 68, 175, 221, 276.

SB 47 - An Act to Amend Section 101, Subchapter 1, Chapter 1, Title 13, of the Delaware Code, Relating to the Marriage of Mental Hospital Patients. p. 180, 182, 207, 269, 323.

SB 53 - An Act to Amend Section 704, Title 19, Delaware Code, Relating to Lie Detectors. p. 180, 182, 242, 328.

SB 63 w/SA 3 - An Act to Amend Chapter 45, Title 10, Delaware Code, Relating to Qualifications for Jury Duty. p. 74, 76.

SB 68 w/SA 1 - An Act to Amend Chapter 19, Title 7 of the Delaware Code Relating to Shellfishing. p. 52, 53, 58, 64, 65, 66, 75.

SB 71 - An Act to Amend Chapter 3, Title 9 of the Delaware Code Relating to Award of Contracts for Public Work or Goods. p. 68, 86, 98, 125.

SB 72 - An Act to Amend Chapter 55, Title 29, Delaware Code, To Provide Post-Retirement Increases to Pensioners Who Retired Prior to 1978 and Providing a Supplemental Appropriation Therefor. p. 52, 53, 58, 70, 71, 75.

SB 75 w/SA 1 - An Act to Amend Chapter 12, Title 17 of the Delaware Code, Relating to the Regulation of Junkyards. p. 157, 158.

SB 76 - An Act to Amend Chapter 407 and Chapter 409, Volume 61, Laws of Delaware, Formerly Senate Bill 689 and House Bill 888 Respectively, Relating to the Annual Appropriation Act for the Fiscal Year Ending June 30, 1979; and Providing Salary Increases for Certain State Employees. p. 58, 60.

SB 77 - An Act to Amend Chapter 86, Part VI, Title 10 of the Delaware Code, Relating to the Recoupment of Defense Costs; and Providing for Recoupment in all Courts of the State. p. 182, 207.

SB 81 - An Act to Amend Chapter 5, Title 4 of the Delaware Code, Relating to Licenses for Sales of Alcoholic Liquors to be Consumed Off-Premises. p. 159, 160, 180, 233, 238, 276.

SB 84 w/ SA 1,2 - An Act to Amend Title 14, Delaware Code, Relating to Disturbing Schools or Destroying School Property. p. 141, 142.

SB 90 - An Act to Amend Title 29 of the Delaware Code, Relating to Audits, Sunset Review, and Repeal of State Agencies. p. 332, 335.

SB 92 - An Act to Aid the Bridgeville Senior Center, by Making an Appropriation Therefor. p. 68, 72, 73, 86, 108.

SB 93 w/SA 1 - An Act to Amend Chapter 5, Title 17 of the Delaware Code, Relating to the Naming of the New Third Street Bridge in Wilmington in Honor of the Late Representative William J. Winchester. p. 115, 125, 140, 184, 185, 227.

SB 94 w/SA 1 and SA 1 to SA 1 - An Act to Amend Chapter 59, of Title 18 of the Delaware Code, Relating to Rehabilitation and Liquidation of Insurers and Providing for Summary Proceedings. p. 254, 257.

SB 97 w/SA 1,2 - An Act to Amend Chapter 65, Title 11 of the Delaware Code, Relating to Work by Inmates of Delaware Prisons. p. 248, 251, 325.

SB 103 - An Act to Amend Subchapter 11, Chapter 7, Title 19 of the Delaware Code, Relating to Discrimination in Employment Because of Age. p. 293, 295, 334, 335.

SB 108 w/SA 1,2,3 - An Act to Amend Subchapter I, Chapter 21, Title 19, Delaware Code, Relating to the Composition of the Industrial Accident Board. p. 169, 201, 242, 326.

SB 110 - An Act to Amend An Act Being Chapter 34, Volume 58, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Blades" to Eliminate the Qualification of Being a Freeholder for Mayor and Town Councilman, to Reduce the Length of Residence for the Mayor and Councilman, to Eliminate the Payment of Taxes as a Qualification for Mayor and Town Councilman, to Make the Word "Freeholder" Applicable to All Sections of the Charter, to Reduce the Age for Voting in the Annual Municipal Election to Eighteen (18) Years, to Allow Vacancies to be Filled by the Remaining Members of the Town Council, to Eliminate Qualification of Being a Freeholder for the Assessor, and to Allow the County Assessment to be the Town Assessment. p. 115, 125, 180, 232, 233, 276.

SB 118 - An Act Making a Supplementary Appropriation to the Bowers Beach Volunteer Fire Company. p. 123, 125, 140, 175, 182.

SB 119 - An Act to Amend Subchapter III of Chapter 1, Title 17, Delaware Code, Relating to Powers of the Department of Transportation. p. 254, 264.

SB 120 - An Act to Amend Title 29, Delaware Code, Relating to State Government, by Requiring that Rules and Regulations Promulgated by State Agencies by Submitted to the General Assembly. p. 207, 208, 242, 257, 326.

SB 123 w/ SA 1 - An Act to Amend Chapter 212, Volume 25, Laws of Delaware, Entitled "An Act to Incorporate the Town of Bethany Beach and Giving it Authority to Issue Bonds", as Amended, and Relating to Residency of Commissioners, Time and Place of Annual Elections, Meeting of Commissioners, Authority of Commissioners, and Authority to Borrow Funds. p. 105, 106, 113, 151.

SB 124 - An Act to Amend Chapter 144, Volume 41, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Frankford," As Amended, by Changing the Dates of the Fiscal Year. p. 105, 106, 113, 151.

SB 125 w/SA 1 - An Act to Amend Chapter 79, Title 29 of the Delaware Code, Relating to Payment for Services by Patients of the Delaware Hospital for the Chronically Ill. p. 140, 141, 222, 303, 330.

SB 127 - An Act to Provide a Supplementary Appropriation for a New Auditory Amplification System in the Classrooms and Certain Other Facilities at the Margaret S. Sterck School for the Hearing Impaired. p. 141, 142, 242, 304, 323.

SB 129 - An Act to Amend Chapter 29, Title 21, Delaware Code, to Eliminate the Requirement for Filing SR-22 Insurance Certificates. p. 176, 179, 206, 261, 323.

SB 132 - An Act to Amend Chapter 68, Title 7, Delaware Code, Relating to Appeals From Decisions of the Secretary of the Department of Natural Resources and Environmental Control. p. 332.

SB 133 - An Act Awarding Special Pension Benefits to Edward C. Sobolewski, a Former Employee of the University of Delaware.

Appropriating Monies into the Special Pension Fund Authorized by Volume 61, Chapter 455, Laws of Delaware and Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by This Act as if the Award Were Pursuant to Chapter 55, Title 29, Delaware Code. p. 311, 313, 329.

SB 136 w/SA 1 - An Act to Amend Chapter 42, Title 21 of the Delaware Code, Prohibiting the Removal of a Vehicle from the Scene of an Accident Except Under Specified Conditions. p. 140, 141, 242, 331, 340.

SB 144 - An Act to Amend Chapter 7, Title 18, of the Delaware Code, Relating to the Fee Schedule of the Insurance Code for the State of Delaware. p. 176, 179, 206, 261, 323.

SB 146 - An Act to Amend Part III, Title 3 of the Delaware Code, Relating to Baked Goods; and Providing for the Informational Labeling of Certain Products. p. 123, 125, 134, 158, 171, 201, 202, 203, 204.

SB 150 - An Act to Make a Supplementary Appropriation to the Department of Administrative Services for Interest Owed the City of Dover in July, 1975. p. 195, 197, 214, 281, 323.

SB 152 - An Act to Amend Chapter 5, Title 7, Delaware Code, Relating to Hunting and Fishing Licenses by Allowing Authorized Agents to Charge a Fee of no More Than Fifty Cents. p. 216, 217.

SB 153 w/SA 1 - An Act to Amend Chapter 7 and Chapter 27, Title 14 of the Delaware Code, Relating to the Free Public Schools; and Providing Procedures for Suspension, Expulsion and Readmission of Pupils. p. 147, 150, 248, 331.

SB 154 - An Act Authorizing the Capital School District to Expend Funds. p. 195, 197, 242, 327.

SB 163 - An Act to Amend Chapter 51, Title 16, Delaware Code, Relating to the Procedure for Voluntary Admission of Mentally Ill Persons to the Delaware State Hospital and Other Hospitals and Discharge Therefrom. p. 248, 251.

SB 166 - An Act to Amend Chapter 28, Part II, Title 10 of the Delaware Code, Relating to Payments to Constables for the Conveying of Prisoners. p. 195, 197, 242.

SB 167 w/SA 2 - An Act to Amend Chapter 98, Part VII, Title 10 of the Delaware Code, Relating to Justice of the Peace Courts; and Providing for Costs in Civil Proceedings Before Justices of the Peace. p. 216, 217, 242.

SB 168 w/SA 1 - An Act to Amend Chapter 41, Part II, Title 11 of the Delaware Code, Relating to Criminal Procedure; and Permitting a Court, in its Discretion, to Cancel Certain Fines and Costs. p. 216, 217, 242.

SB 169 w/SA 2 - An Act to Amend Chapter 98, Part VII, Title 10 of the Delaware Code, Relating to Justices of the Peace; and Providing Rates for the Processing of All Traffic and Criminal Cases. p. 195, 197, 242.

SB 171 w/SA 1,2 - An Act to Amend Chapter 29, Title 14 and Chapter 27, Title 21 of the Delaware Code, Relating to the Operation of School Buses and Qualifications of School Bus Drivers. p. 169, 264.

SB 172 - An Act to Amend Chapter 53, Title 16, Delaware Code, Relating to Departments Within the Governor Bacon Health Center. p. 248, 251.

SB 175 - An Act to Amend Chapter 1, Title 31, Delaware Code, Relating to the Burial of the Remains of an Indigent Person by the State. p. 248, 251.

SB 178 - A Capital Improvement Act of the State of Delaware Authorizing the Issuance of Obligations to Finance the Reconstruction and Resurfacing of Roads and Bridges, Appropriating the Proceeds to the Department of Transportation for Application to Such Purposes, and Temporarily Revoking Certain Authority of the State and the Department of Transportation to Contract for Capital Improvements Previously Authorized to be Funded From the Proceeds of Obligations and to Issue Bonds With Respect Thereto. p. 125, 130, 139, 148.

SB 180 w/SA 1 - An Act to Amend Chapter 21, Title 5 of the Delaware Code, Relating to Small Loan Companies. p. 176, 179, 206, 261, 262, 323.

SB 181 - An Act to Amend Chapter 237, Volume 51, Laws of Delaware, As Amended, Relating to the Charter of the Town of Bridgeville Providing for Appointments or Elections of Commissioners to Fill Unexpired Terms of Commissioners Who Die in Office or Resign From Office. p. 166, 167, 300.

SB 184 w/SA 1,2 - An Act to Amend Chapter 57, Title 16, Delaware Code, Relating to Voluntary and Involuntary Sterilization, and Making a Supplementary Appropriation Therefor. p. 248, 251.

SB 185 - An Act to Authorize and Direct the Transfer of the Property Known as the Broadkill School and Formerly Used by the Department of Elections for Sussex County for Election Purposes to the Milton Jaycees, Inc. p. 176, 179, 325, 326.

SB 187 - An Act Making a Supplemental Appropriation to the Department of Natural Resources and Environmental Control, Division of Soil and Water Conservation, for the Purpose of Dredging Wilson Creek. p. 216, 217, 242.

SB 193 w/SA 1 - An Act to Amend Chapter 27, Title 5, Delaware Code, Relating to Cashing of Checks, Drafts or Money Orders. p. 276, 277.

SB 194 - An Act to Amend Chapter 69, Title 29, Delaware Code, Relating to the Award of Contracts. p. 242, 243, 300, 330.

SB 196 w/SA 1,2 - An Act to Amend Chapters 5, 7 and 13 of Title 7, Delaware Code, Relating to Hunting and Trapping. p. 176, 179, 214, 350, 351.

SB 197 - An Act Awarding Special Pension Benefits to Olin Conway, a Former State Employee; Appropriating Monies Into the Special Pension Fund Authorized by Volume 61, Chapter 455, Laws of Delaware and Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by this Act as if the Award Were Pursuant to Chapter 55, Title 29, Delaware Code. p. 199, 200, 206, 326, 327.

SB 198 - An Act Awarding Special Pension Benefits to Mildred A. Tieman (Blades), a Former State Employee; Appropriating Monies into the Special Pension Fund Authorized by Volume 61, Chapter 455, Laws of Delaware and Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by this Act as if the Award Were Pursuant to Chapter 55, Title 29, Delaware Code. p. 199, 201, 206, 330.

SB 202 w/SA 1 - An Act to Amend Chapters 13, 17, 20, 45 and 49 of Title 15, Delaware Code, Relating to Registraton and Voting by Physically Disabled and Elderly Persons. p. 176, 180, 222.

SB 204 - An Act to Amend Article 4, Title 6, Delaware Code, Relating to Check Collections. p. 195, 197, 222.

SB 209 - An Act to Amend Chapter 11, Part II, Title 30, of the Delaware Code to Provide for Personal Educational Exemption From Taxable Income. p. 332.

SB 213 w/SA 1 - An Act to Amend the Charter of the City of Dover, Being Chapter 158, Volume 36, Laws of Delaware, as Amended, Relating to the Valuation of Farm Land Devoted to Agricultural, Horticultural or Forest Use. p. 188, 190, 210, 307, 308.

SB 216 - An Act to Amend Chapter 50, Title 15, Delaware Code, Relating to Voting Machines. p. 188, 190, 206, 265.

SB 217 w/SA 1 - An Act to Amend Part VII, Title 7 of the Delaware Code, Relating to the Utilization of Solar Energy; and Providing for the Creation of Solar Easements. p. 235, 236.

SB 219 - An Act to Amend Chapter 65, Title 11, Delaware Code, Relating to Inmate Contacts Outside the Institution. p. 195, 197.

SB 220 - An Act Making a Supplemental Appropriation to the Department of Finance for Payment of a Bona Fide Veteran's Claim. p. 222, 224, 242.

SB 222 - An Act to Amend Chapter 39, Title 14, Delaware Code, to Provide Post-Retirement Increases to Retired and Disabled Teachers Who Retired Prior to 1978. p. 188, 190, 206.

SB 224 w/SA 1 - An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan. p. 322, 323, 325.

SB 225 w/ SA 2, SA 1 to SA 2 - An Act to Amend Section 4123, Chapter 41, Title 21 of the Delaware Code, Relating to Vehicles Following Another Vehicle Too Closely. p. 311, 313, 339, 340.

SB 227 - An Act to Amend 37 Delaware Laws, Chapter 167, Entitled "An Act to Incorporate the Town of Slaughter Beach", as Amended by 52 Delaware Laws, Chapter 44 and 60 Delaware Laws, Chapter 300. p. 208, 300, 329, 330.

SB 229 - A Capital Improvement Act of the State of Delaware Authorizing the Issuance of Obligations to Finance the Reconstruction and Resurfacing of Roads and Bridges, Appropriating the Proceeds to the Department of Transportation for Application to Such Purposes, and Temporarily Revoking Certain Authority of the State and the Department of Transportation to Contract for Capital Improvements Previously Authorized to be Funded from the Proceeds of Obligations and to Issue Bonds with Respect Thereto. p. 162, 163, 167.

SB 230 - An Act Awarding Special Pension Benefits to Alice L. Banta, a Former State Employee with the Department of Public Instruction, and Further Appropriating Monies into the Special Pension Fund Authorized by Volume 61, Chapter 455, Laws of Delaware, and Further Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by this Act, any Provision of Chapter 55, Title 29, Delaware Code to the Contrary Notwithstanding. p. 195, 197, 206, 264.

SB 231 - An Act to Amend Chapter 1, and Chapter 27, Title 21 of the Delaware Code, Relating to Drivers License. p. 197, 201, 242.

SB 232 - An Act to Amend Chapter 27, Title 21 of the Delaware Code, Relating to a Fee for the Reinstatement of Driving Privileges for a Non-Resident. p. 197, 201, 242.

SB 234 - An Act to Amend Chapter 27, Title 21 of the Delaware Code, Relating to Suspension of Drivers Licenses for Lending Licenses. p. 197, 201, 242.

SB 235 w/SA 1 - An Act to Amend Title 21 of the Delaware Code, Relating to the Definition of Proof of Financial Responsibility. p. 199, 201, 242.

SB 236 - An Act to Amend Chapter 21, Title 21 of the Delaware Code, Relating to Taxicabs. p. 197, 201, 242.

SB 237 - An Act to Amend Chapter 21, Title 21 of the Delaware Code, Relating to the Reissuance of License Plates. p. 197, 201, 242.

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JANUARY

1st Day	9th
2nd Day	10th
3rd Day	11th
4th Day	16th
5th Day	17th
6th Day	18th
7th Day	23rd
8th Day	24th
9th Day	25th
10th Day	30th
11th Day	31st

FEBRUARY

12th Day	1st
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MARCH

13th Day	20th
14th Day	21st
15th Day	22nd
16th Day	27th
17th Day	28th
18th Day	29th

APRIL

19th Day	3rd
20th Day	4th
21st Day	5th
22nd Day	24th
23rd Day	25th
24th Day	26th

MAY

25th Day	1st
26th Day	2nd
27th Day	3rd
28th Day	8th
29th Day	9th
30th Day	10th
31st Day	15th
32nd Day	16th
33rd Day	17th
34th Day	22nd
35th Day	23rd
36th Day	24th
37th Day	29th
38th Day	30th
39th Day	31st

JUNE

40th Day	5th
41st Day	6th
42nd Day	7th
43rd Day	12th
44th Day	13th
45th Day	14th
46th Day	18th
47th Day	19th
48th Day	20th
49th Day	21st
50th Day	25th
51st Day	26th
52nd Day	27th
53rd Day	28th
54th Day	29th

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Parentel Liability	Oberle	HB	479
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Vehicles Being Towed by Tow Trucks	Adams	SB	254
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PostRetirement Increase	Cook	SB	258
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Tow Trucks, Vehicles Towed by	Adams	SB	254
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SECOND SESSION

130TH GENERAL ASSEMBLY

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SECOND SESSION - 1980

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- 5 CASIMIR S. JONKIERT, 403 South Broom Street, Wilmington
- 6 THOMAS E. BRADY, 2219 West Seventeenth Street, Wilmington
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- 9 CHARLES L. HEBNER, 913 Darley Road, Wilmington
- 10 GWYNNE P. SMITH, 1419 Fresno Road, Wilmington
- 11 RICHARD SINCOCK, 2201 Beaumont Road, Wilmington
- 12 JANE MARONEY, 4605 Concord Pike, Wilmington
- 13 JOHN P. McKAY, West Farm, Greenville
- 14 ROBERT L. MAXWELL, 311 Village Road, Wilmington
- 15 DAVID B. McBRIDE, 407 Cushman Road, Wilmington
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- 17 JOHN MATUSHEFSKE, 106 West Franklin Avenue, New Castle
- 18 RICHARD C. CATHCART, 21 Prince Avenue, New Castle
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- 20 JOHN P. FERGUSON, 10 Addison Drive, Newark
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- 22 ROGER ROY, 210 DeKalb Avenue, Wilmington
- 23 ROBERT S. POWELL, 5455 Crestline Road, Wilmington
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- 26 MARIAN P. ANDERSON, 41 Anglin Drive, Newark
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- 28 GERARD A. CAIN, 2 Stallion Drive, Newark
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- 33 RUTH ANN MINNER, R. D. No. 3, Box 694, Milford
- 34 J. EDWARD MORRIS, 5 East Street, Camden
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Timothy Burke - Attache
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Robert Chadwick - Attache
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Doris Dayton - Secretary
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HOUSE OF REPRESENTATIVES
SECOND SESSION - 1980

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REVENUE AND FINANCE - Robert S. Powell, Chairman; John P. McKay, William H. Vernon, Gerard A. Cain, Robert L. Maxwell.

TRANSPORTATION - Roger Roy, Chairman; William H. Vernon, Joseph R. Petrilli, Robert S. Powell, William H. Brady, II, Ronald L. Darling, Herman M. Holloway, Jr.

LEGISLATIVE COUNCIL - Robert W. Riddagh, Chairman; John M. Burris, Charles L. Hebner, John P. Ferguson, William J. Gordy.

RULES
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF DELAWARE
130TH GENERAL ASSEMBLY
SECOND SESSION
1980
HOUSE RESOLUTION NO. 142
AS AMENDED BY
HOUSE AMENDMENTS NO. 1, 2, 7, 8, 9, 10, 12
AND
HOUSE RESOLUTIONS NO. 163 AND 201

I. RULES OF ORDER

Rule 1 - Convening of House

The House of Representatives shall meet every Tuesday, Wednesday and Thursday at 1:30 p.m., unless otherwise ordered.

Twenty-one of the members elected to the House shall constitute a quorum to do business, but a less number may recess or adjourn from day to day.

Rule 2 - Order of Business

1. Calling of House to order
2. Opening Prayer
3. Salute to Flag.
4. Roll Call.
5. Approval of Minutes
6. Presentation of petitions, memorials or communications.
7. Reports from Standing and Special Committees.
8. Reporting by the Clerk of additional filed bills and resolutions.
9. Introduction of all other bills and resolutions by members.
10. Miscellaneous business.
11. Consent Calendar when necessary; once each week.
12. Consideration of Agenda.
13. Announcement of Agenda for next legislative day.

II. DUTIES OF THE SPEAKER

Rule 3 - Call to Order

The Speaker shall take the Presiding Officer's chair at the designated hour and shall call the House to Order.

Rule 4 - Control over Debate

The Speaker shall have general direction over the House Chamber and shall preserve order and decorum. In debate he shall prevent personal reflection and confine the members to the question under discussion. No member shall have the floor except when recognized by the Speaker.

Rule 5 - Decide Questions of Order; Appeal

The Speaker shall decide all questions of order. An appeal from his decision may be made by any member if properly seconded. The appeal shall be upheld only upon the affirmative vote of a majority of the members present and voting. The Speaker shall not vote on appeals from his own decision.

Rule 6 - Temporary Presiding Officer

The Speaker may name a member to perform the duties of Presiding Officer, but such substitution shall not extend beyond an adjournment or a recess except when the Speaker obtains leave of absence, in which case he may name a member as Speaker Pro Tempore during such leave, which leave shall not exceed five legislative days.

When neither the elected nor presiding officer shall be present, the House shall be called to order by the senior member in terms of service for the Majority Party who shall serve in the interim as the Presiding Officer.

Rule 7 - Signing of Bills and Resolutions

The Speaker shall sign all Bills and Resolutions requiring his signature. All warrants, writs and subpoenas issued by the House shall be signed by the Speaker and attested to by the Chief Clerk.

In the absence of the Speaker, the Speaker Pro Tempore shall sign when and where necessary.

Rule 8 - Assignment of Bills and Resolutions to Committee

The Speaker shall determine the principal objective of a Bill or Joint Resolution and assign same to the appropriate committee which may include a subcommittee assignment. Simple and Concurrent Resolutions may, at the discretion of the Speaker, be assigned to a committee. All prefiled Bills may be pre-assigned to committees by the Speaker and each member notified in writing of assignments.

Rule 9 - Appointment of Committees

The Speaker shall appoint all committees and subcommittees unless otherwise ordered by the House.

Where illness or other sufficient cause shall compel the absence of any committee member for more than five consecutive days, the Speaker, in his discretion, may fill such vacancy during said absence.

III. CONDUCT OF MEMBERS

Rule 10 - Attendance of Members

No member shall absent himself or herself from any session of the House without advising the Speaker accordingly.

Members must answer roll call from their respective seats.

Rule 11 - Addressing the House

Every member desirous of speaking shall rise from his or her desk and respectfully address the Speaker but shall not proceed to speak further until recognized by the Chair. His or her remarks shall be confined to the subject before the House.

Rule 12 - Decorum of Members

Every member shall conduct himself or herself in an honorable manner at all times. Personal reflections shall be prohibited.

While the Speaker is putting the question or addressing the House or while a member is speaking, no member or other person shall pass between the Speaker and member addressing the House.

A member shall not be interrupted when speaking, except to a call of order by the Speaker or by a member through the Speaker, or by a member to explain, or by a motion for the previous question, or to adjourn.

If any member of the House shall transgress the rules, the Speaker shall, or any member may, call him or her to order, in which case he or she shall immediately sit down and not proceed without leave of the House, which if granted, shall be upon motion that he or she be allowed to proceed, which motion shall not be debatable. No one other than a member shall sit in a member's seat while the House is in session.

IV. COMMITTEES

Rule 13 - Standing Committees

The committees of the House shall include members of the two political parties.

Rule 14 - Appointment of Special Committees

The Speaker, on his own initiative or upon order of the House, may appoint Special Committees.

Rule 15 - Quorum on Committees

A majority of the members of any committee, subcommittee or special committee shall constitute a quorum.

Rule 16 - Committee Meetings

No committee meetings shall be held while the House is in session without the consent of the Speaker. So far as may be applicable, the rules of the House shall be observed. All committee meetings will be open to the public except that the committee chairman may call an executive session at which no official action may be taken, in accordance with the provisions of Section 10004 (b) and (c) of Title 29. During the legislative sessions, each standing committee of the House shall be assigned a regular meeting time by the Speaker. This shall not preclude the option of a committee chairman to cancel a regular or special meeting or call additional meetings when necessary.

Rule 17 - Deliberative Process and Procedures of Standing Committees

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

(b) Each Thursday each standing committee shall release a Committee Agenda which shall include, among other things, all matters to be considered by the committee at its next meeting; a listing of all Bills being held in committee; and any other announcements from the committee including the times, places and dates of future meetings.

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

(d) Bills and Resolutions shall be reported out of committee by a majority vote of the committee (Bills and Resolutions shall be voted out of a subcommittee by a majority vote of the subcommittee). When voting a Bill or Resolution out of committee, the committee or subcommittee members who vote shall sign a. Favorably, b. Unfavorably, c. Upon the merits. A Bill may be tabled upon action of a majority of the committee.

(e) All Bills will be acted upon by the appropriate standing committee within 30 days after being assigned to the committee.

(f) The Chairman or Chairwoman will return the Bill to the Chief Clerk within two legislative days after a Bill has been voted out of committee.

Rule 18 - Committee Reports

All Bills and Resolutions reported out of committee shall include a committee report. Committee reports, which shall be printed or typewritten, may include a summary of arguments for and against the legislation.

Rule 19 - Committee of the Whole

The committee of the whole shall mean and include a committee of the entire membership of the House with the Speaker as Chairman. So far as may be applicable, the rules of the House shall be observed in the committee of the whole.

V. BILLS AND RESOLUTIONS

Rule 20 - Introduction of Bills and Resolutions; Filing with Clerk

Every Bill or Resolution shall be introduced by a member or by report of a committee. Introduction may be by:

(a) Prefiling of Bills and Resolutions with the Clerk of the House not less than one hour prior to the opening of the session by one of the three following procedures:

(1) The sponsor's initials in the 'Prefile-Yes' block on the request form;

(2) Verbal approval from the sponsor to the Chief Clerk (original Bill must still be signed before start of session);

(3) Signature of sponsor on original Bill one hour before start of session.

A Bill or Resolution that is filed with the Clerk of the House while the House stands in recess, in adjournment, or is not otherwise meeting, shall be given a number and entered upon a docket kept for that purpose. At the beginning of the day's session following the filing of a Bill or Resolution with the Clerk, the Clerk shall introduce the Bill or Resolution.

(b) A Bill may be introduced from the floor while the House is in session if deemed necessary by the Speaker.

(c) The prime sponsor of a Bill or Resolution is the person listed first to the right of the word sponsor in the upper right side on the first page of a Bill or Resolution.

(d) The sponsor of a Bill or Resolution may not withdraw his sponsorship unless a request for this purpose is first submitted in writing to the Speaker. If said sponsorship is removed, the written request shall be attached to the original of the Bill or Resolution.

Rule 21 - Content of Resolutions

The following types of Resolutions may be considered by this body:

Simple Resolutions: A simple Resolution is a motion of the House and deals with the internal affairs of the House only. The effect of its passage does not go beyond the bounds and the authority of the House.

Concurrent Resolutions: A Concurrent Resolution is used to accomplish the same purpose in relation to the entire Legislature that the simple Resolution accomplished for either the House or Senate singly. A Concurrent Resolution adopted by the Legislature does not become a statute, nor does it have the force and effect of law, nor can it be used for any purpose which requires the exercise of legislative power.

Joint Resolutions: A Joint Resolution is the most formal type of Resolution, and is addressed to matters which are not internal affairs of either House individually, or the internal affairs of the General Assembly as a whole. It is of no legal effect unless passed by both Houses and signed by the Governor. Although a Joint Resolution is not a law, it is employed to provide for temporary measures and has the force of law while in effect for a wide variety of limited purposes, including subpoena power. The requirement of the Governor's signature for Joint Resolutions stems from its original use in instances where it was expedient or necessary to express the joint will and action of the Legislature and Governor combined.

Rule 22 - Preparation and Custody

Every Bill and Resolution shall be introduced with as many backed copies as deemed necessary by the Speaker. The original of the Bill or Resolution shall at all times remain in the custody of the Chief Clerk of the House or the Chairman or Chairwoman of the committee to which it was assigned. A 'duplicate' copy may go to the following: The Speaker, the Sponsor, and the Legislative Council.

Upon introduction a copy of each Bill or Resolution shall be delivered to every member. There shall also be delivered to the Legislative Council 200 copies of said Bill or Resolution.

The original of all Bills and Resolutions shall be produced in such manner as approved by the State Archivist and Director of Research of Legislative Council for permanency and legibility.

No Bill or Joint Resolution shall be introduced into the House unless it be 'prefaced' by a brief statement of its purpose which shall be known as the title and shall also contain the text of the Bill or Joint Resolution in full. Each Bill or Resolution shall have an appropriate enacting or resolving clause. At the end of each Bill introduced the author shall include a brief synopsis of the intent of the Bill, and in the lower left hand corner of page one shall be the initials of the unit preparing the Bill or Resolution, the initials of the Author and the typist, and, if prepared by automatic equipment, the identification number.

Rule 23 - Assignment of Committee and Fiscal Notes

Every Bill or Joint Resolution whether emanating from the House or the Senate carrying an appropriation or which may involve any financial obligation either present or future on the part of the State of \$50,000

or more (which has been previously referred by the Speaker under the Rules to any committee of the House other than the Committee on Appropriations after the same has been reported back to the House) shall be re-referred to the Committee on Appropriations.

No Bill or Joint Resolution, whether emanating from the House or the Senate which appropriates or mandates or contemplates a subsequent appropriation during the current fiscal year or during each of the next three fiscal years, shall be placed before the House for consideration unless such Bill or Joint Resolution is accompanied by a fiscal note prepared by, and in a form prescribed by the Office of the Controller General. The fiscal notes shall contain in reasonable detail full cost data to enable clear understanding of the fiscal impact of the proposal for the near term as well as an extrapolation of its final consequences for the longer term. The three-year fiscal projection shall be attached by the sponsor prior to initial committee consideration of the Bill in its House of origin.

Rule 24 - Final Reading and Consideration by House

When brought before the House for consideration, each Bill and Joint Resolution shall be given its final reading by title unless the Speaker directs a reading in full. Each House or Senate Bill prior to final reading shall have been checked for errors and initialed as approved by an attorney whose initials shall be affixed to the original.

No Bill, Joint Resolution or Concurrent Resolution, shall be brought before the House for passage on the same calendar day it is reported out of committee, nor in the absence of the sponsor without his written consent. Any member concerned with a possible conflict should declare same at this point in the proceedings.

Rule 25 - Amendments

(a) Every Bill and Resolution may be amended at any time before final action is taken.

(b) When an amendment to an original Bill significantly changes the nature and intent of the original Bill, such amendment shall contain a brief synopsis outlining the basic changes incurred.

(c) No title of a Bill or Resolution, however, may be changed except for typographical errors.

(d) When the amendment sponsor is present, all prefiled amendments shall be acted upon before final action on the main Bill or Resolution.

Rule 26 - Substitute Bills

A Substitute Bill may be introduced by the sponsor of the Bill with a brief explanation of how it differs from the original. The substitute shall be assigned to committee and follow the same procedure as other Bills.

Once assigned to committee the Substitute Bill shall render null and void the Bill for which it is a substitute.

The title of a Substitute Bill must be identical to the title of the Bill for which it is substituted.

Rule 27 - Petition of Bill or Resolution out of Committee

Every Bill or Resolution which shall have been in committee for a period of not less than ten legislative days shall, upon written request of the majority of the members elected to the House, be reported to the House for a decision as to its further disposal.

Rule 28 - Voting

Except for Bills and Resolutions on the Consent Calendar, every Bill or Joint Resolution which shall come before the House for final action shall be acted upon by a roll call vote.

Any member who has a personal or private interest in any measure or Bill before the House shall disclose the fact to the House in accord with Article 2, Section 20 of the State Constitution prior to the taking of the vote and refrain from voting thereon.

A member of the Legislature shall be deemed to have a personal interest in any legislation within the meaning of this Section, if, by reason of his or her participation in the enactment or defeat of any legislation, he or she has reason to believe that he or she will derive a direct monetary gain or suffer a direct monetary loss. No member of the Legislature shall be deemed to have a personal interest in any legislation within the meaning of this Section if, by reason of his or her participation in the enactment or defeat of any legislation, no benefit or detriment could reasonably be expected to accrue to him or her as a member of a business, profession, occupation or group, to any greater extent than any such benefit or detriment could reasonably be expected to accrue to any other member of such business, profession, occupation or group.

The names of the members of the House shall be called alphabetically, except the speaker who shall vote last, and each shall, without debate or comment, answer 'yes', 'no', or 'not voting', from their respective seats.

No member shall be permitted to change his or her vote after the decision shall have been announced by the Chief Clerk. A roll call may not be laid on the table.

VI. MOTION

Rule 29 - Debate and Vote on Motions

Any motion may be withdrawn or modified by the mover at any time before an amendment or ordering of the yeas and nays.

After debate or discussion, the motion shall be repeated by the Speaker before putting the question to the House.

Every motion shall be decided in a fair and impartial manner by the Speaker. The vote of a majority of the members elected to the House present shall prevail in the case of incidental motions, subsidiary motions, or other motions presenting questions of a general procedural nature. The vote of a majority of the members elected to the House shall prevail in the case of privileged motions, main motions, or other motions presenting questions of a substantive nature. Such voting shall prevail unless contrary to these Rules or unless it is in conflict with the statutes or provisions of the Constitution of the State of Delaware.

The Speaker may cause, or any member may call for, a division in which case the members voting in the affirmative shall be required to rise for the purpose of being counted by the Clerk of the House. The yeas and nays shall be taken only on motion that the roll call be called.

Rule 30 - Motion to Adjourn or Recess

A motion to adjourn shall always be in order, except during roll call, and shall be decided without debate.

Rule 31 - Precedence of Motions

When a question is under debate, no motion shall be received but

1. to recess;
2. to adjourn;
3. to adjourn to a day certain;
4. to lay on the table;
5. to close debate (for the previous question); which five motions shall be decided without debate.
6. to commit;
7. to postpone to a day certain;
8. to postpone indefinitely; or
9. to amend.

Rule 32 - Motion to Close Debate

A motion to close debate ('to call the previous question') shall not be entertained except at the request of five members rising for that purpose and so indicating and shall be determined by roll call vote without debate. When the previous question has been called and sustained, it shall not cut off action on amendments to the main Bill. The vote shall be taken without debate, first on the amendments in their order and then on the main question.

Rule 33 - Motion for Reconsideration

(a) No motion for reconsideration shall be in order unless made on the same day or on one of the three next succeeding legislative days. It can be made only by a member who voted with the prevailing side; in other words, a reconsideration can be moved only by one who voted 'aye' if the motion involved was adopted or 'no' if the motion was lost.

(b) When a Bill, Resolution, Report, Amendment, Order or Message, upon which a vote has been taken, shall have gone out of possession of the House and been communicated to the Senate, or the Governor, the motion to reconsider shall be accompanied by a motion in writing, attested to by the Speaker, to request the Senate to return the same; which last motion shall be acted upon immediately and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

Rule 34 - Motion to Take From the Table; Striking a Bill or Resolution

A motion to take a measure from the table is not subject to debate. 'Measure' as used in this rule means a Bill, Resolution, Amendment, motion, or other question before the House.

After a measure has been laid on the table, only the following persons may move to lift such measure from the table:

1. In the case of a House measure, only the prime sponsor of the measure or a member authorized in writing by the prime sponsor.
2. In the case of a Senate measure, only the floor manager of a measure or a member authorized in writing by the floor manager.

Only the prime sponsor of a Bill or a member authorized by the prime sponsor in writing can strike said Bill.

VII. CALENDAR

Rule 35 - House Calendar

The Clerk of the House shall keep a House Calendar on which shall be placed the number and title of all Bills and Resolutions and the name of the introducer thereof; and if reported from committee, the action of the committee thereon. Where the Bill or Resolution is introduced by request, the name of the person or group who asked the introducer to sponsor the measure shall also be placed on the Calendar. Said Bills and Resolutions shall be kept on the Calendar until final action is taken thereon, and such as lie over and other matters not disposed of, shall be placed in the order in which they are presented.

During the month of May it will be the responsibility of the Majority Leader to introduce a Resolution fixing a day after which no new legislation may be introduced.

Rule 36 - Consent Calendar

When an uncontested or non-controversial Bill or Resolution is reported out of committee, or is a Simple Resolution in accordance with House Rule 8, the sponsor may request the Chief Clerk to place it on the Consent Calendar. The Clerk shall read all such requests during the Order of Business, as part of the report on additional filed Bills and Resolutions. If there is no objection the Speaker shall, at the appropriate time in the Order of Business, place such Bill or Resolution on the Consent Calendar. All Bills placed on the Consent Calendar shall lay over for at least one legislative day from the time they are announced as having been placed on the Calendar.

The Consent Calendar shall remain in the custody of the Chief Clerk. All Bills and Resolutions on the Consent Calendar for one legislative day or more shall, on Wednesday of each week, be voted upon. There shall be two separate Consent Calendar votes, each by roll call: (1) the first roll call vote shall include all Resolutions on the Consent Calendar and all Bills requiring a majority vote; and (2) the second roll call vote shall be taken for all Bills on the Consent Calendar requiring more than a majority vote.

From the time the request that a Bill be placed on the Consent Calendar is announced until it is voted upon as part of the Consent

Calendar, a member may object and request that such Bill or Resolution be removed. A member may object at any time and for any reason. No member shall be required to defend his request that a Bill or Resolution be removed from the Consent Calendar.

A member may orally object, during House proceedings while the House is in session, to the placement of a Bill or Resolution on the Consent Calendar; otherwise objections shall be in writing. All objections, however, shall be addressed to the Chief Clerk. When objection is made to the placing of a Bill or Resolution on the Consent Calendar, such Bill or Resolution shall be returned to the sponsor or floor manager. A Senate Bill or Resolution may also be placed on the Consent Calendar, in the same manner and under the same conditions as House Bills and Resolutions, by its House floor manager.

Rule 37 - Agenda

Items shall be placed on the Agenda from the Ready List through the Speaker. The Ready List shall consist of all measures that have been reported out of committee.

Bills and/or Resolutions brought to the top of the Agenda for the day shall only be permitted to be:

1. Deferred to day certain; or
2. Deferred to the end of agenda one time only; or
3. Laid on the table; or
4. Worked.

Rule 38 - Announcement of Agenda; Delivery of Bills and Resolutions

(a) Immediately prior to adjournment or recess, the Clerk shall announce to the House by number, sponsor and/or committee, the Bills and/or Resolutions that are being placed on the Agenda for the day for the next legislative session. The Agenda shall not contain more than 30 items.

(b) All Bills and Resolutions originating in the House, or Senate Bills or Resolutions to which the House has added amendments or its concurrence, shall be delivered to the Senate by the Chief Clerk of the House or by the Bill Clerk within the three next succeeding legislative days.

VIII. MISCELLANEOUS

Rule 39 - Amendment and Suspension of Rules

The Rules of the House shall be amended by simple Resolution. The Rules of the House may be suspended by a vote of a majority of the members elected to the House.

Rule 40 - Authorized Manual of Parliamentary Practice

In all cases to which they are applicable and in which they are not inconsistent with these Rules, the rules of parliamentary practice comprised in Robert's Rules of Order, Newly Revised, shall govern the House.

Rule 41 - Supervision of Legislative Staff

The Chief Clerk, or in his or her absence the Assistant Chief Clerk, shall at all times have complete jurisdiction over the members of the legislative staff. In this respect, the Chief Clerk, or the

Assistant Chief Clerk, shall be directly responsible to the Speaker and House Administration Committee.

The Chief Clerk of the House will maintain on file a job description for the Chief Clerk and the Bill Clerk.

Rule 42 - Certification of News Media

Accredited representatives of the daily and weekly press, press associations, and of radio and television stations shall be accorded equal press privileges by the House Administration Committee.

Any person wishing to report proceedings of the House may apply to said Committee for assignment to suitable available space.

On approval of the House Administration Committee, radio and television stations shall be permitted to air and record sessions of the House.

Any use or reproduction of House tapes will require permission of the Speaker of the House and shall be communicated to the Chief Clerk in writing.

Rule 43 - Privilege of Floor

The privilege of the floor may be granted by the Speaker upon request of any member, unless an objection is sustained by a majority of members present and voting.

Rule 44 - Persons on the Floor of the House

When the House is in session all persons are prohibited from the floor except Legislators, staff and guests of legislators cleared with the Speaker of the House.

1ST LEGISLATIVE DAY
2nd Session

January 8, 1980

The Speaker called the House to order at 1:30 p.m.

The Majority Leader moved to adjourn at 1:31 p.m., thereby ending the previous legislative day. The House reconvened at 1:32 p.m. A prayer was offered by Dr. Norman E. Mitchell, First Baptist Church, Pocomoke, Maryland.

The Speaker led those present in a salute to the Flag.

The Chief Clerk called the roll.

Members Present: 37.

Members Absent: Representatives Holloway, Loughney, Plant - 3.

One vacancy was reported by the Chief Clerk.

The minutes of the previous legislative day were approved as posted.

Mr. Van Sciver presented his Certificate of Election to the Speaker of the House. Representative Gordy moved to appoint two Representatives to examine the Certificate of Election. Representative Minner seconded the motion. The motion was adopted by voice vote. Mr. Speaker Ferguson appointed Representative Gordy and Representative Burris to examine the Certificate of Election.

The House recessed at 1:50 p.m. to examine the Certificate of Election and reconvened at 1:56 p.m.

Representative Gordy announced that the committee had examined the Certificate of Election and found that it was in order.

Mr. Speaker Ferguson requested that the Chief Clerk read the Certificate of Election.

The State of Delaware

New Castle County, SS.

BE IT REMEMBERED, That at the Special Election held on the Tenth day of November in the year of Our Lord nineteen hundred and seventy-nine, for New Castle County, according to the Constitution and Laws of the State of Delaware, DONALD VAN SCIVER was duly elected STATE REPRESENTATIVE which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the election districts of the Sixteenth Representative District, according to provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, the undersigned Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the special election in 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 Thirteenth day of November, A.D. 1979.

Albert J. Stiffler, President Judge.

Andrew D. Christie, Resident Associate Judge.

Representative Gordy moved that the Oath of Office of Representative be administered to Representative-elect Van Sciver. The motion was seconded by Representative Minner and adopted by voice vote.

Oath of Representative
County of New Castle, ss

State of Delaware
STATE OF DELAWARE
LEGISLATIVE HALL

I, Donald Van Sciver, do solemnly swear 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 Representative of the General Assembly of the State of Delaware from Representative District No. 16 in New Castle County (to which office I was elected at the Special Election held in said State in the year A.D. 1979), according to the best of my ability, and I do further solemnly swear 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.

Donald Van Sciver

Sworn to and subscribed before me this 8th day of January, in the year of Our Lord one thousand nine hundred and eighty.

John P. Ferguson

Marlynn H. Hedgecock

Speaker Ferguson welcomed Representative Van Sciver to the House of Representatives. Mr. Speaker also welcomed Mrs. Van Sciver and their children.

Representative Jonkiert moved for a moment of silence in memory of Representative Daniel F. Kelly.

The Chief Clerk called the roll, to include Representative Van Sciver.

Members Present: 41.

Representative Gordy moved that the roll be adopted as the permanent roll of the House. The motion was seconded by Representative Minner and adopted by voice vote.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HB 604 w/HA 2, 3, 4, 5; HB 157 w/HA 3, 4, SA 2; SB 332 w/SA 2, SB 289 w/SA 1, HB 188 w/HA 1, 2, SA 1; HB 507; SCR 40, HCR 81, HCR 82, HB 332, HB 410 w/HA 2, HB 402 w/HA 1, HB 479, HB 476, HB 420, HB 278, HB 526, HB 177 w/HA 1, HB 505 w/HA 1, HB 217 w/HA 1, HA 1 to HA 1; HB 419, HB 258, HB 396 w/HA 1, HB 85 w/HA 1, HB 407, HB 486, HS 1 for HB 137 w/HA 1, HA 1 to HA 1; HB 259, HB 220 w/HA 1, HB 395, HB 428 w/HA 1, HB 502, HCR 85, SB 373, SCR 41, SB 374, HB 449 w/HA 1, HB 469, HB 614, HB 582 w/HA 1.

Representative McKay introduced and brought HR 124 before the House for consideration.

HR 124 - Amending House Resolution No. 1 in Reference to the Election of the Speaker of the House of Representatives.

The roll call on HR 124 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Ferguson - 41.

Therefore, having received a constitutional majority, HR 124 was adopted.

Representative Burris moved that the oath of Speaker of the House be administered to Representative Riddagh.

Speaker Ferguson then administered the oath of office to Representative Riddagh.

The State of Delaware

I, Robert W. Riddagh, do solemnly swear 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 Speaker of the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

Robert W. Riddagh

Sworn and subscribed to this 8th day of January, A.D., 1980.

John P. Ferguson

Marlynn H. Hedgecock

Representative Burris introduced and brought HR 125, co-sponsored by Representative Hebner, before the House for consideration.

HR 125 - Amending House Resolution No. 3 in Reference to the Election of Officers.

HR 125 was adopted by voice vote.

Representative Burris introduced and brought HJR 25, co-sponsored by Representative Hebner, before the House for consideration.

HJR 25 - Amending House Joint Resolution No. 1 in Reference to the Election of Officers.

Representative Burris moved to suspend the rules which interfere with action on HJR 25. The motion was properly seconded and adopted by voice vote.

The roll call on HJR 25 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Sincok, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 40.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, HJR 25 was sent to the Senate for concurrence.

Representative Connor introduced and brought HR 126 before the House for consideration.

HR 126 - Relating to the Temporary Rules of the House of Representatives of the 130th General Assembly of the State of Delaware.

Representative Burris moved that HR 126 be placed in the House Administration Committee.

The roll call on the motion was taken and revealed:

YES: Representatives Burris, Fallon, Free, Harrington, Hebner, Maroney, McKay, Neal, Oberle, Powell, Roy, Sincok, Smith, Vernon Mr. Speaker Riddagh - 15.

NO: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Matushefske, Maxwell, McBride, Minner, Morris, Petrilli, Plant, Van Sciver, West - 26.

Therefore, not having received a constitutional majority, the motion was declared defeated and HR 126 remained before the House.

Representative Burris requested and was granted the privilege of the floor for House Attorney Michael Rich.

Representative Minner moved to suspend all rules which interfere with enactment of HR 126. The motion was properly seconded.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Matushefske, Maxwell, McBride, Minner, Morris, Plant, West, - 23.

NO: Representatives T. Brady, Burris, Fallon, Harrington, Hebner, Maroney, McKay, Neal, Oberle, Petrilli, Powell, Roy, Sinecock, Smith, Van Seiver, Vernon Mr. Speaker Riddagh - 17.

ABSENT: Representative Free - 1.

Therefore, having received a constitutional majority, the motion was adopted and the rules were suspended.

Representative Oberle moved that HR 126 be assigned to Committee.

Representative Oberle rose on a point of order.

Representative Gordy rose on a point of order.

Representative Oberle withdrew the motion for Committee assignment.

Representative Burris moved to recess at 5:00 p.m.

The House reconvened at 5:15 p.m.

The roll call on HR 126 was taken.

Representative Connor moved to table the roll call. The motion was seconded by Representative Burris. The roll call was placed on the Speaker's Table.

Representative Jonkiert announced that the Minority Caucus had elected Representative Gordy as Minority Leader and Representative Ferguson as Minority Whip.

Representative Burris introduced and brought HR 127, co-sponsored by Representative Hebner, before the House for consideration.

HR 127 - Appointing a Committee to Notify the Governor that the House of Representatives is Re-Organized.

HR 127 was adopted by voice vote. Representative Free and Representative Anderson were appointed by Mr. Speaker Riddagh to notify the Governor that the House is re-organized.

Representative Burris moved to recess to the call of the Chair at 5:27 p.m.

2nd Legislative Day 2nd Session

January 9, 1980

The Speaker called the House to order at 2:35 p.m.

The Majority Leader moved to adjourn at 2:36 p.m., thereby ending the previous legislative day. The House reconvened at 2:37 p.m. A prayer was offered by Representative Hebner, Ninth District.

The Speaker led those present in a salute to the Flag.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives W. Brady and Matushefske - 2.

The minutes of the previous legislative day were approved as posted.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 292, SCR 42, HJR 25, SCR 43, SCR 44, SCR 45, SCR 46.

Representative Ferguson introduced and brought SCR 43, sponsored by Senator Sharp and All Senators, before the House for consideration.

SCR 43 - Offering Prayers for American Hostages Held Captive in Iran and Supporting All Reasonable Efforts to Secure Their Safe Release.

SCR 43 was adopted by voice vote and returned to the Senate.

Representative Burris introduced and brought HR 128, co-sponsored by Representative Hebner, before the House for consideration.

HR 128 - Appointing a Committee to Notify the Senate that the House of Representatives is Re-Organized.

HR 128 was adopted by voice vote.

Mr. Speaker Riddagh appointed Representative Roy and Representative Darling as the committee to notify the Senate that the House is re-organized.

Representative Burris introduced and brought HR 129, co-sponsored by Representative Hebner, before the House for consideration.

HR 129 - Authorizing the Chief Clerk to Purchase Postage Stamps for the Second Session of the 130th General Assembly.

HR 129 was adopted by voice vote.

Representative Bennett introduced and brought SCR 42, co-sponsored by Senator Zimmerman, before the House for consideration.

SCR 42 - Expressing Condolences Upon Hearing of the Death of G. Leslie Gooden, a Former Legislator and Veteran Realtor of Kent County.

SCR 42 was adopted by voice vote and returned to the Senate.

Representative McKay introduced and brought SCR 46, sponsored by Senator Martin, before the House for consideration.

SCR 46 - Commending the University of Delaware Blue Hens and Their Coach, Harold "Tubby" Raymond, for the Outstanding Achievement of Winning the National Collegiate Athletic Association Division II National Football Championship.

SCR 46 was adopted by voice vote and returned to the Senate.

Representative Fallon announced that Representative Burris had been elected by the Majority Caucus as Majority Leader and Representative Hebner had been elected as Majority Whip.

Representative Vernon introduced and brought SCR 44, co-sponsored by Senators Cordrey and Adams, before the House for consideration.

SCR 44 - Commending the Cape Henlopen High School Football Team and Coach Jim Alderman for Winning the State Championship in Division I for the First Time.

SCR 44 was adopted by voice vote and returned to the Senate.

Representative Ferguson moved to suspend all rules which interfere with introduction and consideration of HJR 26.

Representative Ferguson introduced and brought HJR 26, co-sponsored by Representatives Gordy, Minner, Burris, Hebner and Senators Cordrey, Sharp, McCullough, Knox, Arnold, and All Members of the House and Senate, before the House for consideration.

HJR 26 - Mourning the Death of Representative Daniel F. Kelly of the 16th Representative District on September 14, 1979.

The roll call on HJR 26 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 39.

ABSENT: Representatives W. Brady, Matushefske - 2.

Therefore, having received a constitutional majority, HJR 26 was sent to the Senate for concurrence.

Representative McKay introduced and brought HCR 87, co-sponsored by All Members of the House and Senate, before the House for consideration.

HCR 87 - Congratulating the 1979 University of Delaware Football Team, Its Coach, Harold (Tubby) Raymond, and the University's Athletic Department on Winning the Division II Championship of the National Collegiate Athletic Association.

HCR 87 was adopted by voice vote and sent to the Senate for concurrence.

Representative Jonkiert introduced and brought SCR 45, sponsored by Senator Marshall, before the House for consideration.

SCR 45 - Expressing the General Assembly's Deep Sorrow at the Death of Senator George F. Schlor of Wilmington.

SCR 45 was adopted by voice vote and returned to the Senate.

Representative Burris moved to recess to the call of the Chair at 3:27 p.m.

3rd Legislative Day Second Session

January 10, 1980

The Speaker called the House to order at 2:40 p.m.

The Majority Leader moved to adjourn at 2:41 p.m., thereby ending the previous legislative day. The House reconvened at 2:42 p.m. A prayer was offered by Representative Morris, Thirty-Fourth District.

The Speaker led those present in a salute to the Flag.

The Chief Clerk called the roll.

Members Present: 41.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

HB 644 - WEST - PUBLIC SAFETY: An Act Making an Appropriation to the Department of Public Safety, Division of Motor Vehicles, to Pay a Claim Resulting From Injury Suffered in a Fall at the Wilmington Inspection Lane.

HB 645 - MATUSHEFSKE - APPROPRIATIONS: An Act Making a Supplementary Appropriation to the State Treasurer to be Used to Pay the Claim of Former Attorney General Richard R. Wier, Jr.

SB 132 - KNOX - NATURAL RESOURCES: An Act to Amend Chapter 68, Title 7, Delaware Code, Relating to Appeals From Decisions of the Secretary of the Department of Natural Resources and Environmental Control.

SB 209 w/SA 1,2 - MARSHALL, ARNOLD, HOLLOWAY, KEARNS, CICIONE, MURPHY, ADAMS; REPRESENTATIVES MATUSHEFSKE, MC BRIDE, JONKIERT, CAIN, AMBROSINO, GILLIGAN, KELLY, MAXWELL, DARLING, MORRIS, GORDY, HOLLOWAY, PETRILLI, T. BRADY, ROY, CATHCART, OBERLE, CONNOR, LOUGHNEY, ANDERSON, PLANT - REVENUE & FINANCE: An Act to Amend Chapter 11, Part II, Title 30, of the Delaware Code to Provide for Personal Educational Exemption From Taxable Income. (Fiscal Note)

SB 251 - MURPHY; REPRESENTATIVE MATUSHEFSKE - JUDICIARY: An Act to Amend Chapter 68 of Title 16, Delaware Code Relating to Immunity for the Reporting of Arson.

SB 262 - MURPHY - BANKING & INSURANCE: An Act to Amend Chapter 31, Title 18 of the Delaware Code Relating to Group Life Insurance.

SB 292 - MURPHY - PUBLIC SAFETY: An Act to Amend Chapter 27, Title 21, Delaware Code Relating to Suspension of Driver's Licenses.

SB 309 w/SA 1,2 - WEISS - JUDICIARY: An Act to Amend Chapter 9, Title 24, of the Delaware Code Relating to Deadly Weapons Dealers.

SB 384 - ZIMMERMAN; REPRESENTATIVES BENNETT, HARRINGTON - REVENUE & FINANCE: An Act to Authorize the Capital School District to Expend Funds From Its Debt Service Account.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 262, SB 263, SB 384, SB 251, HCR 87, HJR 26.

Representative Burris moved to recess at 3:05 p.m.

The House reconvened at 5:15 p.m.

The Reading Clerk read the following list of Committee assignments into the record.

Administrative Services and Energy - Federal State Relations: James P. Neal - Chairman; Donald Van Seiver, Robert Powell, Edward Bennett, Marian Anderson.

Aging: Donald J. Van Seiver - Chairman; Michael Harrington, Jane Maroney, Orlando George, Casimir Jonkiert.

Appropriations: Richard Sincock - Chairman; John McKay, Joseph Ambrosino, Joseph Petrilli, James Neal, Jane Maroney, Tina Fallon, Robert Gilligan, Edward Bennett, John Matushefske, Orlando George.

Grants-in-Aid Subcommittee: John McKay - Chairman; Tina Fallon, Edward Bennett.

Agriculture: Tina Fallon - Chairman; Gwynne Smith, Howard Clendaniel.

Banking & Insurance: Michael Harrington - Chairman; Thomas Brady, Howard Clendaniel.

Economic Development & Community Affairs: Kevin Free - Chairman; Roger Roy, Donald Van Seiver, Thomas Brady, Marian Anderson, Al O. Plant, Ruth Ann Minner.

Judiciary & Constitution: Thomas Brady - Chairman; Joseph Petrilli, Kevin Free, J. Edward Morris, Robert Maxwell.

Corrections: Joseph Petrilli - Chairman; Thomas Brady, Kevin Free, William Oberle, J. Edward Morris, Herman Holloway, William Brady.

Education: Robert Connor - Chairman; James Neal, Joseph Petrilli, Tina Fallon, Kevin Free, Edward Bennett, Gerard Cain.

School Financing Subcommittee: James Neal - Chairman; Kevin Free, Edward Bennett.

Ethics & House Administration: John Burris - Chairman; Robert Riddagh, Charles Hebner, William Gordy, John Ferguson.

Natural Resources: William Vernon - Chairman; Tina Fallon, Roger Roy, Ruth Ann Minner, Joseph Loughney.

Revenue & Finance: Robert Powell - Chairman; John McKay, William Vernon, Gerard Cain, Robert Maxwell.

Environmental Control: Gwynne Smith - Chairman; Richard Cathcart, Tina Fallon, James Neal, Charles West, David McBride.

Health & Social Services: John McKay - Chairman; Jane Maroney, Michael Harrington, James Neal, Robert Gilligan, Casimir Jonkiert.

Family Services Subcommittee: Jane Maroney - Chairman; Michael Harrington, Robert Gilligan.

Transportation: Roger Roy - Chairman; William Vernon, Robert Powell, Joseph Petrilli, Herman Holloway, William Brady, Ronald Darling.

Labor & Commerce: William Oberle - Chairman; Richard Cathcart, Roger Roy, Robert Powell, Robert Connor, Al O. Plant, John Matushefske, Ronald Darling.

Public Safety: Richard Cathcart - Chairman, William Oberle, Donald Van Sciver, Robert Connor, David McBride, Charles West, Joseph Loughney.

Legislative Council: Robert Riddagh - Chairman; John Burris, Charles Hebner, William Gordy, John Ferguson.

Representative Maxwell introduced and brought HR 130, co-sponsored by All Members of the House of Representatives, before the House for consideration.

HR 130 - Mourning the Death of Theresa C. DiCinque Jonkiert, Wife of our Esteemed Colleague and Former Speaker of the House Casimir S. Jonkiert.

HR 130 was adopted by voice vote.

Representative Holloway introduced and brought HR 131 before the House for consideration.

HR 131 - Commemorating the Birth of the Late Dr. Martin Luther King, Jr. and Requesting the Governor to Proclaim the Week of January 14th Through January 18th as Dr. Martin Luther King, Jr. Week.

HR 131 was adopted by voice vote.

Representative Gilligan moved to suspend all rules which interfere with introduction of and action on HB 646. The motion was properly seconded and adopted by voice vote.

Representative Gilligan introduced and brought HB 646, co-sponsored by All Members of the 130th General Assembly, before the House for consideration.

HB 646 - An Act to Award an Elected Officials Survivors Pension to the Surviving Spouse of the Late Daniel Kelly and Making Appropriation Therefor.

Representative Sincok moved to waive the fiscal note on HB 646. The motion was properly seconded and adopted by voice vote.

The roll call on HB 646 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Seiver, Vernon, West, Mr. Speaker Riddagh - 40.

ABSENT: Representative T. Brady - 1.

Therefore, having received a constitutional majority, HB 646 was sent to the Senate for concurrence.

Representative Smith moved to suspend all rules which interfere with introduction of and action on HJR 27. The motion was properly seconded and adopted by voice vote.

Representative Smith introduced and brought HJR 27, co-sponsored by Representatives Burris, Vernon; Senators Zimmerman & Cordrey, before the House for consideration.

HJR 27 - Asking Citizens of Delaware to Observe 1980 as Year of the Coast.

The roll call on HJR 27 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Seiver, Vernon, West, Mr. Speaker Riddagh - 40.

ABSENT: Representative T. Brady - 1.

Therefore, having received a constitutional majority HJR 27 was sent to the Senate for concurrence.

Representative Petrilli introduced HS 1 for HB 443, co-sponsored by Senator Arnold; Representatives Ambrosino, Neal, Oberle, McBride, Gilligan, Cathcart, Loughney, Roy, Powell, Sincok, McKay, Van Seiver, Smith, Hebner, Cain, Maxwell; Senators Knox, Sharp, Martin, Spence, Kearns, Hughes, Hale, McCullough, Berndt & Weiss.

HS 1 for HB 443 - An Act to Provide for the Election of Members to the Board of Education of the New Castle County School District, a School District Created July 1, 1978 by Order of the Federal Court and to Provide for Enlargement of the Board.

Mr Speaker assigned HS 1 for HB 443 to the Education Committee.

Representative Minner introduced and brought HR 132 before the House for consideration.

HR 132 - A Resolution Amending House Resolution No. 2 Relating to Temporary Rules of the House of Representatives of the 130th General Assembly of the State of Delaware.

Mr. Speaker assigned HR 132 to the Ethics and House Administration Committee.

Representative Vernon introduced and brought HCR 86, co-sponsored by Representative Burris, Senators Adams & Cordrey, before the House for consideration.

HCR 86 - Commending the Cape Henlopen Field Hockey Team for Winning the State Championship.

HCR 86 was adopted by voice vote and sent to the Senate for concurrence.

Representative Vernon introduced and brought HCR 88, co-sponsored by Representative Burris; Senators Adams & Cordrey, before the House for consideration.

HCR 88 - Commending the Cape Henlopen High School Cross Country Team for Winning the Division II Championship.

HCR 88 was adopted by voice vote and sent to the Senate for concurrence.

Representative Ferguson moved to suspend the rules which interfere with introduction of and action on SJR 29. The motion was properly seconded and adopted by voice vote.

Representative Ferguson introduced and brought SJR 29, co-sponsored by Senators Hughes, Weiss, Zimmerman, Spence, Adams; Representatives Kelly, Ambrosino, Sincok & Jonkiert, before the House for consideration.

SJR 29 - Congratulating "Colonel" Dave Herman Upon His Retirement from Brandywine Raceway.

The roll call on SJR 29 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 40.

ABSENT: Representative Cain - 1.

Therefore, having received a constitutional majority, SJR 29 was returned to the Senate.

Representative Plant introduced and brought HR 133 before the House for consideration.

HR 133 - Proposing That the House of Representatives Not Convene in Session on Tuesday, January 15, 1980, out of Respect for the Late Rev. Dr. Martin Luther King, Jr., Whose Birthday Falls on that Day.

Mr. Speaker assigned HR 133 to the Ethics & House Administration Committee.

Representative Burris moved to recess to the call of the Chair at 6:00 p.m.

4th Legislative Day
Second Session

January 15, 1980

The Speaker called the House to order at 1:52 p.m.

The Majority Leader moved to adjourn at 1:53 p.m., thereby ending the previous legislative day. The House reconvened at 1:54 p.m. A prayer was offered by Representative Van Sciver, Sixteenth District.

The Speaker led those present in a salute to the Flag.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Holloway - 1.

The minutes of the previous legislative day were approved as posted.

The Reading Clerk read the following communications into the record:

January 15, 1980

Honorable Robert W. Riddagh
Speaker of the House of Representatives
Dear Mr. Speaker:

Accompanying this letter is a copy of a memorandum from Mr. Robert J. Voshell, Director of the Division of Motor Vehicles, who, at my request, made a special study of the point system used to penalize Delaware Drivers. I asked for the study because I thought that some of the penalties were no longer valid or fair, Mr. Voshell agreed with this. At Mr. Voshell's request I did not introduce legislation making the point system a part of the law but left the system to the Division of Motor Vehicles to regulate as one of its rules. I would appreciate it if you would have this letter and the report made a part of the record of today's session of the House of Representatives.

Respectfully,

Charles P. West

April 17, 1979

MEMORANDUM

TO: Representative Charles P. West, Chairman
House Public Safety Committee
Senator Richard S. Cordrey, Chairman
Senate Public Safety Committee
FROM: Robert J. Voshell, Director
Division of Motor Vehicles
SUBJECT: Revision of Point System for Delaware Licensed Drivers

Enclosed is a copy of the Point System currently being used by our Division. Also enclosed is a listing of suggested changes to the Point System as proposed by our Division.

We endorse these changes and request that your Public Safety Committees review them and let us know if they meet your approval.

The "Point System" is established by policy and is not law. It is a means used to identify and select out problem drivers.

If you have any questions concerning the enclosures, please let me know.

RJV/lad
Enclosures
cc: William J. O'Rourke, Secretary

May 3, 1979

Honorable Robert J. Voshell
Director, Division of Motor Vehicles
Department of Public Safety
P.O. Box 698
Dover, Delaware 19901

RE: Revision of Point System for Delaware Licensed Drivers

Dear Mr. Voshell:

The Public Safety Committee of the House of Representatives has reviewed the changes to the Delaware Driver Point System proposed by the Division of Motor Vehicles and set forth in your memorandum to me and Senator Richard S. Cordrey, dated April 17, 1979.

The Committee is of the opinion that the proposed changes would make the Point System more equitable and therefore gives its endorsement to such changes.

Respectfully yours,

Charles P. West, Chairman
Robert F. Gilligan
Daniel A. Kelly
William A. Oberle, Jr.
Joseph R. Petrilli
House Public Safety
Committee

cc/ Honorable Richard S. Cordrey
Honorable William J. O'Rourke

SUGGESTED CHANGES IN THE DELAWARE DRIVER POINT SYSTEM

1. Review last 2 prior years only. Totally disregard the 3rd year.
2. Points retain full value for the preceding 12 month period.
Point value for all violations which occurred over 12 months ago will be treated at 1/2 of their original value.
3. If another violation occurs after a suspension has taken place during the last 12 months, all points for violations that were recognized in the previous action shall be treated at 1/2 of their original value.

The Senate wishes to inform the House that it has passed: SB 323, SB 313 w/SA 1 and HB 123.

The following prefiled legislation was introduced:

HB 647- AMBROSINO - TRANSPORTATION: An Act to Amend Chapter 27, Part II, Title 21 of the Delaware Code Relating to Driver's Licenses; and Providing for a Junior Driver's License.

HB 648 - AMBROSINO - ADMINISTRATIVE SERVICES: An Act to Amend Chapter 1, Title 26 of the Delaware Code Relating to Public Utilities; and Providing for a Prohibition Against Certain Security Deposit Requirements.

HB 649 - AMBROSINO - HEALTH & SOCIAL SERVICES: An Act to Amend Chapter 25, Title 24 of the Delaware Code Relating to Retail Pharmacies; and Providing for the Price Posting of the Two Hundred Most Commonly Prescribed Drugs in This State.

HB 650 - AMBROSINO - HEALTH & SOCIAL SERVICES: An Act to Amend Chapter 68, Part I, Title 18 of the Delaware Code Relating to Health Care Malpractice Insurance and Litigation; and Relating Specifically to Informed Consent.

HB 651 - AMBROSINO - BANKING & INSURANCE: An Act to Amend Chapter 29, Title 24 of the Delaware Code Relating to Real Estate Brokers and Salesmen; and Providing for Certain Sales Contract Restrictions.

HB 652 - AMBROSINO - BANKING & INSURANCE: An Act to Amend Chapter 68, Part I, Title 18 of the Delaware Code Relating to Health Care Malpractice Insurance and Litigation; and Relating Specifically to Malpractice Review Panels.

HB 653 - AMBROSINO - HEALTH & SOCIAL SERVICES: An Act to Amend Title 16 and Title 24 of the Delaware Code Relating to the Confidentiality of, and Patient Access to, Medical Records.

HB 654 - CONNOR - EDUCATION: An Act to Amend Chapter 17, Part I, Title 14 of the Delaware Code Relating to Education; and Limiting Basic Skills Funding to Expenditures for Professional Services in the Teaching of Basic Skills.

HB 655 - LOUGHNEY - ADMINISTRATIVE SERVICES - An Act to Amend Chapter 5, Title 17 of the Delaware Code to Require Municipalities to Erect Certain Signs Along Access Roads.

HB 656 - MATUSHEFSKE; SENATOR COOK - BANKING & INSURANCE: An Act to Amend Chapter 52, Title 29, of the Delaware Code to Increase the Payment of Subscription Charges for Health Care Insurance for State Employees and Their Dependents.

HB 657 - PLANT, MATUSHEFSKE - LABOR: An Act to Amend Title 19, Delaware Code, by Creating a Public Work Program and Providing a Supplementary Appropriation Therefor.

HB 658 - AMBROSINO - JUDICIARY & CONSTITUTION: An Act to Amend Chapter 68, Part I, Title 18 of the Delaware Code Relating to Expert Witnesses.

HB 659 - AMBROSINO - HEALTH & SOCIAL SERVICES: An Act to Amend Title 6 of the Delaware Code Relating to Commerce and Trade, and Relating Specifically to the Exclusion or Modification of Warranties.

HB 660 - HOLLOWAY - REVENUE & FINANCE: An Act to Amend Chapter 86, Title 9, Delaware Code, Relating to Penalties for Late Payment of Taxes.

HA 1 to HB 415 - MAXWELL - LABOR: Placed with the bill.

HA 1 to HB 621 - MORRIS - EDUCATION: Placed with the bill.

HA 1 to HB 634 - T. BRADY - ETHICS & HOUSE ADMINISTRATION: Placed with the bill.

SB 263 - MURPHY - BANKING & INSURANCE: An Act to Amend Chapter 32, Title 18 of the Delaware Code Relating to Group Life Insurance for State Employees.

SB 313 w/SA 1 - HUGHES - TRANSPORTATION: An Act to Amend Section 2118, Chapter 21, Title 21 of the Delaware Code Relating to the Requirement of Insurance for Unregistered Motor Vehicles.

SB 323 - HOLLOWAY - HEALTH & SOCIAL SERVICES: An Act to Change the Name of the Delaware Hospital for the Mentally Retarded, a Facility of the Department of Health and Social Services, to the Stockley Center.

Representative Connor introduced and brought HR 134, co-sponsored by Representatives Cathcart and Oberle, before the House for consideration.

HR 134 - Hail and Farewell to a Great American Who Believed Deeply in the Value and Worth of the Individual: George Meany, the Honest Plumber.

HR 134 was adopted by voice vote.

Representative Fallon moved to suspend the rules which interfere with introduction of and action on HJR 28. The motion was properly seconded and adopted by voice vote.

Representative Fallon introduced and brought HJR 28, co-sponsored by Representatives Burris, Smith, Vernon; Senators Adams, Cordrey & Littleton, before the House for consideration.

HJR 28 - Expressing the Condolences of the House of Representatives, With the Senate Concurring Therein, to the Family of the Late Margaret Hastings.

The roll call on HJR 28 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 38.

ABSENT: Representatives Cain, Holloway, Matushefske - 3.

Therefore, having received a constitutional majority, HJR 28 was sent to the Senate for concurrence.

Representative Burris introduced and brought HR 135, co-sponsored by Representative Hebner, before the House for consideration.

HR 135 - In Reference to the Assignment of Bills and Resolutions Within the House of Representatives.

Representative Ferguson moved to place HR 135 on the Speaker's table.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Jonkiert, Loughney, Matushefske, Maxwell, McBride, Minner, Morris, Plant, West - 19.

NO: Representatives Ambrosino, T. Brady, Burris, Cathcart, Connor, Fallon, Free, Harrington, Hebner, Maroney, McKay, Neal, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 21.

ABSENT: Representative Holloway - 1.

Therefore, not having received a constitutional majority, the motion was declared defeated and HR 135 remained before the House.

Representative Gordy moved to recess to the call of the Chair at 3:00 p.m.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Jonkiert, Loughney, Matushefske, Maxwell, McBride, Minner, Morris, Plant, West. - 19.

NO: Representatives Ambrosino, T. Brady, Burris, Cathcart, Connor, Fallon, Free, Harrington, Hebner, Maroney, McKay, Neal, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 21.

ABSENT: Representative Holloway - 1.

Therefore, not having received a constitutional majority, the motion was declared defeated and the House remained in session.

The roll call on HR 135 was taken and revealed:

YES: Representatives Ambrosino, T. Brady, Burris, Cathcart, Connor, Fallon, Free, Harrington, Hebner, Maroney, McKay, Neal, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 21.

NO: Representatives Anderson, Bennett, W. Brady, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Jonkiert, Loughney, Matushefske, Maxwell, McBride, Minner, Morris, Plant, West - 19.

ABSENT: Representative Holloway - 1.

Therefore, having received a constitutional majority, HR 135 was adopted.

Representative Maxwell introduced HB 661, co-sponsored by Representatives Anderson and Cain.

HB 661 - An Act Providing Relief to Chrysler Corporation of Obligations Under Chapter 27, Title 30, Part 3, Delaware Code. (3/4 bill)

Mr. Speaker assigned HB 661 to the Administrative Services & Energy Committee.

Representative West introduced HB 662.

HB 662 - An Act to Amend Chapter 11, Title 30, Delaware Code Relating to Personal Income Tax Exemptions.

Mr. Speaker assigned HB 662 to the Revenue & Finance Committee.

Mr. Speaker Riddagh announced that Representatives Sincok, Powell, Gordy, and Cain will serve on a special committee - the PostRetirement Pension Benefits Committee.

Representative Burris moved to recess for Committee meetings at 3:15 p.m.

The House reconvened at 5:09 p.m.

Representative Gordy requested that HB 286 be stricken.

Representative Morris requested that HB 508 be stricken.

Representative Sincok requested that HB 525 be stricken.

Representative Oberle introduced HB 663, co-sponsored by Representatives Powell, Neal, Cain, Anderson, Roy, Jonkiert, Loughney, Maroney, Burris, Cathcart, Sincok, Riddagh, Van Sciver, Gilligan, Maxwell, Plant, McBride, Connor, Harrington, Matushefske, Ferguson, W. Brady, Holloway, George and Senators Sharp, Berndt, Cicione, Martin, Arnold, Hughes, Kearns, Knox, Marshall, Weiss, Spence, Hale, Littleton and Holloway.

HB 663 - An Act Establishing an Emergency Loan Committee, Making a Supplemental Appropriation Thereto, and Authorizing the Committee to Make Loans to the Chrysler Corporation. (3/4 bill)

Mr. Speaker assigned HB 663 to the Appropriations Committee.

Representative Burris requested that HB 106 be stricken.

Representative Hebner requested that HB 362 be stricken.

Representative Petrilli requested that HB 293 be stricken.

The Chief Clerk read the following Committee Reports into the record:

Revenue & Finance: HB 361 - 3F, 1M.

Ethics & House Administration: HB 603 - 4F, 1M.

Representative Burris moved to recess to the call of the Chair at 5:15 p.m.

5th Legislative Day
Second Session

January 16, 1980

The Speaker called the House to order at 1:49 p.m.

The Majority Leader moved to adjourn at 1:50 p.m., thereby ending the previous legislative day. The House reconvened at 1:51 p.m. A prayer was offered by Representative Smith, Tenth District.

The Speaker led those present in a salute to the Flag.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Ferguson - 1.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

HB 664 - W. BRADY, OBERLE - NATURAL RESOURCES: An Act to Amend Chapter 5, Part I, Title 7 of the Delaware Code Relating to the Migratory Waterfowl Stamp.

HB 665 - ROY; SENATOR CICIONE - HEALTH & SOCIAL SERVICES - An Act to Amend Chapter 5, Title 31, Delaware Code Relating to Nontransferability of Assistance Granted Under This Chapter.

HB 666 - MC BRIDE - ADMINISTRATIVE SERVICES & ENERGY: An Act to Amend Chapter 58A, Part IV, Title 29 of the Delaware Code Relating to Business or Professional Activities by State Officers and Employees.

SB 277 - MURPHY; REPRESENTATIVE MATUSHEFSKE - BANKING & INSURANCE: An Act to Amend Chapter 1, Title 5, Delaware Code, Relating to Reserve Requirements.

SB 278 - MURPHY; REPRESENTATIVE MATUSHEFSKE - BANKING & INSURANCE: An Act to Amend Chapter 9, Title 5, Delaware Code, Pertaining to Regulations Governing Business of Banks and Trust Companies.

SB 280 - MURPHY; REPRESENTATIVE MATUSHEFSKE - BANKING & INSURANCE: An Act to Amend Chapter 9, Title 5, Delaware Code, Relating to Reserve Requirements.

SB 380 - MURPHY; REPRESENTATIVE MINNER - REVENUE & FINANCE: An Act Making a Supplemental Appropriation to the Magnolia Volunteer Fire Company for the Maintenance and Operation of an Ambulance. (3/4 bill) (Fiscal Note)

SB 382 w/SA 1,3 - MC DOWELL, MARSHALL, CICIONE, SHARP, MC CULLOUGH, HOLLOWAY, KEARNS, MURPHY, COOK, ZIMMERMAN; REPRESENTATIVES W. BRADY, MC BRIDE, FERGUSON, HOLLOWAY, PLANT, JONKIERT, MAXWELL, CAIN, BENNETT, LOUGHNEY, ANDERSON - ADMINISTRATIVE SERVICES & ENERGY: An Act to Amend Chapter 94 of Title 29, Delaware Code, by Establishing an Emergency Heating Assistance Fund to be Used by Homeowners and Others for the Purchase of Heating Fuels, and Establishing Energy Conservation Participation as a Qualification for Eligibility for Assistance, and Further Providing a Supplementary Appropriation Therefor. (Fiscal Note).

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 382 w/SA 1, 3; SB 278, SB 280, SB 277, SB 380, HB 646, HJR 28, SCR 47, HCR 86, HCR 88.

Representative T. Brady introduced and brought HR 136 before the House for consideration.

HR 136 - Requesting Governor's Energy Office to Prepare a Report Proposing Solutions to Problems Arising from Federal Government Grants for Energy Assistance.

HR 136 was adopted by voice vote.