











STATE OF DELAWARE



JOURNAL  
OF THE  
STATE SENATE

SESSION  
OF THE  
133rd GENERAL ASSEMBLY

CONVENED  
TUESDAY, JANUARY 8, 1985  
DOVER, DELAWARE  
1985-1986







**MEMBERSHIP of THE DELAWARE STATE SENATE**  
**133rd GENERAL ASSEMBLY**

Lt. Governor S. B. Woo, President of the Senate  
Senator Richard S. Cordrey, President pro Tempore

<u>District</u>	<u>Senator</u>
1st	Harris B. McDOWELL, III – 2311 Baynard Boulevard, Wilmington 19802
2nd	Herman M. HOLLOWAY, Sr. – 2008 Washington Street, Wilmington 19802
3rd	Robert I. MARSHALL (Marchlewicz) – 601 South duPont St., Wilmington 19805
4th	Robert J. BERNDT – 312 Beverly Place, Gordon Heights, Wilmington 19809
5th	Myrna L. BAIR – 4 Little Leaf Court, Foulk Woods, Wilmington 19810
6th	Andrew G. KNOX – 107 Quintynnes Dr., Centerville, Wilmington 19807
7th	Angelo T. CITRO – 301 Taylor Road, Rosemont, Wilmington 19804
8th	John H. ARNOLD – 2223 Downing Lane, Kiamensi Heights, Wilmington 19804 (Resigned March 6, 1986)
8th	Margo Ewing BANE – 12 Wordsworth Drive, Wilmington 19808 (Elected April 12, 1986)
9th	Thomas B. SHARP – 2226 E. Huntington Drive, Pinecrest, Wilmington 19808
10th	James P. NEAL – 50 Bridle Brook Lane, Newark 19711
11th	Roger A. MARTIN – 13 Pinedale Road, Windy Hills, Newark 19711
12th	Robert T. CONNOR – 18 Crippen Drive, Penn Acres, New Castle 19720
13th	David B. McBRIDE – 35 Scottie Lane, Melanie Woods, New Castle 19720
14th	James T. VAUGHN – 201 Washington Avenue, Clayton 19938
15th	Nancy W. COOK – P. O. Box 127, Kenton 19955
16th	William C. TORBERT – 8-A Bradys Lane, Dover 19901
17th	Jacob W. ZIMMERMAN – P. O. Box 775, Dover, 19901
18th	Ruth Ann MINNER – R. D. 3 – Box 694, Milford 19963
19th	Thurman ADAMS, Jr. – P. O. Box 218, Bridgeville 19933
20th	Richard S. CORDREY – River Drive, Box 486, Millsboro 19966
21st	William S. SLATCHER – 414 Sussex Avenue, Seaford 19973



SENATE STAFF





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

#### ATTACHES

Polly J. Adams, Page  
Louise C. Allen, Page  
Margaret M. Anstine, Secretary  
Doris C. Argo, Secretary  
Mary Eva Banack, Page  
Kevin E. Bolling, Sgt.-at-Arms  
Mystle B. Brittingham, Page  
Diane E. Brown, Stamping Room Clerk  
Doris E. Calhoun, Page  
Juanita G. Carter, Bill Prep Clerk  
Robert H. Carter, Sgt.-at-Arms  
Michelle Cebrick, Page  
Catherine S. Chisholm, Reading Clerk  
Willie E. Clark, Sgt.-at-Arms  
Thomas J. Cook, Page  
Claire M. DeMatteis, Bill Prep Clerk  
Conrad J. DeMatteis, Page  
Michele K. DeMatteis, Bill Prep Clerk  
Thomas J. DeMatteis, Page  
AnnMarie E. DeSantis, Reading Clerk  
Betty M. Dickinson, Bill Prep Clerk  
Jean Ann Diener, Secty. (Wilmington Office)  
Arnold L. Dryden, Stamping Room Clerk  
Dawn C. (Beers) Farmer, Bill Prep Clerk  
Beulah M. Gray, Sgt.-at-Arms  
Nancy R. Green, Secty. (Wilmington Office)  
Joyce A. Griffith, Reading Clerk  
Toni L. Harris, Page  
Lorielee J. Harrison, Secretary  
Mary Ann Hearne, Page  
Harold M. Hilyard, Stamping Room Clerk  
Herman M. Holloway, III, Sgt.-at-Arms  
Sylvia A. Holloway, P. A. Operator  
Melanie Jeffcott, Secretary  
Karen J. Johnson, Secretary  
Rose Ann Jones, Head Page  
Howard H. Killen, Sgt.-at-Arms

Frank J. Kosakowski, Bill Prep Clerk  
Irene Larkin, Secretary  
Irene A. Lawhorn, Secretary  
Elmer W. Lindale, Jr., Bill Prep Clerk  
Deborah Karen Martin, Head Stamping Rm. Clerk  
Anna Mae Massey, Bill File Clerk  
William J. McCool, Jr., Page  
F. Edward Melvin, Sgt.-at-Arms  
Thomas P. Murray, Stamping Room Clerk  
Karen D. Neal, Page  
Susan Neville, Page  
Marina V. Ney, Page  
Richard L. Norwood, Sgt.-at-Arms  
Zanthia L. Oliver, Stamping Room Clerk  
Lois L. Orth, Bill Prep Clerk  
Joseph A. Palermo, Page  
Thomas H. Peck, Bill Prep Clerk  
Arthur J. Pennewill, Bill Prep Clerk  
Joan S. Powell, Page  
Norma L. Rash, Page  
Jane L. Rylee, Head Bill Prep Clerk  
Donna K. Sandstrom, Secretary  
Clarence A. Schwatka, Jr., Sgt.-at-Arms  
Anna M. Sekerke, Page  
Kelly J. Sellers, Page  
Lisa M. (Strobel) Shahan, Calendar Clerk  
Charlie M. Skinner, Secretary  
Cecilia T. Stegura, Page  
William D. Summers, Jr., Sgt.-at-Arms  
Pearl E. Talley, Secretary  
Helen C. Truitt, Secretary to Pres. pro Tem  
Joseph A. Ullrich, Journal Clerk  
Joseph R. Walling, Page  
Bonita B. Welch, Public Address Operator  
Samuel Wilkinson, Stamping Room Clerk  
Raymond T. Wilson, III, Sgt.-at-Arms  
Sherri L. Wilson, Stamping Room Clerk  
Elwood R. Wright, Bill Prep Clerk

#### ADMINISTRATIVE ASSISTANTS

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

#### ATTORNEYS

Gary F. Dalton, Esq. (Majority)  
Richard T. Dillard, Esq. (Minority)  
William J. Walls, Jr., Esq. (Majority)

#### CHAPLAINS

Rev. George C. Godfrey  
Rev. Thomas L. Holsey  
Rev. Terry W. Armstrong  
Rev. William B. Merrill



133RD GENERAL ASSEMBLY of the STATE OF DELAWARE  
1ST LEGISLATIVE DAY  
DOVER, DELAWARE  
January 8, 1985

Pursuant to Section 4, Article 2 of the Constitution of the State of Delaware, the Senate met at Legislative Hall in Dover, Delaware at 2:07 p.m., Lt. Governor Castle presiding.

The following prayer was offered by Rev. George C. Godfrey, Wesley United Methodist Church:

Almighty God, in the beginning of this 133rd General Assembly, bless the members of the Senate and the House of Representatives, the Governor of our State, the Lieutenant Governor, Secretary of State, and all secretaries and officers. Bless these persons who have been elected to high office to serve the State of Delaware. May their lives stand firm with courage, speak boldly with conviction and remain faithful and obedient to thy people who have put great trust in them. Help the leadership of this Assembly to be responsible to faith and not fear, trust and honest relationships with one another. Make us sensitive to the needs of our state and responsive to our progress for the welfare of all. May we not only be the first State in ratifying the constitution but let us be first in a model state for the needs of all God's children.

Thank you God, for letting us have these moments of meditation and prayer; through thy great and eternal Spirit we pray. Amen.

Pledge of Allegiance to the Flag.

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

On motion of Senator Cordrey and without objection, Joyce Griffith was appointed temporary Reading Clerk of the Senate.

On motion of Senator Cordrey and without objection, Bernard Brady was appointed temporary Bill Clerk of the Senate.

The temporary Secretary of the Senate called the roll of the hold over Senators:

PRESENT: Senators Adams, Arnold, Bair, Citro, Cook, Cordrey, McDowell, Sharp, Vaughn - 9.

ABSENT: Senators Connor and McBride - 2.

The Lt. Governor appointed Senators Cook and Knox as a Committee to receive and examine the Certificates of Election of the newly elected Senators.

At 2:11 p.m., the Chair declared a short recess for the examination of the certificates.

At 2:13 p.m., the Senate reconvened and the Committee reported that the Certificates of Election of the newly elected Senators were in order:

From New Castle County: Senators Holloway, Marshall, Berndt, Knox, Neal, Martin.

From Kent County: Senators Zimmerman, Torbert, Minner.

From Sussex County: Senator Slatcher.

On motion of Senator Cordrey, the reading of one Certificate of Election from each County was considered the reading of all the certificates.

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

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

ROBERT J. BERNDT

was duly elected SENATOR FOR THE FOURTH SENATORIAL DISTRICT FOR SAID COUNTY IN THE GENERAL ASSEMBLY which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, We, ALBERT J. STIFTEL and JOSHUA W. MARTIN constituting the Superior Court for New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 9th day of November, A.D. 1984

ALBERT J. STIFTEL  
President Judge  
JOSHUA W. MARTIN, III  
Resident Associate Judge

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ILLUSTRATION OF KENT COUNTY  
CERTIFICATE OF ELECTIONS  
THE STATE OF DELAWARE  
KENT COUNTY, S.S.

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

JACOB W. ZIMMERMAN

was duly elected Senator for the Seventeenth (17th) Senatorial District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, We, Grover C. Brown and William G. Bush, III constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 8th day of November, A.D. 1984

GROVER C. BROWN, Chancellor  
WILLIAM G. BUSH, III, Resident Associate Judge  
\* \* \* \* \*

THE STATE OF DELAWARE  
SUSSEX COUNTY

Be it remembered, that at the general election held on the Tuesday next after the first Monday in November, 1984, for Sussex County, according to the Constitution and Laws of the State of Delaware, William A. Slatcher was duly elected Senator in General Assembly from Senatorial District No. 21 which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, WE Hon. Claud L. Tease and Hon. Vincent J. Poppiti, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this 8th day of November, 1984.

Claud L. Tease, Resident Associate Judge  
Vincent J. Poppiti, Associate Judge  
\* \* \* \* \*

Senator Connor marked PRESENT.

Senator Marshall was administered the Oath of Office by Lt. Governor Castle. Senator Marshall's Aunt, Regina Dushek, held the Bible.

Senator Berndt was administered the Oath of Office by Lt. Governor Castle. Senator Berndt's grandson's Bible was used and was held by his granddaughter, Becky Hill.

Senators Knox, Neal, Martin and Slatcher were administered the Oath of Office by Lt. Governor Castle.

The Oath of Office was administered to Senator Holloway by Lt. Governor Castle. Senator Holloway's grandson, Raymond Theodore Wilson, held the Bible.

The Oath of Office was administered to Senator Minner by Judge William G. Bush, III. The Bible was held by Senator Minner's daughter-in-law, Allison Ingram.

The Oath of Office was administered to Senators Torbert and Zimmerman by Judge Bush.

ILLUSTRATION OF OATH OF OFFICE  
for Members of the General Assembly

"I, William A. Slatcher, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the Office of Senator to the best of my ability.

And I do further solemnly swear (or affirm) that I have not directly or indirectly paid, offered or promised to pay, contributed, or offered or promised to contribute, any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office."

William A. Slatcher, Senator

Sworn to this 8th day of January, A.D., 1985, before me.

Michael N. Castle  
President of the Senate

\* \* \* \* \*

Lt. Governor Castle introduced to the Senate the following honored guests who were present in the Chamber: Lt. Governor-elect S. B. Woo; Rita Justice, County Executive of New Castle County, and Daniel Trawley, Mayor-elect of the City of Wilmington.

SR 1 (sponsored by Senators Cordrey and Sharp) was introduced and considered for adoption.

SR 1 - IN REFERENCE TO THE ROLL OF MEMBERS OF THE SENATE.

BE IT RESOLVED by the Senate of the 133rd General Assembly of the State of Delaware that the following constitute the permanent roll of the Senate of the 133rd General Assembly.

Thurman Adams, Jr.  
John H. Arnold  
Myrna L. Bair  
Robert J. Berndt  
Angelo T. Citro  
Robert T. Connor  
Nancy W. Cook  
Richard S. Cordrey  
Herman M. Holloway, Sr.  
Andrew G. Knox  
Robert Marshall  
Roger A. Martin  
David B. McBride  
Harris B. McDowell, III  
Ruth Ann Minner  
James P. Neal  
Thomas B. Sharp  
William A. Slatcher  
William C. Torbert  
James T. Vaughn  
Jake Zimmerman

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

SR 2 (sponsored by Senator Sharp) was introduced and laid on the table on the Senator's motion:

SR 2 - IN REFERENCE TO ELECTION OF PRESIDENT PRO TEMPORE.

Senator Sharp introduced to the Senate the family members and friends of Senator Cordrey who were present in the Chamber.

The attendance of the members on the permanent roll call of the Senate was taken and revealed:

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

On motion of Senator Sharp, SR 2 was lifted from the table for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (McBride) ABSENT; therefore, the Resolution was declared adopted.

The Oath of Office of President pro Tempore was administered to Senator Cordrey by Lt. Governor Castle. Senator Cordrey's wife, Mary Jane, held the Bible.

OATH OF OFFICE

"I, Richard S. Cordrey, 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 President pro Tempore of the Senate in the General Assembly of the State of Delaware, according to the best of my ability."

Richard S. Cordrey, President pro Tempore  
Sworn and subscribed to this 8th day of January, A. D., 1985  
Michael N. Castle, President of the Senate

\* \* \* \* \*

Senator McBride marked PRESENT.  
Senator Cordrey announced that Senator Sharp would be the Majority Leader and Senator McDowell would be the Majority Whip.  
Senator Berndt announced that Senator Bair would be the Minority Leader and Senator Arnold would be the Minority Whip.  
SR 3 (sponsored by Senators Cordrey and Sharp) was introduced and considered for adoption:  
SR 3 – IN REFERENCE TO ELECTION OF OFFICERS.  
The roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted.  
Pursuant to the above Resolution, the Oath of Office of Secretary of the Senate was administered to Betty Jean Caniford by Lt. Governor Castle:

"I, Betty Jean Caniford, 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 Secretary of the Senate, according to the best of my ability.  
(Signed) Betty Jean Caniford  
Sworn to and subscribed before me this 8th day of January, A.D., 1985.  
Michael N. Castle, President of the Senate.

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SR 4 (sponsored by Senators Cordrey and Sharp) was introduced and laid on the table on motion of Senator Sharp:

SR 4 – IN REFERENCE TO TEMPORARY RULES OF THE DELAWARE STATE SENATE.

SJR 1 (sponsored by Senators Cordrey and Sharp) was introduced and considered for adoption under suspension of the necessary rules:

SJR 1 – IN REFERENCE TO ELECTION OF OFFICERS.

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

SR 5 (sponsored by Senators Cordrey and Sharp) was introduced and considered for adoption:

SR 5 – APPOINTING A COMMITTEE TO NOTIFY THE GOVERNOR THAT THE SENATE IS ORGANIZED.

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

Pursuant to the above Resolution, the Lt. Governor appointed Senators Holloway and Berndt to inform the Governor that the Senate was in session.

SR 6 (sponsored by Senators Cordrey and Sharp) was introduced and considered for adoption:

SR 6 – APPOINTING A COMMITTEE TO NOTIFY THE HOUSE OF REPRESENTATIVES THAT THE SENATE IS ORGANIZED.

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

Pursuant to the above Resolution, the Chair appointed Senators Torbert and Bair as a Committee to notify the House that the Senate is organized.

At 2:58 p.m. on motion of Senator Sharp, the Senate recessed for a reception and reconvened at 3:58 p.m., Lt. Governor Castle presiding.

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

Senators Holloway and Berndt informed the Senate that the Governor was notified that the Senate was in session and organized.

Senators Torbert and Bair informed that the House was informed that the Senate was in session and organized.

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

HJR 1 – IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Representatives Oberle and Barnes.

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

SR 4 was lifted from the table for discussion on motion of Senator Sharp.

SA 1 to the Resolution (sponsored by Senators Bair and Arnold) was introduced.

Senator Sharp moved that the Amendment be placed in Committee. The roll call vote on the motion was taken and revealed:

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

NO: Senators Arnold, Bair, Berndt, Citro, Connor, Knox, Neal, Slatcher – 8.

Therefore, the motion carried; however, it was pointed out that the Committees of the 133rd General Assembly were not yet announced.

SR 4 was then laid on the table on motion of Senator Sharp.

Senator Cordrey announced the Committee assignments for the 133rd General Assembly as follows:

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

AGRICULTURE: Thurman Adams, Chairman; Nancy W. Cook, Richard S. Cordrey, James T. Vaughn, Robert T. Connor, William A. Slatcher.

BANKING: Richard S. Cordrey, Chairman; Thurman Adams, Jacob W. Zimmerman, Angelo T. Citro, William A. Slatcher.

COMMUNITY AFFAIRS: Ruth Ann Minner, Chairman; Harris B. McDowell, William C. Torbert, Myrna L. Bair, James P. Neal.

CORRECTIONS: James T. Vaughn, Chairman; Nancy W. Cook, Herman M. Holloway, Sr., Thomas B. Sharp, John H. Arnold, Angelo T. Citro.

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

ETHICS: Richard S. Cordrey, Chairman; Harris B. McDowell, Thomas B. Sharp, John H. Arnold, Myrna L. Bair.

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

FINANCE (JFC): Nancy W. Cook, Chairman; Herman M. Holloway, Sr., David B. McBride, James T. Vaughn, Robert J. Berndt, William A. Slatcher.

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

HIGHWAYS and TRANSPORTATION: Roger A. Martin, Chairman; Nancy W. Cook, Ruth Ann Minner, Thomas B. Sharp, Robert J. Berndt, William A. Slatcher.

INSURANCE and ELECTIONS: Thomas B. Sharp, Chairman; Thurman Adams, Jacob W. Zimmerman, Angelo T. Citro, Robert T. Connor.

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

LABOR and INDUSTRIAL RELATIONS: Robert Marshall, Chairman; Herman M. Holloway, Sr., Roger A. Martin, David B. McBride, Thomas B. Sharp, Andrew G. Knox, James P. Neal.

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

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

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

SMALL BUSINESS: Jacob W. Zimmerman, Chairman; Richard S. Cordrey, Harris B. McDowell, III, Myrna L. Bair, Andrew G. Knox.

SUNSET COMMITTEE: Harris B. McDowell, Chairman; Robert Marshall, William C. Torbert, John H. Arnold, James P. Neal.

LEGISLATIVE COUNCIL: Richard S. Cordrey, Chairman; Nancy W. Cook, Thomas Sharp, John Arnold, Myrna L. Bair

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SR 4 was lifted from the table for consideration on motion of Senator Sharp.

Senator Sharp moved that SA 1 to the Resolution (sponsored by Senators Bair and Arnold be assigned to the Executive Committee. The roll call vote on the motion was taken and revealed:

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

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

Therefore, the motion carried and the Amendment was assigned to the Executive Committee.

SA 2 to the Resolution (sponsored by Senators Bair and Arnold) was introduced.

Senator Sharp moved that the Amendment be placed in Executive Committee. The roll call vote on the motion was taken and revealed:

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

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

Therefore, the motion carried and the Amendment was assigned to the Executive Committee.

SA 3 to the Resolution (sponsored by Senators Bair and Arnold) was introduced and considered for adoption on motion of Senator Bair..

The roll call vote on the Amendment was taken and revealed:  
YES: Senators Arnold, Bair, Berndt, Citro, Connor, Knox, Neal, Slatcher - 8.  
NO: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.  
Therefore, the Amendment was declared defeated.  
The roll call vote on SR 4 was then taken and revealed:  
YES: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.  
NO: Senators Arnold, Bair, Berndt, Citro, Connor, Knox, Neal, Slatcher - 8.  
Therefore, the Resolution was declared adopted.  
The following communication was read at the request of Senator Cordrey:

SENATE  
STATE OF DELAWARE  
LEGISLATIVE HALL  
DOVER, DELAWARE

MEMO

January 8, 1985

TO: Senators of the 133rd General Assembly  
FROM: Senator Richard S. Cordrey, President pro Tempore

I hereby appoint the following to serve on a committee to review the temporary rules of the Senate and to establish rules which may be used as permanent rules for the 133rd General Assembly: Senator Ruth Ann Minner, Senator Thurman Adams, Senator Andrew Knox.

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The following communication was read at the request of Senator Cordrey:

SENATE  
STATE OF DELAWARE  
LEGISLATIVE HALL  
DOVER, DELAWARE

MEMO

DATE: January 8, 1985

TO: All Senators, All Representatives and All Employees of the 133rd General Assembly,  
all employees of the Controller General's Office and Director of Research

FROM: Senator Richard S. Cordrey, Chairman of Legislative Council

Due to the urgency of having someone responsible for the carrying out of the duties of the Controller General, because of Duane Olsen's retirement, I am hereby designating G. Donald Dryden to temporarily assume the responsibilities of Controller General.

I would assume Mr. Dryden would carry out these responsibilities until such a time, when Legislative council can fill the position of Controller General permanently.

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Representatives Wingate and Spence were admitted to the Chamber and informed the Senate that the House was in session and organized.

At 4:24 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 9, 1985.

The Senate reconvened at 2:04 p.m., January 9, 1985, Senator Cordrey presiding.

The following legislation was introduced:

SB 1 - AN ACT TO AMEND CHAPTER II, TITLE 30 OF THE DELAWARE CODE, TO INCREASE THE ALLOWABLE DEDUCTION FOR PERSONAL EXEMPTION FROM \$800 TO \$1,000, AND RELATING TO REQUIREMENT TO FILE ON DELAWARE STATE INCOME TAX. Sponsors: Senators Sharp, Cordrey, Zimmerman, Vaughn, Minner, Torbert. Assigned to Revenue and Taxation Committee.

SB 2 - AN ACT TO AMEND CHAPTER 90, TITLE 16, DELAWARE CODE, CLARIFYING THE USE OF THE HEALTH FACILITIES SUBSIDY FUND AND AUTHORIZING AN INCREASE IN THE CAPITALIZATION OF THE FUND AND TO AMEND VOLUME 64, CHAPTER 463, LAWS OF DELAWARE, CLARIFYING THE REQUIREMENT FOR THE DEPOSIT OF INTEREST ON LOANS TO THE GENERAL FUND. Sponsor: Senator Cordrey. Assigned to Finance Committee.

SB 3 - AN ACT TO AMEND VOLUME 63, CHAPTER 179, LAWS OF DELAWARE, BY AMENDING THE FISCAL YEAR 1982 CAPITAL IMPROVEMENT PROJECTS SCHEDULE TO USE \$49,000 FROM THE REHOBOTH - GROIN REPAIRS PROJECT FOR THE OUTFALL FOR LAKE GERAR. Sponsor: Senator Cordrey. Assigned to Finance Committee.



**SB 4 - AN ACT TO AMEND PART III, TITLE II OF THE DELAWARE CODE RELATING TO PLEA NEGOTIATIONS; AND PROVIDING FOR NOTIFICATION TO VICTIMS AND WITNESSES.** Sponsor: Senator Cordrey. Assigned to Judiciary Committee.

**SB 5 - AN ACT TO AMEND CHAPTER 43, PART II, TITLE II OF THE DELAWARE CODE RELATING TO THE BOARD OF PARDONS; AND PROVIDING FOR NOTICE TO CERTAIN PERSONS PRIOR TO PARDONS HEARINGS.** Sponsor: Senator Cordrey. Assigned to Judiciary Committee.

At 2:09 p.m. on motion of Senator Sharp the Senate adjourned to immediately convene for the 2nd Legislative Day.

**2ND LEGISLATIVE DAY  
January 9, 1985**

The Senate convened at 2:09 p.m. Senator Cordrey presiding.

A Prayer was offered by Rev. George C. Godfrey.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The following legislation was introduced:

**SB 6 - AN ACT TO AMEND TITLE 18 AND TITLE 31 OF THE DELAWARE CODE RELATING TO THE PAYMENT OF CLAIMS; AND PROVIDING FOR CERTAIN CLAIMS TO BE PAID BY TWO- PARTY CHECKS UNDER CERTAIN CIRCUMSTANCES.** Sponsor: Senator Cordrey. Assigned to Insurance and Elections Committee.

Senator McBride marked PRESENT.

**SB 7 - AN ACT TO AMEND CHAPTER III, TITLE 29, DELAWARE CODE, RELATING TO THE DELMARVA ADVISORY COUNCIL.** Sponsor: Senator Cordrey. Assigned to Executive Committee.

**SB 8 - AN ACT TO AMEND CHAPTER 19, TITLE 30 OF THE DELAWARE CODE RELATING TO THE CORPORATION INCOME TAX.** Sponsor: Senator Knox. Assigned to Revenue and Taxation Committee.

**SB 9 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE, CHAPTER 80, SECTION 8007, RELATING TO THE FILING OF REPORTS OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.** Sponsors: Senators Knox, Neal. Assigned to Insurance and Elections Committee.

**SB 10 - AN ACT TO AMEND CHAPTER 43, PART II, TITLE II OF THE DELAWARE CODE RELATING TO THE BOARD OF PAROLE; AND PROVIDING FOR A NOTICE TO VICTIMS AND WITNESSES PRIOR TO CERTAIN PAROLE HEARINGS.** Sponsors: Senator Cordrey, Representative Jonkiert. Assigned to Judiciary Committee.

**SB 11 - AN ACT TO AMEND CHAPTER II AND CHAPTER 20, TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX AND BUSINESS TAX CREDITS TO EXCLUDE FROM THE GROSS INCOME OF EMPLOYEES CERTAIN AMOUNTS PAID BY EMPLOYERS FOR DEPENDENT CARE ASSISTANCE TO PROVIDE A TAX CREDIT FOR INDIVIDUALS FOR CERTAIN EXPENSES FOR HOUSEHOLD AND DEPENDENT CARE SERVICES NECESSARY FOR GAINFUL EMPLOYMENT, AND TO PROVIDE BUSINESS TAX CREDITS FOR CERTAIN EXPENDITURES FOR DEPENDENT CARE FACILITIES.** Sponsor: Senator Knox. Assigned to Revenue and Taxation Committee.

**SCR 1** (sponsored by Senators Cordrey and Sharp) was introduced and considered for adoption:

**SCR 1 - PROVIDING THAT A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE BE CONVENED TO RECEIVE THE RESULTS OF THE 1984 ELECTION FOR GOVERNOR AND LIEUTENANT GOVERNOR OF THE STATE OF DELAWARE.**

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

At 2:19 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus and reconvened at 3:55 p.m., Senator Cordrey presiding.

Senator Connor marked PRESENT.

**SB 12** was introduced and assigned to Education Committee:

**SB 12 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE, RELATING TO EMPLOYMENT OF ASSISTANT PRINCIPALS IN DELAWARE PUBLIC SCHOOLS.** Sponsor: Senator McBride.

**SCR 2** was introduced and considered for adoption on motion of Senator Adams:

**SCR 2 - CONGRATULATING ED RALPH UPON HIS RETIREMENT AS DIRECTOR OF THE SUSSEX COUNTY SUBSTATION OF THE UNIVERSITY OF DELAWARE COLLEGE OF AGRICULTURAL SCIENCES.** Sponsors: Senator Adams and all Senators and Representatives.

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

SCR 3 was introduced and considered for adoption on motion of Senator Adams:

**SCR 3 - MEMORIALIZING THE DELAWARE CONGRESSIONAL DELEGATION AND THE SECRETARY OF THE TREASURY TO SUSPEND AND REPEAL REGULATIONS CALLING FOR CONTEMPORANEOUS RECORDKEEPING FOR LIGHT TRUCKS AND VEHICLES USED BY FARMERS AND SMALL BUSINESS OPERATORS.** Sponsors: Senators Adams, Cordrey, Slatcher, Vaughn, Cook, Minner; Representative Barnes.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (McDowell and Sharp) NOT VOTING; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SR 7 was introduced and considered for adoption:

**SR 7 - THANKING WILLIAM T. MCLAUGHLIN FOR HIS DEDICATED AND DISTINGUISHED SERVICE DURING THE LAST EIGHT YEARS AS MAYOR OF THE CITY OF WILMINGTON.** Sponsors: Senators Holloway, McDowell, Marshall and all Senators.

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

The Secretary announced that a message from the House informed the Senate that it had adopted **HCR 1** and **SJR 1**.

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

**HCR 1 - PROVIDING THAT A JOINT SESSION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES BE CONVENED FOR THE PURPOSE OF HEARING THE FAREWELL ADDRESS OF GOVERNOR PIERRE S. DUPONT, IV, GOVERNOR OF THE STATE OF DELAWARE.** Sponsor: Representative Oberle.

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

**SB 13** was introduced and assigned to Corrections Committee:

**SB 13 - AN ACT TO AMEND CHAPTER 65, SUBCHAPTER VII, TITLE 11, DELAWARE CODE, RELATING TO PUBLICATION OF NAMES OF INMATES PERMITTED TO LEAVE CORRECTIONAL FACILITY.** Sponsors: Senators Vaughn, Sharp; Representatives B. Ennis, VanSant.

At 4:22 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 10, 1985.

The Senate reconvened at 2:18 p.m., January 10, 1985, Senator Cordrey presiding and immediately adjourned on motion of Senator Sharp to convene for the 3rd Legislative Day.

### 3RD LEGISLATIVE DAY January 10, 1985

The Senate convened at 2:18 p.m., Senator Cordrey presiding.

A Prayer was offered by Rev. George C. Godfrey.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

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

**SCR 4** was introduced and considered for adoption on motion of Senator Holloway:

**SCR 4 - PROVIDING FOR THE APPOINTMENT OF A LEGISLATIVE TASK FORCE TO INVESTIGATE THE CAUSES OF DETERIORATING CONDITIONS; AND THE LACK OF ADEQUATE MANAGEMENT OF THE ROYAL OAKS APARTMENT COMPLEX LOCATED NORTH OF THE CITY OF WILMINGTON; TO DETERMINE IF THE STATE OF DELAWARE IN COOPERATION WITH THE LOCAL GOVERNMENT, SHOULD UNDERTAKE A REVISION OF ITS LAWS AND ORDINANCES TO INSURE STABLE AND WHOLESOME ENVIRONMENTS IN ALL MULTIPLE RESIDENTIAL HOUSING UNITS, ESPECIALLY THOSE OWNED BY ABSENTEE LANDLORDS.** Sponsors: Senators Holloway, Berndt, Marshall; Representatives D. Ennis, Plant, Gilligan.

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

Senator Citro marked PRESENT.

The Sergeant-at-Arms announced that the members of the House of Representatives were ready to enter the Chamber for the Joint Session pursuant to **SCR 1**.

The members of the House of Representatives were admitted and seated.

Senator Cordrey invited the Speaker of the House, Representative Hebner, to be his guest on the rostrum.

JOINT SESSION in the SENATE CHAMBER  
January 10, 1985

At 2:37 p.m. on motion of Senator Sharp the Senate and House convened for Joint Session, Senator Cordrey presiding.

On motion of Senator Sharp and without objection, the Secretary of the Senate and the Chief Clerk of the House were appointed as secretaries of the Joint Session.

The President pro Tempore announced that under the provision of Article III, Section 3 of the Delaware Constitution of 1897, the election returns for Governor and Lt. Governor must be opened and published in the presence of the members of both Houses in Joint Session.

The President pro Tempore instructed the Reading Clerk to read the Certificates of Election for each of the three counties as follows:

THE STATE OF DELAWARE  
NEW CASTLE COUNTY, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and eighty-four for New Castle County, according to the Constitution and Laws of the State of Delaware, Seventy seven thousand, eight hundred sixty six (77,866) votes were given for WILLIAM T. QUILLEN for GOVERNOR Ninety three thousand, three hundred ninety three (93,393) votes were given for MICHAEL CASTLE for GOVERNOR which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, We, ALBERT J. STIFTEL and JOSHUA W. MARTIN constituting the Superior Court for New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 9th day of November A.D. 1984

Albert J. Stiftel, President Judge  
Joshua W. Martin, III, Resident Associate Judge

\* \* \* \* \*

THE STATE OF DELAWARE  
KENT COUNTY, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and Eighty-four for Kent County, according to the Constitution and Laws of the State of Delaware, Fourteen Thousand Two Hundred Thirty-four (14,234) votes were given for (D) WILLIAM T. QUILLEN for Governor; Seventeen Thousand Eight Hundred Ninety-Four (17,894) votes were given for (R) MICHAEL N. CASTLE for Governor; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, We, Grover C. Brown and William C. Bush, III, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 8th day of November, A. D. 1984

Grover C. Brown Chancellor  
William G. Bush, III, Resident Associate Judge

\* \* \* \* \*

THE STATE OF DELAWARE  
SUSSEX COUNTY, ss.

Be it remembered, that at the general election held on the Tuesday next after the first Monday in November, 1984, for Sussex County, according to the Constitution and Laws of the State of Delaware, Sixteen thousand two hundred and fifteen (16,215) votes were given for William T. Quillen for Governor Twenty-three thousand nine hundred and sixty three (23,963) votes were given for Michael N. Castle for Governor which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, WE Hon. Claud L. Tease and Hon. Vincent J. Poppiti, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this 8th day of November, 1984.

Claud L. Tease, Res. Assoc. Judge  
Vincent J. Poppiti, Assoc. Judge

\* \* \* \* \*

THE STATE OF DELAWARE  
NEW CASTLE COUNTY, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and eighty four for New Castle County, according to the Constitution and Laws of the State of Delaware, Ninety thousand two hundred sixty nine (90,269) votes were given for S. B. WOO for LIEUTENANT GOVERNOR Eighty thousand two hundred thirteen (80,213) votes were given for BATTLE ROBINSON for LIEUTENANT GOVERNOR which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, We, ALBERT J. STIFTEL and JOSHUA W. MARTIN constituting the Superior Court for New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 9th day of November A.D. 1984

Albert J. Stiftel, President Judge  
Joshua W. Martin, III, Resident Associate Judge

\* \* \* \* \*

THE STATE OF DELAWARE  
KENT COUNTY, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and Eighty-four for Kent County, according to the Constitution and Laws of the State of Delaware, Fourteen Thousand Four Hundred Ninety-Nine (14,499) votes were given for (D) S. B. WOO for Lieutenant Governor; Sixteen Thousand Nine Hundred Fifty-One (16,951) votes were given for (R) D. BATTLE ROBINSON for Lieutenant Governor; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, We, Grover C. Brown and William G. Bush, III, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 8th day of November, A. D. 1984

Grover C. Brown Chancellor  
William G. Bush, III, Resident Associate Judge

\* \* \* \* \*

THE STATE OF DELAWARE  
SUSSEX COUNTY, ss.

Be it remembered, that at the general election held on the Tuesday next after the first Monday in November, 1984, for Sussex County, according to the Constitution and Laws of the State of Delaware, Sixteen Thousand Three Hundred Twenty-seven (16,327) votes were given for S. B. Woo for Lieutenant Governor Twenty-three Thousand Five Hundred Two (23,502) votes were given for D. Battle Robinson for Lieutenant Governor which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, WE Hon. Claud L. Tease and Hon. Vincent J. Poppiti, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this 10th day of November, 1984.

Claud L. Tease, Res. Assoc. Judge  
Vincent J. Poppiti, Assoc. Judge

\* \* \* \* \*

On motion of Senator Sharp and without objection, the Secretary of the Senate and the Chief Clerk of the House compared their journals and found them to agree.

On motion of Senator Sharp and without objection, the Joint Session adjourned at 2:45 p.m.

\* \* \* \* \*

The Senate reconvened at 2:47 p.m., January 10, 1985, Senator Cordrey presiding and immediately recessed for hearings for an hour and a half on motion of Senator Sharp.

The Senate reconvened at 6:42 p.m., Senator Cordrey presiding.

SB 14 was introduced and assigned to Education Committee:

SB 14 - AN ACT TO AUTHORIZE AND DIRECT THE TRANSFER OF CERTAIN PROPERTY IN THE COLONIAL SCHOOL DISTRICT. Sponsors: Senator McBride; Representative Reynolds.

Senator Connor marked PRESENT.

Governor-elect Michael N. Castle was recognized and greeted by the Senators.

At 6:48 p.m. on motion of Senator Sharp, the Senate recessed in order to convene with the members of the House in Joint Session pursuant to HCR 1.

#### JOINT SESSION IN THE HOUSE CHAMBER

January 10, 1985

At 6:50 p.m., Representative Oberle moved that the House and Senate convene in Joint Session. The motion prevailed.

Representative Oberle moved that the Speaker preside over the Joint Session. The motion prevailed.

The Chief Justice and other members of the Judiciary were announced and welcomed by the Speaker.

The members of the Governor's cabinet and other elected officials were announced and welcomed by the Speaker.

Representative Oberle moved that the Chief Clerk of the House and the Secretary of the Senate act as secretaries to the Joint Session. The motion prevailed.

Representative Oberle moved that the Speaker appoint a Committee to escort the Governor to the Joint Session.

The Speaker appointed Senator Marshall, Senator Berndt, Representative Reynolds, Representative Free to escort the Governor to the Chamber.

The Speaker introduced Mr. and Mrs. P. S. du Pont III, Elise du Pont, Lieutenant Governor-Elect S. B. Woo, Senator Boggs, and Marna Whittington.

Mr. Speaker called for a brief recess in place.

Mr. Speaker reconvened the session.

Sergeant-at-Arms announced the duly appointed Committee to escort the Governor to the Chamber has arrived.

Representative Free walked to the front of the rostrum and introduced the Governor of the State of Delaware.

The Speaker invited the Governor to the rostrum and Welcomed Him to the Joint Session.

The Governor addressed the members of the General Assembly as follows:

Governor-elect Castle, Lt. Governor-elect Woo, Mr. Speaker, Mr. President Pro Tempore, members of the judiciary and cabinet, members of the 133rd General Assembly, Governor Boggs, honored guests, and all the people of the First State of the United States of America.

Just sixteen years ago this week, I stood in the well of this chamber, swearing my constitutional oath as a new representative in the 125th General Assembly. This evening I return here for the last time, to thank all of you - staff, members of my cabinet, members of the General Assembly, and most of all the people of Delaware, for your faith, your support and your help as we made the decisions and the choices that have led Delaware back to prosperity. I thank you, for together we have made a difference.

Eight years ago, as members of the General Assembly were taking that same constitutional oath of office and I was preparing to take office as Governor, I was contemplating the opportunities, the challenges, and the awesome responsibilities each of us in this hall would face as we attempted to rescue a ship of state drifting toward disaster.

I believed then that Delaware's governmental problems could be solved; that we could have a government that lived within its means; that we could have a government capable not simply of fulfilling its legal responsibilities, but of improving the quality of life of all Delawareans as well; that we could have a government that was respected by its people. I said that it would take personal discipline from each of us and political discipline from all of us.

As I began preparing my remarks for this evening, I thought back to those early days, when the problems were before us, demanding immediate solutions, but the solutions lay at the end of a road we had only just begun to travel. Now patience is a virtue, but back then I think we all wanted to make changes - lasting changes - and make them quickly. We wanted to be well on our way on the journey we were just beginning.

In some ways, that was possible. Executive Order Number One, signed half an hour after I took the oath of office, immediately required financial disclosure for all cabinet officials and appointees. A simple signature on a document began a visible process of restoring people's trust in their government and its officials -- a trust that had been so badly shaken in the 1970's.

In other ways, visible progress took much longer -- and was certainly more difficult -- to accomplish.

As you all recall, Delaware was in serious financial trouble in 1977, primarily as a result of a spending appetite that was threatening to devour everything in its path. Why, some people even said the state was -- well -- perhaps bankrupt.

But we worked together to make the tough decisions. We froze the capital budget, reduced the operating budget, limited the growth of government and, perhaps most important of all, enacted constitutional spending restraints that made it virtually impossible to spend more money than was available. No government can spend its way to prosperity, and enacting constitutional restraints was a critical step in restoring the integrity of our government.

But government is not an end in itself, it is a means. Restoring integrity to government, restoring discipline to government and restraining government were part of a process of improving the means. The end was, and remains, to provide our citizens with the chance to prosper, to grow, to excel.

We reduced Delaware's high personal income tax rates which were stifling economic growth and were simply an unfair burden for our working men and women. We passed legislation like the Financial Center Development Act and the Blue Collar Jobs Bill -- both of which brought jobs and opportunity to our people. We began to rebuild Delaware's economic base.

After eight years, I think we can all look back with pride on what has been accomplished. In 1977, a year of deep concern for Delaware government, we made a covenant with the people. We said Delaware should have an honest and ethical government, and we have taken steps toward that end. We said Delaware government should live within its means and balance its budget, and we have accomplished that goal. We said Delaware's economic base should be rebuilt to provide our people with the opportunity to grow to their fullest potential, and we have responded by helping to provide greater employment opportunity than almost any other state in this nation.

Together, we have made the difficult decisions, cast the tough votes, and held a steady course. Without support in the General Assembly, without the leadership of Richard Cordrey, Andy Knox, Lonnie George, Chuck Hebner and John Burris, it would not have come to pass.

Delaware and our people are better off today than eight years ago because our government has accomplished the most important task of any government; to create a climate of opportunity in which all of its people may grow, and excel, and prosper.

But of course Delaware's progress in the past eight years has been the result of the actions of many more people than are gathered in this hall this evening. Certainly we provided some leadership and made some fundamental decisions that were helpful in clearing the way for progress. But while government alone can prevent opportunity, government alone cannot create opportunity. Delaware is blessed with community leadership that kept its part of the covenant -- creating a partnership with government to enhance that climate of opportunity. Just think back to the major pieces of legislation that helped clear the way for Delaware's progress -- most could not have been enacted, and our success would not have been possible, without the active participation and commitment of our community leaders.

Some might suggest that eight years ago Delaware stood at a crossroads, and that we -- in the words of Robert Frost's poem -- "took the road less traveled by." But I would suggest that the course we have followed together was one of our own making, that the choice we made was to follow a road other states had not traveled before us. But then, in the First State, we have a tradition of not waiting to see what others will do, but making our own decisions and charting our own course.

In a sense, America has recently faced the same choice we faced in 1977. We have seen a federal budget that has been out of balance for nineteen of the past twenty years, a budget that Congress has neither the political will nor the personal discipline to control. We have seen America's powerful economic engine mired in regulation and taxation policy that has stifled growth and prevented expansion. We have seen our competitiveness eroded abroad as a result of poor management of the national economy at home.

Perhaps the federal government should learn a lesson from Delaware and our sister states, these fifty laboratories of democracy which created the federal government -- that that strong, conservative financial management is a prerequisite to good government. If it is our goal to provide every American with a chance to make tomorrow better than today -- and that must be our goal -- then this free nation, with its heritage of opportunity for all, must learn to make the same hard decisions and learn the same discipline we have shown here in Delaware and in other states.

For the nation and for every one of our states, the challenge is identical: to create a climate of opportunity, then to transform that opportunity through education and economic growth into increased prosperity for all. To transform opportunity into prosperity requires both sound education programs and conservative economic policies.

Education is the springboard to the future for every one of us. Our educational system must demand performance, and teach the art of critical thinking. For the challenge each of us faces as an individual is to learn to make sound judgment on difficult issues; to reason through the facts, disregard the fictions, consider the alternative choices, and reach a sound judgment among them; in other words, to develop the capacity for critical thought. To reach that goal we must set our academic standards to challenge rather than accommodate, to instruct rather than entertain, to instill in every American the skills necessary to survive, and the intellectual curiosity necessary not just to survive, but to grow and contribute. In the past four years we have begun an educational renewal in Delaware focused on those goals; it is the responsibility of our new leadership to continue that progress.

In economic policy, Delaware faces an even more difficult task; a challenge equal to the challenge of adversity we faced in 1977 and 1978: and that is the challenge of prosperity.

Prosperity is welcome, of course; we have been striving for it for eight years. I am not one of those who Theodore Sorenson described as he viewed a meeting of President Kennedy's Council of Economic Advisers in 1962: "There they sat, gloomily contemplating the dangers of an upturn." But prosperity does not free us from the need for the same kind of discipline required by adversity; rather, it requires greater discipline.

Sometimes in the life of a government there comes a moment, when the pressure is off, the problems of the past seem resolved, and, with a sigh of relief, the government can look optimistically ahead, free of past concerns and constraints. It is a satisfying moment, but a dangerous one, too, for if at that moment the discipline that solved the earlier problems is lost, the seeds of future problems are quickly sown.

So it was in England, in 1946, when the national, through remarkable self-discipline had survived the Second World War. A euphoric electorate, intent on immediate reward for the deprivations of the past, abandoned the careful conservatism of Winston Churchill and embraced the free spending, protectionist ways of the Labor Party. England paid the price: twenty-five years later the per capita gross national product of England was less than that of Germany -- no, not West Germany, but East Germany.

So it was in the United States, in the 1960's. Bored with eight years of quiet, competent government and steady economic growth, the electorate opted to "get America moving again," to create a "great society," to expand domestic programs at home and military influence abroad -- guns and butter and the devil with the cost of consequences. Like England, America lost its discipline at a critical moment and paid its price; twelve years of high inflation, low productivity, huge deficits, and economic stagnation. The economic and social impact upon our people has been devastating.

It seems to me that Delaware stands at a similar point in time today. Eight years of discipline, prudence and bipartisanship have brought us unusual prosperity: eight consecutive surplus budgets, two tax cuts, two welfare increases, a doubling of the per-pupil funding for public education, the greatest proportional employment growth of any state in America, and an unemployment rate several points beneath that of the nation as a whole. And now, with the economic recession behind us and our local economy growing vigorously, we find ourselves faced with an unexpected dividend of prosperity: continuing and growing revenue surpluses. We already have about \$46 million in the bank in our "rainy day fund" as a cushion against emergencies. But instead of an emergency, we are faced with the prospect of such rapid revenue growth that we may have as much as \$90 million free and clear -- to spend, or refrain from spending, however we wish.

And so, I wonder, will Delaware be able to meet the challenge of this prosperity? During past years we have demonstrated that we could govern our appetites in difficult times; but can we do so in good times? We have proven ourselves in adversity, now we must do so in prosperity.

The temptation to try to win the approval of interest groups of every kind by spending our good fortune will be enormous. Spend on human services and corrections, they will tell us, on health and welfare, on teachers and transportation. If we yield to all those pressures and temptations, if we spend it all, we could quickly return to the problems and crises of earlier times.

To avoid mortgaging our future in this way will require spending less than we have available to us, not much more, in fact than the real growth in our economy, a difficult task which will once again require personal discipline of each of us and political discipline from all of us. It is most important to our future that we successfully apply that discipline if Delaware is to continue its progress.

Governor-elect Castle is no stranger to either of these central policy issues: he was the chairman of the Task Force on Education for Economic Growth which has prepared a blueprint for substantially strengthening our education system over the next four years; and he has participated in the economic decisions of this administration for the past four years. I know he will do well; give him the same support and counsel you have given me, and Delaware will continue to excel. To Governor Castle I say, Godspeed; the challenge is fresh, the opportunities boundless, and a talented people stand ready for your leadership in keeping Delaware the First State of the United State of America.

\* \* \* \* \*

But now, my constitutional moment as Delaware's Chief Executive has passed; next Tuesday I join Elbert Carvel and Caleb Boggs as one of only three people in Delaware who can never serve as Governor of our State again. And so I'm afraid I shall not pass this way again; I leave with deep appreciation for your support, valuing your counsel, and having enjoyed - no, loved - the opportunity you have given me. For me, it simply has been the best of times. It has been my honor to have served you.

Elise and I stood at the window in Woodburn earlier today, watching the snow fall gently on that magnificent tulip poplar tree, which was perhaps a sprout two hundred years ago when our nation began just a few blocks from where we stood.

We recalled some of the times, some of the places, and the many images of Delaware we will take with us as we leave you:

- Woodland Ferry, hot in the hazy August sun; cold beer, oysters and sawdust in the Georgetown firehall;

- A lighted Christmas tree afloat on Silver Lake reflecting its colors in the still December waters; all of us elected officials tug-of-warring the entire press corps into St. Jones Creek in seven and a half seconds flat;

- Carolling in the halls of the Smyrna Home and Hospital, seeing joy and memories light the faces of the elderly patients there; the crash of drums and brass as the University of Delaware marching band breaks into the fight song under the concrete stadium on an October Saturday;

- The flash of muskets and the smell of powder, the Union Jack moving across the meadow in the re-enactment of the Battle of Cooch's Bridge, where 208 years ago fourteen brave Delaware lads gave their fullest measure to help America become the land of the free.

But most of all we remember people -- thousands and thousands of you -- men and women, old people, young children, complete with pipes and shawls, ice cream cones and baseballs, glasses, hats, costumes, coats, diapers and canes -- people who slapped our backs, pressed our hands and wished us encouragement and cheer as we made our way through eight years of your lives. We will one day forget the speeches, the press conferences, the podiums and meetings, but we will carry with us always in our hearts your generous friendship.

As I said when we set out on our journey on that frosty morning on the Green eight years ago, "I pledge to you to do my best, to strive for the highest quality of leadership and the highest standard of performance that is possible to achieve. I cannot promise to do more; I shall not do less." I have done all I could to meet that standard.

Robert Penn Warren wrote that we must go out, "into the convulsion of the world, out of history into history and the awful responsibility of time." An awesome responsibility did await us in 1977; together we seized it, shaped it, used it to go forward, to achieve a better time, to improve the quality of life for all our people.

This evening we step out of history and into history, proud of our past, optimistic for our future, for together we have achieved our goals. Together, we have made a difference.

God bless --- and farewell.

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At the request of the Speaker, the previously named Committee escorted the Governor back to his Executive Office.

On motion of Representative Oberle, the Chief Clerk of the House and the Secretary of the Senate compared their journals and found them to agree.

On motion of Representative Oberle, the Joint Session adjourned and the two Houses separated to reconvene in their respective Chambers.

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The Senate reconvened at 7:30 p.m., Senator Cordrey presiding, and immediately recessed until 2:30 p.m., January 15, 1985 on motion of Senator Sharp.

The Senate reconvened at 2:50 p.m., January 15, 1985, Lt. Governor Woo presiding and immediately adjourned on motion of Senator Sharp to convene for the 4th Legislative Day.



4TH LEGISLATIVE DAY  
January 15, 1985

The Senate convened at 2:50 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Rev. Armstrong.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Senator Sharp welcomed Dr. S. B. Woo as the newly inaugurated Lt. Governor of Delaware.

Dr. Woo introduced to the Senate the Ambassador to the United States from the People's Republic of China, Mr. Chow and his wife.

Senator Cordrey introduced former State Senator Charles Evans Hughes.

Senator Cordrey introduced his wife, Mary Jane.

Lt. Governor Woo introduced his wife, Katie.

Senator Martin introduced his wife, Adele.

Senator Arnold introduced his wife, Lois.

Senator Holloway introduced two retired School Administrators, Blanch Fleming and Harriet Harrison.

Lt. Governor Woo introduced his wife's parents and his brother and his wife to the Senate.

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

STATE OF DELAWARE  
Office of the Governor  
January 15, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Michael E. Harkins, 1105 Woodlawn Avenue, Wilmington, Delaware, 19805, to be appointed as Secretary of State, State of Delaware, to serve during the pleasure of the Governor, to fill a vacancy

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*

STATE OF DELAWARE  
Office of the Governor  
January 15, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: John E. Wilson, III, 579 Lake Drive West, Smyrna, Delaware 19977, to be reappointed as Secretary of the Department of Natural Resources and Environmental Control, State of Delaware, to serve during the pleasure of the Governor

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*

STATE OF DELAWARE  
Office of the Governor  
January 15, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: George E. Hale, 707 Blackshire Road, Wilmington, Delaware 19805, to be appointed as Secretary of the Department of Administrative Services, State of Delaware, to service during the pleasure of the Governor to fill a vacancy

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*

STATE OF DELAWARE  
Office of the Governor  
January 15, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Kermit H. Justice, 4601 Bedford Boulevard, Forest Hills Park, Wilmington, Delaware 19803, to be reappointed as Secretary of the Department of Transportation, State of Delaware, to serve during the pleasure of the Governor

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

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STATE OF DELAWARE  
Office of the Governor  
January 15, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: John L. Sullivan, 5424 Valley Green Drive, Apartment D-5, Wilmington, Delaware 19808, to be reappointed as Commissioner of the Department of Corrections, State of Delaware, to serve during the pleasure of the Governor

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*

STATE OF DELAWARE  
Office of the Governor  
January 15, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Charles E. Hayward, 400 West 36th Street, Wilmington, Delaware 19802, to be appointed as Secretary of the Department of Services for Children, Youth and Their Families, State of Delaware, to serve during the pleasure of the Governor, to fill a vacancy

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
January 15, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Matthias J. Fallis, 12 South Wynwyd Drive, Woodmere, Newark, Delaware 19711, to be appointed as Secretary of the Department of Labor, State of Delaware, to serve during the pleasure of the Governor, to fill a vacancy

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
January 15, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Joseph M. Lank, 216 Jupiter Drive, Northstar, Newark, Delaware 19711, to be reappointed as Adjutant General of the Delaware National Guard, to serve during the pleasure of the Governor

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
January 15, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Frances M. West, 911 Darley Road, Indian Field, Wilmington, Delaware 19810, to be reappointed as Secretary of the Department of Community Affairs, State of Delaware, to serve during the pleasure of the Governor

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*

**STATE OF DELAWARE  
Office of the Governor  
January 15, 1985**

**To the Senate of the 133rd General Assembly  
of the State of Delaware**

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Marcilee A. Bierlein, 5 Wellington Road, Wilmington, Delaware 19801, to be appointed as Director of the Office of Personnel, State of Delaware, to serve during the pleasure of the Governor, to fill a vacancy

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*

**STATE OF DELAWARE  
Office of the Governor  
January 15, 1985**

**To the Senate of the 133rd General Assembly  
of the State of Delaware**

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Thomas P. Eichler, 112 Shadow Court, Crossgates, Dover, Delaware 19901, to be appointed as Secretary of the Department of Health and Social Services, State of Delaware, to serve during the pleasure of the Governor, to fill a vacancy

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*

**STATE OF DELAWARE  
Office of the Governor  
January 15, 1985**

**To the Senate of the 133rd General Assembly  
of the State of Delaware**

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: William E. Buxbaum, 7 Brandywine Falls, Wilmington, Delaware 19806, to be appointed as Secretary of the Department of Finance, State of Delaware, to serve during the pleasure of the Governor, to fill a vacancy

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*

**STATE OF DELAWARE  
Office of the Governor  
January 15, 1985**

**To the Senate of the 133rd General Assembly  
of the State of Delaware**

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Edward J. Steiner, 704 Lakeview Avenue, Milford, Delaware 19963, to be reappointed as Secretary of the Department of Public Safety, State of Delaware, to serve during the pleasure of the Governor

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
January 15, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: William B. Chandler, Jr., P.O. Box 144, Main Street, Dagsboro, Delaware 19939, to be appointed as Secretary of the Department of Agriculture, State of Delaware, to serve during the pleasure of the Governor, to fill a vacancy

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
January 15, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Stephen T. Golding, 840 Causez Avenue, Claymont, Delaware 19703, to be reappointed as Director of the Office of the Budget, State of Delaware to serve during the pleasure of the Governor

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

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At 3:10 p.m. on motion of Senator Sharp, the Senate recessed for approximately an hour for hearings by the Executive Committee.

The Senate reconvened at 4:56 p.m., Senator Cordrey presiding.

On motion of Senator Adams, the Governor's nomination for appointment of William E. Buxbaum was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 18 Senators voting YES and 3 (Bair, Citro, Slatcher) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Michael E. Harkins was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 17.

NOT VOTING: Senator McDowell - 1.

ABSENT: Senators Bair, Citro, Slatcher - 3.

Therefore, the appointment was declared confirmed.

SJR 2 was introduced and assigned to Administrative Services/Energy Committee:

**SJR 2 – PROVIDING FOR AN EXTENSION FOR WHICH THE AD HOC LEAKING UNDERGROUND STORAGE TANK COMMITTEE CAN REPORT ITS FINDINGS.** Sponsors: Senator McDowell, Berndt; Representatives Soles, Smith.

At 4:59 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 16, 1985.

The Senate reconvened at 2:16 p.m., January 16, 1985, Senator Cordrey presiding.

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

**SB 14** was reported out of the Education Committee: 2 Merits, 1 Unfavorable.

The following legislation was introduced:

**SB 15 – AN ACT AMENDING TITLE 21 BY PROVIDING FOR MANDATORY SEAT BELT USAGE IN PASSENGER CARS.** Sponsor: Senator Holloway. Assigned to Public Safety Committee.

**SB 16 – AN ACT TO AMEND TITLE 31, OF THE DELAWARE CODE RELATING TO THE PAYMENT OF PUBLIC ASSISTANCE BENEFITS.** Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

**SB 17 – AN ACT TO AMEND CHAPTER II, TITLE 16, OF THE DELAWARE CODE PERTAINING TO THE TREATMENT AND CARE OF PATIENTS AND RESIDENTS IN MEDICAL AND LONG TERM CARE FACILITIES.** Sponsor: Senator Holloway. Assigned to Highways and Transportation Committee.

At 2:19 p.m., Lt. Governor Woo presiding.

At the request of Senator Holloway, **SB 17** was reassigned from the Highways and Transportation Committee to the Health-Social Services/Aging Committee.

**SB 18 – AN ACT TO AMEND SUBCHAPTER II, TITLE 30 OF THE DELAWARE CODE RELATING TO CHILD CARE DEDUCTION FOR PERSONAL INCOME TAX PURPOSES OF RESIDENT INDIVIDUALS.** Sponsors: Senators Minner, Holloway; Representative West. Assigned to Insurance and Elections Committee.

**SB 19 – AN ACT TO AMEND CHAPTER 49, PART III, TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURES; AND PROVIDING FOR CERTAIN EXEMPTIONS FROM EXECUTION.** Sponsor: Senator Sharp. Assigned to Labor and Industrial Relations Committee; however, at the request of Senator Sharp, reassigned to Judiciary Committee.

**SB 20 – AN ACT AMENDING CHAPTER 52, TITLE 30 OF THE DELAWARE CODE BY INCREASING THE VICTIMS COMPENSATION TAX ASSESSMENT FOR VIOLATIONS OF THE MOTOR CARRIER VEHICLE MARKER REGULATIONS.** Sponsors: Senator Vaughn; Representatives B. Ennis, VanSant. Assigned to Revenue and Taxation Committee.

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

**SCR 5 – COMMENDING THE MCKEAN HIGHLANDERS ON THE 1984 STATE SOCCER CHAMPIONSHIP.** Sponsors: Senator Arnold, Citro; Representatives Corrozi, Roy, Gilligan.

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

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

**SCR 6 – COMMENDING SCIENCE TEACHERS ROBERT E. LEWIS AND ROBERT D. GROOVER OF HANBY JUNIOR HIGH SCHOOL FOR BEING CITED FOR DEVELOPING A PROGRAM SELECTED AS A PART OF A "SEARCH FOR EXCELLENCE" BY THE NATIONAL SCIENCE TEACHERS ASSOCIATION.** Sponsors: Senators Bair, Knox, Berndt; Representatives Smith, Maroney, D. Ennis, Brady.

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

Pursuant to the above Resolution, Senator Bair introduced Robert E. Lewis and Robert D. Groover to the Senate.

**SB 18** which had been assigned to the Insurance and Elections Committee was reassigned to the Revenue and Taxation Committee.

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

**HCR 2 – COMMENDING MAYOR WILLIAM T. McLAUGHLIN OF WILMINGTON FOR HIS PRESTIGIOUS PUBLIC SERVICE AS MAYOR OF THE CITY OF WILMINGTON AND FURTHER COMMENDING HIM FOR HAVING RECEIVED THE JOSIAH MARVEL CUP ANNUALLY AWARDED BY THE DELAWARE STATE CHAMBER OF COMMERCE.** Sponsors: Representatives George, Plant, Sills, Free, Jonkiert, D. Ennis, Maroney, Corrozi, Davis, Hebner, Soles, Houghton, Bennett; Senators Holloway, Marshall, McDowell.

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

At 2:29 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 5th Legislative Day.

5TH LEGISLATIVE DAY  
January 16, 1985

The Senate convened at 2:29 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Rev. Armstrong.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

On motion of Senator Sharp, the Senate recessed for Executive Committee hearings at 2:33 p.m., and reconvened at 2:25 p.m., January 22, 1985, Lt. Governor Woo presiding. Note: The Senate did not convene on Thursday, January 17, 1985 due to a severe snow storm throughout the State.

The following legislation was introduced:

**SB 21 - AN ACT TO AMEND CHAPTER 47, PART III, TITLE 10 OF THE DELAWARE CODE RELATING TO JUDGMENTS; AND PROVIDING FOR A UNIFORM ENFORCEMENT OF FOREIGN JUDGMENTS ACT.** Sponsors: Senator McBride; Representative Jonkiert. Assigned to Judiciary Committee.

Senators Connor and Citro marked PRESENT.

**SB 22 - AN ACT TO AMEND CHAPTER 95, PART VII, TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE; AND PROVIDING FOR THE USE OF CASH AS SECURITY ON APPEAL.** Sponsor: Senator Sharp. Assigned to Judiciary Committee.

**SB 23 - AN ACT TO AMEND CHAPTER 19, TITLE 30 OF THE DELAWARE CODE RELATING TO THE CORPORATION INCOME TAX.** Sponsors: Senators Marshall, Cordrey, Knox. Assigned to Revenue and Taxation Committee.

**SJR 3** was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Martin:

**SJR 3 - LAMENTING THE DEATH OF SENATOR CALVIN R. MCCULLOUGH OF HOLLOWAY TERRACE.** Sponsors: Senators Martin, Cook, Holloway, Vaughn, McDowell and all the Senators.

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

**SR 8** (sponsored by Senators Sharp and Cordrey) was introduced and considered for adoption:

**SR 8 - IN REFERENCE TO ELECTION OF STAFF.**

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES AND 3 (Adams, McBride, Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

**SR 9** (sponsored by Senator Sharp) was introduced and considered for adoption:

**SR 9 - CONGRATULATING MICHELE K. DEMATTEIS OF OUR OWN SENATE STAFF FOR HER SUCCESSFUL COMPETITION IN THE NATIONAL MISS TEEN-AGER PAGEANT IN FLORIDA AND UPON WINNING A \$1,000 SCHOLARSHIP FOR OUTSTANDING COMMUNITY SERVICE.**

The privilege of the floor was extended to Michele K. Dematteis after which the roll call vote on the Resolution was taken and revealed 18 Senators voting YES AND 3 (Adams, McBride, Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

At 2:38 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 6th Legislative Day.

6TH LEGISLATIVE DAY  
JANUARY 22, 1985

The Senate convened at 2:38 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

**SJR 2** was reported out of the Administrative Services/Energy Committee: 3 Favorable, 3 Merits.

At 2:40 p.m. on motion of Senator Sharp, the Senate recessed for Executive Committee hearings and reconvened at 4:51 p.m., Lt. Governor Woo presiding.

Senators Zimmerman, McBride and Adams marked PRESENT.

The following legislation was introduced:

**SB 24 - AN ACT TO AMEND CHAPTER 9, TITLE 29, DELAWARE CODE, RELATING TO BILL CLERKS AND PASSED BILL COMMITTEES.** Sponsor: Senator McDowell. Assigned to Executive Committee.

**SB 25** - AN ACT TO CORRECT AN ERROR IN §6519, TITLE 29, DELAWARE CODE, RELATING TO EXPENDITURES BY SCHOOL DISTRICTS. Sponsors: Senator McBride; Representative Fallon. Assigned to Executive Committee.

**SB 26** - AN ACT TO AMEND CHAPTER 17, TITLE 14 OF THE DELAWARE CODE, RELATING TO ELEMENTARY GUIDANCE COUNSELORS. Sponsors: Senator Cook; Representative Bennett; Senators Berndt, Vaughn, Zimmerman; Representatives Anderson, Campanelli, Clark, C. Cordrey, B. Ennis, George, Gilligan, Houghton, Jester, Outten, Sills, Soles, VanSant, West, Wingate. Assigned to Education Committee.

**SB 27** - AN ACT TO AMEND TITLE 31, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A HOME COUNSELING CENTER FOR SENIOR CITIZENS WITHIN THE DIVISION OF AGING, DEPARTMENT OF HEALTH AND SOCIAL SERVICES. Sponsors: Senators Bair, Holloway, McDowell, McBride, Connor, Martin; Representatives Maroney, VanSant, Boykin, Spence, Jester, Sills, Hebner, Soles. Assigned to Health-Social Services/Aging Committee.

**SB 25** which had been assigned to Executive Committee was reassigned to Education Committee at the request of Senator McBride.

**SB 26** which had been assigned to Education Committee was reassigned to Finance Committee at the request of Senator McBride.

**SB 28** - AN ACT TO AMEND CHAPTER 17, TITLE 14, DELAWARE CODE, RELATING TO THE LEVEL OF PUPILS PER UNIT FOR GRADES ONE THROUGH SIX. Sponsors: Senator McBride; Representative Fallon. Assigned to Highways and Transportation Committee. Reassigned to Education Committee at the request of Senator McBride.

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

**SA 1 to SB 17.** Sponsor: Senator Holloway. Placed with the Bill.

**SCR 7** (sponsored by Senators Cordrey and Sharp) was introduced and considered for adoption:

**SCR 7** - PROVIDING THAT A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE BE CONVENED TO HEAR THE STATE OF THE STATE ADDRESS BY GOVERNOR MICHAEL N. CASTLE, GOVERNOR OF THE STATE OF DELAWARE.

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

**SR 10** (sponsored by Senators Zimmerman and Holloway) was introduced and considered for adoption:

**SR 10** - EXTENDING CONGRATULATIONS TO TIM POLLAK, FIRST ADMINISTRATIVE ASSISTANT TO THE SENATE MAJORITY DEMOCRATS IN 1973, FOR HIS OUTSTANDING CAREER ACHIEVEMENTS IN ADVERTISING AND PUBLIC RELATIONS.

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

The following communication was read:

SENATE  
STATE OF DELAWARE  
LEGISLATIVE HALL  
DOVER, DELAWARE 19901

DATE: January 22, 1985  
TO: All Senators -- 133 General Assembly  
FROM: Richard S. Cordrey, President Pro Tempore  
RE: Senate Committees

The following are the changes for the 133 General Assembly -- Senate Committees: Education: Senator James Neal - Add, Senator Robert Connor -- Delete; Small Business: Senator Robert Connor -- Add, Senator Myrna Bair -- Delete; Revenue and Taxation: Senator Myrna Bair -- Add.

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On motion of Senator Adams, the Governor's nomination for appointment of George E. Hale was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of William B. Chandler, Jr., was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Zimmerman) voting NO; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Thomas P. Eichler was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.



On motion of Senator Adams, the Governor's nomination for appointment of Stephen T. Golding was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 18 Senators voting YES and 3 (Sharp, Vaughn, Zimmerman) NOT VOTING; therefore, the appointment was declared confirmed.

On motion of Senator Martin, the roll call vote on SJR 3 was rescinded and a new roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 5:20 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 23, 1985.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 3, HCR 4, HCR 5, HCR 6, HCR 7, HCR 8, HCR 9, HCR 10, HCR 11, HCR 12, SCR 4, SCR 5, SCR 6.

Senate Consent Calendar #1 was read and laid on the table on motion of Senator Sharp:

The Consent Calendar was comprised of the following Concurrent Resolutions:

SCR 8 - CONGRATULATING THE CONRAD HIGH SCHOOL ALUMNI BAND, THE REDSKINS REPRIZE, ON THEIR INVITATION TO REPRESENT DELAWARE AND THE UNITED STATES AS THE HONORS BAND OF ALL BANDS IN THE 1985 ST. PATRICK'S DAY PARADE IN DUBLIN, IRELAND. Sponsors: Senators Arnold, Sharp; Representatives VanSant, Corrozi.

SCR 9 - MOURNING THE DEATH OF WILLIAM W. OPDYKE, JR., FORMER LEGISLATOR WHO SERVED IN THE 120TH GENERAL ASSEMBLY FROM 1958 TO 1960. Sponsors: Senators Cook, Vaughn, Zimmerman; Representative Clark.

HCR 3 - CONGRATULATING JANE WILLIS ON BEING NOMINATED FOR A 1985 PRESIDENT'S VOLUNTEER ACTION AWARD. Sponsors: Representatives Smith, Quillen, Buckworth, B. Ennis, Bennett; Senator Vaughn.

HCR 4 - REQUESTING ALL DEPARTMENTS TO CONTINUE THEIR COMMITMENT TO ENERGY CONSERVATION AS A STATE POLICY. Sponsors: Representative Smith; Senators Bair, Knox, McDowell, Minner.

HCR 5 - EXTENDING CONGRATULATIONS TO THE NEWARK HIGH SCHOOL VOLLEYBALL TEAM AND THEIR COACHES ON WINNING THE 1984 STATE VOLLEYBALL CHAMPIONSHIP. Sponsors: Representatives Taylor, Oberle, Petrilli, Spence, Davis, Soles, Anderson, Gilligan; Senators Neal, Sharp.

HCR 6 - MOURNING THE UNTIMELY DEATH OF WILLIAM FRANK WEBER OF SEAFORD. Sponsors: Representatives Fallon, Barnes; Senators Slatcher, Adams.

HCR 7 - MEMORIALIZING THE DELAWARE CONGRESSIONAL DELEGATION AND THE SECRETARY OF THE TREASURY TO SUSPEND AND REPEAL REGULATIONS CALLING FOR CONTEMPORANEOUS RECORDKEEPING FOR LIGHT TRUCKS AND VEHICLES USED BY FARMERS AND SMALL BUSINESS OPERATORS. Sponsors: Representatives Caulk, Carey, Quillen, Fallon, Barnes, Steele, Buckworth, Clark, Jester, B. Ennis.

HCR 8 - NOTING WITH SADNESS THE PASSING AWAY OF GEORGE C. SIMPSON, "MR. STATE FAIR". Sponsors: Representatives Barnes, Quillen, Caulk, Bennett, Buckworth, Corrozi; Senators Adams, Minner.

HCR 9 - EXTENDING CONGRATULATIONS TO THE NEWARK HIGH SCHOOL FOOTBALL TEAM AND THEIR COACHES ON WINNING THE 1984 STATE DIVISION I CHAMPIONSHIP. Sponsors: Representatives Taylor, Oberle, Reynolds, Spence, Mack, Davis, Petrilli, Anderson, Soles, Gilligan; Senators Neal, Sharp.

HCR 10 - COMMENDING LINDA WEST OLDS OF WELDIN PARK ON HER BUSINESS SUCCESS COMBINED WITH HER INTEREST IN BLACK-HISTORY EDUCATION. Sponsors: Representatives Sills, Plant; Senator Holloway.

HCR 11 - CONGRATULATING THE MINQUADALE VOLUNTEER FIRE COMPANY ON THE CELEBRATION OF ITS 60TH ANNIVERSARY. Sponsors: Representatives Houghton, Reynolds; Senator McBride.

HCR 12 - MOURNING THE DEATH OF H. CLIFFORD CLARK, FORMER LEGISLATOR AND FATHER OF REPRESENTATIVE DONALD CLARK. Sponsors: Representative Jester, Senator Cook; All Representatives, Senators Zimmerman, Minner, Torbert, Vaughn, Adams.

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At 2:43 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 7th Legislative Day.

#### 7TH LEGISLATIVE DAY January 23, 1985

The Senate convened at 2:43 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Martin.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The following Committee reports were announced:  
From the Health-Social Services/Aging Committee: SB 16 - 6 Merits; SB 17 - 6 Merits.  
From the Revenue and Taxation Committee: SB 23 - 2 Favorable, 3 Merits.  
SB 14 was taken up for consideration on motion of Senator McBride:  
SB 14 - AN ACT TO AUTHORIZE AND DIRECT THE TRANSFER OF CERTAIN PROPERTY IN THE COLONIAL SCHOOL DISTRICT.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McBride.

The privilege of the floor was extended to William Walls, Senate Attorney after which the Bill was laid on the table on further motion of the Senator.

Senator Zimmerman marked PRESENT.

At 3:55 p.m. on motion of Senator Sharp, the Senate recessed and reconvened at 4:55 p.m., Lt. Governor Woo presiding.

On motion of Senator Adams, the Governor's nomination for appointment of John E. Wilson, III, was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Charles E. Hayward was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (McBride) voting NO; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Kermit H. Justice was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 19 Senators voting YES, 1 (Citro) voting NO and 1 (Vaughn) NOT VOTING; therefore, the appointment was declared confirmed.

Senate Consent Calendar #1 was lifted from the table for consideration on motion of Senator Minner and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Senate Concurrent Resolutions were sent to the House for consideration and the House Concurrent Resolutions were returned to the House.

SB 8 was stricken at the request of the sponsor, Senator Knox.

At 5:14 p.m. on motion of Senator Sharp, the Senate recessed until 11:30 a.m., January 24, 1985.

The Senate reconvened at 11:45 a.m., January 24, 1985, Lt. Governor Woo presiding.

The Senate immediately adjourned to convene for the 8th Legislative Day.

#### 8TH LEGISLATIVE DAY January 24, 1985

The Senate convened at 11:45 a.m. Lt. Governor Woo presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

At 11:48 a.m. on motion of Senator Sharp, the Senate took a short standing recess while the members of the House were seated and reconvened at 11:54 a.m., Lt. Governor Woo presiding.

The Sergeant-at-Arms announced the members of the House who were admitted and seated.

#### JOINT SESSION IN SENATE CHAMBER January 24, 1985

Pursuant to SCR 7, the Senate and House of Representatives met in Joint Session at 11:58 a.m., Lt. Governor Woo presiding.

The Lt. Governor invited the Speaker of the House and the President pro Tempore of the Senate to a seat on the rostrum.

The Sergeant-at-Arms announced the arrival of Chief Justice Daniel Herrmann and other members of the Judiciary. They were admitted and welcomed by Lt. Governor Woo.

The Sergeant-at-Arms announced the arrival of State and County elected officials. They were admitted and welcomed by Lt. Governor Woo.

The Sergeant-at-Arms announced the arrival of the Governor's Cabinet. They were admitted and welcomed by Lt. Governor Woo.

Senator Sharp moved that the President of the Senate preside over the Joint Session. No objection.

Senator Sharp moved that the Secretary of the Senate and Chief Clerk of the House act as secretaries to the Joint Session. No objection.

Senator Sharp moved that the Chair appoint a committee to escort the Governor to the Chamber. No objection.

The Chair appointed Senators Holloway and Berndt; Representatives Soles and Quillen as an Escort Committee for the Governor.

The Chair declared a short standing recess while awaiting the arrival of the Governor.

The Sergeant-at-Arms announced the arrival of the Escort Committee and the Governor.

Governor Michael N. Castle was welcomed and invited to the podium by Lt. Governor Woo.

The Governor addressed the Joint Session as follows:

Lieutenant Governor Woo, Mr. President Pro Tem, Mr. Speaker, members of the 133rd General Assembly, elected officials, members of the judiciary and the Cabinet, and my fellow Delawareans.

Eight and a half years ago, on July 4th, 1976, we celebrated the 200th anniversary of the Declaration of Independence, with fireworks, parades, and Tall Ships in our nation's harbors. It was a fitting tribute to the document that made this nation free, and to the courageous acts of Americans who fought to preserve that freedom.

I was reminded of that day when I started thinking how Delaware might celebrate its part in America's second Bicentennial, the 200th anniversary of the birth of the United States of America. By 1787, the war of independence had been won, but the fight to unify the nation was still being waged. In that year, soldiers turned statesmen were called on to make the hard decisions that would give shape to an enduring government of the people.

The result was the Constitution of the United States, the document that bound this nation together and made it whole. Today it still binds us together, just as history binds us to the values of those who created it, and our celebration should reflect that. We must rededicate ourselves to those values as we celebrate America's Bicentennial, both as a nation and as individual states.

For Delaware, that means building on the successes bipartisanship and cooperation have brought us; assuring that opportunity knocks for each of our citizens, and all of our communities; continuing to strengthen our education system; reinforcing our commitment to fiscal conservatism and more responsive government; and dedicating ourselves to improving the quality of life we enjoy, in all its aspects.

It means that a lawyer from Wilmington, a university professor from Newark, an agribusinessman from Millsboro, and a corporate executive from Claymont, each elected to a different office but sharing the same public trust, have a responsibility to work together as important as any of their constitutional duties.

It means recognizing the importance of the education we provide in our public schools, the value of the support we give our businesses, or the effect of decisions we make about state spending, but knowing as well that all three are related, each with the potential to enhance the others.

It means understanding that quality of life is multi-faceted, as fragile as it is diverse, and that there is still much we can do to improve it, to meet that centuries-old prescription of life, liberty and the pursuit of happiness.

For as long as one child is in danger or neglected, as long as one senior citizen is denied the benefits of modern medical technology, as long as one community must endure the threat posed by hazardous wastes, as long as one family is denied the opportunity to enjoy the benefits of a growing economy, the challenge to make this state the best place to live remains before us.

Last year, the General Assembly significantly increased the funding for the Department of Services to Children, Youth and Their Families, then only six months old. The Department has grown and matured in the past year, and shown the capability to take on even more responsibility for this most important element of our society. Further, it is continuing to identify new areas where its services can be improved.

Over the last six months, it has become apparent that a long-standing need requires our attention. While there are resources available to help young children and adults, severely disturbed adolescents often go without adequate treatment because there is no one with clear responsibility for their well-being. In my proposed budget, I will address the problem so that these services are not only provided, but provided in Delaware, assuring that much-needed family support is present.

\* \* \* \* \*

At the same time we are providing for those young people, we must consider the medical needs of all our citizens. Today Delaware enjoys health care costs lower than much of the rest of the nation, but those costs are still high, and there is considerable evidence that our favorable cost position is in jeopardy. This is a concern for all of us, and particularly for our senior citizens.

Today, we are discovering that the technological advances in medicine that should have only improved our lives had led to financial complications. Health care management has become one of the most important medical issues of the 1980's.

The state is uniquely qualified to take the lead in this effort, to lend its resources to it, and to set an example by instituting new cost management procedures internally. Recognizing that, I intend to use my office to bring together all the diverse elements of the medical community - doctors, hospital administrators, insurers and consumers - to find new ways to control these costs while maintaining the high quality care we have come to expect.

\* \* \* \* \*

Health care is the responsibility of each of us as individuals. But government must assume that responsibility in one very important respect -- dealing with the hazardous materials and hazardous wastes that represent one of the greatest dangers society faces today.

While Delaware has its share of these problems, we have been spared the experiences of those who live along Love Canal or in Times Beach. We cannot afford to rely on luck to protect our people from the effects of these dangerous materials, however. We must be prepared to deal with them quickly; we must have the capability to deal with them effectively. For that reason, I will recommend the creation of a separate Division of Hazardous Waste Management within the Department of Natural Resources and Environmental Control.

\* \* \* \* \*

At the same time we are protecting our citizens' health, we must take steps to protect their lives and property. Next week I will ask the General Assembly to increase its support for the Sentencing Accountability Commission's initiatives on corrections, and to continue its support for measures to better coordinate the efforts of the state's various law enforcement agencies.

Each brings the opportunity to enhance our ability to keep violent criminals off the streets while reducing the costly burden of law enforcement and corrections on our taxpayers.

We will, of course, continue our successful fight against drunk driving. But at the same time that we have seen alcohol-related fatalities decrease in Delaware, we have seen other factors claim more lives. I believe together we can take new steps to increase the safety on our highways, and to that end I intend to redirect the efforts of the Drunk Driving Task Force to accomplish this. I recognize that the state might be called on to provide resources for this effort, but we must weigh those costs against the ultimate cost of doing nothing.

\* \* \* \* \*

Helping teenagers who need help represents a small step to improve the quality of life in Delaware, as does assuring the availability of medical treatment, fighting environmental hazards and affording better protection for the lives and property of citizens. Together they represent our commitment to improve the quality of life for all our citizens.

But there is another aspect to that commitment, one of overriding importance, and it must be addressed.

Today Delaware is able to meet the needs of its citizens because we enjoy unparalleled economic growth. Thousands of new jobs were created in Delaware during 1984, and unemployment reached its lowest point in a decade.

The viability of state government is directly related to the health of our economy, and to our efforts to bring new jobs to Delaware. The commitment of the General Assembly to those efforts in recent years has made Delaware a leader in economic development; I am prepared to match your commitment, and to work with each of you to assure that the prosperity we enjoy today reaches every part of the state.

## EDUCATION

If we are to expect employers to create new jobs in Delaware, then Delaware must assure that its citizens have the skills to fill those jobs. That responsibility falls to our public school system.

A year ago, the General Assembly decided to reject the status quo in education and begin building a better future for Delaware by providing the best possible education opportunities for our young people today.

The General Assembly appropriated significant new funding for our schools, so that we would have the ability to provide the best possible education for our young people and attract the best teachers to teach them. More important, the men and women of the General Assembly unanimously endorsed the work of the Governor's Task Force on Education for Economic Growth, a series of nearly 80 recommendations for improving our schools.

Each of the recommendations will make a small difference in the quality of our schools. Together, they have the potential to make a great difference. But whether we implement a dozen recommendations, or all of them, they will have little real and lasting impact on how well we prepare our children for the future if our commitment to education falters.

1984 cannot be viewed as the year Delaware did something about its schools, but as the year when Delaware put education -- including higher education -- at the top of its list of priorities and decided to keep it there.

This year we will implement a career ladder for our teachers, recognizing that we cannot afford to lose our best teachers because they are not paid enough or because of the frustration and isolation their jobs entail.

We also will decide on a mastery testing program for our public schools, designed to show whether our students have learned the skills needed to take on new educational challenges. In combination with a rigorous set of promotion standards and the career ladder, these tests represent our long-term commitment to parents that the schools they support will be held accountable.

In the months to come, the debate on education will no doubt center on "how much" -- how much in pay raises, how much for equalization, how much will the mastery tests cost? Today you and I must reaffirm our commitment to "how well" -- how well our teachers teach, how well our young persons learn, and how well our graduates perform once they leave the public school system.

We have accepted the cost of more testing, better compensation for teachers, smaller class sizes in the lower grades and good textbooks. We must demand the "no-cost" items on our education improvement list, because it is what the parents and taxpayers of this state want.

We must demand better attendance, higher homework standards, and additional time on core curriculum and basic subjects. We must demand greater discipline in the classroom, and make sure schools have the resources to make it stick. We must find ways to assure that businesses and the community play a greater part in our education system, and that parents participate in their schools and set standards at home.

#### DELIVERY OF STATE SERVICES.

The goals we have set for our education system will require greater coordination between the Department of Public Instruction and the individual school districts.

If it can work in education, then it can work in other areas of state government as well. Over the next four years, my administration will seek ways to eliminate overlapping services, to assure that multi-dimensional problems are adequately addressed, to increase the accountability of government. It is not enough to protect a child from abuse if we allow that child to go without adequate shelter or food. It is not enough to provide the elderly with food and shelter if they lack proper medical treatment, or help in dealing with crime.

One of my first goals will be to improve coordination of human services, to find more innovative ways to meet human needs without higher costs to the state. We spend hundreds of millions of dollars each year on these services; we must find more effective ways to make sure that money is well spent. It may be, for instance, that the private sector is able to provide these services more economically; we are prepared to take the steps necessary to move in this direction.

Not only must we better coordinate the services we provide, but we must shift our emphasis from treatment to prevention, because it is far more costly to cure someone than to keep them healthy. By assuring that state agencies work together to coordinate the services they provide, we will be able to dramatically increase the quality of service without increasing its cost.

I have divided my cabinet into four cabinet councils to formalize the relationships among the departments that make up the Executive branch of government. Each cabinet council, made up of the secretaries of the departments and supported by their respective staffs, will have the responsibility to work together on issues that cross departmental lines of jurisdiction, resolve potential problems before they become conflicts, develop plans for long term issues, and combine resources to accomplish together more than each department might separately.

#### STATE SPENDING

Two months ago, when I began to prepare the fiscal 1986 budget, I asked cabinet secretaries and other agency heads to tell me how we could reduce ongoing state spending in Delaware. Each agency and department was asked to examine its base budget and decide whether the programs it contained were really necessary, and how they could be run more economically.

There was a simple reason for this. The original requests submitted to the Budget Office, if approved, would have resulted in a huge increase in state spending. Even after the Budget Office had reduced those requests significantly, we were being asked to permit state spending to grow faster than inflation.

That was unacceptable.

But holding the level of state spending to the rate of inflation poses a dilemma: If we only spend as much as we spent last year, plus whatever is needed to compensate for higher costs, then we are frustrated by the inability to do anything new, to do anything different, to add needed new programs.

But the idea that government truly responsive to the needs of our citizens must constantly demand a greater share of their earnings is equally unacceptable.

I believe that, as we administer the government of the State of Delaware over the next four years, we must be prepared to ask basic questions about what government is, about what government does, and most important, about how we can reduce its demands on our resources while making it more responsive to our needs.

Historically, we have placed new demands on government, adding program on top of program, without considering the merit of what government is doing already, without ever asking whether the old programs are still needed. We treat last year's budget as the minimum, and let revenues determine the maximum.

In the process, we apply to the taxpayers together a standard that would be unacceptable to them as individuals. If an individual overpays his or her taxes by a few hundred dollars, we send them a refund. But if the taxpayers as a whole pay tens of millions more taxes than the state needs, we keep every penny, succumbing to the temptation to spend it.

Instead, we must begin to assign priorities to existing programs, just as we assign priorities to new programs. We must be able to react to society's needs without hampering its ability to grow economically, or its ability to meet its own needs. In the next four years, we must begin to ask government in Delaware to reexamine its priorities, to spend its resources differently, not simply spend more.

Individual decisions we have made preparing the fiscal 1986 budget may not be popular with certain special-interest groups. Taken together, the decisions represent an opportunity to make government more responsive, more flexible, and better able to serve the men and women who support it with their earnings.

#### FIRST STATE IMPROVEMENT FUND AND TAX CUT.

We accept education's demands on our revenues, just as we accept the need for new programs to fulfill the state's responsibilities to its citizens. Our state's growing revenues make it possible for us to meet both. The operating budget I will recommend next week represents approximately a five percent increase over the current budget, and provides adequate funding for all needed state programs.

But, for the second year in a row, Delaware's revenues promise to exceed the state's spending needs. Based on the latest figures from the Delaware Economic and Financial Advisory Council, the state will have available to spend \$44.5 million more than that budget requires.

This money belongs to the taxpayers of this state.

Special interests will try to claim as big a share of it as they can; we will be asked to entertain countless proposals for spending it ourselves. We can allow neither to happen. You and I have a duty to return it to the taxpayers, and we cannot support any proposal that does do that, or use it in a way that will reduce future demands for taxes.

I believe we can do both in the coming year.

I am proposing that personal income taxes be cut by at least five percent across-the-board, and that the personal exemption allowed to all taxpayers be increased from \$800 to \$1,000. The total cost in fiscal 1986 will be \$14.5 million. Should our revenues continue to grow in the next few months, then we must be prepared to reach bipartisan agreement on a greater tax reduction.

By enacting the tax cut and increasing the exemption effective January 1, 1986, we continue to restore the balance to our revenue sources, protecting the state from the effects of recession. We further undo the damage caused by bracket creep during recent years of high inflation, and we return the money in the fairest way possible to the people who earned it — our citizens.

The proposal takes into account the many unknowns on the national scene: whether and when the next recession will occur; what cuts in federal taxes will be enacted; and what programs the state will be forced to pay for as the federal government struggles with the deficit. It will allow us to absorb the impact of recession and adjust to changes in federal tax law and federal programs.

With the balance of our excess revenues, I propose a one-time appropriation of \$30 million to create the First State Improvement Fund, dedicated to the celebration of the Bicentennial of the Constitution, but designed to accomplish permanent improvements in Delaware.

This money will be set aside and, together with accumulated earnings, be spent over three years for the benefit of much-needed and long-deferred improvements throughout the state. I believe we can anticipate more than \$11 million per year between now and Delaware's Bicentennial celebration for these projects. The Fund provides the opportunity to affect each of our communities, and to make lasting changes in the state's economy in a way that will help guarantee our continued prosperity.

A portion of the annual expenditure should go to projects that will help Delaware attract new business and industry — land purchases, infrastructure improvements, venture capital and provision of public works.

Another portion should be used to finance much needed minor capital improvements in the hospitals, clinics, office buildings and other institutions throughout our state system and the school districts.

Finally, the Bicentennial celebration itself. Earlier I talked about the Bicentennial as a reaffirmation of the values central to this democracy. Delaware is well-prepared for that reaffirmation as we embark on a course of lasting changes in state government.

But Delaware must lead the Bicentennial celebration, because the nation will look to us as the First State on December 7, 1987, and I propose that we invite America to join us, that in each of our three counties we open our doors to the nation in 1987 and 1988.

Today I have written to the President inviting him to join us in that celebration.

But if we are inviting America to join us in our celebration, then we must be prepared to create a lasting memory for all those who visit us -- and for ourselves.

A final portion of the proceeds from the First State Improvement Fund should be set aside to match local government efforts to beautify and enhance the quality of life in our towns and cities. The money will be used for all the diverse projects that will be part of the celebration -- painting a town hall, putting on a pageant devoted to local history, beautifying a park, helping a school bring its students to the Bicentennial festivities, organizing sporting events, or publishing an oral history based on the memories of our senior citizens.

We should celebrate our Bicentennial with a recognition of the pride and value of our state's heritage and a partnership between state and local government that will help to insure that every town, city and county in Delaware can point to a bicentennial accomplishment supported by these funds.

This is an ambitious proposal, but one which has the potential to make permanent changes in Delaware and create a lasting impression for the rest of our nation.

In his Inaugural Address on Monday, President Reagan spoke of history as a "ribbon, always unfurling. History is a journey. And as we continue our journey we think of those who traveled it before us."

In the next three years, Delaware will pay tribute to those who began the journey two hundred years ago. At the same time, we must think of those who will follow us. We have the opportunity to speed them on their journey, and help assure its success.

Thank you.

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Lt. Governor Woo thanked the Governor and asked the previously-named committee to escort the Governor back to his Executive Offices.

Senator Sharp moved that the Secretary of the Senate and the Chief Clerk of the House compare their respective Journals. Motion carried.

The Secretary of the Senate and the Chief Clerk of the House compared their Journals and found them to agree and so informed the Chair.

At 12:30 p.m. on motion of Senator Sharp, the Joint Session adjourned.

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The Senate reconvened at 2:40 p.m., Lt. Governor Woo presiding.

Senator Cook marked PRESENT.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 12 and SCR 7.

The following legislation was introduced:

SB 29 - AN ACT TO AMEND SUBCHAPTER II, TITLE 30, DELAWARE CODE, RELATING TO EXCLUSION OF PENSION INCOME FROM DELAWARE PERSONAL INCOME TAX. Sponsors: Senators Zimmerman, Cook, Minner, Torbert, McBride, Connor, Citro, Berndt, Knox, Marshall, Martin; Representatives Outten, Barnes, Buckworth, Campanelli, Gilligan, Anderson, Cordrey, Bennett. Assigned to Revenue and Taxation Committee.

Senator Citro marked PRESENT.

SB 30 - AN ACT AMENDING SECTION 2111, CHAPTER 21, PART II, TITLE 25 OF THE DELAWARE CODE RELATING TO ENFORCEMENT OF PROMPT SATISFACTION OF MORTGAGES. Sponsor: Senator Cordrey. Assigned to Administrative Services/Energy Committee.

SB 31 - AN ACT TO AMEND CHAPTER 47, TITLE 29, OF THE DELAWARE CODE RELATING TO CORNEAL TRANSPLANTS. Sponsor: Senator Cordrey. Assigned to Executive Committee.

Senator Martin marked PRESENT.

SB 32 - AN ACT AUTHORIZING THE SUSSEX COUNTY COUNCIL TO AWARD A PENSION BENEFIT TO FORMER SPECIFIC EMPLOYEES. Sponsors: Senators Minner, Adams, R. Cordrey, Slatcher; Representatives Barnes, Steel, C. Cordrey, Fallon, West, Wingate. Assigned to Community Affairs Committee.

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

Senator Connor marked PRESENT.

SCR 10 was introduced and considered for adoption on motion of Senator Vaughn:

SCR 10 - RE-ESTABLISHING THE PRISON INDUSTRY TASK FORCE APPOINTED UNDER HOUSE JOINT RESOLUTION NO. 18 OF THE 132ND GENERAL ASSEMBLY. Sponsors: Senator Vaughn; Representatives Anderson, Houghton.

Senator Zimmerman marked PRESENT.

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

HCR 13 was introduced and laid on the table on motion of Senator Bair:

HCR 13 - COMMENDING KANDI AMELON AND ALEC BINNE ON THEIR COMPASSION AND SPORTSMANSHIP DEMONSTRATED AT THE RECENT INTERNATIONAL FIGURE SKATING COMPETITION IN ZAGREB, YUGOSLAVIA. Sponsors: Representatives D. Ennis, Boykin, Buckworth, Corrozi, Davis, Hebner, Maroney, Petrilli, Smith, Spence, Taylor, Bennett, Brady, George, Gilligan, VanSant, Wingate; Senators Bair, Berndt, Connor, Holloway, McBride, McDowell.

SJR 2 was taken up for consideration on motion of Senator McDowell:

SJR 2 - PROVIDING FOR AN EXTENSION FOR WHICH THE AD HOC LEAKING UNDERGROUND STORAGE TANK COMMITTEE CAN REPORT ITS FINDINGS.

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

HCR 13 was lifted from the table for consideration on motion of Senator Bair and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

At 3:00 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus and reconvened at 4:10 p.m., Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Judiciary Committee: SB 4 - 1 Favorable, 4 Merits; SB 5 - 1 Favorable, 4 Merits; SB 10 - 5 Merits; SB 19 - 5 Merits; SB 22 - 5 Merits.

On motion of Senator Adams, the Governor's nomination for appointment of Edward J. Steiner was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 18 Senators voting YES and 3 (Sharp, Vaughn, Zimmerman) voting NO; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Matthias J. Fallis was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Minner, Neal, Slatcher, Torbert - 15.

NO: Senators McBride, McDowell, Sharp, Zimmerman - 4.

NOT VOTING: Senators Martin, Vaughn - 2.

Therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Marcilee A. Bierlein was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Zimmerman) voting NO; therefore, the appointment was declared confirmed.

At 4:21 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 29, 1985.

The Senate reconvened at 2:18 p.m., January 29, 1985. Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 1; HB 34 and adopted HCR 14.

The following legislation was introduced:

SB 33 - AN ACT TO AMEND CHAPTER 57, TITLE 16, DELAWARE CODE, RELATING TO VOLUNTARY AND INVOLUNTARY STERILIZATION, AND MAKING A SUPPLEMENTARY APPROPRIATION THEREFORE. Sponsors: Senators Holloway and Berndt. Assigned to Health-Social Services/Aging Committee.

SB 34 - AN ACT TO AMEND DELAWARE CODE, TITLE 29 BY PROVIDING FOR THE RETIREMENT OF A FULL-TIME CLASSROOM TEACHER AFTER TWENTY-FIVE YEARS OF SERVICE, WHO IS AT LEAST FIFTY-FIVE YEARS OF AGE, WITHOUT PENALTY. Sponsors: Senator Bair; Representatives Jester, Soles, Fallon. Assigned to Executive Committee.

SB 35 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER II, TITLE 30, OF THE DELAWARE CODE TO PROVIDE FOR AN INCOME TAX CREDIT NOT TO EXCEED \$75.00, FOR DEPENDENT CARE EXPENSES INCURRED BY VOLUNTEERS TO CHARITABLE ORGANIZATIONS. Sponsors: Senators Bair, Holloway; Representatives Smith, Gilligan. Assigned to Health-Social Services/Aging Committee.

SA 2 to SB 17. Sponsor: Senator Holloway. Placed with the Bill.

HB 1 - AN ACT TO AMEND CHAPTER 66, TITLE 18, DELAWARE CODE RELATING TO LINE-OF-DUTY DEATH BENEFITS. Sponsors: Representatives Oberle, Anderson, Barnes, Brady, Buckworth, Campanelli, Caulk, C. Cordrey, Mack, Corrozi, Davis, B. Ennis, Roy, Fallon, Free, George, Gilligan, Outten, Houghton, Jester, Reynolds, Sills, Soles, Spence, Steel, Taylor, West, VanSant, Hebner, Carey, Plant, Clark; Senators Berndt, Bair, Knox, Citro, Arnold, Neal, Martin, Vaughn, Torbert, Adams, Slatcher. Assigned to Finance Committee.

HB 34 - AN ACT TO AMEND CHAPTER I, SUBCHAPTER II, OF TITLE 17 OF THE DELAWARE CODE RELATING TO NOTARIES PUBLIC. Sponsors: Representative Taylor, Senator Martin. Assigned to Highways and Transportation Committee.



SCR 11 was introduced and considered for adoption on motion of Senator Sharp:  
SCR 11 - CONGRATULATING EARLENE GILLAN-SMITH, SCHOOL NURSE AT THE MARGARET S. STERCK SCHOOL FOR THE HEARING IMPAIRED, UPON HER SELECTION AS DELAWARE'S SCHOOL NURSE OF THE YEAR. Sponsors: Senator Sharp, Representative Spence.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Berndt, Connor, Cook, Minner) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 14 was introduced and assigned to the Education Committee at the request of Senator McBride:

SCR 14 - ESTABLISHING A LEGISLATIVE TASK FORCE ON EDUCATION TO DISCUSS ISSUES AND DEVELOP PRIORITIES DURING THE 133RD GENERAL ASSEMBLY. Sponsors: Representatives Fallon, Jester; Senators Bair, McBride, Neal.

At 2:27 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 9th Legislative Day.

#### 9TH LEGISLATIVE DAY January 29, 1985

The Senate convened at 2:27 p.m., Lt. Governor Woo presiding.  
A Prayer was offered by Rev. Thomas Holsey of the Church of God in Christ.  
Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SB 23 was taken up for consideration on motion of Senator Marshall:

SB 23 - AN ACT TO AMEND CHAPTER 19, TITLE 30 OF THE DELAWARE CODE, RELATING TO THE CORPORATION INCOME TAX.

The privilege of the floor was extended to Ashby T. Richards, Jr. (Governor's International Trade Council).

Senators Berndt and Connor marked PRESENT.

Senators Cook, McBride, Minner marked PRESENT.

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

SB 5 was taken up for consideration on motion of Senator Cordrey:

SB 5 - AN ACT TO AMEND CHAPTER 43, PART II, TITLE II OF THE DELAWARE CODE RELATING TO THE BOARD OF PARDONS; AND PROVIDING FOR NOTICE TO CERTAIN PERSONS PRIOR TO PARDONS HEARINGS.

SA 1 to the Bill was taken up for consideration on motion of Senator Cordrey.

The privilege of the floor was extended to Russell T. Larson (Office of the Controller General) after which the Bill was laid on the table on further motion of Senator Cordrey.

SB 10 was taken up for consideration on motion of Senator Cordrey:

SB 10 - AN ACT TO AMEND CHAPTER 43, PART II, TITLE II OF THE DELAWARE CODE RELATING TO THE BOARD OF PAROLE; AND PROVIDING FOR A NOTICE TO VICTIMS AND WITNESSES PRIOR TO CERTAIN PAROLE HEARINGS.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Russell T. Larson (Office of Controller General), Gary Dalton (Senate Attorney) and Richard Dillard (Senate Attorney).

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

SA 1 to the Bill was taken up for consideration on motion of Senator Cordrey.

The roll call vote on the Amendment was taken and revealed 18 Senators voting YES, 1 (McBride) voting NO and 2 (Holloway and McDowell) NOT VOTING; therefore, the Amendment was declared adopted.

The roll call vote of SB 10 w SA 1 was then taken and revealed 18 Senators voting YES, 1 (Holloway) voting NO and 2 (Bair and McDowell) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 5 was lifted from the table for consideration on motion of Senator Cordrey.

SA 1 to the Bill was lifted for consideration on motion of Senator Cordrey; however, the Bill and the Amendment were again laid on the table before final action on further motion of Senator Cordrey.

At 3:55 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:40 p.m., Senator Cordrey presiding.

SB 2 was reported out of the Finance Committee: 6 Merits.

At 4:42 p.m., Lt. Governor Woo presiding.

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

**SB 19 - AN ACT TO AMEND CHAPTER 49, PART III, TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURES; AND PROVIDING FOR CERTAIN EXEMPTIONS FROM EXECUTION.**

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

**SCR 14** was introduced and considered for adoption on motion of Senator Vaughn:

**SCR 14 - REQUESTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO CONDUCT A SERIES OF TESTS AT ALL INDUSTRIAL COMPLEXES IN THE DELAWARE CITY AREA TO IDENTIFY ANY HAZARDOUS SUBSTANCES, (TOXIC EMISSIONS AND OFFENSIVE MATERIALS) THAT MAY BE DISCHARGED IN THE AIR, SOIL OR WATER BY SUCH INDUSTRIES DURING THE COURSE OF THEIR OPERATIONS.** Sponsors: Senators Vaughn, Connor; Representatives Mack, Jester.

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

**SCR 13** was introduced and considered for adoption on motion of Senator Marshall:

**SCR 13 - PROVIDING FOR THE ESTABLISHMENT OF A JOINT REVENUE AND TAXATION COMMITTEE WHOSE RESPONSIBILITY WILL BE TO MONITOR AND STUDY THE VARIOUS TAX REFORM PROPOSALS AND BUDGET CUTS BEING CONSIDERED BY CONGRESS AND THEIR EFFECT ON THE STATE OF DELAWARE.** Sponsors: Senator Marshall, Representative Petrilli.

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

At 5:05 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 30, 1985.

The Senate reconvened at 2:13 p.m., January 30, 1985, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 32 w HA 1** and adopted **HCR 16** and **SCR 8**.

The following legislation was introduced:

**SB 36 - AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO GENERAL ASSEMBLY APPROVAL OF THE IMPOSITION OF PERMIT AND LICENSE FEES.** Sponsors: Senators Torbert, Vaughn, McDowell, Adams, Minner, Cook, Holloway, Slatcher; Representatives Steele, Caulk, Buckworth, Carey, Barnes, West, B. Ennis, Plant, Campanelli, C. Cordrey, Jonkiert, Jester, Clark. Assigned to Natural Resources and Environmental Control Committee.

**SB 37 - AN ACT TO AMEND CHAPTER 17, TITLE 7 OF THE DELAWARE CODE RELATING TO INCREASE PENALTIES FOR PARTICULAR DOGS RUNNING AT LARGE VIOLATIONS.** Sponsor: Senator Martin. Assigned to Natural Resources and Environmental Control Committee.

**SB 38 - AN ACT TO AMEND PART I, SUBCHAPTER II, TITLE 16 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE STATE BOARD OF HEALTH; AND PROVIDING FOR THE REGULATION OF HOME HEALTH CARE; AND CHAPTER 93, TITLE 16 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF A HOME HEALTH AGENCY.** Sponsors: Senator Holloway; Representative VanSant. Assigned to Health-Social Services/Aging Committee.

**SB 39 - AN ACT TO AMEND CHAPTER 334, VOLUME 64, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1985, SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS".** Sponsors: Senator Cordrey; Representative Hebner. Assigned to Finance Committee.

**SB 40 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO UNIFORM LEAVE RULES FOR CERTAIN EXEMPT STATE POSITIONS.** Sponsors: Senators Cordrey, Berndt; Representatives Jonkiert, VanSant. Assigned to Executive Committee.

**HB 32 w HA 1 - AN ACT TO AMEND CHAPTER 42, SECTION 4209, TITLE II OF THE DELAWARE CODE, RELATING TO THE METHOD OF PUNISHMENT FOR FIRST DEGREE MURDER.** Sponsors: Representatives Roy and Senator Vaughn; Representatives Bennett, Boykin, Buckworth, Steele, C. Cordrey, Corrozi, Reynolds, B. Ennis, D. Ennis, Houghton, Jonkiert, Mack, Taylor, Petrilli, Quillen, Smith, VanSant; Senators Adams, Bair, Berndt, Citro, Slatcher, Martin, Sharp. Assigned to Judiciary Committee.

The Governor's nomination for appointment of John L. Sullivan was reported out of the Executive Committee: 2 Favorable, 4 Merits.

At 2:18 p.m. on motion of Senator Bair, the Senate observed a moment of silence in memory of Senator Slatcher's brother-in-law, Claude Hoffman who was killed in an accident the previous day.

At 2:19 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 10th Legislative Day.

10TH LEGISLATIVE DAY  
January 30, 1985

The Senate convened at 2:19 p.m., Senator Cordrey presiding.

A Prayer was offered by Rev. Thomas Holsey.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The following letter was read into the record at the request of Senator Holloway:

1209 West Lawn Court  
Apartment 7-B  
Wilmington, Delaware 19809  
January 28, 1985

Letters to the Editor  
News-Journal  
Post Office Box 1111  
Wilmington, Delaware 19899

Dear Editor:

On Sunday, January 27, 1985, our family woke up in a cold apartment! We are tenants of the Village of Woods Edge Complex (off of Governor Printz Boulevard).

Realizing that the problem was with our heater unit (gas unit), we put in three calls to the complex's answering service before 11:00 a.m. The answering service on two occasions was rude and unsympathetic to our concerns. Please bear in mind that she was told that we have a 4 year old and a 9 year old.

This development is supposedly very respected, and it should be since we and other tenants pay \$355 and more a month, that's not including utilities. The development just recently changed owners (about two months, however, they do have staff and a manager).

Around 11:00 a.m., the electrician called to say that he would be coming over. However, prior to that he told my husband "he wouldn't be able to come until Monday morning." So, my husband's reply was "what were we supposed to do for heat in the meantime." Then he said that he would be right over.

At 1:30 p.m., I called back to the answering service and explained to her that I have a 4 year old who just had surgery and didn't want him ill again. Her reply was "I keep calling, but no one answers the phone". I then asked her would she give me the number and let me try calling, she replied "I'm not allowed to do that."

The moral to this very upsetting story is, where were the 24-hour on-call persons that are supposed to be available to us? Does the development's owners feel that since it as a Sunday (their day off) it was okay for us to freeze, while they infact had heat!! Where does a tenant's rights began? How many other tenants will experience what we did, or worse?

The funny part is that if you're late with your rent, (as experienced with neighbors across the hall), the police is certain to knock on your door with a warrant for possession of property. But no one knocked on our door to come and fix our heater. It is really sad that people will be moving here not knowing what they might be up against on a cold winter's night.

Please note that as of this writing we still have little (very) heat and my children, my husband and I are bundled up in blankets, while our landlord no doubt, is warm and probably watching "60 minutes."

Sincerely,  
Melvin & Eleanor Allen  
Wilmington, Delaware

P.S. For your personal notation, the weather forecast for tonight is 17°. Also, each apartment has their own individual heating units.

cc: Senator Herman M. Holloway, Sr.  
Ms. Witsil, Apt. Manager  
U. S. Senator Joseph R. Biden, Jr.

\* \* \* \* \*

The following Committee reports were announced:

From the Education Committee: **HCR 14** - 1 Favorable, 3 Merits.

From the Community Affairs Committee: **SB 32** - 3 Favorable.

**SCR 12** was introduced and considered for adoption on motion of Senator McDowell:

**SCR 12** - PROVIDING FOR AN EXTENSION FOR WHICH THE PUBLIC RAIL TRANSPORTATION TASK FORCE CAN REPORT ITS FINDINGS. Sponsors: Senator McDowell, Neal; Representatives Anderson, Brady, VanSant.

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

**HCR 16** was introduced and considered for adoption on motion of Senator Sharp:

**HCR 16** - PROVIDING THAT A JOINT SESSION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES BE CONVENED TO HEAR THE PRESENTATION OF THE GOVERNOR'S ANNUAL BUDGET MESSAGE. Sponsors: Representatives Oberle and Barnes.

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

Senator Zimmerman marked PRESENT.

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

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cordrey, Holloway, Knox, Marshall, Martin, McBride, Minner, Neal, Sharp, Slatcher, Zimmerman - 16.

NO: Senator Vaughn - 1.

NOT VOTING: Senators Cook, McDowell - 2.

ABSENT: Senators Citro, Torbert - 2.

Therefore, the appointment was declared confirmed.

At 2:36 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:10 p.m., Senator Cordrey presiding.

The following legislation was introduced:

**SB 41** - AN ACT TO AMEND CHAPTER 52, TITLE 29, DELAWARE CODE, RELATING TO GROUP HEALTH CARE BENEFITS FOR STATE RETIREES COVERED BY MEDICARE. Sponsors: Senators Martin, Holloway, Cook, Torbert; Representative George. Assigned to Finance Committee.

**SB 42** - AN ACT TO AMEND CHAPTERS 21 AND 27 OF TITLE 21 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A MOTORCYCLE RIDER EDUCATION PROGRAM AND PROVIDING A SELF FUNDING PROGRAM THEREFOR. Sponsors: Senator Torbert, Representative B. Ennis; Senators Arnold, Berndt, Cook, Connor, Knox, Martin, McBride, McDowell, Neal, Slatcher, Vaughn; Representatives Anderson, Bennett, Buckworth, Clark, C. Cordrey, Davis, Houghton, Jester, Outten, Plant, Roy, VanSant, West. Assigned to Public Safety Committee.

Senator Citro marked PRESENT.

**SB 43** - AN ACT TO AMEND SECTION 541, SUBCHAPTER II, OF CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO PROCEDURAL REQUIREMENTS GOVERNING THE ALCOHOL BEVERAGE CONTROL COMMISSION'S ACTION. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

**SB 44** - AN ACT TO AMEND SECTION 5307, CHAPTER 53, TITLE 25 OF THE DELAWARE CODE, WITH REFERENCE TO LANDLORD-TENANT RELATIONSHIPS; INCREASING THE ABATEMENT FOR RENT FOR PERIODS IN WHICH HEAT OR WATER OR HOT WATER IS NOT PROVIDED BY A LANDLORD. Sponsors: Senators Holloway, McBride; Representative Oberle. Assigned to Health-Social Services/Aging Committee.

**SA 1 to SB 22**. Sponsor: Senator Sharp. Placed with the Bill.

**SB 22** was taken up for consideration on motion of Senator Sharp:

**SB 22** - AN ACT TO AMEND CHAPTER 95, PART VII, TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE; AND PROVIDING FOR THE USE OF CASH AS SECURITY ON APPEAL.

**SA 1** to the Bill was taken up for consideration on motion of Senator Sharp and the roll call vote taken which revealed 20 Senators voting YES and 1 (Berndt) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on **SB 22 w SA 1** was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 4:20 p.m., Senator Sharp presiding.

**SB 5** was lifted from the table for consideration on motion of Senator Cordrey.

**SA 1** to the Bill was stricken at the request of Senator Cordrey.

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

The following legislation was introduced:

SA 1 to SB 39. Sponsors: Senator Cordrey; Representative Hebner. Placed with the Bill.

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

SA 2 to HB 1. Sponsor: Senator Holloway. Placed with the Bill.

On motion of Senator McBride, HCR 14 was taken up for consideration under suspension of the necessary rules:

HCR 14 - ESTABLISHING A LEGISLATIVE TASK FORCE ON EDUCATION TO DISCUSS ISSUES AND DEVELOP PRIORITIES DURING THE 133RD GENERAL ASSEMBLY.

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

At her request, Senator Cook was added as co-sponsor of SB 41.

At 4:30 p.m. on motion of Senator Sharp, the Senate recessed until 1:30 p.m., January 31, 1985.

The Senate reconvened at 1:35 p.m., January 31, 1985, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 67 and adopted HCR 18, HCR 19, HCR 20, HCR 21, HCR 22, HCR 23, SCR 9 and SCR 11.

The following legislation was introduced:

HCR 20 - RE-ESTABLISHING A BLUE RIBBON TASK FORCE TO CONDUCT A STUDY OF THE BUSINESS LICENSE AND GROSS RECEIPTS TAX STATUTES OF DELAWARE AND TO RECOMMEND NEEDED REFORMS OF THESE STATUTES. Sponsor: Representative Boykin. Assigned to Small Business Committee.

HB 67 - AN ACT TO AMEND CHAPTER 13, TITLE 9 OF THE DELAWARE CODE RELATING TO THE ASSESSMENT OF PROPERTY IN NEW CASTLE COUNTY IN YEARS OF GENERAL REASSESSMENT OF PROPERTY. Sponsors: Representative Oberle, Senator Sharp. Laid on the table on motion of Senator Sharp.

The following Committee reports were announced:

From the Finance Committee: HB 1 - 2 Favorable, 3 Merits; SB 3 - 5 Merits; SB 39 - 5 Merits.

At 1:39 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 11th Legislative Day.

#### IITH LEGISLATIVE DAY January 31, 1985

The Senate convened at 1:39 p.m., Senator Cordrey presiding.

A Prayer was offered by Rev. Thomas L. Holsey.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

HB 67 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 67 - AN ACT TO AMEND CHAPTER 13, TITLE 9 OF THE DELAWARE CODE RELATING TO THE ASSESSMENT OF PROPERTY IN NEW CASTLE COUNTY IN YEARS OF GENERAL REASSESSMENT OF PROPERTY.

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

At 2:45 p.m. on motion of Senator Sharp, the Senate recessed to convene with the House of Representatives in the House Chamber for a Joint Session.

#### JOINT SESSION IN HOUSE CHAMBER January 31, 1985

Pursuant to HCR 16, the House and Senate convened for a Joint Session at 1:56 p.m., Speaker of the House, Hebner, presiding.

On motion of Representative Oberle, and without objection, Representative Hebner was appointed to preside over the Joint Session.

Representative Oberle moved that the Chief Clerk of the House and the Secretary of the Senate act as secretaries of the Joint Session. No objection.

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

The Sergeant-at-Arms announced the arrival of the State and County elected officials. They were admitted and seated.

The Sergeant-at-Arms announced the arrival of the Governor's Cabinet. They were admitted and seated.

On motion of Representative Oberle and without objection, Representative Hebner appointed the following to escort the Governor to the Chamber: Representatives Anderson, Free, West, Reynolds.

The Chair declared a short recess while awaiting the arrival of the Governor.

The Sergeant-at-Arms announced the arrival of Governor Michael N. Castle and the Escort Committee.

The Governor was welcomed and invited to the podium.

Representative Hebner welcomed and introduced to the Joint Session, The Honorable Elbert Carvel, former Governor of the State of Delaware.

Governor Castle addressed the Joint Session as follows:

Lieutenant Governor Woo, Mr. President Pro Tem, Mr. Speaker, members of the 133rd General Assembly, members of the judiciary and cabinet, honored guests and the people of Delaware.

Five years ago, the members of the General Assembly made a fundamental decision about the fiscal integrity of Delaware's government. By constitutionally mandating a 98% limit on spending, you declared that government would live within its means -- in good times and bad.

The years that followed placed unusual demands on this body. But you accepted the responsibility for controlling the growth of State spending, resisting the pressure to "bend" the rules despite the difficult decisions that resulted. Those decisions were made particularly hard when Delaware suffered the effects of a severe nationwide recession. However, while other states laid off employees and dramatically cut services, we in Delaware were able to meet our obligations without lay-offs and without drastic cutbacks.

When the General Assembly met last year, the recession was over and the State was faced with a huge increase in revenues, one that offered the chance to "catch up," but at the same time raised the prospect of new, uncontrolled spending. The new revenues available to us last year allowed the base budget to grow at a rate faster than inflation, so that we could fund projects delayed in the previous two fiscal years. To your credit, you honored the 98-percent limit on spending, limited the growth of the base budget, and returned much of the anticipated increase in revenues to the taxpayers through a major cut in personal income taxes.

Again this year, Delaware faces the prospect of revenues far in excess of its needs. Again, we must resist the temptation to spend it all. Again we have the opportunity to lessen the burden on the taxpayer by reducing our tax rates. And we are presented with the unique opportunity to meet many long neglected needs for capital improvements without incurring additional long-term debt that would be paid for by our children and grandchildren.

At the same time, however, it is our responsibility to the citizens of this State to assure that the State meets its obligations: that our schools are adequately provided for, that our roads are in good condition, that the people who must turn to the State for help receive it, that we back up our commitment to jobs and economic development. In the next five months, we must reach agreement on a budget that assures all these things.

The Budget I am presenting today indeed fulfills the State's responsibilities to all its citizens, and then does considerably more. It meets the objective of restraining growth in the budget, reduces further the tax burden, and prevents additional long-term debt while meeting our capital needs.

Based on the Delaware Economic and Financial Advisory Council's December forecast, we estimate that in fiscal 1986 revenues available to us will be \$860.5 million. We will carry forward another \$65.4 million from the current fiscal year, bringing total available funds to \$925.9 million.

We are required by law to add \$2.1 million to the "rainy day" fund, and we must reserve \$18.3 million for the two-percent cushion against unexpected demands on the State during the fiscal year.

From the balance, I am proposing an operating budget of \$853.4 million.

Included in this Budget is a total of approximately \$63 million, or about eight percent of the budget, which will be devoted to new programs or new commitments. Those commitments include \$20.6 million for a 4.3 percent salary increase for State employees. This increase is being recommended at a time when union wage settlements nationwide are below three percent. We are proposing \$18 million in additional funding to improve education in Delaware, and \$12.7 million for new programs -- from helping teenagers with special problems to providing for more adequate protection against environmental threats.

In addition, this budget proposes the final step in a long-term process of removing from the capital bond bill salaries of employees in the Department of Transportation and the Department of Natural Resources and transferring them to the operating funds where they belong. It is wrong to borrow money to pay current operating salaries, and I have included \$4.5 million in my proposed budget to end this practice.

But if you were to adopt this spending plan intact, we would still have a surplus of \$44.5 million in Delaware.

For that reason, I am proposing a reduction in personal income tax rates of at least five percent and a \$200 increase in the personal exemption, which together will reduce revenues by \$14.5 million in fiscal 1986 and \$29 million in fiscal 1987.

And I am proposing that the balance of excess revenues -- another \$30 million -- be placed in the First State Improvement Fund. This fund is designed to bring lasting improvements to the State's infrastructure and further strengthen our economic base. By funding projects in this manner, we will be able to address additional long-standing infrastructure needs that otherwise could be met only through the normal capital budget program.

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Having served as a legislator for 10 years and as Lieutenant Governor for four years, I know the frustration of being unable to see a valuable program adopted because funds are not available. Preparing the budget, I have encountered the same frustration.

When we began our agency-by-agency analysis of State government in November, we quickly realized that our ability to redirect the State's efforts is severely limited by the fact that current programs and fixed costs claim as much as 93 percent of the funds appropriated for each department.

Simply building on past budgets year after year without reexamining our priorities has severely limited our ability to make government more responsive and at the same time limit its growth.

But we must limit the growth of State government to as near the rate of inflation as possible. That policy makes sense for two reasons.

First, as I stated earlier, we allowed State spending to grow at more than double the rate of inflation last year in order to catch up on many programs deferred because of the recession. For that to occur a second year would place us in jeopardy of returning to the cycle of tax and spend common for so many years in State government. With the uncertainties about the effect of decisions made in Washington, it is necessary to restrain our spending, particularly in this fiscal year, until we see the actual long-term obligations that the State will be required to assume in the future.

Second, sustained low inflation requires government to adjust its spending patterns. It is no longer necessary to increase a budget by eight or nine or ten percent just to keep even. At a time when inflation is projected at less than five percent, government must restrain its spending to a similar level.

The approach I have taken to the budget this year offers an opportunity for all of us to have a lasting impact on government -- and on our State. At the same time, it will make great demands on our resolve, because the change in approach to State spending I am recommending is no less significant than the constitutional budgetary restraints you enacted several years ago. And change inevitably brings opposition.

Our answer to the special interests and critics must be that government cannot be allowed to fuel inflation, that it cannot be allowed to grow faster than the incomes of the men and women who support it.

We must be committed to finding alternatives. In the course of developing the budget, department by department and division, I found that some agencies in fact proposed programmatic budgets which result in providing more services without substantial increases in spending. For example, when Dr. Tom Updike, Director of the Division of Mental Health, proposed his budget last fall, he proposed a "continuum of care" to meet the needs of the people the divisions serves. More important, the division adopted the concept of reallocating departmental resources to fund new initiatives.

Dr. Updike's approach has been to place his division's clients in less restrictive settings -- to provide a level of care appropriate to each individual's needs -- and thus reduce costs associated with institutionalization. This approach is at once more compassionate and less demanding on the State's resources.

I believe every agency and department in the State can do the same thing.

The operating budget I am presenting is 5.2 percent larger than the fiscal 1985 budget. It sends a message to the taxpayer that we know whose money we are spending, and that we will spend only what is needed. The rest belongs to them, and we will not contrive new uses for it at their expense. That must be our commitment to the people of Delaware.

Having talked about the philosophy behind the budget I am presenting, I would like to turn now to the budget itself and discuss some of the programs we are recommending.

#### NEW AND EXPANDED PROGRAM INITIATIVES

##### DEPARTMENT OF HEALTH AND SOCIAL SERVICES

First, the Department of Health and Social Services.

24 Hour Comprehensive Emergency Service. The State's Mental Hygiene Clinics have the responsibility of providing comprehensive mental health services statewide. Currently, these clinics are able to send staff members to respond to emergency situations only during regular working hours.

An increase of eight staff members will provide comprehensive emergency service and a mobile crisis unit to respond to acute, individual mental health emergencies in the community 24 hours a day. The agency anticipates that a additional 600 to 700 people will be served as a result.

Shifting a 50-bed Geriatric Unit to Governor Bacon Health Center. I am proposing the creation of an alternate placement facility for geriatric patients at the Governor Bacon Health Center.

By spending \$600,000 for this unit, we expect to realize a net savings to the State of \$383,000. Moreover, this supervised residential service for 50 patients who do not need the total care Delaware State Hospital provides will relieve the pressure for additional beds at the State Hospital.

This a prime example of how we were able to remove a program from the budget base - at considerable savings -- without affecting State services. Rather, we were able to increase our flexibility and better use the State's resources.

Drug Residential Program. While Delaware provides a residential treatment program for alcoholics, those with severe drug-related problems are unable to turn to the State for help today.

To address that problem, a drug-abuse residential treatment program for adult drug users has been recommended in the fiscal 1986 budget. This long-term care program will have a ten- to twelve-bed capacity, and it will provide a highly structured environment to those adult drug users who do not have substantial criminal justice system involvement.

#### DEPARTMENT OF SERVICES TO CHILDREN, YOUTH AND THEIR FAMILIES

I am recommending a series of new expenditures in the Department of Services to Children, Youth and Their Families:

\*First, funding to allow expansion of the foster home program in Kent and Sussex counties to provide needed new foster home beds and shelter foster home beds.

\*Second, the creation of a new, conservation-oriented program, called the Marine Institute, for 30 to 40 youths currently classified as minimum security inmates at Ferris School for Boys. Similar programs in other states have resulted in a lower recidivism rate than we are achieving at Ferris. It is also less costly.

\*Third, I am proposing to remedy the State's inability to provide services for severely disturbed adolescents by appropriating \$835,000 for contract mental health services.

Today the State offers acute youth mental health services for children up to the age of 12 at the Terry Psychiatric Center; after the age of 12 youths are treated at the Adult Mental Health Center at Delaware State Hospital.

By providing six psychiatric hospital beds for youth diagnosed to be dangerous to themselves or to others, the State can provide up to 30 days of treatment for approximately fifty of these youths annually. At the same time, this proposal will provide psychiatric hospital care for a smaller number of young people who require longer hospitalization.

#### EDUCATION

In the coming fiscal year, we will continue to implement the recommendations of the Governor's Task Force on Education for Economic Growth, and I am recommending a total of \$18 million for new programs in our public schools. On top of the \$21 million increase approved last year, this demonstrates our continuing commitment to our schools.

As Governor, I am prepared to continue the commitment of new dollars if teachers and the school system demonstrate that they are equally committed to improve the quality of the education our children receive. We cannot continue to be at the forefront of seeking improved funding for our schools if our schools are not at the forefront of improving educational opportunities for children. Indeed, in the next year I personally will demand of our school system the same accountability for their increased funding that the taxpayers demand of us when we spend those funds.

Let me cite a few statistics that raise disturbing questions, questions that demand answers.

According to the U.S. Department of Education, Delaware spends more per student than all but eight other states. But our spending doesn't show up in the classroom. Not only do we pay our teachers less than twenty-one other states, we have fewer teachers per student. The fact is, we have more non-teaching employees than most other states. In other words, we spend too much on the system and too little in the classroom.

I look to the State Board of Education to address this seeming imbalance. I look to the Department of Public Instruction and the school districts to recommend ways we can assure that a greater proportion of the money we appropriate reaches the classroom.

In the budget, four million dollars has been included for increased compensation under a career ladder program designed to reward the best teachers and set higher standards for all of them. I endorse the work of the Monitoring Committee, and thank its members for their efforts. But I believe that this program should benefit teachers and specialists, the people who make the biggest difference in our children's school day.



The last component of the Critical Curriculum Program, Teacher Scholarships, is funded at a cost of \$250,000, bringing the total cost of that program up to \$450,000. Four additional Curriculum Improvement workshops also are included in this budget.

The proposed budget for education includes an additional \$2.9 million to fulfill the second year of the Equalization legislation. Another \$1.2 million is included to further reduce class sizes in Grades one through three.

I am recommending increased funding to the Delaware Teacher Center to allow additional workshops, mini-grants, and supplies, and twenty additional district computer literacy grants of \$15,000 each.

#### DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL

Within the Department of Natural Resources and Environmental Control, I am recommending creation of a new Division of Hazardous Waste Management, at a cost of \$150,000. The new division will be responsible for air pollution control and the control of hazardous solid wastes, for the "Superfund" cleanup of toxic waste sites, and for the prevention of any additional sites. An additional year of funding, \$200,000, has been recommended for continued work to protect Delaware's inland bays.

#### DEPARTMENT OF CORRECTION

The escalating growth in the area of our prison population will create a shortage of beds at the end of the fiscal year. To alleviate this situation, I have recommended that \$190,000 be appropriated for staffing and operational costs to open 112 beds on July 1, 1986, within the new 300 bed institution now under construction at the Delaware Correctional Center.

I have also reviewed recommendations on the security needs of the correctional system, both within and outside our major institutions, and propose that approximately \$225,000 be appropriated to meet these needs. I am also proposing \$190,000 to expand our Prison Industries effort.

The budget I have proposed provides additional probation officers to more effectively control and manage Probation and Parole cases, and I am recommending additional support to improve collection of fines, victim compensation costs and restitution payments.

Finally, I have included \$987,400 for correctional officer pay increases. The proposal will increase the starting rate for correctional officers from \$11,837 to \$13,428.

I have not mentioned every department, but the needs of each have been met. For example, in the Department of Community Affairs, an administrative assistant has been provided to assist the Advisory Council for the Coordination of Services to the Handicapped.

For the Department of Agriculture, I have recommended expanded agricultural marketing and development programs with the potential to increase the ability of our farmers to sell their products and help them develop new crops.

#### FIRST STATE IMPROVEMENT FUND

New programs have been included in the budget of each department, and each budget reflects our efforts to reduce costs and shift funds from old programs to new initiatives, as well as our commitment to limiting government growth to approximately the inflation rate.

Our revenues have outstripped the rate of inflation, however. Spurred by a healthy business climate and conservative decisions about government spending, Delaware's economy continues to grow, bringing new revenues to the State.

The budget I am proposing reflects my strong commitment to that conservative approach. Further, I am strongly committed to maintaining the 75 percent limitation on new indebtedness. Yet I recognize that there is a long-standing need for repairs and restoration that must be met. Fortunately, the State's growing economy makes it possible to address those needs in a creative way while maintaining the 75 percent limit. I propose to create a new source of funds, separate from the bond bill, using excess revenues available this year. This approach has the advantage of reserving a portion of our excess revenues over a three-year period as insurance against unforeseen changes in the economy.

Last year, faced with a similar excess of revenues, the General Assembly approved a major cut in personal income taxes, a package of "one-shot" appropriations, and a budget twelve percent larger than the previous year's budget.

Now our approach to the revenue surplus anticipated in fiscal 1986 must change. We cannot commit ourselves to a further inflated budget and large-scale spending today when there is uncertainty about the economy and the effect of decisions Congress may make about federal taxes and the federal budget. Even if the national economy continues to grow, even if Delaware's economy continues to outperform the national economy, and even if we are not forced to adjust to federal tax changes or program cuts, we must adopt a more systematic approach to that surplus.

Over the past two months, we have considered a number of possible uses for the surplus: a tax cut, a tax rebate, a reduction of the State's long-term debt, a program to rebuild the State's infrastructure. Each proposal would either reduce the present tax burden on our citizens, or reduce the demands we place on them in the future. That is, by rebuilding a bridge at today's prices, we eliminate the need to do so later, when costs will be higher. By increasing the State's ability to attract business and industry, we enlarge the tax base and thus reduce the demands we make on individual taxpayers.

The proposal I am placing before you today does both, by cutting taxes and by investing our surplus in long-term improvements.

I am recommending that the "First State Improvement Fund," which would be capitalized at \$30 million and invested so that we can use both principle and interest, be used in the following way:

Between 10 and 20 percent of the annual expenditure should be used for economic development projects, building on the efforts of the past five years to encourage business to grow in Delaware. The purchase of land, the improvements in needed infrastructure, the provision of public amenities have all shown us that when government and the private sector continue to work together, abundant economic yields are forthcoming.

A similar amount should be set aside to match funds generated by local communities for physical improvements which will beautify and enhance the quality of living in our towns and cities in time for the Bicentennial. This portion of the fund would allow each of Delaware's counties and towns to embark on projects that would have lasting value, building community pride at the same time they were making permanent improvements.

The balance of the money should be used to finance needed rehabilitation and restoration of the State's existing infrastructure, improvements that in many cases are long overdue but have not been possible in past years.

I believe that the importance of this concept calls for the reaction of a new steering committee for the fund which will annually recommend to the General Assembly how best to invest these monies in important development improvements. The recommendations of the board, which will be appointed by the Governor and the General Assembly, will coincide with the legislative review process for our annual capital improvement program.

This proposal is predicated on continued prosperity in Delaware; should changes in the economy or unusual demands on the State require it, we must be prepared to reallocate this fund to meet prior commitments. To that end, in recommending creation of the Fund I am also recommending that the enabling legislation include a "trigger" allowing us to shift its resources to the General Fund in the case of an emergency.

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As you recess today to hold your hearings on this Budget, I ask you to remember what brought Delaware to where the State is today. The sound fiscal policies of the prior Administration and General Assemblies were forged out of necessity and ultimately, a commonality of experience - we know the bad times. They were constructed by wise leaders and dedicated managers who once given the challenge answered the call. They were a result of sound decision-making and good laws.

The budget provides the State with the resources to meet its responsibilities, and at the same time reflects our ultimate responsibility to the people who support State government with their taxes. More important, it reflects my commitment to making government more flexible and responsive, not simply more expensive.

I ask you to join me in that commitment.

Thank you very, very, much.

\* \* \* \* \*

The Speaker of the House appointed Senators Adams, Vaughn, Slatcher and Neal as a Committee to escort the Governor back to his Office.

On motion of Representative Oberle and without objection, the Chief Clerk of the House and the Secretary of the Senate compared their Journals and found them to agree.

At 2:27 p.m. on motion of Senator Oberle, the Joint Session adjourned.

\* \* \* \* \*

The Senate reconvened at 3:16 p.m., Lt. Governor Woo presiding.

Senators McBride and Zimmerman marked PRESENT.

SCR 15 was introduced and considered for adoption on motion of Senator Cook:

SCR 15 - EXTENDING CONGRATULATIONS TO NATHAN HAYWARD, III AND HIS WIFE, MARILYN, ON THEIR FIRST CHILD, "A BOY", BORN TUESDAY, JANUARY 29, 1985. Sponsors: Senator Cook, Representative Gilligan; Senators Martin, Adams, Cordrey, Berndt, Bair, Knox; Representatives George, Bennett, Petrilli, Corrozi, Roy.

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

Lt. Governor Woo recognized and introduced to the Senate, former Governor Elbert Carvel.

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

SCR 16 - URGING DELAWAREANS TO ATTEND THE ANNUAL "DELAWARE DAY" FESTIVITIES IN FORT LAUDERDALE, FLA., ON FEBRUARY 14, 1985, WHICH WILL BE HELD IN MEMORY OF THE LATE WALTER LESLIE "REDS" WHEATLEY. Sponsors: Senators Zimmerman, Cook, Vaughn, Adams, Berndt; Representatives Bennett, B. Ennis, Outten.

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

Lt. Governor Woo recognized and introduced to the Senate Judge Murray.

SCR 17 was introduced and read in its entirety at the request of Senator Martin:

SCR 17 - EXTENDING HAPPY BIRTHDAY WISHES TO ELBERT N. CARVEL, DELAWARE'S GOVERNOR FOR TWO TERMS AND LT. GOVERNOR FOR ONE TERM WHO WILL CELEBRATE HIS 75TH BIRTHDAY ON FEBRUARY 9, 1985. Sponsors: Senator Martin and all Senators and all Representatives.

WHEREAS, Elbert Nostrand Carvel of Laurel, Delaware's illustrious Governor for two terms and Lieutenant Governor for another will observe his 75th birthday on February 9, 1985, having come into the world with Halley's Comet in 1910; and

WHEREAS, former Governor Carvel has achieved notable successes in such private sector endeavors as banking, business, human rights, religious and educational leadership, the Masonic Club and other civic, fraternal and charitable organizations as well as a host of unknown acts of kindness and generosity; and

WHEREAS, his terms of office were marked by a high sense of dedication to the essential principles of the democratic form of government which prevails in our Republic as well as achievements of expansion of State activity in those years following World War II when so much needed to be done to help returning veterans and give impetus to all kinds of construction stalled by our nation's wartime needs; and

WHEREAS, former Governor Carvel has always stood tall for honesty in government, fairness to all men and women regardless of political affiliation, the integrity of our voting system and in general for all policies that have proven beneficial to Delawareans, including equal rights for every citizen; and

WHEREAS, his attainment of three-quarters of a century of a life brimming with the fullness of activity and thoughtfulness is a cause for celebration and observance on the part of all Delawareans.

NOW, THEREFORE:

BE IT RESOLVED by the Senate of the 133rd General Assembly of the State of Delaware, the House of Representatives concurring therein, that the day of January 31, 1985 be set aside in honor of former Governor Elbert N. Carvel since the Legislature will not be in session on his actual birthday.

BE IT FURTHER RESOLVED that we hereby extend him our congratulations for a lifetime of excellence to date and the earnest hope that he, his wife, Anne, and all of his much loved family enjoy many more years together in health, happiness, prosperity and that the State of Delaware, which he has served so faithfully, profits from his wisdom, experience and devotion in the future as it has in the past.

\* \* \* \* \*

Senator Martin introduced Governor Carvel to the Senate and the Governor addressed the Senate as follows:

Thank you very much Senator Roger Martin for those kind words.

Members of the Senate, Lt. Governor Woo, and Delaware citizens:

Being here in the Senate, brings back many fond memories. I presided over this august body, I think I am up here on one of these plagues while I presided, probably two, and I think that was probably one of the happiest times of my life was to preside over the Senate when we had six democrats in the Senate and 11 republicans - we were in the minority. We had a republican governor and we had all the glory of being, well I had all the glory of being Lt. Governor and not much responsibility, so this is really almost a politician's dream, to be able to enjoy those kind of things. As I told Governor Castle, when I went up to the Governor's Office, I thought I knew pretty well what was going on in this state as Lt. Governor and after I was there for two weeks, I thought to myself, My God, I have got three years, eleven months and two more weeks to go, I don't know how I am going to make it. But we did it with the help of Harris B. McDowell, Jr., the Senator's father, the Secretary of State and with the help of many other citizens throughout the State and that is the way Government works you know, you just don't do it by yourself in this democracy. The people work together and when they're called upon, they serve and that's what I've tried to do since my term as governor has been up, I've tried to be helpful to the General Assembly, to the Governor and to the Judiciary because I think this is what we owe as citizens to our state and realizing that we are in Delaware, this is probably the most wonderful state to live in and be part of because we communicate so well, because it has such a salubrious climate and because the people are so wonderful, this is truly a great State and I think that probably my term as governor, my terms as governor, were one of the happiest times of my life and I look back with pleasure on them.

I look forward to continuing to do what I can to be helpful in this state. I am grateful to the Senate for this unanimous action as I was when they so kindly, when they in the House so kindly passed a resolution to name that magnificent office building, the Elbert N. Carvel Delaware State Office Building up in Wilmington and this represents another highlight in my long career of 75 years. It is hard to realize as it has been pointed out that I have been serving somehow in some capacity have been serving this state for over 40 years. I started as Lt. Governor in 1945 and at that time you might know that Governor Bacon recommended a Budget of 22 million and at the end of my term the budget was 55 million and at the end of my second term, my budget to run the executive office was 57 thousand that was for secretarial help, automobile - it didn't pay for the driver - but everything else - telephone, governor, secretary, stationery, the whole business - 57 thousand - so you can see we have come a long way. I can tell you that I have enjoyed working with each and everyone of you here in the Senate and in the House and I look forward to many years ahead. I have served on the Board of the Trustees, I have served as a trustee on the Board of Trustees of the University of Delaware since 1945 and that is also 40 years and we are grateful to you for your support of Education and as I pointed out upstairs a while ago, what we leave as our heritage is a State better than we found and one of the ways we do it is by doing a better job of educating our people, of providing incentives to continually strive for better conditions in the state and to leave as the farmer said about his son - he wanted to leave a farm to him in better condition than that in which he found it, and that's the way you and I want to leave this State. We want to work to keep it the Wonderful State that it is today. Thank you all so much for this kind recognition. I am deeply grateful for your thoughtful and gracious act.

\* \* \* \* \*

Governor Carvel was excused from the floor and Senator Martin moved that Governor Carvel's remarks be made part of the record; there was no objection.

The roll call vote on SCR 17 was then taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

Senator Torbert introduced Mayor Nancy Tiemen of Wyoming, Delaware, to the Senate.

SB 2 was taken up for consideration on motion of Senator Cordrey:

SB 2 - AN ACT TO AMEND CHAPTER 90, TITLE 16, DELAWARE CODE, CLARIFYING THE USE OF THE HEALTH FACILITIES SUBSIDY FUND AND AUTHORIZING AN INCREASE IN THE CAPITALIZATION OF THE FUND AND TO AMEND VOLUME 64, CHAPTER 463, LAWS OF DELAWARE, CLARIFYING THE REQUIREMENT FOR THE DEPOSIT OF INTEREST ON LOANS TO THE GENERAL FUND.

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

At the request of Senator Cook, the privilege of the floor was extended to Nathan Hayward.

At 3:50 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:16 p.m., Lt. Governor Woo presiding.

On motion of Senator Adams, the Governor's nomination for appointment of Frances M. West was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 19 Senators voting YES, 1 (McDowell) voting NO and 1 (Zimmerman) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Joseph M. Lank was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 20 Senators voting YES and 1 (Zimmerman) voting NO; therefore, the appointment was declared confirmed.

SB 32 was taken up for consideration on motion of Senator Minner:

SB 32 - AN ACT AUTHORIZING THE SUSSEX COUNTY COUNCIL TO AWARD A PENSION BENEFIT TO FORMER SPECIFIC EMPLOYEES.

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

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

HB 1 - AN ACT TO AMEND CHAPTER 66, TITLE 18 DELAWARE CODE RELATING TO LINE-OF-DUTY DEATH BENEFITS.

SA 1 and SA 2 to the Bill were laid on the table on motion of the sponsor, Senator Holloway.

SA 3 to the Bill (sponsored by Senator Bair) was introduced and immediately stricken at the request of the sponsor.

SA 4 to the Bill (sponsored by Senator Holloway) was introduced and laid on the table at the request of the sponsor.

The roll call vote on HB 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

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

SR 12 - EXTENDING BEST WISHES FOR A SPEEDY RECOVERY TO REPRESENTATIVE JOHN T. BRAGG, DEPUTY SPEAKER OF THE TENNESSEE HOUSE OF REPRESENTATIVES AND PRESIDENT OF THE NATIONAL CONFERENCE OF STATE LEGISLATURES. Sponsors: Senator Connor and all Senators.

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

Senate Consent Calendar #2 was taken up for consideration on motion of Senator Minner. The Bills comprising the Calendar were as follows:

HC 18 - CONGRATULATING MRS. BERTHA JOHNSON, PRINCIPAL OF SILVER LAKE ELEMENTARY SCHOOL, ON HER RECENT RETIREMENT. Sponsors: Representative Jester, Senator Vaughn.

HC 19 - ESTABLISHING A BLUE RIBBON TASK FORCE TO EVALUATE THE FEASIBILITY OF ESTABLISHING AN OLYMPIC TRAINING/PUBLIC RECREATION FACILITY IN DELAWARE. Sponsors: Representatives D. Ennis, Brady; Senators Berndt, McDowell.

HC 21 - CONGRATULATING DAVID C. CAMPBELL, JR. OF GLASGOW HIGH SCHOOL FOR HAVING BEEN CHOSEN TO REPRESENT DELAWARE IN THE U.S. SENATE YOUTH PROGRAM. Sponsors: Representative Jester, Senator Neal.

HC 22 - CONGRATULATING CHRISTINE STEELE OF CAPE HENLOPEN HIGH SCHOOL ON BEING CHOSEN TO REPRESENT DELAWARE IN THE U. S. SENATE YOUTH PROGRAM. Sponsors: Representative Wingate, Senator Minner.

HC 23 - JOINING THE DEL-MAR-VA COUNCIL IN COMMEMORATING THE 75TH ANNIVERSARY OF THE FOUNDING OF THE BOY SCOUTS OF AMERICA. Sponsors: Representatives Buckworth, Fallon; Senator Torbert.

SR 11 - RECOGNIZING THE CONTRIBUTIONS OF THE DELAWARE REGION, NATIONAL CONFERENCE OF CHRISTIANS AND JEWS "COMMUNITY BUILDERS" FOR THEIR LONG-TERM VOLUNTEER SERVICE TO OUR COMMUNITY. Sponsors: Senators Bair, Holloway, Berndt, Marshall, Knox, Connor, McDowell.

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The roll call vote on Senate Consent Calendar #2 was then taken and revealed 21 Senators voting YES; therefore, the House Concurrent Resolutions were declared adopted and returned to the House and the Senate Resolution was declared adopted.

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

SR 14 - COMMENDING JOHN J. AIELLO ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC WORKS, DIVISION OF DEVELOPMENT AND LICENSING FOR HIS MANY YEARS OF DEDICATED SERVICE. Sponsor: Senator Holloway.

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

SCR 18 was introduced and considered for adoption on motion of Senator McBride:

SCR 18 - URGING THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE ATTORNEY GENERAL'S OFFICE TO USE ALL RESOURCES AT THEIR DISPOSAL TO REQUIRE CHESSIE RAILYARD TO ADHERE AND ABIDE BY STATE LAWS ON NOISE, AIR AND WATER POLLUTION. Sponsors: Senators McBride, Citro; Representatives VanSant, Campanelli.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Berndt and Knox) NOT VOTING; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

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

SR 13 - COMMENDING THE MARVEL FAMILY FOR THREE GENERATIONS OF OWNING AND OPERATING BURTON BROTHERS HARDWARE, INC. Sponsor: Senator Slatcher.

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

The Secretary announced that a message from the House informed the Senate that it had adopted HJR 8 and SJR 3.

HJR 8 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Vaughn:

HJR 8 - REQUESTING THAT THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL CONDUCT AND IMMEDIATE, FULL SCALE INVESTIGATION INTO THE OPERATION OF THE FORMOSA PLASTICS CORPORATION'S VINYL CHLORIDE PLANT AT DELAWARE CITY AND THE EFFECT THAT RECENT CHEMICAL EMISSIONS MAY HAVE HAD UPON THE HEALTH OF NEIGHBORING RESIDENTS. Sponsors: Representatives Mack, Carey, Caulk, D. Ennis, Spence, George, Davis, Houghton, Oberle, Maroney, Reynolds, Taylor; Senators Vaughn, Connor.

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

The following legislation was introduced:

SB 45 - AN ACT TO AMEND CHAPTER 52, TITLE 30, DELAWARE CODE, RELATING TO EXCLUSION OF CERTAIN MOTOR VEHICLES FROM THE OPERATION OF THE MOTOR FUEL TAX. Sponsors: Senator Minner; Representative Davis. Assigned to Revenue and Taxation Committee; reassigned to Public Safety Committee.

SB 46 - AN ACT TO AMEND TITLE 11, OF THE DELAWARE CODE RELATING TO CHILDREN; AND PROVIDING FOR CERTAIN PROTECTIONS AGAINST ABUSE AND MOLESTATION. Sponsor: Senator Connor. Assigned to Judiciary Committee.

**SB 47 - AN ACT TO MODIFY CERTAIN STATE PAY SCALES AND CERTAIN PAY SCALES IN CHAPTER 13, TITLE 14 OF THE DELAWARE CODE AND PROVIDING A SUPPLEMENTAL APPROPRIATION THEREFOR** Sponsors: Senators McDowell, Marshall, Holloway; Representatives Campanelli, Clark, Gilligan, Jester, Jonkiert, Plant, Sills, Spence, VanSant, West. Assigned to Labor Committee.

**SB 48 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO BOARD OF ACUPUNCTURE.** Sponsors: Senators Holloway, Cordrey. Assigned to Health-Social Services/Aging Committee.

**SA 1 to SB 48.** Sponsor: Senator Holloway. Placed with the Bill.

**SB 49 - AN ACT TO AMEND SUBCHAPTER VII, CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO WITHHOLDING OF TAX BY EMPLOYERS.** Sponsors: Senators Zimmerman, Cook, Cordrey, Neal, McDowell; Representatives Outten, Bennett, Barnes, Clark. Assigned to Revenue and Taxation Committee; reassigned to Small Business Committee.

**SB 47** which had been assigned to Labor Committee was reassigned to Finance Committee.

**SB 50 - AN ACT TO AMEND TITLE 14, DELAWARE CODE, TO PROVIDE TUITION-FREE HIGHER EDUCATION FOR PERSONS AGE 60 OR OLDER.** Sponsors: Senator Zimmerman, Cook, Holloway, Marshall, McBride, Martin, Minner, Citro, Knox, Connor; Representatives Outten, West, Campanelli, Jonkiert. Assigned to Education Committee.

**SB 51 - AN ACT TO AMEND CHAPTER 1, TITLE 26, DELAWARE CODE RELATING TO PUBLIC SERVICE COMMISSION APPROVAL OF PARTICULAR RATE INCREASES.** Sponsors: Senators Marshall, McDowell, Citro; Representatives Reynolds, Campanelli, Spence, Houghton, Jonkiert, VanSant. Assigned to Administrative Services/Energy Committee.

**SB 52 - AN ACT TO AMEND CHAPTER 86, TITLE 29, DELAWARE CODE RELATING TO THE ESTABLISHMENT OF THE DIVISION ON WOMEN.** Sponsor: Senator Holloway. Assigned to Community Affairs Committee.

**SB 53 - AN ACT TO AMEND TITLE 6 AND TITLE 29 OF THE DELAWARE CODE RELATING TO ECONOMIC DEVELOPMENT; PROVIDING FOR A SCIENTIFIC AND TECHNOLOGICAL INNOVATIONS ACT; AND MAKING A SUPPLEMENTARY APPROPRIATION THEREFOR.** Sponsor: Senator Connor. Assigned to Education Committee.

**SA 1 to SB 12.** Sponsor: Senator McBride. Placed with the Bill.

**SA 1 to SB 36.** Sponsor: Senator Torbert. Placed with the Bill.

Senator Marshall requested that **SB 53** which had been assigned to the Education Committee be reassigned to the Labor Committee; however, Lt. Governor Woo reassigned the Bill to Executive Committee.

**SA 2 to SB 36.** Sponsor: Senator Bair. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had adopted **HCR 24, HCR 25, HCR 26, SCR 10, SCR 12, SCR 13, SCR 14, SCR 15, SCR 16, SCR 17.**

**HCR 24** was introduced and considered for adoption on motion of Senator Minner:

**HCR 24 - EXTENDING WARMEST WISHES TO WILLIAM CECIL CARPENTER UPON HIS RETIREMENT FROM THE MILFORD SOUTHERN STATES COOPERATIVE.** Sponsor: Representative Carey.

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

At 5:30 p.m. on motion of Senator Sharp, the Senate recessed to the call of the President pro Tempore.

The Senate reconvened at 2:47 p.m., March 19, 1985, Lt. Governor Woo presiding.

**SB 36** was reported out of the Natural Resources and Environmental Control Committee: 5 Merits.

At 2:50 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 12th Legislative Day.

#### 12TH LEGISLATIVE DAY MARCH 19, 1985

The Senate convened at 2:50 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Dr. Charles Paukish, Union United Methodist Church of Bridgeville.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Senator Sharp introduced members of Mid County Senior Center to the Senate.

LEGISLATIVE ADVISORIES 1 and 2 were read which informed the Senate that the Governor took the following action on passed legislation:

LEGISLATIVE ADVISORY #1: On February 6, 1985 the Governor signed **HB 67** (Volume 65, Chapter 1, Laws of Delaware). On January 16, 1985 the Governor signed **SJR 1** and **HJR 1**. On February 7 the Governor signed **SJR 3** and **HJR 8**.

LEGISLATIVE ADVISORY #2: On February 14, 1985 the Governor signed **HB 1** (Volume 65, Chapter 2, Laws of Delaware) and **HCR 24**.

The following communications were read:

SENATE  
STATE OF DELAWARE  
DOVER, DELAWARE

February 14, 1985

TO: Members of the Senate of the 133rd General Assembly  
FROM: Senator Richard S. Cordrey, President Pro Tempore  
SUBJECT: Appointments -- Senate Concurrent Resolution No. 4

As per the powers invested in me in Senate Concurrent Resolution No. 4, I hereby appoint the following to serve as members of the Legislative Task Force to Investigate the Causes of Deteriorating Conditions; and the Lack of Adequate Management of the Royal Oaks Apartment Complex: Senator Herman M. Holloway, Sr., Senator Robert I. Marshall, Senator Robert J. Berndt  
CC: Speaker of the House

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SENATE  
STATE OF DELAWARE  
DOVER, DELAWARE

March 19, 1985

TO: Members of the 133rd General Assembly  
FROM: Senator Richard S. Cordrey, President Pro Tempore  
SUBJECT: Appointments

As per the authority invested in me, with the passage of House Concurrent Resolution No. 19, I hereby name the following as members of the Blue Ribbon Task Force to Evaluate the Feasibility of Establishing an Olympic Training/Public Recreation Facility in Delaware: Senator Harris B. McDowell, Senator William C. Torbert

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A memorandum from Representative VanSant to Senator Cordrey was read requesting that his name be removed as a co-sponsor of SB 47

The following legislation was introduced:

SB 54 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS' DRIVING PRIVILEGES. Sponsors: Senator Torbert; Representatives VanSant, Steele, West. Assigned to Public Safety Committee.

SB 55 - AN ACT TO AMEND CHAPTER 69, TITLE 18, DELAWARE CODE RELATING TO IMPOSITION OF TAX ON INSURANCE PREMIUMS. Sponsors: Senators Minner, Connor, Vaughn, Zimmerman; Representatives Barnes, B. Ennis, VanSant, Buckworth, Spence, Quillen. Assigned to Insurance and Elections Committee.

SB 56 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF SOCIAL WORK EXAMINERS. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

SB 57 - AN ACT TO AMEND SUBCHAPTER II, TITLE 30, DELAWARE CODE, RELATING TO PERSONAL EXEMPTIONS ON STATE INCOME TAX. Sponsors: Senator Holloway; Representative VanSant. Assigned to Revenue and Taxation Committee.

SB 58 - AN ACT TO AMEND CHAPTER 73, PART VI, TITLE 29 OF THE DELAWARE CODE RELATING TO THE ARCHITECTURAL ACCESSIBILITY ACT; AND PROVIDING FOR ITS APPLICATION TO CERTAIN FACILITIES. Sponsors: Senators McDowell, Minner, Torbert, Martin, Adams, Slatcher, Holloway; Representatives Davis, Campanelli, Brady, D. Ennis, Smith, Spence, Taylor, Jester, Mack, Reynolds, Steele. Assigned to Insurance and Elections Committee; reassigned to Administrative Services/Energy Committee.

SB 59 - AN ACT TO AMEND CHAPTER 65, TITLE II, DELAWARE CODE, RELATING TO ESTABLISHMENT OF REALISTIC DATES FOR COMPLETING THE DUTIES OF THE SENTENCING ACCOUNTABILITY COMMISSION. Sponsors: Senator Vaughn, Representative Houghton. Assigned to Judiciary Committee.

SB 60 - AN ACT CREATING A MANDATORY PRELIMINARY REVIEW OF REGULATORY LEGISLATION PROPOSED FOR PROFESSIONS AND OCCUPATIONS. Sponsors: Senator McDowell, Representative Roy. Assigned to Administrative Services/Energy Committee.

SB 61 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO PAULINE S. CORDREY; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE; AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE MADE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsor: Senator Cordrey. Assigned to Finance Committee.

SB 62 - AN ACT TO AMEND CHAPTER 12, TITLE 24 OF THE DELAWARE CODE RELATING TO SECURITY SYSTEMS AND PROTECTIVE SERVICES. Sponsor: Senator Cordrey. Assigned to Administrative Services/Energy Committee.

SB 63 - AN ACT TO AMEND CHAPTER 83, TITLE 29, DELAWARE CODE, RELATING TO JUDICIAL REVIEW OF DECISIONS OF THE BOARD OF PENSION TRUSTEES. Sponsors: Senator Vaughn, Representative Brady. Assigned to Executive Committee.

**SB 64** - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO ELEMENTARY GUIDANCE COUNSELORS. Sponsors: Senator Cook, Representative Bennett. Assigned to Education Committee.

**HCR 25** was introduced and laid on the table on motion of Senator Holloway:

**HCR 25** - REQUESTING THE GOVERNOR OF THE STATE OF DELAWARE TO INCLUDE THE BOND BILL IN HIS BUDGET ADDRESS TO THE GENERAL ASSEMBLY AND TO HAVE THE CONTROLLER GENERAL MAKE AVAILABLE TO THE GENERAL ASSEMBLY A FIVE YEAR CAPITAL IMPROVEMENT PLAN. Sponsors: Representatives Roy, Petrilli, Corrozi; Senator Cook.

At 3:06 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:40 p.m., Lt. Governor Woo presiding.

Senators McBride and Adams marked PRESENT.

**SB 64** which had been assigned to the Education Committee was reassigned to the Finance Committee.

The following legislation was introduced:

**SA 2 to SB 15**. Sponsor: Senator Cordrey. Placed with the Bill.

**SA 3 to SB 17**. Sponsor: Senator Holloway. Placed with the Bill.

**SR 15** - CONGRATULATING MR. WILLIAM O'CONNOR FOR SERVING THE CITIZENS OF DELAWARE FOR OVER 25 YEARS AS A STATE EMPLOYEE. Sponsor: Senator Marshall.

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

**SCR 20** - COMMENDING THE DELMAR WILDCATS BASKETBALL TEAM FOR THEIR OUTSTANDING SEASON. Sponsors: Senator Slatcher; Representatives West, Cordrey.

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

On motion of Senator Zimmerman, the necessary rules were suspended for consideration of **HCR 20**:

**HCR 20** - RE-ESTABLISHING A BLUE RIBBON TASK FORCE TO CONDUCT A STUDY OF THE BUSINESS LICENSE AND GROSS RECEIPTS TAX STATUTES OF DELAWARE AND TO RECOMMEND NEEDED REFORMS OF THESE STATUTES.

**SA 1** to the Resolution (sponsored by Senator Zimmerman) was introduced; the Resolution and the Amendment were then laid on the table on motion of Senator Zimmerman.

**SCR 21** was introduced and considered for adoption on motion of Senator Holloway:

**SCR 21** - EXTENDING BEST WISHES AND A SPEEDY RECOVERY TO REPRESENTATIVE AL O. PLANT, SR. OF THE SECOND REPRESENTATIVE DISTRICT OF WILMINGTON. Sponsors: Senator Holloway and all Senators, Representative Sills.

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

**HCR 26** was introduced and considered for adoption on motion of Senator Vaughn:

**HCR 26** - REQUESTING GOVERNOR MICHAEL N. CASTLE TO DIRECT THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO INVITE THE DELAWARE RIVER AND BAY SHORELINE COMMITTEE TO ANY DISCUSSIONS INVOLVING THE DISPOSAL OF THE GOVERNOR BACON HEALTH CENTER GROUNDS. Sponsors: Representatives Jester, Mack, Smith; Senator Vaughn.

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

**SA 1 to SA 1 to SB 39** was introduced by Senator Cordrey and placed with the Amendment.

At 5:05 p.m. on motion of Senator Sharp the Senate recessed until 2:00 p.m., March 20, 1985.

The Senate reconvened at 3:10 p.m., March 20, 1985, Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Small Business Committee: **SB 49** - 3 Favorable, 1 Merits.

From the Health-Social Services/Aging Committee: **SB 33** - 1 Favorable, 4 Merits; **SB 44** - 4 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 47**, **HB 11**, **HB 39 w HA 1**.

Senator Berndt requested that his name be removed as co-sponsor of **SB 29**.

The following Committee reports were announced:

From the Public Safety Committee: **SB 45** - 2 Favorable, 2 Merits; **SB 54** - 2 Favorable, 2 Merits; **SB 42** - 1 Favorable, 3 Merits.

At 3:14 p.m. on motion of Senator Sharp the Senate adjourned to immediately convene for the 13th Legislative Day.



13TH LEGISLATIVE DAY  
March 20, 1985

The Senate convened at 3:14 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Dr. Charles Paukish, Union United Methodist Church, Bridgeville..

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Senator Cordrey introduced to the Senate retired members of the Delaware National Guard who were present in the Chamber.

HCR 20 was lifted from the table for consideration on motion of Senator Zimmerman.

SA 1 to the Resolution which had been placed with the Resolution was stricken on motion of Senator Zimmerman.

SA 2 to the Resolution was introduced by Senator Zimmerman and considered for adoption on his motion. The roll call vote on the Resolution was taken and revealed 19 Senators voting YES, 1 (Marshall) voting NO and 1 (Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on HCR 20 w SA 2 was then taken and revealed 19 Senators voting YES and 2 (Citro and Holloway) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House for consideration of the Senate Amendment.

HCR 25 was lifted from the table for consideration on motion of Senator Cook and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

The following legislation was introduced:

SB 65 - AN ACT TO AMEND CHAPTER 9, PART II, TITLE 16 OF THE DELAWARE CODE RELATING TO THE ABUSE OF CHILDREN; AND PROVIDING FOR A STATE-WIDE CENTRAL REGISTER OF CHILD ABUSE AND MALTREATMENT. Sponsors: Senators Torbert, Holloway, Martin, McBride, Minner, Sharp, Berndt, Connor, Slatcher; Representatives B. Ennis, George, Gilligan, Wingate, D. Ennis, Quillen. Assigned to Health-Social Services/Aging Committee.

SB 66 - AN ACT TO AMEND CHAPTER 19, TITLE 14, DELAWARE CODE, RELATING TO UNIFORM TAX RATES FOR SCHOOL DISTRICTS THAT TRAVERSE TWO COUNTIES. Sponsors: Senator Vaughn, Representative B. Ennis; Senators Cook, Minner, Adams; Representatives Clark, Caulk, Carey. Laid on the table.

SB 67 - AN ACT TO AMEND SECTION 1109, TITLE 30, DELAWARE CODE, RELATING TO A TAX DEDUCTION FOR HEALTH INSURANCE PREMIUMS PAID BY SELF-EMPLOYED TAXPAYER. Sponsors: Senators Adams, Cook, Cordrey, Vaughn, Connor, Slatcher; Representatives Barnes, West, Caulk, Carey, Mack, Clark, C. Cordrey. Assigned to Revenue and Taxation Committee.

SB 68 - AN ACT TO AMEND CHAPTER 9, TITLE 3 OF THE DELAWARE CODE RELATING TO AGRICULTURAL LANDS PRESERVATION. Sponsors: Senators Adams, Cook, Cordrey, Vaughn, Connor, Slatcher; Representatives Caulk, Carey, Mack, Clark, C. Cordrey, Barnes. Assigned to Agriculture Committee.

SB 69 - AN ACT TO AMEND CHAPTER 89, TITLE 29, DELAWARE CODE RELATING TO POWERS, DUTIES, AND FUNCTIONS OF THE COMMISSIONER OF CORRECTION. Sponsor: Senator Holloway. Assigned to Corrections Committee.

SB 70 - AN ACT TO AMEND SECTION 3909, TITLE 25, AND SECTION 5102, TITLE 10, DELAWARE CODE, RELATING TO THE JURISDICTION OF JUSTICE OF THE PEACE COURT NO. 5 IN MILFORD. Sponsor: Senator Minner. Assigned to Administrative Services/Energy Committee.

SB 71 - AN ACT TO AMEND CHAPTER 11, TITLE 16, OF THE DELAWARE CODE RELATING TO THE TREATMENT AND CARE OF PATIENTS AND RESIDENTS IN MEDICAL OR LONG TERM CARE FACILITIES. Sponsors: Senator Marshall; Representative Spence. Assigned to Health-Social Services/Aging Committee.

SB 72 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO PUBLIC ASSISTANCE BENEFITS. Sponsors: Senator Marshall; Representative Spence. Assigned to Health-Social Services/Aging Committee.

SB 73 - AN ACT TO AMEND CHAPTER 9, PART II, TITLE 16 OF THE DELAWARE CODE RELATING TO CHILD ABUSE AND NEGLECT; AND PROVIDING FOR A CHILD PROTECTION ACT. Sponsor: Senator Connor. Assigned to Health-Social Services/Aging Committee.

HB 11 - AN ACT TO AMEND CHAPTER 6, TITLE 1, DELAWARE CODE RELATING TO ARBOR DAY. Sponsors: Representatives Caulk, Smith. Assigned to Executive Committee.

HB 39 w HA 1 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO VOTE REQUIREMENT FOR RATIFICATION OF AMENDMENTS TO UNITED STATES CONSTITUTION. Sponsors: Representatives Buckworth, Spence, Taylor, Quillen, Fallon, Clark, B. Ennis; Senators Minner, Torbert. Assigned to Executive Committee.

**HB 47** - AN ACT TO AMEND CHAPTER 85, TITLE 14 AND CHAPTER 1, TITLE 8 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF STUDENT RECORDS OF PRIVATE POSTSECONDARY SCHOOLS, COLLEGES AND UNIVERSITIES. Sponsors: Representatives Sills, Fallon, Anderson, Bennett, Brady, Clark, B. Ennis, D. Ennis, Free, George, Gilligan, Houghton, Jester, Maroney, Outten, Plant, Soles, VanSant, Wingate; Senators Berndt, Holloway, Knox, Marshall, McBride. Assigned to Education Committee.

**SA 1 to SB 29.** Sponsor: Senator Zimmerman. Placed with the Bill.

**SCR 22** - EXPRESSING MANY THANKS TO THE URSULINE ACADEMY GIRLS BASKETBALL TEAM "THE VIKINGS" AND THEIR COACH FOR A GOOD SEASON DESPITE THEIR LOSS TO ST. ELIZABETHS IN THE DELAWARE HIGH SCHOOL GIRLS BASKETBALL TOURNAMENT, WEDNESDAY, MARCH 9, 1985. Sponsors: Senator Marshall; Representative Free.

The roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate; however, the roll call vote was immediately rescinded on motion of Senator Marshall and the Resolution was laid on the table.

**SCR 23** - COMMENDING THE 280TH SIGNAL BATTALION, ARMY NATIONAL GUARD, FOR THEIR HIGHLY SUCCESSFUL PARTICIPATION AND PERFORMANCE IN EXERCISE REFORGER 84. Sponsors: Senators Minner, Slatcher; Representatives C. Cordrey, West.

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

**SB 74** was introduced and assigned to Judiciary Committee:

**SB 74** - AN ACT TO AMEND CHAPTER 9, PART 1, TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE; AND PROVIDING FOR A TERM OF SIX YEARS FOR JUDGES OF THE FAMILY COURT. Sponsor: Senator Sharp.

At 3:50 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus and reconvened at 4:45 p.m., Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Administrative Services/Energy Committee: **SB 30** - 7 Merits; **SB 62** - 7 Merits; **SB 60** - 2 Favorable, 5 Merits; **SB 51** - 6 Merits.

**SCR 24** was introduced and laid on the table on motion of Senator Adams:

**SCR 24** - MARKING THE WEEK OF MARCH 17TH-23RD AS NATIONAL AGRICULTURE WEEK AND MARCH 20 AS NATIONAL AGRICULTURE DAY, AND CONGRATULATING THE DELAWARE COUNCIL OF FARM ORGANIZATIONS FOR ITS CONTRIBUTION TO THE DEVELOPMENT OF DELAWARE'S CHIEF INDUSTRY. Sponsors: Senators Adams, Cook, Cordrey, Vaughn, Connor, Slatcher; Representatives Caulk, Carey, Mack, Clark, C. Cordrey.

**SCR 25** was introduced and considered for adoption on motion of Senator Bair:

**SCR 25** - CONGRATULATING DONALD CIELEWICH AND LOZELLE DELUZ UPON RECEIVING THE DELAWARE REGION OF THE NATIONAL COUNCIL OF CHRISTIANS AND JEWS AWARD FOR SERVICE TO THE COMMUNITY. Sponsors: Senators Bair, McDowell, Knox; Representatives D. Ennis, Boykin.

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

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

**SCR 26** - HONORING PETER D. FURNESS UPON HIS RETIREMENT FROM THE COUNCIL ON APPRENTICESHIP AND TRAINING. Sponsors: Senator Sharp, Representative Campanelli.

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

**SCR 27** was introduced and considered for adoption on motion of Senator Sharp:

**SCR 27** - WELCOMING HOME THE HENRY C. CONRAD ALUMNI HIGH SCHOOL BAND FROM THEIR EVENTFUL AND MOMENTOUS JOURNEY TO THE EMERALD ISLES OF IRELAND AND CONGRATULATING THEM FOR HAVING WON FIRST PLACE IN THE COMMUNITY BAND DIVISION IN DUBLIN AND LIMERICK CITY, IRELAND. Sponsors: Senators Sharp, McBride; Representative VanSant.

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

**SB 75** was introduced and assigned to Executive Committee:

**SB 75** - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, RELATING TO REPORT OF EARNINGS BY DISABILITY PENSIONERS. Sponsor: Senator Torbert.

**SB 66** was taken up for consideration under suspension of the necessary rules on motion of Senator Vaughn:

**SB 66** - AN ACT TO AMEND CHAPTER 19, TITLE 14, DELAWARE CODE, RELATING TO UNIFORM TAX RATES FOR SCHOOL DISTRICTS THAT TRAVERSE TWO COUNTIES.

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

**SCR 28** was introduced and considered for adoption on motion of Senator Adams:

SCR 28 - MARKING THE WEEK OF MARCH 17TH-23RD AS NATIONAL AGRICULTURE WEEK AND MARCH 20 AS NATIONAL AGRICULTURE DAY, AND CONGRATULATING THE DELAWARE COUNCIL OF FARM ORGANIZATIONS FOR ITS CONTRIBUTION TO THE DEVELOPMENT OF DELAWARE'S CHIEF INDUSTRY. Sponsors: Senators Adams, Cook, R. Cordrey, Vaughn, Connor, Slatcher; Representatives Caulk, Carey, Mack, Clark, C. Cordrey.

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

SCR 24 was stricken at the request of the sponsor, Senator Adams.

SCR 22 was stricken at the request of the sponsor, Senator Marshall.

At 5:11 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., March 21, 1985.

The Senate reconvened at 2:40 p.m., March 21, 1985, Lt. Governor Woo presiding and immediately adjourned to convene for the 14th Legislative Day.

14TH LEGISLATIVE DAY  
March 21, 1985

The Senate convened at 2:40 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Rev. Charles Paukish.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 27, HCR 28, HCR 29, HCR 30, HCR 31, HCR 32, HCR 33, SCR 20, SCR 21, SCR 23, SCR 25, SCR 26, SCR 27, SCR 28.

The following legislation was introduced:

SB 76 - AN ACT TO MODIFY CERTAIN MERIT SYSTEM PAY SCALES. Sponsors: Senators Bair, Arnold. Assigned to Finance Committee.

SB 77 - AN ACT TO AMEND CHAPTER 183, VOLUME 22, LAWS OF DELAWARE, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF GREENWOOD", AS AMENDED BY CHAPTER 167, VOLUME 43, LAWS OF DELAWARE, TO AUTHORIZE THE ISSUING OF BONDS TO FINANCE THE CONSTRUCTION AND IMPROVEMENT OF ITS DISPOSAL SYSTEM, INCLUDING A SEWAGE TREATMENT PLANT. Sponsors: Senator Adams, Representative Barnes. Assigned to Executive Committee.

SB 78 - AN ACT TO AMEND CHAPTER 79, TITLE 29, DELAWARE CODE, TO ESTABLISH THE DIVISION OF CHILD SUPPORT ENFORCEMENT. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SA 1 to SB 74. Sponsor: Senator Martin. Placed with the Bill.

SB 77 which had been assigned to Executive Committee was reassigned to Community Affairs Committee at the request of Senator Adams.

SB 3 was taken up for consideration on motion of Senator Cordrey:

SB 3 - AN ACT TO AMEND VOLUME 63, CHAPTER 179, LAWS OF DELAWARE, BY AMENDING THE FISCAL YEAR 1982 CAPITAL IMPROVEMENT PROJECTS SCHEDULE TO USE \$49,000 FROM THE REHOBOTH - GROIN REPAIRS PROJECT FOR THE OUTFALL FOR LAKE GERAR.

Senators McBride, McDowell, Torbert, Bair, Holloway marked PRESENT.

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

SB 39 was taken up for consideration on motion of Senator Cordrey:

SB 39 - AN ACT TO AMEND CHAPTER 334, VOLUME 64, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1985, SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS".

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cordrey.

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

The roll call vote on SA 1 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 39 w SA 1 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 3:00 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus and reconvened at 4:31 p.m., Lt. Governor Woo presiding.

The following legislation was introduced:

**SB 79** - AN ACT TO AMEND CHAPTER 10, TITLE 14, OF THE DELAWARE CODE RELATING TO QUALIFICATIONS OF THE MEMBERS OF THE BOARD OF EDUCATION OF INDIAN RIVER SCHOOL DISTRICT. Sponsor: Senator Cordrey. Assigned to Education Committee.

**SB 80** - AN ACT TO AMEND SUBCHAPTER I, CHAPTER 19, TITLE II, DELAWARE CODE RELATING TO PROVIDING STATEWIDE AUTHORITY TO CERTAIN POLICE OFFICERS UNDER CERTAIN CONDITIONS. Sponsors: Senators Adams, Vaughn, Arnold, Torbert, Citro, R. Cordrey, Minner, Sharp; Representatives Barnes, Spence, Oberle, B. Ennis, Van Sant. Assigned to Labor and Industrial Relations Committee.

**SA 1 to SB 37.** Sponsor: Senator Neal. Placed with the Bill.

**SA 1 to SB 42.** Sponsor: Senator Torbert. Placed with the Bill.

**SA 1 to SB 69.** Sponsor: Senator Holloway. Placed with the Bill.

**SB 49** was taken up for consideration on motion of Senator Zimmerman:

**SB 49** - AN ACT TO AMEND SUBCHAPTER VII, CHAPTER II, TITLE 30, DELAWARE CODE, RELATING TO WITHHOLDING OF TAX BY EMPLOYERS.

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

SENATE CONSENT CALENDAR #3 was taken up for consideration on motion of Senator Minner:

**HCR 27** - SUPPORTING SENATE JOINT RESOLUTION 23 OF THE 99TH CONGRESS OF THE UNITED STATES DESIGNATING 1985 AS THE "YEAR OF SOCIAL SECURITY." Sponsor: Representative Steele.

**HCR 28** - EXPRESSING APPRECIATION TO RUSSELL G. WITMAN FOR PERFORMING AN HEROIC ACT IN THE RESCUE OF MICHAEL LEE FROM RED CLAY CREEK. Sponsors: Representatives Brady, D. Ennis, Hebner, Smith; Senators Bair, Berndt.

**HCR 29** - COMMENDING CAPTAIN FRANCESCO E. CRISTIANO, CAPTAIN OF THE 945 MAINTENANCE COMPANY, DELAWARE NATIONAL GUARD, MILFORD, DELAWARE FOR HAVING RECEIVED THE CAPTAIN ROBERT KIRKWOOD AWARD FOR 1984. Sponsors: Representatives Clark, B. Ennis; Senators Cook, Vaughn.

**HCR 30** - EXTENDING CONGRATULATIONS AND THANKS TO SHIRLEY H. JARRELL FOR THE YEARS OF OUTSTANDING SERVICE AS MAYOR OF MAGNOLIA. Sponsors: Representatives Caulk, Buckworth; Senator Torbert.

**HCR 32** - CONGRATULATING HENRY CUFFEE, OF DELMAR, FOR BEING NAMED TO THE DELAWARE ALL-STATE BOYS BASKETBALL TEAM AND FOR BEING SELECTED THE PLAYER OF THE YEAR BY THE DELAWARE SPORTSWRITERS AND BROADCASTERS ASSOCIATION. Sponsors: Representative C. Cordrey, Senator Slatcher.

**HCR 33** - CONGRATULATING THE CONRAD ALUMNI BAND FOR THEIR RECENT ACHIEVEMENTS. Sponsors: Representatives VanSant, Campanelli, Corrozi, Jester; Senators Arnold, Citro, Sharp.

**SCR 29** - COMMENDING DR. GEORGE V. KIRK AS HE PLANS TO RETIRE AFTER GIVING MORE THAN THIRTY YEARS OF LEADERSHIP TO PUBLIC EDUCATION IN DELAWARE. Sponsors: Senator Neal and all the Senators; Representatives Barnes, Boykin, Buckworth, Caulk, Corrozi, Davis, D. Ennis, Fallon, Free, Hebner, Mack, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Spence, Steel, Taylor, Anderson, Bennett, Brady, Campanelli, Clark, C. Cordrey, B. Ennis, George, Gilligan, Houghton, Jester, Jonkiert, Outten, Plant, Sills, Soles, VanSant, West, Wingate.

**SCR 30** - EXPRESSING SYMPATHY UPON THE PASSING AWAY OF MARY C. DENNISON, FOUNDER OF THE GIRLS CLUB OF DELAWARE, INC. Sponsors: Senators Bair, Marshall; Representatives Boykin, Smith, Jonkiert, Maroney.

**SCR 31** - CONGRATULATING HOWARD E. ROW UPON HIS RETIREMENT ON MARCH 30, 1985. Sponsors: Senators Bair, Connor, McBride, Torbert, Zimmerman, Neal; Representatives Fallon, Free, Reynolds, Jester, Wingate.

**SCR 33** - EXPRESSING SYMPATHY UPON THE PASSING AWAY OF FRANK REYNOLDS. Sponsors: Senators Bair, Berndt; Representatives Smith, Boykin, Brady, Hebner.

**SR 16** - CONGRATULATING THE CAESAR RODNEY HIGH SCHOOL WRESTLING TEAM FOR THEIR SUCCESSFUL SEASON AND FOR CAPTURING THE 1985 STATE CHAMPIONSHIP. Sponsors: Senators Torbert, Zimmerman, Cook.

**SR 18** - COMMENDING THE CHESAPEAKE BAY GIRL SCOUT COUNCIL, INC. ON SPONSORING THEIR RECENT INTERNATIONAL FESTIVAL. Sponsors: Senators McDowell, Sharp.

The roll call vote on SENATE CONSENT CALENDAR #3 was taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted. The House Concurrent Resolutions were returned to the House and the Senate Concurrent Resolutions were sent to the House for consideration.

**SB 80** which had been assigned to Labor and Industrial Relations Committee was reassigned to the Public Safety Committee.

**SR 17** was introduced and considered for adoption on motion of Senator McBride:

**SR 17** - REQUESTING AND URGING THE SECRETARY OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO APPEAR BEFORE THE DELAWARE STATE SENATE TO EXPLAIN THE REASONS BEHIND THE ROGER RE ESCAPE FROM THE COMEGYS BUILDING ON THE GROUNDS OF THE DELAWARE STATE HOSPITAL. Sponsor: Senator McBride.

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

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

NO: Senators Arnold, Bair, Neal - 3.

NOT VOTING: Senators Berndt, Citro, Knox, Slatcher - 4.

Therefore, the Resolution was declared adopted.

SCR 32 was introduced and considered for adoption on motion of Senator Adams:

SCR 32 - DECLARING THE OPPOSITION OF THE DELAWARE GENERAL ASSEMBLY TO CERTAIN PROPOSED FEDERAL PROGRAM CHANGES; MEMORIALIZING THE U. S. CONGRESS TO REJECT SUCH CHANGES; AND DIRECTING DISTRIBUTION. Sponsors: Senators Adams, Cook, Cordrey, Vaughn, Connor, Slatcher; Representatives Caulk, Carey, Mack, Clark, C. Cordrey.

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

HCR 31 was introduced and laid on the table on motion of Senator Marshall:

HCR 31 - EXTENDING CONGRATULATIONS TO THE GIRLS BASKETBALL TEAM OF ST. ELIZABETH HIGH SCHOOL FOR WINNING THE DELAWARE HIGH SCHOOL GIRLS BASKETBALL TOURNAMENT FOR 1984-85. Sponsors: Representatives Jonkiert, Campanelli, Brady; Senator Marshall.

At 5:32 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., March 26, 1985.

The Senate reconvened at 2:26 p.m., March 26, 1985, Senator Cordrey presiding.

SB 13 was reported from the Corrections Committee: 1 Favorable, 3 Merits.

At 2:27 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 15th Legislative Day.

#### 15TH LEGISLATIVE DAY

March 26, 1985

The Senate convened at 2:27 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

ABSENT: Senators Adams, McDowell - 2.

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

Senator Slatcher introduced a group from Jobs for Delaware Graduates who were present in the Chamber.

Senators McBride and Marshall marked PRESENT.

The Secretary announced that a message from the House informed the Senate that it had passed HB 82, HB 61 and HB 84 w HA 1.

The following legislation was introduced:

SB 81 - AN ACT TO AMEND CHAPTER 9, TITLE 4, OF THE DELAWARE CODE, RELATING TO THE INCREASE OF PENALTIES FOR PARTICULAR ALCOHOLIC LIQUOR OFFENSES. Sponsors: Senators Torbert, Neal; Representatives B. Ennis, Buckworth, Spence, Davis. Assigned to Administrative Services Committee.

SB 82 - AN ACT TO AMEND TITLE 9, CHAPTER 70, SECTION 7004 OF THE DELAWARE CODE, RELATING TO THE PROCUREMENT OF SERVICES OR SUPPLIES. Sponsors: Senators Cordrey, Adams, Minner, Slatcher; Representatives Barnes, Carey, C. Cordrey, Fallon, Steele, West, Wingate. Assigned to Community Affairs Committee.

SB 83 - AN ACT TO AMEND TITLE 9, CHAPTER 70, SECTION 7002 OF THE DELAWARE CODE, RELATING TO SALARY AND EXPENSES OF THE COUNTY GOVERNMENT. Sponsors: Senators Slatcher, Adams, Cordrey, Minner; Representatives Barnes, Carey, C. Cordrey, Fallon, Steele, West, Wingate. Assigned to Community Affairs Committee.

SB 84 - AN ACT TO AMEND TITLE 9, CHAPTER 68, §6812 OF THE DELAWARE CODE RELATING TO PUBLIC HEARINGS AND NOTICE. Sponsors: Senators Slatcher, Adams, Cordrey, Minner; Representatives Barnes, Carey, C. Cordrey, Fallon, Steele, West, Wingate. Assigned to Community Affairs Committee.

SB 85 - AN ACT TO AMEND SECTION 6109, TITLE 9, OF THE DELAWARE CODE ANNOTATED, AS IT RELATES TO GOVERNMENT OF SUSSEX COUNTY OPERATION OF COURTHOUSE. Sponsors: Senators Cordrey, Adams, Minner, Slatcher; Representatives Barnes, Carey, C. Cordrey, Fallon, Steele, West, Wingate. Assigned to Community Affairs Committee.

SB 86 - AN ACT TO AMEND TITLE 9, CHAPTER 68, §6810 OF THE DELAWARE CODE RELATING TO ROAD PLATS. Sponsors: Senators Minner, Adams, Cordrey, Slatcher; Representatives Barnes, Carey, C. Cordrey, Fallon, Steele, West, Wingate. Assigned to Community Affairs Committee.

SB 87 - AN ACT TO AMEND SECTION 7007, TITLE 9, OF THE DELAWARE CODE ANNOTATED, AS IT RELATES TO SUSSEX COUNTY ADVISORY RETIREMENT BOARD. Sponsors: Senators Cordrey, Adams, Minner, Slatcher; Representatives Barnes, Carey, C. Cordrey, Fallon, Steele, West, Wingate. Assigned to Community Affairs Committee.

**SB 88** - AN ACT TO AMEND TITLE 9, CHAPTER 68, §6804 OF THE DELAWARE CODE RELATING TO ORGANIZATION OF PLANNING AND ZONING COMMISSION. Sponsors: Senators Minner, Adams, Cordrey, Slatcher; Representatives Barnes, Carey, C. Cordrey, Fallon, Steele, West, Wingate. Assigned to Community Affairs Committee.

**SB 89** - AN ACT TO AMEND TITLE 9, CHAPTER 86, §8604 OF THE DELAWARE CODE RELATING TO PENALTY FOR LATE PAYMENT OF TAXES. Sponsors: Senators Adams, Cordrey, Minner, Slatcher; Representatives Barnes, Carey, C. Cordrey, Fallon, Steele, West, Wingate. Assigned to Community Affairs Committee.

**SB 90** - AN ACT TO AMEND TITLE 9, CHAPTER 68, §6811 OF THE DELAWARE CODE RELATING TO APPROVAL OF PLATS BY PLANNING AND ZONING COMMISSION. Sponsors: Senators Adams, Cordrey, Minner, Slatcher; Representatives Barnes, Carey, C. Cordrey, Fallon, Steele, West, Wingate. Assigned to Community Affairs Committee.

**SB 91** - AN ACT TO AMEND TITLE 9, CHAPTER 87, §8705 OF THE DELAWARE CODE RELATING TO LIEN OF TAXES. Sponsors: Senators Adams, Cordrey, Minner, Slatcher; Representatives Barnes, Carey, C. Cordrey, Fallon, Steele, West, Wingate. Assigned to Community Affairs Committee.

**HB 61** - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF CORRECTIONS TO NAME THE KENT CORRECTIONAL INSTITUTION LOCATED AT 300 WATER STREET, DOVER, DELAWARE, AS THE JOHN E. MORRIS CORRECTIONAL INSTITUTION IN HONOR OF THE LATE JOHN EDWARD MORRIS, REPRESENTATIVE FROM THE 34TH DISTRICT FROM 1972 TO 1980. Sponsors: Representatives B. Ennis, Bennett, Campanelli, Quillen, Jonkiert, Buckworth, Houghton, George, Wingate, Oberle, Outten, Soles, Plant, Anderson, Sills, Clark, C. Cordrey, Gilligan, West, Jester, VanSant; Senators Torbert, Cook, Vaughn, Minner. Assigned to Executive Committee.

**HB 82** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS; AND INCLUDING CERTAIN PRODUCTS WITHIN THE JURISDICTION OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSION. Sponsors: Representatives Barnes, Outten, Anderson, B. Ennis, Soles, Davis, Bennett, Gilligan, VanSant, Fallon, Brady, West, Mack, Clark, Jester, Boykin, Maroney, C. Cordrey, Sills, Buckworth, Quillen, Taylor, Reynolds, Carey, Caulk, Spence, Steele; Senators Adams, Bair, Cook, Berndt, Minner, Citro, Vaughn, Connor, Arnold, Knox. Assigned to Administrative Services/Energy Committee.

**HB 84 w HA 1** - AN ACT TO AMEND TITLE 31, DELAWARE CODE TO AUTHORIZE THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES TO ENTER INTO INTERSTATE AGREEMENTS PERTAINING TO ADOPTION ASSISTANCE; ESTABLISHING PROCEDURES FOR INTERSTATE SERVICES PAYMENTS; AND PROVIDING FOR THE ADOPTION OF RELATED REGULATIONS. Sponsors: Representatives Maroney and Buckworth. Assigned to Health-Social Services/Aging Committee.

Senator Connor marked PRESENT.

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

**SB 33** - AN ACT TO AMEND CHAPTER 57, TITLE 16, DELAWARE CODE, RELATING TO VOLUNTARY AND INVOLUNTARY STERILIZATION, AND MAKING A SUPPLEMENTARY APPROPRIATION THEREFORE. Sponsors: Senators Holloway, Berndt.

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

At 2:50 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:21 p.m., Senator Cordrey presiding.

Senator Torbert marked PRESENT.

The following legislation was introduced:

**SB 92** - AN ACT TO AMEND CHAPTER 41, TITLE 15 OF THE DELAWARE CODE RELATING TO VACANCIES IN PUBLIC OFFICE DUE TO CERTAIN ACTIONS. Sponsor: Senator Citro. Assigned to Executive Committee.

**SB 93** - AN ACT TO AMEND CHAPTER 65, TITLE 11, DELAWARE CODE, RELATING TO DEFINING MEDICAL CARE FOR CONFINED PERSONS UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS. Sponsor: Senator Holloway. Assigned to Corrections Committee.

**SB 94** - AN ACT TO AMEND CHAPTER 215, VOLUME 64, LAWS OF DELAWARE, BEING "AN ACT TO RE-INCORPORATE THE CITY OF HARRINGTON" RELATING TO ELECTIONS, ALDERMAN AND POLICE POWERS. Sponsors: Senator Minner; Representative Quillen. Assigned to Community Affairs Committee.

**SA 1 to SB 76.** Sponsor: Senator Cook. Placed with the Bill.

**SB 45** was taken up for consideration on motion of Senator Minner:

**SB 45** - AN ACT TO AMEND CHAPTER 52, TITLE 30, DELAWARE CODE, RELATING TO EXCLUSION OF CERTAIN MOTOR VEHICLES FROM THE OPERATION OF THE MOTOR FUEL TAX.

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

At 4:29 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. March 27, 1985.

The Senate reconvened at 2:47 p.m., March 27, 1985, Lt. Governor Woo presiding.

The following legislation was introduced:

**SB 95** - AN ACT TO AMEND CHAPTER 41, PART III, TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD AND PROHIBITING OPEN OR UNSEALED CONTAINERS OF ALCOHOLIC BEVERAGES WITHIN A MOTOR VEHICLE UNDER CERTAIN CIRCUMSTANCES. Sponsors: Senators Citro, Slatcher, Connor; Representatives D. Ennis, B. Ennis, Spence, Corrozi. Assigned to Public Safety Committee.

**SB 96** - AN ACT TO AMEND TITLE II, DELAWARE CODE, RELATING TO THE RIGHTS OF LAW ENFORCEMENT OFFICERS. Sponsors: Senator Zimmerman, Representatives Oberle, Outten; Senators Holloway, McBride, Martin, Minner, Torbert, Vaughn, Citro; Representatives Clark, C. Cordrey, B. Ennis, Gilligan, Houghton, VanSant, Barnes, Boykin, Buckworth, Davis, Mack, Reynolds, Spence. Assigned to Public Safety Committee.

**SR 19** was introduced and considered for adoption on motion of Senator Connor:

**SR 19** - COMMENDING TIERNEY M. DU BARD, TAMARA A. HULL, DEBORAH R. HUNTER, AND KAREN MAYS ON WINNING SCHOLARSHIPS IN THE NATIONAL ACHIEVEMENT SCHOLARSHIP PROGRAM. Sponsors: Senators Connor, Slatcher, Arnold, Cordrey.

The roll call vote on the Resolution was taken and revealed 15 Senators voting YES and 6 (Adams, Berndt, Citro, McBride, McDowell, Torbert) ABSENT; therefore, the Resolution was declared adopted.

At 2:54 p.m. on motion of Senator Sharp the Senate adjourned to immediately convene for the 16th Legislative Day.

**16TH LEGISLATIVE DAY  
March 27, 1985**

The Senate convened at 2:54 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator McDowell - 1.

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

The Secretary announced that a message from the House informed the Senate that it had passed **HB 78 w HA 1, 2** and adopted **HJR 6 w HA 1**.

**SCR 34** was introduced and considered for adoption on motion of Senator Connor:

**SCR 34** - CONGRATULATING REBECCA GERHART FOR BEING NAMED A WINNER OF A JAPAN-UNITED STATES SENATE SCHOLARSHIP FOR 1985. Sponsors: Senator Connor; Representative Mack.

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

Senators McBride and Torbert marked PRESENT.

The following legislation was introduced:

**HB 78 w HA 1, 2** - AN ACT TO AMEND CHAPTER 25, TITLE 29, DELAWARE CODE RELATING TO THE POWERS, DUTIES AND AUTHORITY OF THE STATE DEPARTMENT OF JUSTICE. Sponsors: Representative Roy, Senator Cordrey. Assigned to Judiciary Committee.

**HJR 6 w HA 1** - CREATING A COMMISSION ON WORK AND THE FAMILY. Sponsors: Representatives Maroney, Buckworth; Senator Holloway, Knox. Laid on the table on motion of Senator Holloway.

At 3:00 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus and reconvened at 4:47 p.m., Lt. Governor Woo presiding.

**SB 96** was reported out of the Public Safety Committee - 2 Favorable, 2 Merits.

The following legislation was introduced:

**SB 97** - AN ACT TO AMEND CHAPTER II, TITLE 30 OF THE DELAWARE CODE TO PERMIT A DEDUCTION FOR CERTAIN HOUSEHOLD AND DEPENDENT CARE EXPENSES. Sponsor: Senator Neal. Assigned to Revenue and Taxation Committee.

**SB 98** - AN ACT TO AMEND SUBCHAPTER II, TITLE 30 OF THE DELAWARE CODE, RELATING TO PERSONAL INCOME TAX OF RESIDENT INDIVIDUALS. Sponsor: Senator Neal. Assigned to Revenue and Taxation Committee.

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

**SR 20** - COMMENDING DELMARVA POWER AND LIGHT COMPANY FOR THEIR COMMUNITY SERVICE IN ESTABLISHING THE RADIO WATCH PROGRAM. Sponsor Senator Holloway and all the Senators. Laid on the table at the request of Senator Holloway.

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

**SB 13** - AN ACT TO AMEND CHAPTER 65, SUBCHAPTER VII, TITLE II, DELAWARE CODE, RELATING TO PUBLICATION OF NAMES OF INMATES PERMITTED TO LEAVE CORRECTIONAL FACILITY.

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

The roll call vote on SB 13 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Adams and McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 5:10 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., March 28, 1985.

The Senate reconvened at 2:30 p.m., March 28, 1985, Lt. Governor Woo presiding.

Senator Adams marked PRESENT.

The following Committee reports were announced:

From the Executive Committee: SB 7 - 1 Favorable, 5 Merits; SB 31 - 1 Favorable, 5 Merits; SB 40 - 1 Favorable, 4 Merits; SB 63 - 6 Merits; SB 75 - 6 Merits; HB 61 - 2 Favorable, 4 Merits.

From the Community Affairs Committee: SB 90 - 4 Merits; SB 89 - 4 Merits; SB 77 - 4 Merits; SB 94 - 1 Favorable, 3 Merits; SB 91 - 4 Merits; SB 88 - 4 Merits; SB 87 - 4 Merits; SB 86 - 4 Merits; SB 85 - 4 Merits; SB 84 - 4 Merits; SB 83 - 4 Merits; SB 82 - 4 Merits.

At 2:33 p.m. on motion of Senator Sharp the Senate adjourned to immediately convene for the 17th Legislative Day.

#### 17TH LEGISLATIVE DAY March 28, 1985

The Senate convened at 2:33 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Bobby Nelson, representing the Smyrna Phoenix Gifted and Talented Students Program.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SCR 36 was introduced:

SCR 36 - WELCOMING PHOENIX PROGRAM STUDENTS FROM THE SMYRNA SCHOOL DISTRICT AS THEY VISIT THE LEGISLATIVE HALL AND OBSERVE THE GENERAL ASSEMBLY IN ACTION TODAY, MARCH 28, 1985. Sponsors: Senators Cook and Vaughn; Representatives Clark and B. Ennis.

Pursuant to the Resolution, Senator Vaughn introduced Bobby Nelson, one of the students, to the Senate.

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

Senator Holloway marked PRESENT.

The following legislation was introduced:

SB 99 - AN ACT TO AMEND AN ACT BEING CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES" TO INCREASE THE AMOUNT WHICH MAY BE RAISED BY TAXATION FROM REAL ESTATE. Sponsors: Senator Minner, Representative Wingate. Assigned to Community Affairs Committee.

SA 2 to SB 42. Sponsor: Senator Torbert. Placed with the Bill.

SA 1 to SB 96. Sponsors: Senators Slatcher, Neal. Placed with the Bill.

SA 2 to SB 96. Sponsor: Senator Neal. Placed with the Bill.

SB 42 was taken up for consideration on motion of Senator Torbert:

SB 42 - AN ACT TO AMEND CHAPTERS 21 AND 27 OF TITLE 21 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A MOTORCYCLE RIDER EDUCATION PROGRAM AND PROVIDING A SELF FUNDING PROGRAM THEREFOR.

The Bill and SA 1 and SA 2 which had been placed with the Bill was then laid on the table on motion of Senator Torbert.

At the request of Senator Cordrey, the privilege of the floor was extended to Thomas P. Eichler, Secretary of the Department of Health and Social Services and Dr. Thomas F. Updike, Director of the Division of Alcohol, Drug Abuse and Mental Health, for a presentation to the Senate of the conditions at Delaware State Hospital.

At 4:13 p.m. a short recess was declared by the Chair for change of tape and the Senate reconvened at 4:15 p.m., Lt. Governor Woo presiding.

The two guests were still before the Senate; the presentation was completed and the guests were excused.

The following Committee reports were announced:

From the Revenue and Taxation Committee: SB 1 - 1 Favorable, 5 Merits; SB 29 - 1 Favorable, 4 Merits; SB 20 - 6 Merits.

SR 23 was introduced and considered for adoption on motion of Senator Holloway:

SR 23 - COMMENDING AMERICAN LEGION BRANDYWINE POST NO. 12 FOR DEDICATED SERVICE TO VETERANS AND THE CITIZENS OF THE CITY OF WILMINGTON. Sponsor: Senator Holloway.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Citro and McDowell) ABSENT; therefore, the Resolution was declared adopted.



At 5:02 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 2, 1985.

The Senate reconvened at 2:10 p.m., April 2, 1985, Lt. Governor Woo presiding.

SB 99 was reported out of the Community Affairs Committee: 1 Favorable, 2 Merits.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 34; HCR 35; HCR 36; HCR 37; HCR 38; HCR 39; SCR 29; SCR 30; SCR 31; SCR 33; SCR 34 and passed HB 99 w HA 1; HB 131; HB 132; HB 100 w HA 1; HB 36 w HA 1.

The following legislation was introduced:

SB 100 - AN ACT TO AMEND CHAPTER 5, TITLE 4, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A WINE AND BEER ONLY ALCOHOLIC BEVERAGE LICENSE. Sponsors: Senator Vaughn, Representative B. Ennis. Assigned to Administrative Services/Energy Committee.

SB 102 - AN ACT TO AMEND CHAPTER 42, VOLUME 53, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD." RELATING TO THE AMOUNT OF TAXES TO BE RAISED IN ANY ONE YEAR. Sponsors: Senator Slatcher, Representative Fallon. Assigned to Community Affairs Committee.

SB 103 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE, RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE; AND PROVIDING FOR PARENTAL LIABILITY FOR RESTITUTION ORDERED BY THE FAMILY COURT FOR MONETARY DAMAGES CAUSED BY THEIR CHILD'S DELINQUENT CONDUCT. Sponsor: Senator Cordrey. Assigned to Judiciary Committee.

SB 104 - AN ACT TO AMEND CHAPTER 4, TITLE 11 OF THE DELAWARE CODE RELATING TO THE COMMITMENT TO THE STATE HOSPITAL; CONFINEMENT; PERIODIC REVIEW OF COMMITMENT; PARTICIPATION OF PATIENT IN TREATMENT PROGRAM. Sponsors: Senator Sharp, Representative Spence. Assigned to Judiciary Committee.

Senator Citro marked PRESENT.

SS 1 for SB 27. AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A HOME COUNSELING CENTER FOR SENIOR CITIZENS WITHIN THE DIVISION OF AGING, DEPARTMENT OF HEALTH AND SOCIAL SERVICES. Sponsors: Senators Bair, Holloway, McDowell, McBride, Connor, Martin; Representatives Maroney, VanSant, Boykin, Spence, Jester, Sills, Hebner, Soles. Adopted in lieu of the Original.

SA 3 and SA 4 to SB 42. Sponsor: Senator Torbert. Placed with the Bill.

Senator McDowell marked PRESENT.

SA 5 to SB 42. Sponsor: Senator Torbert. Placed with the Bill.

HB 36 w HA 1 - AN ACT TO AMEND CHAPTER 10, TITLE 22 OF THE DELAWARE CODE RELATING TO REAL PROPERTY TAX EXEMPTIONS FOR PERSONS 65 OR OLDER. Sponsors: Representatives Bennett, C. Cordrey, Outten, VanSant. Laid on the table on motion of Senator Zimmerman.

HB 99 w HA 1 - AN ACT TO AMEND CHAPTER 3, TITLE 18, DELAWARE CODE, ESTABLISHING A REGULATORY REVOLVING FUND FOR THE REVENUES AND EXPENSES OF THE OFFICE OF THE INSURANCE COMMISSIONER; AND TO TRANSFER FUNDS FROM THE BUDGET OFFICE CONTINGENCY (10-02-004) (SELF INSURANCE FUND) TO THE OFFICE OF THE INSURANCE COMMISSIONER (12-03-001) (CONTRACTUAL SERVICES) FOR THE PURPOSE OF PROVIDING START-UP FUNDS FOR THE REGULATORY REVOLVING FUND. Sponsors: Representatives D. Ennis, Corrozi, Free, VanSant, Bennett; Senators Sharp, Cook, Bair. Assigned to Insurance and Elections Committee.

HB 100 w HA 1 - AN ACT TO AMEND CHAPTER 385, VOLUME 63, AND CHAPTER III, VOLUME 64 OF THE LAWS OF DELAWARE RELATING TO THE DEFINITION OF BEVERAGE CONTAINERS. Sponsors: Representatives Petrilli, Boykin, Oberle, Spence, Reynolds, Taylor, Free, Roy, Mack, Quillen, Bennett, Campanelli, Cordrey, Houghton, Jonkiert, VanSant, West; Senators Arnold, Berndt, Citro, Holloway, McBride, Sharp, Torbert. Assigned to Finance Committee. Reassigned to Small Business Committee at the request of Senator Zimmerman.

HB 131 - AN ACT TO AMEND CHAPTER 42, TITLE 18 OF THE DELAWARE CODE TO DIRECT THE DELAWARE INSURANCE GUARANTY ASSOCIATION TO ASSESS ITS MEMBER INSURERS AND TO PAY OVER SUCH ASSESSMENTS TO THE INSURANCE COMMISSIONER REGULATORY REVOLVING FUND. Sponsors: Representative D. Ennis, Senator Sharp, Representative Petrilli. Assigned to Insurance and Elections Committee.

HB 132 - AN ACT TO AMEND CHAPTER 44, TITLE 18 OF THE DELAWARE CODE TO DIRECT THE DELAWARE LIFE & HEALTH GUARANTY ASSOCIATION TO ASSESS ITS MEMBER INSURERS AND TO PAY OVER SUCH ASSESSMENTS TO THE INSURANCE COMMISSIONER REGULATORY REVOLVING FUND. Sponsors: Representative D. Ennis, Senator Sharp, Representative Petrilli. Assigned to Insurance and Elections Committee.

SB 68 was reported out of the Agriculture Committee: 4 Favorable, 1 Merits.

At 2:27 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 18th Legislative Day.

18TH LEGISLATIVE DAY  
April 2, 1985

The Senate convened at 2:27 p.m., Lt. Governor Woo presiding.  
A Prayer was offered by Senator Arnold.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SB 96 was taken up for consideration on motion of Senator Zimmerman:

SB 96 - AN ACT TO AMEND TITLE II, DELAWARE CODE, RELATING TO THE RIGHTS OF LAW ENFORCEMENT OFFICERS.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Myron T. Steele (representing State F. O. P. Lodge) and William M. Redd, Jr. (representing Delaware League of Local Governments).

SA 1 to the Bill was taken up for consideration on motion of Senator Slatcher.

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

Sensors Connor and McBride marked PRESENT.

The roll call vote on SA 1 to SB 96 was taken; however, a motion was made to table the roll call before it was announced. The roll call vote on the motion to table the roll call vote on SA 1 to SB 96 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Knox, Minner, Neal, Slatcher, Vaughn - 12.

NO: Senators Marshall, Martin, McBride, McDowell, Sharp, Torbert, Zimmerman - 7.

ABSENT: Senators Citro and Holloway - 2.

Therefore, the motion prevailed and the roll call vote on SA 1 to SB 96 was tabled.

SA 2 to SB 96 was then taken up for consideration on motion of Senator Neal.

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

YES: Senator Neal - 1.

NO: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Knox, Marshall, Martin, McBride, McDowell, Minner, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 18.

ABSENT: Senators Citro and Holloway - 2.

Therefore, the Amendment was declared defeated.

SA 3 to SB 96 (sponsored by Senator Arnold) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Amendment was declared adopted.

SB 96 w SA 3 was then laid on the table on motion of Senator Zimmerman.

SB 42 was lifted from the table for consideration on motion of Senator Torbert.

SA 1 and SA 2 to the Bill were laid on the table on motion of Senator Torbert.

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

SA 4 to the Bill was taken up for consideration on motion of Senator Torbert and the roll call vote taken which revealed 18 Senators voting YES and 3 (Holloway, Marshall, Sharp) ABSENT; therefore, the Amendment was declared adopted.

SA 5 (sponsored by Senator Torbert) was introduced and considered for adoption. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Virginia Thoroughgood (representing ABATE) and William Walls (Senate Attorney) after which the roll call vote on SB 42 w SA 3, 4, 5 was taken and revealed 19 Senators voting YES and 2 (Holloway and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SA 1 and SA 2 to SB 42 were stricken at the request of Senator Torbert.

SB 96 w SA 3 was lifted from the table for consideration on motion of Senator Zimmerman.

SA 4 to the Bill (sponsored by Senators Vaughn and Cook) was introduced and considered for adoption on motion of Senator Vaughn.

The privilege of the floor was extended to Myron Steele (F. O. P.) after which the roll call vote on the Amendment was taken; however, the roll call was laid on the table before being announced on motion of Senator Vaughn.

The roll call vote on SB 96 w SA 3 was then taken and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 13.

NO: Senators Adams, Connor, Cook, Cordrey, Slatcher - 5.

NOT VOTING: Senators Knox and Neal - 2.

ABSENT: Senator Holloway - 1.

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

SB 7 was taken up for consideration on motion of Senator Cordrey:

SB 7 - AN ACT TO AMEND CHAPTER III, TITLE 29, DELAWARE CODE, RELATING TO THE DELMARVA ADVISORY COUNCIL.

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

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

SB 29 - AN ACT TO AMEND SUBCHAPTER II, TITLE 30, DELAWARE CODE, RELATING TO EXCLUSION OF PENSION INCOME FROM DELAWARE PERSONAL INCOME TAX.

SA 1 to the Bill was taken up for consideration on motion of Senator Zimmerman after which the Bill and the Amendment were laid on the table on further motion of the Senator.

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

SB 20 - AN ACT AMENDING CHAPTER 52, TITLE 30 OF THE DELAWARE CODE BY INCREASING THE VICTIMS COMPENSATION TAX ASSESSMENT FOR VIOLATIONS OF THE MOTOR CARRIER VEHICLE MARKER REGULATIONS.

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

YES: Senators Bair, Berndt, Citro, Connor, Cook, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 15.

NO: Senators Adams, Cordrey, Minner, Slater - 4.

NOT VOTING: Senator Arnold - 1.

ABSENT: Senator Holloway - 1.

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

SB 105 was introduced and assigned to Revenue and Taxation Committee:

SB 105 - AN ACT TO ALLOCATE A PORTION OF THE REVENUES RAISED BY THE LODGING TAX LEVIED BY CHAPTER 61, TITLE 30 OF THE DELAWARE CODE. Sponsor: Senator Berndt.

At 4:56 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 3, 1985.

The Senate reconvened at 2:20 p.m., April 3, 1985, Lt. Governor Woo presiding.

The following legislation was introduced:

SB 106 - AN ACT TO AMEND TITLE II, CHAPTER 88, DELAWARE CODE, RELATING TO THE DELAWARE COUNTY AND MUNICIPAL POLICE PENSION PLAN. Sponsors: Senators Zimmerman, Torbert; Representatives Bennett, Outten. Assigned to Judiciary Committee.

SB 107 - AN ACT TO AMEND §915, TITLE 7, DELAWARE CODE, RELATING TO THE ISSUANCE OF FOODFISHING EQUIPMENT PERMITS FOR GILL NETS TO COMMERCIAL FISHERMEN WHO SERVED IN THE ARMED FORCES WHEN THESE PERMITS WERE AVAILABLE. Sponsors: Senators Minner, Cordrey; Representatives West, Carey. Assigned to Natural Resources and Environmental Control Committee.

SB 108 - AN ACT TO AMEND CHAPTER 5, TITLE 18, DELAWARE CODE, RELATING TO QUARTERLY REPORTS FOR INSURERS LICENSED TO DO BUSINESS IN THIS STATE. Sponsor: Senator Sharp. Assigned to Insurance and Elections Committee.

SB 109 - AN ACT TO AMEND SUBCHAPTER IV, TITLE 16 OF THE DELAWARE CODE RELATING TO TRAFFICKING IN MARIJUANA. Sponsors: Senator Sharp, Representative Spence. Assigned to Executive Committee.

SB 110 - AN ACT TO AMEND CHAPTER 51, TITLE 29, DELAWARE CODE, RELATING TO PAYMENT OF DEBTS AS A CONDITION OF STATE EMPLOYMENT. Sponsor: Senator Holloway. Assigned to Executive Committee.

SB 111 - AN ACT AMENDING TITLE II OF THE DELAWARE CODE RELATING TO PARAMILITARY ACTIVITIES. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 112 - AN ACT TO AMEND CHAPTER 59, TITLE 29 OF THE DELAWARE CODE TO MAKE THE JUSTICE OF THE PEACE COURT ADMINISTRATOR AN EXEMPT EMPLOYEE AND TO AMEND CHAPTER 92, TITLE 10 OF THE DELAWARE CODE TO ADD A SECTION DEALING WITH THE JUSTICE OF THE PEACE COURT ADMINISTRATOR AND SETTING THE SALARY THEREFOR. Sponsors: Senator Holloway, Representative Spence. Assigned to Executive Committee.

SS 1 for SB 56 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF SOCIAL WORK EXAMINERS. Sponsor: Senator Holloway. Adopted in lieu of the Original.

SA 1 to SB 40. Sponsor: Senator Cordrey. Placed with the Bill.

SA 1 to SB 63. Sponsor: Senator Vaughn. Placed with the Bill.

HB 16 - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE RELATING TO DISABLED PERSONS' PARKING PERMITS. Sponsors: Representatives Smith, Sills, Steele. Assigned to Public Safety Committee.

HB 48 w HA 1 - AN ACT TO AMEND CHAPTER 85, TITLE 14 OF THE DELAWARE CODE RELATING TO PRIVATE BUSINESS AND TRADE SCHOOLS. Sponsors: Representatives Sills, Fallon, Anderson, Bennett, Brady, Clark, B. Ennis, D. Ennis, Free, George, Gilligan, Jester, Maroney, Outten, Plant, Soles, VanSant, Wingate; Senators Berndt, Holloway, Knox, Marshall, McBride. Assigned to Education Committee.

HB 71 - AN ACT TO AMEND CHAPTER 15, TITLE 3 OF THE DELAWARE CODE RELATING TO GRASS SEED MIXTURES. Sponsors: Representatives Clark, Carey, Caulk, Cordrey, Jester, West. Assigned to Agriculture Committee.

**HB 81** - AN ACT TO AMEND CHAPTER 23, TITLE 30, DELAWARE CODE RELATING TO OCCUPATIONS REQUIRING LICENSES. Sponsors: Representatives Boykin, Fallon, Maroney, Anderson, Soles, Jester; Senators Cook, Minner, Bair. Assigned to Administrative Services/Energy Committee.

**HB 146** - AN ACT TO AMEND CHAPTER 216, VOLUME 27, LAWS OF DELAWARE AS AMENDED BY CHAPTER 454, VOLUME 60, CHAPTER 312, VOLUME 60, CHAPTER 233, VOLUME 51 AND CHAPTER 123, VOLUME 35 RELATING TO "AN ACT AMENDING, MERGING AND CONSOLIDATING THE CHARTER OF NEW CASTLE". Sponsors: Representative Mack, Senator Connor. Assigned to Executive Committee.

Senator Holloway marked PRESENT.

At 2:30 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 19th Legislative Day.

19TH LEGISLATIVE DAY  
April 3, 1985

The Senate convened at 2:30 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The following communication was read at the request of Senator Cordrey:

SENATE  
STATE OF DELAWARE  
DOVER, DELAWARE 19901

April 3, 1985

TO: Members of the 133rd General Assembly

FROM: Senator Richard S. Cordrey, President Pro Tempore

SUBJECT: Appointments

As per the power invested in me, as President Pro Tempore of the Delaware State Senate, I hereby appoint the following to serve as members of the Interstate Cooperation Committee: Senator Thurman Adams, Senator Herman Holloway, Senator Robert Berndt

\* \* \* \* \*

**HB 146** which had been assigned to Executive Committee was reassigned to Community Affairs Committee.

Senator Holloway moved that **SR 20** be lifted from the table for consideration; however, he then yielded to Senator Cordrey.

On motion of Senator Cordrey (without objection) **HB 146** was withdrawn from Committee and laid on the table.

**SR 20** was then lifted from the table for consideration on motion of Senator Holloway and the roll call vote taken which revealed 20 Senators voting YES and 1 (Minner) ABSENT; therefore, the Resolution was declared adopted.

At the request of Senator Cordrey, the privilege of the floor was extended to William Denhauer and William Clements representing the Future Homemakers of America who presented Easter lilies to each Senator.

Other groups also present in the Chamber were introduced: American Industrial Arts Student Association, Distributive Education Clubs of America, Future Farmers of America, Future Homemakers of America, Health Occupational Students of America, Office Education Association, Vocational Industrial Clubs of America.

The privilege of the floor was extended to Vincent King who made a presentation.

Senator Marshall introduced members of the Academy of Lifelong Learning who were present in the Chamber.

Lt. Governor Woo introduced Mr. Robinson whose father was Governor of Delaware.

**SB 82** was taken up for consideration on motion of Senator Cordrey:

**SB 82** - AN ACT TO AMEND TITLE 9, CHAPTER 70, SECTION 7004 OF THE DELAWARE CODE, RELATING TO THE PROCUREMENT OF SERVICES OR SUPPLIES.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Holloway, Martin, McDowell, Sharp) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

**SB 83** was taken up for consideration on motion of Senator Slatcher:

**SB 83** - AN ACT TO AMEND TITLE 9, CHAPTER 70, SECTION 7002 OF THE DELAWARE CODE, RELATING TO SALARY AND EXPENSES OF THE COUNTY GOVERNMENT.

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

SB 84 was taken up for consideration on motion of Senator Slatcher:  
SB 84 - AN ACT TO AMEND TITLE 9, CHAPTER 68, §6812 OF THE DELAWARE CODE RELATING TO PUBLIC HEARINGS AND NOTICE.

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

SB 85 was taken up for consideration on motion of Senator Cordrey:

SB 85 - AN ACT TO AMEND SECTION 6109, TITLE 9, OF THE DELAWARE CODE ANNOTATED, AS IT RELATES TO GOVERNMENT OF SUSSEX COUNTY OPERATION OF COURTHOUSE.

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

SB 86 was taken up for consideration on motion of Senator Minner:

SB 86 - AN ACT TO AMEND TITLE 9, CHAPTER 68, §6810 OF THE DELAWARE CODE RELATING TO ROAD PLATS.

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

SB 87 was taken up for consideration on motion of Senator Cordrey:

SB 87 - AN ACT TO AMEND SECTION 7007, TITLE 9, OF THE DELAWARE CODE ANNOTATED, AS IT RELATES TO SUSSEX COUNTY ADVISORY RETIREMENT BOARD.

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

SB 88 was taken up for consideration on motion of Senator Minner:

SB 88 - AN ACT TO AMEND TITLE 9, CHAPTER 68, §6804 OF THE DELAWARE CODE RELATING TO ORGANIZATION OF PLANNING AND ZONING COMMISSION.

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

SB 89 was taken up for consideration on motion of Senator Adams:

SB 89 - AN ACT TO AMEND TITLE 9, CHAPTER 86, §8604 OF THE DELAWARE CODE RELATING TO PENALTY FOR LATE PAYMENT OF TAXES.

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

SB 90 was taken up for consideration on motion of Senator Adams:

SB 90 - AN ACT TO AMEND TITLE 9, CHAPTER 68, §6811 OF THE DELAWARE CODE RELATING TO APPROVAL OF PLATS BY PLANNING AND ZONING COMMISSION.

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

SB 91 was taken up for consideration on motion of Senator Adams:

SB 91 - AN ACT TO AMEND TITLE 9, CHAPTER 87, §8705 OF THE DELAWARE CODE RELATING TO LIEN OF TAXES.

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

At 3:14 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:06 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Education Committee: SB 50 - 2 Favorable, 1 Merits.

From the Small Business Committee: HB 100 w HA 1 - 1 Favorable, 4 Merits.

From the Insurance and Elections Committee: HB 99 w HA 1 - 5 Merits; HB 131 - 5 Merits; HB 132 - 5 Merits.

SB 94 was taken up for consideration on motion of Senator Minner:

SB 94 - AN ACT TO AMEND CHAPTER 215, VOLUME 64, LAWS OF DELAWARE, BEING "AN ACT TO RE-INCORPORATE THE CITY OF HARRINGTON" RELATING TO ELECTIONS, ALDERMAN AND POLICE POWERS.

At 4:08 p.m., Lt. Governor Woo presiding.

The roll call vote on SB 94 was taken and revealed:

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

ABSENT: Senators Arnold, Bair, Berndt, Citro, Knox, Neal, Slatcher - 7.

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

SB 77 was taken up for consideration on motion of Senator Adams:

SB 77 - AN ACT TO AMEND CHAPTER 183, VOLUME 22, LAWS OF DELAWARE, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF GREENWOOD," AS AMENDED BY CHAPTER 167, VOLUME 43, LAWS OF DELAWARE, TO AUTHORIZE THE ISSUING OF BONDS TO FINANCE THE CONSTRUCTION AND IMPROVEMENT OF ITS DISPOSAL SYSTEM, INCLUDING A SEWAGE TREATMENT PLANT.

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

**SB 68** was taken up for consideration on motion of Senator Adams:

**SB 68** - AN ACT TO AMEND CHAPTER 9, TITLE 3 OF THE DELAWARE CODE RELATING TO AGRICULTURAL LANDS PRESERVATION.

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

**HB 61** was taken up for consideration on motion of Senator Adams:

**HB 61** - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF CORRECTIONS TO NAME THE KENT CORRECTIONAL INSTITUTION LOCATED AT 300 WATER STREET, DOVER, DELAWARE, AS THE JOHN E. MORRIS CORRECTIONAL INSTITUTION IN HONOR OF THE LATE JOHN EDWARD MORRIS, REPRESENTATIVE FROM THE 34TH DISTRICT FROM 1972 TO 1980.

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

**HJR 6 w HA 1** was lifted for consideration under suspension of the necessary rules on motion of Senator Holloway:

**HJR 6 w HA 1** - CREATING A COMMISSION ON WORK AND THE FAMILY.

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

**HB 146** was lifted for consideration under suspension of the necessary rules on motion of Senator Connor:

**HB 146** - AN ACT TO AMEND CHAPTER 216, VOLUME 27, LAWS OF DELAWARE AS AMENDED BY CHAPTER 454, VOLUME 60, CHAPTER 312, VOLUME 60, CHAPTER 233, VOLUME 51 AND CHAPTER 123, VOLUME 35, RELATING TO "AN ACT AMENDING, MERGING AND CONSOLIDATING THE CHARTER OF NEW CASTLE".

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

The following legislation was introduced:

**SB 113** - AN ACT TO AMEND SUBPART D, SUBCHAPTER II, CHAPTER 5, TITLE II, DELAWARE CODE, TO PROVIDE A PENALTY FOR CONSPIRACY TO PERMIT SEXUAL MISCONDUCT. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

**SB 114** - AN ACT TO AMEND CHAPTER 51, TITLE 29, DELAWARE CODE, RELATING TO LEAVE FOR VOLUNTEER EMERGENCY SERVICE. Sponsor: Senator Zimmerman. Assigned to Executive Committee.

**SB 115** - AN ACT TO AMEND AN ACT BEING CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES", AS AMENDED BY CHAPTER 110, VOLUME 63, LAWS OF DELAWARE, TO INCREASE THE AMOUNT WHICH MAY BE RAISED BY TAXATION FROM REAL ESTATE. Sponsors: Senator Minner, Representative Wingate. Laid on the table on motion of Senator Minner.

**SENATE CONSENT CALENDAR #4** was taken up for consideration on motion of Senator Minner. The Resolutions comprising the Calendar were as follows:

**SR 22** - EXTENDING BEST WISHES FOR A SPEEDY RECOVERY TO SENATOR HARRIS B. MCDOWELL, III OF WILMINGTON, DELAWARE. Sponsor: Senator Holloway.

**SCR 35** - EXPRESSING SYMPATHY UPON THE PASSING AWAY OF WILLIAM "ROSS" COLLINS. Sponsors: Senators Slatcher, Adams; Representatives Fallon, Quillen and Clark.

**HCR 34** - MOURNING THE PASSING OF REVEREND JOHN F. GRAY, PRESBYTERIAN PASTOR AND DEDICATED COMMUNITY SERVANT. Sponsors: Representatives Smith, Carey; Senators Berndt, Minner.

**HCR 36** - COMMENDING THE CAESAR RODNEY RIDERS WRESTLING TEAM AND THEIR COACHES FOR WINNING THE DELAWARE SECONDARY SCHOOL ATHLETIC ASSOCIATION STATE WRESTLING CHAMPIONSHIP FOR 1984-85. Sponsors: Representatives Buckworth, Caulk, Quillen, Clark, Bennett; Senators Zimmerman, Cook, Torbert.

**HCR 37** - MOURNING THE PASSING OF FRANK C. STARR, JR., DISTINGUISHED DUPONT COMPANY CHEMIST. Sponsors: Representatives Smith, Hebner; Senator Bair.

**HCR 38** - EXTENDING CONGRATULATIONS TO THE GIRLS BASKETBALL TEAM OF ST. ELIZABETH HIGH SCHOOL FOR WINNING THE DELAWARE HIGH SCHOOL GIRLS BASKETBALL TOURNAMENT FOR 1984-85. Sponsors: Representatives Jonkiert, Campanelli, Brady; Senator Marshall.

**HCR 39** - HONORING GLORIA R. STUBER FOR HER SIGNIFICANT STRIDES IN WOMEN'S RIGHTS AND HER SERVICE AS CHAIRPERSON OF THE DELAWARE COMMISSION FOR WOMEN. Sponsors: Representative Petrilli, Senator Arnold.

The roll call vote on the Consent Calendar was taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted; the House Resolutions were returned to the House and the Senate Concurrent Resolution was sent to the House for consideration.

At 5:03 p.m. on motion of Senator Sharp, the Senate recessed until 1:30 p.m., April 4, 1985.

The Senate reconvened at 1:44 p.m., April 4, 1985, Lt. Governor Woo presiding.

At 1:45 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 20th Legislative Day.

20TH LEGISLATIVE DAY  
April 4, 1985

The Senate convened at 1:45 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 41, HCR 42, HCR 43, SCR 35, SCR 36.

Senator Citro marked PRESENT.

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

HB 99 w HA 1 - AN ACT TO AMEND CHAPTER 3, TITLE 18, DELAWARE CODE, ESTABLISHING A REGULATORY REVOLVING FUND FOR THE REVENUES AND EXPENSES OF THE OFFICE OF THE INSURANCE COMMISSIONER; AND TO TRANSFER FUNDS FROM THE BUDGET OFFICE CONTINGENCY (10-02-004) (SELF INSURANCE FUND) TO THE OFFICE OF THE INSURANCE COMMISSIONER (12-03-001) (CONTRACTUAL SERVICES) FOR THE PURPOSE OF PROVIDING START-UP FUNDS FOR THE REGULATORY REVOLVING FUND.

Senator McDowell marked PRESENT.

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

HB 131 was taken up for consideration on motion of Senator Sharp:

HB 131 - AN ACT TO AMEND CHAPTER 42, TITLE 18 OF THE DELAWARE CODE TO DIRECT THE DELAWARE INSURANCE GUARANTY ASSOCIATION TO ASSESS ITS MEMBER INSURERS AND TO PAY OVER SUCH ASSESSMENTS TO THE INSURANCE COMMISSIONER REGULATORY REVOLVING FUND.

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

HB 132 was taken up for consideration on motion of Senator Sharp:

HB 132 - AN ACT TO AMEND CHAPTER 44, TITLE 18 OF THE DELAWARE CODE TO DIRECT THE DELAWARE LIFE & HEALTH GUARANTY ASSOCIATION TO ASSESS ITS MEMBER INSURERS AND TO PAY OVER SUCH ASSESSMENTS TO THE INSURANCE COMMISSIONER REGULATORY REVOLVING FUND.

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

At the request of Senator Berndt, the privilege of the floor was extended to David Levinson, Insurance Commissioner for the State of Delaware.

At the request of Senator Cordrey, the privilege of the floor was extended to Ted Clark.

Senator Zimmerman marked PRESENT.

HB 36 w HA 1 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Zimmerman.

The privilege of the floor was extended to William Walls, Senate Attorney after which the Bill was again laid on the table on motion of Senator Zimmerman.

Senator McBride marked PRESENT.

At 2:05 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 3:35 p.m., Lt. Governor Woo presiding.

HB 36 w HA 1 was lifted from the table for consideration on motion of Senator Zimmerman.

The privilege of the floor was extended to William Walls, Senate Attorney, after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Connor and Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

SB 54 was taken up for consideration on motion of Senator Torbert:

SB 54 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS' DRIVING PRIVILEGES.

SA 1 to the Bill (sponsored by Senator Torbert) was introduced and considered for adoption on his motion.

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

The roll call vote on SB 54 w SA 1 was then taken and revealed:

YES: Senators Adams, Berndt, Citro, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 17.

NO: Senators Arnold, Bair, Neal - 3.

ABSENT: Senator Connor - 1.

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

HB 100 w HA 1 was taken up for consideration on motion of Senator Zimmerman:

**HB 100 w HA 1** - AN ACT TO AMEND CHAPTER 385, VOLUME 63, AND CHAPTER III, VOLUME 64 OF THE LAWS OF DELAWARE RELATING TO THE DEFINITION OF BEVERAGE CONTAINERS.

The privilege of the floor was extended to David S. Hugg, III (Aluminum Container Monitoring Recycling Committee) and Ann S. Alexander (American Association of University Women - Delaware Division) after which the Bill was laid on the table on motion of Senator Zimmerman.

SENATE CONSENT CALENDAR #5 was taken up for consideration on motion of Senator Minner.

The Calendar was comprised of the following:

**SR 24** - COMMENDING THOSE BUSINESSES AND ORGANIZATIONS PARTICIPATING IN THE EFFORTS TO LOCATE MISSING CHILDREN AND ENCOURAGING OTHERS TO JOIN THE EFFORT. Sponsor: Senator Arnold.

**SR 25** - CONGRATULATING LEONARD DUKART, OWNER OF DELAWARE'S FIRST McDONALD'S, ON THE TWENTY-FIFTH ANNIVERSARY OF THE MAIN STREET NEWARK BUSINESS. Sponsor: Senator Neal.

**SCR 37** - MOURNING THE DEATH OF MR. ABRAM N. SPANEL, FOUNDER OF INTERNATIONAL LATEX IN DOVER. Sponsors: Senator Zimmerman, Representative Outten.

**SCR 38** - MOURNING THE DEATH OF L. LEE LAYTON OF DOVER, DELAWARE. Sponsors: Senator Zimmerman, Representative Outten.

**SCR 39** - THANKING THE DELAWARE NATIONAL GUARD FOR THEIR RECOGNITION AND PROMOTION OF WOMEN'S HISTORY MONTH AND FOR THEIR SPECIAL EFFORTS TO ENCOURAGE WOMEN TO BREAK THE SOCIAL BARRIERS ON NON-TRADITIONAL ROLES AND OCCUPATIONS. Sponsors: Senator Minner,; Representatives Jester, Fallon, Soles, Anderson, Boykin.

**HCR 41** - CONGRATULATING EMILY RYAN FOR HER FIFTY YEARS OF ACTIVE SERVICE IN THE HOLLOWAY TERRACE LADIES AUXILIARY. Sponsors: Representative Houghton, Senator McBride.

**HCR 42** - EXTENDING BEST WISHES TO SAMUEL M. D. MARSHALL, JR., UPON HIS RETIREMENT AS VICE-PRESIDENT AND BRANCH MANAGER OF THE BANK OF DELAWARE. Sponsors: Representatives Carey, Caulk, Barnes; Senators Minner, Adams.

**HCR 43** - CONGRATULATING SHEILA SAINTS UPON HER SELECTION AS MISS DELAWARE USA AND EXTENDING TO HER OUR BEST WISHES AS SHE PREPARES TO REPRESENT DELAWARE IN THE MISS USA PAGEANT. Sponsors: Representative Roy, Senator Sharp.

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The roll call vote on SENATE CONSENT CALENDAR #5 was then taken and revealed 19 Senators voting YES, 1 (Holloway) NOT VOTING and 1 (Connor) ABSENT; therefore, the Senate Resolutions were declared adopted, the Senate Concurrent Resolutions were declared adopted and sent to the House for consideration and the House Concurrent Resolutions were declared adopted and returned to the House.

SR 26 was taken up for consideration on motion of Senator Minner:

**SR 26** - RECOGNIZING THE 30 YEAR ANNIVERSARY OF THE KENT COUNTY FIRE POLICE AND THANKING THE MANY DEDICATED CITIZENS WHO HAVE FAITHFULLY SERVED THIS ORGANIZATION DURING THE PAST 3 DECADES. Sponsors: Senators Minner, Adams, Vaughn, Cook, Torbert, Zimmerman.

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

The following legislation was introduced:

**SB 116** - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW OF THE STATE OF DELAWARE. Sponsors: Senators Sharp, Berndt; Representative Spence. Assigned to Judiciary Committee.

**SB 117** - AN ACT TO AMEND CHAPTER 59, TITLE 29, DELAWARE CODE, RELATING TO VETERAN'S PREFERENCE. Sponsors: Senators Neal, Knox, Berndt, Cook, Holloway, Bair, Arnold, Minner, Martin, McDowell; Representatives Free, Maroney, Petrilli, Smith, Soles, Wingate, Jester, George. Assigned to Executive Committee.

**SB 118** - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE RELATING TO PEREMPTORY CHALLENGES OF FAMILY COURT JUDGES ASSIGNED TO HEARINGS AND TRIALS. Sponsors: Senators Sharp and McDowell, Representative Spence; Senators Cook, Cordrey, Holloway, Marshall, Martin, McBride, Minner, Torbert, Vaughn, Zimmerman, Arnold, Bair, Berndt, Citro, Connor, Knox, Neal, Slatcher; Representatives Boykin, Davis, Fallon, Mack, Oberle, Roy, Taylor, Anderson, Campanelli, B. Ennis, Gilligan, Houghton, Jester, Jonkiert, VanSant. Assigned to Judiciary Committee.

**SB 119** - AN ACT TO AMEND CHAPTER 31, TITLE 5 OF THE DELAWARE CODE RELATING TO MAXIMUM PERMISSIBLE INTEREST RATES ON SECONDARY MORTGAGE LOANS. Sponsors: Senator Holloway; Representatives Sills, Free. Assigned to Banking Committee.

**SB 120** - AN ACT TO AMEND CHAPTER 31, TITLE 21, DELAWARE CODE RELATING TO NONDRIVER IDENTIFICATION CARDS. Sponsors: Senator Marshall; Representatives Jonkiert, Spence. Assigned to Public Safety Committee.

**SB 121** - AN ACT TO AMEND CHAPTER 29, PART III, TITLE 30 OF THE DELAWARE CODE RELATING TO RETAIL AND WHOLESALE MERCHANTS' LICENSE REQUIREMENT AND TAXES. Sponsors: Senator McBride and Torbert; Representatives Buckworth, Caulk, D. Ennis, Quillen, Roy; Senators Martin, McDowell, Minner. Assigned to Revenue and Taxation Committee.



**SB 122** - AN ACT TO PROVIDE FOR EXTENDED WORKSHOP EMPLOYMENT PROGRAMS FOR THE SEVERELY HANDICAPPED. Sponsor: Senator Berndt. Assigned to Labor and Industrial Relations Committee.

**SB 123** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE BY ADOPTING A HOUSING CODE FOR THE STATE OF DELAWARE, INCLUDING THE ESTABLISHMENT OF MINIMUM PROPERTY MAINTENANCE STANDARDS FOR DWELLING STRUCTURES THAT POSE A THREAT TO THE HEALTH AND SAFETY OF THE PEOPLE OF EACH COMMUNITY IN THE STATE, PROVISIONS FOR ADOPTION OF SUCH STANDARDS BY EACH COMMUNITY IN THE STATE, WITH CERTAIN EXEMPTIONS AND PROVISIONS FOR SPECIAL CONDITIONS AND FOR HARDSHIPS, AND ENFORCEMENT OF SUCH STANDARDS BY EACH COMMUNITY IN THE STATE OR BY THE STATE IN THE ABSENCE OF LOCAL ENFORCEMENT. Sponsors: Senator McDowell, Representative Plant; Senators Holloway, Martin, Bair, Torbert, Marshall; Representatives Outten, Sills, B. Ennis, George. Assigned to Health-Social Services/Aging Committee.

**SB 101** - AN ACT TO ALLOW ANDREW JOHN KELLEHER, A NON-RESIDENT, TO MARRY RHONDA YVONNE MCCOY, A NON-RESIDENT. Sponsor: Senator Neal. Assigned to Judiciary Committee.

**SR 21** - URGING THE NEWS JOURNAL PAPERS TO BRING BACK "HERMAN" TO THE COMIC STRIPS. Sponsor: Senator Holloway. Laid on the table.

**SCR 40** - COMMENDING BRENT ADAMS OF BRIDGEVILLE, SON OF SENATOR ADAMS FOR RECEIVING "NATIONAL MAN OF THE YEAR" FROM CARNATION MILK COMPANY. Sponsors: Senators Cordrey, Sharp; Representative Barnes.

All the Senators were added as co-sponsors of the Resolution after which the roll call vote was taken and revealed 19 Senators voting YES and 2 (Citro and Connor) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

**HCR 35** - ESTABLISHING A BLUE RIBBON TASK FORCE TO STUDY HOME RULE FOR KENT COUNTY AND TO RECOMMEND APPROPRIATE LEGISLATION THEREFOR. Sponsors: Representatives Buckworth, Quillen, Caulk, Barnes, Bennett, Outten, B. Ennis, Clark; Senator Torbert. Laid on the table on motion of Senator Sharp.

**SCR 41** - RECOGNIZING THE 30 YEAR ANNIVERSARY OF THE KENT COUNTY FIRE POLICE AND THANKING THE MANY DEDICATED CITIZENS WHO HAVE FAITHFULLY SERVED THIS ORGANIZATION DURING THE PAST 3 DECADES. Sponsors: Senators Minner, Adams, Vaughn, Cook, Torbert, Zimmerman; Representatives B. Ennis, Clark, Quillen, Outten, Bennett, Caulk, Buckworth. Laid on the table on motion of Senator Minner.

At 5:20 p.m. on motion of Senator Sharp, the Senate recessed to the call of the President pro Tempore.

The Senate reconvened at 2:20 p.m., April 23, 1985, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 101, HB 105, HB 136 w HA 2, SB 66.

The following legislation was introduced:

**SB 124** - AN ACT TO AMEND SUBCHAPTER 6, TITLE II, DELAWARE CODE, RELATING TO INMATE WORK AND PAY REGULATIONS. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

**SB 125** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO COMMUNITY CARE FOR THE FRAIL OR HEALTH IMPAIRED ELDERLY. Sponsors: Senator Holloway, Representative VanSant. Assigned to Health-Social Services/Aging Committee.

**HB 101** - AN ACT TO AMEND CHAPTER 59, TITLE II, OF THE DELAWARE CODE TO ALLOW JUSTICES OF THE PEACE TO HEAR AND DETERMINE CRIMINAL CASES ON SUNDAYS. Sponsors: Representatives Mack, Buckworth, Carey, Davis, Reynolds, Spence; Senators McDowell, Sharp, Zimmerman. Assigned to Judiciary Committee.

**HB 105** - AN ACT TO AMEND CHAPTERS 95 AND 96, TITLE 10 OF THE DELAWARE CODE RELATING TO THE JURISDICTIONAL AMOUNT OF JUSTICE OF THE PEACE COURT CIVIL ACTIONS. Sponsors: Representatives Davis, D. Ennis, Mack, Reynolds, Spence, Taylor, Barnes, Free, Oberle, Buckworth, B. Ennis; Senators Sharp, Martin, Arnold. Assigned to Judiciary Committee.

**HB 136 w HA 2** - AN ACT TO AMEND CHAPTER 9, TITLE 7, DELAWARE CODE, RELATING TO FINFISHING IN TIDAL AND NON-TIDAL WATERS OF THE STATE FOR ALL FINFISH EXCEPT MENHADEN. Sponsor: Representative Fallon. Assigned to Natural Resources and Environmental Control Committee.

At 2:25 p.m. on motion of Senator Sharp the Senate adjourned to immediately convene for the 21st Legislative Day.

#### 21ST LEGISLATIVE DAY April 23, 1985

The Senate convened at 2:25 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SB 40 was taken up for consideration on motion of Senator Cordrey:

SB 40 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO UNIFORM LEAVE RULES FOR CERTAIN EXEMPT STATE POSITIONS.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Dennis E. Greenhouse (Auditor of Accounts).

Senator Zimmerman marked PRESENT.

SA 1 to the Bill was considered for adoption on motion of Senator Cordrey and the roll call vote taken which revealed 19 Senators voting YES and 2 (Adams and Connor) ABSENT; therefore, the Amendment was declared adopted.

Senator Adams marked PRESENT.

The roll call vote on SB 40 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 2:50 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus and reconvened at 4:25 p.m., Senator Cordrey presiding.

SB 115 was lifted from the table for consideration on motion of Senator Minner under suspension of the necessary rules:

SB 115 - AN ACT TO AMEND AN ACT BEING CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES", AS AMENDED BY CHAPTER 110, VOLUME 63, LAWS OF DELAWARE, TO INCREASE THE AMOUNT WHICH MAY BE RAISED BY TAXATION FROM REAL ESTATE.

At 4:27 p.m., Lt. Governor Woo presiding.

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

SB 63 was taken up for consideration on motion of Senator Vaughn:

SB 63 - AN ACT TO AMEND CHAPTER 83, TITLE 29, DELAWARE CODE, RELATING TO JUDICIAL REVIEW OF DECISIONS OF THE BOARD OF PENSION TRUSTEES.

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

The roll call vote on SB 63 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 14 was stricken at the request of the sponsor, Senator McBride.

At 4:40 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 24, 1985.

The Senate reconvened at 2:41 p.m., April 24, 1985, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 106 w HA 1, HB 127, SB 39 w SA 1 w SA 1.

HB 71 was reported out of the Agriculture Committee: 4 Favorable, 1 Merits.

The following legislation was introduced:

SB 126 - AN ACT TO AMEND "AN ACT MAKING A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANTS-IN-AID," BEING CHAPTER 340, 64 LAWS OF DELAWARE, RELATING TO FOOD CONSERVERS. Sponsor: Senator Holloway. Assigned to Finance Committee.

SB 127 - AN ACT TO AMEND CHAPTER 47, TITLE 29, DELAWARE CODE, RELATING TO CORNEAL TRANSPLANTS. Sponsor: Senator Cordrey. Assigned to Health-Social Services/Aging Committee.

SB 128 - AN ACT TO AMEND CHAPTER 83, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF ACCOUNTING. Sponsors: Senator Cordrey; Representatives Jester, Soles, Houghton. Assigned to Executive Committee.

SB 129 - AN ACT TO AMEND PART III OF TITLE 25 OF THE DELAWARE CODE BY EXCLUDING LEASES FOR CERTAIN COMMERCIAL UNITS FROM APPLICATION OF CERTAIN PROVISIONS OF THE LANDLORD-TENANT CODE. Sponsor: Senator Vaughn. Assigned to Administrative Services/Energy Committee.

SA 1 to SB 73. Sponsor: Senator Connor. Placed with the Bill.

SB 130 - AN ACT TO AMEND SUBCHAPTER I, CHAPTER 5, TITLE 10, DELAWARE CODE, RELATING TO THE SUPERIOR COURT. Sponsors: Senator Zimmerman, Representative Spence; Senators Citro, Connor, Holloway, Vaughn, Berndt, Bair, McDowell; Representatives Hebner, George, Davis, Reynolds, Houghton, Plant, Outten, B. Ennis. Assigned to Judiciary Committee.

SB 131 - AN ACT TO AMEND CHAPTER 50, SUBCHAPTER XI, SCIRE FACIAS ON MORTGAGE, TITLE 10 OF THE DELAWARE CODE RELATING TO OCCASION FOR SUING OUT WRITS OF SCIRE FACIAS; PARTIES AND NOTICE. Sponsor: Senator Vaughn. Assigned to Judiciary Committee.

SB 132 - AN ACT TO AMEND CHAPTER 40, TITLE 31, DELAWARE CODE, RELATING TO THE ANNUAL REGISTRATION OF APARTMENT MANAGEMENT. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

**HB 106 w HA 1 - AN ACT TO AMEND CHAPTER 43, TITLE 11, DELAWARE CODE RELATING TO VIOLATIONS OF PAROLE OR CONDITIONAL RELEASE.** Sponsors: Representatives Davis, Spence, D. Ennis, Buckworth, B. Ennis, Mack, Free, Barnes, Oberle, Taylor; Senators Sharp, Martin, Arnold. Assigned to Judiciary Committee.

**HB 127 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 96, TITLE 10 OF THE DELAWARE CODE TO ALLOW SERVICE OF A SUMMONS WITH ACCOMPANYING PAPERS IN A JUSTICE OF THE PEACE COURT TRESPASS ACTION TO INCLUDE SERVICE BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED.** Sponsors: Representatives Davis, Roy, Spence, Mack, Reynolds, B. Ennis, Houghton. Assigned to Judiciary Committee.

**SB 79** was reported out of the Education Committee: 3 Merits.

At 2:50 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 22nd Legislative Day.

**22ND LEGISLATIVE DAY**  
**April 24, 1985**

The Senate convened at 2:50 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

**SCR 42** was introduced and considered for adoption on motion of Senator Bair:

**SCR 42 - CONGRATULATING ZENOBIA LA DAGE FOR BEING SELECTED "MOTHER OF THE YEAR".** Sponsors: Senator Bair, Representative Hebner; Senator Berndt; Representatives Smith, Boykin, Brady, Maroney, D. Ennis.

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

Lt. Governor Woo recognized and introduced to the Senate Mayor Daniel Frawley of Wilmington.

**SCR 43** was introduced and considered for adoption on motion of Senator Holloway:

**SCR 43 - REQUESTING THE SECRETARY OF THE DEPARTMENT OF COMMUNITY AFFAIRS TO ESTABLISH A NONPARTISAN, NONBIAS COMPLAINT PANEL TO RESOLVE DISPUTES BETWEEN TENANTS AND APARTMENT LANDLORDS.** Sponsor: Senator Holloway.

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

At 3:00 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:55 p.m., Lt. Governor Woo presiding.

The following legislation was introduced:

**SB 133 - AN ACT TO AMEND CHAPTER 33, TITLE 19, DELAWARE CODE, RELATING TO UNEMPLOYMENT COMPENSATION.** Sponsors: Senator Marshall; Representatives Mack, Campanelli. Assigned to Labor and Industrial Relations Committee.

**SB 134 - AN ACT TO AMEND CHAPTERS 13 AND 15, TITLE 30, DELAWARE CODE, RELATING TO INHERITANCE AND ESTATE TAX.** Sponsor: Senator Cordrey. Assigned to Revenue and Taxation Committee.

**SB 135 - AN ACT TO AMEND CHAPTER 19, TITLE 14, DELAWARE CODE, RELATING TO UNIFORM TAX RATES FOR SCHOOL DISTRICTS THAT TRAVERSE TWO COUNTIES.** Sponsors: Senator Vaughn, Representative B. Ennis; Senators Cook, Minner, Adams; Representatives Clark, Caulk, Carey.

On motion of Senator Vaughn (without objection) the necessary rules were suspended for consideration of **SB 135**:

**SB 135 - AN ACT TO AMEND CHAPTER 19, TITLE 14, DELAWARE CODE, RELATING TO UNIFORM TAX RATES FOR SCHOOL DISTRICTS THAT TRAVERSE TWO COUNTIES.**

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

**SCR 44** was introduced and considered for adoption on motion of Senator McBride:

**SCR 44 - URGING THE CITIZENS OF DELAWARE TO VOICE THEIR VIEWS, OPINIONS AND CONCERNS REGARDING PUBLIC EDUCATION DURING THE CURRENT EIGHT WEEK SCHOOL VOTE CAMPAIGN.** Sponsors: Senator McBride, Representative Fallon.

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

**SCR 45** was introduced and considered for adoption on motion of Senator Marshall:

**SCR 45 - CONGRATULATING THE MOST REVEREND ROBERT E. MULVEE UPON HIS INSTALLATION AS THE SEVENTH BISHOP OF THE DIOCESE OF WILMINGTON.** Sponsors: Senators Marshall, Zimmerman, Citro, Connor; Representatives Jonkiert, Gilligan, George, Free, Campanelli.

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

At 5:07 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 25, 1985.

The Senate reconvened at 2:53 p.m., April 25, 1985, Senator Cordrey presiding.

The following Committee reports were announced:

From the Executive Committee: SB 128 - 2 Favorable, 3 Merits.

From the Judiciary Committee: SB 21 - 4 Merits; SB 59 - 1 Favorable, 3 Merits; SB 74 - 4 Merits; SB 103 - 4 Merits.

At 2:54 p.m. Lt. Governor Woo presiding.

From the Judiciary Committee: SB 104 - 4 Merits; SB 109 - 4 Merits; SB 111 - 4 Merits; SB 113 - 4 Merits; SB 118 - 1 Favorable, 3 Merits; SB 131 - 1 Favorable, 3 Merits.

From the Health-Social Services/Aging Committee: SB 123 - 1 Favorable, 3 Merits; SB 125 - 4 Merits; SB 127 - 4 Merits; SB 132 - 4 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed SB 135 and adopted SCR 37, SCR 38, SCR 39, SCR 40, SCR 42, SCR 44, SCR 45.

At 2:55 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 23rd Legislative Day.

#### 23RD LEGISLATIVE DAY APRIL 25, 1985

The Senate convened at 2:55 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

At 2:56 p.m., Senator Cordrey presiding.

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

LEGISLATIVE ADVISORY #3 received from the Office of Counsel to the Governor was read which advised that the Governor signed the following legislation: On April 12, 1985: HB 61 (Volume 65, Chapter 3, Laws of Delaware), HB 99 w HA 1 (Volume 65, Chapter 4, Laws of Delaware), HB 131 (Volume 65, Chapter 5, Laws of Delaware), HB 132 (Volume 65, Chapter 6, Laws of Delaware), HB 146 (Volume 65, Chapter 7, Laws of Delaware), HJR 6 w HA 1.

The following veto message from the Governor was read:

#### STATE OF DELAWARE Office of the Governor April 24, 1985

To the Senate of the 133rd General Assembly of the State of Delaware

On April 23, 1985, I received Senate Bill No. 66, which is entitled: "AN ACT TO AMEND CHAPTER NINETEEN, TITLE 14, DELAWARE CODE, RELATING TO UNIFORM TAX RATES FOR SCHOOL DISTRICTS THAT TRAVERSE TWO COUNTIES."

This bill would provide a formula for school districts that traverse county lines to use in computing tax rates after a reassessment of real estate that comprises only a portion of a particular school district.

Section I. of Senate Bill 66 directs that the statute sought to be amended is 14 Del.C. §1913. Unfortunately, 14 Del.C. §1913, is not the correct statute to be amended in order to fully implement your legislative intent. The substantive provisions of the main body of the bill should be directed to amend 14 Del. C. §1916, which is the current statute that addresses reassessment of land by a county when a school district is located wholly within the boundaries of that county.

Additionally, in Senate Bill No. 66, at subparagraph (b)2, there is a referent to a "10 percent increase authorized by law". The reference to the 10 percent increase authorized by law needs further clarification in light of the fact that the Delaware Code provides school districts with the opportunity to add an additional 10 percent to tax rates for delinquencies and the cost of collection (see 14 Del. C. §1913) and also allows school districts to realize no more than a 10 percent increase in actual revenue upon a county general reassessment (see 14 Del. C. §1916(b)). The reference to the 10 percent increase authorized by law should specify which form of increase should be considered in the tax rate calculation formula after reassessment.

Because of the confusion these errors are likely to cause, I am inclined not to sign the bill. Accordingly, I am returning Senate Bill No. 66 without my signature.

Respectfully submitted,  
Michael N. Castle, Governor  
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The following legislation was introduced:

**SB 136** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSING PROVISIONS FOR BUSINESS ESTABLISHMENTS SELLING ALCOHOLIC BEVERAGES FOR OFF PREMISES CONSUMPTION. Sponsor: Senator Sharp. Assigned to Administrative Services/Energy Committee.

**SB 137** - AN ACT TO AMEND CHAPTER 20, TITLE 30 OF THE DELAWARE CODE RELATING TO THE NEIGHBORHOOD ASSISTANCE ACT. Sponsors: Senator Marshall, Representative Sills. Assigned to Revenue and Taxation Committee.

**SB 138** - AN ACT TO AMEND CHAPTER 55 OF TITLE 30 OF THE DELAWARE CODE, RELATING TO PUBLIC UTILITIES TAXES. Sponsors: Senators Cook, Adams, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman, Berndt; Representatives Bennett, Outten, Corrozi, Petrilli. Assigned to Finance Committee.

**SB 139** - AN ACT TO AMEND CHAPTER 17 OF TITLE 5 OF THE DELAWARE CODE RELATING TO BUILDING AND LOAN ASSOCIATIONS. Sponsors: Senator Cordrey, Representative Petrilli. Assigned to Banking Committee.

**SB 140** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE BY PROVIDING A SET TIME PERIOD FOR THE PAYMENT OF HEALTH INSURANCE OR PRESCRIPTION BENEFITS. Sponsors: Senators Minner, Adams, Slatcher; Representatives Bennett, Outten, Barnes. Assigned to Insurance and Elections Committee.

**SB 141** - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE, BY INCREASING THE POWER TO RAISE REVENUE. Sponsors: Senator Adams, Representative Barnes. Assigned to Community Affairs Committee.

**SB 142** - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO THE QUALIFICATION OF VOTERS IN A BOND REFERENDUM AND AUTHORIZING BORROWING IN ANTICIPATION OF ISSUANCE OF BONDS. Sponsors: Senator Adams, Representative Barnes. Assigned to Community Affairs Committee.

**SA 1 to SB 30.** Sponsor: Senator Cordrey. Placed with the Bill.

**SCR 46** was introduced and considered for adoption on motion of Senator Minner:

**SCR 46** - SALUTING THE MANY PROFESSIONAL SECRETARIES THROUGHOUT OUR STATE AND JOINING IN THE CELEBRATION OF PROFESSIONAL SECRETARIES WEEK APRIL 22-26, 1985, AND MARKING APRIL 24 AS SECRETARIES DAY. Sponsors: Senator Minner and all the Senators; Representative B. Ennis and all the Representatives.

Senator Sharp recognized and introduced to the Senate the following Senate Attaches who were present in the Chamber: Helen Wirtz, Pat Hagarty, Regina Brainard, Mrs. Gibson.

Senators Holloway and Torbert marked PRESENT.

The roll call vote on **SCR 46** was then taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

**SR 27** was introduced and considered for adoption on motion of Senator Holloway:

**SR 27** - CALLING FOR AN EXTENSION OF THE REPORTING DEADLINE FROM THE GRAND PARENTS RIGHTS TASK FORCE TO THE CLOSE OF THE 133RD GENERAL ASSEMBLY. Sponsor: Senator Holloway.

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

Lt. Governor Woo presiding.

**SCR 41** was lifted from the table for consideration on motion of Senator Minner:

**SCR 41** - RECOGNIZING THE 30 YEAR ANNIVERSARY OF THE KENT COUNTY FIRE POLICE AND THANKING THE MANY DEDICATED CITIZENS WHO HAVE FAITHFULLY SERVED THIS ORGANIZATION DURING THE PAST 3 DECADES.

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

**SB 29** was lifted from the table for consideration on motion of Senator Zimmerman.

**SA 1** to the Bill was taken up for consideration on motion of Senator Zimmerman and the roll call vote taken which revealed 20 Senators voting YES and 1 (Sharp) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on **SB 29 w SA 1** was then taken and revealed 20 Senators voting YES and 1 (Knox) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

**SB 79** was taken up for consideration on motion of Senator Cordrey:

**SB 79** - AN ACT TO AMEND CHAPTER 10, TITLE 14, OF THE DELAWARE CODE RELATING TO QUALIFICATIONS OF THE MEMBERS OF THE BOARD OF EDUCATION OF INDIAN RIVER SCHOOL DISTRICT.

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

At 3:25 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:34 p.m., Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted **HCR 44, HCR 45, HCR 46, HCR 47 and HCR 48.**

The following legislation was introduced:

**SB 143** - AN ACT TO AMEND CHAPTER 41, TITLE II OF THE DELAWARE CODE RELATING TO SENTENCES FOR ROBBERY IN THE SECOND DEGREE. Sponsors: Senators Marshall, McBride; Representatives Spence, Jonkiert. Assigned to Judiciary Committee.

**SB 144** - AN ACT TO AMEND CHAPTER 86, TITLE 29, DELAWARE CODE, TO ESTABLISH A PROGRAM OF RENT SUBSIDY FOR VERY LOW INCOME FAMILIES, AND MAKING AN APPROPRIATION THEREFORE. Sponsors: Senators Holloway, McDowell, Marshall, Knox, Berndt, Neal; Representatives Sills, George, Plant, West, Petrilli. Assigned to Health-Social Services/Aging Committee.

**SA 1 to SB 50.** Sponsor: Senator Zimmerman. Placed with the Bill.

**SA 1 to HB 71.** Sponsor: Senator Bair. Placed with the Bill.

**SR 28** - CONGRATULATING THE MEMBERS OF THE CAESAR RODNEY HIGH SCHOOL BAND AND MR. DAVID DE LONG, BAND DIRECTOR, UPON BECOMING GRANT CHAMPIONS OF THE 32ND INTERNATIONAL AZALEA FESTIVAL IN NORFOLK, VIRGINIA. Sponsors: Senators Torbert, Cook, Zimmerman.

The Resolution was considered for adoption on motion of Senator Torbert and the roll call vote taken which revealed 18 Senators voting YES and 3 (Knox, Marshall, Vaughn) ABSENT; therefore, the Resolution was declared adopted.

**HCR 44** was introduced and considered for adoption on motion of Senator Adams:

**HCR 44** - COMMENDING WILLIAM M. RAY OF BRIDGEVILLE, DELAWARE FOR OVER 50 YEARS AS A COOPERATIVE, VOLUNTEER WEATHER OBSERVER FOR THE NATIONAL WEATHER SERVICE. Sponsors: Representative Barnes, Senator Adams.

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

**HCR 45** was introduced and considered for adoption on motion of Senator McBride:

**HCR 45** - COMMENDING SUSAN A. THOMAS OF THE NEW CASTLE COUNTY VOCATIONAL-TECHNICAL SCHOOL DISTRICT FOR BEING SELECTED AS DELAWARE TEACHER OF THE YEAR FOR 1985. Sponsors: Representative Fallon, Senator McBride, Representative Campanelli.

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

**HCR 46** was introduced and considered for adoption on motion of Senator Cook:

**HCR 46** - COMMENDING DAVID L. WILLIAMS, PRINCIPAL OF W. REILY BROWN ELEMENTARY SCHOOL, CAESAR RODNEY DISTRICT, ON HIS UPCOMING RETIREMENT AFTER THIRTY-SIX YEARS OF SERVICE. Sponsors: Representatives Buckworth, Quillen, Caulk, Bennett, Clark; Senators Cook, Torbert.

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

**HCR 47** was introduced and laid on the table on motion of Senator Zimmerman:

**HCR 47** - REQUESTING DOVER POSTMASTER JACK BAILEY TO PLACE A UNITED STATES POSTAL BOX AT THE WEST SIDE OF LEGISLATIVE HALL. Sponsors: Representatives Smith, Barnes, Boykin, Buckworth, Campanelli, Carey, Clark, Corrozi, Davis, B. Ennis, D. Ennis, Fallon, Free, George, Gilligan, Houghton, Jester, Mack, Maroney, Oberle, Quillen, Reynolds, Soles, Taylor, Wingate, Hebner; Senators Bair, McDowell, Sharp, Vaughn.

**SB 144** which had been assigned to Health-Social Services/Aging Committee was reassigned to Finance Committee at the request of Senator Holloway.

**SB 30** was taken up for consideration on motion of Senator Cordrey:

**SB 30** - AN ACT AMENDING SECTION 2111, CHAPTER 21, PART II, TITLE 25 OF THE DELAWARE CODE RELATING TO ENFORCEMENT OF PROMPT SATISFACTION OF MORTGAGES.

**SA 1** to the Bill was taken up for consideration on motion of Senator Cordrey and the roll call vote taken which revealed 20 Senators voting YES and 1 (Knox) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on **SB 30 w SA 1** was then taken and revealed 20 Senators voting YES and 1 (Knox) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

**SB 50** was taken up for consideration on motion of Senator Zimmerman:

**SB 50** - AN ACT TO AMEND TITLE 14, DELAWARE CODE, TO PROVIDE TUITION-FREE HIGHER EDUCATION FOR PERSONS AGE 60 OR OLDER.

**SA 1** to the Bill was taken up for consideration on motion of Senator Zimmerman and the roll call vote taken which revealed 20 Senators voting YES and 1 (Knox) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on **SB 50 w SA 1** was then taken and revealed 20 Senators voting YES and 1 (Knox) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

**SB 145** was introduced and assigned to Labor and Industrial Relations Committee:

**SB 145** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsors: Senator Marshall, Representative Mack; Senators Sharp, McBride, Holloway, Cook; Representatives Campanelli, Spence, Jonkiert, Oberle, Boykin, Outten.

SB 146 was introduced and assigned to Revenue and Taxation Committee:

SB 146 - AN ACT TO AMEND CHAPTER 55, TITLE 30 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES TAXES. Sponsors: Senator Marshall, Representatives Hebner, Petrilli; Senators McBride, Holloway, Berndt, Bair; Representatives Campanelli, D. Brady, D. Ennis, Spence, Oberle.

SB 101 was reported out of the Judiciary Committee: 4 Merits.

At 5:15 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 30, 1985.

The Senate reconvened at 2:25 p.m., April 30, 1985, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 104 and adopted SCR 46.

SB 139 was reported out of the Banking Committee: 2 Favorable, 2 Merits.

The following legislation was introduced:

HB 104 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO BUDGET AND FISCAL REGULATIONS. Sponsors: Representative Spence, Senator Sharp. Assigned to Administrative Services/Energy Committee.

SJR 4 - REQUIRING THAT THE STATE GEOLOGIST EVALUATE AND REPORT ON ACTIVITIES RELATED TO ENERGY EXPLORATION. Sponsors: Senators McDowell, Berndt, Martin, Minner; Representatives Steele, Soles, Clark, Sills. Assigned to Natural Resources and Environmental Control Committee.

At 2:29 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 24th Legislative Day.

#### 24TH LEGISLATIVE DAY April 30, 1985

The Senate convened at 2:29 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Holloway - 1.

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

LEGISLATIVE ADVISORY #4 received from the Office of Counsel to the Governor was read which indicated that on April 25, 1985, the Governor signed SB 135 (Volume 65, Chapter 6, Laws of Delaware) and vetoed SB 66 on April 24, 1985.

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At 2:34 p.m., Senator Cordrey presiding.

HB 71 was taken up for consideration on motion of Senator Adams:

HB 71 - AN ACT TO AMEND CHAPTER 15, TITLE 3 OF THE DELAWARE CODE RELATING TO GRASS SEED MIXTURES.

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

At 2:35 p.m., Senator Sharp presiding.

SB 128 was taken up for consideration on motion of Senator Cordrey:

SB 128 - AN ACT TO AMEND CHAPTER 83, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF ACCOUNTING.

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

SB 127 was taken up for consideration on motion of Senator Cordrey:

SB 127 - AN ACT TO AMEND CHAPTER 47, TITLE 29, DELAWARE CODE, RELATING TO CORNEAL TRANSPLANTS.

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

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

SB 59 - AN ACT TO AMEND CHAPTER 65, TITLE 11, DELAWARE CODE, RELATING TO ESTABLISHMENT OF REALISTIC DATES FOR COMPLETING THE DUTIES OF THE SENTENCING ACCOUNTABILITY COMMISSION.

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

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

SB 21 - AN ACT TO AMEND CHAPTER 47, PART III, TITLE 10 OF THE DELAWARE CODE RELATING TO JUDGMENTS; AND PROVIDING FOR A UNIFORM ENFORCEMENT OF FOREIGN JUDGMENTS ACT.

The roll call vote on the Bill was taken and revealed 17 Senators voting YES and 4 (Berndt, Connor, Holloway, Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 2:53 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 3:58 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Community Affairs Committee: SB 141 - 3 Merits; SB 142 - 3 Merits; SB 102 - 3 Merits.

The following legislation was introduced:

SA 1 to SB 139. Sponsor: Senator Cordrey. Placed with the Bill.

SA 2 to HB 71. Sponsor: Senator Adams. Placed with the Bill.

SB 147 - AN ACT TO AMEND SECTION 1703(G), TITLE 14, DELAWARE CODE, RELATING TO UNIT OF PUPILS FOR KENT AND SUSSEX COUNTY VOCATIONAL TECHNICAL SCHOOL DISTRICTS. Sponsors: Senators Adams, Cordrey, Minner, Sharp, Slatcher, Berndt, Cook, McBride, Torbert; Representatives Cordrey, Fallon, Barnes, Carey, Wingate, West, Steele. Assigned to Education Committee.

SB 148 - AN ACT TO AMEND TITLE 26, DELAWARE CODE, SUBCHAPTER III, SECTION 151, RELATING TO RATE CHANGES FOR PUBLIC UTILITIES. Sponsor: Senator Sharp. Assigned to Administrative Services/Energy Committee.

Senators Berndt and Connor marked PRESENT.

SB 101 was taken up for consideration on motion of Senator Neal:

SB 101 - AN ACT TO ALLOW ANDREW JOHN KELLEHER, A NON-RESIDENT, TO MARRY RHONDA YVONNE MCCOY, A NON-RESIDENT.

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

At 4:02 p.m. Senator Adams presiding.

SB 104 was taken up for consideration on motion of Senator Sharp:

SB 104 - AN ACT TO AMEND CHAPTER 4, TITLE II OF THE DELAWARE CODE RELATING TO THE COMMITMENT TO THE STATE HOSPITAL; CONFINEMENT; PERIODIC REVIEW OF COMMITMENT; PARTICIPATION OF PATIENT IN TREATMENT PROGRAM.

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

SB 109 - AN ACT TO AMEND SUBCHAPTER IV, TITLE 16 OF THE DELAWARE CODE RELATING TO TRAFFICKING IN MARIJUANA.

The roll call vote on the Bill was taken and revealed 16 Senators voting YES and 5 (Bair, Cordrey, Holloway, Slatcher, Torbert) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 104 was lifted from the table for consideration on motion of Senator Sharp and the roll call vote taken which revealed 17 Senators voting YES and 4 (Bair, Holloway, Martin, Torbert) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 149 was introduced and considered for passage under suspension of the necessary rules on motion of Senator Cordrey:

SB 149 - AN ACT TO AMEND CHAPTER 9 AND CHAPTER 39, TITLE 10, DELAWARE CODE, RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE; AND PROVIDING FOR PARENTAL LIABILITY FOR RESTITUTION ORDERED BY THE FAMILY COURT FOR MONETARY DAMAGES CAUSED BY THEIR CHILD'S DELINQUENT CONDUCT. Sponsor: Senator Cordrey.

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

SB 103 was stricken at the request of the sponsor, Senator Cordrey.

At 4:20 p.m. Senator Sharp presiding.

HB 71 was lifted from the table for consideration on motion of Senator Adams.

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

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

The roll call vote on HB 71 w SA 2 was then taken and revealed 19 Senators voting YES and 2 (Holloway and Torbert) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SB 99 was stricken at the request of the sponsor, Senator Minner.

At 4:26 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., May 1, 1985.

The Senate reconvened at 2:37 p.m., May 1, 1985, Lt. Governor Woo presiding.

The following message was read:

To the Members of the 133rd General Assembly and Staff:

We would like to express our sincere appreciation for the flowers, planters and most of all the support and kind words all of you have extended.

1985 has not been a very good year, but with people like you, it helps to get through the difficult times.

Thank you so much!

Sincerely,  
David and Mary McBride  
\* \* \* \* \*



**SB 150** was introduced and assigned to Executive Committee:

**SB 150** - AN ACT TO PERMIT RICHARD MARION ROBB, SR. TO CONTINUE EMPLOYMENT WITH THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES AFTER ATTAINING THE AGE OF 70. Sponsor: Senator McDowell.

At 2:39 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 25th Legislative Day.

## 25TH LEGISLATIVE DAY

May 1, 1985

The Senate convened at 2:39 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

**SB 139** was taken up for consideration on motion of Senator Cordrey:

**SB 139** - AN ACT TO AMEND CHAPTER 17 OF TITLE 5 OF THE DELAWARE CODE RELATING TO BUILDING AND LOAN ASSOCIATIONS.

Senators Citro, Slatcher and Bair marked PRESENT.

**SA 1** to the Bill was taken up for consideration on motion of Senator Cordrey and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on **SB 139 w SA 1** was then taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At the request of Senator Sharp, the privilege of the floor was extended to George Hale, Secretary of the Department of Administrative Services.

**SB 141** was taken up for consideration on motion of Senator Adams:

**SB 141** - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE, BY INCREASING THE POWER TO RAISE REVENUE.

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

**SB 142** was taken up for consideration on motion of Senator Adams:

**SB 142** - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO THE QUALIFICATION OF VOTERS IN A BOND REFERENDUM AND AUTHORIZING BORROWING IN ANTICIPATION OF ISSUANCE OF BONDS.

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

At 3:04 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:04 p.m., Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Administrative Services/Energy Committee: **SB 58** - 7 Merits; **SB 70** - 7 Merits; **SB 81** - 7 Merits; **SB 100** - 7 Merits.

From the Revenue and Taxation Committee: **SB 18** - 6 Merits; **SB 67** - 6 Merits; **SB 134** - 1 Favorable, 5 Merits; **SB 137** - 1 Favorable, 5 Merits; **SB 146** - 1 Favorable, 4 Merits, 1 Unfavorable.

From the Labor and Industrial Relations Committee: **SB 133** - 1 Favorable, 5 Merits; **SB 145** - 1 Favorable, 5 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed **SB 96 w SA 3**.

The following legislation was introduced:

**SB 151** - AN ACT TO AMEND SUBCHAPTER I, CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO LICENSING REQUIREMENTS FOR SUBCONTRACTORS ON PUBLIC WORKS PROJECTS. Sponsors: Senators McDowell, Sharp, Martin, Vaughn, Berndt; Representatives Corrozi, D. Ennis, Sills, Campanelli. Assigned to Administrative Services/Energy Committee.

**SB 152** - AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER, BEING CHAPTER 158, VOLUME 36, LAWS OF DELAWARE, AS AMENDED, RELATING TO CHANGING COMPENSATION FOR THE MAYOR AND MEMBERS OF COUNCIL FROM SALARY TO REIMBURSEMENT. Sponsors: Senators Zimmerman, Torbert; Representatives Outten, Bennett. Assigned to Community Affairs Committee.

**SB 153** - AN ACT TO AMEND CHAPTER 3, TITLE 22, OF THE DELAWARE CODE RELATING TO THE GRANTING OF VARIANCES BY MUNICIPAL BOARDS OF ADJUSTMENT. Sponsors: Senators Marshall, Holloway, McDowell, Representatives George, Plant, Sills, Free, Jonkiert. Assigned to Community Affairs Committee.

SB 154 - AN ACT TO AMEND CHAPTER 48, TITLE 29, DELAWARE CODE, RELATING TO UNCLAIMED LOTTERY PRIZE MONEY. Sponsor: Senator Holloway. Assigned to Finance Committee.

SB 155 - AN ACT TO AMEND SUBCHAPTER I, CHAPTER 48, TITLE 29, DELAWARE CODE RELATING TO PROHIBITED SALES TO CERTAIN PERSONS. Sponsor: Senator Holloway. Assigned to Executive Committee.

SA 1 to SB 131. Sponsor: Senator Vaughn. Placed with the Bill.

SA 1 to SB 71. Sponsor: Senator Marshall. Placed with the Bill.

SR 29 was introduced and considered for adoption on motion of Senator Cordrey:

SR 29 - PETITIONING THE PRESIDENT OF THE UNITED STATES, THE SENATE OF THE UNITED STATES, THE UNITED STATES HOUSE OF REPRESENTATIVES, AND THE SECRETARY OF LABOR TO AFFIRM THE RIGHT TO PERFORM COMMERCIAL HOMEWORK. Sponsor: Senator Cordrey.

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

SCR 47 was introduced and considered for adoption on motion of Senator Marshall:

SCR 47 - HONORING THE 10 NEWEST MEMBERS OF THE DELAWARE SPORTS HALL OF FAME. Sponsors: Senators Marshall, McBride, Connor; Representatives Jonkiert, Gilligan, Reynolds, Taylor.

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

Senator Holloway marked PRESENT.

HCR 48 was introduced and considered for adoption on motion of Senator Torbert:

HCR 48 - EXTENDING CONGRATULATIONS TO TOM LEONARD FOR BEING NAMED 1985 WRESTLING COACH OF THE YEAR. Sponsors: Representatives Buckworth, Bennett, Clark, Quillen, Caulk, Fallon, Mack, Reynolds; Senators Torbert, Cook, Zimmerman.

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

SB 102 was taken up for consideration on motion of Senator Slatcher:

SB 102 - AN ACT TO AMEND CHAPTER 42, VOLUME 53, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD," RELATING TO THE AMOUNT OF TAXES TO BE RAISED IN ANY ONE YEAR.

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

SB 131 was taken up for consideration on motion of Senator Vaughn:

SB 131 - AN ACT TO AMEND CHAPTER 50, SUBCHAPTER XI, SCIRE FACIAS ON MORTGAGE, TITLE 10 OF THE DELAWARE CODE RELATING TO OCCASION OF SUING OUT WRITS OF SCIRE FACIAS; PARTIES AND NOTICE.

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

SB 131 w SA 1 was then laid on the table on motion of Senator Vaughn.

At 4:25 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 2, 1985.

The Senate reconvened at 2:33 p.m., May 2, 1985, Lt. Governor Woo presiding.

The following nominations for appointment from the Governor were read and assigned to Executive Committee:

STATE OF DELAWARE  
Office of the Governor  
May 1, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Charles H. Toliver, IV, 108 West 40th Street, Wilmington, DE 19802, to be appointed as a member of the Violent Crimes Compensation Board to serve for a three year term to replace Clifford B. Hearn, Jr., resigned.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
May 1, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Edward S. Stansky, 420 Delaware Street, New Castle, DE 19720, to be reappointed as a member of the Violent Crimes Compensation Board to serve for a three year term to expire June 30, 1987.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

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STATE OF DELAWARE  
Office of the Governor  
May 1, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Weston E. Nellius, 5 Tam O'Shanter Court, Dover, DE 19901, to be appointed as a member of the Cash Management Policy Board to serve for a three year term to expire December 17, 1987.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\*\*\*\*\*  
STATE OF DELAWARE  
Office of the Governor  
May 1, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Stephen L. Manista, 300 Taylor Road - Rosemont - Wilmington, DE 19804, to be reappointed as a member of the Violent Crimes Compensation Board to serve for a three year term to expire January 20, 1988.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\*\*\*\*\*  
STATE OF DELAWARE  
Office of the Governor  
May 1, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Saxton C. Lambertson, R.D. 5, Box 87, Dover, DE 19901, to be appointed as a member of the Violent Crimes Compensation Board to serve for a three year term to replace Robert H. George, resigned.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
May 1, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Bruce O. Kallos, 903 Barley Mill Road, Wilmington, DE 19807, to be appointed as a member of the Board of Pension Trustees to serve for a four year term to expire September 29, 1988.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
May 1, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Stephen L. Hershey, M.D., 1500 Shallcross Avenue, Wilmington, DE 19806, to be appointed as a member of the Delaware Institute of Medical Education and Research to serve for a three year term to expire January 20, 1988.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
May 1, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Warner T. Foraker, 302 Clinton Street, Delaware City, Delaware 19706, to be reappointed as a member of the Industrial Accident Board to serve for a six year term to expire February 1, 1991.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
May 1, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: John V. Flynn, Jr., 1020 Kent Road, Wilmington, DE 19807, to be appointed as a member of the Cash Management Policy Board to serve for a three year term to expire December 17, 1987.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
May 1, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Keith Dorman, 346 Oregon Avenue, New Castle, DE 19720, to be appointed as a member of the Board of Pension Trustees to serve for a four year term to expire May 6, 1988.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
May 1, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Charles W. Cole, 37 Olive Avenue, Rehoboth, DE 19971, to be appointed as a member of the State Coastal Zone Industrial Control Board to serve for a five year term to expire February 1, 1988.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
May 1, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Leah W. Betts, 113 Magnolia Street, Milton, DE 19968, to be reappointed as a member of the Violent Crimes Compensation Board to serve for a three year term to expire August 5, 1986.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

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The following legislation was introduced:

**SB 156** - AN ACT TO AMEND CHAPTER 69, TITLE 16 DELAWARE CODE RELATING TO ISSUANCE OF FIREWORK PERMITS. Sponsors: Senator Adams, Representative Barnes. Assigned to Health-Social Services/Aging Committee.

**SB 157** - AN ACT TO AMEND CHAPTER 59, TITLE 29 OF THE DELAWARE CODE RELATING TO SUPPLEMENTAL COMPENSATION. Sponsor: Senator Connor. Assigned to Finance Committee.

**SB 158** - AN ACT TO AMEND TITLE 10, CHAPTER 49, SUBCHAPTER XI, §5061, SCIRE FACIAS ON MORTGAGE, OF THE DELAWARE CODE RELATING TO OCCASION FOR SUING OUT WRITS OF SCIRE FACIAS; PARTIES AND NOTICE. Sponsor: Senator Vaughn. Assigned to Judiciary Committee.

**SA 1 to SA 1 to SB 73.** Sponsor: Senator Connor. Placed with the Bill.

**SA 1 to SB 140.** Sponsor: Senator Minner. Placed with the Bill.

**SCR 48** was introduced and considered for adoption on motion of Senator Cordrey:

**SCR 48** - CONGRATULATING MR. GEORGE ALLEN ADKINS UPON HIS RECENT HONOR OF RECEIVING THE DELMARVA POULTRY INDUSTRY'S DISTINGUISHED CITIZEN AWARD. Sponsors: Senators Cordrey, Adams; Representative West.

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

**SCR 49** was introduced and considered for adoption on motion of Senator Bair:

**SCR 49** - CONGRATULATING GEORGE JARVIS FOR BEING SELECTED AS THE RECIPIENT OF THE 1985 "GOOD GOVERNMENT AWARD." Sponsors: Senators Bair, Sharp, Cordrey, Arnold; Representatives Oberle, Barnes, George, Gilligan.

Senators Knox, Berndt, Neal were added as co-sponsors of the Resolution after which the roll call vote on the Resolution was taken and revealed 18 Senators voting YES, 1 (Zimmerman) voting NO, 1 (McDowell) NOT VOTING and 1 (McBride) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

**SCR 50** was introduced and considered for adoption on motion of Senator Marshall:

**SCR 50** - THANKING WALTER "BUS ZEBLEY" ZABLOTNY FOR HIS LIFELONG COMMITMENT AND SERVICE TO THE YOUTH OF THE CITY OF WILMINGTON AND HONORING HIM ON "BUS ZEBLEY DAY", SATURDAY, MAY 4, 1985. Sponsors: Senator Marshall, Representative Jonkiert.

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

At 2:55 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 26th Legislative Day.

#### 26TH LEGISLATIVE DAY May 2, 1985

The Senate convened at 2:55 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The Secretary announced that a message from the House informed the Senate that it had passed **SB 101** and adopted **HCR 50, HCR 51, HCR 52, HCR 53, HCR 54, SCR 41**.

The following were added as co-sponsors of **SB 146**: Representatives Free, Boykin, Maroney, Gilligan, Anderson, VanSant, B. Ennis, West, Plant, Houghton.

The following legislation was introduced:

**SA 1 to SB 58.** Sponsor: Senator Slatcher. Placed with the Bill.

**SA 2 to SB 58.** Sponsor: Senator Bair. Placed with the Bill.

**SB 159** - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, RELATING TO THE STATE EMPLOYEES PENSION PLAN. Sponsors: Senators Adams, Cook, Connor, Berndt; Representatives Barnes, Fallon, Gilligan. Assigned to Health-Social Services/Aging Committee.

**SB 160** - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE RELATING TO FORMER STATE EMPLOYEES WITH VESTED PENSION BENEFITS. Sponsors: Senators Adams, Cook, Connor, Berndt; Representatives Barnes, Fallon, Campanelli, Gilligan. Assigned to Finance Committee.

SA 1 to SB 146. Sponsor: Senator Cordrey. Placed with the Bill.

SA 2 to SB 146. Sponsor: Senator Cook. Placed with the Bill.

SB 70 was taken up for consideration on motion of Senator Minner:

SB 70 - AN ACT TO AMEND SECTION 3909, TITLE 25, AND SECTION 5102, TITLE 10, DELAWARE CODE, RELATING TO THE JURISDICTION OF JUSTICE OF THE PEACE COURT NO. 5 IN MILFORD.

Senator McBride marked PRESENT.

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

At 3:05 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:13 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SA 1 to SB 100. Sponsor: Senator Vaughn. Placed with the Bill.

SB 161 - AN ACT TO AMEND TITLE 29, CHAPTER 69, DELAWARE CODE, RELATING TO COMPETITIVE BIDDING. Sponsor: Senator Sharp. Assigned to Insurance and Elections Committee.

SB 162 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE BY PROVIDING FOR THE EXEMPTION OF FOREIGN SALES CORPORATIONS AND FOREIGN SALES SERVICE CORPORATION FROM THE PROVISIONS OF THE CORPORATION INCOME TAX AND BY PROVIDING FOR THE APPLICATION OF OCCUPATIONAL AND BUSINESS LICENSES AND FEES FOR SUCH CORPORATIONS, AND BY PROVIDING FOR THE EXEMPTION FOR SMALL FOREIGN SALES CORPORATIONS FROM SUCH LICENSES AND FEES. Sponsors: Senators Marshall, Cordrey, Knox; Representatives Hebner, George. Assigned to Revenue and Taxation Committee.

SB 163 - AN ACT AUTHORIZING THE TRANSFER OF FUNDS FROM BUDGET OFFICE CONTINGENCY (10-02-004) (SALARIES & OEC) TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF PUBLIC HEALTH, COMMUNITY HEALTH SECTION (35-05-002) (CONTRACTUAL SERVICES) FOR THE PURPOSE OF MEDICAL SCREENING TO ASSESS ANY EFFECTS OF VINYL CHLORIDE TO CITIZENS OF THE DELAWARE CITY AREA ENVIRONMENT. Sponsors: Senator Vaughn, Representative Mack; Senators Adams, Connor, Cook, Martin, McBride, McDowell, Sharp; Representatives Caulk, Davis, B. Ennis, Jester, Reynolds, Spence. Assigned to Health-Social Services/Aging Committee.

SB 100 was taken up for consideration on motion of Senator Vaughn:

SB 100 - AN ACT TO AMEND CHAPTER 5, TITLE 4, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A WINE AND BEER ONLY ALCOHOLIC BEVERAGE LICENSE.

Senator Marshall was added as a co-sponsor of the Bill at his request.

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

The roll call vote on SB 100 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 67 was taken up for consideration on motion of Senator Adams:

SB 67 - AN ACT TO AMEND SECTION 1109, TITLE 30, DELAWARE CODE, RELATING TO A TAX DEDUCTION FOR HEALTH INSURANCE PREMIUMS PAID BY SELF-EMPLOYED TAXPAYER.

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

A group of food service workers from Kent and Sussex County were recognized and introduced to the Senate by Senator Cordrey.

At 4:34 p.m., Senator Sharp presiding.

SB 134 was taken up for consideration on motion of Senator Cordrey:

SB 134 - AN ACT TO AMEND CHAPTERS 13 AND 15, TITLE 30, DELAWARE CODE, RELATING TO INHERITANCE AND ESTATE TAX.

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

The roll call vote on SB 134 w SA 1 was then taken and revealed:

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

NO: Senator Neal - 1.

NOT VOTING: Senators Arnold, Bair, Berndt, Connor, Knox, Slatcher - 6.

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

SENATE CONSENT CALENDAR #6 was taken up for consideration on motion of Senator Minner:

The Calendar was comprised of the following House Concurrent Resolutions:

HCR 50 - PERMITTING THAT THE BLUE RIBBON TASK FORCE ESTABLISHED TO EVALUATE THE FEASIBILITY OF ESTABLISHING A TRAINING/PUBLIC RECREATION FACILITY BE GRANTED UNTIL THE END OF MAY, 1985 TO COMPLETE ITS FEASIBILITY STUDY. Sponsors: Representative D. Ennis; Senator McDowell.

**HCR 51** - COMMENDING THE GIRLS CLUBS OF DELAWARE FOR THEIR CONTRIBUTIONS TO THE COMMUNITY AND DESIGNATING THE WEEK OF MAY 12-18, 1985 AS GIRLS CLUBS WEEK. Sponsors: Representative Jonkiert, Senator Marshall.

**HCR 52** - CONGRATULATING DR. LOUIS LEVINSON OF MIDDLETOWN ON THE CELEBRATION OF HIS 89TH BIRTHDAY. Sponsors: Representatives Jester, B. Ennis, Buckworth; Senator Vaughn.

**HCR 53** - JOINING IN HONORING THE CLASSROOM TEACHERS IN THE STATE OF DELAWARE DURING TEACHER APPRECIATION WEEK, MAY 5-11, 1985. Sponsors: Representative Reynolds, all Representatives and all Senators.

**HCR 54** - EXTENDING CONGRATULATIONS TO THE TEN NEWEST INDUCTEES OF THE DELAWARE SPORTS HALL OF FAME. Sponsors: Representatives Reynolds, Taylor, Barnes, Spence, Buckworth, Jonkiert, Bennett, West; Senators Cordrey, Martin, Holloway, Connor, Vaughn, Adams, Marshall.

The roll call vote on SENATE CONSENT CALENDAR #6 was then taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted by the Senate and returned to the House.

On motion of Senator Cordrey and without objection, the roll call vote on **SCR 49** was rescinded and the Resolution laid on the table.

At 4:52 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., May 7, 1985.

The Senate reconvened at 2:35 p.m., May 7, 1985, Senator Cordrey presiding.

**SB 158** was reported out of the Judiciary Committee: 1 Favorable, 5 Merits.

At 2:36 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 27th Legislative Day.

#### 27TH LEGISLATIVE DAY May 7, 1985

The Senate convened at 2:36 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

**SR 32** was introduced and considered for adoption on motion of Senator Minner:

**SR 32** - CONGRATULATING THE DELAWARE EXTENSION HOMEMAKERS COUNCIL, INC., FOR ITS MANY CONTRIBUTIONS TO OUR COMMUNITIES AND STATE, AND RECOGNIZING ITS 50 YEAR "GOLDEN JUBILEE". Sponsor: Senator Minner.

Senator Zimmerman marked PRESENT.

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

At the request of Senator Minner, the privilege of the floor was extended to Mabel F. Givens, Delaware Extension Homemakers Council.

Three students from the Delaware Technical and Community College who were present in the Chamber were introduced to the Senate by Senator Sharp.

**SR 31** was introduced and considered for adoption on motion of Senator Holloway:

**SR 31** - COMMENDING JOAN ROSENTHAL, EXECUTIVE DIRECTOR OF THE DELAWARE CHAPTER, AMERICAN CIVIL LIBERTIES UNION, FOR HAVING BEEN SELECTED AS THE RECIPIENT OF THE LIBERTY BELL AWARD GIVEN BY THE DELAWARE STATE BAR ASSOCIATION ON MAY 1, 1985, LAW DAY U.S.A. Sponsor: Senator Holloway.

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

LEGISLATIVE ADVISORY #5 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed **SB 39 w SA 1 w SA 1** on May 2, 1985 (Volume 65, Chapter 9, Laws of Delaware)

The following communication was read:

State of Delaware  
Office of the Governor  
May 6, 1985

Ms. B. J. Caniford  
Secretary of the Senate  
Legislative Hall  
Dover, DE 19901

Dear B. J.:

On Wednesday, May 1, 1985, Governor Castle submitted to the Senate for confirmation the following individuals whose letters should have read reappointed as opposed to appointed:



Stephen L. Hershey, M.D., Delaware Institute of Medical Education and Research  
Weston E. Nelliuss, Cash Management Policy Board  
John V. Flynn, Jr., Cash Management Policy Board  
Keith Dorman, Board of Pension Trustees  
Bruce O. Kallos, Board of Pension Trustees  
Charles W. Cole, State Coastal Zone Industrial Control Board

I apologize for any inconvenience this may cause you and your staff and would appreciate your correcting your records to indicate the change of wording.

Thank you.

Sincerely yours,  
Eileen H. Simpson,  
Special Assistant to the Governor

\* \* \* \* \*

SB 18 was taken up for consideration on motion of Senator Minner:

SB 18 - AN ACT TO AMEND SUBCHAPTER II, TITLE 30 OF THE DELAWARE CODE RELATING TO CHILD CARE DEDUCTION FOR PERSONAL INCOME TAX PURPOSES OF RESIDENT INDIVIDUALS.

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

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

NOT VOTING: Senators Arnold, Bair, Berndt, Citro, Connor, Knox, Slatcher - 7.

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

Senator Sharp requested that the Secretary contact Secretary of Public Safety, Edward J. Steiner, and ask him to appear to testify before the Senate. No objection.

At 3:10 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:20 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Public Safety Committee: SB 80 - 2 Favorable, 4 Merits; SB 120 - 6 Merits.

From the Finance Committee: SB 138 - 6 Merits.

From the Health-Social Services/Aging Committee: SB 156 - 4 Merits; SB 163 - 4 Merits.

The following legislation was introduced:

SB 165 - AN ACT TO AMEND SUBTITLE II, TITLE 6, DELAWARE CODE, RELATING TO CONSTRUCTION OF PARTICULAR SINGLE FAMILY HOMES. Sponsors: Senator Sharp, Representative Spence. Assigned to Judiciary Committee.

SB 166 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO COMMUNITY CARE FOR FRAIL OR FUNCTIONALLY IMPAIRED ADULTS. Sponsors: Senators Holloway, Marshall, McDowell, Minner, Vaughn; Representatives VanSant, Davis, Steele, Free. Assigned to Health-Social Services/Aging Committee.

SB 167 - AN ACT TO AMEND TITLE 10 AND TITLE 11 OF THE DELAWARE CODE RELATING TO THE PROTECTION OF CHILDREN AND YOUTH FROM SEXUAL EXPLOITATION. Sponsor: Senator Connor. Assigned to Judiciary Committee.

SB 168 - AN ACT TO AMEND CHAPTER 212, VOLUME 25, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF BETHANY BEACH AND GIVING IT AUTHORITY TO ISSUE BONDS", RELATING TO THE POWER OF THE TOWN TO BORROW MONEY AND ISSUE BONDS. Sponsors: Senator Cordrey, Representative Steele. Assigned to Community Affairs Committee.

SB 169 - AN ACT TO AMEND TITLE 21, §4401(b) DELAWARE CODE, RELATING TO ABANDONED VEHICLES. Sponsors: Senator Martin; Representatives Anderson, Oberle. Assigned to Public Safety Committee.

SB 170 - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO WORKMEN'S COMPENSATION. Sponsor: Senator Slatcher. Assigned to Labor and Industrial Relations Committee.

SB 171 - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE ADOPTING THE UNIFORM DETERMINATION OF DEATH ACT. Sponsors: Senators Berndt, McBride, Sharp, Torbert, Knox, Arnold; Representatives Maroney, Smith. Assigned to Administrative Services/Energy Committee.

SB 172 - AN ACT TO AMEND CHAPTER 47, TITLE 16, DELAWARE CODE, TO CLOSE A LOOPHOLE WHICH PRECLUDES PROPER PROSECUTION OF SOME NARCOTICS VIOLATIONS. Sponsors: Senator Marshall, Representative Spence. Assigned to Judiciary Committee.

SR 33 was introduced and considered for adoption on motion of Senator Holloway:

SR 33 - COMMENDING DELAWARE RADIO STATIONS WHICH PARTICIPATED IN THE WORLDWIDE USA FOR AFRICA SIMULCAST ON GOOD FRIDAY, APRIL 5, 1985, AND COMMENDING THE ARTISTS WHO MADE THE RECORDING "WE ARE THE WORLD" A SMASH SUCCESS IN RAISING FUNDS FOR FAMINE VICTIMS. Sponsors: Senator Holloway and Berndt.

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

SR 34 was introduced and immediately stricken at the request of the sponsor, Senator Bair:

**SR 34** - DESIGNATING MONDAY, MAY 27, 1985, AS MEMORIAL DAY AND DECLARING IT A LEGAL HOLIDAY IN THE STATE OF DELAWARE FOR THE YEAR 1985. Sponsor: Senator Bair.

At the request of Senator Sharp, the privilege of the floor was extended to Edward J. Steiner, Secretary of the Department of Public Safety.

**SR 35** was introduced and considered for adoption on motion of Senator Sharp:

**SR 35** - STRONGLY URGING THE SECRETARY OF THE DEPARTMENT OF PUBLIC SAFETY TO REFRAIN FROM ENTERING INTO ANY CONTRACT TO TRANSFER DRUNK DRIVING EVALUATION, REFERRAL, AND TREATMENT PROGRAMS TO A PRIVATE SECTOR AGENCY UNTIL THE JOINT FINANCE COMMITTEE HAS DRAFTED THE FISCAL 1986 BUDGET BILL.  
Sponsor: Senator Sharp.

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

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

**NOT VOTING:** Senators Bair, Connor, Slatcher - 3.

**ABSENT:** Senators Arnold, Berndt, Citro, Knox, Neal - 5.

Therefore, the Resolution was declared adopted.

The following legislation was introduced:

**SB 164** - AN ACT TO AMEND TITLE 21, CHAPTER 21, SECTION 2118A(2)B., RELATING TO NO FAULT INSURANCE COVERAGE FOR PERSONS WEARING SEAT BELTS. Sponsor: Senator Martin. Assigned to Insurance and Elections Committee.

**SB 171** - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE ADOPTING THE UNIFORM DETERMINATION OF DEATH ACT. Sponsors: Senators Berndt, McBride, Sharp, Torbert, Knox, Arnold; Representatives Maroney, Smith. Assigned to Administrative Services/Energy Committee; then reassigned to Judiciary Committee.

At 5:40 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 8, 1985.

The Senate reconvened at 2:35 p.m., May 8, 1985 Senator Cordrey presiding.

The following legislation was introduced:

**SB 173** - AN ACT AMENDING TITLE 29, DELAWARE CODE, ACKNOWLEDGING THE RIGHTS AND DEFINING THE LIMITATIONS OF LEGISLATIVE OFFICE, ESTABLISHING A CODE OF LEGISLATIVE CONDUCT, AND ESTABLISHING A JOINT COMMITTEE ON LEGISLATIVE CONDUCT IN THE GENERAL ASSEMBLY. Sponsors: Senators Neal, Arnold, Bair, Berndt, Citro, Connor, Holloway, Knox, Minner, Slatcher; Representatives Anderson, Buckworth, Clark, Fallon, Free, Jester, Jonkiert, Maroney, Petrilli, Quillen, Soles, Spence. Assigned to Executive Committee.

**SB 174** - AN ACT AWARDING SPECIAL PENSION BENEFITS TO HELEN WRIGHT MELVIN AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER THE PENSION PROVIDED AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29 OF THE DELAWARE CODE. Sponsors: Senator Cook, Representative Quillen. Assigned to Finance Committee.

**SA 2 to SB 71.** Sponsor: Senator Marshall. Placed with the Bill.

**HB 6** - AN ACT TO AMEND CHAPTER 5, TITLE 1 OF THE DELAWARE CODE RELATING TO LEGAL HOLIDAYS; AND DESIGNATING RETURN DAY AS A HALF-DAY HOLIDAY IN SUSSEX COUNTY. Sponsors: Representatives Steele, Barnes, Carey, Caulk, Fallon; Senators Adams, Slatcher, Cordrey, Minner. Assigned to Executive Committee.

**HB 113** - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, RELATING TO EMPLOYMENT OF PENSIONERS. Sponsors: Representatives Davis, Free, Carey, Corrozi, Petrilli, Caulk, Spence, Barnes, D. Ennis, Boykin, Smith, Taylor, Mack, Reynolds, Roy, Steele, Maroney, Brady, Jonkiert, Bennett, Outten, Anderson, B. Ennis, VanSant, C. Cordrey; Senators Arnold, Cook. Assigned to Administrative Services/Energy Committee.

**SA 1 to SB 38.** Sponsor: Senator Holloway. Placed with the Bill.

**HB 41** - AN ACT TO AMEND CHAPTER 35, TITLE 10, DELAWARE CODE, RELATING TO ATTACHMENTS. Sponsor: Representative Quillen. Assigned to Judiciary Committee.

**HB III w HA 2** - AN ACT TO AMEND CHAPTER 83, TITLE 9 OF THE DELAWARE CODE RELATING TO THE VALUATION OF LAND DEVOTED TO AGRICULTURAL, HORTICULTURAL OR FORESTRY USE. Sponsor: Representative Roy. Assigned to Judiciary Committee.

**HB 149 w HA 1** - AN ACT TO AMEND TITLE 25, SECTION 2118 OF THE DELAWARE CODE RELATING TO MORTGAGES SECURING OPTIONAL FUTURE ADVANCES. Sponsor: Representative Petrilli. Assigned to Administrative Services/Energy; reassigned to Banking Committee.

**HB III w HA 2** which had been assigned to Judiciary Committee was reassigned to Agriculture Committee.

**HJR 11** - REQUESTING THAT REPRESENTATIVES OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL MEET WITH THE NATURAL RESOURCES COMMITTEES OF THE 133RD GENERAL ASSEMBLY TO REVIEW THE EXISTING STATE REGULATIONS CONCERNING HAZARDOUS WASTE STORAGE, TREATMENT AND DISPOSAL. Sponsors: Representatives Clark, Caulk, Anderson, Barnes, Bennett, Brady, Buckworth, Campanelli, Carey, C. Cordrey, B. Ennis, Houghton, Jester, Jonkiert, Mack, Reynolds, Steele, Sills, Outten, VanSant, West, Wingate; Senators Berndt, Cook, Knox, Martin, Minner, Torbert, Vaughn, Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

SB 150 was reported out of the Executive Committee: 6 Merits.

SJR 5 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Bair:

SJR 5 - DESIGNATING MONDAY, MAY 27, 1985, AS MEMORIAL DAY AND DECLARING IT A LEGAL HOLIDAY IN THE STATE OF DELAWARE FOR THE YEAR 1985. Sponsor: Senator Bair.

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

YES: Senators Arnold, Bair, Berndt, Citro, Cordrey, Holloway, Knox, Martin, Neal, Slatcher, Torbert - 11.

NO: Senators Adams, Cook, Marshall, McBride, McDowell, Minner, Sharp, Vaughn, Zimmerman - 9.

ABSENT: Senator Connor - 1.

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

At 2:47 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 28th Legislative Day.

## 28TH LEGISLATIVE DAY

May 8, 1985

The Senate convened at 2:47 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

At the request of Senator McBride, the privilege of the floor was extended to Susan Alexis Thomas, Teacher of the Year, and Dr. Keene, State Superintendent of Schools.

SB 81 was taken up for consideration on motion of Senator Torbert:

SB 81 - AN ACT TO AMEND CHAPTER 9, TITLE 4, OF THE DELAWARE CODE, RELATING TO THE INCREASE OF PENALTIES FOR PARTICULAR ALCOHOLIC LIQUOR OFFENSES.

Senator Minner marked PRESENT.

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

YES: Senators Arnold, Bair, Cook, Cordrey, Marshall, Martin, McBride, McDowell, Neal, Torbert - 10.

NO: Senators Adams, Berndt, Citro, Holloway, Knox, Minner, Sharp, Slatcher, Vaughn - 9.

NOT VOTING: Senator Zimmerman - 1.

ABSENT: Senator Connor - 1.

Therefore, the Bill was declared defeated.

Senator Bair recognized and introduced to the Senate two students who were present in the Chamber: Seema Chaudhari and Blaine Cook.

At 3:35 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:30 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Health-Social Services/Aging Committee: SB 38 - 6 Merits; SB 48 - 5 Merits; SB 78 - 6 Merits; SB 166 - 6 Merits.

The following legislation was introduced:

SA 1 to SB 80. Sponsor: Senator Adams. Placed with the Bill.

SB 175 - AN ACT TO AMEND CHAPTER 43, TITLE 21, DELAWARE CODE, RELATING TO EQUIPMENT REQUIRED ON SCHOOL BUSES. Sponsors: Senators McBride, Minner, Bair, Martin; Representatives Boykin, Buckworth, Jester, Jonkiert, Sills, Maroney, Davis. Assigned to Education Committee.

SB 176 - AN ACT TO AMEND CHAPTER 7, TITLE 4 OF THE DELAWARE CODE RELATING TO THE SALE AND DELIVERY OF ALCOHOLIC BEVERAGES DURING THE TIME OF PARTICULAR ELECTIONS. Sponsors: Senators Marshall, Citro; Representative Quillen. Assigned to Insurance and Elections Committee.

SCR 49 was lifted from the table for reconsideration on motion of Senator Bair and the roll call vote taken which revealed:

YES: Senators Adams, Bair, Berndt, Citro, Holloway, Knox, Marshall, Minner, Neal, Slatcher, Vaughn - 11.

NO: Senators Arnold, Cook, Cordrey, Martin, McBride, Sharp, Torbert - 7.

NOT VOTING: Senator McDowell - 1.

ABSENT: Senators Connor and Zimmerman - 2.

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

SB 137 was taken up for consideration on motion of Senator Marshall:

SB 137 - AN ACT TO AMEND CHAPTER 20, TITLE 30 OF THE DELAWARE CODE RELATING TO THE NEIGHBORHOOD ASSISTANCE ACT.

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

YES: Senators Adams, Bair, Berndt, Cook, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 15.

NO: Senators Citro, Cordrey, Neal, Slatcher - 4.

NOT VOTING: Senator Arnold - 1.

ABSENT: Senator Connor - 1.

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

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

SB 133 - AN ACT TO AMEND CHAPTER 33, TITLE 19, DELAWARE CODE, RELATING TO UNEMPLOYMENT COMPENSATION.

The privilege of the floor was extended to K. Louise Ball, Delaware Technical and Community College.

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

At 4:58 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 9, 1985.

The Senate reconvened at 2:26 p.m., May 9, 1985, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 55, HCR 56, SCR 47, SCR 48.

LEGISLATIVE ADVISORY #6 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed SB 101 (Volume 65, Chapter 10, Laws of Delaware) on May 2, 1985 and HB 36 w HA 1 (Volume 65, Chapter 11, Laws of Delaware) on May 3, 1985.

The following legislation was introduced:

SB 177 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE ELECTION, TERM, QUALIFICATIONS AND DUTIES OF THE LIEUTENANT-GOVERNOR. Sponsors: Senator Slatcher, Representative Fallon. Assigned to Insurance and Elections Committee.

SA 1 to SB 163. Sponsor: Senator Bair. Placed with the Bill.

SB 178 - AN ACT ALLOCATING AUTHORITY TO ISSUE MORTGAGE REVENUE BONDS TO THE DELAWARE STATE HOUSING AUTHORITY AND VARIOUS POLITICAL SUBDIVISIONS IN THE STATE OF DELAWARE. Sponsors: Senators Cordrey, Cook, Slatcher; Representatives Bennett, Carey, Steele, Fallon, D. Ennis, Petrilli, Free. Laid on the table on motion of Senator Cordrey.

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: SB 37 - 6 Merits, SB 107 - 6 Merits, SJR 4 - 6 Merits, HJR 11 - 1 Favorable, 5 Merits.

At 2:32 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 29th Legislative Day.

#### 29TH LEGISLATIVE DAY

May 9, 1985

The Senate convened at 2:32 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

At the request of Senator Sharp, the privilege of the floor was extended to James T. McKinstry, Chairman of the Delaware Heritage Commission. Mr. McKinstry introduced the following Constitutional Scholarship Winners of 1985 to the Senate: Tracy Campbell (Christiana High School), Sarah Keating (Mt. Pleasant High School), Lydia Zell (Brandywine High School), Alan Cox (Delcastle High School), Roger Doughtry (Newark High School), Kimberly McDonald (Caesar Rodney High School) and Donald Hatfield (Delmar High School).

At the request of Senator Sharp, the privilege of the floor was extended to Ron Queen (UAW - CAP Conservation) who presented a picture of White Clay Creek.

SB 163 was taken up for consideration on motion of Senator Vaughn:

SB 163 - AN ACT AUTHORIZING THE TRANSFER OF FUNDS FROM BUDGET OFFICE CONTINGENCY (10-02-004) (SALARIES & OEC) TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF PUBLIC HEALTH, COMMUNITY HEALTH SECTION (35-05-002) (CONTRACTUAL SERVICES) FOR THE PURPOSE OF MEDICAL SCREENING TO ASSESS ANY EFFECTS OF VINYL CHLORIDE TO CITIZENS OF THE DELAWARE CITY AREA ENVIRONMENT.

SA 1 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Bair.

At 3:51 p.m., Senator Sharp presiding.

At the request of Senator Bair, the privilege of the floor was extended to Dr. Lyman J. Olsen (Delaware State Division of Public Health).

At 4:04 p.m., Senator Cordrey presiding.

On motion of Senator Bair (without objection), SA 1 to the Bill was restored and considered for adoption.

Senator Zimmerman marked PRESENT.

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

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

The roll call vote on SB 163 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Arnold and Neal) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 4:22 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:41 p.m., Senator Sharp presiding.

SB 178 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Cordrey:

SB 178 - AN ACT ALLOCATING AUTHORITY TO ISSUE MORTGAGE REVENUE BONDS TO THE DELAWARE STATE HOUSING AUTHORITY AND VARIOUS POLITICAL SUBDIVISIONS IN THE STATE OF DELAWARE.

Senator Adams was added as co-sponsor of the Bill after which the roll call vote was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SENATE CONSENT CALENDAR #7 was taken up for consideration on motion of Senator Minner.

The Calendar was comprised of the following:

SR 30 - HONORING MARIE A. SMITH UPON HER RETIREMENT FROM THE U. S. CIVIL SERVICE EARLY RETIREMENT FOR TEACHERS IN THE STATE OF DELAWARE. Sponsors: Senators Minner and Cordrey.

SCR 51 - CONGRATULATING CAROL ROBINSON FOR TAKING FIRST PLACE IN THE 1985 ABILITY COUNTS JOURNALISM CONTEST. Sponsors: Senator Bair; Representatives Maroney, Smith.

SCR 52 - ESTABLISHING A STUDY OF THE RAMIFICATIONS OF LEGISLATION TO PROVIDE EARLY RETIREMENT FOR TEACHERS IN THE STATE OF DELAWARE. Sponsors: Senator Bair; Representative Gilligan; Senators McBride and Neal; Representatives Jester, Outten.

SCR 53 - HONORING THE NURSING PROFESSION IN DELAWARE ON THE OCCASION OF NURSE'S WEEK, MAY 6 THROUGH 12, 1985. Sponsors: Senator McBride and all the Senators; Representative Soles and all the Representatives.

SCR 54 - CREATING A SPECIAL COMMITTEE TO STUDY THE PROBLEMS OF THE VICTIMS AND FAMILIES OF ALZHEIMER'S DEMENTIA. Sponsors: Senators Marshall, McDowell; Representative Jonkiert.

SCR 55 - COMMENDING HAROLD E. REMLEY OF LEIPSIK FOR MORE THAN 30 YEARS OF STATE SERVICE AND EXTENDING BEST WISHES ON HIS RETIREMENT ON MAY 30, 1985. Sponsors: Senators Zimmerman, Cook, Torbert, Minner; Representatives Clark, Outten, Bennett, B. Ennis.

SCR 56 - CONGRATULATING THE 1985 ST MARK'S HIGH SCHOOL OLYMPIAD TEAM FOR WINNING FIRST PLACE IN THE ANNUAL DELAWARE SCIENCE OLYMPIAD AND WISHING THEM OUR BEST AS THEY DEPART FOR THE NATIONAL SCIENCE OLYMPIAD IN MICHIGAN. Sponsors: Senator McBride, Representative Reynolds.

SCR 57 - COMMENDING CYNTHIA GRIFFIN ON EARNING THE TITLE DELAWARE JUNIOR MISS FOR 1985 AND WISHING HER WELL IN THE NATIONAL FINALS. Sponsors: Senator Arnold, Representative Petrilli.

HCR 55 - CONGRATULATING DAVID A. WILLARD ON BEING NAMED "FIREMAN OF THE YEAR" BY THE MINQUAS FIRE COMPANY IN NEWPORT. Sponsors: Representative VanSant, Senator Sharp.

HCR 56 - SALUTING THE FOURTEEN OFFICERS OF THE DELAWARE STATE POLICE, MEMBERS OF THE CLASS OF 1966, WHO ARE RETIRING. Sponsors: Representatives B. Ennis, VanSant, Oberle, Spence, Brady, Buckworth, Barnes; Senators Citro, Vaughn, Adams, Minner, Sharp.

The roll call vote on SENATE CONSENT CALENDAR #7 was then taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted, the House Concurrent Resolutions were returned to the House and the Senate Concurrent Resolutions were sent to the House for consideration.

The following Committee reports were announced:

From the Revenue and Taxation Committee: SB 121 - 4 Merits, SB 162 - 1 Favorable, 5 Merits.

From the Public Safety Committee: HB 16 - 5 Merits.

At 4:55 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., May 14, 1985.

The Senate reconvened at 2:29 p.m., May 14, 1985, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 57, SJR 5, HCR 58, SCR 49 and passed HB 192 w HA 2, 3; HB 202 w HA 1.

The following legislation was introduced:

SB 179 - AN ACT TO AMEND CHAPTER 88, TITLE 29, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A DELAWARE COMMISSION OF VETERANS AFFAIRS. Sponsors: Senator Vaughn, Representative Hebner; Senators McBride, Arnold, Berndt, Torbert, Citro, Martin, Neal, Connor, Holloway; Representatives Oberle, George, B. Ennis, Roy, Taylor, Jester, Buckworth, Wingate, Quillen, Campanelli, Jonkiert, Brady, West. Assigned to Executive Committee.

SB 180 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR DRIVING WHILE REVOKED OR SUSPENDED. Sponsors: Senator Arnold, Representative Spence. Assigned to Public Safety Committee.

SB 181 - AN ACT TO AMEND CHAPTER 5, TITLE 31, DELAWARE CODE, TO AUTHORIZE THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO INCREASE AID TO FAMILIES WITH DEPENDENT CHILDREN AND MAKING AN APPROPRIATION THEREFOR. Sponsors: Senators Holloway, McBride, McDowell, Berndt, Knox; Representatives Sills, Plant, West. Assigned to Health-Social Services/Aging Committee; reassigned to Finance Committee.

SB 182 - AN ACT TO AMEND CHAPTER 2, TITLE 19, DELAWARE CODE, RELATING TO EMPLOYMENT TRAINING. Sponsors: Senators Marshall, McDowell, Holloway, Sharp, McBride, Connor, Citro; Representatives Mack, Campanelli, Jonkiert, Spence. Assigned to Labor and Industrial Relations Committee.

At 2:31 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 30th Legislative Day.

#### 30TH LEGISLATIVE DAY

May 14, 1985

The Senate convened at 2:31 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Citro - 1.

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

At the request of Senator Cordrey, the privilege of the floor was extended to Nancy Ball (Miss Delaware).

The following legislation was introduced:

SS 1 for SB 41 - AN ACT TO AMEND CHAPTER 52, TITLE 29, DELAWARE CODE, RELATING TO GROUP HEALTH CARE BENEFITS FOR STATE RETIREES COVERED BY MEDICARE. Sponsors: Senators Martin, Cook, Holloway; Representative George. Assigned to Finance Committee.

SA 1 and SA 2 to SB 78. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 105. Sponsor: Senator Berndt. Placed with the Bill.

SA 1 to SB 156. Sponsor: Senator Adams. Placed with the Bill.

HB 192 w HA 2, 3 - AN ACT TO AMEND TITLE 28, DELAWARE CODE, RELATING TO SPORTS AND AMUSEMENTS. Sponsors: Representatives Gilligan, Roy, Petrilli, Spence, VanSant, Corrozi, George, Taylor, Campanelli; Senators Sharp, Holloway. Assigned to Community Affairs Committee.

HB 202 w HA 1 - AN ACT TO AMEND CHAPTER 92, TITLE II, DELAWARE CODE, RELATING TO THE RIGHTS OF LAW ENFORCEMENT OFFICERS. Sponsors: Representative Davis, Senator Zimmerman; Representatives George, Oberle. Assigned to Judiciary Committee.

HB 192 w HA 2, 3 was reassigned to the Judiciary Committee at the request of Senator Sharp.

LEGISLATIVE ADVISORY #7 received from the Office of the Governor was read which informed the Senate that the Governor signed SB 96 w SA 3 (Volume 65, Chapter 12, Laws of Delaware) on May 13, 1985 and SJR 5 on May 9, 1985.

Senator Holloway marked PRESENT.

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

STATE OF DELAWARE

Office of the Governor

May 14, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Louis H. Papineau, Jr., 713 Westcliff Road, Edenridge, Wilmington, DE 19803, to be appointed Director of the Delaware Development Office to serve During the Pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

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The following communication was read:

Office of the Clerk  
U. S. House of Representatives  
Washington, D.C., 20515

May 6, 1985

Honorable Betty Jean Caniford  
Secretary of the Senate  
Delaware State Senate  
Dover, Delaware 19901

Dear Madam Secretary:

This letter will acknowledge receipt of Senate Resolution Number 29, as adopted by the Delaware State Senate, petitioning the President of the United States, the Senate of the United States, The United States House of Representatives, and the Secretary of Labor to affirm the right to perform commercial homework.

The above mentioned resolution has been transmitted to the Speaker of the United States House of Representatives for referral to the appropriate committee.

With kind regards, I am

Sincerely,  
Benjamin J. Guthrie, Clerk  
U. S. House of Representatives  
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SB 138 was taken up for consideration on motion of Senator Cook:

SB 138 - AN ACT TO AMEND CHAPTER 55 OF TITLE 30 OF THE DELAWARE CODE, RELATING TO PUBLIC UTILITIES TAXES.

Senator McDowell marked PRESENT.

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

YES: Senators Adams, Berndt, Connor, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 16.

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

ABSENT: Senator Citro - 1.

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

SB 80 was taken up for consideration on motion of Senator Adams:

SB 80 - AN ACT TO AMEND SUBCHAPTER I, CHAPTER 19, TITLE II, DELAWARE CODE RELATING TO PROVIDING STATEWIDE AUTHORITY TO CERTAIN POLICE OFFICERS UNDER CERTAIN CONDITIONS.

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

The privilege of the floor was extended to Richard Carmean (Delaware Police Chiefs Council) after which SB 80 w SA 1 was laid on the table on motion of Senator Adams.

SB 158 was taken up for consideration on motion of Senator Vaughn:

SB 158 - AN ACT TO AMEND TITLE 10, CHAPTER 49, SUBCHAPTER XI, §5061, SCIRE FACIAS ON MORTGAGE, OF THE DELAWARE CODE RELATING TO OCCASION FOR SUING OUT WRITS OF SCIRE FACIAS; PARTIES AND NOTICE.

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

At 3:40 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:16 p.m., Lt. Governor Woo presiding.

SB 80 w SA 1 was lifted from the table for consideration on motion of Senator Adams.

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

The privilege of the floor was extended to Richard Carmean (Delaware Police Chiefs Council) after which the roll call vote on the Amendment was taken and revealed:

YES: Senators Arnold, Bair, Connor, Holloway, Knox, Neal, Sharp - 7.

NO: Senators Adams, Cook, Cordrey, Marshall, Martin, McBride, McDowell, Minner, Slatcher, Torbert, Vaughn, Zimmerman - 12.

NOT VOTING: Senator Berndt - 1.

ABSENT: Senator Citro - 1.

Therefore, the Amendment was declared defeated.

The roll call vote on SB 80 w SA 1 was then taken and revealed:

YES: Senators Adams, Bair, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Slatcher, Torbert, Vaughn, Zimmerman - 18.

NO: Senator Arnold - 1.

NOT VOTING: Senator Sharp - 1.

ABSENT: Senator Citro - 1.

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

The following Committee reports were announced:

From the Community Affairs Committee: SB 152 - 3 Merits, SB 153 - 3 Merits, SB 168 - 3 Merits.

From the Judiciary Committee: SB 106 - 5 Merits.

From the Administrative Services/Energy Committee: SB 151 - 1 Favorable, 4 Merits; HB 81 - 1 Favorable, 4 Merits

From the Health- Social Services/Aging Committee: SS 1 for SB 27 - 5 Merits.

SB 131 w SA 1 was stricken at the request of the sponsor, Senator Vaughn.

SR 21 was lifted from the table and stricken at the request of the sponsor, Senator Holloway.

SB 51 was reassigned to Administrative Services/Energy Committee.

The following legislation was introduced:

SB 184 - AN ACT TO AMEND CHAPTER 63, TITLE 7, DELAWARE CODE, ESTABLISHING A REVOLVING FUND FOR THE REVENUES AND THE INITIAL FUNDING OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL; AND TO TRANSFER FUNDS FROM THE BUDGET OFFICE CONTINGENCY (10-02-004) (SALARIES & OEC) TO THE DEPARTMENT MANAGEMENT BUDGET UNIT (40-01-001), FOR THE PURPOSE OF PROVIDING START-UP FUNDS FOR THE HAZARDOUS WASTE/GROUND WATER CLEAN-UP REVOLVING FUND. Sponsors: Senators Cook, Vaughn, Zimmerman; Representatives Clark, Mack, Corrozi, Caulk, Carey. Assigned to Finance Committee.

SB 185 - AN ACT TO AMEND CHAPTER 82, TITLE 29, DELAWARE CODE, ESTABLISHING A REVOLVING FUND FOR THE REVENUES AND THE INITIAL FUNDING OF THE DEPARTMENT OF PUBLIC SAFETY; AND TO TRANSFER FUNDS FROM THE BUDGET OFFICE CONTINGENCY (10-02-004) (SALARIES & OEC) TO THE ADMINISTRATION BUDGET UNIT (45-01-001) (HAZARDOUS SUBSTANCE SPILL CLEAN-UP) FOR THE PURPOSE OF PROVIDING START-UP FUNDS FOR THE HAZARDOUS SUBSTANCE SPILL CLEAN-UP REVOLVING FUND. Sponsors: Senators Cook, Vaughn, Zimmerman; Representatives Clark, Mack, Corrozi, Caulk, Carey. Assigned to Finance Committee.

HCR 31 was lifted from the table and assigned to Executive Committee.

At his request, Senator Neal was added as co-sponsor of SB 184 and SB 185.

At 5:40 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 15, 1985.

The Senate reconvened at 2:15 p.m., May 15, 1985, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 198.

The following legislation was introduced:

SB 183 - AN ACT TO AMEND CHAPTER 1, TITLE 26 OF THE DELAWARE CODE, AND TO AMEND CHAPTER 55, TITLE 30 OF THE DELAWARE CODE, RELATING TO CORPORATIONS IN REORGANIZATION UNDER CHAPTER 11 OF THE UNITED STATES BANKRUPTCY CODE AND THEIR ELIGIBILITY FOR EXEMPTION FROM THE PUBLIC UTILITY TAX AND FOR ECONOMIC DEVELOPMENT GRANTS PROVIDED BY PUBLIC UTILITIES. Sponsors: Senator Marshall; Representatives Hebner, Petrilli; Senators McBride, Martin, Holloway, Berndt, Bair; Representatives Campanelli, Brady, D. Ennis, Spence, Oberle, Free, Boykin, Maroney, Gilligan, Anderson, VanSant, B. Ennis, West, Plant, Houghton. Assigned to Administrative Services/Energy Committee.

SB 186 - AN ACT TO AMEND CHAPTER 75, TITLE 29 OF THE DELAWARE CODE, RELATING TO SCHOOL DISTRICTS' CONTRIBUTIONS TO MINOR CAPITAL IMPROVEMENTS. Sponsors: Senator Bair, Representative Fallon; Senator McBride, Representative Jester. Assigned to Revenue and Taxation Committee.

SB 187 - AN ACT TO AMEND CHAPTER 75, TITLE 29 OF THE DELAWARE CODE RELATING TO DIRECT CLAIM EXPENDITURES BY SCHOOL DISTRICTS. Sponsors: Senator Bair, Representative Fallon; Senator McBride, Representatives Jester, Soles, Wingate. Assigned to Administrative Services/Energy Committee.

SB 188 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO THE USE OF SALARY UNITS FOR CONTRACTUAL SERVICES. Sponsors: Senator Bair, Representative Fallon, Senator McBride. Assigned to Education Committee.



**SB 189** - AN ACT TO AMEND CHAPTER 75, TITLE 29 OF THE DELAWARE CODE RELATING TO THE COST LIMITATION OF MINOR CAPITAL IMPROVEMENTS. Sponsors: Senator Bair, Representative Fallon; Senator McBride; Representatives Jester, Soles, Wingate. Assigned to Administrative Services/Energy Committee.

**SB 190** - AN ACT TO AMEND CHAPTER 75, TITLE 29 OF THE DELAWARE CODE RELATING TO THE USE OF BOND PROCEEDS FOR SALARY EXPENDITURES. Sponsors: Senator Bair, Representative Fallon; Senator McBride, Representatives Soles, Jester. Assigned to Administrative Services/Energy Committee.

**SB 191** - AN ACT TO AMEND CHAPTER 55, TITLE 30 OF THE DELAWARE CODE, RELATING TO PUBLIC UTILITY TAXES OF DELAWARE MANUFACTURERS WHO USE ELECTRICITY IN AN ELECTROLYTIC OR ELECTROARCTHERMAL MANUFACTURING PROCESS. Sponsor: Senator Vaughn. Laid on the table at the request of the sponsor.

**SB 188** was reassigned to the Administrative Services/Energy Committee at the request of Senator McBride.

**SB 192** - AN ACT TO AMEND CHAPTER 55, TITLE 30, DELAWARE CODE, RELATING TO PUBLIC UTILITIES TAXES. Sponsor: Senator Cordrey. Laid on the table at the request of the sponsor.

**SB 193** - AN ACT TO AMEND CHAPTER 29, TITLE 24 OF THE DELAWARE CODE RELATING TO THE REAL ESTATE GUARANTY FUND. Sponsor: Senator Cordrey. Assigned to Administrative Services/Energy Committee.

**HB 198** - AN ACT TO ENLARGE THE DELAWARE HERITAGE COMMISSION. Sponsors: Representative Hebner, Senator Cordrey. Assigned to Executive Committee.

**SA 1 to SS1 for SB 27.** Sponsor: Senator Bair. Placed with the Bill.

**SA 2 to SB 48.** Sponsor: Senator Holloway. Placed with the Bill.

**SA 1 to SB 145.** Sponsor: Senator Marshall. Placed with the Bill.

**SA 1 and SA 2 to HB 202.** Sponsor: Senator Adams. Placed with the Bill.

The following Committee reports were announced:

From the Judiciary Committee: **SB 116** - 4 Merits; **SB 143** - 4 Merits; **SB 171** - 4 Merits; **SB 172** - 4 Merits.

From the Education Committee: **SB 147** - 4 Merits; **SB 175** - 4 Merits; **SB 12** - 4 Merits; **SB 28** - 4 Merits; **SB 25** - 4 Merits; **HB 48 w HA 1** - 4 Merits; **HB 47** - 4 Merits.

From the Public Safety Committee: **SB 169** - 4 Merits.

At 2:27 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 31st Legislative Day.

### 31ST LEGISLATIVE DAY May 15, 1985

The Senate convened at 2:27 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Citro - 1.

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

Senator Adams introduced two guests to the Senate: Alan V. Sokolow (Director, Eastern Office of the Council of State Governments) and Representative George Pott of Pennsylvania (Council of State Governments). They were extended the privilege of the floor at Senator Adams' request.

Senator Sharp recognized and welcomed to the Senate former State Senator Charles E. Hughes.

**SB 156** was taken up for consideration on motion of Senator Adams:

**SB 156** - AN ACT TO AMEND CHAPTER 69, TITLE 16 DELAWARE CODE RELATING TO ISSUANCE OF FIREWORK PERMITS.

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

Senators Bair and Arnold marked PRESENT.

The roll call vote on **SB 156 w SA 1** was then taken and revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

**SB 183** was removed from the Administrative Services/Energy Committee and laid on the table on motion of Senator McDowell (no objection).

**SB 150** was taken up for consideration on motion of Senator McDowell:

**SB 150** - AN ACT TO PERMIT RICHARD MARION ROBB, SR. TO CONTINUE EMPLOYMENT WITH THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES AFTER ATTAINING THE AGE OF 70.

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

YES: Senators Adams, Berndt, Connor, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 17.

NOT VOTING: Senators Arnold, Bair, Knox - 3.

ABSENT: Senator Citro - 1.

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

At 2:48 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:26 p.m., Lt. Governor Woo presiding.

The following legislation was introduced:

SA 1 and SA 2 to SB 183. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 2 to SB 145. Sponsor: Senator Marshall. Placed with the Bill.

SB 194 - AN ACT TO AMEND CHAPTER 94, TITLE 16, DELAWARE CODE, RELATING TO THE INCLUSION OF THE DEPARTMENT OF SERVICES TO CHILDREN, YOUTH AND THEIR FAMILIES ON THE STATE ADVISORY COUNCIL FOR THE COORDINATION OF SERVICES TO THE HANDICAPPED. Sponsor: Senator McDowell. Assigned to Administrative Services/Energy Committee.

SB 195 - AN ACT TO AMEND CHAPTER 1, TITLE 1, DELAWARE CODE, RELATING TO THE DISTRIBUTION OF THE DELAWARE CODE AND SUPPLEMENTS THERETO. Sponsors: Senator McDowell; Representative B. Ennis. Assigned to Executive Committee.

SB 183 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Marshall:

SB 183 - AN ACT TO AMEND CHAPTER 1, TITLE 26 OF THE DELAWARE CODE, AND TO AMEND CHAPTER 55, TITLE 30 OF THE DELAWARE CODE, RELATING TO CORPORATIONS IN REORGANIZATION UNDER CHAPTER II OF THE UNITED STATES BANKRUPTCY CODE AND THEIR ELIGIBILITY FOR EXEMPTION FROM THE PUBLIC UTILITY TAX AND FOR ECONOMIC DEVELOPMENT GRANTS PROVIDED BY PUBLIC UTILITIES.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Gary Dalton (Senate Attorney), Robert E. Shields (Phoenix Steel Corporation), Michael Harkins (Secretary of State), Eugene D. Hug (Phoenix Steel Corporation), Paul S. Gerritsen (Delmarva Power and Light Company).

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Zimmerman and the roll call vote taken which revealed:

YES: Senators Adams, Cook, Cordrey, Vaughn, Zimmerman - 5.

NO: Senators Arnold, Bair, Berndt, Connor, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Torbert - 13.

ABSENT: Senators Citro, Minner, Slatcher - 3.

Therefore, the Amendment was declared defeated.

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

YES: Senators Adams, Cook, McDowell, Vaughn, Zimmerman - 5.

NO: Senators Arnold, Bair, Berndt, Connor, Cordrey, Holloway, Knox, Marshall, Martin, McBride, Neal, Sharp, Torbert - 13.

ABSENT: Senators Citro, Minner, Slatcher - 3.

Therefore, the Amendment was declared defeated.

SA 3 to the Bill (sponsored by Senator Marshall) was introduced and considered for adoption; however, the Amendment was then laid on the table.

SA 4 to the Bill (sponsored by Senator Marshall) was introduced and considered for adoption on motion of Senator Marshall. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES, 2 (Cordrey, Zimmerman) voting NO and 1 (Citro) ABSENT; therefore, the Amendment was declared adopted.

SA 3 to the Bill was stricken on motion of Senator Marshall.

The roll call vote on SB 183 w SA 4 was then taken and revealed:

YES: Senators Arnold, Bair, Berndt, Connor, Holloway, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Torbert - 14.

NO: Senators Adams, Cook, Cordrey, Minner, Zimmerman - 5.

NOT VOTING: Senator Vaughn - 1.

ABSENT: Senator Citro - 1.

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

SB 191 was lifted from the table and taken up for consideration under suspension of the necessary rules on motion of Senator Vaughn:

SB 191 - AN ACT TO AMEND CHAPTER 55, TITLE 30 OF THE DELAWARE CODE, RELATING TO PUBLIC UTILITY TAXES OF DELAWARE MANUFACTURERS WHO USE ELECTRICITY IN AN ELECTROLYTIC OR ELECTROARC THERMAL MANUFACTURING PROCESS.

The privilege of the floor was extended to William A. Fertig, Jr. (Diamond Shamrock Chemical Company).

At 6:04 p.m., Senator Cordrey presiding.

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

The following legislation was introduced:

**SB 196** - AN ACT TO AMEND CHAPTER 55A, TITLE 29, DELAWARE CODE, RELATING TO THE INCLUSION OF STATE OF DELAWARE GOVERNMENTAL SUBDIVISION. Sponsors: Senators Vaughn, Cook, Berndt; Representatives B. Ennis, West, Barnes. Assigned to Community Affairs Committee.

**SB 197** - AN ACT AUTHORIZING THE DEPARTMENT OF AGRICULTURE AND AN AD HOC COMMITTEE HERIN CREATED TO PROCEED WITH THE CONCEPTS OF DYNAMIC SEEDING OR WEATHER MODIFICATION; AND FURTHER PROVIDING FUNDS THEREFOR. Sponsors: Senators Adams, Cook, Cordrey, Connor, Slatcher; Representatives Barnes, Caulk, Carey, Mack, Clark, Cordrey. Assigned to Agriculture Committee; reassigned to Finance Committee without objection.

**SB 198** - AN ACT AUTHORIZING AN INCREASE IN THE AMOUNT OF ASSISTANCE GRANTED AS AID TO FAMILIES WITH DEPENDENT CHILDREN. Sponsors: Senators Holloway, Berndt, Knox; Representatives Sills, Plant, West. Assigned to Finance Committee.

At 6:14 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 16, 1985.

The Senate reconvened at 2:29 p.m., May 16, 1985, Lt. Governor Woo presiding.

The following legislation was introduced:

**SB 199** - AN ACT TO AMEND CHAPTER II, TITLE 30, DELAWARE CODE, RELATING TO PERSONAL INCOME TAXES BY ALLOWING A CREDIT FOR MEMBERS OF DELAWARE VOLUNTEER AMBULANCE AND RESCUE SERVICES. Sponsors: Senator Minner, Representatives Steele, Carey, West, B. Ennis, Barnes. Assigned to Revenue and Taxation Committee.

**SB 200** - AN ACT TO AMEND CHAPTERS 1 AND 5, TITLE 17 OF THE DELAWARE CODE, TO PERMIT THE DEPARTMENT OF TRANSPORTATION TO ENTER UPON PRIVATE PROPERTY TO PROTECT THE PUBLIC AND PUBLIC PROPERTY WHILE BEING LIABLE FOR ANY ACTUAL DAMAGES CAUSED THEREBY. Sponsors: Senator Martin, Representative Taylor. Assigned to Highways and Transportation Committee.

**SA 1 to SB 132.** Sponsor: Senator Holloway. Placed with the Bill.

**SB 179** was reported out of the Executive Committee: 6 Merits.

The following nominations for appointment were reported out of the Executive Committee: Leah W. Betts - 2 Favorable, 3 Merits; Weston E. Nellius - 1 Favorable, 4 Merits; Warner T. Foraker - 5 Merits; Stephen L. Hershey, M.D. - 5 Merits; Bruce O. Kallos - 2 Favorable, 3 Merits; Saxton C. Lambertson - 5 Merits; Stephen L. Manista - 5 Merits; Edward S. Stansky - 5 Merits; Charles W. Cole - 1 Favorable, 4 Merits; Keith Dorman - 5 Merits; John V. Flynn, Jr. - 5 Merits.

At 2:36 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 32nd Legislative Day.

#### 32ND LEGISLATIVE DAY May 16, 1985

The Senate convened at 2:36 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 20.

ABSENT: Senator Citro - 1.

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

The Secretary announced that a message from the House informed the Senate that it had passed **SB 139 w SA 1, HA 2** and adopted **HCR 59, HCR 60, SCR 51, SCR 53, SCR 55, SCR 56** and **SCR 57**.

**SB 139 w SA 1** which had previously passed the Senate was taken up for reconsideration under suspension of the necessary rules as now further amended by **HA 1** on motion of Senator Cordrey.

The privilege of the floor was extended to John Malarkay, State Bank Commissioner.

The roll call vote on **SB 139 w SA 1, HA 2** was then taken and revealed 19 Senators voting YES and 2 (Arnold and Citro) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the Governor for his consideration.

**HB 16** was taken up for consideration on motion of Senator Torbert:

**HB 16** - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE RELATING TO DISABLED PERSONS' PARKING PERMITS.

The privilege of the floor was extended to Representative Gwynne P. Smith after which the Bill was laid on the table on motion of Senator Torbert.

Senator Connor introduced several students from William Penn High School who were present in the Chamber.

Senator Bair introduced two students from her District who were present in the Chamber.

At 3:12 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:15 p.m., Senator Cordrey presiding.

On motion of Senator Adams, the Governor's nomination for appointment of Leah W. Betts was taken up for consideration and the roll call vote taken which revealed 19 Senators voting YES and 2 (Citro and McBride) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Charles W. Cole was taken up for consideration and the roll call vote taken which revealed 19 Senators voting YES and 2 (Citro and McBride) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Keith Dorman was taken up for consideration and the roll call vote taken which revealed 19 Senators voting YES and 2 (Citro and McBride) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of John V. Flynn, Jr., was taken up for consideration and the roll call vote taken which revealed 19 Senators voting YES and 2 (Citro and McBride) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Warner T. Foraker was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Stephen L. Hershey, M.D., was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Bruce O. Kallos was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Stephen L. Manista was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Weston E. Nellius was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Edward S. Stansky was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the appointment was declared confirmed.

Senator Sharp read a letter from Governor Castle regarding Secretary of Public Safety, Edward J. Steiner, and supplied each Senator with a copy of the two-page letter.

HB 192 w HA 2, 3 was taken up for consideration on motion of Senator Sharp under suspension of the necessary rules:

HB 192 w HA 2, 3 - AN ACT TO AMEND TITLE 28, DELAWARE CODE, RELATING TO SPORTS AND AMUSEMENTS.

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

YES: Senators Arnold, Bair, Berndt, Connor, Cook, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn - 16.

NO: Senators Cordrey, Slatcher - 2.

NOT VOTING: Senators Adams, Zimmerman - 2.

ABSENT: Senator Citro - 1.

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

HJR 11 was taken up for consideration on motion of Senator Zimmerman:

HJR 11 - REQUESTING THAT REPRESENTATIVES OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL MEET WITH THE NATURAL RESOURCES COMMITTEES OF THE 133RD GENERAL ASSEMBLY TO REVIEW THE EXISTING STATE REGULATIONS CONCERNING HAZARDOUS WASTE STORAGE, TREATMENT AND DISPOSAL.

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

SB 145 was taken up for consideration on motion of Senator Marshall:

SB 145 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

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

SA 2 to the Bill was taken up for consideration on motion of Senator Marshall and the roll call vote taken which revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Sam Haus (State Unemployment Department) after which the roll call vote on SB 145 w SA 1, 2 was taken and revealed:

YES: Senators Bair, Berndt, Connor, Cook, Holloway, Knox, Marshall, Martin, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 14.

NO: Senators Adams, Arnold, Cordrey, Minner, Neal, Slatcher - 6.

ABSENT: Senator Citro - 1.

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

SB 162 was taken up for consideration on motion of Senator Marshall:

SB 162 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE BY PROVIDING FOR THE EXEMPTION OF FOREIGN SALES CORPORATIONS AND FOREIGN SALES SERVICE CORPORATIONS FROM THE PROVISIONS OF THE CORPORATION INCOME TAX AND BY PROVIDING FOR THE APPLICATION OF OCCUPATIONAL AND BUSINESS LICENSES AND FEES FOR SUCH CORPORATIONS, AND BY PROVIDING FOR THE EXEMPTION FOR SMALL FOREIGN SALES CORPORATIONS FROM SUCH LICENSES AND FEES.

At 5:23 p.m., Senator Adams presiding.

The privilege of the floor was extended to Ashby T. Richards (Governor's International Trade Council) and Gary Dalton (Senate Attorney) after which the roll call vote on the Bill was taken and revealed 18 Senators voting YES, 2 (McDowell, Zimmerman) NOT VOTING and 1 (Citro) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 166 was taken up for consideration on motion of Senator Holloway:

SB 166 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO COMMUNITY CARE FOR FRAIL OR FUNCTIONALLY IMPAIRED ADULTS.

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

SENATE CONSENT CALENDAR #8 was taken up for consideration on motion of Senator Minner. The Consent Calendar was comprised of the following Concurrent Resolutions:

SCR 58 - EXTENDING BEST WISHES TO JUDGE WILLIAM G. BUSH, III. Sponsors: Senators Torbert Adams, Vaughn, Cook, Zimmerman, Minner; Representatives B. Ennis, Clark, Quillen, Outten, Bennett, Caulk, Buckworth.

SCR 59 - HONORING DELAWARE'S SENIOR CITIZENS DURING OLDER AMERICANS MONTH. Sponsors: Senators Bair, Holloway; Representative Maroney.

SCR 57 - COMMENDING LT. COL. JOHN LINGO, CPL. JOHN BROCKELL, TFC ELIZABETH SHAMANY AND AMBULANCE DRIVER STEVE MOORE FOR THEIR RESCUE TREATMENT AFTER A SERIOUS VEHICLE ACCIDENT ON MAY 2, 1985. Sponsors: Representatives Hebner, Oberle, Barnes, George, Gilligan; Senators Cordrey, Sharp, McDowell, Bair, Arnold; All Representatives, All Senators.

SCR 58 - WISHING FORMER UNITED STATES SENATOR JOHN J. WILLIAMS, OF MILLSBORO, THE BEST OF BIRTHDAYS AS HE OBSERVES HIS 81ST ON MAY 17, 1985. Sponsors: Representatives West, Spence, Boykin, Brady, Carey, Buckworth, Maroney, Free, Quillen, Fallon; Senators Cordrey, Berndt and all the Senators.

SCR 59 - COMMENDING THE STUDENTS SELECTED AS STATE SUPERINTENDENT'S SCHOLARS OF 1985. Sponsors: Representative Fallon, Senator McBride; All Representatives, All Senators.

SCR 60 - CONGRATULATING WILLIAM A. LEWIS, JR. ON BEING NAMED MEMBER OF THE YEAR OF THE FIVE POINTS FIRE COMPANY IN RICHARDSON PARK. Sponsors: Representatives VanSant and Campanelli, Senator McBride.

\* \* \* \* \*

The roll call vote on SENATE CONSENT CALENDAR #8 was then taken and revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Senate Concurrent Resolutions were sent to the House for consideration and the House Concurrent Resolutions were returned to the House.

SCR 60 was introduced and considered for adoption on motion of Senator Bair:

SCR 60 - CONGRATULATING ROBERT H. PARKER AND EMILY T. DU PONT ON RECEIVING THE FIRST HONORARY DEGREES OF DOCTOR OF HUMANE LETTERS EVER GIVEN BY WESLEY COLLEGE IN ITS 113-YEAR HISTORY. Sponsors: Senators Bair, Zimmerman, Knox, Torbert, Martin; Representatives Corrozi, Buckworth, Outten, Bennett; All Senators.

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

At 6:04 p.m. on motion of Senator Sharp, the Senate recessed to the call of the President pro Tempore.

The Senate reconvened at 3:40 p.m., May 29, 1985, Senator Cordrey presiding.

The following Committee reports were announced:

From the Finance Committee: SS 1 for SB 41 - 6 Merits, SB 126 - 5 Merits, SB 154 - 1 Favorable, 5 Merits, SB 160 - 2 Favorable, 4 Merits, SB 174 - 6 Merits, SB 184 - 6 Merits, SB 185 - 6 Merits, SB 197 - 6 Merits.

At 3:45 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 33rd Legislative Day.

33RD LEGISLATIVE DAY  
May 29, 1985

The Senate convened at 3:45 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Lt. Governor Woo presiding.

Call of the roll revealed the following attendance:

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

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

The Secretary announced that a message from the House informed the Senate that it had passed HB 79 and SB 178.

LEGISLATIVE ADVISORY #8 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation: On May 23, 1985 - SB 139 w SA 1, HA 2 (Volume 65, Chapter 13, Laws of Delaware); On May 24, 1985 - SB 178 (Volume 65, Chapter 14, Laws of Delaware); HB 192 w HA 2, 3 (Volume 65, Chapter 15, Laws of Delaware); HJR 11.

The following communication was read:

HOUSE OF REPRESENTATIVES  
STATE OF DELAWARE  
DOVER, DELAWARE

TO: Richard S. Cordrey, President Pro Tempore  
FROM: Charles L. Hebner, Speaker of the House  
RE: Senate Concurrent Resolution No. 56  
DATE: May 23, 1985

Please be advised that Senate Concurrent Resolution Number 56 was signed and thereby certified as having passed the House of Representatives on May 15, 1985 and was returned to the Senate on May 16, 1985. In fact, Senate Concurrent Resolution Number 56 was inadvertently not included on the House Consent Calendar on May 15, 1985. If you would have the Resolution in question returned to the House, I will see that it is included on the Consent Calendar for May 29, 1985.

Thank you for your prompt attention to this matter.

cc: B. J. Caniford, Secretary of the Senate

\* \* \* \* \*

The Resolution was returned to the House.

The following legislation was introduced:

SB 201 - AN ACT TO AMEND CHAPTER 51, PART III, TITLE II OF THE DELAWARE CODE RELATING TO CRIMINAL PROCEDURE IN THE SUPERIOR COURT; AND PROVIDING FOR A BILL OF RIGHTS FOR CHILDREN WHO ARE REQUIRED TO TESTIFY BEFORE THE COURT, OR WHO ARE OTHERWISE REQUIRED TO PARTICIPATE IN A CRIMINAL TRIAL. Sponsors: Senators McBride, Connor; Representative Maroney. Assigned to Judiciary Committee.

SB 202 - AN ACT TO AMEND CHAPTER 302, VOLUME 49, LAWS OF DELAWARE, BEING "AN ACT TO INCORPORATE THE TOWN OF FENWICK ISLAND, DELAWARE", RELATING TO ASSESSMENT AND COLLECTION OF TAXES, AND ELECTIONS. Sponsor: Senator Cordrey. Assigned to Executive Committee.

SB 203 - AN ACT TO AMEND CHAPTER 42, VOLUME 53, LAWS OF DELAWARE, AS AMENDED ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD RELATING TO SUPPLEMENTAL TAX ASSESSMENTS". Sponsors: Senator Slatcher, Representative Fallon. Assigned to Executive Committee.

Senator Holloway marked PRESENT.

SB 202 and SB 203 were reassigned to Community Affairs Committee on motion of Senator Cook without objection.

Senator Neal requested the Secretary of the Senate to contact the necessary people in the Department of Natural Resources and Environmental Control in reference to setting up another hearing on HJR 11 so that the Senate can attend. There were no objections.

SA 1 to SB 75 (sponsored by Senator Torbert) was introduced and placed with the Bill.

SR 39 was introduced and considered for adoption on motion of Senator Torbert:

SR 39 - CONGRATULATING KATHRYN L. NICKERSON AND ELIZABETH A. PALENIK, BOTH OF DOVER, UPON THEIR COMPLETION OF THE JAMES H. GROVES HIGH SCHOOL G.E.D. PROGRAM. Sponsors: Senators Torbert, Vaughn, Cook, Zimmerman, Minner, Adams.

Senator Torbert introduced several members of the graduating class of the G.E.D. Program after which the roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Citro) ABSENT; therefore, the Resolution was declared adopted.

SA 1 to HB 16 (sponsored by Senator Sharp) was introduced and placed with the Bill.

HB 79 was introduced and assigned to Judiciary Committee:

**HB 79 - AN ACT TO AMEND CHAPTER 90, TITLE II OF THE DELAWARE CODE RELATING TO THE VIOLENT CRIMES COMPENSATION BOARD AND CONFLICTS OF INTEREST. Sponsor: Representative Oberle.**

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

STATE OF DELAWARE  
Office of the Governor  
May 29, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: William T. Allen, Esq., 1307 W. Ninth Street, Wilmington, DE 19806, to be appointed Chancellor of the Court of Chancery of the State of Delaware for a term of twelve years to replace Grover C. Brown, Esq., resigned.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
May 29, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: David C. Eppes, 222 Plymouth Road, Wilmington, DE 19803, to be appointed as a member of the Tax Appeals Board to serve for a three year term to replace Cyric W. Cain, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
May 29, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Joseph S. Yucht, 104 Canterbury Drive, Wilmington, DE 19803, to be reappointed as a member of the Tax Appeals Board to serve for a three year term to expire June 3, 1988.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
May 29, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Nancy M. Norling, 2409 Willard Street, Wilmington, DE 19806, to be reappointed as a Commissioner of the Public Service Commission to serve for a five year term to expire May 1, 1989.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\*\*\*\*\*  
STATE OF DELAWARE  
Office of the Governor  
May 29, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Earp F. Jennings, Jr. 21 Oxford Place, Hockessin, DE 19707, to be reappointed as a member of the Delaware Solid Waste Authority to serve for a three year term to expire June 26, 1986.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\*\*\*\*\*  
STATE OF DELAWARE  
Office of the Governor  
May 29, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Catherine B. Flickinger, 203 Edgewood Road, Wilmington, DE 19803, to be reappointed as a member of the University of Delaware Board of Trustees to serve for a six year term to expire September 29, 1988.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\*\*\*\*\*

Senator Citro marked PRESENT.

At the request of Senator Sharp, the privilege of the floor was extended to John Radell, Vietnam Veterans Leadership Program, who addressed the Senate.

SB 78 was taken up for consideration on motion of Senator Holloway:

SB 78 - AN ACT TO AMEND CHAPTER 79, TITLE 29, DELAWARE CODE, TO ESTABLISH THE DIVISION OF CHILD SUPPORT ENFORCEMENT.

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

SA 2 to the Bill was taken up for consideration on motion of Senator Holloway.

The privilege of the floor was extended to Muriel Rusten (Department of Health and Social Services) after which the roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Torbert) voting NO; therefore, the Amendment was declared adopted.

The roll call vote on SB 78 w SA 1, 2 was then taken and revealed 20 Senators voting YES and 1 (McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SR 38 was introduced and considered for adoption on motion of Senator Arnold:

SR 38 - COMMENDING CHRISTOPHER SALTER AND CHRISTOPHER DENVER ON ACHIEVING THE RANK OF EAGLE SCOUT. Sponsor: Senator Arnold.

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

At 4:37 p.m. on motion of Senator Sharp, the Senate recessed until 1:30 p.m., May 30, 1985.



The Senate reconvened at 1:37 p.m., May 30, 1985, Senator Cordrey presiding.

The following legislation was introduced:

SA 2 to SB 38. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 177. Sponsor: Senator Slatcher. Placed with the Bill.

SB 204 - AN ACT TO AMEND SUBCHAPTER 1, CHAPTER 17, TITLE 7, DELAWARE CODE, RELATING TO CONFINEMENT OF BITING DOGS. Sponsor: Senator Adams. Assigned to Natural Resources and Environmental Control Committee.

SB 205 - AN ACT TO AMEND TITLE 19, DELAWARE CODE TO PROVIDE FOR EXTENDED WORKSHOP EMPLOYMENT PROGRAMS FOR THE SEVERELY HANDICAPPED. Sponsors: Senators Minner and Berndt. Assigned to Labor and Industrial Relations Committee.

SB 206 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE RELATING TO GRANDPARENT VISITATION. Sponsor: Senator Adams. Assigned to Judiciary Committee.

The following Committee reports were announced:

From the Executive Committee: HB 198 - 1 Favorable, 3 Merits; Catherine B. Fleckinger - 1 Favorable, 3 Merits; William T. Allen - 1 Favorable, 3 Merits; Louis H. Papineau, Jr. - 1 Favorable, 3 Merits.

Senator Arnold introduced Cynthia Griffin (Miss Delaware Jr. for 1955) to the Senate. Miss Griffin was extended the privilege of the floor at the request of Senator Arnold.

The following corrected Committee reports from the Executive Committee were announced: Catherine B. Fleckinger - 2 Favorable, 3 Merits; William T. Allen - 2 Favorable, 3 Merits; Louis Papineau - 2 Favorable, 3 Merits.

At 1:58 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 34th Legislative Day.

#### 34TH LEGISLATIVE DAY May 30, 1985

The Senate convened at 1:58 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 62, HCR 63, HCR 64, SCR 58, SCR 59, SCR 60.

HB 100 w HA 1 was lifted from the table for consideration on motion of Senator Zimmerman.

Senator Connor marked PRESENT.

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

SB 147 was taken up for consideration on motion of Senator Adams:

SB 147 - AN ACT TO AMEND SECTION 1703(G), TITLE 14, DELAWARE CODE, RELATING TO UNIT OF PUPILS FOR KENT AND SUSSEX COUNTY VOCATIONAL TECHNICAL SCHOOL DISTRICTS.

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

YES: Senators Adams, Berndt, Citro, Cook, Cordrey, Marshall, Martin, McBride, McDowell, Minner, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 15.

NO: Senators Arnold, Neal - 2.

NOT VOTING: Senators Bair, Connor, Knox - 3.

ABSENT: Senator Holloway - 1.

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

SB 121 was taken up for consideration on motion of Senator McBride:

SB 121 - AN ACT TO AMEND CHAPTER 29, PART III, TITLE 30 OF THE DELAWARE CODE RELATING TO RETAIL AND WHOLESALE MERCHANTS' LICENSE REQUIREMENT AND TAXES.

The privilege of the floor was extended to Richard Dillard (Senate Attorney) after which the roll call vote on the Bill was taken and revealed:

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

NO: Senators Bair, Connor, Neal - 3.

NOT VOTING: Senators Arnold, Berndt, Citro, Knox - 4.

ABSENT: Senator Holloway - 1.

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

At 2:20 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 3:17 p.m., Senator Cordrey presiding.

Senator Holloway marked PRESENT.

The following legislation was introduced:

**SA 1 to SB 113.** Sponsor: Senator Holloway. Placed with the Bill.

**SB 207** - AN ACT TO AMEND CHAPTER 11, TITLE 9, DELAWARE CODE, RELATING TO THE POWERS AND DUTIES OF THE PRESIDENT OF THE NEW CASTLE COUNTY GOVERNMENT. Sponsor: Senator Holloway. Assigned to Community Affairs Committee.

**SB 208** - AN ACT TO AMEND CHAPTER 17, TITLE 18, DELAWARE CODE, RELATING TO THE TERMINATION OF INSURANCE AGENCY APPOINTMENT UPON SHOWING OF GOOD CAUSE. Sponsor: Senator Vaughn. Assigned to Insurance and Election Committee.

**SB 200** was reported out of the Highways and Transportation Committee: 2 Favorable, 4 Merits.

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

On motion of Senator Adams, the Governor's nomination for appointment of Saxton C. Lambertson was taken up for consideration and the roll call vote taken which revealed 19 Senators voting YES and 2 (Berndt and Cook) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of William T. Allen was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the roll call vote on the Governor's nomination for appointment of Saxton C. Lambertson was rescinded and a new roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Catherine B. Flickinger was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

**SB 132** was taken up for consideration on motion of Senator Holloway:

**SB 132** - AN ACT TO AMEND CHAPTER 40, TITLE 31, DELAWARE CODE, RELATING TO THE ANNUAL REGISTRATION OF APARTMENT MANAGEMENT.

**SA 1** to the Bill was considered for adoption on motion of Senator Holloway and the roll call vote taken which revealed 19 Senators voting YES, 1 (Citro) voting NO and 1 (McDowell) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on **SB 132 w SA 1** was then taken and revealed 19 Senators voting YES and 2 (Bair and McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

**SB 106** was taken up for consideration on motion of Senator Zimmerman:

**SB 106** - AN ACT TO AMEND TITLE 11, CHAPTER 88, DELAWARE CODE, RELATING TO THE DELAWARE COUNTY AND MUNICIPAL POLICE PENSION PLAN.

The privilege of the floor was extended to Donald McArdle, Pension Administration of the State of Delaware after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Holloway, the roll call vote on **SB 132 w SA 1** was rescinded and a new roll call vote taken which revealed 19 Senators voting YES and 2 (Bair and Citro) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

**SB 152** was taken up for consideration on motion of Senator Zimmerman:

**SB 152** - AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER, BEING CHAPTER 158, VOLUME 36, LAWS OF DELAWARE, AS AMENDED, RELATING TO CHANGING COMPENSATION FOR THE MAYOR AND MEMBER OF COUNCIL FROM SALARY TO REIMBURSEMENT.

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

**SB 184** was taken up for consideration on motion of Senator Cook:

**SB 184** - AN ACT TO AMEND CHAPTER 63, TITLE 7, DELAWARE CODE, ESTABLISHING A REVOLVING FUND FOR THE REVENUES AND THE INITIAL FUNDING OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL; AND TO TRANSFER FUNDS FROM THE BUDGET OFFICE CONTINGENCY (10-02-004) (SALARIES & OEC) TO THE DEPARTMENT MANAGEMENT BUDGET UNIT (40-01-001) FOR THE PURPOSE OF PROVIDING START-UP FUNDS FOR THE HAZARDOUS WASTE/GROUND WATER CLEAN-UP REVOLVING FUND.

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

**SB 185** was taken up for consideration on motion of Senator Cook:

**SB 185** - AN ACT TO AMEND CHAPTER 82, TITLE 29, DELAWARE CODE, ESTABLISHING A REVOLVING FUND FOR THE REVENUES AND THE INITIAL FUNDING OF THE DEPARTMENT OF PUBLIC SAFETY; AND TO TRANSFER FUNDS FROM THE BUDGET OFFICE CONTINGENCY (10-02-004) (SALARIES & OEC) TO THE ADMINISTRATION BUDGET UNIT (45-01-001) (HAZARDOUS SUBSTANCE SPILL CLEAN-UP) FOR THE PURPOSE OF PROVIDING START-UP FUNDS FOR THE HAZARDOUS SUBSTANCE SPILL CLEAN-UP REVOLVING FUND.

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

**SS 1 for SB 27** was taken up for consideration on motion of Senator Bair:

**SS 1 for SB 27 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A HOME COUNSELING CENTER FOR SENIOR CITIZENS WITHIN THE DIVISION OF AGING, DEPARTMENT OF HEALTH AND SOCIAL SERVICES.**

**SA 1** to the Bill was taken up for consideration on motion of Senator Bair and the roll call vote taken which revealed 19 Senators voting YES and 2 (Arnold and Sharp) ABSENT; therefore, the Amendment was declared adopted.

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

**SB 107** was taken up for consideration on motion of Senator Minner:

**SB 107 - AN ACT TO AMEND §915, TITLE 7, DELAWARE CODE, RELATING TO THE ISSUANCE OF FOODFISHING EQUIPMENT PERMITS FOR GILL NETS TO COMMERCIAL FISHERMEN WHO SERVED IN THE ARMED FORCES WHEN THESE PERMITS WERE AVAILABLE.**

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

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

**SB 25 - AN ACT TO CORRECT AN ERROR IN §6519, TITLE 29, DELAWARE CODE, RELATING TO EXPENDITURES BY SCHOOL DISTRICTS.**

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

**SS 1 for SB 27 w SA 1** was lifted from the table for consideration on motion of Senator Bair. The privilege of the floor was extended to Richard Dillard (Senate Attorney) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Zimmerman) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

**SENATE CONSENT CALENDAR #9** was taken up for consideration on motion of Senator Minner. The Consent Calendar was comprised of the following:

**HC 62 - CONGRATULATING THE THIRTEEN YOUNG MEN AND WOMEN WHO WILL BE GRADUATED JUNE TENTH, NINETEEN HUNDRED AND EIGHTY-FIVE FROM THE MARGARET S. STERK SCHOOL.** Sponsors: Representative Oberle, Senator Martin.

**HC 63 - COMMENDING STACEY GOLDFEDER OF CONCORD HIGH SCHOOL AS A STATE SUPERINTENDENT'S SCHOLAR OF 1985.** Sponsor: Representative Fallon.

**HC 64 - MOURNING THE DEATH OF BETTYE JAMES OF REHOBOTH BEACH.** Sponsors: Representatives Wingate, Jester; Senators Vaughn, Minner, Cordrey.

**SR 40 - URGING PRESIDENT RONALD REAGAN TO MAKE EVERY EFFORT POSSIBLE TO ATTEND THE ANNUAL NATIONAL FIRE PREVENTION WEEK FESTIVITIES AT THE DELAWARE STATE FIRE SCHOOL ON OCTOBER 6, 1985.** Sponsor: Senator McBride.

\* \* \* \* \*

The roll call vote on **SENATE CALENDAR #9** was then taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted and the House Concurrent Resolutions were returned to the House.

**SR 36** was introduced and considered for adoption on motion of Senator Holloway:

**SR 36 - EXPRESSING GRATIFICATION UPON LEARNING THAT JANE ROTH, WIFE OF UNITED STATES SENATOR WILLIAM V. ROTH, JR. IS BEING CONSIDERED FOR A UNITED STATES FEDERAL JUDGESHIP POST FOR DELAWARE.** Sponsors: Senators Holloway, Martin, Knox, Berndt, Bair.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES, 1 (McDowell) voting NO, and 2 (Sharp and Zimmerman) NOT VOTING; therefore, the Resolution was declared adopted.

At 4:46 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 4, 1985.

The Senate reconvened at 2:15 p.m., June 4, 1985, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed **SB 183 w SA 4.**

**SB 159** was reported out of the Health-Social Services/Aging Committee - 4 Merits.

The following legislation was introduced:

**SB 210 - AN ACT TO AMEND TITLE 11 AND TITLE 24 OF THE DELAWARE CODE RELATING TO MISSING PERSONS.** Sponsors: Senators McBride, Connor; Representatives Maroney, Soles. Assigned to Administrative Services/Energy Committee.

**SB 209 - AN ACT MAKING AN APPROPRIATION TO THE DIVISION OF HIGHWAYS, DEPARTMENT OF TRANSPORTATION, FOR THE PURPOSE OF PARTIALLY FUNDING PRELIMINARY PLANNING, DESIGN, AND ENGINEERING ON A DOVER BYPASS.** Sponsors: Senator Zimmerman; Representatives Outten, Bennett. Assigned to Finance Committee.

**SB 212 - AN ACT TO AMEND CHAPTER 9, TITLE 7, DELAWARE CODE RELATING TO ISSUANCE OF SPECIAL ROLL AND REEL GILL NET PERMITS.** Sponsors: Senator Minner, Representative Carey. Assigned to Natural Resources and Environmental Control Committee.

**SA 1 to SB 123.** Sponsor: Senator McDowell. Placed with the Bill.

**SB 211 - AN ACT TO AMEND §4815, TITLE 29, DELAWARE CODE RELATING TO LOTTERIES.** Sponsors: Senators McDowell, Bair, Holloway, Marshall; Representatives D. Ennis, Sills. Assigned to Administrative Services/Energy Committee.

At 2:20 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 35th Legislative Day.

35TH LEGISLATIVE DAY  
June 4, 1985

The Senate convened at 2:20 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

At the request of Senator Slatcher, the privilege of the floor was extended to John Hollis (Chairman of the Delaware All-Star Football Games for Retarded Citizens to be played June 29). Mr. Hollis then introduced other members of the Committee and special guests who were present in the chamber.

Senators Adams, Cook, Torbert, McDowell, Minner marked PRESENT.

SB 113 was taken up for consideration on motion of Senator Holloway:

SB 113 - AN ACT TO AMEND SUBPART D, SUBCHAPTER II, CHAPTER 5, TITLE II, DELAWARE CODE, TO PROVIDE A PENALTY FOR CONSPIRACY TO PERMIT SEXUAL MISCONDUCT.

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

Senator McBride marked PRESENT.

SB 113 w SA 1 was then deferred on motion of Senator Holloway.

SB 111 was taken up for consideration on motion of Senator Holloway:

SB 111 - AN ACT AMENDING TITLE II OF THE DELAWARE CODE RELATING TO PARAMILITARY ACTIVITIES.

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

SB 174 was taken up for consideration on motion of Senator Cook:

SB 174 - AN ACT AWARDING SPECIAL PENSION BENEFITS TO HELEN WRIGHT MELVIN AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER THE PENSION PROVIDED AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29 OF THE DELAWARE CODE.

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

SB 160 was taken up for consideration on motion of Senator Adams:

SB 160 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE RELATING TO FORMER STATE EMPLOYEES WITH VESTED PENSION BENEFITS.

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

SB 197 was taken up for consideration on motion of Senator Adams:

SB 197 - AN ACT AUTHORIZING THE DEPARTMENT OF AGRICULTURE AND AN AD HOC COMMITTEE HEREIN CREATED TO PROCEED WITH THE CONCEPTS OF DYNAMIC SEEDING OR WEATHER MODIFICATION; AND FURTHER PROVIDING FUNDS THEREFOR.

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

YES: Senators Adams, Bair, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Slatcher, Torbert, Vaughn - 15.

NO: Senators Arnold, Citro, Neal, Sharp, Zimmerman - 5.

NOT VOTING: Senator Berndt - 1.

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

SB 120 was taken up for consideration on motion of Senator Marshall:

SB 120 - AN ACT TO AMEND CHAPTER 31, TITLE 21, DELAWARE CODE RELATING TO NONDRIVER IDENTIFICATION CARDS.

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

SB 172 was taken up for consideration on motion of Senator Marshall:

SB 172 - AN ACT TO AMEND CHAPTER 47, TITLE 16, DELAWARE CODE, TO CLOSE A LOOPHOLE WHICH PRECLUDES PROPER PROSECUTION OF SOME NARCOTICS VIOLATIONS.

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

SB 143 was taken up for consideration on motion of Senator Marshall:

SB 143 - AN ACT TO AMEND CHAPTER 41, TITLE II OF THE DELAWARE CODE RELATING TO SENTENCES FOR ROBBERY IN THE SECOND DEGREE.

The privilege of the floor was extended to Eugene Hall (Department of Justice).

From 3:31 p.m. to 3:35 p.m. a standing recess was declared for purposes of changing the tape.

SB 143 was then laid on the table on motion of Senator Bair.

SB 200 was taken up for consideration on motion of Senator Martin:

SB 200 - AN ACT TO AMEND CHAPTERS 1 AND 5, TITLE 17 OF THE DELAWARE CODE, TO PERMIT THE DEPARTMENT OF TRANSPORTATION TO ENTER UPON PRIVATE PROPERTY TO PROTECT THE PUBLIC AND PUBLIC PROPERTY WHILE BEING LIABLE FOR ANY ACTUAL DAMAGES CAUSED THEREBY.

The privilege of the floor was extended to Richard Dillard (Senate Attorney), Gary Dalton (Senate Attorney) and Mark McNulty (Department of Transportation).

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

YES: Arnold, Bair, Berndt, Connor, Knox, Marshall, Martin, McDowell, Neal, Sharp, Slatcher, Vaughn - 12.

NO: Senators Adams, Citro, Cordrey, McBride, Minner, Torbert, Zimmerman - 7.

ABSENT: Senators Cook, Holloway - 2.

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

SB 159 was taken up for consideration on motion of Senator Adams:

SB 159 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE, RELATING TO THE STATE EMPLOYEES PENSION PLAN.

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

Senator Vaughn introduced to the Senate Carol Adams, Coach of the State Champions of Olympics of the Minds and her class. The privilege of the floor was extended to Ms. Adams.

The following Committee reports were announced:

From the Insurance and Elections Committee: SB 55 - 4 Merits, SB 161 - 4 Merits, SB 176 - 4 Merits, SB 108 - 4 Merits, SB 140 - 4 Merits, SB 208 - 4 Merits.

From the Judiciary Committee: SB 130 - 4 Merits, SB 201 - 4 Merits, SB 206 - 4 Merits.

From the Administrative Services/Energy Committee: SB 129 - 7 Merits, SB 136 - 7 Merits, SB 194 - 7 Merits.

The following legislation was introduced:

SB 213 - AN ACT TO AMEND TITLE 31 AND TITLE 10, DELAWARE CODE, TO CREATE A COURT APPOINTED SPECIAL ADVOCATE PROGRAM. Sponsors: Senator Holloway, Representative Maroney; Senator Bair; Representatives Buckworth, Sills. Assigned to Judiciary Committee. Reassigned to Health-Social Services/Aging Committee.

SB 214 - AN ACT TO AMEND PART I OF CHAPTER 83, TITLE II, DELAWARE CODE, RELATING TO A QUOTA SYSTEM WITH RESPECT TO THE ISSUANCE OF CITATIONS OR TICKETS BY LAW ENFORCEMENT OFFICIALS OF THE STATE. Sponsors: Senators McBride, Sharp, Torbert, Vaughn. Laid on the table on motion of Senator McBride.

SB 215 - AN ACT TO REQUIRE THE EXECUTIVE DEPARTMENT TO REDUCE THE HEALTH PLAN CONTRIBUTION OF STATE EMPLOYEES TO REFLECT THE REDUCTION RECEIVED BY THE STATE. Sponsor: Senator Sharp. Assigned to Finance Committee.

SB 216 - AN ACT TO AMEND CHAPTER 9, TITLE 18, DELAWARE CODE, RELATING TO REINSURANCE. Sponsors: Senator Sharp, Representative D. Ennis. Assigned to Insurance and Elections Committee.

SB 217 - AN ACT TO AMEND SUBCHAPTER IX, TITLE 30, DELAWARE CODE, RELATING TO SETOFF OF REFUND BY CLAIMANT AGENCY. Sponsor: Senator Holloway. Assigned to Revenue and Taxation Committee.

SB 218 - AN ACT TO AMEND TITLE 23 OF THE DELAWARE CODE RELATING TO APPRENTICESHIP PROGRAMS, GROUNDS FOR DISCIPLINE AND DISCIPLINARY SANCTIONS FOR PILOTS. Sponsors: Senator Cordrey; Representatives Wingate, Quillen, Roy. Assigned to Natural Resources and Environmental Control Committee.

SJR 6 - DIRECTING THE DIRECTOR OF THE DIVISION OF HISTORICAL AND CULTURAL AFFAIRS AND THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO COMMEMORATE THE CATASTROPHIC SHIPWRECK OF THE FAITHFUL STEWARD, OFF OF DELAWARE SEASHORE STATE PARK BY THE ERECTION OF A STATE HISTORICAL MARKER ON THE DUNES OVERLOOKING THE SITE, ON SEPTEMBER 2, 1985, THE TWO HUNDREDTH ANNIVERSARY OF THE WRECK. Sponsors: Senators Zimmerman, Cordrey; Representatives Wingate, Carey. Assigned to Natural Resources and Environmental Control Committee.

SJR 7 - DIRECTING THE COMMISSIONER OF CORRECTION TO PROMULGATE INMATE RULES OF CONDUCT FOR EACH ADULT INSTITUTION UNDER HIS JURISDICTION. Sponsors: Senators Holloway and Berndt. Assigned to Judiciary Committee.

SA 1 to SS 1 for SB 41. Sponsor: Senator Martin. Placed with the Bill.

SA 2 to SB 113. Sponsors: Senators Holloway, Connor, Bair. Placed with the Bill.

At 4:25 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 5, 1985.

The Senate reconvened at 2:22 p.m., June 5, 1985, Lt. Governor Woo presiding.  
SA 1 to SB 179 (Sponsor: Senator Vaughn) was introduced and placed with the Bill.  
The following communication was read:

William T. Allen  
1307 W. Ninth Street  
Wilmington, Delaware 19806  
June 3, 1985

The Honorable Members of the Senate of the State of Delaware  
Legislative Hall  
Dover, DE 19901

Ladies and Gentlemen:

I have been informed that on Thursday, May 30, 1985, you unanimously confirmed Governor Castle's nomination of me for the office of Chancellor of the Court of Chancery.

Thank you for this endorsement and for the courtesy with which I was treated when I appeared before your Executive Committee. I look forward to assuming the responsibilities of this office and working diligently to serve the people of our State and the interests of justice.

Sincerely yours,  
William T. Allen

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The Secretary announced that a message from the House informed the Senate that it had passed HB 126 and HB 195 w HA 1.

SB 219 was introduced and assigned to Judiciary Committee:

SB 219 - AN ACT TO AMEND CHAPTER 51, TITLE 10 OF THE DELAWARE CODE TO MANDATE PAYMENT OF COSTS, INCLUDING ATTORNEY'S FEES, IN CERTAIN DEBT COLLECTION ACTIONS. Sponsor: Senator Arnold.

At 2:26 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 36th Legislative Day.

36TH LEGISLATIVE DAY  
June 5, 1985

The Senate convened at 2:26 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

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

SR 42 - CONGRATULATING DAVID WILLIAMS UPON HIS RETIREMENT FROM THE CAESAR RODNEY SCHOOL DISTRICT AFTER 36 YEARS OF DEDICATED SERVICE. Sponsors: Senators Torbert, Vaughn, Zimmerman, Cook, Minner, Adams.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Holloway and Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

Pursuant to SR 42, Senator Torbert introduced Dave Williams and his wife, Janet, to the Senate.

SB 171 was taken up for consideration on motion of Senator Berndt:

SB 171 - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE ADOPTING THE UNIFORM DETERMINATION OF DEATH ACT.

Senator Zimmerman marked PRESENT.

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

YES: Senators Adams, Arnold, Bair, Berndt, Cook, Cordrey, Knox, McBride, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 15.

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

NOT VOTING: Senators Citro and Holloway - 2.

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

SB 179 was taken up for consideration on motion of Senator Vaughn:

SB 179 - AN ACT TO AMEND CHAPTER 88, TITLE 29, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A DELAWARE COMMISSION OF VETERANS AFFAIRS.

The privilege of the floor was extended to Gary Dalton (Senate Attorney).

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

Senator Marshall was added as co-sponsor of the Bill after which the roll call vote on SB 179 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 28 was taken up for consideration on motion of Senator McBride:

SB 28 - AN ACT TO AMEND CHAPTER 17, TITLE 14, DELAWARE CODE, RELATING TO THE LEVEL OF PUPILS PER UNIT FOR GRADES ONE THROUGH SIX.

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

Senator Cordrey introduced several members of the Lord Baltimore Republican Women's Club who were present in the Chamber.

At 3:25 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:02 p.m., Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Labor and Industrial Relations Committee: SB 182 - 1 Favorable, 6 Merits; SB 205 - 7 Merits.

From the Health-Social Services/Aging Committee: SB 213 - 5 Merits.

From the Insurance and Elections Committee: SB 216 - 4 Merits.

The following legislation was introduced:

SB 222 - AN ACT TO AMEND TITLE II DELAWARE CODE, SUBCHAPTER VII, SUBPART E, SECTION 1441(a)(3) RELATING TO LICENSE TO CARRY CONCEALED DEADLY WEAPONS. Sponsor: Senator Minner. Assigned to Judiciary Committee.

SB 221 - AN ACT TO AMEND TITLE 23, CHAPTER 21, §2113 (d) RELATING TO LICENSING AND REGISTRATION FEES OF MOTOR BOATS. Sponsor: Senator Cordrey. Assigned to Public Safety Committee.

SB 220 - AN ACT TO AMEND CHAPTER 5, TITLE II OF THE DELAWARE CODE RELATING TO SENTENCES FOR ROBBERY IN THE SECOND DEGREE. Sponsors: Senators Marshall, McBride; Representatives Spence, Jonkiert. Assigned to Judiciary Committee.

HB 126 - AN ACT TO AMEND CHAPTER 82, TITLE 29, DELAWARE CODE, RELATING TO THE OBJECTIVES OF THE DIVISION OF BOILER SAFETY AND RULES AND REGULATIONS TO ACHIEVE THOSE OBJECTIVES. Sponsors: Representatives Taylor, Caulk, Boykin, Free, Smith, Carey, Roy, Spence, Reynolds, B. Ennis, West. Assigned to Public Safety Committee.

HB 195 w HA 1 - AN ACT TO AMEND CHAPTER 84, TITLE II OF THE DELAWARE CODE RELATING TO THE DELAWARE POLICE TRAINING PROGRAM. Sponsors: Representatives Carey, Caulk, Mack, Smith, Petrilli, Buckworth, Quillen, Barnes, Steele, Corrozi, D. Ennis, VanSant, Campanelli, Wingate; Senators Slatcher, Minner. Assigned to Judiciary Committee.

SA 1 to SB 168. Sponsor: Senator Cordrey. Placed with the Bill.

SB 15 was stricken at the request of Senator Holloway.

SB 55 was taken up for consideration on motion of Senator Minner:

SB 55 - AN ACT TO AMEND CHAPTER 69, TITLE 18, DELAWARE CODE RELATING TO IMPOSITION OF TAX ON INSURANCE PREMIUMS.

Senators Cook, Torbert and Neal were added as co-sponsors of the Bill after which the roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 206 was taken up for consideration on motion of Senator Adams:

SB 206 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE RELATING TO GRANDPARENT VISITATION.

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

SB 194 was taken up for consideration on motion of Senator McDowell:

SB 194 - AN ACT TO AMEND CHAPTER 94, TITLE 16, DELAWARE CODE, RELATING TO THE INCLUSION OF THE DEPARTMENT OF SERVICES TO CHILDREN, YOUTH AND THEIR FAMILIES ON THE STATE ADVISORY COUNCIL FOR THE COORDINATION OF SERVICES TO THE HANDICAPPED.

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

SB 31 and SB 62 were stricken at the request of Senator Cordrey.

SR 41 was stricken at the request of Senator Torbert.

Senator Berndt was granted personal privilege of the floor at his request.

SB 143 was stricken at the request of Senator Marshall.

Senator Sharp thanked the members of the Joint Finance Committee for their work in preparing the State Budget.

At 4:35 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 6, 1985.

The Senate reconvened at 2:10 p.m., June 6, 1985, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 65, HCR 66, HCR 67, HCR 68.

SR 37 was introduced and immediately stricken on motion of Senator Torbert:

**SR 37 - CONGRATULATING KATHRYN L. NICKERSON AND ELIZABETH A. PALENIK, BOTH OF DOVER, UPON THEIR COMPLETION OF THE JAMES H. GROVES HIGH SCHOOL G.E.D. PROGRAM.** Sponsors: Senators Torbert, Vaughn, Cook, Zimmerman, Minner, Adams.

**SR 41** was introduced and immediately stricken on motion of Senator Torbert:

**SR 41 - CONGRATULATING DAVID WILLIAMS UPON HIS RETIREMENT FROM THE CAESAR RODNEY SCHOOL DISTRICT AFTER 36 YEARS OF DEDICATED SERVICE.** Sponsors: Senators Torbert, Vaughn, Cook, Zimmerman, Minner, Adams.

**SB 223** was introduced and assigned to Health Social Services/Aging Committee:

**SB 223 - AN ACT TO AMEND CHAPTER 66, TITLE 16, AND CHAPTER II, TITLE 30, OF THE DELAWARE CODE BY REQUIRING SMOKE DETECTORS IN ALL RESIDENTIAL UNITS AND PROVIDING A TAX CREDIT FOR THE INSTALLATION THEREOF.** Sponsors: Senators McDowell, Torbert, Connor, Zimmerman, Holloway, Marshall, Vaughn; Representatives Reynolds, Caulk, D. Ennis, Spence, B. Ennis, Campanelli, VanSant, Houghton, Sills, C. Cordrey, Soles, Jester, Davis.

At 2:13 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 37th Legislative Day.

#### 37TH LEGISLATIVE DAY June 6, 1985

The Senate convened at 2:13 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Senator Zimmerman marked **PRESENT**.

**SB 130** was taken up for consideration on motion of Senator Zimmerman:

**SB 130 - AN ACT TO AMEND SUBCHAPTER I, CHAPTER 5, TITLE 10, DELAWARE CODE, RELATING TO THE SUPERIOR COURT.**

Senator Connor marked **PRESENT**.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to O. Francis Biondi.

**SA 1** to the Bill (sponsored by Senator Bair) was introduced and considered for adoption on her motion.

Senator Neal marked **PRESENT**.

The roll call vote on **SA 1** to **SB 130** was taken and revealed:

**YES:** Senators Arnold, Bair, Berndt, Citro, Connor, Holloway, Knox, Martin, McBride, Neal, Slatcher, Zimmerman - 12.

**NO:** Senators Adams, Cook, Cordrey, Marshall, McDowell, Minner, Sharp, Torbert, Vaughn - 9.

Therefore, the Amendment was declared adopted.

**SA 2** to the Bill (sponsored by Senator Knox) was introduced and considered for adoption.

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

**YES:** Senators Adams, Berndt, Cook, Cordrey, Knox, McBride, Minner, Slatcher - 8.

**NO:** Senators Arnold, Bair, Citro, Connor, Holloway, Marshall, Martin, McDowell, Neal, Sharp, Torbert, Vaughn, Zimmerman - 13.

Therefore, the Amendment was declared defeated.

The roll call vote on **SB 130 w SA 1** was then taken and revealed:

**YES:** Senators Arnold, Bair, Berndt, Citro, Connor, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 17.

**NO:** Senators Adams, Cook, Minner - 3.

**NOT VOTING:** Senator Knox - 1.

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

**SB 123** was taken up for consideration on motion of Senator McDowell:

**SB 123 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE BY ADOPTING A HOUSING CODE FOR THE STATE OF DELAWARE, INCLUDING THE ESTABLISHMENT OF MINIMUM PROPERTY MAINTENANCE STANDARDS FOR DWELLING STRUCTURES THAT POSE A THREAT TO THE HEALTH AND SAFETY OF THE PEOPLE OF EACH COMMUNITY IN THE STATE, PROVISIONS FOR ADOPTION OF SUCH STANDARDS BY EACH COMMUNITY IN THE STATE, WITH CERTAIN EXEMPTIONS AND PROVISIONS FOR SPECIAL CONDITIONS AND FOR HARDSHIPS, AND ENFORCEMENT OF SUCH STANDARDS BY EACH COMMUNITY IN THE STATE OR BY THE STATE IN THE ABSENCE OF LOCAL ENFORCEMENT.**

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

The Amendment was then lifted from the table on motion of Senator McDowell and considered for adoption. The roll call vote on the Amendment was taken and revealed 18 Senators voting **YES**, 2 (Slatcher and Torbert) voting **NO** and 1 (Zimmerman) **ABSENT**; therefore, the Amendment was declared adopted.



SA 2 to the Bill was introduced by Senator McDowell and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Cordrey, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Vaughn, Zimmerman - 17.

NO: Senators Arnold, Slatcher - 2.

NOT VOTING: Senator Torbert - 1.

ABSENT: Senator Holloway - 1.

Therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Robert S. Moyer representing the Delaware State Housing Authority.

SA 3 to the Bill was introduced by Senator Sharp and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Knox, Martin, McBride, Minner, Sharp, Torbert, Vaughn, Zimmerman - 15.

NO: Senators Marshall, McDowell, Neal - 3.

ABSENT: Senators Connor, Holloway, Slatcher - 3.

Therefore, the Amendment was declared adopted.

At 4:30 p.m., Senator Sharp presiding.

The roll call vote on SB 123 w SA 1, 2, 3 was then taken; however, the roll call was tabled before being announced on motion of Senator McDowell.

SB 153 was taken up for consideration on motion of Senator Marshall:

SB 153 - AN ACT TO AMEND CHAPTER 3, TITLE 22, OF THE DELAWARE CODE RELATING TO THE GRANTING OF VARIANCES BY MUNICIPAL BOARDS OF ADJUSTMENT.

The privilege of the floor was extended to Thomas J. Capano representing the City of Wilmington, after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Berndt, Connor, Cook, Cordrey, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 17.

NO: Senator Arnold - 1.

ABSENT: Senators Bair, Citro, Holloway - 3.

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

At 4:47 p.m., Senator Cordrey presiding.

SB 136 was taken up for consideration on motion of Senator Sharp:

SB 136 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSING PROVISIONS FOR BUSINESS ESTABLISHMENTS SELLING ALCOHOLIC BEVERAGES FOR OFF PREMISES CONSUMPTION.

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

YES: Senators Adams, Arnold, Bair, Citro, Connor, Cook, Cordrey, Knox, Martin, McBride, McDowell, Minner, Sharp, Vaughn - 14.

NO: Senators Berndt, Neal, Slatcher, Torbert - 4.

ABSENT: Senators Holloway, Marshall, Zimmerman - 3.

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

HB 149 w HA 1 was reported out of the Banking Committee - 5 Merits.

SB 129 was taken up for consideration on motion of Senator Vaughn:

SB 129 - AN ACT TO AMEND PART III OF TITLE 25 OF THE DELAWARE CODE BY EXCLUDING LEASES FOR CERTAIN COMMERCIAL UNITS FROM APPLICATION OF CERTAIN PROVISIONS OF THE LANDLORD- TENANT CODE.

At 4:55 p.m., Lt. Governor Woo presiding.

The privilege of the floor was extended to David S. Swayze, representing Prickett, Jones, after which the roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Cook, Holloway and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SR 44 was introduced and considered for adoption on motion of Senator Bair:

SR 44 - WISHING JULIE REEBEL AND CHRISTINE NORLING, SENATORIAL ASSISTANTS DURING THE 133RD GENERAL ASSEMBLY, THE BEST OF LUCK IN THEIR COLLEGE CAREERS. Sponsors: Senators Bair and Arnold.

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

The following Committee reports were announced:

From the Administrative Services/Energy Committee: SB 193 - 6 Merits, SB 210 - 6 Merits, SB 211 - 4 Merits, 2 Unfavorable.

From the Executive Committee: SB 114 - 5 Merits.

At 5:05 p.m. on motion of Senator Sharp, the Senate recessed until 3:00 p.m., June 11, 1985.

The Senate reconvened at 3:10 p.m., June 11, 1985, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had Passed HB 172; HB 167 w HA 2, 3, 4; HB 177 w HA 1; SB 84; HB 98 w HA 1; HB 144 w HA 1, 2.

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: SB 218 - 5 Merits; SJR 6 - 1 Favorable, 4 Merits.

The following legislation was introduced:

SB 224 - AN ACT TO AMEND CHAPTER 42, VOLUME 53, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD", RELATING TO THE TIME FOR HOLDING ASSESSMENT APPEALS. Sponsors: Senator Slatcher, Representative Fallon. Assigned to Revenue and Taxation Committee.

SB 225 - AN ACT TO AMEND AN ACT, BEING CHAPTER 63, VOL. 12, LAWS OF DELAWARE ENTITLED "AN ACT TO INCORPORATE THE ARTISANS' SAVINGS BANK," AS AMENDED, BY AMENDING SECTION 4 THEREOF TO ALLOW MEMBERS OF THE BOARD OF DIRECTORS TO BORROW FUNDS DEPOSITED WITH ARTISANS' SAVINGS BANK. Sponsors: Senators Cordrey and Zimmerman, Representative D. Ennis. Assigned to Banking Committee.

SB 226 - AN ACT TO AMEND TITLE 24, DELAWARE CODE, RELATING TO PROFESSIONS AND OCCUPATIONS AND PROVIDING FOR THE REGISTRATION OF PUBLIC ACCOUNTANTS. Sponsor: Senator Sharp. Assigned to Administrative Services/Energy Committee.

SB 227 - AN ACT TO AMEND CHAPTER 39, TITLE 10 OF THE DELAWARE CODE RELATING TO PLEADING AND PRACTICE IN THE COURTS OF THE STATE OF DELAWARE. Sponsors: Senator Vaughn, Representative Davis. Assigned to Judiciary Committee.

SB 228 - AN ACT TO AMEND TITLE 11, CHAPTER 65 OF DELAWARE CODE, TO CLARIFY THE CIRCUMSTANCES UNDER WHICH CLASS A FELONS AND FELONY SEX OFFENDERS MAY BE OUTSIDE THE CONFINES OF THE CORRECTIONAL INSTITUTION TO WHICH THEY ARE CLASSIFIED. Sponsors: Senators Vaughn, Sharp, Cook, Torbert, Adams, Martin, McBride, Citro; Representatives Houghton, Anderson, Bennett, B. Ennis, George, C. Cordrey, Clark, VanSant, Brady, Jester, Jonkiert, Gilligan, Reynolds, Davis, Spence. Assigned to Judiciary Committee.

SB 229 - AN ACT TO AMEND DELAWARE CODE, TITLE 14, CHAPTER 19, RELATING TO TAX RATES IN SCHOOL DISTRICTS WHICH TRAVERSE COUNTY BOUNDARY LINES. Sponsors: Senator Vaughn, Representative B. Ennis. Assigned to Education Committee.

SB 230 - AN ACT TO AMEND PART VI, TITLE 3, DELAWARE CODE, BY ADDING A NEW CHAPTER 81, ENTITLED "RABIES CONTROL IN ANIMALS AND HUMAN POPULATIONS" AND TO AMEND PART I, TITLE 7, DELAWARE CODE, AS IT RELATES TO DOG CONTROL AND THE IMPORTATION OF CERTAIN SPECIES OF ANIMALS IN THIS STATE. Sponsor: Senator Adams. Assigned to Agriculture Committee.

HB 98 w HA 1 - AN ACT TO AMEND CHAPTER 3, TITLE 21, DELAWARE CODE, RELATING TO THE REGISTRATION, TITLING AND LIENING OF MOTOR VEHICLES. Sponsors: Representative B. Ennis, Senator Torbert. Assigned to Agriculture Committee.

HB 167 w HA 2, 3, 4 - AN ACT TO AMEND CHAPTER 66, TITLE 18, DELAWARE CODE RELATING TO LINE-OF-DUTY DEATH BENEFITS. Sponsors: Representative Hebner, Senator Vaughn; Representatives Anderson, Barnes, Brady, Buckworth, Campanelli, Caulk, C. Cordrey, Mack, Corrozi, Davis, B. Ennis, D. Ennis, Roy, Fallon, Free, George, Gilligan, Outten, Houghton, Jester, Reynolds, Sills, Soles, Spence, Steele, Taylor, West, VanSant, Carey, Plant, Clark; Senators Berndt, Bair, Knox, Citro, Arnold, Neal, Martin, Vaughn, Torbert, Adams, Slatcher. Assigned to Insurance and Elections Committee.

HB 144 w HA 1, 2 - AN ACT TO AMEND TITLES 9, 10 AND 12 OF THE DELAWARE CODE RELATING TO SALARIES OF ELECTED OFFICIALS OF SUSSEX COUNTY. Sponsors: Representatives West, C. Cordrey, Carey, Steele, Wingate, Barnes, Fallon; Senators R. Cordrey, Adams, Minner, Slatcher. Assigned to Administrative Services/Energy Committee.

HB 172 - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF MEDICAL PRACTICE DISCIPLINARY PROCEEDINGS. Sponsors: Representative Roy, Senator McDowell. Assigned to Administrative Services/Energy Committee.

HB 177 w HA 1 - AN ACT TO AMEND CHAPTER 95, TITLE 10 OF THE DELAWARE CODE RELATING TO JUSTICE OF THE PEACE COURT JUDGMENT AND EXECUTION DOCKETS. Sponsors: Representatives Spence, Hebner, Oberle, Davis, D. Ennis, Boykin, Maroney, Smith, Barnes, Reynolds, Buckworth, Corrozi, Caulk, Carey, Taylor, Steele, VanSant, Houghton, Brady, B. Ennis, Campanelli, Jonkiert. Assigned to Judiciary Committee.

The following Committee reports were announced:

From the Community Affairs Committee: SB 196 - 3 Merits; SB 202 - 3 Merits; SB 203 - 3 Merits.

At 3:21 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 38th Legislative Day.

38TH LEGISLATIVE DAY  
June 11, 1985

The Senate convened at 3:21 p.m., Lt. Governor Woo presiding.  
A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

The following communication was read:

SENATE  
STATE OF DELAWARE  
LEGISLATIVE HALL  
DOVER, DELAWARE 19901

June 10, 1985

TO: All Members of the 133rd General Assembly  
FROM: Senator Richard S. Cordrey, President Pro Tempore  
SUBJECT: Bond Bill Committee

I hereby appoint the following to serve on the Bond Bill Committee: Senator Nancy W. Cook, Senator Thomas B. Sharp, Senator Roger A. Martin, Senator Ruth Ann Minner, Senator Robert J. Berndt, Senator James P. Neal, for the purpose of receiving requests to establish a Bond Bill for presentation to the First Session of the 133rd General Assembly, of the State of Delaware, for their consideration.

\* \* \* \* \*

SB 169 was taken up for consideration on motion of Senator Martin:

SB 169 - AN ACT TO AMEND TITLE 21, §4401(b) DELAWARE CODE, RELATING TO ABANDONED VEHICLES.

Senator McBride marked PRESENT.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (McDowell and Minner) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

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

SB 116 - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW OF THE STATE OF DELAWARE.

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

SB 151 was taken up for consideration on motion of Senator McDowell:

SB 151 - AN ACT TO AMEND SUBCHAPTER I, CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO LICENSING REQUIREMENTS FOR SUBCONTRACTORS ON PUBLIC WORKS PROJECTS.

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

SB 205 was taken up for consideration on motion of Senator Minner:

SB 205 - AN ACT TO AMEND TITLE 19, DELAWARE CODE TO PROVIDE FOR EXTENDED WORKSHOP EMPLOYMENT PROGRAMS FOR THE SEVERELY HANDICAPPED.

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

HB 198 was taken up for consideration on motion of Senator Adams:

HB 198 - AN ACT TO ENLARGE THE DELAWARE HERITAGE COMMISSION.

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

SB 216 was taken up for consideration on motion of Senator Sharp:

SB 216 - AN ACT TO AMEND CHAPTER 9, TITLE 18, DELAWARE CODE, RELATING TO REINSURANCE.

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

SJR 6 was taken up for consideration on motion of Senator Zimmerman:

SJR 6 - DIRECTING THE DIRECTOR OF THE DIVISION OF HISTORICAL AND CULTURAL AFFAIRS AND THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO COMMEMORATE THE CATASTROPHIC SHIPWRECK OF THE FAITHFUL STEWARD, OFF OF DELAWARE SEASHORE STATE PARK BY THE ERECTION OF A STATE HISTORICAL MARKER OF THE DUNES OVERLOOKING THE SITE, ON SEPTEMBER 2, 1985, THE TWO HUNDRETH ANNIVERSARY OF THE WRECK.

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

SB 37 was taken up for consideration on motion of Senator Martin:

SB 37 - AN ACT TO AMEND CHAPTER 17, TITLE 7 OF THE DELAWARE CODE RELATING TO INCREASE PENALTIES FOR PARTICULAR DOGS RUNNING AT LARGE VIOLATIONS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Neal.

The privilege of the floor was extended to William Walls, Senate Attorney.

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

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Knox, Marshall, Neal, Slatcher - 9.

NO: Senators Adams, Cook, Cordrey, Holloway, Martin, McBride, McDowell, Minner, Sharp, Torbert, Vaughn, Zimmerman - 12.

Therefore, the Amendment was declared defeated.

The roll call vote on SB 37 was then taken and revealed:

YES: Senators Adams, Bair, Cook, Holloway, Martin, McBride, McDowell, Neal, Sharp, Vaughn, Zimmerman - 11.

NO: Senators Berndt, Citro, Connor, Cordrey, Knox, Marshall, Minner, Slatcher, Torbert - 9.

ABSENT: Senator Arnold - 1.

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

At 4:24 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:00 p.m., Lt. Governor Woo presiding.

SB 168 was taken up for consideration on motion of Senator Cordrey:

SB 168 - AN ACT TO AMEND CHAPTER 212, VOLUME 25, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF BETHANY BEACH AND GIVING IT AUTHORITY TO ISSUE BONDS", RELATING TO THE POWER OF THE TOWN TO BORROW MONEY AND ISSUE BONDS.

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

The roll call vote on SB 168 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Neal) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 201 was taken up for consideration on motion of Senator McBride:

SB 201 - AN ACT TO AMEND CHAPTER 51, PART III, TITLE II OF THE DELAWARE CODE RELATING TO CRIMINAL PROCEDURE IN THE SUPERIOR COURT; AND PROVIDING FOR A BILL OF RIGHTS FOR CHILDREN WHO ARE REQUIRED TO TESTIFY BEFORE THE COURT, OR WHO ARE OTHERWISE REQUIRED TO PARTICIPATE IN A CRIMINAL TRIAL.

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

SB 114 was taken up for consideration on motion of Senator Zimmerman:

SB 114 - AN ACT TO AMEND CHAPTER 51, TITLE 29, DELAWARE CODE, RELATING TO LEAVE FOR VOLUNTEER EMERGENCY SERVICE.

At 5:20 p.m. Senator Sharp presiding.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Bair and Berndt) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

On motion of Senator Vaughn, the roll call vote on SB 191 was lifted and announced:

YES: Senators Adams, Berndt, Citro, Connor, Cook, Holloway, Knox, Martin, Minner, Neal, Sharp, Torbert, Vaughn, Zimmerman - 14.

NO: Senators Bair, Cordrey, Marshall, McBride, McDowell, Slatcher - 6.

ABSENT: Senator Arnold - 1.

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

SR 46 was introduced and considered for adoption on motion of Senator Zimmerman:

SR 46 - CONGRATULATING THE DOVER HIGH SCHOOL GOLF TEAM FOR WINNING THE 1985 HIGH SCHOOL GOLF TOURNAMENT. Sponsor: Senator Zimmerman.

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

SR 47 was introduced and considered for adoption on motion of Senator Marshall:

SR 47 - EXPRESSING BEST WISHES FOR A SPEEDY RECOVERY TO WALLACE C. BROOKS, SR., WORLD WAR II VETERAN AND CHAIRMAN OF THE DELAWARE NAACP ARMED SERVICES AND VETERANS AFFAIRS COMMITTEE. Sponsors: Senators Marshall, McDowell, Holloway.

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

SENATE CONSENT CALENDAR #10 was introduced and considered for adoption on motion of Senator Minner:

The Consent Calendar was comprised of the following:

**SR 43** - COMMENDING FORMER GOVERNOR ELBERT N. CARVEL AND OTHER MEMBERS OF THE SEAT BELT COMMITTEE FOR THEIR HARD WORK AND RECOMMENDATIONS. Sponsor: Senator Cordrey.

**SR 45** - REQUESTING THE MAYOR OF THE CITY OF WILMINGTON TO APPOINT A CITY COUNCIL TASK FORCE TO STUDY THE FEASIBILITY OF SELECTING A PERMANENT LOCATION FOR THE FARMERS MARKET OF THE CITY OF WILMINGTON. Sponsor: Senator Holloway.

**SCR 61** - REQUESTING THE DELAWARE DEVELOPMENT OFFICE TO DESIGN A DELAWARE BICENTENNIAL LICENSE PLATE. Sponsors: Senators Bair, Martin; Representatives Roy, Hebner, Wingate, Jester.

**SCR 62** - CONGRATULATING HARRIET GOLDSTEIN FOR BEING NAMED 1984 1985 SOCIAL WORKER OF THE YEAR. Sponsors: Senators Bair, Holloway; Representatives Maroney, VanSant.

**SCR 63** - PROCLAIMING THE WEEK OF JUNE 9-15, 1985 AS "BIG BROTHERS - BIG SISTERS APPRECIATION WEEK IN DELAWARE". Sponsors: Senators McDowell, Bair; Representatives Hebner, Sills.

**HCR 65** - CONGRATULATING CLAYMONT HIGH SCHOOL'S GIRLS' SOFTBALL TEAM UPON WINNING THE STATE SOFTBALL CHAMPIONSHIP IN FLIGHT "B". Sponsors: Representatives Hebner, Brady; Senator Bair.

**HCR 66** - PROCLAIMING JULY 16, 1985 AS CHRISTINA CULTURAL ARTS CENTER DAY. Sponsors: Representatives Sills, Free, George, Jonkiert, Plant; Senators Holloway, Marshall, McDowell.

**HCR 67** - CONGRATULATING THE TEAM FROM SMYRNA ELEMENTARY UPON RECEIVING THE FIRST PERFECT SCORE IN THE DELAWARE OLYMPICS OF THE MIND COMPETITION AND EXTENDING BEST WISHES FOR A STRONG SHOWING IN THE WORLD OLYMPICS OF THE MIND COMPETITION. Sponsors: Representatives Clark, B. Ennis; Senators Vaughn, Cook.

**HCR 68** - CONGRATULATING ROBERT KAUCIC, JR. OF PICKETT LANE IN COLLINGSWOOD, NEWARK, ON GRADUATING WITH TOP ACADEMIC HONORS FROM THE U. S. AIR FORCE ACADEMY IN COLORADO. Sponsors: Representative Soles, Senator Neal.

\* \* \* \* \*

The roll call vote on SENATE CONSENT CALENDAR #10 was then taken and revealed 21 Senators voting YES; therefore, the Resolutions were declared adopted; the Senate Concurrent Resolutions were sent to the House for consideration and the House Concurrent Resolutions were returned to the House.

**SB 230** was stricken at the request of the sponsor, Senator Adams.

At 5:35 p.m. on motion of Senator Cordrey, the Senate recessed until 2:30 p.m., June 12, 1985.

The Senate reconvened at 2:50 p.m., June 12, 1985, Senator Cordrey presiding.

The following legislation was introduced:

**SB 231** - AN ACT TO AMEND TITLE II, SECTION 4214, DELAWARE CODE, RELATING TO HABITUAL CRIMINALS. Sponsors: Senator Arnold, Representative Taylor. Assigned to Judiciary Committee.

**SB 232** - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO WORKMEN'S COMPENSATION COVERAGE FOR VOLUNTEER AMBULANCE COMPANIES. Sponsor: Senator Cordrey. Assigned to Labor and Industrial Relations Committee.

**SB 233** - AN ACT TO AMEND CHAPTER I, SUBCHAPTER III, TITLE 17, OF THE DELAWARE CODE RELATING TO THE ACQUISITION AND SALE OF REAL PROPERTY BY THE DEPARTMENT OF TRANSPORTATION. Sponsors: Senator Martin, Representative Taylor. Assigned to Highways and Transportation Committee.

**SB 234** - AN ACT TO AMEND PART V, TITLE 11 OF THE DELAWARE CODE RELATING TO MISSING AND EXPLOITED CHILDREN. Sponsors: Senator Connor, McBride Representatives Barnes, Maroney. Assigned to Judiciary Committee.

**SB 235** - AN ACT TO AMEND CHAPTER 41, TITLE 14 OF THE DELAWARE CODE RELATING TO A MOMENT OF SILENT REFLECTION IN PUBLIC SCHOOLS. Sponsors: Senator Sharp, Representative Spence. Assigned to Education Committee.

**SJR 8** - AFFIRMING THE GENERAL ASSEMBLY'S SUPPORT OF DELAWARE'S COASTAL ZONE ACT AND COASTAL ZONE MANAGEMENT PLAN AND THE STATE'S RIGHT TO CONTROL ACTIVITY AFFECTING DELAWARE'S COASTAL RESOURCES. Sponsors: Senators Knox, Zimmerman; Representatives Carey, Clark. Assigned to Natural Resources and Environmental Control Committee.

The Secretary announced that a message from the House informed the Senate that it had passed **HB 178**; **HB 236**; **HB 237**; **HB 191 w HA 1**; **HB 123**; **HB 158**; **SB 77**; **SB 94**; **SB 102**; **SB 115**; **SB 141**; **SB 142**.

The following legislation was introduced:

**HB 123** - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE CRIMINAL JURISDICTION OF INFERIOR COURTS AND JUSTICES OF THE PEACE. Sponsors: Representatives Buckworth, Bennett. Assigned to Judiciary Committee.

At 2:55 p.m., Lt. Governor Woo presiding.

**HB 158** - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE I, SECTION 4 OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE COMPOSITION OF GRAND JURIES. Sponsor: Representative Houghton. Assigned to Judiciary Committee.

**HB 178** - AN ACT TO RE INCORPORATE THE TOWN OF NEWPORT. Sponsors: Representative VanSant, Senator Sharp. Assigned to Community Affairs Committee.

HB 191 w HA 1 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE BY ADOPTING A REVISED UNIFORM LIMITED PARTNERSHIP ACT RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. Sponsors: Representative Spence; Senators Sharp, Vaughn, Citro; Representative Plant. Assigned to Finance Committee.

HB 236 - AN ACT TO AMEND CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CITY OF REHOBOTH BEACH; AND PERMITTING CONTRIBUTIONS FROM THE COMMISSIONERS TO VOLUNTEER COMPANIES AND ASSOCIATIONS. Sponsor: Representative Wingate. Assigned to Community Affairs Committee.

HB 237 - AN ACT TO AMEND CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CITY OF REHOBOTH BEACH; AND PROVIDING THE COMMISSIONERS WITH THE DISCRETIONARY POWER TO SUBJECT ORDINANCES TO A REFERENDUM. Sponsor: Representative Wingate. Assigned to Community Affairs Committee.

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

STATE OF DELAWARE  
Office of the Governor  
June 6, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Andrew G. Ahern, Jr., 22 Wayne Drive, Wilmington, DE 19809, to be reappointed as a Justice of the Peace, in and for New Castle County, State of Delaware, for a term of four years to expire June 27, 1988.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\*\*\*\*\*  
STATE OF DELAWARE  
Office of the Governor  
June 6, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Evelyn T. Alemar, 907 Constance Drive, Wilmington, DE 19808, to be appointed as a member of the Board of Parole to serve for a term of four years to replace Dr. Sarah Jastak, resigned.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\*\*\*\*\*  
STATE OF DELAWARE  
Office of the Governor  
June 6, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Ronald E. Cheeseman, R.D. #1, Box 405, Middletown, DE 19709, to be reappointed as a Justice of the Peace, in and for New Castle, County, State of Delaware, for a term of four years to expire May 22, 1988.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

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STATE OF DELAWARE  
Office of the Governor  
June 6, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Arthur F. DiSabatino, Esq., 718 Coverdale Road, Wilmington, DE 19805, to be reappointed as a Judge of the Court of Common Pleas in and for New Castle County, State of Delaware, to serve a term of twelve years to expire October 6, 1995.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
June 6, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Mable English, 12 Aldershot Dr., Newark, DE 19713, to be reappointed as a Justice of the Peace, in and for New Castle County, State of Delaware, for a term of four years to expire June 22, 1987.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

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STATE OF DELAWARE  
Office of the Governor  
June 6, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Lorin P. Hunt, 115 Bunche Blvd., Wilmington, DE 19801, to be reappointed as a Justice of the Peace, in and for New Castle County, State of Delaware, for a term of four years to expire June 27, 1988.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
June 6, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Ruth P. Malm, 1112 Highgate Road, Wilmington, DE 19808, to be reappointed as a Justice of the Peace, in and for New Castle County, State of Delaware, for a four year term from January 11, 1981, to expire January 11, 1985. Further, to be reappointed to an additional term of four years to expire January 11, 1989.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
June 6, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: John P. McLaughlin, 1004 Linday Road, Wilmington, DE 19810, to be reappointed as a Justice of the Peace, in and for New Castle County, State of Delaware, for a term of four years to expire May 22, 1988.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
June 6, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Marc P. Niedzielski, 2625 Belaire Drive, Wilmington, DE 19808, to be reappointed as a Justice of the Peace, in and for New Castle County, State of Delaware, for a term of four years to expire June 1, 1988.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
June 6, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: William S. Rowe, Jr., 4203 Vernoa Drive, Wilmington, DE 19808, to be reappointed as a Justice of the Peace, in and for New Castle County, State of Delaware, for a term of four years to expire June 20, 1988.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*



STATE OF DELAWARE  
Office of the Governor  
June 6, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Rosalie O. Sullivan, 2205 W. 9th Street, Wilmington, DE 19805, to be reappointed as a Justice of the Peace, in and for New Castle County, State of Delaware, for a term of four years to expire August, 5, 1988.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
STATE OF DELAWARE  
Office of the Governor  
June 6, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Robert W. Wakefield, Esq., 3207 Falcon Lane, Wilmington, DE 19808, to be reappointed as an Associate Judge of Family Court in and for New Castle County, State of Delaware, for a term of twelve years to expire March 16, 1996.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

\* \* \* \* \*  
SB 61 was reported out of the Finance Committee: 6 Merits.  
LEGISLATIVE ADVISORY #9, received from the Office of Counsel to the Governor, was read which informed the Senate that the Governor signed on June 6, 1985: HB 100 w HA 1 (Volume 65, Chapter 16, Laws of Delaware).

\* \* \* \* \*  
The following communications were read:

THE WHITE HOUSE  
WASHINGTON  
May 14, 1985

Dear Miss Caniford:

It was good of you to send President Reagan Senate Resolution Number 29 adopted by the Delaware State Senate, 133rd General Assembly. Your forwarding of this statement is appreciated, and you may be sure that it has been fully noted.

With the President's best wishes.

Sincerely,  
Anne Higgins  
Special Assistant to the President  
and Director of Correspondence

The Honorable Betty Jean Caniford  
Secretary of the Delaware State Senate  
Legislative Hall  
Dover, DE 19901

\* \* \* \* \*

U. S. DEPARTMENT OF LABOR  
Employment Standards Administration  
Wage and Hour Division  
Washington, D. C. 20210

Honorable Betty Jean Caniford  
Secretary of the Senate of the State of Delaware  
Dover, Delaware 19901

Dear Ms. Caniford:

This is in response to your correspondence which was received on May 7, enclosing Senate Resolution No. 29, petitioning President Reagan, the Congress and Secretary Brock to rescind the prohibitions on homework under the Fair Labor Standards Act (FLSA). The resolution also expressed the concern that the homework restrictions might be extended to other industries including the telecommuting industry.

The Secretary of Labor has the responsibility under the FLSA to develop such regulations with respect to industrial homework "as are necessary or appropriate" to safeguard the minimum wage. The Secretary's regulations (29 CFR, Part 530) currently restrict the employment of homeworkers in six industries. In a seventh industry, knitted outerwear, homeworkers may be employed without restriction provided the employer obtains a certificate from the Department of Labor (the Department) authorizing such employment.

In the early years of FLSA, the Department found that homework in certain industries was a threat to maintaining labor standards. As a result, regulations restricting homework in the jewelry, knitted outerwear, gloves and mittens, button and buckle manufacturing, embroideries, handkerchief manufacturing, and women's apparel industries were established.

We conducted an extensive review of the industrial homework regulations in 1981. On the basis of the information obtained, we removed the restrictions in the knitted outerwear industry only. The available evidence showed that a continuation of the restrictions in knitted outerwear would substantially reduce the employment opportunities in that industry. No evidence was presented which would justify the imposition of restrictions in any other industry, including the telecommuting industry. Homework is permitted under Federal law without restriction in all other industries. There are no plans to extend the ban on homework to any unrestricted industry.

In conjunction with the removal of the restrictions in the knitted outerwear industry, the Department undertook a concerted compliance effort in the homework area. This effort was undertaken to determine if violations of FLSA are widespread among homeworkers.

Subsequent to the removal of the restrictions on homework in the knitted outerwear industry, the International Ladies' Garment Worker's Union (ILGWU) brought suit challenging the Department's action. While the lower court upheld the Department's action, the United States Court of Appeals for the District of Columbia reversed this decision (ILGWU v. Donovan, No. 82-2133, Nov. 29, 1983). The restrictions on homework in the knitted outerwear industry were reinstated on May 24, 1984.

On March 27, 1984, the Department published a proposal to again rescind the restrictions on homework in the knitted outerwear industry. The proposal solicited comments on various alternatives to total rescission including licensing (certification) of employers. The Department published a final rule in the Federal Register on November 5, effective December 5, which permits employers in the knitted outerwear industry to employ home knitters if they first obtain a certificate from the Department.

While this final rule is limited to the knitted outerwear industry, the Department may consider at a later date a separate rule making proceeding regarding homework in the six other restricted industries. It is premature at this time to consider any such further action. You may be assured that the Department is committed to eliminating unnecessary homework restrictions so that employment opportunities can be increased for those wishing or needing to work in their homes.

Sincerely,  
Nancy M. Flynn  
for Herbert J. Cohen  
Deputy Administrator

\* \* \* \* \*

At 3:07 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 39th Legislative Day.

39TH LEGISLATIVE DAY  
June 12, 1985

The Senate convened at 3:07 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

SB 182 was taken up for consideration on motion of Senator Marshall:

SB 182 - AN ACT TO AMEND CHAPTER 2, TITLE 19, DELAWARE CODE, RELATING TO EMPLOYMENT TRAINING.

Senators Martin and McDowell marked PRESENT.

The privilege of the floor was extended to Francis J. Schneider, State Department of Labor after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Torbert) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SJR 8 was removed from the Natural Resources and Environmental Control Committee for consideration under suspension of the necessary rules on motion of Senator Knox and without objection:

SJR 8 - AFFIRMING THE GENERAL ASSEMBLY'S SUPPORT OF DELAWARE'S COASTAL ZONE ACT AND COASTAL ZONE MANAGEMENT PLAN AND THE STATE'S RIGHT TO CONTROL ACTIVITY AFFECTING DELAWARE'S COASTAL RESOURCES.

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

Senator Torbert marked PRESENT.

SB 213 was taken up for consideration on motion of Senator Holloway:

SB 213 - AN ACT TO AMEND TITLE 31 AND TITLE 10, DELAWARE CODE, TO CREATE A COURT APPOINTED SPECIAL ADVOCATE PROGRAM.

The privilege of the floor was extended to Lynn Shreve (Family Court) and the following communication was read and made part of this Journal at the request of Senator Holloway:

Junior League of Wilmington, Inc.

June 12, 1985

The Honorable Robert D. Thompson, Chief Judge  
Family Court of the State of Delaware  
900 King Street  
Wilmington, DE 19801

Dear Judge Thompson:

We wish to inform you of the Board of Directors of the Junior League of Wilmington's enthusiastic endorsement of S.B. 213 to amend Title 31, Delaware Code to Create a Court Appointed Special Advocate Program. As you know, the Guardian ad Litem Program (now referred to as the Court Appointed Special Advocate Program) in Family Court came about as a result of the Children in Placement (CIP) project that the Junior League of Wilmington conducted in 1978. The CIP project was begun at the request of then Family Court Judge, Daniel Kelleher. Results of the CIP project indicated a need for independent representation for the abused, neglected and dependent children of Delaware.

The Junior League has maintained its interest in the Guardian ad Litem program both through volunteer CASA's and financial support. We recognize the success of the program and believe that the independent representation for children has been an invaluable community service. Therefore, we offer our endorsement of Senate Bill 213 and we will join with you to work for its passage.

Sincerely,

Kristin L. Demesse, President, 1984-85

Julia L. Phillips, President, 1985-86

\* \* \* \* \*

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

SB 126 was taken up for consideration on motion of Senator Holloway:

SB 126 - AN ACT TO AMEND "AN ACT MAKING A SUPPLEMENTARY APPROPRIATION FOR CERTAIN GRANTS-IN-AID," BEING CHAPTER 340, 64 LAWS OF DELAWARE, RELATING TO FOOD CONSERVERS.

The privilege of the floor was extended to Mary E. Glick (Food Conserver, Inc.) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 193 was taken up for consideration on motion of Senator Cordrey:  
SB 193 - AN ACT TO AMEND CHAPTER 29, TITLE 24 OF THE DELAWARE CODE RELATING TO THE REAL ESTATE GUARANTY FUND.

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

At 4:10 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:48 p.m., Lt. Governor Woo presiding.

SB 204 was reported out of the Natural Resources and Environmental Control Committee - 5 Merits.

The following legislation was introduced:

SA 1 to SB 210. Sponsor: Senator Bair. Placed with the Bill.

SA 1 to SB 196. Sponsor: Senator Bair. Placed with the Bill.

SB 236 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE BY ADDING A NEW CHAPTER RELATING TO ORGAN TRANSPLANTATION. Sponsor: Senator Marshall. Assigned to Health-Social Services/Aging Committee.

SB 238 - AN ACT TO AMEND TITLE 5, 6 AND 30 OF THE DELAWARE CODE BY REVISING THE PROVISIONS OF THE DELAWARE BANKING LAWS RESTRICTING PARTICIPATION BY BANKS IN EXPORT TRADING COMPANIES; AND BY PROVIDING STATE ANTITRUST EXEMPTION FOR ACTIVITIES OF EXPORT TRADING COMPANIES PERMITTED BY FEDERAL LAW; BY PROVIDING AN EXEMPTION FROM THE TAXATION OF NET INCOME FOR EXPORT TRADING COMPANIES; AND BY PROVIDING FOR THE EXEMPTION OF EXPORT TRADING COMPANIES FROM THE PROVISIONS OF THE MERCANTILE TAX. Sponsors: Senators Marshall, Cordrey, Knox, McBride, Connor; Representatives Hebner, George. Assigned to Revenue and Taxation Committee.

SB 237 - AN ACT TO AMEND TITLE 17, CHAPTER 13, DELAWARE CODE, RELATING TO THE VACATION ABANDONMENT AND CLOSURE OF PUBLIC ROADS, BRIDGES AND OTHER RIGHTS OF WAY. Sponsors: Senators Martin, Bair; Representative Taylor. Assigned to Judiciary Committee.

SCR 64 was introduced and considered for adoption on motion of Senator Bair:

SCR 64 - RECOGNIZING JOAN SPIEGELMAN AND SALLY SONNICHSEN FOR THEIR YEAS OF SERVICE AS MEMBERS OF THE BRANDYWINE SCHOOL DISTRICT BOARD OF EDUCATION. Sponsors: Senator Bair, Representative Hebner, Senators Berndt, Knox; Representatives D. Ennis, Smith, Brady, Maroney, Boykin.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES, 1 (Zimmerman) voting NO and 2 (Holloway and Neal) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 237 which had been assigned to Judiciary Committee was reassigned to Highways and Transportation Committee at the request of Senator Martin.

SB 210 was taken up for consideration on motion of Senator McBride:

SB 210 - AN ACT TO AMEND TITLE 11 AND TITLE 24 OF THE DELAWARE CODE RELATING TO MISSING PERSONS.

SA 1 to the Bill was taken up for consideration on motion of Senator Bair and the roll call vote taken which revealed 19 Senators voting YES and 2 (Holloway and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 210 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Cordrey) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SS 1 for SB 41 was taken up for consideration on motion of Senator Martin:

SS 1 for SB 41 - AN ACT TO AMEND CHAPTER 52, TITLE 29, DELAWARE CODE, RELATING TO GROUP HEALTH CARE BENEFITS FOR STATE RETIREES COVERED BY MEDICARE.

SA 1 to the Bill was taken up for consideration on motion of Senator Martin and the roll call vote taken which revealed 18 Senators voting YES, 2 (Berndt and Citro) NOT VOTING and 1 (Minner) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Don McArdle of the State Pension Office.

Senator Torbert was added as co-sponsor of the Bill after which the roll call vote on SS 1 for SB 41 w SA 1 was taken and revealed:

YES: Senators Adams, Citro, Connor, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 17.

NOT VOTING: Senators Arnold, Bair, Berndt, Knox - 4.

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

SB 202 was stricken at the request of the sponsor, Senator Cordrey.

The following communication was read:

SENATE  
STATE OF DELAWARE  
LEGISLATIVE HALL  
Dover, Delaware 19901

June 12, 1985

TO: All Members of the 133rd General Assembly  
FROM: Richard S. Cordrey, President Pro Tempore, Delaware State Senate  
SUBJECT: Executive Order #6

As per the authority invested in me by Executive Order #6, Governor of Delaware, creating the Governor's Task Force on Highway Safety, I hereby appoint the following members of the Senate to serve: Senator William C. Torbert, Senator Angelo T. Citro

\* \* \* \* \*

The following Committee reports were announced:

From the Health-Social Services/Aging Committee: SB 236 - 1 Favorable, 4 Merits.

From the Executive Committee: SB 117 - 6 Merits.

At 5:35 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 13, 1985.

The Senate reconvened at 2:40 p.m., June 13, 1985, Lt. Governor Woo presiding.

The following Committee reports were announced:

From the Judiciary Committee: HB 105 - 4 Merits; HB 106 w HA 1 - 1 Favorable, 3 Merits; HB 127 - 4 Merits.

From the Public Safety Committee: HB 126 - 5 Merits.

From the Administrative Services/Energy Committee: HB 82 - 1 Favorable, 4 Merits.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 69, SCR 61, SCR 62, SCR 63.

The following Committee reports were announced:

From the Judiciary Committee: HB 41 - 4 Merits; HB 101 - 4 Merits; HB 202 w HA 1 - 4 Merits.

The following legislation was introduced:

SB 239 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE, RELATING TO APPEALS FROM THE FAMILY COURT OF THE STATE OF DELAWARE. Sponsors: Senators Sharp, Vaughn; Representative Spence. Assigned to Judiciary Committee.

SB 241 - AN ACT TO AMEND CHAPTER 68, TITLE 21, DELAWARE CODE, RELATING TO PENALTIES FOR CERTAIN OFF-HIGHWAY VEHICLES. Sponsors: Senator Bair, Representative Hebner. Assigned to Public Safety Committee.

SA 1 to HB 101. Sponsor: Senator Bair. Placed with the Bill.

SB 240 - AN ACT TO AMEND TITLE 29, CHAPTER 69 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTS. Sponsors: Senators Minner and Bair. Assigned to Administrative Services/Energy Committee.

At 2:44 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 40th Legislative Day.

#### 40TH LEGISLATIVE DAY June 13, 1985

The Senate convened at 2:44 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

HB 101 was taken up for consideration on motion of Senator Sharp:

HB 101 - AN ACT TO AMEND CHAPTER 59, TITLE 11, OF THE DELAWARE CODE TO ALLOW JUSTICES OF THE PEACE TO HEAR AND DETERMINE CRIMINAL CASES ON SUNDAYS.

Senators Marshall, McDowell, McBride marked PRESENT.

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

The roll call vote on HB 101 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Holloway and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 81 was taken up for consideration on motion of Senator McDowell:

HB 81 - AN ACT TO AMEND CHAPTER 23, TITLE 30, DELAWARE CODE RELATING TO OCCUPATIONS REQUIRING LICENSES.

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

HB 82 was taken up for consideration on motion of Senator McDowell:

HB 82 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS; AND INCLUDING CERTAIN PRODUCTS WITHIN THE JURISDICTION OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSION.

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

Senator Zimmerman marked PRESENT.

HB 149 w HA 1 was taken up for consideration on motion of Senator Cordrey:

HB 149 w HA 1 - AN ACT TO AMEND TITLE 25, SECTION 2118 OF THE DELAWARE CODE RELATING TO MORTGAGES SECURING OPTIONAL FUTURE ADVANCES.

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

Senator Holloway marked PRESENT.

HB 16 was taken up for consideration on motion of Senator Torbert:

HB 16 - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE RELATING TO DISABLED PERSONS' PARKING PERMITS.

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

The roll call vote on HB 16 w SA 1 was then taken and revealed:

YES: Senators Arnold, Bair, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, Minner, Sharp, Torbert, Vaughn - 15.

NO: Senators Adams, McDowell, Neal, Zimmerman - 4.

ABSENT: Senators Citro and Slatcher - 2.

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

HB 41 was taken up for consideration on motion of Senator Sharp:

HB 41 - AN ACT TO AMEND CHAPTER 35, TITLE 10, DELAWARE CODE, RELATING TO ATTACHMENTS.

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

HB 105 was taken up for consideration on motion of Senator Sharp:

HB 105 - AN ACT TO AMEND CHAPTERS 95 AND 96, TITLE 10 OF THE DELAWARE CODE RELATING TO THE JURISDICTIONAL AMOUNT OF JUSTICE OF THE PEACE COURT CIVIL ACTIONS.

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

HB 106 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 106 w HA 1 - AN ACT TO AMEND CHAPTER 43, TITLE 11, DELAWARE CODE RELATING TO VIOLATIONS OF PAROLE OR CONDITIONAL RELEASE.

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

Senator Sharp introduced former Senator Littleton, his wife and new-born baby to the Senate.

HB 127 was taken up for consideration on motion of Senator Sharp:

HB 127 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 96, TITLE 10 OF THE DELAWARE CODE TO ALLOW SERVICE OF A SUMMONS WITH ACCOMPANYING PAPERS IN A JUSTICE OF THE PEACE COURT TRESPASS ACTION TO INCLUDE SERVICE BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED.

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

HB 34 was taken up for consideration on motion of Senator Martin under suspension of the necessary rules:

HB 34 - AN ACT TO AMEND CHAPTER 1, SUBCHAPTER II, OF TITLE 17 OF THE DELAWARE CODE RELATING TO NOTARIES PUBLIC.

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

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Holloway, Knox, Martin, Minner, Neal, Slatcher - 12.

NO: Senators Citro, Cordrey, Marshall, McBride, McDowell, Sharp, Torbert, Vaughn, Zimmerman - 9.

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

SB 48 was taken up for consideration on motion of Senator Holloway:

SB 48 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO BOARD OF ACUPUNCTURE.

At 3:56 p.m., Senator Cordrey presiding.

At 4:10 p.m., Senator Adams presiding.

The privilege of the floor was extended to Dr. John L. Stump, Ralph Coan, M.D. (American Association of Acupuncture and Oriental Medicine), Almetia J. Murray and Virginia M. Carey.

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

On motion of Senator Zimmerman, HB 136 w HA 2 was taken up for consideration under suspension of the necessary rules:

HB 136 w HA 2 - AN ACT TO AMEND CHAPTER 9, TITLE 7, DELAWARE CODE, RELATING TO FINFISHING IN TIDAL AND NON-TIDAL WATERS OF THE STATE FOR ALL FINFISH EXCEPT MENHADEN.

At 4:46 p.m., the Chair declared a short recess for purpose of changing the tape.  
SA 1 to the Bill (sponsored by Senator Zimmerman) was introduced and considered for adoption on motion of Senator Zimmerman. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Bair, Berndt, Cook, Marshall, Martin, McBride, McDowell, Minner, Slatcher, Torbert, Zimmerman - 12.

NOT VOTING: Senators Arnold, Citro, Connor, Cordrey, Knox, Neal, Sharp, Vaughn - 8.

ABSENT: Senator Holloway - 1.

Therefore, the Amendment was declared adopted.

At 5:00 p.m., Senator Cordrey presiding.

At 5:02 p.m., Lt. Governor Woo presiding.

On motion of Senator Zimmerman and without objection, the roll call vote on SA 1 to HB 136 w HA 2 was rescinded and the Amendment stricken.

HB 136 w HA 2 was then laid on the table on motion of Senator Zimmerman.

SB 161 was taken up for consideration on motion of Senator Sharp:

SB 161 - AN ACT TO AMEND TITLE 29, CHAPTER 69, DELAWARE CODE, RELATING TO COMPETITIVE BIDDING.

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

SB 176 was taken up for consideration on motion of Senator Marshall:

SB 176 - AN ACT TO AMEND CHAPTER 7, TITLE 4 OF THE DELAWARE CODE RELATING TO THE SALE AND DELIVERY OF ALCOHOLIC BEVERAGES DURING THE TIME OF PARTICULAR ELECTIONS.

The privilege of the floor was extended to William Walls, Senate Attorney.

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

YES: Senators Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McDowell, Neal, Sharp, Slatcher, Torbert, Vaughn - 16.

NO: Senators Adams, Arnold, McBride, Minner - 4.

NOT VOTING: Senator Zimmerman - 1.

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

On motion of Senator McDowell, the roll call vote on SB 123 was rescinded and the Bill laid on the table without objection.

The following Committee reports were announced:

From the Finance Committee: SB 157 - 5 Merits.

From the Judiciary Committee: SB 220 - 4 Merits.

At 5:24 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 18, 1985.

The Senate reconvened at 2:06 p.m., June 18, 1985, Lt. Governor Woo presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 215 w HA 1; SB 3; SB 150; SB 7; SB 50 w SA 1; SB 152; SB 127; SB 153 w HA 1; SB 19; SB 22 w SA 1; SB 184; SB 42 w SA 3, 4, 5; SB 107 w HA 1, 2; HB 42 w HA 1; HB 66 w HA 1, 2; HB 262; HB 259 w HA 1; HB 264 w HA 1; HB 221; HB 230.

The following legislation was introduced:

SB 242 - AN ACT TO AMEND CHAPTER 27, TITLE 6 OF THE DELAWARE CODE RELATING TO THE USE OF LANGUAGE IN CONSUMER CONTRACTS. Sponsors: Senators Bair, McDowell; Representatives Soles, D. Ennis. Assigned to Judiciary Committee.

SB 243 - AN ACT TO AMEND CHAPTER 83, TITLE 29, DELAWARE CODE, RELATING TO THE BOARD OF PENSION TRUSTEES. Sponsors: Senators Vaughn, Berndt; Representatives Fallon, Gilligan. Assigned to Judiciary Committee.

SB 244 - AN ACT TO ADD A NEW CHAPTER 74, TITLE 7 OF THE DELAWARE CODE, RELATING TO THE PREVENTION, DETECTION, INVESTIGATION, AND CORRECTION OF UNDERGROUND STORAGE TANK LEAKS. Sponsors: Senator McDowell, Representative Smith; Representatives Soles, Mack, Jonkiert; Senator Berndt, Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

SB 245 - AN ACT TO AMEND CHAPTER 66, TITLE 16, DELAWARE CODE, BY ESTABLISHING A FIRE MARSHAL'S ADVISORY BOARD AND A FIRE SCHOOL ADVISORY BOARD. Sponsors: Senators Vaughn, Cook, Minner, Torbert, Zimmerman, Adams; Representatives Houghton, Brady, B. Ennis, Gilligan, VanSant, C. Cordrey, Outten, Jester, Anderson, Wingate, Soles, Sills, Reynolds, Buckworth, Barnes, Davis. Assigned to Health-Social Services/Aging Committee; reassigned to Public Safety Committee.

SB 246 - AN ACT TO AMEND CHAPTER 34, TITLE 14, DELAWARE CODE, RELATING TO STATE-FINANCED SCHOLARSHIPS ON THE BASIS OF NEED. Sponsor: Senator Zimmerman. Assigned to Education Committee.

SB 247 - AN ACT TO AMEND CHAPTER 44, TITLE 18, DELAWARE CODE RELATING TO THE DELAWARE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION. Sponsors: Senator Sharp, Representative D. Ennis. Assigned to Insurance and Elections Committee.

**SB 248** - AN ACT TO AMEND CHAPTER 54, TITLE 30 AND CHAPTER 3, TITLE 9 OF THE DELAWARE CODE RELATING TO REALTY TRANSFER TAXES. Sponsor: Senator McDowell. Assigned to Revenue and Taxation Committee.

**SB 249** - AN ACT TO AMEND CHAPTER 143, VOLUME 57, LAWS OF DELAWARE, ENTITLED: "AN ACT TO INCORPORATE THE TOWN OF SOUTH BETHANY." Sponsor: Senator Cordrey. Assigned to Community Affairs Committee.

**SB 250** - AN ACT TO AMEND CHAPTER 65, TITLE 11 OF THE DELAWARE CODE RELATING TO PROVIDING A DISCHARGE ALLOWANCE FOR INMATES BEING RELEASED FROM STATE CORRECTIONAL INSTITUTIONS. Sponsors: Senators Holloway, Berndt. Assigned to Judiciary Committee.

**SB 251** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC BEVERAGES. Sponsors: Senators Marshall, Citro, Holloway; Representatives Free, Quillen, Boykin, Maroney. Assigned to Administrative Services/Energy Committee.

**SB 252** - AN ACT TO AMEND CHAPTER 34, TITLE 14, DELAWARE CODE, BY ESTABLISHING A DELAWARE SCHOLARS PROGRAM. Sponsors: Senators Zimmerman, McBride, Connor, Neal, Holloway, Martin; Representatives Wingate, Jester, Outten, VanSant, C. Cordrey, Fallon. Assigned to Education Committee.

**SA 3 to SB 48.** Sponsor: Senator Holloway. Placed with the Bill.

**SA 1 to SB 204.** Sponsor: Senator Adams. Placed with the Bill.

**SA 1 to SB 223.** Sponsor: Senator McDowell. Placed with the Bill.

**HB 215 w HA 1** - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE, RELATING TO ELIMINATION OF PENALTY FOR FAILURE TO SIGN REGISTRATION CARD. Sponsor: Representative Quillen. Assigned to Public Safety Committee.

**HJR 3 w HA 1** - TO CREATE A COMMITTEE ON THE ESTABLISHMENT OF COOPERATIVE PROGRAMS BETWEEN PUBLIC AND HIGHER EDUCATION IN THE VOCATIONAL-TECHNICAL AREAS. Sponsors: Representatives Bennett, Anderson, Brady, Campanelli, Clark, C. Cordrey, B. Ennis, Gilligan, Houghton, Jester, Outten, Sills, Soles, VanSant, West, Wingate, Oberle, Fallon; Senators Berndt, Vaughn. Assigned to Education Committee.

**HB 66 w HA 1, 2** - AN ACT TO AMEND CHAPTER 8, TITLE 22 AND CHAPTER 3, TITLE 9 OF THE DELAWARE CODE RELATING TO MUNICIPAL AND COUNTY REGULATION OF FIREARMS. Sponsors: Representatives VanSant, Anderson, Bennett, Boykin, Brady, C. Cordrey, Corrozi, Davis, B. Ennis, Houghton, Jonkiert, Outten, Petrilli, Quillen, Spence, West; Senators Arnold, Minner, Vaughn, Zimmerman. Assigned to Community Affairs Committee.

**HB 221** - AN ACT TO AMEND TITLES 10 AND 11, DELAWARE CODE, RELATING TO VIOLATION OF PROBATION CASES. Sponsors: Representative B. Ennis, Senator Vaughn, Representative VanSant. Assigned to Judiciary Committee.

**HB 230** - AN ACT TO AMEND CHAPTER 20, TITLE 13 OF THE DELAWARE CODE RELATING TO THE COMMISSION ON FAMILY LAW. Sponsors: Representatives Jester, George. Assigned to Judiciary Committee.

**HB 259 w HA 1** - AN ACT TO AMEND CHAPTER 3, TITLE 30, DELAWARE CODE, RELATING TO THE TAX APPEAL BOARD; AND TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO THE PERSONAL INCOME TAX WITH RESPECT TO THE FILING OF FRIVOLOUS RETURNS THE FILING OF FALSE INFORMATION WITH RESPECT TO WITHHOLDING; AND THE LATE FILING OF A PERSONAL INCOME TAX RETURN AND TO AMEND CHAPTER 53, TITLE 30, DELAWARE CODE, RELATING TO THE TOBACCO PRODUCTS TAX TO INCREASE THE AMOUNT OF THE LATE FILING PENALTY; AND TO AMEND CHAPTER 54, TITLE 30, DELAWARE CODE, RELATING TO THE REALTY TRANSFER TAX TO IMPOSE NEGLIGENCE AND FRAUD PENALTIES; AND TO AMEND CHAPTER 55, TITLE 30, DELAWARE CODE, RELATING TO THE PUBLIC UTILITY TAX TO IMPOSE CERTAIN CIVIL PENALTIES AND THE ADMINISTRATIVE PROCEDURES RELATING TO THE ASSESSMENT AND APPEAL OF PUBLIC UTILITY TAXES; AND TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO THE PERSONAL INCOME TAX WITH RESPECT TO DISPOSITION OF A PARTNERSHIP INTEREST BY A NON-RESIDENT AND WITHHOLDING TAX PROPOSED ASSESSMENTS. Sponsors: Representatives Petrilli, Boykin, Anderson, Brady, VanSant; Senator Marshall. Assigned to Revenue and Taxation Committee.

**HB 42 w HA 1** - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE ELECTION, TERM, QUALIFICATIONS AND DUTIES OF THE LIEUTENANT-GOVERNOR. Sponsors: Representatives Corrozi, Petrilli, Barnes, Boykin, Buckworth, Carey, Caulk, Davis, D. Ennis, Fallon, Free, Hebner, Maroney, Roy, Quillen, Reynolds, Smith, Spence, Steele, Taylor, Clark, C. Cordrey, B. Ennis, Houghton, Jester, West; Senators Arnold, Bair, Berndt, Citro, Connor, Knox, Slater. Assigned to Insurance and Elections Committee.

**HB 262** - AN ACT TO AMEND CHAPTER 74, TITLE 29 OF THE DELAWARE CODE RELATING TO THE ISSUING OFFICERS FOR THE ISSUANCE OF BONDS, NOTES AND REVENUE NOTES; AND APPROVAL OF CONTRACTS ENTERED INTO BY ISSUERS CREATED BY THE STATE. Sponsors: Representatives Petrilli, Boykin, Anderson, Brady, VanSant; Senator Marshall. Assigned to Revenue and Taxation Committee.



**HB 264 w HA 1** - AN ACT TO AMEND CHAPTER 19, TITLE 30, DELAWARE CODE RELATING TO THE CORPORATION INCOME TAX WITH RESPECT TO CHANGES IN FEDERAL TAX LIABILITY AND ADMINISTRATIVE PROCEDURES RELATING TO THE ASSESSMENT AND APPEAL OF CORPORATE INCOME TAXES AND INTEREST ON OVERPAYMENTS; AND TO AMEND CHAPTER 21, TITLE 30, DELAWARE CODE, RELATING TO OCCUPATIONAL AND BUSINESS LICENSES AND TAXES WITH RESPECT TO THE LICENSE TAX PERIOD OF LIMITATIONS ON THE ASSESSMENT OF TAX AND TO AMEND CHAPTER 54, TITLE 30, DELAWARE CODE, RELATING TO THE REALTY TRANSFER TAX WITH RESPECT TO THE PERIOD OF LIMITATIONS ON THE DETERMINATION OF TAX; AND TO AMEND CHAPTER 61, TITLE 30, DELAWARE CODE, RELATING TO THE PUBLIC ACCOMMODATION TAX WITH RESPECT TO THE PERIOD OF LIMITATIONS ON THE ASSESSMENT OF TAX; AND TO AMEND CHAPTER 63, TITLE 30, DELAWARE CODE, RELATING TO THE AFFILIATED FINANCE COMPANY TAX WITH RESPECT TO THE PERIOD OF LIMITATION ON THE ASSESSMENT OF TAX. Sponsors: Representatives Petrilli, Boykin, Anderson, Brady, VanSant; Senator Marshall. Assigned to Revenue and Taxation Committee.

**SB 107 w HA 1, 2** was laid on the table on motion of Senator Minner.

**SB 153 w HA 1** was laid on the table on motion of Senator Marshall.

The following legislation was introduced:

**SA 2 to HB 136.** Sponsor: Senator Zimmerman. Placed with the Bill.

**SA 1 to SB 209.** Sponsor: Senator Zimmerman. Placed with the Bill.

**SA 4 to SB 123.** Sponsor: Senator Cordrey. Placed with the Bill.

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

STATE OF DELAWARE  
Office of the Governor  
June 13, 1985

To the Senate of the 133rd General Assembly  
of the State of Delaware

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Gerald E. Dixon, Esq., 310 Hannam Rd., Wilmington, DE 19808, to be appointed as a member of the Commission on Adult Entertainment Establishments for a three year term to fill a vacancy.

Your consideration of this nomination will be appreciated.

Sincerely,  
Michael N. Castle, Governor

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The following Committee reports were announced:

From the Community Affairs Committee: **HB 236** - 3 Merits; **HB 237** - 3 Merits.

At 2:30 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 41st Legislative Day.

41ST LEGISLATIVE DAY  
June 18, 1985

The Senate convened at 2:30 p.m., Lt. Governor Woo presiding.

A Prayer was offered by Senator Slatcher.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

At 2:34 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:20 p.m., Lt. Governor Woo presiding.

The following legislation was introduced:

**SA 1 to HB 178.** Sponsor: Senator Arnold. Placed with the Bill.

**SA 1 to SB 153, AS AMENDED.** Sponsor: Senator Marshall. Placed with the Bill.

**SB 253** - AN ACT TO AMEND CHAPTER 121, VOLUME 32, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO ESTABLISH A BOARD OF WATER AND LIGHT COMMISSIONERS FOR THE CITY OF NEW CASTLE". Sponsors: Senator Connor, Representative Mack. Assigned to Community Affairs Committee.

LEGISLATIVE ADVISORY #10 received from Office of Counsel to the Governor was read which informed the Senate that on June 15, 1985, the Governor signed SB 183 w SA 4 (Volume 65, Chapter 17, Laws of Delaware).

SB 196 was taken up for consideration on motion of Senator Vaughn:

SB 196 - AN ACT TO AMEND CHAPTER 55A, TITLE 29, DELAWARE CODE, RELATING TO THE INCLUSION OF STATE OF DELAWARE GOVERNMENTAL SUBDIVISIONS.

Senator Connor marked PRESENT.

SB 196 was then laid on the table on motion of Senator Vaughn.

Senator Slatcher moved that the necessary rules be suspended for consideration of SB 224; however, the Senator then withdrew his motion.

SB 196 was lifted from the table for consideration on motion of Senator Vaughn.

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

Senator Marshall marked PRESENT.

The roll call vote on SB 196 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 224 was taken up for consideration on motion of Senator Slatcher under suspension of the necessary rules:

SB 224 - AN ACT TO AMEND CHAPTER 42, VOLUME 53, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD", RELATING TO THE TIME FOR HOLDING ASSESSMENT APPEALS.

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

SB 218 was taken up for consideration on motion of Senator Cordrey:

SB 218 - AN ACT TO AMEND TITLE 23 OF THE DELAWARE CODE RELATING TO APPRENTICESHIP PROGRAMS, GROUNDS FOR DISCIPLINE AND DISCIPLINARY SANCTIONS FOR PILOTS.

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

SB 204 was taken up for consideration on motion of Senator Adams:

SB 204 - AN ACT TO AMEND SUBCHAPTER 1, CHAPTER 17, TITLE 7, DELAWARE CODE, RELATING TO CONFINEMENT OF BITING DOGS.

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

The roll call vote on SB 204 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 113 w SA 1 was lifted from the table for consideration on motion of Senator Holloway.

SA 2 to the Bill which had been placed with the Bill was considered for adoption on motion of Senator Holloway and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

On motion of Senator Holloway (and without objection), the roll call vote on SA 1 to the Bill was rescinded and the Amendment stricken.

At 4:52 p.m., Senator Sharp presiding.

The roll call vote on SB 113 w SA 2 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 157 was taken up for consideration on motion of Senator Connor:

SB 157 - AN ACT TO AMEND CHAPTER 59, TITLE 29 OF THE DELAWARE CODE RELATING TO SUPPLEMENTAL COMPENSATION.

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

At 4:56 p.m., Lt. Governor Woo presiding.

SB 117 was taken up for consideration on motion of Senator Neal:

SB 117 - AN ACT TO AMEND CHAPTER 59, TITLE 29, DELAWARE CODE, RELATING TO VETERAN'S PREFERENCE.

The privilege of the floor was extended to William Walls, Senate Attorney, after which the roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 220 was taken up for consideration on motion of Senator Marshall:

SB 220 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO SENTENCES FOR ROBBERY IN THE SECOND DEGREE.

The privilege of the floor was extended to William Walls, Senate Attorney.

At 5:29 p.m., Senator Sharp presiding.

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

YES: Senators Adams, Arnold, Bair, Citro, Connor, Cook, Marshall, Martin, McBride, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn - 15.

NO: Senators Berndt, Cordrey, McDowell - 3.

NOT VOTING: Senators Holloway, Knox, Zimmerman - 3.

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

SB 218 was lifted from the table for consideration on motion of Senator Cordrey.

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

The roll call vote on SB 218 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 123 w SA 1, 2, 3 was lifted from the table for consideration on motion of Senator McDowell.

SA 4 to the Bill was taken up for consideration on motion of Senator Cordrey and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

SA 5 to the Bill was taken up for consideration on motion of Senator McDowell and the roll call vote taken which revealed 20 Senators voting YES and 1 (Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 123 w SA 1, 2, 3, 4, 5 was then taken and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Holloway, Knox, Marshall, Martin, McBride, McDowell, Minner, Neal, Sharp, Torbert, Vaughn - 16.

NO: Senators Adams, Cook, Cordrey, Slatcher, Zimmerman - 5.

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

At 5:45 p.m., Senator Cordrey presiding.

SB 153 which had previously passed the Senate was lifted from the table for reconsideration as now further amended by HA 1.

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

The roll call vote on SB 153 w HA 1, SA 1 was then taken and revealed 20 Senators voting YES, and 1 (Cordrey) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SB 107 which had previously passed the Senate was lifted from the table for reconsideration on motion of Senator Minner as now further amended by HA 1 and HA 2.

The roll call vote on SB 107 w HA 1, 2 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the Governor for his consideration.

The following Committee reports were announced:

From the Highways and Transportation Committee: SB 233 - 1 Favorable, 5 Merits; SB 237 - 6 Merits.

From the Public Safety Committee: SB 241 - 6 Merits.

At 5:55 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 19, 1985.

The Senate reconvened at 2:10 p.m., June 19, 1985, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 269; HB 96; HB 179 w HA 1, 2; HB 180 w HA 2; HB 181; HS 1 for HB 185; HB 253 w HA 1; HB 265; HB 299 w HA 2, 5, 6.

At 2:11 p.m., Lt. Governor Woo presiding.

The following legislation was introduced:

HB 269 - AN ACT TO AMEND CHAPTER 5 OF TITLE 28, AND CHAPTER 23, TITLE 30, DELAWARE CODE, RELATING TO THE STATE TAX AND LICENSEE'S COMMISSIONS ON CONTRIBUTIONS TO PARI-MUTUEL AND TOTALIZATOR POOLS CONDUCTED OR MADE AT HARNESS RACING TRACKS, AND STATE LICENSE FEES FOR HARNESS RACING MEET OPERATORS, AND HARNESS RACE HORSE OWNERS. Sponsors: Representatives Quillen, Fallon, Buckworth, Barnes, Carey, Caulk, Clark, Jester, Roy, Wingate, Maroney, George, Plant, VanSant, Spence, Outten, B. Ennis, West, C. Cordrey; Senators Slatcher, Berndt, Bair, Vaughn, Holloway, Citro, Minner. Assigned to Community Affairs Committee.

HB 96 - AN ACT TO AMEND CHAPTER II, TITLE 14 OF THE DELAWARE CODE, RELATING TO CRITICAL CURRICULAR AREAS. Sponsor: Representative Bennett. Assigned to Education Committee.

HB 179 w HA 1, 2 - AN ACT TO AMEND TITLE II, CHAPTER 35 OF THE DELAWARE CODE RELATING TO WITNESSES. Sponsors: Representative Buckworth, Senator Sharp; Representatives Spence, Oberle, Mack, Corrozi, Steele, Davis, D. Ennis, Fallon, Maroney, Bennett, B. Ennis; Senators Adams, Torbert, Arnold. Assigned to Judiciary Committee.

HB 180 w HA 2 - AN ACT TO AMEND SUBPART F., SUBCHAPTER VI, CHAPTER 5, TITLE II, DELAWARE CODE RELATING TO INTERFERING WITH CHILD WITNESSES. Sponsors: Representative Buckworth, Senator Sharp; Representatives Spence, Mack, Oberle, Bennett, B. Ennis, Davis, Corrozi, Fallon, D. Ennis, Steele, Quillen; Senators Adams, Arnold, Torbert. Assigned to Judiciary Committee.

HB 181 - AN ACT TO AMEND CHAPTER 43, TITLE 10, DELAWARE CODE RELATING TO TESTIMONY OF CHILDREN. Sponsors: Representative Buckworth, Senator Sharp; Representatives Spence, Mack, Oberle, Bennett, Davis, Corrozi, Fallon, D. Ennis, Steele, Quillen; Senators Adams, Arnold, Torbert. Assigned to Judiciary Committee.

HS 1 for HB 185 - AN ACT TO AMEND CHAPTER 31, TITLE 21 OF THE DELAWARE CODE RELATING TO NONDRIVER IDENTIFICATION CARDS. Sponsor: Representative Free. Assigned to Judiciary Committee.

HB 253 w HA 1 - AN ACT TO AMEND CHAPTER 288 VOLUME 64, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF LAUREL" BY REQUIRING THAT VOTERS IN MUNICIPAL ELECTIONS BE UNITED STATES CITIZENS AND BY ELIMINATING THE CAP ON FUNDING A PENSION OR HEALTH AND WELFARE PLAN FOR TOWN EMPLOYEES. Sponsors: Representative Cordrey, Senator Slatcher. Assigned to Community Affairs Committee.

HB 265 - AN ACT TO RECONFIRM THE CONSTITUTED AUTHORITY STATUS OF NORTHERN DELAWARE INDUSTRIAL DEVELOPMENT CORPORATION TO ISSUE REVENUE BONDS ON BEHALF OF THE STATE OF DELAWARE FOR THE LIMITED PURPOSE OF REFUNDING, REISSUING OR MODIFYING BONDS ISSUED IN 1966 AND 1967 FOR PHOENIX STEEL CORPORATION. Sponsors: Representatives Hebner, Petrilli, Campanelli, Brady, D. Ennis, Spence, Oberle, Free, Boykin, Maroney, Gilligan, Anderson, VanSant, B. Ennis, West, Plant, Houghton; Senators Marshall, McBride, Martin, Holloway, Berndt, Bair. Assigned to Revenue and Taxation Committee.

HB 269 which had been assigned to Community Affairs Committee, was reassigned to Revenue and Taxation Committee at the request of Senator Marshall.

HB 299 w HA 2, 5, 6 - AN ACT TO ADD A NEW CHAPTER 72, TITLE 7 OF THE DELAWARE CODE, RELATING TO THE PREVENTION, DETECTION, INVESTIGATION, AND CORRECTION OF UNDERGROUND STORAGE TANKS LEAKS. Sponsors: Representatives Jonkiert, Carey, Senator Marshall; Representatives Soles and Smith, Senator Berndt. Assigned to Natural Resources and Environmental Control Committee.

SA 1 to SB 241. Sponsor: Senator Adams. Placed with the Bill.

SS 1 for SB 38 - AN ACT TO AMEND PART I, SUBCHAPTER II, TITLE 16 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE STATE BOARD OF HEALTH; AND PROVIDING FOR THE REGULATION OF HOME HEALTH CARE; AND CHAPTER 93, TITLE 16 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF A HOME HEALTH AGENCY. Sponsors: Senator Holloway, Representative VanSant. Assigned to Health-Social Services/Aging Committee.

The Secretary announced that a message from the House informed the Senate that it had passed HB 93 w HA 1 and HB 119 w HA 1.

The following Committee reports were announced:

From the Health-Social Services/Aging Committee: HB 84 w HA 1 - 4 Merits; SB 223 - 4 Merits.

The following legislation was introduced:

HB 93 w HA 1 - AN ACT TO AMEND PART VI, TITLE 3 OF THE DELAWARE CODE, TO PROVIDE FOR THE HUMANE KILLING OF ANIMALS HELD IN A SHELTER. Sponsors: Representatives Outten, Caulk, Houghton, Bennett, Brady, Buckworth, Carey, Clark, C. Cordrey, Gilligan, Jester, Mack, Petrilli, Plant, Quillen, Reynolds, Sills, Soles, Spence, Steele, VanSant, West, Wingate; Senators Adams, Cordrey, Martin, Minner, Torbert, Zimmerman. Assigned to Agriculture Committee.

HB 119 w HA 1 - AN ACT TO AMEND CHAPTER 12, TITLE 3, DELAWARE CODE RELATING TO PENALTIES FOR VIOLATIONS OF THE PESTICIDE LAW. Sponsors: Representatives Caulk, Carey, Mack, Clark, C. Cordrey; Senators Adams, Cook, Connor, Slatcher. Assigned to Agriculture Committee.

At 2:27 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 42nd Legislative Day.

#### 42ND LEGISLATIVE DAY June 19, 1985

The Senate convened at 2:27 p.m., Lt. Governor Woo presiding.

A Prayer was offered by the Most Reverend Robert E. Mulvee, 7th Bishop of the Diocese of Wilmington.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

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

Lt. Governor Woo introduced to the Senate Msgr. Paul Taggart of the Diocese of Wilmington and Brian Weaver, Lt. Governor of the Boys State.

At 2:30 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 3:47 p.m., Lt. Governor Woo presiding.

HJR 14 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Cordrey:

HJR 14 - IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Representatives Oberle and Barnes.

Senators Connor, McBride, Neal marked PRESENT.

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

SJR 4 was taken up for consideration on motion of Senator McDowell:

**SJR 4 - REQUIRING THAT THE STATE GEOLOGIST EVALUATE AND REPORT ON ACTIVITIES RELATED TO ENERGY EXPLORATION.**

Senator Berndt marked PRESENT.

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

SB 233 was taken up for consideration on motion of Senator Martin:

**SB 233 - AN ACT TO AMEND CHAPTER 1, SUBCHAPTER III, TITLE 17, OF THE DELAWARE CODE RELATING TO THE ACQUISITION AND SALE OF REAL PROPERTY BY THE DEPARTMENT OF TRANSPORTATION.**

The privilege of the floor was extended to Mark A. McNulty, Secretary of Transportation.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Citro and Zimmerman) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 237 was taken up for consideration on motion of Senator Martin:

**SB 237 - AN ACT TO AMEND TITLE 17, CHAPTER 13, DELAWARE CODE, RELATING TO THE VACATION, ABANDONMENT AND CLOSURE OF PUBLIC ROADS, BRIDGES AND OTHER RIGHTS OF WAY.**

The privilege of the floor was extended to Mark McNulty, Secretary of Transportation.

The roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Citro and Zimmerman) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 236 was taken up for consideration on motion of Senator Minner:

**HB 236 - AN ACT TO AMEND CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CITY OF REHOBOTH BEACH; AND PERMITTING CONTRIBUTIONS FROM THE COMMISSIONERS TO VOLUNTEER COMPANIES AND ASSOCIATIONS.**

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

HB 237 was taken up for consideration on motion of Senator Minner:

**HB 237 - AN ACT TO AMEND CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CITY OF REHOBOTH BEACH; AND PROVIDING THE COMMISSIONERS WITH THE DISCRETIONARY POWER TO SUBJECT ORDINANCES TO REFERENDUM.**

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

SB 44 was taken up for consideration on motion of Senator Holloway:

**SB 44 - AN ACT TO AMEND SECTION 5307, CHAPTER 53, TITLE 25 OF THE DELAWARE CODE, WITH REFERENCE TO LANDLORD-TENANT RELATIONSHIPS; INCREASING THE ABATEMENT FOR RENT FOR PERIODS IN WHICH HEAT OR WATER OR HOT WATER IS NOT PROVIDED BY A LANDLORD.**

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

YES: Senators Adams, Berndt, Connor, Cook, Cordrey, Holloway, Knox, Marshall, Martin, McBride, Minner, Neal, Sharp, Slatcher, Torbert, Vaughn, Zimmerman - 17.

NO: Senator McDowell - 1.

ABSENT: Senators Arnold, Bair, Citro - 3.

Therefore, the Amendment was declared adopted.

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

The roll call vote on SB 44 w SA 1, 2 was then taken and revealed 19 Senators voting YES and 2 (Arnold, Bair) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 236 was taken up for consideration on motion of Senator Marshall:

**SB 236 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE BY ADDING A NEW CHAPTER RELATING TO ORGAN TRANSPLANTATION.**

At 5:21 p.m., Senator McDowell presiding.

The roll call vote on SB 236 was taken and revealed:

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

NO: Senators Arnold, Citro, Neal, Slatcher - 4.

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

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