

matters relating to student tuition and costs.”

HR 62, sponsored by Representative Kelly, was introduced from the floor and adopted by voice vote:

HR 62 — “Commending Arthur G. Craig, of Newport, for an outstanding career as a community leader and businessman as he retires from banking.”

Representative Matushefske moved that **HB 284 w HA 1, 3** be lifted for consideration. The motion prevailed by voice vote.

Representative Matushefske then moved that the Bill be again tabled and the motion prevailed by voice vote.

Representative Matushefske moved that **HJR 9** be lifted for consideration and his motion prevailed by voice vote.

Representative Matushefske introduced **HA 1** to the Resolution which was then adopted by voice vote.

The roll call vote on **HJR 9 w HA 1** was then taken and announced:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Connor, Darling, Ferguson, George, Gilligan, Gordy, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, Minner, Riddagh, Ridings, Rispoli, Smith, Jonkiert — 24.

NO: Representatives Billingsley, Clendaniel, Derrickson, Harrington, Hebner, Johnson, McKay, Miller, Morris, Plant, Powell, Seibel, Sincok, Spence, Temple, Worthen — 16.

ABSENT: Representative McGinnis — 1.

Therefore, the Resolution was adopted by the House and ordered to the Senate for concurrence.

At 5:00 p.m. the House recessed until 1:30 May 21, 1975.

33RD LEGISLATIVE DAY

The Speaker called the House to order at 1:46 p.m. May 21, 1975 and on motion of the Majority Leader the House immediately adjourned to end the 32nd Day and convene for the 33rd Day.

A Prayer was offered by the Chaplain, Rev. Richard Copple.

Pledge of Allegiance to the Flag.

By roll call, there were 41 members **PRESENT**.

The minutes of the previous Legislative Day were approved as posted.

33RD LEGISLATIVE DAY

The following legislation was reported back from the Education Committee: **HB 392** — 1 Favorable, 3 Merits; **HB 366** — 4 Merits; **SJR 26** — 4 Merits; **SB 248** — 4 Merits.

A message from the Senate informed the House that it had passed **HB 273**, **HB 79** and adopted **HCR 28** and **HCR 29**.

Legislative Advisories Nos. 27, 28, 29 and 30 received from William C. Bradley, Jr., Counsel to the Governor, informed the House that the Governor had approved: **HB 299** — 5/13/75; **HB 163** — 5/14/75; **HB 110** — 5/15/75; **HB 14** — 5/15/75; **HB 40** — 5/16/75; **HB 338** — 5/16/75; **HJR 7** — 5/16/75; **HCR 28** — 5/16/75; **HB 300 w HA 1** — 5/16/75.

The House recessed at 1:55 p.m. and reconvened at 2:50 p.m.

HR 64, sponsored by Representative Ferguson, was introduced from the floor and adopted by voice vote of the House:

HR 64 — "Pertaining to the introduction of legislation during the First Session of the 128th General Assembly."

The following pre-filed legislation was entered in the Calendar:

HB 415 — "An Act to modify the reversion date of certain funds appropriated by Chapter 523, Volume 59, Laws of Delaware." Sponsors: Representatives LeGates, Worthen, Seibel, Billingsley. Assigned to Labor and Commerce Committee.

HB 416 — "An Act to amend Chapter 81, Title 9, Delaware Code, relating to property subject to County Taxation." Sponsors: Representatives Byrd and McKay. Assigned to Community Affairs Committee.

HB 417 — "An Act to amend Chapter 31, Title 15, Delaware Code, relating to filing fees in Primary Elections and providing for filing of petitions by indigent candidates." Sponsors: Representative Matushefske. Assigned to Judiciary Committee.

HB 418 — "An Act to amend Chapter 5, Part I, Title 11, Delaware Code, relating to offenses involving obstruction of Governmental operations." Sponsor: Representative Boulden. Assigned to Judiciary Committee.

HB 419 — “An Act making a supplementary appropriation to the Department of Highways and Transportation for continuing commuter train services into the State of Delaware during the Fiscal Year ending June 30, 1976.” Sponsor: Representative Boulden. Assigned to Highways and Transportation Committee.

HB 420 — “An Act authorizing and directing the Board of Pension Trustees to grant Mrs. Bessie Sudler a service pension under the provisions of Chapter 55, Title 29, Delaware Code.” Sponsor: Representative Miller. Assigned to Appropriations Committee.

HB 421 — “An Act making a supplementary appropriation to the De La Warr School District to replace the flashing, guttering and downspouts at the Rose Hill School which were destroyed by vandalism.” Sponsors: Representative Boulden; Senators McCullough and Kearns. Assigned to Appropriations Committee.

HB 422 — “An Act to amend Subchapter III of Chapter 1, Title 17, Delaware Code, relating to general powers and duties of the Department of Highways.” Sponsor: Representative Maxwell. Assigned to Highways and Transportation Committee.

HB 423 — “An Act to provide supplemental appropriations to various Agencies and School Districts for the purpose of defraying the increased cost of heating fuels and electricity.” Sponsor: Representative George. Assigned to Appropriations Committee.

HB 424 — “An Act authorizing an automatic appropriation to the Department of Health and Social Services for the specific purpose of increasing Title XIX Medicaid rates retroactive from January 31, 1975.” Sponsor: Representative George. Assigned to Federal and State Relations Committee.

HB 425 — “An Act to provide a disability pension for Elton R. Wood, a former State employee.” Sponsor: Representative Morris. Assigned to Appropriations Committee.

HB 426 — “An Act to amend Chapter 5, Part I, Title 7 of the Delaware Code relating to Hunting, Trapping and Fishing Licenses.” Sponsors: Representatives Darling and Riddagh. Assigned to Natural Resources Committee.

HB 427 — “An Act to amend Chapter 45, Title 21, Delaware Code, relating to truck weights and lengths.” Sponsors: Representatives Gordy and Boulden. Assigned to Public Safety Committee.

HB 428 — “An Act authorizing a supplemental appropriation to the Department of Health and Social Services for the purpose of increasing Title XIX Medicaid rates.” Sponsor: Representative George. Assigned to Federal and State Relations Committee.

HB 429 — “An Act to amend Chapter 23, Title 30, Delaware Code, relating to occupational licenses for Nurseries and florists.” Sponsors: Representatives Jornlin and Clendaniel. Assigned to Revenue and Finance Committee.

HB 430 — “An Act to amend Part III, Title 25 of the Delaware Code relating to the Landlord-Tenant Code.” Sponsor: Representative Seibel. Assigned to Judiciary Committee.

HB 431 — “An Act to amend Chapter 55 of Title 29 and Chapter 39 of Title 14 relating to State employees Pension Plan and Teachers’ Retirement and Disability Pensions.” Sponsors: Representative Ferguson; Senators Cook and McCullough. Assigned to Education Committee.

HB 432 — “An Act to amend Chapter 7, Title 4, Delaware Code relating to the sale of alcoholic liquor.” Sponsor: Representative McGinnis. Assigned to Administrative Services Committee.

HB 433 — “An Act to amend Chapter 7, Title 4, Delaware Code relating to the sale of alcoholic liquors.” Sponsor: Representative McGinnis. Assigned to Administrative Services Committee.

HB 434 — “An Act to amend Chapter 9, Title 7, Delaware Code, relating to Carp Fishing.” Sponsor: Representative LeGates. Assigned to Natural Resources Committee.

HB 435 — “An Act to amend Chapter 20, Title 15, Delaware Code, relating to Voter Registration.” Sponsor: Representative Matushefske. Assigned to Judiciary Committee.

HA 1 to HB 342 was introduced by Representative Morris and placed with the Bill.

HR 63 — “Amending the Temporary Rules of the House of Representatives; and providing for a Consent Calendar.” Sponsor: Representative Miller. Assigned to Rules Committee.

SB 219 — “An Act to amend Volume 57, Chapter 32,

Laws of Delaware, entitled "An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures and to issue Bonds and Notes therefor and appropriating the monies to the State Board of Education by extending the date on sales of the Bonds and Notes." Sponsor: Senator Cordrey. Assigned to Appropriations Committee.

SB 220 — "An Act to amend Volume 57, Chapter 32, Laws of Delaware, entitled "An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures and to issue Bonds and Notes therefor and appropriating the monies to the State Board of Education" by extending the date of sales of the Bonds and Notes." Sponsor: Senator Cordrey. Assigned to Appropriations Committee.

SB 221 — "An Act to amend Volume 57, Chapter 32, Laws of Delaware, entitled "An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures and to issue Bonds and Notes therefor and appropriating the monies to the State Board of Education" by extending the date on sales of the Bonds and Notes." Sponsor: Senator Cordrey. Assigned to Appropriations Committee.

SB 245 — "An Act to amend Chapter 60, Title 7, of the Delaware Code to provide the Environmental Appeals Board with the ability to promulgate rules and regulations governing procedures before that Board; and to allow for a fee to be charged for Appeals Costs." Sponsor: Senator Isaacs. Assigned to Environmental Control Committee.

SB 288 — "An Act to create the Bethany Beach Sanitary Sewer District, the South Bethany Sanitary Sewer District, the Dewey Beach Water District, and the Dewey Beach Sanitary Sewer District and to authorize the issuance of Bonds pursuant to and for the purposes set forth in Title 9, Chapter 65 of the Delaware Code, including to refund obligations of Sussex County issued to Finance improvements in such Districts." Sponsors: Senators Cordrey and Adams. Assigned to Environmental Control Committee.

SB 289 — "An Act to amend Subchapter III of Chapter 11, Title 9, Delaware Code, relating to voting procedure on Ordinances." Sponsor: Senator Schlör. Assigned to Community Affairs Committee.

SB 293 — "An Act to amend Chapter 49, Title 18 of the

Delaware Code relating to organization and corporate powers, procedures of Domestic Stock and Mutual Insurers." Sponsor: Senator Murphy. Assigned to Public Safety Committee.

SB 127 — "An Act to amend Chapter 41, Part II, Title 11, Delaware Code relating to default in payment of fines." Sponsor: Senator McCullough. Assigned to Judiciary Committee.

SJR 25 — "Directing the State Board of Education to abandon and/or discontinue and recommended and/or proposed plans to merge or consolidate Appoquinimink School District with the Newark School District." Sponsor: Senator Isaacs. Assigned to Education Committee.

Representative Minner moved that **HB 254 w HA 1** — "An Act to amend Part III, Title 25, of the Delaware Code relating to property; and providing for the regulation of agricultural leases." be lifted for consideration and the motion prevailed by voice vote.

Representative Minner introduced **HA 3** to the Bill and the Amendment was considered and adopted by voice vote.

Representative Minner moved that **HB 254 w HA 1, 3** be laid on the table and the motion prevailed by voice vote.

Representative Gilligan yielded to Representative McGinnis on whose motion **HB 385** — "An Act Making a Supplementary Appropriation from the General Fund of the State of Delaware in the Amount of \$77,400 to the State Lottery Fund." was taken up for consideration.

At the request of Representative Billingsley the privilege of the floor was extended to State Auditor Collins to speak on the Bill.

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

YES: Representatives Boulden, Byrd, Cain, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 23.

NO: Representatives Ambrosino, Arnold, Billingsley, Clendaniel, Connor, Derrickson, Hebner, Jornlin, Leshner, Lynch, McKay, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 18.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative George yielded to Representative McGinnis who moved for the suspension of rules for the purpose of considering **HB 436** — "An Act to amend Chapter

48, Title 29, Delaware Code, relating to the State Lottery." The motion prevailed by voice vote and the privilege of the floor was extended to William Bradley, Attorney.

Representative McGinnis then moved that the Bill be laid on the table and the motion prevailed by voice vote.

HB 387 — "An Act making a supplementary appropriation from the general fund of the State of Delaware in the amount of \$130,000 to the State Lottery Fund." was taken up for consideration on motion of Representative McGinnis, the roll call vote taken and announced:

YES: Representatives Boulden, Byrd, Cain, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 23.

NO: Representatives Ambrosino, Arnold, Billingsley, Clendaniel, Connor, Derrickson, Hebner, Jornlin, Leshar, McKay, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 17.

ABSENT: Representative Lynch — 1.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

Representative McGinnis moved that the necessary rules be suspended for the purpose of considering **HB 437** — "An Act to amend Chapter 48, Title 29, Delaware Code, relating to the State Lottery." as substitute for **HB 388** — "An Act to amend Chapter 89, Title 29, Delaware Code, which established the State operated lottery relating to the State lottery fund and the operating budget." The motion prevailed by voice and **HB 437** was considered after which the roll call vote was taken and announced:

YES: Representatives Boulden, Byrd, Cain, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 23.

NO: Representatives Ambrosino, Arnold, Billingsley, Clendaniel, Connor, Derrickson, Hebner, Jornlin, Leshar, Lynch, McKay, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 18.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

HB 438, sponsored by Representative McGinnis, was

introduced from the floor:

HB 438 — “An Act to amend Chapter 48, Title 29, Delaware Code, relating to the State-operated Lottery, providing for the appointment of an Acting Lottery Director.”

Representative McGinnis then moved that the necessary rules be suspended for the purpose of considering the Bill and his motion prevailed by voice vote.

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

YES: Representatives Boulden, Byrd, Cain, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Rispoli, Temple, Worthen, Jonkiert — 23.

NO: Representative Ambrosino, Arnold, Billingsley, Clendaniel, Connor, Derrickson, Hebner, Jornlin, Leshner, Lynch, McKay, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 18.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

Representative Gilligan yielded to Representative Matushefske who then moved that **HB 284 w HA 1, 3** — “An Act to amend Chapter 92, Title 10, Delaware Code, relating to salaries of Justices of the Peace.” be lifted for consideration. His motion prevailed by voice.

Representative Matushefske introduced **HA 4** to the Bill and it was adopted by voice vote of the House.

Representative Matushefske moved that the rule requiring a Fiscal Note for the Bill be waived. The roll call vote on his motion of waiver was taken and announced:

YES: Representatives Boulden, Byrd, Cain, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, Minner, Morris, Plant, Riddagh, Rispoli, Spence, Temple, Jonkiert — 23.

NO: Representatives Ambrosino, Arnold, Billingsley, Clendaniel, Connor, Derrickson, Hebner, Jornlin, Leshner, Lynch, McKay, Powell, Ridings, Seibel, Sincock, Smith, Worthen — 17.

ABSENT: Representative Miller — 1.

Therefore, the motion prevailed and the roll call vote on **HB 284 w HA 1, 3, 4** was taken and announced:

YES: Representatives Billingsley, Boulden, Byrd, Cain, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Matushefske, Maxwell,

McGinnis, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Temple, Worthen, Jonkiert — 26.

NO: Representatives Ambrosino, Clendaniel, Connor, Lynch, McKay, Sincock, Smith, Spence — 8.

NOT VOTING: Representatives Arnold, Derrickson, Jornlin, Leshar, Ridings, Seibel — 6.

ABSENT: Representative Miller — 1.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

Representative McGinnis moved that **HB 436** — “An Act to amend Chapter 48, Title 29, Delaware Code, relating to the State Lottery.” be lifted for consideration and his motion prevailed by voice vote.

HA 1 to the Bill was introduced and adopted by voice vote.

The roll call vote on **HB 436 w HA 1** was then taken and announced:

YES: Representatives Boulden, Byrd, Cain, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 23

NO: Representatives Ambrosino, Arnold, Billingsley, Clendaniel, Derrickson, Hebner, Jornlin, Leshar, Lynch, McKay, Powell, Riddagh, Seibel, Smith, Spence — 15.

ABSENT: Representatives Miller, Ridings and Sincock —

3.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

SB 164 — “An Act to amend Chapter 8 of Title 19, Delaware Code, relating to the safety and working conditions of electricians working on high voltage wires and prescribing a penalty for violations thereof.” was taken up for consideration on motion of Representative Byrd.

The privilege of the floor was extended to Mr. Hobbs and Mr. Phillips from the Delaware Power and Light Company and to George Tinerelli and Bill Cunningham of the Electricians’ Union to speak on the Bill.

Representative Derrickson moved that **SB 164** be laid on the table and his motion prevailed by voice vote.

Representative Minner moved that **HB 254 w HA 1, 3** — “An Act to amend Part III, Title 25, of the Delaware Code relating to property; and providing for the regulation of agricultural leases.” be lifted for consideration and the motion

prevailed by voice vote.

Representative Clendaniel introduced **HA 4** to the Bill.

The following letter was read at the request of Representative Minner regarding the legislation under consideration:

**STATE OF DELAWARE
DEPARTMENT OF AGRICULTURE
DOVER, DELAWARE**

March 27, 1975

Hon. Ruth Ann Minner
R.D. 3, Box 694
Milford, Delaware

Dear Ruth Ann:

RE: Agriculture Leases

Delegates and alternates to the Delaware Council of Farm Organizations have reviewed the proposed legislation you plan to introduce into the House of Representatives. They unanimously approved the proposed legislation with one correction: "Term of a Demise of Agriculture Land in Absence of a Statement of Lessor" should read "six months in advance" and should not read "three to six months".

Thank you for your efforts towards this much needed legislation.

Sincerely,
M. Martin Isaacs
Secretary, Department of Agriculture

* * * * *

The roll call vote on **HA 4** to **HB 254** was then taken and announced:

YES: Representatives Clendaniel, Gordy, Lynch, Matushefske, Plant — 5.

NO: Representatives Darling, Harrington, Jornlin, Leshner, Maxwell, McKay, Minner, Morris, Sincok, Smith, Spence, Jonkiert — 12.

NOT VOTING: Representatives Ambrosino, Arnold,

Boulden, Byrd, Cain, Connor, Derrickson, Gilligan, Hebner, Johnson, Kelly, McGinnis, Ridings, Temple — 14.

ABSENT: Representatives Billingsley, Ferguson, George, LeGates, Miller, Powell, Riddagh, Rispoli, Seibel, Worthen — 10.

Therefore, the Amendment was defeated.

The roll call vote on **HB 254 w HA 1, 3** was then taken and announced:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Connor, Darling, Ferguson, George, Gilligan, Harrington, Johnson, Jornlin, Kelly, Leshner, Lynch, Matushefske, Maxwell, McGinnis, Minner, Morris, Plant, Powell, Ridings, Rispoli, Smith, Spence, Temple, Jonkiert — 29.

NO: Representatives Clendaniel, Gordy and Sincok — 3.

NOT VOTING: Representatives Derrickson, Hebner, and McKay — 3.

ABSENT: Representatives Billingsley, LeGates, Miller, Riddagh, Seibel and Worthen — 6.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 211 — “An Act to amend Chapter 170, Volume 57, Laws of Delaware, entitled “An Act to reincorporate the city of Lewes” to permit voting in the annual municipal election by absentee ballot and relating to the town budget and the levying of annual taxes.” was taken up for consideration on motion of Representative Derrickson.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Leshner, Lynch, Matushefske, McGinnis, McKay, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincok, Smith, Spence, Temple, Mr. Speaker Jonkiert — 33.

ABSENT: Representatives Billingsley, Byrd, Kelly, LeGates, Maxwell, Miller, Seibel, Worthen — 8.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

HB 439, sponsored by Representative Matushefske, was introduced from the floor and assigned to Appropriations Committee:

HB 439 — “An Act to amend Chapter 7 of Title 29, Delaware Code, relating to compensation and expenses of

members of the General Assembly and the Lieutenant Governor."

At 6:45 p.m. the House recessed until 1:30 p.m. May 22, 1975.

The House reconvened at 1:52 p.m. May 22, 1975.

HB 439 was reported back from the Appropriations Committee: 1 Favorable, 2 Merits, 2 Unfavorable.

At 1:53 p.m. on motion of the Majority Leader the House adjourned to immediately convene for the 34th Day.

34TH LEGISLATIVE DAY

The House reconvened at 1:53 p.m. May 22, 1975, with the Speaker presiding.

A Prayer was offered by the Chaplain, Rev. Charles R. MacDonald.

Pledge of Allegiance to the Flag.

By roll call, there were 41 members PRESENT.

The Journal of the previous day was approved as posted.

HR 65, sponsored by Representative Riddagh, was introduced from the floor and assigned to Health and Social Services Committee:

HR 65 — "Establishing a House Committee to investigate pre-paid Health Care for State Employees."

HR 66, sponsored by Representative Riddagh, was introduced from the floor and adopted by voice vote:

HR 66 — "Directing officials in the Division of Adult Corrections to keep the press and public fully informed."

Representative Gilligan moved that the necessary rules be suspended for the purpose of introducing and considering **SJR 27**. The motion prevailed by voice vote:

SJR 27 — "Relating to the use of the State Dredge."

Roll call was taken and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

NO: Representatives Matushefske — 1.

ABSENT: Representatives Ambrosino, Connor — 2.

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

HB 416 — “An Act to amend Chapter 81, Title 9, Delaware Code, relating to property subject to county taxation.” was reassigned from the Community Affairs Committee to the Revenue and Finance Committee.

On motion of Representative Cain, consideration of **HB 227** was deferred.

Consideration of **HB 242** was deferred on motion of Representative Gilligan.

Consideration of **HB 197** was deferred on motion of Representative Gilligan.

HB 251 — “An Act to amend an Act, being Chapter 197, Volume 54, Laws of Delaware, as amended, entitled “An Act revising the prior Charter of the City of Rehoboth Beach and establishing a new Charter therefor and prescribing the powers and duties of the commissioners of Rehoboth Beach” to provide a procedure for a referendum.” was taken up for consideration on motion of Representative Derrickson.

The roll call was taken and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 39.

ABSENT: Representatives Ambrosino, Connor — 2.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 343 — “An Act to provide a supplemental appropriation to the Department of Public Safety Motor Fuel Tax Division, for increased operating expenses.” was taken up for consideration on motion of Representative McGinnis.

Roll call was taken and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 39.

ABSENT: Representatives Ambrosino, Connor — 2.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

At the request of the Speaker, the following letter was read and made part of this record:

J. Caleb Boggs
300 Market Tower
Wilmington, Delaware

May 20, 1975

Dear Mr. Speaker:

May I take this means of expressing my profound thanks to you and the members of the House of Representatives for the Resolution extending birthday greetings to me on the occasion of my 66th birthday, May 15, 1975.

It was very kind and most generous. It made me very happy and proud to be a Delawarean.

The opportunity to have served in public office will always be greatly appreciated by me. Among other considerations, it gave me an opportunity to work with and to know the hard work and dedication of the members serving in the House of Representatives. I shall always respect and hold in the highest esteem the fellow citizens who have served or are serving in the Legislature.

I thank each of you greatly and send my best wishes to each one for good health, happiness and success in the important work you are doing. With the warmest and highest personal regards, I am

Sincerely,
J. Caleb Boggs
Honorable Casimir S. Jonkiert
Speaker, House of Representatives
Dover, Delaware

* * * * *

At the request of Representative George, **SJR 21** was deferred.

Representative McGinnis deferred to Representative Plant on whose motion, **SB 212** — "An Act to amend Chapter 6, Title 31, Delaware Code, relating to the Federal Food Stamp Program." was taken up for consideration.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling,

Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, Leshner, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 39.

NOT VOTING: Representatives LeGates, Maxwell — 2.

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

Consideration of **HB 215** was deferred at the request of Representative Plant.

The following pre-filed legislation was entered into the Calendar:

HB 440 — “An Act to amend Chapter 92, Title 10, Delaware Code, and relating to salaries and relating to qualifications for receiving salary bonuses of Justices of the Peace.” Sponsors: Representatives Ridings and Plant. Assigned to Appropriations Committee.

HB 441 — “An Act authorizing and directing the Board of Pension Trustees to grant Service Pensions to four former employees of the Mt. Pleasant School District.” Sponsor: Representative Ambrosino. Assigned to Appropriations.

HB 442 — “An Act to amend Chapter 55, Title 30, Delaware Code, relating to the definition of gross receipts.” Sponsors: Representatives McGinnis, Hebner and Leshner; Senators Isaacs and Hughes. Assigned to Revenue and Finance Committee.

HB 443 — “An Act to amend Chapter 5, Part I, Title 7 of the Delaware Code relating to Hunting and Fishing; and providing for reciprocity in the obtaining of licenses between residents of the State of Delaware and residents of other States.” Sponsor: Representative Leshner. Assigned to Natural Resources Committee.

HB 444 — “An Act making a supplementary appropriation to the Family Court to pay wages past due Francine Gritz.” Sponsor: Representative Morris. Assigned to Appropriations Committee.

HB 445 — “An Act to amend Subchapter I, Chapter 1, Title 26, Delaware Code, relating to the Public Service Commission.” Sponsors: Representative Miller and Senator Kearns. Assigned to Administrative Services Committee.

HB 446 — “An Act to amend Chapter 7, Title 4 of the Delaware Code and relating to reports submitted to the Delaware Alcoholic Beverage Control Commission. Sponsors:

Representatives McGinnis and Billingsley. Assigned to Administrative Services Committee.

HB 447 — “An Act to amend Chapter 1, Title 26, Delaware Code relating to the Public Service Commission and providing for the creation of the Office of the Public Advocate.” Sponsors: Representatives Ambrosino, Miller and Maxwell; Senator Kearns. Assigned to Administrative Services Committee.

HB 448 — “An Act to amend Chapter 48, Title 9, Delaware Code, relating to appropriations to the Regional Planning Commission of Kent County.” Sponsor: Representative McGinnis. Assigned to Community Affairs Committee.

HB 449 — “An Act to amend Chapter 11, Part II, Title 30 of the Delaware Code relating to the definition of Resident Individual.” Sponsor: Representative Spence. Assigned to Revenue and Finance Committee.

HB 450 — “An Act to amend Chapter 16, Part II, Title 2 of the Delaware Code relating to the powers of a Local Transportation Authority.” Sponsors: Representatives Ambrosino and Plant. Assigned to Highways and Transportation Committee.

HB 451 — “An Act to provide a supplementary appropriation to the University of Delaware for the use of the State Geologist, Delaware Geological Survey, for the purpose of erecting a Stream Gauge facility on White Clay Creek.” Sponsor: Representative George. Assigned to Appropriations Committee.

HB 452 — “An Act to amend Title 29, Delaware Code, by adding a new Part X creating a State Advisory Commission on Intergovernmental Relations.” Sponsors: Representatives Gilligan, Rispoli, Boulden, Ambrosino, Connor, Byrd, Worthen and Sincock. Assigned to State and Federal Relations Committee.

HB 453 — “An Act to provide a supplementary appropriation to the State Judiciary Agencies.” Sponsor: Representative George. Assigned to Appropriations Committee.

HB 454 — “An Act to amend Chapter 29 of Title 24 of the Delaware Code by repealing the Law relating to Bonding of Real Estate Brokers and providing instead for the establishment and maintenance of a Real Estate Guaranty Fund.” Sponsors: Representatives Powell and McGinnis.

Assigned to Administrative Services Committee.

HB 455 — "An Act to amend Chapter 51, Title 30, Delaware Code, relating to monthly reports of distributors." Sponsor: Representative McGinnis. Assigned to Revenue and Finance Committee.

HB 456 — "An Act to amend Chapter 43, Title 30, Delaware Code, relating to the Use Tax on leases of tangible personal property, to impose a License Tax on the gross receipts of lessors." Sponsor: Representative McGinnis. Assigned to Revenue and Finance Committee.

HB 457 — "An Act to amend Chapter 23, Title 30, Delaware Code, relating to the Occupational License Tax." Sponsor: Representative McGinnis. Assigned to Revenue and Finance Committee.

HA 1 to HB 3, sponsored by Representative Clendaniel, was introduced and placed with the Bill.

The House recessed at 2:58 p.m. and reconvened at 3:36 p.m.

HB 439 — "An Act to amend Chapter 11, Title 16, Delaware Code relating to sanatorian, rest homes, and nursing homes." was taken up for consideration on motion of Representative Matushefske.

The roll call vote taken and announced:

YES: Representatives Ambrosino, Boulden, Byrd, Cain, Ferguson, George, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Matushefske, Maxwell, Miller, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Temple, Worthen, Jonkiert — 25.

NO: Representatives Arnold, Clendaniel, Connor, Darling, Derrickson, Gordy, Jornlin, Leshner, Lynch, McGinnis, McKay, Minner, Seibel, Smith, Spence — 15.

ABSENT: Representative Billingsley — 1.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

Consideration of **HB 215** was deferred on motion of Representative Plant.

HB 329 — "Amend Chapter 5, Title 31, Delaware Code, by removing restrictions on public assistance payments to employables between the ages of 18 and 54." was taken up for consideration on motion of Representative Plant, who then moved that the Bill be tabled. The motion to table was adopted by voice vote.

Consideration on **HB 95** was deferred on motion of

Representative Darling.

HB 364 — “An Act directing the Kent County Levy Court to cease any and all activity regarding the construction of a Kent County Airport; and further authorizing and directing the Kent County Levy Court to proceed to have placed on the November 1976, ballot the question of whether the citizens of Kent County, Delaware desire the construction of a Kent County Airport.” was taken up for consideration on motion of Representative Darling.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 39.

NOT VOTING: Representative Miller — 1.

ABSENT: Representative Ferguson — 1.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Consideration of **SB 103** was deferred on motion of Representative Rispoli.

HB 145 — “An Act to amend Chapter 81, Title 9, Delaware Code, relating to taxation of improvements on public land by municipalities.” was taken up for consideration on motion of Representative Derrickson.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Boulden, Matushefske, Rispoli — 3.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative McGinnis deferred to Representative George on whose motion **SB 154** — “An Act making a supplementary appropriation to the Department of Natural Resources and Environmental Control, Division of Fish and

Wildlife, for the purpose of creating eight (8) new positions." was taken up for consideration.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Byrd, Cain, Clendaniel, Connor, Darling, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Maxwell, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 35.

ABSENT: Representatives Boulden, Derrickson, Ferguson, Matushefske, McGinnis, Rispoli — 6.

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

SS 1 for SB 186 w SA 1, 2 — "An Act to amend Title 16, Delaware Code, relating to the procedure for the involuntary commitment of mentally ill persons to the Delaware State Hospital and other hospitals and discharge therefrom and providing a supplementary appropriation therefor." was taken up for consideration on motion of Representative Ambrosino and the privilege of the floor was extended to Joanne Bryant of the Mental Health Association of Delaware to speak on the Bill.

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

HB 371 — "An Act to amend Part VII, Title 29, Delaware Code, relating to State Government, providing for the transfer of powers, duties, and functions of the Division of Corrections of the Department of Health and Social Services, and providing for establishment of separate Department of Corrections." was taken up for consideration on motion of Representative Morris.

HA 1 to HB 371 was stricken on motion of Representative Morris.

HA 2 to HB 371, sponsored by Representative Morris, was introduced and adopted by voice vote.

Representative Morris moved that **HB 371 w HA 2** be laid on the table and his motion carried by voice vote.

Consideration of **HB 347** was deferred on motion of Representative Gilligan.

SB 193 — "An Act to grant approval to the Department of Natural Resources and Environmental Control to purchase six parcels of land within Lums Pond State Park, Pencader Hundred, New Castle County, Kirkwood Delaware." was taken

up for consideration on motion of Representative Gilligan.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Temple, Worthen, Mr. Speaker Jonkiert — 36.

ABSENT: Representatives Boulden, Ferguson, Matushefske, Minner, Spence — 5.

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

Representative Gilligan yielded to Representative Lynch on whose motion SB 118 — “An Act to amend Chapter 19, Title 14, of the Delaware Code relating to the penalty for late payment of New Castle County taxes.” was taken up for consideration.

Representative Gilligan then moved that the Bill be laid on the table and his motion carried by voice vote.

HB 349 — “An Act to amend an act entitled, “An Act to re-incorporate the town of Delmar” relating to registration and election.” was taken up for consideration on motion of Representative Gordy.

Roll call was taken and revealed:

YES: Representatives Arnold, Billingsley, Byrd, Cain, Clendaniel, Connor, Darling, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

ABSENT: Representatives Ambrosino, Boulden, Derrickson, Ferguson, George, Maxwell, Plant — 7.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 350 — “An Act to amend an Act entitled, “An Act to re-incorporate the Town of Delmar,” as amended and relating to the referendum vote required before making any increase in water rents.” was taken up for consideration on motion of Representative Gordy.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, Gilligan, Gordy, Harrington, Johnson, Jornlin, Kelly, LeGates, Leshner,

Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

ABSENT: Representatives Boulden, Derrickson, George, Hebner, Maxwell, Plant, Seibel — 7.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 369 — “An Act to amend an Act, being Chapter 227, Volume 49, Laws of Delaware, as amended entitled “An Act to re-incorporate the Town of Laurel,” to provide for reports by the chief of police, to change the fiscal year, to provide for the preparation of the budget, to provide for the payment of taxes and a penalty for nonpayment.” was taken up for consideration on motion of Representative Gordy.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Boulden, George, Plant — 3.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 383 — “An Act to amend an Act, being Chapter 227, Volume 49, Laws of Delaware, as amended entitled “An Act to re-incorporate the Town of Laurel” to increase the amount of money which may be borrowed in anticipation of revenues and fixing the age for capitation taxes.” was taken up for consideration on motion of Representative Gordy.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McKay, Miller, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Boulden, George, McGinnis, Plant — 4.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Gordy moved that **SB 250** — “An Act to amend Chapter 647, Volume 57, Laws of Delaware, relating to use of State owned Helicopters and providing a supplementary appropriation therefor.” be laid on the table and his motion carried by voice vote.

Consideration of **HB 141** was deferred on motion of Representative Rispoli.

HB 355 — “An Act to amend Chapter 5, Part I, Title 11 of the Delaware Code relating to carrying a concealed deadly weapon and providing a mandatory sentence therefor.” was taken up for consideration on motion of Representative Darling.

HA 1 to **HB 355** was introduced by Representative Riddagh and adopted by voice vote.

The roll call vote on **HB 355 w HA 1** was then taken and announced:

YES: Representatives Ambrosino, Arnold, Billingsley, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Minner, Morris, Powell, Riddagh, Rispoli, Seibel, Sincock, Spence, Temple, Worthen, Jonkiert — 34.

NO: Representatives Miller, Plant, Ridings and Smith — 4.

NOT VOTING: Representative Johnson — 1.

ABSENT: Representatives Boulden and George — 2.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 375 — “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 qualifications for Mayor and City Council.” was taken up for consideration on motion of Representative Temple.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Cain, Clendaniel, Connor, Darling, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Boulden, Byrd, Derrickson,

George — 4.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

The following message was read from the Governor:

**STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER**

May 22, 1975

MEMORANDUM

To: All members of the
128th General Assembly
From: Governor Sherman W. Tribbitt

I am submitting to you herewith the latest estimates for FY75 and FY76 presented to me this afternoon by the Governor's Economic Advisory Council.

Also attached is a letter under the signature of Edward W. Hagemeyer, Chairman of the Council.

* * * * *

**FARMERS BANK
of the
STATE OF DELAWARE
Dover**

May 22, 1975

The Honorable Sherman W. Tribbitt
Governor of the State of Delaware
Legislative Hall
Dover, Delaware

Dear Governor Tribbitt:

At the meeting of the Economic Advisory Council held this morning, we made minor revisions in the revenue estimates for both the current and the next fiscal year. For the current fiscal year, we now estimate that total revenues, not including Federal revenue sharing funds, will amount to \$378,900,000. This is a reduction of \$1,700,000 for the estimate submitted last month. It includes an estimated \$5,500,000 to be received from the new tax legislation passed earlier this year.

There was considerable discussion during the meeting about what the revenue to be received from the personal income tax might be. It was decided not to change the estimated receipts from this source from \$160,800,000. While most members of the Commission felt there was a reasonable chance

of obtaining that total, we may be slightly optimistic. On the other hand, there was a pretty general feeling that receipts from the corporate franchise tax might exceed our revenue estimate of \$52,500,000 by a very moderate amount.

The Council is estimating total revenues for the fiscal year to start July 1 at \$406,900,000.* This figure also includes estimated receipts from the new tax legislation. Details of the revenues expected from major sources for both the current and the next fiscal year are given on the attached page.

Revenue projections for the next year are based on the assumption that we will see the bottom of the current business decline by the end of June of this year, and that we will be experiencing a moderate recovery during the third and fourth quarters of calendar 1975. We are anticipating increased employment toward the end of the year and higher personal income which will result in an approximate 14% rise in personal income tax receipts. With the substantial flow of funds back to savings institutions, we expect mortgage money to become more available and anticipate a slight decline in interest rates on mortgage loans. This should result in a moderate recovery in the residential real estate market and increased real estate transfers - generating higher revenues from the transfer tax.

I hope this information will be helpful, but if you want any further details do not hesitate to call me.

Very truly yours,
Edward W. Hagemeyer

* * * * *

Consideration of SB 170 was deferred on motion of Representative Kelly.

At 5:32 p.m. the House recessed until 1:30 p.m. May 27, 1975.

The House reconvened at 1:52 p.m. May 27, 1975, Representative Jonkiert presiding.

On motion of the Majority Leader the House immediately adjourned to convene for the 35th Day.

35TH LEGISLATIVE DAY

The House convened at 1:52 p.m. May 27, 1975.

A Prayer was offered by the Chaplain, Rev. Leonard Mackiewicz.

Pledge of Allegiance to the Flag.

By roll call, there were 41 members PRESENT.

The minutes of the previous Legislative Day were

35TH LEGISLATIVE DAY

approved as posted.

The following Committee reports were announced:

From the Judiciary Committee: **HB 391** — 4 Merits; **HB 435** — 1 Favorable, 4 Unfavorable; **HB 402** — 1 Favorable, 4 Merits; **HB 187** — 1 Favorable, 4 Merits; **HB 396** — 5 Merits; **HB 229** — 3 Merits, 2 Unfavorable; **HB 381** — 4 Merits; **HB 417** — 4 Merits, 1 Unfavorable; **SB 90** — 1 Favorable, 4 Merits.

From the Community Affairs Committee: **SB 289** — 4 Merits, 1 Unfavorable.

From the Appropriations Committee: **HB 7** — 2 Favorable, 3 Merits, 1 Unfavorable; **HB 365** — 1 Favorable, 5 Merits; **SB 162** — 3 Favorable, 2 Merits; **SB 221** — 6 Merits; **SB 219** — 6 Merits; **SB 220** — 6 Merits; **HB 453** — 6 Merits.

From the Revenue and Finance Committee: **HB 455** — 4 Merits; **HB 261** — 4 Merits.

HCR 32, sponsored by Representative Maxwell and Senator Cicione, was introduced from the floor and adopted by voice vote:

HCR 32 — "Congratulating Janet W. Saunders, a McKean High School student, upon being named girl Student-of-the-year by the Distributive Education Clubs of America."

Legislative Advisory No. 31 received from William C. Bradly, Jr., Counsel to the Governor, informed the House that the Governor approved: **HB 273** — 5/22/75; **HCR 29** — 5/22/75.

* * * * *

HB 415 was reported back from the Labor and Commerce Committee: 1 Favorable, 3 Merits.

HB 466, sponsored by Representative Matushefske, was introduced from the floor:

HB 466 — "An Act to amend Chapter 381, Volume 59, Laws of Delaware, the 1975 Budget Appropriation Act, originally designated **HB 750**, and to amend Chapter 523, Volume 59, Laws of Delaware, the Omnibus Amendment to the 1975 Budget Appropriation Act, originally designated **HB 1113**."

Representative Matushefske moved that the necessary rules be suspended for the purpose of considering the Bill and his motion prevailed by voice vote.

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

YES: Representatives Arnold, Boulden, Byrd, Cain, Derrickson, Ferguson, Gilligan, Harrington, Hebner, Jornlin, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis,

Morris, Plant, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Temple, Worthen, Jonkiert — 27.

NO: Representatives Billingsley, Clendaniel, Darling, Leshner, McKay, Miller, Minner — 7.

ABSENT: Representatives Ambrosino, Connor, George, Gordy, Johnson, Powell, Spence — 7.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

The following pre-filed legislation was entered in the Calendar:

HB 458 — “An Act to amend Chapter 17, Title 15, Delaware Code, relating to the transfer of voter registration upon moving from one County to another.” Sponsor: Representative Maxwell. Assigned to Public Safety Committee.

HB 459 — “An Act to amend Chapter 11, Title 16 of the Delaware Code relating to Sanatoria, Rest Homes and Nursing Homes.” Sponsor: Representative Clendaniel. Assigned to Committee on Aging.

HB 460 — “An Act to amend Title 16, Delaware Code, relating to patient’s compensation for injuries or death incurred while under the care of Health Care Providers and providing a supplementary appropriation therefor.” Sponsors: Representatives McGinnis, Worthen, Jonkiert, Powell, Derrickson, Ridings; Senators Holloway, Adams, Zimmerman and Berndt. Assigned to Health and Social Services.

HB 461 — “An Act to amend Subchapter II, Chapter 47, Title 9, Delaware Code, relating to garbage collection in unincorporated areas of Kent County.” Sponsor: Representative Darling. Assigned to Community Affairs Committee.

HB 462 — “An Act to amend Title 29 of the Delaware Code and relating to revenue projections for certain acts of special appropriation and relating to Pension Funds as established by Chapter 55, Title 29 of the Delaware Code.” Sponsor: Representative Ridings. Assigned to Appropriations Committee.

HB 463 — “An Act authorizing the Town of Millville, Delaware, to assume responsibility for the maintenance of the Millville Cemetery.” Sponsor: Representative Lynch. Assigned to Community Affairs Committee.

HB 464 — “An Act to amend Chapter 83, Part V, Title 11 of the Delaware Code relating to the State Police; and

providing pension eligibility under certain circumstances, for prior service with the Wilmington Bureau of Police." Sponsor: Representative Jonkiert. Assigned to Appropriation Committee.

HB 465 — "An Act authorizing the State of Delaware to borrow money and to issue Bonds and Notes therefor; and appropriating the funds thus obtained to the Division of Highways of the Department of Highways and Transportation, to be utilized in the Maryland Avenue, Broom Street and Lancaster Avenue projects." Sponsor: Representative Jonkiert. Assigned to Appropriations Committee.

HA 1 to **HB 66** was introduced by Representative McGinnis and placed with the Bill.

HA 1 to **SB 270** was introduced by Representative Byrd and placed with the Bill.

SB 270 w SA 1, 2 — "An Act to amend Title 17 and 21 Delaware Code, relating to Omnibus changes in the Department of Highways and Transportation and the Department of Public Safety." Sponsor: Senator Adams. Assigned to Highways and Transportation Committee.

SB 304 — "An Act making a supplementary appropriation to the Appoquinimink School District for the purpose of assisting Donald Walker who has been selected as Delaware's participant in America's Youth in Concert which will render concerts in Italy, Austria, Switzerland, France and England during the month of July." Sponsor: Senator Isaacs. Assigned to Appropriations Committee.

SB 215 — "An Act proposing an Amendment to the Constitution of the State of Delaware." Sponsor: Senator Steele. Assigned to Education Committee.

SB 232 — "An Act to amend Chapter 92, Part VII, Title 10 of the Delaware Code relating to Justices of the Peace; and increasing the number of Justices in each County." Sponsor: Senator Cicione. Assigned to Judiciary Committee.

The House recessed at 2:10 p.m. and reconvened at 3:25 p.m.

HB 255 was reported back from the Revenue and Finance Committee: 4 Merits.

The following Bills were reported back from the Administrative Services Committee: **SB 126** — 4 Merits; **HB 447** — 1 Favorable, 3 Merits.

The House reconvened at 5:18 and recessed at 5:18 until

May 28.

The House reconvened at 1:42 p.m. May 28, 1975 and on motion of the Majority Leader adjourned to immediately convene for the 36th Legislative Day.

36TH LEGISLATIVE DAY

The Speaker called the House to order at 1:42 p.m. May 28, 1975.

A Prayer was offered by Rev. William Melnick.

Pledge of Allegiance to the Flag.

By roll call, there were 41 members PRESENT.

The minutes of the previous Legislative Day were approved as posted.

HB 426 was stricken from the Calendar on motion of Representative Darling.

HB 51 was stricken from the Calendar on motion of Representative Arnold.

HB 451 was reported back from the Appropriations Committee: 6 Merits.

On motion of Representative Sincock **SCR 39**, sponsored by Senator Hughes, was introduced and adopted by voice vote of the House:

SCR 39 — "Congratulating Former Representative W. Laird Stabler, Jr. on his confirmation as United States Attorney for the District of Delaware."

HR 67, sponsored by Representative McGinnis, was introduced from the floor and adopted by voice vote:

HR 67 — "Congratulating Omar Sebastian, of Caesar Rodney High School, on winning the Singles Championship in the Delaware High School Tennis Tournament for the second consecutive year."

HR 68, sponsored by Representatives Morris, Johnson, and Plant, was introduced from the floor and adopted by voice vote:

HR 68 — "Expressing hope for a speedy recovery for Mae Fountain, a member of the custodial staff of the Legislative Hall."

Representative Plant introduced **HR 69** from the floor and moved for its adoption:

HR 69 — "Requesting the Attorney General of Delaware for an opinion as to Chapter 5, Title 31, Delaware Code, which prohibits the distribution of Public Assistance to employables between the ages of 18 and 54."

The roll call vote on the Resolution was taken and

36TH LEGISLATIVE DAY

announced:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Connor, Ferguson, George, Gilligan, Hebner, Johnson, Jornlin, Kelly, LeGates, Matushefske, McGinnis, McKay, Miller, Plant, Rispoli, Smith, Temple, Worthen, Jonkiert — 23.

NO: Representatives Arnold, Billingsley, Darling, Harrington, Leshner, Lynch, Minner, Morris, Powell, Riddagh, Seibel, Sincok, Spence — 13.

ABSENT: Representatives Ambrosino, Derrickson, Gordy, Matushefske, Ridings — 5.

Therefore, the Resolution was adopted.

HCR 33 was introduced from the floor by Representative McKay and adopted by voice vote of the House:

HCR 33 — "Extending the congratulations of the 128th General Assembly to the Philadelphia Flyers for winning the Stanley Cup for the second year in a row."

HR 70, sponsored by Representative Connor and Ambrosino, was introduced from the floor and adopted by voice vote:

HR 70 — "Directing the State Insurance Commissioner to investigate, on behalf of State Employees, alternatives to the State's present contractual arrangements with Blue Cross-Blue Shield."

HR 71, sponsored by Representatives Sincok, Ridings, Hebner, McKay and George, was introduced from the floor and adopted by voice vote:

HR 71 — "Congratulating Stephen P. Grotheer, of Brandywine High School, on winning the State DECA Award for advertising."

The following pre-filed legislation was entered in the Calendar:

HB 478 — "An Act to amend Title 10, Title 11, Title 29 and Title 31 of the Delaware Code relating to the custody, commitment, care, treatment and supervision of delinquent children and youthful offenders." Sponsor: Representative Maxwell (by request). Assigned to Judiciary Committee.

HB 468 — "An Act to amend Chapter 5, Part I, Title 7 of the Delaware Code relating to Hunting, Trapping and Fishing Licenses." Sponsor: Representative LeGates. Assigned to Environmental Control Committee.

HB 469 — "An Act to amend "An Act to re-incorporate the Town of Bowers", being Chapter 279, Volume 53, Laws of Delaware, relating to the date of the regular monthly meetings

of the Town Council." Sponsor: Representative Minner. Assigned to Community Affairs Committee.

HB 470 — "An Act to amend Section 811, Title 22, Delaware Code, relating to Home Rule." Sponsor: Representative Harrington. Assigned to Community Affairs Committee.

HB 471 — "An Act to amend Parts II and IV, Title 11, Delaware Code, and Part VIII, Title 29, Delaware Code, relating to State Governments, providing for the transfer of powers, duties and functions of the Division of Corrections of the Department of Health and Social Services, and providing for establishment of a separate Department of Correction." Sponsor: Representative Morris. Assigned to Judiciary Committee.

HB 472 — "An Act to amend Title 6 of the Delaware Code by creating a new Chapter relating to the sale of certain beverages in non-returnable or disposable beverage containers within the State of Delaware." Sponsor: Representative Maxwell. Assigned to Labor and Commerce Committee.

HB 473 — "An Act to amend Chapter 5, Title 11 of the Delaware Code pertaining to the crime of obscenity and providing penalties therefor." Sponsors: Representatives Connor, Jonkiert, Ambrosino, Gilligan, Harrington, Jornlin, Kelly, Leshner, Rispoli. Assigned to Judiciary Committee.

HA 3 to HB 86 was introduced by Representative McGinnis and placed with the Bill.

HJR 12 — "Directing the State Board of Education to abandon and/or discontinue any recommended and/or proposed plans to merge or consolidate the Marshallton-McKean School District and the Stanton School District with the Wilmington School District." Sponsor: Representative Gilligan. Assigned to Community Affairs Committee.

SB 300 — "An Act to amend Chapter 42, Title 18, Delaware Code relating to claims against insolvent insurance carriers." Sponsor: Senator Murphy. Assigned to Public Safety Committee.

SJR 30 — "Relating to the use of the State Dredge." Sponsor: Senator Cordrey. Assigned to Environmental Control Committee.

Representative Gilligan moved that **HB 242** — "An Act to amend Title 15, Delaware Code, by providing for the conducting of Presidential Primary Elections in Presidential Election Years, and to amend said Title 15 insofar as it is

inconsistent herewith." be laid on the table and his motion prevailed by voice vote.

Consideration of **HB 197** was deferred on motion of Representative Gilligan.

SB 82 — "An Act to amend Subchapter 17, Title 7, Delaware Code, relating to exemption of licenses for seeing eye dogs." was taken up for consideration on motion of Representative Gilligan.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 40.

ABSENT: Representative Derrickson — 1.

Representative Rispoli deferred to Representative George on whose motion **HB 319** — "An Act making a supplementary appropriation from the general fund of the State of Delaware in the amount of \$50,000 to subsidize the Delaware Authority for Specialized Transportation." was taken up for consideration.

The privilege of the floor was extended to Tom Povlitz of DAST to speak on the Bill after which the roll call vote was taken and announced:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Cain, Connor, Darling, Ferguson, George, Gilligan, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Matushefske, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincok, Smith, Spence, Worthen, Jonkiert — 32.

NO: Representatives Clendaniel, Lynch, McKay and Ridings — 4.

NOT VOTING: Representative Temple — 1.

ABSENT: Representatives Byrd, Derrickson, Gordy and Maxwell — 4.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

SB 162 — "An Act making a supplementary appropriation to Geriatric Services of Delaware, Inc." was lifted from the table on motion of Representative George.

The roll call vote on the Bill was taken but was tabled before being announced.

HB 455 — “An Act to amend Chapter 51, Title 30, Delaware Code, relating to monthly reports of distributors.” was taken up for consideration on motion of Representative McGinnis.

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

YES: Representatives Ambrosino, Boulden, Byrd, Darling, Ferguson, George, Gilligan, Harrington, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, Miller, Morris, Plant, Ridings, Rispoli, Temple, Worthen, Jonkiert — 22.

NO: Representatives Clendaniel, Connor, Hebner, Leshner, McKay, Minner, Riddagh, Seibel, Sincock, Smith, Spence — 11.

NOT VOTING: Representatives Arnold, Billingsley, Jornlin and Powell — 4.

ABSENT: Representatives Cain, Derrickson, Gordy and Lynch — 4.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

SB 170 — “An Act to amend Chapter 5 of Title 31, Delaware Code, relating to prompt payment of providers of health care services under the Medicaid Program.” was taken up for consideration on motion of Representative Kelly.

HA 1 to the Bill was introduced by Representative Kelly and adopted by voice vote.

Representative Kelly then moved that **SB 170 w HA 1** be laid on the table and his motion carried by voice vote.

SB 227 — “An Act to authorize the lease of Warwick School No. 203 to the Johnson Community Center.” w **SA 1** was taken up for consideration on motion of Representative Maxwell.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Jornlin, Matushefske, McGinnis, Seibel — 4.

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

SB 181 — “An Act to amend Chapter 6, Title 24, of the Delaware Code relating to Cosmetologist and the State Board of Cosmetology.” w **SA 1, 2, 3** was taken up for consideration on motion of Representative Maxwell who made a motion to waive the Fiscal Note for the Bill.

The House recessed at 3:38 and reconvened at 3:55 p.m.

HA 1 to **SB 181** w **SA 1, 2, 3** was introduced by Representative Matushefske and adopted by voice vote.

The roll call vote on **SB 181** w **SA 1, 2, 3**, **HA 1** was then taken but tabled before being announced on motion of Representative Maxwell.

The House recessed at 4:00 p.m. and reconvened at 4:04 p.m.

Representative Derrickson moved that **HB 340** — “An Act to amend an Act being Chapter 197, Volume 54, Laws of Delaware, as amended, entitled “An Act revising the prior Charter of the City of Rehoboth Beach and prescribing a New Charter therefor and prescribing the powers and duties of the Commissioners of Rehoboth Beach” to provide for a one-man one-vote voting in Annexation Elections, to provide for appeals from the assessments, to provide for notice of Elections other than the Annual Municipal Election, to provide a new time for filing petitions for nominations, to increase the amount that can be raised by taxation, to provide a procedure for borrowing money and issuing bond, to increase the amount for which contracts may be awarded without competitive bidding.” be tabled and his motion prevailed by voice vote.

HB 360 was taken up for consideration on motion of Representative Derrickson.

HB 360 — “An Act to amend Chapter 27, Title 21 of the Delaware Code relating to Credit for Income Tax paid to a political subdivision of another state.”

HA 1 to the Bill was introduced and adopted by voice vote.

The roll call vote on **HB 360** w **HA 1** was then taken and announced:

YES: Representatives Derrickson, Sincock, Spence and McGinnis — 4.

NO: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Jonkiert, Kelly, LeGates, Leshar, Lynch, Maxwell, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Smith, Worthen — 32.

NOT VOTING: Representatives Hebner, Jornlin, Ridings and Temple — 4.

ABSENT: Representative Matushefske — 1.

Therefore, the Bill was lost.

Representative Kelly moved that **SB 170 w HA 1** be lifted for consideration and his motion prevailed by voice vote.

The privilege of the floor was extended to Senator Elliott to speak on the Bill after which the roll call vote was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Temple, Worthen, Mr. Speaker Jonkiert — 40.

ABSENT: Representative Spence — 1.

Therefore, the Bill passed the House and was returned to the Senate for concurrence in the House Amendment.

HR 72, sponsored by Representative Derrickson, was introduced from the floor and adopted by voice vote:

HR 72 — “Expressing the condolences of the House of Representatives to the family of the late Elwood S. Leach, a member of the House from 1938 to 1940.”

HR 73, sponsored by Representative Sincock, Boulden and all other Representatives, was introduced from the floor and adopted by voice vote.

HR 73 — “Expressing the condolences of the members of the House of Representatives of the 128th General Assembly upon the death of Mr. Rudy Schwagel, father-in-law of our colleague, Representative Robert S. Powell.”

Representative Maxwell moved that the roll call on **SB 181 w SA 1, 2, 3, HA 1** be lifted and his motion prevailed by voice vote.

However, before the roll call was announced he moved that it be re-tabled and his motion prevailed by voice vote.

HB 285 — “An Act to amend Chapter 14, Volume 58, Laws of Delaware entitled “An Act to amend Title 22, Delaware Code, entitled ‘Municipalities’ by adding thereto a New Chapter 9 authorizing cities with a population in excess of 50,000 persons to enact a Tax on income of its residents; and a tax on the income of non-residents engaged in any occupation, business or profession within the city.” was taken up for

consideration on motion of Representative George.

HA 1 to the Bill was introduced by Representative Arnold.

A motion was made to table the Amendment and the roll call on the motion was taken and announced:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 25.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Hebner, Jornlin, Leshar, Powell, Ridings, Seibel, Sincock, Smith, Spence — 14.

ABSENT: Representatives McKay and Riddagh — 2.

Therefore, the motion prevailed and the Amendment was tabled.

HA 2 to HB 285 was introduced by Representative Arnold.

A motion was made to table the Amendment and the roll call vote on the motion was taken and announced:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 25.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Hebner, Jornlin, Leshar, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 15.

ABSENT: Representative McKay — 1.

Therefore, the motion prevailed and the Amendment was tabled.

HA 3 to HB 285 was introduced by Representative Arnold.

A motion was made to table the Amendment and the roll call on the motion was taken and announced:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 25.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Hebner, Jornlin, Leshar, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 15.

ABSENT: Representative McKay — 1.

Therefore, the motion prevailed and the Amendment was tabled.

On motion of Representative George, the roll call vote on **HB 285** was taken and announced:

YES: Representatives Boulden, Byrd, Clendaniel, Darling, Ferguson, George, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, McGinnis, Miller, Minner, Plant, Rispoli, Temple, Worthen, Jonkiert — 21.

NO: Representatives Ambrosino, Arnold, Billingsley, Cain, Connor, Derrickson, Gilligan, Hebner, Leshner, Maxwell, Morris, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 18.

NOT VOTING: Representative Jornlin — 1.

ABSENT: Representative McKay — 1.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

The House recessed at 5:38 p.m. and reconvened at 5:44 p.m. to recess at 5:44 p.m. until May 29, 1975.

The House reconvened at 2:14 p.m. May 29, 1975 and on motion of the Majority Leader immediately adjourned to begin the 37th Day.

37TH LEGISLATIVE DAY

The House convened at 2:14 p.m. May 29, 1975.

A Prayer was offered by Representative Boulden.

Pledge of Allegiance to the Flag was lead by the Speaker.

By roll call, there were 41 members **PRESENT**.

The minutes of the previous Legislative Day were approved as posted.

The following pre-filed legislation was entered in the Calendar:

HB 474 — "An Act to amend Chapter 68, Title 7, Delaware Code, providing for Time Limitations for Appeals from the Secretary's decision." Sponsor: Representative LeGates. Assigned to Environmental Control Committee.

HB 475 — "An Act to amend Chapters 31 and 33, Part III, Title 19, Delaware Code, relating to the Employment Security Commission and Unemployment Compensation." Sponsors: Representatives Byrd, Jonkiert, LeGates, Plant, Gilligan and Cain. Assigned to Labor and Commerce Committee.

HB 476 — "An Act to amend Chapter 54, Title 30 of the Delaware Code, relating to the Realty Transfer Tax, by Exempting from such Tax certain Transfer from an Executor

under a will to a beneficiary, by Exempting certain Distributors from Corporations to Shareholders where no Transfer of Beneficial Interest in the land occurs, by Exempting from such Tax all Leases excepting only leases or other Transfers of Condominium Units for residential usage, and by Exempting most Transfers made pursuant to Mortgage foreclosures." Sponsors: Representatives Ferguson and Powell. Assigned to Revenue and Finance Committee.

HB 477 — "An Act to amend Title 10 of the Delaware Code relating to Attorney's fees." Sponsor: Representative George. Assigned to Judiciary Committee.

HB 478 — "An Act to amend Chapter 61, Title 18, Delaware Code, relating to Fraternal Benefit Societies and the licensing of Insurance Agents for such Societies." Sponsors: Representatives Jonkiert and Jornlin. Assigned to Public Safety Committee.

HB 479 — "An Act to amend Chapter 85, Title 10, Delaware Code, relating to the requirement of court costs; and providing for proceedings in Forma Pauperis." Sponsor: Representative LeGates. Assigned to Judiciary Committee.

HB 480 — "An Act to amend Chapter 11, Title 9, Delaware Code relating to the salary of the County Executive of New Castle County." Sponsor: Representative Boulden. Assigned to Community Affairs Committee.

HB 481 — "An Act to amend Chapter 5, Title 1, Delaware Code, to provide that Return Day shall be a Legal Holiday in Sussex County." Sponsor: Representative Clendaniel. Assigned to Agriculture Committee.

HB 482 — "An Act to amend Chapter 79, Title 29, Delaware Code, relating to the qualifications of the Director of the Division of Public Health and the composition of the State Board of Health." Sponsor: Representative Morris. Assigned to Health and Social Services Committee.

HB 483 — "An Act to amend Chapter 51, Title 16, Delaware Code by defining the requirements for the position of Superintendent of the Delaware State Hospital. Sponsor: Representative Morris. Assigned to Health and Social Services Committee.

HB 485 — "An Act to amend §7903, Title 29, Delaware Code, relating to the qualifications of the Director of the Division of Mental Health." Sponsor: Representative Morris. Assigned to Health and Social Services Committee.

HB 486 — "An Act to amend Subchapter VI, Title 31,

Delaware Code, relating to Child Day Care Centers." Sponsor: Representative Morris. Assigned to Health and Social Services Committee.

HB 487 — "An Act to Incorporate the Village of Ardentown." Sponsors: Representative Hebner and Senator Hughes. Assigned to Community Affairs Committee.

HA 1 to HB 55 was introduced by Representative Leshner and placed with the Bill.

HA 1 to HB 216 was introduced by Representative Powell and placed with the Bill.

HA 1 to HB 294 was introduced by Representative Matushefske and placed with the Bill.

HJR 13 — "Authorizing and creating a Special Committee to investigate the possible use of pre-employment Police information." Sponsor: Representative Riddagh. Assigned to Public Safety Committee.

SB 84 w SA 1 — "An Act to amend Chapter 3, Part I, Title 30 of the Delaware Code relating to the Tax Appeal Bond." Sponsors: Senators Berndt and Holloway. Assigned to Revenue and Finance Committee.

SB 211 — "An Act to repeal Section 7920, Chapter 79, Title 29, Delaware Code." Sponsor: Representative Cordrey. Assigned to Health and Social Services Committee.

HB 484 — "An Act to amend an Act entitled "An Act establishing a Committee to plan with the Delaware Agriculture Museum Association, Inc.; the creation of a State Agriculture Museum prescribing certain powers and responsibilities for such Committee; and providing for a supplementary appropriation for the expenses incurred by such Committee" relating to the time the Delaware Agriculture Museum Committee shall issue interim reports." Sponsor: Representative Minner.

Representative Minner moved that the necessary rules be suspended for the purpose of considering the Bill and the motion prevailed by voice vote.

Roll call was taken and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Byrd, Cain, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Ambrosino, Clendaniel, Ferguson, and Maxwell — 4.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

SB 190 w SA 1 was taken up for consideration on motion of Representative George. "An Act to provide a supplementary appropriation to the Justice of the Peace Courts to enable certain Constables to receive unpaid travel money." The roll call vote on the Bill was taken and announced:

YES: Representatives Boulden, Byrd, Cain, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 24.

NO: Representatives Arnold, Billingsley, Connor, Derrickson, Hebner, Jornlin, Leshner, McKay, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence — 15.

ABSENT: Representatives Ambrosino and Clendaniel — 2.

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

On motion of Representative George, **HB 264** and **HB 265** were deferred.

HB 345 was taken up for consideration on motion of Representative Worthen.

HB 345 — "An Act to amend Chapter 17, Title 7, Delaware Code, making it unlawful for dogs to run at large, providing penalties for violations therefor, and providing that records of such violations be kept by the Department of Natural Resources and Environmental Control."

HA 1 to the Bill was introduced by Representative Worthen and adopted by voice vote.

The roll call vote on **HB 345 w HA 1** was then taken and revealed 41 members voting YES.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Consideration of **HB 320** was deferred on motion of Representative Worthen.

HB 210 was taken up for consideration on motion of Representative Worthen.

HB 210 — "An Act to amend Chapter 43, Title 21, Delaware Code, relating to the equipment of Motor Vehicles; prohibiting projections from the periphery of tires with certain

exceptions and providing penalties.”

HA 1 to the Bill was introduced by Representative Smith and adopted by voice vote.

HA 2 to the Bill was introduced by Representative Smith and adopted by voice vote.

Representative Worthen then moved that **HB 210 w HA 1, 2** be laid on the table and the motion prevailed by voice vote.

SCR 40, sponsored by Senator Sharp and Representative Worthen, was introduced and adopted by voice vote:

SCR 40 — “Welcoming the Monta Vista Madrigals from Monta Vista High School, Monta Vista, California, and extending best wishes to each of them on their East Coast tour.”

Consideration of **HB 304** was deferred on motion of Representative Worthen.

Representative LeGates moved that **HB 356** be laid on the table and the motion prevailed by voice vote.

HB 309 was taken up for consideration on motion of Representative Byrd.

HB 309 — “An Act to amend Chapter 33, Title 19, Delaware Code, relating to Unemployment Compensation.”

At the request of Representative Byrd, the privilege of the floor was extended to Frank Vavala to speak on the Bill.

HA 1 to the Bill was introduced by Representative Byrd and adopted by voice vote.

The roll call vote on **HB 309 w HA 1** was then taken but laid on the table before being announced on motion of Representative Byrd.

HB 294 was taken up for consideration on motion of Representative Matushefske.

HB 294 — “An Act to amend Subchapter 1 of Chapter 5, Title 28, Delaware Code relating to composition of the Delaware harness racing commission.”

HA 1 to the Bill was introduced by Representative Matushefske who moved that it be laid on the table. The roll call vote on the tabling motion was taken and revealed:

YES: Representatives Boulden, Clendaniel, Ferguson, George, Gilligan, Gordy, Johnson, Matushefske, Maxwell, Rispoli, Temple — 11.

NO: Representatives Ambrosino, Arnold, Billingsley, Cain, Connor, Darling, Derrickson, Harrington, Hebner, Jornlin, Kelly, LeGates, Leshner, Lynch, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence, Worthen, Jonkiert — 29.

ABSENT: Representative Byrd — 1.

Therefore, the motion failed and the Amendment was considered for adoption. The roll call vote on the Amendment was taken and revealed:

YES: Representatives Boulden, Clendaniel, Gordy, Johnson, Matushefske, Maxwell, Rispoli, Temple — 8.

NO: Representatives Ambrosino, Arnold, Billingsley, Cain, Connor, Darling, Derrickson, Gilligan, Harrington, Hebner, Jornlin, Leshner, Lynch, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence, Worthen, Jonkiert — 28.

NOT VOTING: Representatives George, Kelly and LeGates — 3.

ABSENT: Representatives Byrd and Ferguson — 2.

Therefore, the Amendment was defeated.

Representative Matushefske moved that **HB 294** be laid on the table.

Representative McGinnis moved that the motion to table the Bill be tabled. The roll call vote on his motion was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Cain, Connor, Darling, Derrickson, George, Harrington, Hebner, Jornlin, Kelly, LeGates, Leshner, Lynch, McGinnis, McKay, Miller, Minner, Morris, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence, Worthen — 28.

NO: Representatives Boulden, Clendaniel, Ferguson, Gilligan, Gordy, Johnson, Matushefske, Maxwell, Plant, Rispoli, Temple, Jonkiert — 12.

ABSENT: Representative Byrd — 1.

Therefore the motion to table the tabling motion prevailed and the Bill was still before the House.

The roll call vote on **HB 294** was then taken and announced:

YES: Representatives Boulden, Ferguson, Gordy, Johnson, Matushefske, Rispoli, Temple — 7.

NO: Representatives Ambrosino, Arnold, Billingsley, Cain, Connor, Darling, Derrickson, Gilligan, Harrington, Hebner, Jornlin, Kelly, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence, Worthen, Jonkiert — 30.

ABSENT: Representatives Cain, Clendaniel, George and LeGates — 4.

Therefore, the Bill was declared defeated.

SJR 30, sponsored by Senator Cordrey, was introduced:

SJR 30 — "Relating to the use of the State dredge."

Representative Gilligan moved that the necessary rules be suspended for the purpose of considering the Resolution and the motion prevailed by voice vote.

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

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Jonkiert — 36.

NO: Representative Billingsley — 1.

NOT VOTING: Representative Maxwell — 1.

ABSENT: Representatives Cain, Clendaniel and McGinnis — 3.

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

HR 74, sponsored by Representative Smith, was introduced from the floor and adopted by voice vote.

HR 74 — "Requesting the Secretary of Natural Resources and Environmental Control to report to the 128th General Assembly concerning the use of the State owned dredge at Indian River Inlet."

Consideration of **HB 217** was deferred on motion of Representative Arnold.

HB 389 was deferred on motion of Representative Lynch.

SJR 26 was taken up for consideration on motion of Representative Lynch. The roll call vote on the Resolution was taken and announced:

YES: Representatives Ambrosino, Boulden, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Jornlin, Lynch, Matushefske, McKay, Miller, Plant, Powell, Ridings, Rispoli, Seibel, Sincock, Temple, Worthen, Jonkiert — 27.

NO: Representatives Hebner, Kelly, LeGates, Leshner, Minner, Morris, Riddagh, Smith, Spence — 9.

NOT VOTING: Representatives Arnold, Billingsley, Byrd and Maxwell — 4.

ABSENT: Representative McGinnis — 1.

Therefore, the Resolution was adopted by the House and

returned to the Senate.

HB 55 was taken up for consideration on motion of Representative Leshner.

HB 55 — "An Act to amend Chapter 5, Part I, Title 7 of the Delaware Code relating to dog licenses and providing for an increase in the amount which may be retained by the selling agent."

HA 1 to the Bill was introduced by Representative Leshner and adopted by voice vote.

The roll call vote on **HB 55 w HA 1** was taken and announced:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Jonkiert — 36.

NO: Representative Darling — 1.

NOT VOTING: Representatives Billingsley and Seibel — 2.

ABSENT: Representatives George and Plant — 2.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HR 75, sponsored by Representatives Boulden and Spence, was introduced from the floor and adopted by voice vote:

HR 75 — "Expressing the sincere congratulations of the House of Representatives to Anna Riddagh for persevering for 30 years as Mrs. Robert W. Riddagh."

Representative LeGates moved that **HB 356** be lifted from the table for further consideration. "An Act repealing Chapter 19, of Title 6, Delaware Code, relating to 'Fair Trade Laws'." The motion prevailed by voice vote.

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

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Connor, Ferguson, George, Gilligan, Harrington, Hebner, Jornlin, Kelly, LeGates, Leshner, Maxwell, McGinnis, McKay, Miller, Minner, Powell, Ridings, Rispoli, Seibel, Sincock, Smith, Temple, Worthen, Jonkiert — 30.

NO: Representatives Clendaniel, Darling, Johnson, Matushefske, Morris, Plant, Riddagh, Spence — 8.

NOT VOTING: Representatives Gordy and Lynch — 2.
 ABSENT: Representative Derrickson — 1.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 336 was taken up for consideration on motion of Representative Ridings.

HB 336 — “An Act to amend Title 7, Delaware Code, relating to the powers and duties of the Department of Natural Resources and Environmental Control in the establishment of entrance fees to State Parks and Recreation Areas.”

HA 1 to the Bill was stricken on motion of Representative Cain.

HA 2 to the Bill was introduced by Representative Cain and adopted by voice vote.

Representative Ridings then moved that **HB 336 w HA 2** be laid on the table and the motion prevailed by voice vote.

Consideration of **HB 348** was deferred on motion of Representative Ambrosino.

HB 267 was deferred for consideration on motion of Representative Ferguson.

HB 488, sponsored by Representative Ambrosino, was introduced from the floor:

HB 488 — “An Act making a supplementary appropriation to the Mt. Pleasant School District for the purpose of assisting Gail Stacy who has been selected as Delaware’s participant in America’s Youth in Concert which will render concerts in Italy, Austria, Switzerland, France and England during the month of July.”

Representative Ambrosino moved that the necessary rules be suspended for the purpose of considering the Bill and the motion prevailed by voice vote.

The House recessed at 5:38 and reconvened at 5:45 p.m.

The roll call vote on **HB 488** was taken and announced:

YES: Representatives Ambrosino, Boulden, Byrd, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Hebner, Kelly, Lynch, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Ridings, Rispoli, Sincok, Smith, Temple, Jonkiert — 25.

NO: Representatives Arnold, Billingsley, Cain, Clendaniel, Jornlin, Leshar, McKay, Powell, Riddagh, Seibel — 10.

ABSENT: Representatives Harrington, Johnson, Leshar, Matushefske, Spence and Worthen — 6.

Therefore, the Bill passed the House and was ordered to

the Senate for concurrence.

Representative George moved that the necessary rules be suspended for the purpose of considering **SB 304** — “An Act making a supplementary appropriation to the Appoquinimink School District for the purpose of assisting Donald Walker who has been selected as Delaware’s participant in America’s youth in concert which will render concerts in Italy, Austria, Switzerland, France and England during the month of July.” The motion prevailed by voice vote.

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

YES: Representatives Ambrosino, Boulden, Byrd, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Smith, Spence, Temple, Worthen, Jonkiert — 29.

NO: Representatives Arnold, Billingsley, Cain, Clendaniel, Jornlin, Leshar, McKay, Powell, Riddagh, Ridings, Seibel — 11.

ABSENT: Representative Sincock — 1.

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

Consideration of **HB 335** was deferred on motion of Representative McGinnis.

HB 325 was taken up for consideration on motion of Representative Johnson. “An Act to amend Chapter 21, Title 21, Delaware Code, relating to removal of Motor Vehicles by Police.” The roll call vote on the Bill was taken and revealed 40 Representatives voting YES with 1 Representative (Cain) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for consideration.

HB 174 was taken up for consideration on motion of Representative Darling. “An Act to amend Subchapter 1 of the Chapter 17, Title 15, Delaware Code, relating to procedures in determining eligibility of voter to remain registered.” The roll call vote on the Bill was taken and revealed 40 Representatives voting YES with 1 Representative (Sincock) ABSENT.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

HB 474 was stricken from the Calendar at the request of Representative LeGates.

At 6:12 p.m. the House recessed until 1:30 p.m. June 3, 1975.

The House was called to order by the Speaker at 1:43 p.m. June 3, 1975 and on motion of the Majority Leader immediately adjourned to begin the 38th Legislative Day.

38TH LEGISLATIVE DAY

The House convened at 1:43 p.m. June 3, 1975.

A Prayer was offered by Father Phillip McGann.

Pledge of Allegiance to the Flag was lead by the Speaker.

By roll call, there were 41 Members PRESENT.

The minutes of the previous day were approved as posted.

Legislative Advisory No. 34 received from William C. Bradley, Jr., Counsel to the Governor, informed the House that the Governor approved: **HB 455** — 5/29/75; **HB 240** — 5/30/75.

The following pre-filed legislation was entered in the Calendar:

HB 489 — "An Act to amend Chapter 68, Title 7, Delaware Code, relating to appeals from decisions of the Secretary of the Department of Natural Resources and Environmental Control." Sponsor: Representative LeGates. Assigned to Natural Resources and Environmental Control Committee.

HB 490 — "An Act to amend Subchapter II of Chapter 33, Title 19, Delaware Code, relating to persons in transit being eligible to receive Unemployment Compensation benefits." Sponsor: Representative Plant. Assigned to Labor and Commerce Committee.

HB 491 — "An Act making a supplementary appropriation to the Department of Health and Social Services to be used for the Blackman's Development Center." Sponsors: Representatives Plant, Johnson, Rispoli, Jonkiert and Riddagh; Senators Holloway and Schlor. Assigned to Appropriations Committee.

HB 492 — "An Act to amend Chapter 5, Part I, Title 7 of the Delaware Code relating to Fishing Licenses." Sponsor: Representative LeGates (by request). Assigned to Natural Resources and Environmental Control Committee.

HB 493 — "An Act to amend Chapter 480, Volume 59, Laws of Delaware entitled "An Act to amend Title 9, Title 14 and Title 29 of the Delaware Code relating to Library Services in Delaware." Sponsors: Representatives Gordy, Harrington, Clendaniel, Temple, Lynch and Derrickson; Senators Adams, Cordrey and Elliott. Assigned to Community Affairs Committee.

HB 494 — “An Act to amend Chapter 11 and Chapter 29, Title 30, Delaware Code, relating to deductions for percentage depletion of Oil and Gas Wells in computing taxable income.” Sponsor: Representative Ridings. Assigned to Revenue and Finance Committee.

HA 1 to HB 267 was introduced by Representative Ferguson and placed with the Bill.

HA 1 to HB 268 was introduced by Representative Maxwell and placed with the Bill.

HA 1 to HB 296 was introduced by Representative Spence and placed with the Bill.

HA 1 to HB 333 was introduced by Representative McGinnis and placed with the Bill.

HA 1 to HB 431 was introduced by Representative Ferguson and placed with the Bill.

HA 1 to HB 462 was introduced by Representative Ridings and placed with the Bill.

SB 254 — “An Act to repeal Chapter 314, Volume 49, Laws of Delaware; and to repeal Chapter 136, Volume 52, Laws of Delaware, and to amend the Charter of the City of Dover, Chapter 158, Volume 36, Laws of Delaware entitled “An Act changing the name of the Town of Dover to the City of Dover and establishing a Charter therefor” and to abolish the weighted voting provisions for an annexation and to apply the one-man one-vote principal to said Annexation Election.” Sponsor: Senator Zimmerman. Assigned to Community Affairs Committee.

SJR 28 — “Directing the State Board of Education to abandon and/or discontinue any recommended and/or proposed plan to merge or consolidate Stanton School District and Claymont School District with the Wilmington Public Schools.” Sponsor: Senator Sharp. Assigned to Education Committee.

HB 233 was reassigned from the Natural Resources Committee to the Environmental Control Committee.

HB 229 was stricken on motion of Representative Ferguson.

At 4:06 the House recessed for Committee hearings and reconvened at 4:16.

The following Committee reports were made:

From the Judiciary: **HB 471** — 1 Favorable, 3 Merits; **HB 418** — 4 Merits; **HB 477** — 4 Merits.

From the Natural Resources Committee: **HB 368** — 5

Merits.

From the Health and Social Services Committee: **HB 482** — 3 Merits, 1 Unfavorable; **HB 483** — 3 Merits, 1 Unfavorable; **HB 485** — 4 Merits; **SB 211** — 4 Merits.

From the House Administration Committee: **HJR 3** — 1 Favorable, 4 Merits.

From the Highways and Transportation Committee: **HB 419** — 6 Merits; **HB 395** — 2 Favorable, 3 Merits.

From the Administrative Services Committee: **HB 454** — 5 Merits.

From the Appropriations Committee: **HB 420** — 4 Merits; **HB 444** — 4 Merits.

From the Federal and State Relations Committee: **HB 452** — 2 Favorable, 2 Merits; **HB 424** — 3 Merits, 1 Unfavorable; **HB 428** — 4 Merits.

From the Public Safety Committee: **HB 478** — 5 Merits; **HB 448** — 5 Merits.

From the Community Affairs Committee: **HB 487** — 5 Favorable; **HB 461** — 5 Merits; **HB 448** — 2 Favorable, 2 Merits, 1 Unfavorable; **HB 480** — 4 Merits; **HB 469** — 2 Favorable, 3 Merits; **HB 463** — 5 Merits; **HB 42** — 5 Merits; **HB 53** — 5 Merits; **HB 470** — 2 Favorable, 3 Merits.

From the Education Committee: **HB 310** — 4 Merits, 1 Unfavorable.

From the Labor Committee: **HB 188** — 4 Merits.

The House recessed at 4:19 p.m. and reconvened at 5:14 p.m.

HB 312 was stricken on motion of Representative Miller.

Representative Maxwell moved that the roll call on **SB 181 w SA 1, 2, 3, HA 1** be lifted and the motion prevailed by voice vote.

The roll call vote on **SB 181 w SA 1, 2, 3, HA 1** was then announced:

YES: Representatives Boulden, Byrd, Cain, Darling, Ferguson, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Ridings, Rispoli, Temple, Jonkiert — 20.

NO: Representatives Ambrosino, Arnold, Billingsley, Clendaniel, Connor, Derrickson, Harrington, Leshner, McKay, Powell, Riddagh, Seibel, Sincock, Smith, Spence, Worthen — 16.

NOT VOTING: Representatives Hebner and Jornlin — 2.

ABSENT: Representative Gordy — 1.

Therefore, the Bill passed the House and was returned to the Senate for concurrence in the House Amendment.

Representative Matushefske moved that the necessary rules be suspended for the purpose of considering **HB 357** — "An Act to amend Chapter 1, Title 1, Delaware Code, relating to distribution of the Delaware Code and supplements." The motion prevailed by voice vote.

The roll call vote on the Bill was taken and revealed 38 Representatives voting YES with 3 Representatives (Billingsley, Lynch and Temple) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

The following Committee reports were announced:

From the Environmental Control Committee: **HB 245** — 5 Merits; **SB 288** — 5 Merits.

From the Revenue and Finance Committee: **HB 214** — 5 Merits; **HB 456** — 5 Merits; **HB 457** — 1 Favorable, 4 Merits.

The House recessed at 5:25 p.m. until 1:30 p.m. on June 4, 1975.

The House reconvened at 12:54 p.m. June 4, 1975.

HB 46 was reported out of the Labor and Commerce Committee: 4 Merits.

At 12:55 p.m. the House adjourned and on the motion of the Majority Leader, immediately reconvened for the 39th Legislative Day.

39TH LEGISLATIVE DAY

The House convened at 12:55 p.m. June 4, 1975.

A Prayer was offered by Reverend Massimilla.

Pledge of Allegiance to the Flag was lead by the Speaker.

By call of the roll, there were 38 Representatives PRESENT and 3 Representatives (Ambrosino, George and Matushefske) ABSENT.

The minutes of the previous Legislative Day were approved as posted.

Legislative Advisory No. 32 received from William C. Bradley, Jr., Counsel to the Governor informed the House that the Governor approved the following legislation: **HB 232** on May 22, 1975; **HB 235** and **HB 79** on May 24, 1975.

A message from the Senate informed the House that it had passed **HB 439**; **HB 148**; **HB 477**; **HB 436 w HA 1**; **HB 437**; **HB 387**; **HB 385**; **HB 438**; **HB 298 w HA 1**; **HB 240**; **HB 484**; **HB 266**; **HCR 32**.

HJR 14 was introduced from the floor by Representative Plant and assigned to Health and Social Services Committee:

HJR 14 — "Requesting Governor Sherman W. Tribbitt to end the policy of mixing adult and juvenile females at the Woodshaven-Kruse School for Girls in Claymont by or before September 30, 1975."

Representative Plant moved that the necessary rules be suspended for the consideration of **HJR 14** and the motion was adopted by voice vote; however, on further motion of Representative Plant, the Resolution was stricken.

Representative Byrd moved that the roll call on **HB 309** be lifted. "An Act to amend Chapter 33, Title 19, Delaware Code, relating to Unemployment Compensation." The motion prevailed by voice vote.

The roll call vote on **HB 309** was therefore announced:

YES: Representatives Ambrosino, Arnold, Byrd, Cain, Connor, Ferguson, George, Gilligan, Johnson, Jonkiert, Kelly, LeGates, Matushefske, Maxwell, Miller, Plant, Powell, Rispoli, Spence, Temple, Worthen, Boulden — 22.

NO: Representatives Clendaniel, Darling, Gordy, Harrington, Hebner, Jornlin, Leshner, Lynch, McGinnis, McKay, Minner, Morris, Riddagh, Ridings, Sincock, Smith — 16.

NOT VOTING: Representatives Billingsley, Derrickson and Seibel — 3.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

The following pre-filed legislation was entered in the Calendar:

HB 495 — "An Act to amend Chapter 42, Title 11, Delaware Code, by abolishing the death penalty and substituting life imprisonment for first degree murder." Sponsors: Representatives Plant and Johnson; Senator Holloway. Assigned to Judiciary Committee.

HB 496 — "An Act to amend Chapter 11, Part II, Title 30 of the Delaware Code relating to the Delaware Personal Income Tax; and providing a modification in such tax with regard to payments received for service in the National Guard." Sponsors: Representative Maxwell and Senator Cicione. Assigned to Revenue and Finance Committee.

HB 497 — "An Act to amend Chapter 95, Title 10, Delaware Code, relating to appeals from Justice of the Peace Courts." Sponsor: Representative LeGates. Assigned to

Judiciary Committee.

HB 498 — "An Act to amend Chapter 7, Title 17 of the Delaware Code relating to railroad crossings over highways." Sponsor: Representative Byrd. Assigned to Highways and Transportation Committee.

HB 499 — "An Act to amend Chapter 9 and Chapter 11, Title 13 of the Delaware Code relating to adoption and termination of parental rights." Sponsor: Representative Worthen. Assigned to Health and Social Services Committee.

HB 500 — "An Act to amend Chapter 83, Part VIII, Title 29 of the Delaware Code relating to the Board of Pension Trustees; and providing ex officio membership to the State Treasurer." Sponsor: Representative Ambrosino. Assigned to House Administration Committee.

HB 401 — "An Act to amend Chapter 3 and Chapter 4, Title 28, Delaware Code relating to the State Tax on total contributions to Pari-Mutuel and Totalizator Pools conducted or made at Horse Racing Tracks in Kent County and the licensee's commissions on such pools." Sponsor: Representative McGinnis. Assigned to Revenue and Finance Committee.

HB 502 — "An Act to amend Chapter 21, Title 21, Delaware Code relating to certain semi-trailer registration fees." Sponsor: Representative McGinnis. Assigned to Public Safety Committee.

HA 2 to HB 431 was introduced by Representative Leshner and placed with the Bill.

HA 1 to HB 450 was introduced by Representatives Ambrosino and Plant and placed with the Bill.

HA 1 to SB 249, sponsored by Representative George, Senators Zimmerman, Cook and Murphy, was introduced and placed with the Bill.

HA 2 to SB 70 was introduced by Representative McGinnis and placed with the Bill.

SB 243 — "An Act to amend Volume 36, Laws of Delaware Chapter 158 entitled "An Act changing the name of the Town of Dover and establishing a Charter therefore by changing the method of filing vacancies for Council," by submitting the same to Special Election." Sponsor: Senator Zimmerman. Assigned to Community Affairs Committee.

SB 258 — "An Act directing the State Board of Education to submit any and all desegregation proposals to the General Assembly for review prior to submission to the Federal District

Court." Sponsors: Senators Cicione and Sharp. Assigned to Education Committee.

SB 352 — "An Act making a supplementary appropriation to Geriatric Services of Delaware, Inc." Sponsors: Senator Holloway. Assigned to Appropriations Committee.

SCR 38 — "Reminding the citizens of Delaware of the need for especially careful driving during the Memorial Day Week-end of 1975." Sponsor Senator Adams.

SCR 41 — "Extending the wishes of the 128th General Assembly for a quick and speedy recovery for Timothy W. Hyatt from a recent serious illness." Sponsor: Senator Cicione.

SCR 42 — "Commending the Controller General and his Staff for outstanding service to the Joint Legislative Finance Committee during preparation of the Budget for Fiscal 1976." Sponsor: Senator Cicione.

The House recessed at 1:40 p.m. and reconvened at 3:04 p.m.

HR 76, sponsored by Representative Plant, was introduced from the floor and considered for adoption on motion of the Representative:

HR 76 — "Rejecting implications that members of the House were used as a cover for Secretary Earl McGinnes of the Department of Health and Social Services in the ousting of Miklos T. Lazar, Director of the Division of Social Services."

The roll call vote on the Resolution revealed:

YES: Representatives Boulden, Byrd, Cain, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Minner, Morris, Plant, Rispoli, Temple, Jonkiert — 22.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Jornlin, Leshner, McKay, Miller, Powell, Riddagh, Ridings, Seibel, Sincock, Spence — 15.

ABSENT: Representatives Clendaniel, Hebner, Smith and Worthen — 4.

Therefore, the Resolution was adopted.

HR 77, sponsored by Representatives Cain and Byrd was introduced from the floor and adopted by voice vote of the House:

HR 77 — "Pointing with pride and viewing with alarm the Legislative achievements and advancing old age of Scoutmaster Bob Maxwell."

HR 78, sponsored by Representative Byrd, was introduced from the floor and adopted by voice vote of the

House:

HR 78 — “Expressing the Birthday Wishes of the House of Representatives to our good friend, Alma M. Gray, of Ashley.”

SCR 41 was taken up for consideration on motion of Representative Byrd. “Extending the wishes of the 128th General Assembly for a quick and speedy recovery for Timothy W. Hyatt from a recent serious illness.” It was adopted by voice vote of the House.

Representative Gordy moved that **SB 250** be lifted for consideration. “An Act to amend Chapter 647, Volume 57, Laws of Delaware, relating to use of State owned Helicopters and providing a supplementary appropriation therefor.” The motion prevailed by voice vote.

HA 1 to the Bill was introduced by Representative Gordy and adopted by voice vote.

The roll call vote on **SB 250 w HA 1** was then taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, Gilligan, Gordy, Harrington, Johnson, Jornlin, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Rispoli, Temple, Worthen, Mr. Speaker Jonkiert — 29.

NO: Representatives Billingsley, Derrickson, Hebner, Leshner, McKay, Riddagh, Ridings, Seibel, Sincock, Smith, and Spence — 11.

ABSENT: Representative George — 1.

Therefore, the Bill passed the House and was returned to the Senate for concurrence in the House Amendment.

HB 206 was stricken on motion of Representative Ridings.

HB 210 w HA 1, 2 was lifted on motion of Representative Worthen. “An Act to amend Chapter 43, Title 21, Delaware Code, relating to the equipment of Motor Vehicles; prohibiting projection from the periphery of tires with certain exceptions; and providing penalties.” The privilege of the floor was extended to John Haightman, Delaware Valley and National Fire Dealer Association; Mr. Homewook, Division of Highways, Chief of Maintenance; and Mr. Ranie.

The following letter was also read concerning the Bill:

**DEPARTMENT OF PUBLIC SAFETY
DIVISION OF STATE POLICE
DOVER , DELAWARE**

May 14, 1975

The Honorable Sandra Worthen
Delaware State Representative
Newark, Delaware

Dear Representative Worthen:

This is in response to your inquiry dated May 7, 1975, concerning studded tires. The Division of State Police has discontinued the use of studded tires and has no immediate plans to reinstitute their usage.

While they have proven beneficial in operating on icy surfaces, we have determined that several negative factors exist:

(1) Due to continuous high speed operation, erratic stops and starts, etc., we find constant replacement of the studs is necessary.

(2) When traveling at high speeds, there appears to be some loss of vehicle stability.

I would suggest, however, that you allow the exception, as stated, to remain. If the industry further perfects studded tires, my successor or some further administration may deem their usage advisable. Thank you.

Sincerely,
Colonel James L. Ford, Jr.
Superintendent

* * * * *

The roll call vote on **HB 210 w HA 1 , 2** was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Byrd, Cain, Derrickson, George, Harrington, Jornlin, Leshar, McGinnis, McKay, Miller, Plant, Ridings, Seibel, Smith, Worthen, Jonkiert — 18.

NO: Representatives Arnold, Boulden, Clendaniel, Connor, Darling, Ferguson, Gilligan, Gordy, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Sincok, Spence — 22.

NOT VOTING: Representative Temple — 1.

ABSENT: Representative Hebner — 1.

Therefore, the Bill was defeated.

SCR 42 was taken up for consideration on motion of Representative George. "Commending the Comptroller General and his Staff for outstanding service to the Joint Legislative Finance Committee during preparation of the Budget for Fiscal 1976." It was adopted by voice vote of the House.

On motion of Representative Powell, **HB 370** was deferred.

HB 304 was taken up for consideration on motion of Representative Worthen. "An Act to grant approval to the Department of Natural Resources and Environmental Control to purchase a tract of land within White Clay Creek State Park, White Clay Creek Hundred, New Castle County, Newark, Delaware." The roll call vote was taken which revealed 39 Representatives voting YES and 2 Representatives (Cain and Hebner) ABSENT. Therefore, the Bill passed the House and was sent to the Senate for concurrence.

Representative Ambrosino deferred to Representatives Arnold and Temple and requested that consideration of **HB 348** be deferred.

HB 217 was taken up for consideration on motion of Representatives Temple and Arnold.

HB 217 — "An Act to amend Chapter 7, Title 7, of the Delaware Code relating to wearing Hunter Orange in the hunting of deer."

HA 1 to the Bill was introduced by Representatives Temple and Arnold and adopted by voice vote.

Representative Ridings introduced **HA 2** to the Bill and moved that it be adopted.

The House recessed at 5:07 p.m. and reconvened at 5:19 p.m.

HA 2 to **HB 217** w **HA 1** which was before the House before the recess was considered for adoption and defeated by voice vote.

The roll call vote on **HB 217** w **HA 1** was then taken and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, Gilligan, Gordy, Harrington, Jornlin, Kelly, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 32.

NO: Representatives Derrickson, George, LeGates,

Ridings, and Seibel — 5.

ABSENT: Representatives Ambrosino, Hebner, Johnson, and Morris — 4.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

Consideration of **HB 335** was deferred at the request of Representative McGinnis who then deferred to Representative LeGates.

HB 415 was taken up for consideration on motion of Representative LeGates. "An Act to amend Chapter 81, Title 9, Delaware Code, relating to property subject to county taxation." The names of Representatives Billingsley, Seibel and Worthen were added as co-sponsors of the Bill.

The roll call vote on the Bill was taken and revealed 38 Representatives voting YES and 3 Representatives (Hebner, Johnson and Morris) ABSENT.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

Consideration of **HB 216** was deferred at the request of Representative Powell.

HB 454 was taken up for consideration on motion of Representative Powell. "An Act to amend Chapter 29, of Title 24 of the Delaware Code by repealing the law relating to Bonding of Real Estate Brokers and providing instead for the establishment and maintenance of a Real Estate Guaranty Fund." The roll call vote taken which revealed 37 Representatives voting YES, 1 Representative (Billingsley) NOT VOTING and 3 Representatives (Hebner, Johnson and Morris) ABSENT.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

Representative McGinnis deferred to Representative Plant on whose motion **HB 395** was taken up for consideration.

HB 395 — "An Act to amend Chapter 16, Subchapter I, Title 2 of the Delaware Code by providing free Public Transportation for the blind."

HA 1 to the Bill was introduced by Representative Boulden and adopted by voice vote.

The roll call on **HB 395** w **HA 1** was then taken and revealed 38 Representatives voting YES and 3 Representatives (Hebner, Johnson and Morris) ABSENT.

Therefore, the Bill passed the House and was sent to the

Senate for concurrence.

Consideration of **HB 198** was deferred on motion of Representative Clendaniel.

SB 163 was taken up for consideration on motion of Representative Clendaniel and the roll call vote taken which was then tabled on further motion of the Representative before it was announced.

SB 8 w SA 1 "An Act to amend Chapter 83, Title 9, Delaware Code by providing the Annual Renewal of Application for Farm Land Reassment shall no longer be required unless the land usage has changed." was taken up for consideration on motion of Representative Rispoli.

HA 1 to the Bill was introduced by Representative Rispoli and adopted by voice vote.

Representative Rispoli then moved that the Bill be tabled and the motion prevailed by voice vote.

Consideration of **HB 150** was deferred at the request of Representative Riddagh who then deferred to Representative Matushefske on whose motion **SB 90** was taken up for consideration.

SB 90 — "An Act to amend Chapter 43, Part II, Title 11 of the Delaware Code relating to the powers, duties and procedures of the Board of Parole by providing that no parole shall be granted until at least one half of the sentence has been served."

HA 1 to the Bill was introduced by Representative Spence who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Harrington, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McKay, Miller, Minner, Powell, Riddagh, Ridings, Rispoli, Smith, Spence, Temple — 30.

NO: Representatives Billingsley, McGinnis, Plant, Sincok, Worthen, and Jonkiert — 6.

NOT VOTING: Representative Seibel — 1.

ABSENT: Representatives Gordy, Hebner, Johnson, and Morris — 4.

Therefore, the Amendment was adopted.

The roll call vote on **SB 90 w HA 1** was then taken but tabled before being announced on motion of Representative Matushefske.

HR 79, sponsored by Representatives Connor, Ferguson and Derrickson, was introduced from the floor and adopted by voice vote:

HR 79 — "House of Representatives expresses Birthday Greetings to the former Chief Clerk of the House of Representatives, Nancy Olsen."

HR 80 was introduced from the floor by Representative Connor and adopted by voice vote:

HR 80 — "Extending Happy Birthday Greetings to Representative "Jody" Ambrosino, who will be XLII years young on June 4, 1975."

At the request of Representative Gilligan, consideration of **HB 199** was deferred.

Representative Gilligan deferred to Representative Worthen on whose motion **HB 320** "An Act to amend Chapter 89, Title 10, Delaware Code, by changing the Chapter Heading of Chapter 89 and providing for interpreters for deaf persons at legal proceedings and fees for such interpreters." was taken up for consideration.

HA 1 to the Bill was introduced by Representative Worthen and adopted by voice vote.

The roll call vote on **HB 320 w HA 1** was then taken and revealed 33 Representatives voting YES and 8 Representatives (Byrd, Cain, Gordy, Harrington, Hebner, Johnson, McGinnis and Miller) ABSENT. Therefore, the Bill passed the House and was sent to the Senate for concurrence.

HB 296 was taken up for consideration on motion of Representative Spence.

HB 296 — "An Act to amend Title 11 of the Delaware Code amending the definition of the crime of rape and providing additional penalties therefor."

HA 1 to the Bill was introduced by Representative Spence and adopted by voice vote.

The privilege of the floor was extended to House Attorney, Bill Wagner, to speak on the Bill after which Representative Spence moved that it be laid on the table and the motion prevailed by voice vote.

HB 336 w HA 2 was lifted from the table, for consideration on motion of Representative Ridings.

HB 336 — "An Act to amend Title 7, Delaware Code, relating to the powers and duties of the Department of Natural Resources and Environmental Control in the establishment of entrance fees to State Parks and Recreation areas."

HA 3 to the Bill was introduced by Representative Cain and adopted by voice vote.

The roll call vote on **HB 336 w HA 2, 3** was then taken and revealed 35 Representatives voting YES and 6 Representatives (Byrd, Harrington, Hebner, Johnson, McGinnis and Miller) ABSENT. Therefore, the Bill passed the House and was sent to the Senate for concurrence.

Representative Rispoli moved that **SB 8 w SA 1** and **HA 1** be lifted for consideration and the motion prevailed by voice vote.

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

YES: Representatives Ambrosino, Arnold, Boulden, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Jorlin, Kelly, LeGates, Lynch, Matushefske, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Smith, Spence, Temple, Worthen, Jonkiert — 27.

NO: Representatives Billingsley, Maxwell and Sincock — 3.

NOT VOTING: Representatives Derrickson, Leshner, McKay and Ridings — 4.

ABSENT: Representatives Byrd, Harrington, Hebner, Johnson, McGinnis, Miller and Seibel — 7.

Therefore, the Bill passed the House and was returned to the Senate for concurrence in the House Amendment.

SJR 8 was reported out of Education Committee: 4 Merits.

HB 302 was stricken on motion of Representative Morris.

At 6:50 p.m. the House recessed to June 5, 1975.

The House reconvened at 1:01 p.m. June 5, 1975 and on motion of the Majority Leader immediately adjourned to convene for the 40th Day.

40TH LEGISLATIVE DAY

The House reconvened at 1:02 p.m. June 5, 1975.

A Prayer was offered by the Chaplain, Reverend Massimilla.

Pledge of Allegiance to the Flag.

By roll call, there were 41 Representatives PRESENT.

The minutes of the previous Legislative Day were approved as posted.

The following pre-filed legislation was entered in the Calendar:

HB 503 — "An Act to amend Title 5 and Title 29 of the Delaware Code relating to the power of the State Treasurer to

determine where to deposit funds of the State." Sponsor: Representative Ambrosino. Assigned to Appropriations Committee.

HB 504 — "An Act to amend Chapter 49, Title 10, Delaware Code relating to property exempt from execution, evaluation thereof and waivers of execution." Sponsor: Representative LeGates. Assigned to Judiciary Committee.

HB 505 — "An Act authorizing the Department of Natural Resources and Environmental Control Division of Fish and Wildlife, to transfer between lines." Sponsor: Representative LeGates. Assigned to Environmental Control Committee.

HB 506 — "An Act to amend Chapter 381, Volume 59, Laws of Delaware, being the 1975 Budget Appropriation Act, originally designated **HB 750** as amended by Chapter 523, Volume 59, Laws of Delaware, being the Omnibus Amendment to the 1975 Budget Appropriation Act originally designated **HB 1113** relating to the reversion of funds for the Delaware Agency to Reduce Crime." Sponsor: Representative Worthen. Assigned to Appropriations Committee.

HB 507 — "An Act to repeal Chapter 64, Title 9, Delaware Code, relating to pensions for Sussex County employees while preserving certain rights." Sponsor: Representative Clendaniel. Assigned to Community Affairs Committee.

HB 508 — "An Act to amend Title 4 of the Delaware Code relating to alcoholic liquors; and providing local options provisions." Sponsor: Representative Lynch. Assigned to Administrative Services Committee.

HB 509 — "An Act to amend Chapter 66, Title 18, Delaware Code, relating to line of duty "Death Benefits." Sponsor: Representative Darling. Assigned to Public Safety Committee.

HB 510 — "An Act to amend Chapter 43, Title 21, of the Delaware Code relating to the equipment and construction of motor vehicles." Sponsor: Representative Connor. Assigned to Public Safety Committee.

HB 511 — "An Act to amend Chapter 13, Part I, Title 14 of the Delaware Code relating to salary schedules for certain professional personnel employed by the State Board of Education and the State Board of Vocational Education, and employment formulas and salary schedules for certain professional personnel employed by the School District." Sponsor: Representative Worthen. Assigned to Education

Committee.

HB 512 — "An Act to amend Chapter 65, Title 11, Delaware Code, and requiring notice to be given by the Department of Corrections to certain Police Agencies concerning persons on work release, furloughs, or other trips outside their place of incarceration." Sponsor: Representative Spence. Assigned to Public Safety Committee.

HB 513 — "An Act to amend Chapter 59, Title 29, Delaware Code, relating to certain benefits for Merit System employees." Sponsor: Representative Darling. Assigned to Highways and Transportation Committee.

HB 514 — "An Act to amend Chapter 5, Title 1, Delaware Code, to provide that Return Day shall be a Legal Holiday in Sussex County." Sponsor: Representative Clendaniel. Assigned to Agriculture Committee.

HB 515 — "An Act to amend Chapter 21, Title 21, Delaware Code, relating to the issuance of five year registration plates of certain trailers." Sponsor: Representative McGinnis. Assigned to Public Safety Committee.

HB 516 — "An Act to amend Chapter 11, Title 9, Delaware Code, to permit New Castle County to establish Grant Budgets for Federal and State Grant Funds." Sponsors: Representatives Sincock and Matushefske. Assigned to Community Affairs Committee.

HB 517 — "An Act to amend Chapter 21, Title 21, Delaware Code, relating to trailer registrations." Sponsors: Representatives Gordy and Billingsley. Assigned to Public Safety Committee.

HB 518 — "An Act to amend Chapter 5, Title 1, of the Delaware Code to provide one additional Floating Holiday for State employees." Sponsor: Representative Matushefske. Assigned to House Administration Committee.

HB 519 — "An Act proposing an Amendment to Article XIII of the Constitution of the State of Delaware, relating to local option provisions." Sponsor: Representative Lynch. Assigned to Constitution Revision Committee.

HB 520 — "An Act to amend Chapter 62, Title 29, Delaware Code, relating to the investment of funds in the Capital Investment Fund." Sponsor: Representative McGinnis. Assigned to Appropriations Committee.

HB 521 — "An Act to amend Chapter 5, Title 4, Delaware Code to permit Taprooms and Taverns to charge a cover charge

when live entertainment is provided." Sponsor: Representative McGinnis. Assigned to Administrative Services Committee.

HB 522 — "An Act to amend Chapter 27, Title 21, Delaware Code, relating to a fee for issuing a School Bus Driver's License." Sponsor: Representative Boulden. Assigned to Public Safety.

HA 1 to HB 252 introduced by Representative Clendaniel and placed with the Bill.

HA 1 to HB 255 introduced by Representative Maxwell and placed with the Bill.

HA 1 to HB 331 introduced by Representative Matushefske and placed with the Bill.

HA 1 to HB 339 introduced by Representative Gilligan and placed with the Bill.

HA 1 to HB 381 introduced by Representative McGinnis and placed with the Bill.

HA 1 to HB 392 introduced by Representative Worthen and placed with the Bill.

HA 1 to HB 460 introduced by Representative Maxwell and placed with the Bill.

HA 1 to HB 470 introduced by Representative Harrington and placed with the Bill.

HA 1 to SB 32 introduced by Representative Gordy and placed with the Bill.

HA 1 to SB 118 introduced by Representative Gilligan and placed with the Bill.

HA 1 to SB 239 introduced by Representative McGinnis and placed with the Bill.

HA 3 to SB 270 introduced by Representative McGinnis and placed with the Bill.

HR 81 — "Relating to the rules of the House of Representatives of the 128th General Assembly of the State of Delaware." Sponsor: Representative Miller.

HCR 34 — "Expressing remembrances and sympathy at the passing of Dr. Mary Kathryn Carl, Dean and Professor, College of Nursing, University of Delaware." Sponsors: Representatives Worthen, Seibel and Senator Manning.

HJR 15 — "Providing for the establishment of a special Committee to study and evaluate operations between the New Castle County Police and the Delaware State Police operating within New Castle County in respect to their jurisdiction, manpower, utilization, training and use of the equipment and to make recommendations concerning the same to the 128th

General Assembly of the State of Delaware and providing authority for the Special Committee to resolve problems that do not require legislative action." Sponsors: Representatives Arnold and Maxwell.

SB 5 — "An Act concurring in a proposed Amendment to Article VIII of the Constitution of the State of Delaware, relating to the uniformity to taxes; assessment and taxation of land devoted to agriculture and forest use; collection under general laws; exemption for public welfare purposes." Sponsor: Senator Isaacs. Assigned to Constitution Revision Committee.

SB 7 — "An Act to amend Section 303, Chapter 397, Volume 59, Laws of Delaware to require public hearings on applications to change the Fuel Adjustment Rate." Sponsor: Senator Isaacs. Assigned to Administrative Services Committee.

SB 144 — "An Act to amend Subchapter III, Chapter 87, Title 9 of the Delaware Code relating to redemption by lineholder from a Tax Sale." Sponsor: Senator Martin. Assigned to Community Affairs Committee.

SB 152 — "An Act to amend Subchapter III, Chapter 87, Title 9 of the Delaware Code relating to redemption by owner from a Tax Sale." Sponsor: Senator Martin. Assigned to Community Affairs Committee.

SB 203 w SA 1 — "An Act to amend Chapter 1, Title 24, Delaware Code relating to the practice of Certified Public Accountancy in the State." Sponsors: Senators Adams and Cook. Assigned to Administrative Services Committee.

SB 305 — "An Act to authorize funds for the Public Service Commission for its regulatory operations." Sponsor: Senator Martin. Assigned to Appropriations Committee.

SB 370 — "An Act to amend Title 10, Title 31, of the Delaware Code, relating to the jurisdiction of the Division of Juvenile Corrections to retain custody of persons over the age of eighteen years." Sponsor: Senator Holloway. Assigned to Health and Social Services Committee.

SB 374 — "An Act appropriating \$5,000 to the Department of Natural Resources and Environmental Control to continue to provide for lifeguards and maintenance services at Dewey Beach and Fenwick Island through June 30, 1975." Sponsor: Senator Cordrey. Assigned to Appropriations Committee.

HJR 16, sponsored by Representatives Connor and Ambrosino was introduced:

HJR 16 — “Memorializing each member of the Delaware Congressional Delegation to introduce and support legislation which would return to the Legislature of each State the rights and powers originally reserved to them by the Constitution but which have been taken by the Executive and Judicial branches of the Federal Government.”

Representative Connor moved that the necessary rules be suspended for the purpose of considering the Resolution and his motion prevailed by voice vote. Therefore, the roll call vote on the Resolution was taken and revealed 39 Representatives voting YES, 1 Representative (Plant) NOT VOTING and 1 Representative (Miller) ABSENT.

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

HR 82, sponsored by Representatives Gilligan and Morris, was introduced from the floor and adopted by voice vote:

HR 82 — “Extending the life of the Special House Committee to investigate Public Assistance Programs of the Department of Health and Social Services through the 128th General Assembly.”

HCR 34 was taken up for consideration on motion of Representative Worthen. “Expressing remembrances and sympathy at the passing of Dr. Mary Kathryn Carl, Dean and Professor of Nursing, University of Delaware.” The resolution was adopted by voice vote and ordered to the Senate for concurrence.

Representative Spence moved that **HB 296** be lifted from the Speaker Table. “An Act to amend Title 11 of the Delaware Code amending the definition of crime of rape and providing additional penalties therefor.” The motion prevailed by voice vote.

Representative Spence then moved that the Bill be re-tabled and the motion prevailed by voice vote.

The House recessed at 1:15 p.m. and reconvened at 3:16 p.m.

HB 227 was taken up for consideration on motion of Representative Cain.

HB 227 — “An Act to amend Chapter 70, Title 6, Delaware Code, relating to Economic Development and Environmental Facilities, by authorizing the Department of Community Affairs and Economic Development to issue Notes or other obligations of the Department, in addition to Bonds,

for any of the purposes authorized in such Chapter, to accept debt obligations to satisfy evidence or secure its Bonds and Notes, to mortgage its properties to secure its Bonds, Notes and other obligations, and to consolidate Issues of Bonds; by clarifying the relationship between this Chapter and 29 Delaware Code, Chapter 69, by clarifying the definitions of project and the costs thereof; by restating the definition of pollution control facilities; by prohibiting the advance rental reserve to be paid out of Bond proceeds; by changing the maximum maturity of Bond Issues from twenty-five to thirty years; by prescribing a time limitation within which Bonds, Notes and other obligations of such Department may be challenged; and related matters."

HA 1 to the Bill was introduced by Representative Smith and adopted by voice vote.

The roll call vote on **HB 227 w HA 1** was taken and announced:

YES: Representatives Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Harrington, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Morris, Plant, Riddagh, Rispoli, Seibel, Sincok, Smith, Temple, Worthen, Jonkiert — 34.

NO: Representative Spence — 1.

NOT VOTING: Representatives Ambrosino, Hebner, Powell, ~~Kidings~~ — 4.

ABSENT: Representatives Gordy and Minner — 2.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

Representative Cain moved that **HB 365** be laid on the table and the motion prevailed by voice vote.

HB 365 — "An Act authorizing the State of Delaware to borrow money and Issue Bonds and Notes therefor; and appropriating the funds thus obtained to the Division of Parks and Recreation of the Department of Natural Resources and Environmental Control; to be utilized in the improvement and restoration of Pea Patch Island and the Old Canal Lock Facilities of Delaware City."

Representative Ferguson deferred to Representative LeGates who moved that **SB 288** be laid on the table. The motion prevailed by voice vote.

HB 297 was taken up for consideration on motion of Representative George. "An Act to amend Chapter 207, Volume 17, Laws of Delaware, entitled "An Act to revise and consolidate the statutes relating to the City of Wilmington" by

giving the Mayor and Council the authority to release certain property from tax liability, and for collection of taxes for the City of Wilmington" by removing collection provisions for city and school taxes." The roll call vote on the Bill was tabled on motion of Representative George before being announced.

Representative LeGates moved that **SB 288** be lifted from the Speaker's Table. "An Act to create the Bethany Beach Sanitary Sewer District, the Dewey Beach Water District, and the Dewey Beach Sanitary Sewer District and to authorize the Issuance of Bonds pursuant to and for the purpose set fourth in Title 9, Chapter 65, of the Delaware Code, including to refund obligation of Sussex County issued to finance improvements in such Districts." The motion prevailed by voice vote.

The roll call vote on the Bill was taken and revealed 40 Representatives voting YES with 1 Representative (Maxwell) ABSENT.

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

HB 249 was taken up for consideration on motion of Representative Boulden. "An Act to amend Chapter 98, Title 10, Delaware Code, relating to costs in proceedings before Justice of the Peace." On further motion of Representative Boulden **HA 1** to the Bill was stricken.

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

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Harrington, Hebner, Johnson, Jornlin, Kelly, Leshner, Lynch, McGinnis, McKay, Miller, Minner, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Jonkiert — 35.

NO: Representatives Gordy, LeGates, Matushefske, Morris and Plant — 5.

NOT VOTING: Representative Maxwell — 1.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Consideration of **HB 307** was deferred on motion of Representative Darling.

Consideration of **HB 113** was deferred on motion of Representative Darling.

Representative Lynch deferred to Representative Harrington on whose motion **HB 470** was taken up for consideration.

HB 470 — "An Act to amend Section 811, Title 22,

Delaware Code, relating to Home Rule.”

HA 1 to the Bill was taken up for consideration and adopted by voice vote.

The roll call vote on **HB 470 w HA 1** was taken and revealed 39 Representatives voting YES, 1 Representative (Maxwell) voting NO and 1 Representative (Matushefske) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 276 was taken up for consideration on motion of Representative Lynch. “An Act authorizing and directing the Board of Pension to grant Mrs. Walter R. Wimbrow a survivors pension.”

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

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincock, Spence, Temple, Worthen, Jonkiert — 37.

NO: Representatives Billingsley, Ridings and Smith — 3.

ABSENT: Representative Matushefske — 1.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Cain moved that **HB 365** be lifted from the Speakers Table for consideration. “An Act authorizing the State of Delaware to borrow money and issue Bonds and Notes therefor; and appropriating the funds thus obtained to the Division of Parks and Recreation of The Department of Natural Resources and Environmental Control; to be utilized in the improvement and restoration of Pea Patch Island and the Old Canal Lock Facilities at Delaware City.”

HA 1 to the Bill was introduced by Representative Cain and adopted by voice vote.

The roll call vote on **HB 365 w HA 1** was then taken; however, before the roll call was announced Representative Cain moved that it be tabled and the motion prevailed by voice vote.

HB 346 was taken up for consideration on motion of Representative Temple.

HB 346 — “An Act making a supplementary appropriation to the Department of Highways and

Transportation for the purpose of installing fire signal control equipment at the Blades Fire Department; Blades, Delaware, at the intersections of 13A and 5th Street and Route 20 and Cannon Street."

HA 1 to the Bill was introduced by Representative Temple and adopted by voice vote.

The roll call vote on **HB 346 w HA 1** was then taken and revealed 38 Representatives voting YES with 3 Representatives (Hebner, Matushefske and Plant) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 341 was taken up for consideration on motion of Representative Clendaniel.

HB 341 — "An Act relating to a pension for John Elwood Jones, a former Sussex County and state employee."

The roll call vote on the Bill was taken but Representative Clendaniel moved that it be tabled before being announced. The roll call vote on the tabling motion was taken and revealed:

YES: Representatives Boulden, Byrd, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Johnson, Kelly, Lynch, Matushefske, Maxwell, Miller, Minner, Morris, Rispoli, Temple, Worthen, Jonkiert — 21.

NO: Representatives Arnold, Billingsley, Derrickson, Jornlin, Leshner, McKay, Powell, Ridings, Seibel, Sincock, Smith — 11.

ABSENT: Representatives Ambrosino, Cain, Harrington, Hebner, LeGates, McGinnis, Plant, Riddagh, Spence — 9.

Therefore, the motion prevailed and the roll call on **HB 341** was tabled.

Consideration of **HB 67** was deferred on motion of Representative McGinnis. **HB 381** was taken up for consideration on motion of Representative McGinnis. "An Act to amend Title 29, Delaware Code, by creating a new Chapter to be designated as Chapter 60A, relating to the establishment of a Deferred Compensation Program for public employees of the State of Delaware and a Deferred Compensation Council, defining the council's organization powers, duties, and functions and providing a supplementary appropriation to implement the provisions of this act."

Privilege of the floor was extended to State Treasurer Mary Jornlin to speak on the Bill.

HA 1 to the Bill was introduced by Representative

McGinnis who moved that it be adopted. The roll call vote on the Amendment was taken and revealed:

YES: Representatives Billingsley, Cain, Connor, Worthen — 4.

NO: Representatives Ambrosino, Arnold, Byrd, Clendaniel, Derrickson, Gilligan, Harrington, Hebner, Johnson, Jornlin, LeGates, Leshner, Lynch, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincok, Smith, Spence, Jonkiert — 27.

NOT VOTING: Representatives Kelly, Maxwell and Temple — 3.

ABSENT: Representatives Boulden, Darling, Ferguson, George, Gordy, Matushefske and Ridings — 7.

Therefore, the Amendment was declared lost.

The roll call vote on HB 381 was then taken and announced:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Derrickson, Gilligan, Harrington, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincok, Smith, Spence, Temple — 32.

NO: Representative Jonkiert — 1.

NOT VOTING: Representatives Ridings and Worthen —

2.

ABSENT: Representatives Darling, Ferguson, George, Harrington, Hebner and Matushefske — 6.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Ferguson moved that the House recess and the roll call vote on the motion was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Harrington, Johnson, Jornlin, Leshner, Lynch, Matushefske, McKay, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen — 31.

NO: Representatives Kelly, LeGates, Maxwell, McGinnis, Miller, Morris, Jonkiert — 7.

ABSENT: Representatives George, Gordy and Hebner —

3.

Therefore, the motion prevailed and the House recessed at 4:48 p.m. until June 10.

The House reconvened at 1:58 p.m. June 10, 1975 and on motion of the Majority Leader immediately adjourned to convene for the 41st Day.

41ST LEGISLATIVE DAY

The House convened at 1:58 p.m. June 10, 1975.

A Prayer was offered by the Chaplain, Reverend Charles Moyer.

Pledge of Allegiance to the Flag was lead by the Speaker. By roll call, there were 41 Members PRESENT.

The Clerk announced that a message from the Senate informed the House that it had passed **HB 375; HB 24 w HA 1** and **HB 328**.

HB 490 as reported back from the Labor and Commerce Committee: 4 Merits.

HR 83, sponsored by Representative Morris, was introduced from the floor and adopted by voice vote:

HR 83 — "Extending the life of the Special House Committee to investigate the facilities at Woodshaven-Kruse School through the 128th General Assembly."

SCR 43, sponsored by Senator Isaacs and Representative Jonkiert, was introduced and adopted by voice vote:

SCR 43 — "Expressing the appreciation of the Members of the 128th General Assembly for the volunteer work of the Delaware Law School during the First Session."

HCR 35 was introduced by Representative Worthen and adopted by voice vote:

HCR 35 — "Congratulating Josephine Raskob Robinson upon being awarded Honorary Doctor of Humane Letters by Ann Hurst College."

The following pre-filed legislation was entered in the Calendar:

HB 523 — "An Act to amend Chapter 7, Title 29, Delaware Code, relating to the salary of the Lieutenant Governor." Sponsor: Representative Matushefske. Assigned to Appropriations Committee.

HB 524 — "An Act to amend §7993, Title 29, Delaware Code, relating to the qualifications of the Director of the Divisions of Mental Health and Mental Retardation." Sponsor: Representative Morris. Assigned to Health and Social Services Committee.

HB 525 — "An Act authorizing the State of Delaware to borrow money to be used for Capital Improvement and

Expenditures in the nature of Capital Investments and to issue Bonds and Notes therefor and appropriating the monies to various Agencies of the State and to borrow money to be used for the Local Share of School Construction Programs and to issue Bonds and Notes therefor and appropriating the monies to the State Board of Education on behalf of Local School Districts." Sponsor: Representative Ferguson. Assigned to Appropriations Committee.

HB 526 — "An Act to amend Chapter 44, Title 6, Delaware Code relating to home solicitations or "Door to Door" sales." Sponsor: Representative Worthen. Assigned to Labor and Commerce Committee.

HB 527 — "An Act to amend Chapter 79, Title 29, Delaware Code, relating to the qualifications of the Director of the Division of Physical Health and the Composition of the State Board of Health, as well as officially changing the name of the Division." Sponsor: Representative Morris. Assigned to Health and Social Services Committee.

HB 528 — "An Act relating to radioactive pollution and energy generation." Sponsors: Representatives Ambrosino, Connor, Maxwell, LeGates, Hebner, Worthen, Miller.

HB 529 — "An Act to amend §107, Title 16, Delaware Code, by increasing the penalties for violations of the State Board of Health regulations or orders." Sponsor: Representative Morris. Assigned to Health and Social Services Committee.

HB 530 — "An Act making appropriations for the expense of the State Government for the Fiscal Year ending June 30, 1976, and to amend certain pertinent statutory provisions." Sponsors: Representative George and Senator Cicone. Assigned to Appropriations Committee.

HB 531 — "An Act to amend Title 29 of the Delaware Code by adding a new part relating to freedom of information and requiring that meetings and records of units of the State Government be open to any citizen of the State of Delaware." Sponsor: Representative Ferguson. Assigned to House Administration Committee.

HA 1 to HB 188 was introduced by Representative LeGates and placed with the Bill.

HA 2 to HB 188 was introduced by Representative George and placed with the Bill.

HA 1 to HB 265 was introduced by Representative George and placed with the Bill.

HA 2 to HB 296 was introduced by Representative Plant and placed with the Bill.

HA 1 to HB 477 was introduced by Representative George and placed with the Bill.

HA 1 to HB 483 was introduced by Representative Morris and placed with the Bill.

SB 234 — "An Act to amend Chapter 5 and Chapter 27, Title 11 of the Delaware Code relating to the carrying of concealed weapons and the carrying of concealed dangerous instruments; and changing the present Court jurisdiction for such offenses." Sponsor: Senator Kearns. Assigned to Community Affairs Committee.

SB 238 — "An Act directing the Board of Pension Trustees to recompute the pension paid Katherine Episcopo, widow of Rocco A. Episcopo, a former State employee." Sponsor: Senator Cicione. Assigned to Appropriations Committee.

SB 279 — "An Act to provide a supplementary appropriation to the Division of Adult Corrections of the Department of Health and Social Services for payment of a portion of salary earned by promotion." Sponsor: Senator Cicione. Assigned to Appropriations Committee.

SB 298 — "An Act to provide a supplementary appropriation to the Department of Public Instruction to be used in compensating the DeLaWarr School District." Sponsor: Senator Cicione. Assigned to Appropriations Committee.

SS 1 for SB 85 w SA 2 — "An Act to amend Subchapter I of Chapter 7, Title 7, Delaware Code relating to the minimum barrel length for primitive weapons." Sponsor: Senator Elliott; Representatives Temple and Ferguson. Assigned to Natural Resources Committee.

SJR 31 — "Expressing the appreciation of the Governor of Delaware and the Members of the 128th General Assembly for the many contributions to the development of the State of Delaware and the Delaware Valley of the R.R.M. Carpenter family, of Montchanin, owners of the Philadelphia Phillies Baseball Club." Sponsor: Senator Isaacs.

The House recessed at 2:14 p.m. and reconvened at 3:27 p.m.

Representative Ferguson moved that the necessary rules be suspended for the purpose of considering **SJR 31** "Expressing the appreciation of the Governor of Delaware and

the Members of the 128th General Assembly for the many contributions to the development of the State of Delaware and the Delaware Valley of the R.R.M. Carpenter Family, of Montchannin, owners of the Philadelphia Phillies Baseball Club." The motion prevailed by voice vote.

The roll call on the Resolution was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Worthen, Mr. Speaker Jonkiert — 24.

NOT VOTING: Representative Arnold — 1.

ABSENT: Representatives Ambrosino, Billingsley, Connor, Derrickson, Hebner, Jornlin, Leshner, McKay, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence, Temple — 16.

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

HB 333 was taken up for consideration on motion of Representative McGinnis.

HB 333 — "An Act to amend Chapter 19, Title 30, Delaware Code, to allow a credit against the Corporation Income Tax liability for certain employees commutation plan payments."

HA 1 to the Bill was introduced by Representative McGinnis and adopted by voice vote.

Representative McGinnis moved that HB 333 w HA 1 be laid on the table and the motion prevailed by voice vote.

HB 456 was taken up for consideration on motion of Representative McGinnis. "An Act to amend Chapter 43, Title 30, Delaware Code, relating to the Use Tax on leases of tangible personal property, to impose a License Tax on the gross receipts of lessor."

The roll call vote was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 25.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Hebner, Jornlin, Leshner, McKay, Powell, Riddagh, Seibel, Sincock, Smith, Spence — 15.

NOT VOTING: Representative Ridings — 1.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 457 was taken up for consideration on motion of Representative McGinnis. "An Act to amend Chapter 23, Title 30, Delaware Code, relating to the Occupational License Tax."

The privilege of the floor was extended to John Malarky to speak on the Bill.

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

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 25.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Hebner, Jornlin, Leshar, McKay, Riddagh, Seibel, Smith, Spence — 13.

NOT VOTING: Representative Powell — 1.

ABSENT: Representatives Ridings and Sincock — 2.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 397 was taken up for consideration on motion of Representative McGinnis. "An Act to amend Chapter 19, Title 30, Delaware Code, relating to the Final Tax and underpayment of Estimated Tax by Corporations."

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

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 25.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Jornlin, Leshar, Riddagh, Seibel, Sincock, Smith, Spence — 12.

NOT VOTING: Representatives Hebner, McKay and Powell — 3.

ABSENT: Representative Ridings — 1.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

Representative McGinnis moved that **HB 133** be laid on the table and the motion prevailed by voice vote.

Representative George moved that the necessary rules be suspended for the purpose of considering **SB 352**. "An Act making a supplementary appropriation to Geriatric Services of Delaware, Inc."

The motion prevailed by voice vote.

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

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Gordy, Harrington and Hebner — 3.

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

Representative Clendaniel moved that the roll call be lifted on HB 341 and the motion prevailed by voice vote. The roll call vote on the Bill was then announced:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Riddagh, Rispoli, Spence, Temple, Worthen, Jonkiert — 32.

NO: Representatives Billingsley, Derrickson, Leshner, McKay, Powell, Ridings, Seibel, Sincock, Smith — 9.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 471 was taken up for consideration on motion of Representative Morris. "An Act to amend Parts II and IV, Title 11, Delaware Code, and Part VIII, Title 29, Delaware Code, relating to State Government, providing for the transfer of powers, duties and functions of the Division of Corrections of the Department of Health and Social Services, and providing for establishment of a separate Department of Correction."

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

YES: Representatives Arnold, Billingsley, Boulden, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Riddagh, Ridings, Rispoli, Spence, Temple, Worthen, Jonkiert — 30.

NO: Representatives Ambrosino, McKay and Seibel — 3.

NOT VOTING: Representatives Derrickson, Jornlin, Leshner, Powell, Smith — 5.

ABSENT: Representatives Byrd, Gordy and Sincock — 3.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Lynch moved that the necessary rules be suspended for the purpose of considering **SB 374**. "An Act appropriating \$5,000 to the Department of Natural Resources and Environmental Control to continue to provide for lifeguards and maintenance services at Dewey Beach and Fenwick Island through June 30, 1975." The motion prevailed by voice vote.

A motion to waive a fiscal note on the Bill prevailed by voice vote and the vote on the Bill was taken and revealed 38 Representatives voting YES, 1 Representative (Maxwell) NO and 2 Representatives (George and Sincock) ABSENT.

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

Representative Matushefske moved that the necessary rules be suspended for the introduction and consideration of **HB 532** and the motion prevailed by voice vote:

HB 532 — "An Act to amend Chapter 381, Volume 59, Laws of Delaware the 1975 Budget Appropriation Act, originally designated as **HB 750**, and to amend Chapter 523, Volume 59, Laws of Delaware, the Omnibus Amendment to the 1975 Budget Appropriation Act originally designated as **HB 1113**."

The roll call vote on the Bill was taken and revealed 38 Representatives voting YES, 1 Representative (McKay) NOT VOTING and 2 Representatives (Boulden and George) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative McGinnis moved that **HB 133** be lifted from the Speakers Table for consideration. "An Act to amend Chapter 11, Title 30, Delaware Code, relating to the Personal Income Tax, to allow certain deductions for Interest Income and costs of installing storm windows." The motion prevailed by voice vote.

The roll call vote on the Bill was taken and revealed 38 Representatives voting YES, 2 Representatives (McKay and Ridings) NO and 1 Representative (Jornlin) NOT VOTING.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative McGinnis moved that **HB 333** be lifted

from the Speaker's Table. "An Act to amend Chapter 19, Title 30, Delaware Code, to allow a credit against the Corporation Income Tax liability for certain employees commutation plan payments." The motion prevailed by voice vote.

Representative McGinnis moved that the Bill be again tabled and the motion prevailed by voice vote.

Consideration of **HB 113** was deferred on motion of Representative Darling.

HB 307 was deferred on motion of Representative Darling.

SB 239 was taken up for consideration on motion of Representative McGinnis.

SB 239 — "An Act authorizing the Division of Public Health of the Department of Health and Social Services to assume the Streptococcal Detection Program and providing a supplementary appropriation therefor."

HA 1 to the Bill was taken up for consideration on motion of Representative McGinnis and adopted by voice vote.

On motion of Representative McGinnis **SB 239 w HA 1** was then re-assigned to Health and Social Services Committee.

The House recessed at 5:01 p.m. and reconvened at 5:41 p.m.

The following Committee Reports were announced:

From the Agriculture Committee: **HB 514** — 4 Favorable, 1 Merits.

From the Environmental Control Committee: **HB 489** — 2 Favorable, 2 Merits; **HB 468** — 5 Favorable.

From the Highways and Transportation Committee: **SB 270** — 6 Merits; **HB 422** — 6 Unfavorable; **HB 513** — 5 Merits.

From the Health and Social Services Committee: **HB 181** — 1 Merits, 3 Unfavorable; **HB 499** — 3 Merits, 1 Unfavorable; **HB 524** — 4 Merits; **HB 527** — 1 Favorable, 4 Merits.

From the Public Safety Committee: **HB 427** — 4 Merits; **HB 517** — 4 Merits; **HB 509** — 4 Merits; **HB 522** — 4 Merits.

From the Community Affairs Committee: **SB 324** — 4 Merits; **SB 254** — 4 Merits; **SB 243** — 5 Merits; **SB 152** — 1 Favorable, 4 Merits; **SB 144** — 1 Favorable, 4 Merits; **HB 493** — 1 Favorable, 4 Merits; **HB 516** — 4 Merits; **HB 507** — 5 Merits.

From the Judiciary Committee: **SB 232** — 4 Merits; **HB 405** — 2 Merits, 2 Unfavorable.

From the Appropriations Committee: **SB 238** — 3 Merits,

1 Unfavorable; **SB 298** — 4 Merits; **SB 79** — 4 Merits; **HB 428** — 4 Merits; **HB 188** — 1 Favorable, 3 Merits; **HB 523** — 4 Merits; **HB 465** — 4 Merits; **HB 506** — 4 Merits; **HB 373** — 4 Merits; **HB 425** — 4 Merits.

At the request of Representative Riddagh, **HB 8** and **HB 27** were stricken.

At the request of Representative LeGates, **HB 334** was stricken.

At the request of Representative Byrd, **HB 379** was stricken.

The House recessed at 5:55 p.m. until June 11, 1975.

The House reconvened at 1:58 p.m. June 11, 1975 and on motion of Representative Ferguson immediately adjourned to convene for the 42nd Legislative Day.

42ND LEGISLATIVE DAY

The House convened at 1:58 p.m. June 11, 1975.

A Prayer was offered by the Chaplain, Rev. Charles Moyer.

Pledge of Allegiance to the Flag was lead by the Speaker.
By roll call there were 41 Members PRESENT.

The minutes of the previous Legislative Day were approved as posted.

HR 84, sponsored by Representative Smith, was considered and adopted by voice vote:

HR 84 — "Requesting the Delaware Congressional Delegation to work for a Uniform Standard of Eligibility for Welfare Grants and Food Stamps."

HCR 36, sponsored by Representative Sincock, was considered and adopted by voice vote:

HCR 36 — "Applying to the Congress for a Convention to propose an Amendment to the Constitution of the United States."

HCR 37, sponsored by Representatives Hebner, Leshner, Worthen and Plant, was introduced from the floor and adopted by voice vote:

HCR 37 — "Requesting Governor Sherman W. Tribbitt to end the policy of combining adult female offenders and juvenile females at the Woodshaven-Kruse School for Girls in Claymont by or before September 30, 1975."

HR 85, sponsored by Representative Plant, was introduced from the floor and adopted by voice vote:

HR 85 — "Requesting the Governor to ask the Delaware Supreme Court for an opinion about the constitutionality of

those Sections of Chapter 5, Title 31, Delaware Code, which prohibit the distribution of public assistance to employable Delaware Citizens between the ages of 18 and 54.”

The following pre-filed legislation was entered in the Calendar:

HB 533 — “An Act to provide a supplementary appropriation to the Department of Highways and Transportation for the purpose of installing traffic signal control equipment at the intersection of Greenbank Road and Old Capitol Trail in Marshallton.” Sponsor: Representative Arnold. Assigned to Appropriations Committee.

HB 534 — “An Act to amend Title 14 of the Delaware Code by providing for a minimum age for admission to kindergarten.” Sponsor: Representative LeGates. Assigned to Education Committee.

HB 535 — “An Act to amend Title 16, Delaware Code, relating to smoking in certain public places.” Sponsor: Representative Maxwell. Assigned to Administrative Services Committee.

HB 536 — “An Act to amend Chapter 13, Title 14, Delaware Code, relating to salaries and working conditions of school employees.” Sponsor: Representative McGinnis. Assigned to Education Committee.

HB 537 — “An Act to amend Chapter 25, Title 10, Delaware Code, relating to the compensation of the Chief Deputy Register in Chancery.” Sponsor: Representative Temple. Assigned to Appropriations Committee.

HB 538 — “An Act to amend Titles 4 and 6 of the Delaware Code relating to Fair Trade on alcoholic beverages sold within the State.” Sponsors: Representatives Ridings and Cain. Assigned to Labor and Commerce Committee.

HB 539 — “An Act to amend Chapter 65, Part VI, Title 11, Delaware Code, relating to the retirement of certain persons within the Division of Adult Corrections by delaying the effective date of such amended Sections.” Sponsors: Representatives Ferguson and Riddagh. Assigned to Judiciary Committee.

HB 540 — “An Act to amend the Corporate Charter of the Town of Bethel, as amended; providing a minimum voting age of eighteen years; requiring valuation and assessment of property within the Town; and removing Tax exemption status from farmland within the Town boundaries.” Sponsors: Representative Gordy and Senator Elliott. Assigned to

Community Affairs.

HB 541 — “An Act authorizing and directing the Board of Pension Trustees to grant George B. Davis, a former State employee, a Service Pension under the provisions of Chapter 55, Title 29, Delaware Code.” Sponsor: Representative Minner. Assigned to Appropriations Committee.

HB 542 — “An Act to amend Chapter 45, Title 21, Delaware Code, relating to truck weights and lengths.” Sponsors: Representatives Gordy and Boulden. Assigned to Public Safety Committee.

HB 543 — “An Act to amend Chapter 45, Title 7, Delaware Code, relating to destruction of public or State property.” Sponsor: Representative LeGates. Assigned to Environmental Control Committee.

HB 544 — “An Act to amend Title 21, Delaware Code, relating to motor vehicles and requiring the registration and control of off-highway vehicles and providing a supplementary appropriation therefor.” Sponsor: Representative Worthen. Assigned to Public Safety.

HB 545 — “An Act to amend Chapter 45, Title 21, Delaware Code, relating to vehicle weights.” Sponsor: Representative Ferguson. Assigned to Public Safety Committee.

HB 546 — “An Act to amend Title 21, Delaware Code, requiring the certification of operators of off-highway vehicles and providing a supplementary appropriation therefor.” Sponsor: Representative Worthen. Assigned to Public Safety Committee.

HB 547 — “An Act to amend Chapter 9, Title 28, and Chapter 23, Title 30, Delaware Code by providing for the issuance of permits, license and license taxes for outdoor motorcycle races and providing penalties for the violation thereof.” Sponsor: Representative Darling. Assigned to Revenue and Finance Committee.

HB 548 — “An Act to provide a supplementary appropriation to the Delaware National Guard, to be expended for uniform and equipment allowances.” Sponsor: Representative George. Assigned to Appropriations Committee.

HB 549 — “An Act making a supplementary appropriation to the Department of Public Safety, Division of State Police, for operations.” Sponsor: Representative George. Assigned to Appropriations Committee.

HB 550 — “An Act to provide a supplementary appropriation to the Delaware National Guard, to pay a prior year’s obligation for a liability claim payable to the United States Government for the balance of expenses incurred in March 1967, Motor vehicle accident.” Sponsor: Representative George. Assigned to Appropriations Committee.

HB 551 — “An Act to amend Subchapter XI of Chapter 5, Title 7, Delaware Code, relating to boat ramp user fees.” Sponsors: Representatives LeGates and Harrington; Senator Adams. Assigned to Environmental Control Committee.

HB 552 — “An Act to provide a supplemental appropriation to the Department of Labor for the payment of Unemployment Benefits to State employees.” Sponsor: Representative George. Assigned to Appropriations Committee.

HB 553 — “An Act to amend Chapter 49, Title 10, Delaware Code, relating to attachment of wages. Sponsor: Representative Matushefske. Assigned to Judiciary Committee.

HB 554 — “An Act to amend Chapter 95, Title 10, Delaware Code, concerning garnishment proceedings.” Sponsor: Representative Matushefske. Assigned to Judiciary Committee.

HB 555 — “An Act to amend Chapter 65, Part III, Title 25 of the Delaware Code providing for receivership under the landlord-tenant Code for debts owed by the landlord to a Public Utility.” Sponsor: Representative Arnold. Assigned to Judiciary Committee.

HB 556 — “An Act making a supplementary appropriation to the Delaware Commission on Interstate Cooperation for the purpose of hosting the Eastern Regional Conference of the Council of State Governments.” Sponsor: Representative Boulden. Assigned to Appropriations Committee.

HB 558 — “An Act to provide a supplementary appropriation to the Department of Community Affairs and Economic Development, to be expended in the purchase of State Flags; and providing for the distributions of such Flags.” Sponsor: Representative Arnold. Assigned to Appropriations Committee.

HB 559 — “An Act to provide a supplemental appropriation to the Department of Administrative Services, for operational costs for Fiscal Year 1975.” Sponsor:

Representative George. Assigned to Appropriations Committee.

HA 1 to HB 31 was introduced by Representative Gilligan and placed with the Bill.

HA 1 to HB 67 was introduced by Representative McGinnis and placed with the Bill.

HA 3 to HB 296 was introduced by Representative Plant and placed with the Bill.

HA 1 to HB 418 was introduced by Representative Matushefske and placed with the Bill.

HA 3 to HB 431, sponsored by Representatives Jonkiert and Ferguson, was introduced and placed with the Bill.

HA 1 to HB 464 was introduced by Representative Jonkiert and placed with the Bill.

HA 1 to HB 501 was introduced by Representative McGinnis and placed with the Bill.

HA 1 to HB 528 was introduced by Representative Connor and placed with the Bill.

HA 1 and HA 2 to HR 81 were introduced by Representative Seibel and placed with the Bill.

HJR 17 — "Establishing a Committee to study the interrelationship of the State of the Courts of Delaware, School Administrators, Faculty and Students and pertaining to discipline problems within our Public Schools." Sponsor: Representative Leshner. Assigned to Education Committee.

HJR 18 — "Establishing a Committee to study and evaluate present and future public transportation requirements within the State of Delaware." Sponsor: Representative Connor. Assigned to Highways and Transportation Committee.

SB 252 w SA 1 — "An Act to amend Part V of Chapter 83, Title 11, Delaware Code, relating to powers and duties of State Police and Local Police Officers assisting State Police." Sponsor: Senator McCullough. Assigned to Community Affairs Committee.

SCR 44 — "Extending congratulations to the Caesar Rodney Baseball Team on winning this year's Delaware High School Baseball Tournament." Sponsors: Senator Murphy and Representative McGinnis.

HB 373 was taken up for consideration on motion of Representative Lynch. "An Act to amend Chapter 1, Title 14, Delaware Code, relating to the number of meetings to be held by the State Board of Education for which compensation is allowed, the amount of that compensation and providing a

supplementary appropriation therefor.”

The roll call vote was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshar, Lynch, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Temple, Worthen, Mr. Speaker Jonkiert — 38.

NO: Representative Spence — 1.

NOT VOTING: Representative McKay — 1.

ABSENT: Representative Matushefske — 1.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 255 was taken up for consideration on motion of Representative Maxwell.

HB 255 — “An Act to amend Chapter 11, Title 30, Delaware Code, relating to modifications in Adjusted Gross Income for Personal Income Tax.”

HA 1 to the Bill was considered and adopted by voice vote.

Representative Maxwell then moved that **HB 255 w HA 1** be laid on the table and the motion prevailed by voice vote.

Representative George moved that **HB 477** be laid on the table and the motion prevailed by voice vote.

HB 265 was taken up for consideration on motion of Representative George.

HB 265 — “An Act to amend Chapter 3, Part I, Title 10, of the Delaware Code relating to the Court of Chancery; and providing for the initiation and conduct of class actions in said Court.”

HA 1 to the Bill was considered and adopted by voice vote.

The privilege of the floor was extended to John Brady, Member of the Delaware Bar Association, and Frances West, Division of Community Affairs, to speak on the Bill after which the roll call on **HB 265 w HA 1** was taken and announced:

YES: Representatives George, Johnson, Kelly, LeGates, Matushefske, Maxwell, Miller, Rispoli, Temple, Worthen — 10.

NO: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Clendaniel, Connor, Darling, Derrickson, Gilligan, Harrington, Hebner, Jornlin, Leshar, Lynch, McGinnis, McKay, Minner, Morris, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence, Jonkiert — 27.

NOT VOTING: Representatives Cain, Ferguson and Gordy — 3.

ABSENT: Representative Plant — 1.

Therefore, the Bill was declared lost.

Representative George moved that **HB 477** be lifted for consideration and the motion prevailed by voice vote.

HA 2 to **HB 477** was considered and adopted by voice vote.

HA 1 to the Bill was stricken on motion of Representative George.

Representative George then moved that **HB 477 w HA 2** be laid on the table and the motion prevailed by voice vote.

HB 523 was taken up for consideration on motion of Representative Matushefske. "An Act to amend Chapter 7, Title 29, Delaware Code, relating to the salary of the Lieutenant Governor."

The roll call vote was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Connor, George, and Maxwell — 3.

Representative Maxwell moved that **HB 255 w HA 1** be lifted from the Speakers Table. "An Act to amend Chapter 11, Title 30, Delaware Code, relating to modifications in Adjusted Gross Income for Personal Income Tax. The motion prevailed by voice vote.

The roll call vote on **HB 255 w HA 1** was then taken and revealed 37 Representatives voting YES, 1 Representative (Boulden) NO, 1 Representative (McKay) NOT VOTING and 2 Representatives (George and Matushefske) ABSENT.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

Representative Darling moved that **HB 513** be laid on the table and the motion prevailed by voice vote.

Representative Rispoli moved that **SB 117** be laid on the table and the motion prevailed by voice vote.

HB 411 was taken up for consideration on motion of Representative Cain.

HB 411 — “An Act to amend Chapter 11, Part XI, Title 29 of the Delaware Code, requiring that the State Controller General provide assistance to certain committees in the Senate and House of Representatives.”

The privilege of the floor was extended to Duane Olsen, Controller General, after which the roll call vote was taken and revealed 40 Representatives voting YES with 1 Representative (Billingsley) NOT VOTING.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

SCR 44 was taken up for consideration on motion of Representative McGinnis. “Extending congratulations to the Caesar Rodney Baseball team on winning this year’s Delaware High School Baseball Tournament.”

The Resolution was adopted by voice vote.

Representative McGinnis moved that the necessary rules be suspended for the purpose of considering **SB 239 w HA 1**. “An Act authorizing the Division of Public Health of the Department of Health and Social Services to assume the Streptococcal Detection Program and providing a supplementary appropriation therefor.”

The motion prevailed by voice vote.

The roll call vote on the Bill was taken and revealed 38 Representatives voting YES with 3 Representatives (Ambrosino, Byrd and Darling) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence in the House Amendment.

Representative Plant moved that **HB 329** be lifted for consideration but the motion failed by voice vote.

HB 252 was taken up for consideration on motion of Representative Clendaniel.

HB 252 — “An Act to amend Title 29, Delaware Code, by adding a New Chapter to be known as Chapter 38 concerning District sites, buildings, structures and objects significant in History, Architecture, Archeology and Culture.

HA 1 to the Bill was considered on motion of Representative Clendaniel and adopted by voice vote.

The roll call vote on **HB 252 w HA 1** was then taken and revealed 38 Representative voting YES, 1 Representative (Derrickson) NOT VOTING and 2 Representatives (Darling and Ridings) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Consideration of **HB 380** was deferred on motion of Representative Plant.

HB 490 was taken up for consideration on motion of Representative Plant. "An Act to amend Subchapter XI, of Chapter 33, Title 19, Delaware Code, relating to persons in transit being eligible to receive Unemployment Compensation Benefits."

The roll call vote was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 23.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Darling, Derrickson, Hebner, Jornlin, Leshner, McKay, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence — 17.

ABSENT: Representative McGinnis — 1.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Rispoli moved that **SB 117** be lifted from the Speakers Table. "An Act to amend Chapter 86, Title 9, of the Delaware Code, relating to the penalty for late payment of New Castle County taxes." The motion prevailed by voice vote.

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

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Jornlin, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Sincok, Temple, Worthen, Jonkiert — 30.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Leshner, Spence — 6.

NOT VOTING: Representatives Derrickson and Seibel — 2.

ABSENT: Representatives Hebner and Ridings — 2.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative George moved that **HB 477 w HA 2** be lifted from the Speakers Table. "An Act to amend Title 10 of the Delaware Code relating to Attorney's Fees." The motion prevailed by voice vote.

Representative George introduced **HA 3** to the Bill which was adopted by voice vote.

The roll call vote on **HB 477 w HA 2, 3** was then taken

but on motion of Representative George was tabled before being announced.

HB 412 was taken up for consideration on motion of Representative George.

HB 412 — “An Act authorizing and directing the Board of Pension Trustees to grant Mrs. William S. Queen, Sr., A survivor’s Pension Benefit under the provisions of Chapter 55, Title 29, Delaware Code.”

The roll call vote on the Bill was taken and revealed 38 Representatives voting YES, 2 Representatives (Ridings and Smith) NO and 1 Representative (Johnson) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 29 was taken up for consideration on the motion of Representative Seibel. “An Act to amend Chapter 10, Part I, Title 14 of the Delaware Code relating to School Board Elections, and providing for the showing of identification.”

The roll call vote on the Bill was taken and revealed 39 Representatives voting YES, 1 Representative (George) NOT VOTING, 1 Representative (Johnson) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 362 was taken up for consideration on motion of Representative Darling. “An Act to amend Subchapter I of Chapter 3, Title 9, Delaware Code, relating to the removal of the requirement that Kent County Levy a Capitation Tax and making such action discretionary.”

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

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Harrington, Hebner, Jornlin, Kelly, LeGates, Leshner, Lynch, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Mr. Speaker Jonkiert — 34.

ABSENT: Representatives Cain, Gordy, Johnson, Matushefske, Maxwell, Riddagh, and Worthen — 7.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HR 86 was introduced by Representative Connor and adopted by voice vote:

HR 86 — “Recognizing the Oratorical Genius of John P. Ferguson, and congratulating the House Majority Leader on the honor recently accorded him by Delaware Technical and

Community College.”

Representative Plant moved that **HB 329** be lifted from the Speakers Table for consideration. “Amend Chapter 5, Title 31, Delaware Code, by removing restrictions on Public Assistance payments to employables between the ages of 18 and 54.” The motion was adopted by voice vote.

The roll call vote on **HB 329** was then taken and announced:

YES: Representatives Hebner, Miller, Plant, Rispoli, Jonkiert — 5.

NO: Representatives Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McKay, Minner, Morris, Powell, Ridings, Seibel, Sincock, Smith, Spence, Worthen — 29.

NOT VOTING: Representatives Ambrosino and Temple — 2.

ABSENT: Representatives Ferguson, Johnson, Jornlin, McGinnis and Riddagh — 5.

Therefore, the Bill was declared lost.

HB 363 was taken up for consideration on motion of Representative Darling. “An Act to amend Chapter 96, Title 9, Delaware Code, relating to fees of the Recorder of Deeds for Kent County.”

The following letter was made part of the record:

ROBERT J. DONAWAY
Recorder of Deeds for Kent County
Dover, Delaware

The method used for obtaining copies at the time present fees were set by having each page typed out by our employees, transcribing old writing was time consuming. Now the method is done by Xeroxing and only a minute of time is required and the cost is only a few cents. Therefore, if the costs were reduced, we feel we would make more copies for the public at a more justifiable fee, and in fact, we feel it would end with an increase of revenue in our office. The Public cannot afford to pay \$4.00 a page, especially older people who want to get copies of deeds they have misplaced. Both New Castle and Sussex Counties issue copies for \$.25 or less and I think from the complaints that we have, it is time Kent County moved along with the times.

The roll call vote on the Bill was taken and revealed 36 Representatives voting YES with 5 Representatives (Ferguson, Johnson, Jornlin, McGinnis and Riddagh) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Boulden moved that **HB 480** be laid on the table and the motion prevailed by voice vote.

The House recessed at 5:32 p.m. and reconvened at 5:58 p.m.

The following Committee reports were announced:

From the Environmental Control Committee: **HB 505** — 2 Favorable, 3 Merits.

From the Public Safety Committee: **SB 300** — 4 Merits.

From the Community Affairs Committee: **HJR 12** — 6 Merits.

From the Judiciary Committee: **HB 537** — 4 Merits.

From the Revenue and Finance Committee: **HB 501** — 3 Favorable, 2 Merits.

The House recessed at 6:02 p.m. until Thursday June 12.

The House reconvened at 2:00 p.m. June 12, 1975 and on motion of Representative Ferguson, immediately adjourned to convene for the 43rd Legislative Day.

43RD LEGISLATIVE DAY

The House convened at 2:00 p.m. June 12, 1975.

A Prayer was offered by Representative Plant.

Pledge of Allegiance to the Flag was lead by the Speaker.

By roll call, there were 41 Members PRESENT.

The minutes of the previous day were approved as posted.

The following communication is included in this Journal at the request of Representative Plant:

"In view of the fact that the African Country of Rhodesia is controlled—you may say owned and operated—by a minority of white supremacist racists, it is understandable that the Officials of that Government would not recognize the credentials of representatives of a rival group which is attempting to put an end to minority white rule in their Country.

Indeed, it would be not only surprising, but unthinkable, for the white Officials to recognize, or honor in any way, the credentials of a group which threatens the present system which the white minority has found so profitable."

Al O. Plant, Representative
2nd Representative District
June 12, 1975

* * * * *

The following pre-filed legislation was entered in the Calendar:

HB 560 — "An Act to amend Chapter 51, Title 30, Delaware Code, relating to the refund of non-Highway used gasoline." Sponsor: Representative Minner. Assigned to Revenue and Finance Committee.

HB 561 — "An Act to amend Chapter 27, Title 21, Delaware Code, relating to application by minor for an Operator's License." Sponsor: Representative Johnson. Assigned to Public Safety Committee.

HB 562 — "An Act to amend Chapter 21, Title 21, Delaware Code relating to requirement of Insurance for motor vehicles." Sponsors: Representatives Gordy and Boulden. Assigned to Public Safety Committee.

HB 563 — "An Act to permit the Board of Public Education of the Mount Pleasant reorganized School District to transfer certain funds from its Local Debt Service Funds Account to a Special Local Current Funds Account." Sponsors: Representatives Ambrosino, Connor and Leshner; Senators Berndt and Hughes. Assigned to Appropriations Committee.

HB 564 — "An Act to amend Chapter 11, Title 30, Delaware Code, relating to Income Tax withheld by employers." Sponsor: Representative McGinnis. Assigned to Revenue and Finance Committee.

HB 565 — "An Act to provide a supplementary appropriation to the Division of Mental Health of the Department of Health and Social Services for payment of a portion of salary earned by promotion." Sponsor: Representative Jonkiert. Assigned to Appropriations Committee.

HB 566 — "An Act to amend Chapter 5, Title 4, Delaware Code, relating to application for a license to purchase alcoholic liquor for resale." Sponsor: Representative McGinnis. Assigned to Administrative Services Committee.

HB 567 — "An Act to amend Chapter 27, Title 21, Delaware Code, relating to suspension and revocation of license for refusal to submit to chemical test." Sponsor: Representative Gordy. Assigned to Public Safety Committee.

HB 568 — "An Act to amend Chapter 27, Title 21,

Delaware Code, relating to driving under the influence." Sponsor: Representative Gordy. Assigned to Public Safety Committee.

HB 569 — "An Act to amend Chapter 17, Part I, Title 7 of the Delaware Code, relating to dogs; and providing for certain procedures in dog bite cases." Sponsor: Representative Cain. Assigned to Natural Resources Committee.

HB 570 — "An Act to amend Chapter 1, Title 16, Delaware Code, relating to general powers and duties of the State Board of Health." Sponsor: Representative Morris. Assigned to Health and Social Services Committee.

HB 571 — "An Act to amend Chapter 51, Title 30, Delaware Code, relating to refunds of Motor Fuel Taxes." Sponsor: Representative Minner. Assigned to Revenue and Finance Committee.

HB 572 — "An Act directing the Board of Pension Trustees to accept the application for a survivor's pension from Mrs. Helen Carmean." Sponsor: Representative Gordy. Assigned to Appropriations Committee.

HB 573 — "An Act to provide a supplementary appropriation to the Division of Historical and Cultural Affairs of the Department of State to be expended by the Historical Society of Delaware in its on-going Educational and Historical Programs." Sponsor: Representative Maxwell. Assigned to Appropriations Committee.

HB 574 — "An Act to amend Title 29, Delaware Code, relating to the powers, duties and functions of the Secretary." Sponsor: Representative LeGates. Assigned to Natural Resources Committee.

HB 575 — "An Act making a supplemental appropriation to the Claymont School District for minor repairs to the Middle School." Sponsors: Representatives Gilligan, Hebner and Leshner; Senator Hughes. Assigned to Appropriations Committee.

HB 576 — "An Act proposing an Amendment to Section 1, Article IX of the Constitution of the State of Delaware, relating to the requisites for enactment of General Incorporation Law." Sponsor: Representative Arnold. Assigned to Constitution Revision Committee.

HB 577 — "An Act to amend Chapter 5, Title 13 of the Delaware Code relating to divorce and annulment." Sponsors: Representatives Jornlin, Jonkiert, Arnold, Ambrosino, Leshner, Smith, Connor, McKay, Gilligan and Kelly; Senator Holloway.

Assigned to Judiciary Committee.

HB 578 — "An Act to amend Chapter 3 of Title 4, Delaware Code, requiring the establishing and posting of prices of alcoholic liquors." Sponsor: Representative Byrd. Assigned to Administrative Services Committee.

HB 579 — "An Act to amend Chapter 27, Part II, Title 21, Delaware Code, relating to the suspension and revocation of a driver's license as the result of a refusal to submit to a chemical test." Sponsor: Representative Gordy. Assigned to Public Safety Committee.

HB 580 — "An Act to correct certain administrative errors resulting in loss of pay to certain previous employees of the Department of Public Safety and providing for the payment of lost pay." Sponsor: Representative Darling. Assigned to Appropriations Committee.

HB 581 — "An Act to amend Chapter 55, Title 30, Delaware Code, relating to Public Utility Taxes." Sponsors: Representatives McGinnis and Temple. Assigned to Revenue and Finance Committee.

HB 582 — "An Act to amend Chapter 44, Title 9, Delaware Code, relating to building Permits in Kent County." Sponsor: Representative Darling. Assigned to Community Affairs Committee.

HB 583 — "An Act to amend Chapter 9, Title 19, Delaware Code relating to minimum wages paid to employees who receive gratuities." Sponsor: Representative Byrd. Assigned to Labor and Commerce Committee.

HB 584 — "An Act to amend Chapter 86, Subchapter I, Title 29 of the Delaware Code, relating to the Department of Community Affairs and Economic Development and the creation of a Council for Women." Sponsors: Representatives Worthen, Miller, Minner and Johnson. Assigned to Community Affairs Committee.

HB 585 — "An Act to amend Chapter 27, Title 21, Delaware Code, relating to notice of license revocations." Sponsor: Representative Johnson. Assigned to Public Safety Committee.

HB 586 — "An Act to amend Chapter 27, Title 21, Delaware Code, authorizing administration of a preliminary screening test or analysis of persons suspected of driving while intoxicated." Sponsor: Representative Gordy. Assigned to Public Safety Committee.

HB 587 — "An Act making a supplementary

appropriation to the Delaware Commission on Interstate Cooperation for the purpose of hosting the Eastern Regional Conference of the Council State Governments." Sponsor: Representative Boulden. Assigned to Appropriations Committee.

HB 588 — "An Act to amend Chapter 59, Title 29, Part V, of the Delaware Code relating to the Merit System of Personnel Administration; and providing for Veteran's Preference under certain circumstances." Sponsor: Representative Cain. Assigned to State and Federal Relations Committee.

HB 589 — "An Act to amend Chapter 13, Part I, Title 14 of the Delaware Code relating to Professional Status Counsellors; and providing a Counsellor-Pupil ratio." Sponsor: Representative Connor. Assigned to Education Committee.

HB 590 — "An Act to aid the Delaware Guidance Services for Children and Youth, Inc., by making an appropriation therefor." Sponsor: Representative George. Assigned to Appropriations Committee.

HB 591 — "An Act to aid Delaware Safety Council, Inc., engaged in educating the people of this State as to safety by making an appropriation therefor." Sponsor: Representative George. Assigned to Appropriations Committee.

HB 592 — "An Act to aid Delaware State Fair, Inc., by making an appropriation therefor." Sponsor: Representative George. Assigned to Appropriations Committee.

HB 593 — "An Act making a supplementary appropriation to the Diamond State Youth, Inc.," Sponsor: Representative George. Assigned to Appropriations Committee.

HB 594 — "An Act to aid WHYI, Inc., engaged in educating the people of this State by making an appropriation therefor." Sponsor: Representative George. Assigned to Appropriations Committee.

HB 595 — "An Act to aid certain civic organizations which maintain emergency vehicles by making appropriations therefor." Sponsor: Representative George. Assigned to Appropriations Committee.

HB 596 — "An Act making an appropriation to Big Brothers Association of Northern Delaware, Inc.," Sponsor: Representative George. Assigned to Appropriations Committee.

HB 597 — "An Act to aid organizations maintaining residential facilities by making appropriations therefor."

Sponsor: Representative George. Assigned to Appropriations Committee.

HB 598 — "An Act to aid certain Fire Companies which are organized to extinguish fires or maintain ambulances or rescue trucks, by making an appropriation therefor." Sponsor: Representative George. Assigned to Appropriations Committee.

HB 599 — "An Act to permit the Board of Public Education of the Mount Pleasant Reorganized School District to transfer certain funds from its Local Debt Service Funds Account to a Special Local Current Operating Funds Account. Sponsor: Representative George. Assigned to Appropriations Committee.

HB 600 — "An Act to amend Chapter 25, Title 21, Delaware Code, relating to vehicle dealer reassignment forms." Sponsor: Representative Minner. Assigned to Public Safety Committee.

HB 601 — "An Act to amend Chapter 7, Title 13, of the Delaware Code, relating to minors' consent to diagnostic and lawful therapeutic procedures." Sponsors: Representatives Jornlin, Seibel, Jonkiert and Gilligan. Assigned to Judiciary Committee.

HB 602 — "An Act to amend Title 9, relating to Counties to correct editorial errors in the Delaware Code Annotated." Sponsor: Representative Matushefske. Assigned to Community Affairs Committee.

HB 603 — "An Act to aid Mid-Sussex Rescue Squad, Inc., which is organized to operate and maintain an ambulance in the public service, by making an appropriation therefor." Sponsor: Representative George. Assigned to Appropriations Committee.

HB 604 — "An Act to amend Chapter 4, Title 21, Delaware Code, relating to reciprocity agreements for drivers' licenses." Sponsors: Representatives Gordy and Boulden. Assigned to Public Safety Committee.

HB 605 — "An Act to amend Chapter 15, Title 13, of the Delaware Code, relating to divorce and annulment to provide a new definition of "voluntary separation." Sponsors: Representatives Jornlin, Jonkiert, Smith, Connor, Ambrosino, McKay, Gilligan and Kelly; Senator Holloway. Assigned to Judiciary Committee.

HB 606 — "An Act to amend Chapter 5, Title 13 of the Delaware Code, relating to desertion and support." Sponsors:

Representatives Jornlin, Jonkiert, Arnold, Leshner, Smith, Connor, Ambrosino, McKay, Gilligan and Kelly; Senator Holloway. Assigned to Judiciary Committee.

HA 1 to HB 525, sponsored by Representative Powell and Senator Sharp, was introduced and placed with the Bill.

HA 3 to HR 81 was introduced by Representative Maxwell and placed with the Bill.

HA 1 to SB 324 was introduced by Representatives Worthen and Seibel and placed with the Bill.

HR 87 — "Commending Mr. and Mrs. Samuel Goldberg, of 609 West 38th Street, Wilmington, for making the sacrifices necessary to educate their five children."

HJR 19 — "Providing for the establishment of a Committee to investigate and study the administration and operation of the Public School System in this State, and making a supplementary appropriation therefor." Sponsor: Representative Darling. Assigned to Education Committee.

SS 1 for SB 247 w SA 2 — "An Act to amend Titles 21 and 30 of the Delaware Code relating to certain penalty Assessments payable by mail." Sponsor: Senator Adams. Assigned to Public Safety Committee.

HB 607 — "An Act to aid Veteran's Organizations by making an appropriation therefor." Sponsor: Representative George. Assigned to Appropriations Committee.

On motion of Representative George, **HR 87** which had been pre-filed was taken up for consideration and adopted by voice vote.

Representative Boulden moved that **HB 480** be lifted from the Speakers Table. "An Act to amend Chapter 85, Title 10, Delaware Code, relating to the salary of the County Executive of New Castle County." The motion prevailed by voice vote.

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

YES: Representatives Ambrosino, Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Kelly LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Ridings, Rispoli, Sincok, Temple, Worthen, Jonkiert — 27.

NO: Representatives Arnold, Billingsley, Connor, Jornlin, Leshner, McKay, Riddagh, Seibel, Smith, Spence — 10.

NOT VOTING: Representatives Derrickson, Hebner, and Powell — 3.

ABSENT: Representative Johnson — 1.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

HB 516 was taken up for consideration on motion of Representative Sincock. "An Act to amend Chapter 11, Title 9, Delaware Code to permit New Castle County to establish Grant Budgets for Federal and State Grant Fund."

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

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Harrington, Hebner, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 39.

ABSENT: Representatives Gordy and Johnson — 2.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

Representative Boulden moved that **HB 419** be laid on the table and the motion prevailed by voice vote.

HB 188 — "An Act to amend Title 19, Delaware Code, by creating a new Chapter to be designated as Chapter 14 to provide for the implementation of a State Occupational Safety and Health Act in accordance with the provision of the Williams-Steiger Occupational Safety and Health Act of 1970 and providing a supplemental appropriation to implement the provision of this Act." was taken up for consideration on motion of Representative Byrd.

HA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Representative LeGates and adopted by voice vote.

Representative Byrd moved that **HB 188 w HA 1** be laid on the table and the motion prevailed by voice vote.

The House recessed at 2:30 p.m. and reconvened at 4:18 p.m.

On motion of Representative Powell, **HB 370** was deferred.

HB 392 — "An Act to amend Chapter 6, Title 14, Delaware Code, relating to acceptance of Non-resident Students in Delaware Public Schools and tuition for such Out-of-State Students." was taken up for consideration on motion of Representative Worthen.

HA 1 to the Bill was taken up for consideration on motion

of Representative Worthen and adopted by voice vote.

Representative Worthen then moved that **HB 392 w HA 1** be laid on the table and the motion prevailed by voice vote.

At the request of Representative Clendaniel consideration of **HB 315** was deferred.

SB 108 w SA 1 was taken up for consideration on motion of Representative Clendaniel. "An Act to amend Title 14, Delaware Code by establishing the Board of Trustees of the Delaware Institute of Veterinary Medical Education."

The privilege of the floor was extended to Joseph DiPinto to speak on the Bill.

The roll call vote on the Bill was then taken and revealed 38 Representatives voting YES, 1 Representative (Billingsley) voting NO and 2 Representatives (Ferguson and Johnson) ABSENT.

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

HA 1 to HB 530 was introduced from the floor by Representative Derrickson and placed with the Bill.

Representative LeGates moved that **HB 505** be lifted from the Speakers Table. "An Act authorizing the Department of Natural Resources and Environmental Control, Division of Fish and Wildlife to transfer between lines." The motion prevailed by voice vote.

The roll call vote on the Bill was then taken and revealed 37 Representatives voting YES, 1 Representative (Hebner) NOT VOTING and 3 Representatives (Ferguson, Gordy and Johnson) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

SB 23 was taken up for consideration on motion of Representative George. "An Act relating to a survivor's pension for Mrs. Richard C. Beckett, wife of Richard C. Beckett, a former State Sanitary Engineer with the old Delaware State Board of Health."

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

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Harrington, Jornlin, Kelly, Leshner, Lynch, Matushefske, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Sincock, Spence, Temple, Worthen, Jonkiert — 32.

NO: Representatives Hebner, LeGates, McKay, Ridings,

Seibel and Smith — 6.

ABSENT: Representatives Gordy, Johnson and Maxwell — 3.

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

The House recessed at 5:30 p.m. and reconvened at 8:30 p.m.

SB 32 w HA 1 — “An Act to amend Chapter 65, Title 18, Delaware Code, to authorize the State Insurance Officer to give Technical Assistance to Delaware Volunteer Fire Departments.”

SB 32 was taken up for consideration on motion of Representative Gordy.

HA 1 to the Bill was taken up for consideration on motion of Representative Gordy and adopted by voice vote.

The roll call vote on **SB 32 w HA 1** was then taken and revealed 40 Representatives voting YES with 1 Representative (McGinnis) ABSENT.

Therefore, the Bill passed the House and was returned to the Senate for concurrence in the House Amendment.

SB 248 — “An Act to amend Section 2911 of Title 18 of the Delaware Code relating to Life Insurance Policy Loans.”

SB 248 was taken up for consideration on motion of Representative Gordy.

HA 1 to the Bill was considered for adoption on motion of Representative Ridings, the roll call taken and announced:

YES: Representatives Billingsley, Byrd, Connor, Derrickson, Gilligan, Hebner, McKay, Powell, Riddagh, Ridings, Smith, Spence — 12.

NO: Representatives Boulden, Cain, Clendaniel, Darling, Ferguson, George, Gordy, Harrington, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 21.

NOT VOTING: Representatives Ambrosino, Arnold, Jornlin, Leshner, Sincock — 5.

ABSENT: Representatives Johnson, Miller and Seibel — 3.

Therefore, the Amendment was lost.

The privilege of the floor was extended to Maurice Hartnett, Northwestern Mutual Life Insurance Company, to speak on the Bill.

SB 248 was then laid on the table on motion of Representative Gordy.

Consideration of **HB 34** was deferred at the request of Representative Worthen.

HB 260 was deferred for consideration at the request of Representative McGinnis.

HB 151 was taken up for consideration at the motion of Representative McGinnis. "An Act to amend Chapter 91, Title 9, Delaware Code, relating to compensation to be paid the Chief Deputies by County Offices."

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

YES: Representatives Ambrosino, Boulden, Byrd, Cain, Clendaniel, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 28.

NO: Representatives Arnold, Billingsley, Connor, Leshner, McKay, Powell, Riddagh, Ridings, Sincok, Smith, Spence — 11.

NOT VOTING: Representative Kelly — 1.

ABSENT: Representative Seibel — 1.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

HB 215 was deferred for consideration at the request of Representative Plant.

Representative Plant moved that **HB 181** be laid on the table and the motion prevailed by voice vote.

HB 311 was deferred for consideration at the request of Representative McGinnis.

HB 448 was taken up for consideration on motion of Representative McGinnis. "An Act to amend Chapter 48, Title 9, Delaware Code relating to Appropriations to the Regional Planning Commission of Kent County."

The roll call vote was taken and revealed 40 Representatives YES with 1 Representative (Seibel) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for consideration.

HB 366 was taken up for consideration on motion of Representative Harrington. "An Act to permit the Board of Education of the Milford School District to transfer certain funds from its Debt Service Account to its Capital Outlay Account."

The roll call vote was taken and revealed 38 Representatives YES with 3 Representatives (Byrd, Kelly, and Seibel) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative LeGates moved that **SB 40** be laid on the table and the motion prevailed by voice vote.

SB 219 was taken up for consideration on motion of Representative George. "An Act to amend Volume 57, Chapter 320, Laws of Delaware entitled "An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures and to Issue Bonds and Notes therefor and appropriating the monies to the State Board of Education" by extending the date on sales of the Bonds and Notes."

The roll call vote was taken; however, before the roll call vote was announced it was tabled on motion of Representative George.

Consideration of **SB 220** and **SB 221** was deferred at the request of Representative George.

HB 451 was taken up for consideration on motion of Representative George. "An Act to provide a supplementary appropriation to the University of Delaware for the use of the State Geologists, Delaware Geological Survey, for the purpose of erecting a stream gauge facility on White Clay Creek."

The roll call vote on the Bill was taken and revealed 38 Representatives voting YES with 3 Representative (Clendaniel, Gordy, and Seibel) ABSENT.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

HB 453 was taken up for consideration on motion of Representative George. "An Act to provide a supplementary appropriation to the State Judiciary Agencies."

The roll call vote on the Bill was taken and revealed 40 Representatives YES with 1 Representative (Seibel) ABSENT.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

SB 126 w SA 1, 2, 3 was taken up for consideration on motion of Representative Maxwell. "An Act to amend Subchapter I of Chapter 1, Title 26, Delaware Code, relating to discontinuance of gas, water, or electric service by Public Utilities."

The roll call vote was taken; however, the roll call was tabled before being announced on motion of Representative Maxwell.

SB 289 was taken up for consideration on motion of Representative Rispoli. "An Act to amend Subchapter III of

Chapter 11, Title 9, Delaware Code, relating to voting procedure on ordinances.”

The roll call vote was taken and announced:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Temple, Worthen and Jonkiert — 32.

NO: Representatives Billingsley, Leshner and Smith — 3.

NOT VOTING: Representatives Derrickson, Jornlin, McKay and Spence — 4.

ABSENT: Representatives Seibel and Sincock — 2.

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

At the request of Representative Temple, consideration of **HB 391** was deferred.

HB 537 was taken up for consideration on motion of Representative Temple. “An Act to amend Chapter 25, of Title 10 Delaware Code relating to the compensation of the Chief Deputy Register in Chancery.”

The roll call vote was taken and revealed 39 Representatives voting YES with 2 Representatives (Miller and Seibel) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 396 was taken up for consideration on motion of Representative Temple. “An Act to amend Chapter 25, of Title 12, Delaware Code, relating to compensation for Chief Deputy Register of Wills and Estates.”

The roll call vote was taken and revealed 40 Representatives voting YES with 1 Representative (Seibel) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 417 was taken up for consideration on motion of Representative Matushefske. “An Act to amend Chapter 31, Title 15, Delaware Code, relating to filing fees in Primary Elections and providing for filing of petitions by indigent candidates.”

The roll call was taken and revealed:

YES: Representatives Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, Lynch, Matushefske, Maxwell, Miller, Minner, Morris, Plant, Riddagh, Rispoli, Spence, Temple, Jonkiert — 23.

NO: Representatives Ambrosino, Boulden, Connor, McKay, Sincock, Worthen — 6.

NOT VOTING: Representatives Arnold, Billingsley, Hebner, Jornlin, Leshner, Powell, Ridings, Smith — 8.

ABSENT: Representatives Derrickson, LeGates, McGinnis and Seibel — 4.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Riddagh moved that **HB 187** be laid on the table and the motion prevailed by voice vote.

The House recessed at 10:15 p.m. and reconvened at 10:32 p.m.

SJR 21 was taken up for consideration on motion of Representative George. "Relating to contracts and purchases made by Agencies of this State."

The roll call vote was taken and revealed 38 Representatives voting YES with 3 Representatives (Darling, McGinnis, and Seibel) ABSENT.

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

Representative George moved that the necessary rules be suspended for the introduction and consideration of **SB 431** and the motion prevailed by voice vote.

SB 431 — "An Act making appropriations for the expenses of the State Government for the Fiscal Year ending June 30, 1976, and to amend certain pertinent Statutory Provisions."

Representative Derrickson introduced **HA 1** to the Bill. Representative George moved that the Amendment be tabled and the roll call vote on the motion was taken and announced:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, Miller, Minner, Morris, Plant, Rispoli, Temple, Jonkiert — 23.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Hebner, Jornlin, Leshner, McKay, Powell, Riddagh, Ridings, Sincock, Smith, Spence, Worthen — 16.

ABSENT: Representatives McGinnis and Seibel — 2.

Therefore, the motion prevailed and the Amendment was tabled.

Representative Derrickson introduced **HA 2** to the Bill. Representative George moved that the Amendment be tabled and the roll call vote on the motion was taken and announced:

YES: Representatives Boulden, Byrd, Cain, Clendaniel,

Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 24.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Hebner, Jornlin, Leshar, McKay, Powell, Riddagh, Ridings, Sincock, Smith, Spence — 15.

ABSENT: Representatives McGinnis and Seibel — 2.

Therefore, the motion prevailed and the Amendment was tabled.

Representative Spence introduced **HA 3** to the Bill. Representative George moved that the Amendment be tabled. The roll call vote on the motion was taken and announced:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 24.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Hebner, Jornlin, Leshar, McKay, Powell, Riddagh, Ridings, Sincock, Smith, Spence — 15.

ABSENT: Representatives McGinnis and Seibel — 2.

Therefore, the motion prevailed and the Amendment was tabled.

The privilege of the floor was extended to Duane Olsen, Controller General to speak on the Bill after which the roll call vote was taken and announced:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, Minner, Morris, Plant, Rispoli, Temple, Jonkiert — 22.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Hebner, Jornlin, Leshar, McKay, Powell, Riddagh, Ridings, Sincock, Smith, Spence, Worthen — 16.

ABSENT: Representatives McGinnis, Miller and Seibel — 3.

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

On motion of Representative George the necessary rules were suspended for the introduction and consideration of **HB 608**:

HB 608 — “An Act to amend an Act entitled “An Act making supplementary appropriations for the expense of the

State Government for the Fiscal Year ending June 30, 1976, and to amend certain pertinent Statutory Provisions being **SB 431** of the 128th General Assembly of the State of Delaware."

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

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Hebner, Johnson, Jornlin, Kelly, LeGates, Matushefske, Maxwell, McKay, Miller, Plant, Riddagh, Rispoli, Spence, Temple, Worthen, Jonkiert — 28.

NO: Representatives Lynch and Morris — 2.

ABSENT: Representatives Billingsley, Derrickson, Harrington, Leshner, McGinnis, Minner, Powell, Ridings, Seibel, Sincok, Smith — 11.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

The House recessed at 11:30 p.m. until 1:00 p.m. June 17, 1975.

The House reconvened at 1:42 p.m. June 17, 1975 and on motion of Representative Ferguson immediately adjourned to convene for the 44th Day.

44TH LEGISLATIVE DAY

The House convened at 1:42 p.m. June 17, 1975.

A Prayer was offered by Rev. C. V. Holmes.

Pledge of Allegiance to the Flag was lead by the Speaker.

By roll call, there were 40 Members **PRESENT** with 1 Representative (Matushefske) **ABSENT**.

The minutes of the previous Legislative Day were approved as posted.

The following communications were read into the record:

HOUSE OF REPRESENTATIVES

Dover, Delaware

June 13, 1975

The Honorable Casimir S. Jonkiert

Speaker of the House

128th General Assembly

Dear Mr. Speaker:

The Special Committee, originated with House Resolution No. 42, has attempted to keep the House of Representatives fully informed on the subject of transferring the women prisoners to Woodshaven-Kruse School.

As Chairman of the Committee, I have attempted to get a

44TH LEGISLATIVE DAY

decision, on this subject, for the Attorney General's office. Since we are approaching the final hours of the first session of the 128th General Assembly I felt it my duty to relay as much information as possible.

Being unable to get a report from the Attorney General, I took it upon myself to gather the enclosed information. I assume all responsibility for its contents since I am personally responsible for the financial obligation to compile it.

Respectfully yours,
J. Edward Morris
Chairman

* * * * *

**STATE OF DELAWARE
EXECUTIVE DEPARTMENT
Dover**

June 13, 1975

To the House of Representatives
of the 128th General Assembly
of the State of Delaware

On June 4, 1975, I received House Bill No. 24, as amended by House Amendment No. 1, entitled:

"AN ACT TO AMEND CHAPTER 79, PART VII, TITLE 29, OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES; AND PROVIDING QUALIFICATIONS FOR THE POSITION OF DIRECTOR OF THE DIVISION OF ADULT CORRECTIONS."

I herewith return this bill without my signature.

At this point in time, I have determined that it is not in the best interests of the people of the State to approve legislation which would dilute the necessary qualifications for the Director of the Division of Adult Corrections; in addition, the language concerning the work experience is so restrictive that it is not inconceivable that at some juncture, a qualified person would not be available from within the system.

Respectfully submitted,
Sherman W. Tribbitt
Governor

* * * * *

HB 542 was reported out of the Public Safety Committee
— 4 Merits.

HB 342 was reported out of the Education Committee: 3

Merits, 1 Unfavorable.

The following pre-filed legislation was entered in the Calendar:

HB 609 — “An Act to amend Chapter 5 of Title 28, Delaware Code, relating to the “Delaware Standardbred Development Fund.” Sponsor: Representative Ambrosino. Assigned to Administrative Services Committee.

HB 610 — “An Act to amend Chapter 47, Title 9, Delaware Code, relating to garbage disposal.” Sponsor: Representative Gordy. Assigned to Community Affairs.

HB 611 — “An Act to amend Chapter 23, Title 30, Delaware Code relating to Occupational and Business Taxes and the definition of gross receipts in that Chapter.” Sponsors: Representatives McGinnis, Harrington and Byrd. Assigned to Revenue and Finance Committee.

HB 612 — “An Act to amend Subchapter IV, Chapter 21, Title 21, Delaware Code, relating to special permit fees.” Sponsor: Representative Boulden. Assigned to Public Safety Committee.

HB 613 — “An Act to amend Chapter 14, Title 14, Delaware Code, relating to procedures for the termination of services of professional employees.” Sponsor: Representative Lynch. Assigned to Education Committee.

HB 614 — “An Act providing for the appointment of six enforcement officers for the Family Court of the State of Delaware and making an appropriation therefor.” Sponsor: Representative Gordy. Assigned to Appropriation Committee.

HB 615 — “An Act to amend Chapter 51, Title 30, Delaware Code, relating to penalties for late reporting.” Sponsor: Representative McGinnis. Assigned to Revenue and Finance Committee.

HB 616 — “An Act to amend Chapter 51, Title 30, Delaware Code, relating to monthly reports and payments.” Sponsor: Representative McGinnis. Assigned to Revenue and Finance Committee.

HB 617 — “An Act to amend Chapter 96, Title 9, of the Delaware Code relating to the recording of Deeds or other instruments conveying Title to real estate and requiring the execution of an affidavit of residence and gain and the transmission of information to the State Division of Revenue to assist in collecting taxes due the State.” Sponsors: Representatives McGinnis, Powell, Miller, Byrd, Harrington. Assigned to Community Affairs Committee.

HB 618 — “An Act to amend Chapter 15, Title 13 of the Delaware Code relating to divorce and annulment.” Sponsors: Representatives Jornlin, Jonkiert, Arnold, Leshner, Smith, Connor, Ambrosino, McKay, Gilligan and Kelly; Senator Holloway. Assigned to Judiciary Committee.

HB 619 — “An Act to relieve certain employees of the State of Delaware from the obligation of repaying to the State certain excess salary payments unknowingly received by such employees.” Sponsors: Representatives Boulden and Senator Zimmerman. Assigned to Appropriations Committee.

HB 620 — “An Act to amend Chapter 51, Title 30, Delaware Code, relating to motor fuel tax licenses.” Sponsor: Representative Gordy. Assigned to Revenue and Finance Committee.

HB 621 — “An Act to amend Chapter 51, Title 30, Delaware Code, relating to motor fuel tax licenses.” Sponsor: Representative Gordy. Assigned to Revenue and Finance Committee.

HB 622 — “An Act to amend Chapter 6, Title 13, of the Delaware Code relating to uniform reciprocal enforcement of support. Sponsor: Representative Gordy. Assigned to Judiciary Committee.

HB 623 — “An Act authorizing the State of Delaware to borrow money and to Issue Bonds and Notes therefor; and appropriating the funds thus obtained to the Division of Soil and Water Conservation of the Department of Natural Resources and Environmental Control, which funds shall be expended in accordance with the purposes of the Watershed Protection and Flood Prevention Act.” Sponsor: Representative Lynch. Assigned to Appropriations Committee.

HB 624 — “An Act to amend Subchapter I, Chapter 27, Title 24, Delaware Code, providing a professional Code for land surveyors.” Sponsor: Representative Lynch. Assigned to Administrative Services Committee.

HB 625 — “An Act to amend Chapters 1, 7, 17, 20, 21, 29, Title 5, Delaware Code, relating to certain statutory fees charged by the Office of State Bank Commissioner.” Sponsors: Representatives Lynch and Powell. Assigned to Administrative Services Committee.

HB 626 — “An Act to amend Chapter 7, Title 7, of the Delaware Code relating to the use and construction of hunting blinds.” Sponsor: Representative Lynch. Assigned to Natural

Resources Committee.

HB 627 — "An Act to amend Chapter 51, Title 30, Delaware Code, relating to tax imposed." Sponsor: Representative McGinnis. Assigned to Revenue and Finance Committee.

HB 628 — "An Act to amend Chapters 87 and 88, Title 29, Delaware Code, relating to the Division of Historical and Cultural Affairs, relinquishing control and maintenance of Buena Vista and the Governor's House and directing such control shall hereafter be in the Division of Maintenance and Communications, Department of Administrative Services." Sponsor: Representative Maxwell. Assigned to Administrative Services Committee.

HB 629 — "An Act to amend Subchapter III, Chapter 1, Title 17 of the Delaware Code, relating to highways and providing for control of entrances and exits onto State maintained highways, streets and roads, and to provide for penalties for violation thereof." Sponsor: Representative Boulden. Assigned to Highways and Transportation Committee.

HB 630 — "An Act to amend Subchapter I, Chapter 11, Title 17, Delaware Code relating to regulations of outdoor advertising." Sponsor: Representative Boulden. Assigned to Highways and Transportation Committee.

HB 631 — "An Act to amend Chapter 16, Subchapter I, Title 2, Delaware Code, relating to local transportation authorities." Sponsor: Representative Boulden. Assigned to Highways and Transportation Committee.

HB 632 — "An Act to amend Chapter 63 of Title 29, Delaware Code, relating to the exemption of certain Federal Funds from being used for fringe benefits plans." Sponsors: Representatives Clendaniel and Lynch. Assigned to Federal and State Relations Committee.

HB 633 — "An Act to authorize and direct the Board of Pension Trustees to grant a pension to Norman F. Hastings, a former employee of the State Highway Department." Sponsors: Representatives Temple and Gordy. Assigned to Appropriations Committee.

HB 634 — "An Act to authorize the Board of Pension Trustees to grant Mrs. Fred H. Perkins a survivors pension under Chapter 55, Title 29, Delaware Code." Sponsor: Representative Temple. Assigned to Appropriations Committee.

HB 635 — "An Act to amend Chapter 29, Title 30 of the

Delaware Code, relating to Retail and Wholesale Merchant licensing requirements and taxes and providing for the exemption of taxes paid on tobacco products and liquor from computation of gross receipts." Sponsors: Representatives McGinnis and Harrington. Assigned to Revenue and Finance Committee.

HB 636 — "An Act to amend Chapter 5, Title 21, Delaware Code, relating to marking of highways and erection of traffic signals and other signs." Sponsor: Representative Boulden. Assigned to Public Safety Committee.

HA 1 to HB 34 was introduced by Representative Worthen and placed with the Bill.

HA 3 to HB 188 was introduced by Representative Byrd and placed with the Bill.

HA 4, 5 and 6 to HB 188 were introduced by Representative Byrd and placed with the Bill.

HA 1, 2 to HB 258 were introduced by Representative Ambrosino and placed with the Bill.

HA 1 to HB 347 was introduced by Representative Gilligan and placed with the Bill.

HA 1 to HB 370, sponsored by Representative Powell and Senator Murphy, was introduced and placed with the Bill.

HA 1 to SB 249 was introduced by Representative Gordy and placed with the Bill.

HCR 38 — "Establishing a Committee to evaluate the need for a Merit System for employees of the Family Court of Delaware and providing an appropriation for the expenses of said Committee." Sponsor: Representative Gordy.

HA 1 to HB 53 was introduced by Representative McGinnis and placed with the Bill.

HA 1 to HB 447 was introduced by Representative Miller and placed with the Bill.

HA 1 to HB 452 was introduced by Representative Gilligan and placed with the Bill.

HA 1 to HB 458 was introduced by Representative Maxwell and placed with the Bill.

HA 1 to HB 524 was introduced by Representative Morris and placed with the Bill.

HA 2 to HB 425 was introduced by Representatives Lynch and Sincock and placed with the Bill.

HA 1 to HB 527 was introduced by Representative Morris and placed with the Bill.

HA 1 to HJR 12, sponsored by Representatives Byrd,

Kelly, Ferguson and Matushefske, was introduced and placed with the Bill.

HA 1 to SB 40 was introduced by Representative LeGates and placed with the Bill.

SB 261 w SA 1 — “An Act to amend Subchapter II, Chapter 19, Title 14, of the Delaware Code relating to the taxation and assessment of mobile homes.” Sponsor: Senator Sharp. Assigned to Education Committee.

SB 263 w SA 1 — “An Act to amend Chapter 9, Title 26 of the Delaware Code relating to the powers of telegraph and telephone corporations; and providing that all wires be placed eighteen feet above road crossings.” Sponsor: Senator Sharp. Assigned to Administrative Services Committee.

SB 292 — “An Act to amend Subchapter II of Chapter 92, Title 10, Delaware Code, relating to overtime for Clerks in the Justice of the Peace Courts.” Sponsor: Senator Sharp. Assigned to Appropriations Committee.

SS 1 for SB 295 — “An Act to amend Chapter 8, Title 9, Delaware Code, relating to County Libraries.” Sponsor: Senator Zimmerman. Assigned to Community Affairs Committee.

SB 318 w SA 1 — “An Act to amend Chapter 36 of Title 24, Delaware Code, relating to the registration of professional geologists.” Sponsor: Senator Martin. Assigned to Administrative Services Committee.

SB 341 — “An Act to authorize the Department of Highways and Transportation to convey certain lands to Kent County.” Sponsors: Senators Murphy and Zimmerman; Representative Morris. Assigned to Highways and Transportation Committee.

SB 343 w SA 1 — “An Act to amend Chapter 10, Part I, Title 14 of the Delaware Code relating to Teacher Contracts.” Sponsor: Senator Steele. Assigned to Education Committee.

SB 348 — “An Act directing the Board of Pension Trustees to re-evaluate pension benefits for Howard M. Teal, a former employee of the State of Delaware and of New Castle County.” Sponsor: Senator McCullough. Assigned to Appropriations Committee.

SB 353 — “An Act to amend Chapter 5, Title 4, Delaware Code relating to minimal changes of location by licensees.” Sponsor: Senator Cook. Assigned to Administrative Services Committee.

SJR 22 w SA 1 — “Providing for the establishment of a

Committee for the purpose of investigating all possible alternatives and making recommendations relative to the disposition of School Buildings that are no longer in use as a result of the decline in student enrollment." Sponsors: Senators Berndt, Sharp, McCullough; Representatives George and Connor. Assigned to Education Committee.

The House recessed at 1:57 p.m. and reconvened at 3:43 p.m.

HR 81 was taken up for consideration on motion of Representative Miller. "Relating to the rules of the House of Representatives of the 128th General Assembly of the State of Delaware."

HA 1 to the Resolution was taken up for consideration on motion of Representative Seibel but failed for adoption by voice vote.

HA 2 to the Resolution was taken up for consideration on motion of Representative Seibel and the roll call vote taken which revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Byrd, Cain, Connor, Derrickson, Gilligan, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Plant, Powell, Riddagh, Ridings, Seibel, Smith, Spence, Temple, Worthen — 29.

NO: Representatives Boulden, Clendaniel, Darling, Ferguson, George, Gordy, Minner, Morris, Rispoli, Jonkiert — 10.

ABSENT: Representatives Matushefske and Sincock — 2. Therefore, the Amendment was adopted.

HA 3 to the Resolution was stricken at the request of Representative Maxwell.

HA 4 was taken up for consideration on motion of Representative Maxwell and was adopted by voice vote.

HA 5 to the Resolution was taken up for consideration on motion of Representative Maxwell, the roll call taken and announced:

YES: Representatives Boulden, Byrd, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, Minner, Morris, Plant, Rispoli, Temple, Jonkiert — 21.

NO: Representatives Ambrosino, Arnold, Billingsley, Cain, Connor, Derrickson, Hebner, Jornlin, Leshner, McKay, Miller, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence, Worthen — 19.

ABSENT: Representative Matushefske — 1.

Therefore, the Amendment was adopted.

HA 6 to the Resolution was stricken at the request of Representative Miller.

HA 7 to the Resolution was considered on motion of Representative Miller and adopted by voice vote.

Representative Miller moved that HR 81 w HA 2, 4, 5, 7 be tabled and the motion prevailed by voice vote.

Representative Ferguson moved that the necessary rules be suspended for the consideration of SB 252 w SA 1. "An Act to amend Part V of Chapter 83, Title 11, Delaware Code relating to powers and duties of State Police and Local Police Officers assisting State Police."

The roll call vote on the motion revealed:

YES: Representatives Arnold, Billingsley, Clendaniel, Darling, Derrickson, Ferguson, George, Harrington, Johnson, Jornlin, Lynch, McGinnis, Miller, Minner, Morris, Plant, Riddagh, Ridings, Rispoli, Spence, Temple, Jonkiert — 22.

NO: Representatives Ambrosino, Boulden, Byrd, Cain, Connor, Gilligan, Kelly, LeGates, Leshner, Maxwell, McKay, Powell, Seibel, Sincock, Smith, Worthen — 16.

NOT VOTING: Representative Hebner — 1.

ABSENT: Representatives Gordy and Matushefske — 2.

Therefore, the motion prevailed and SB 252 w SA 1 was before the House.

The roll call vote on the Bill was taken but before being announced Representative Gilligan moved that it be tabled. The roll call on the tabling motion revealed:

YES: Representatives Boulden, Byrd, Cain, Connor, Gilligan, Hebner, LeGates, Maxwell, Seibel, Sincock, Smith, Worthen — 12.

NO: Representatives Ambrosino, Arnold, Billingsley, Clendaniel, Darling, Derrickson, Ferguson, George, Gordy, Harrington, Johnson, Jornlin, Kelly, Leshner, Lynch, McGinnis, McKay, Minner, Morris, Plant, Riddagh, Ridings, Rispoli, Spence, Temple, Jonkiert — 26.

NOT VOTING: Representative Miller — 1.

ABSENT: Representatives Matushefske and Powell — 2.

Therefore, the motion was defeated and the roll call vote on SB 252 w SA 1 was announced:

YES: Representatives Arnold, Clendaniel, Darling, Derrickson, Ferguson, George, Gordy, Harrington, Johnson, Jornlin, Leshner, Lynch, McGinnis, Minner, Morris, Plant, Riddagh, Ridings, Rispoli, Spence, Temple, Jonkiert — 22.

NO: Representatives Ambrosino, Boulden, Byrd, Cain, Connor, Gilligan, Hebner, Kelly, LeGates, Maxwell, McKay, Miller, Seibel, Sincock, Smith, Worthen — 16.

NOT VOTING: Representative Billingsley — 1.

ABSENT: Representatives Matushefske and Powell — 2.

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

Representative Plant moved that **HB 181** be lifted from the Speakers Table. "An Act to amend Chapter 5, Title 31, Delaware Code, relating to the amount of assistance granted as Aid to Families with Dependent Children." The motion prevailed by voice vote.

The privilege of the floor was extended to the following during the discussion of the Bill: Robert Reedman, Health and Social Services; James Young, Director of M.A.P.; Monsignor Thomas Reese; Don Coker, Legislative Council; Duane Olsen, Controller General.

The roll call vote on the Bill revealed:

YES: Representatives Ambrosino, Billingsley, Boulden, Cain, Connor, Derrickson, George, Gilligan, Gordy, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Maxwell, Plant, Powell, Rispoli, Seibel, Sincock, Smith, Temple, Jonkiert — 24.

NO: Representatives Clendaniel, Darling, Harrington, Lynch, McGinnis, McKay, Minner, Morris, Riddagh, Ridings, Spence, Worthen — 12.

NOT VOTING: Representatives Arnold and Miller — 2.

ABSENT: Representatives Byrd, Ferguson and Matushefske — 3.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

SB 324 was reassigned to the Community Affairs Committee.

Representative George moved that **SB 220** be laid on the table and the motion prevailed by voice vote.

Representative George moved that **SB 221** be laid on the table and the motion prevailed by voice vote.

HB 407 was taken up on the motion of Representative Temple. "An Act directing the State Personnel Commission to adopt a more equitable vacation accumulation schedule for merit system employees of this State."

Representative Temple moved that the roll call be tabled before being announced and the motion prevailed by voice vote.

Representative Miller moved that **HR 81 w HA 2, 4, 5, 7** be lifted from the Speakers Table for consideration. "Relating to the rules of the House of Representatives of the 128th General Assembly of the State of Delaware." The motion prevailed by voice vote.

HA 8 to the Resolution was introduced by Representative Miller and adopted by voice vote.

The roll call vote on **HR 81 w HA 2, 4, 5, 7, 8** was then taken and revealed 36 Representatives voting YES, 3 Representatives (Boulden, Darling and Morris) voting NO and 2 Representatives (Matushefske and Ridings) ABSENT.

Therefore, the Resolution was declared adopted.

SB 103 was taken up for consideration on the motion of Representative Rispoli. "An Act to amend Chapter 5, Title 9, Delaware Code relating to the definition of Suburban Communities."

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

YES: Representatives Ambrosino, Boulden, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Riddagh, Rispoli, Sincock, Spence, Temple, Worthen, Jonkiert — 29.

NO: Representatives Arnold, Billingsley, Hebner, Leshner, McKay, Powell, Ridings, Seibel, Smith — 9.

NOT VOTING: Representative Jornlin — 1.

ABSENT: Representatives Byrd and Matushefske — 2.

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

The House recessed at 6:51 p.m. and reconvened at 7:35 p.m.

The following Committee Reports were announced:

From the Public Safety Committee: **HB 545** — 5 Merits; **HB 604** — 5 Merits; **HB 502** — 5 Merits; **HB 585** — 1 Favorable, 3 Merits, 1 Unfavorable; **SS 1** for **SB 247** — 4 Merits; **HB 561** — 2 Favorable, 2 Merits, 1 Unfavorable; **SB 293** — 5 Merits; **HB 600** — 4 Merits.

From the Environmental Control Committee: **HB 237** — 4 Merits; **HB 543** — 2 Favorable, 2 Merits.

From the Community Affairs Committee: **HB 281** — 2 Favorable, 3 Merits.

From the Agriculture Committee: **SB 214** — 5 Merits.

From the Appropriations Committee: **SB 305** — 4 Merits; **HB 634** — 4 Merits; **HB 633** — 4 Merits; **HB 607** — 4 Merits;

HB 603 — 4 Merits; **HB 598** — 4 Merits; **HB 597** — 4 Merits;
HB 596 — 4 Merits; **HB 595** — 4 Merits; **HB 594** — 4 Merits;
HB 593 — 4 Merits; **HB 502** — 4 Merits; **HB 591** — 4 Merits;
HB 590 — 4 Merits; **HB 572** — 4 Merits; **HB 541** — 4 Merits.

The House recessed at 7:42 p.m. until June 18, 1975.

The House reconvened at 1:32 p.m. June 18, 1975 and on motion of Representative Ferguson immediately adjourned to convene for the 45th Day.

45TH LEGISLATIVE DAY

The House convened at 1:33 p.m. June 18, 1975.

A Prayer was offered by Representative Boulden.

Pledge of Allegiance to the Flag was lead by the Speaker.

By roll call, there were 41 Members PRESENT.

The minutes of the previous Legislative Day were approved as posted.

The Clerk announced that a message from the Senate informed the House that it had passed **HB 532**; **HB 301 w HA 1**; **HB 65**; **HCR 36**; **HCR 35**; **HB 152**; **HB 154**; **HB 123**; **HB 523**.

Legislative Advisories No. 36, 37 and 40 received from William C. Bradley, Jr., Counsel to the Governor, informed the House that the Governor approved **HB 439** on June 2, 1975; **HB 484** on June 3, 1975; **HB 298 w HA 1** on June 5, 1975; **HB 385** on June 5, 1975; **HB 387**, **HB 436 w HA 1**, **HB 437**, **HB 438**, **HB 466**, **HCR 32**, **HCR 33** were approved on June 5, 1975; **HB 532** and **HB 523** were approved on June 12, 1975.

The Governor vetoed **HB 24 w HA 1** on June 13, 1975.

* * * * *

The following pre-filed legislation was entered in the Calendar:

HB 637 — "An Act making a supplementary appropriation to the Department of Health and Social Services to be used for the Blackman's Development Center." Sponsors: Representatives Plant, Johnson, Rispoli, Jonkiert and Riddagh; Senators Holloway and Schlor. Assigned to Appropriations Committee.

HB 638 — "An Act directing the Board of Pension Trustees to provide a pension for Anne E. Klumpp, a former employee of the Department of Health and Social Services, Division of Adult Corrections." Sponsors: Representatives Johnson and Rispoli. Assigned to Appropriations Committee.

HB 639 — "An Act directing the Board of Pension Trustees to provide a pension for Leo B. Green, a former

employee of the Department of Health and Social Services, Division of Adult Corrections. Sponsors: Representatives Johnson and Rispoli. Assigned to Appropriations Committee.

HB 640 — “An Act to amend Chapter 81, Title 9, Delaware Code, relating to property subject to County Taxation.” Sponsor: Representative Byrd. Assigned to Community Affairs Committee.

HB 641 — “An Act to amend Chapter 88, Title 29, Delaware Code, relating to preventive maintenance of space heating and cooling equipment within all State owned, operated or controlled buildings and facilities, including School facilities, and providing an appropriation therefor.” Sponsor: Representative Cain. Assigned to Administrative Services Committee.

HB 642 — “An Act to amend Title 6 of the Delaware Code relating to consumer protection; and prohibiting increases where certain goods have already been priced.” Sponsors: Representatives Byrd, George, Powell, Ambrosino; and Senator Cicone. Assigned to Labor and Commerce Committee.

HB 643 — “An Act to amend Subchapter XI, Chapter 1, Title 26, Delaware Code, relating to jurisdiction and powers and for the purpose of preventing injury and protecting underground facilities of public utilities, requiring persons excavating near underground facilities of public utilities to provide certain information and to mark the horizontal location on the ground of underground facilities; and generally relating to underground facilities of public utilities.” Sponsor: Representative Maxwell. Assigned to Administrative Services Committee.

HB 644 — “An Act to amend Chapter 1, Title 26, Delaware Code, relating to termination of gas, electric, and water service by public utilities.” Sponsors: Representatives Miller and Ambrosino. Assigned to Administrative Services Committee.

HB 645 — “An Act to amend Chapter 61, Title 29, and Chapter 3, Title 30, of the Delaware Code and relating to the transfer of certain functions from the Secretary of Finance to the State Treasurer.” Sponsors: Representatives McGinnis and Sincok. Assigned to Judiciary Committee.

HB 646 — “An Act to amend Subchapter V, Title 20, Delaware Code, relating to the Delaware National Guard.” Sponsors: Representatives Byrd and Gilligan. Assigned to State and Federal Relations Committee.

HB 647 — "An Act to amend Chapter 60, Title 7, Delaware Code, relating to water allocation by the Secretary of the Department of Natural Resources and Environmental Control. Sponsor: Representative Worthen. Assigned to Environmental Control Committee.

HB 648 — "An Act to amend Title 14, Title 19 and Title 29 of the Delaware Code, relating to the right of public employees to organize and strike." Sponsor: Representative Byrd. Assigned to Labor and Commerce Committee.

HB 469 — "An Act to amend Chapter 63 of Title 29, Delaware Code, relating to the exemption of certain Federal Funds from being used for fringe benefit plans." Sponsors: Representatives Clendaniel and Lynch. Assigned to Federal and State Relations Committee.

HB 650 — "An Act to amend Chapter 69, Title 21, Delaware Code, relating to the removal of motor vehicles from public highways by Police." Sponsor: Representative Gordy. Assigned to Public Safety Committee.

HB 651 — "An Act to provide a supplementary appropriation to the Delaware National Guard." Sponsors: Representatives Byrd and Gilligan. Assigned to Appropriations Committee.

HB 652 — "An Act to amend Subchapter II, Chapter 1, Part I, Title 20, Delaware Code, relating to military and civil defense; retirement of Officers and enlisted men." Sponsor: Representative Byrd. Assigned to Federal and State Relations Committee.

HA 1 to HB 495, sponsored by Representatives Plant and Johnson; Senator Holloway was introduced and placed with the Bill.

HA 3 to HB 525 was introduced by Representative Johnson and placed with the Bill.

HA 4 to HB 525 was introduced by Representative Johnson and placed with the Bill.

SB 110 — "An Act to amend Chapter 19, Part I, Title 10 of the Delaware Code relating to the powers and duties of Courts and Judges; and providing for occasional messages to the General Assembly on the State of the Judiciary." Sponsors: Representatives Berndt and Kearns. Assigned to Judiciary Committee.

SB 283 — "An Act to amend Chapter 324, Volume 59, Delaware Code, relating to the Cancer Control Program." Sponsor: Senator Manning. Assigned to Health and Social Services Committee.

SB 302 — “An Act making an appropriation to the Delaware American Revolution Bicentennial Commission relating to the planning, encouragement, development and coordination of observances and activities commemorating the historic events that preceded and are associated with the American Revolution.” Sponsor: Senator Martin. Assigned to Appropriations Committee.

SB 313 w SA 1 — “An Act to amend Chapter 1, Title 17 of the Delaware Code relating to jurisdiction, powers and duties of the Department of Highways and Transportation.” Sponsor: Senator Murphy. Assigned to Highways and Transportation Committee.

SB 334 — “An Act to amend Chapter 5, Part I, Title 11 of the Delaware Code relating to robbery in the first degree and providing for a minimum term of imprisonment.” Sponsor: Senator Schlor. Assigned to Judiciary Committee.

SB 346 w SA 1 — “An Act to amend Chapter 5, Part I, Title 11 of the Delaware Code relating to crimes and criminal procedure; and changing amounts required in certain offenses to constitute a felony.” Sponsor: Senator Kearns. Assigned to Judiciary Committee.

SB 347 — “An Act to amend Chapter 13, Part I, Title 10 of the Delaware Code relating to the Court of Common Pleas for the State of Delaware; and increasing the civil jurisdiction of that Court.” Sponsor: Senator Kearns. Assigned to Judiciary Committee.

SB 363 — “An Act to correct certain administrative errors resulting in loss of pay to certain previous employees of the Department of Public Safety and providing for the payment of lost pay.” Sponsor: Senator Adams. Assigned to Appropriations Committee.

SB 382 — “An Act transferring the Educational Television Resource Center on the Campus of Delaware State College to the Trustees of Delaware State College.” Sponsors: Senator Zimmerman and Representative Miller. Assigned to Education Committee.

HR 88 was introduced by Representative Derrickson from the floor and adopted by voice vote:

HR 88 — “Wishing Charles (Chuck) Layton the best of luck in his new assignment for the Philadelphia Inquirer.”

Representative Arnold moved that the necessary rules be suspended for the introduction and consideration of **HJR 20** and the motion prevailed by voice vote:

HJR 20 (Sponsored by Representatives Arnold and

Powell) — “Memorializing the Congress of the United States to call a Constitutional Convention for the purpose of proposing an Amendment to the Constitution of the United States.”

Representative Arnold moved that the Resolution be laid on the table and the motion prevailed by voice vote.

Representative LeGates moved that **SB 40** be lifted from the table for consideration and the motion prevailed by voice vote.

SB 40 — “An Act to amend Chapter 66, Title 18, Delaware Code, relating to line of duty “Death Benefits.”

HA 1 to the Bill was stricken on motion of Representative LeGates.

The roll call vote on the Bill was then taken and revealed 40 Representatives voting YES with 1 Representative (Byrd) ABSENT.

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

Representative Darling moved that **HB 513** be lifted for consideration and the motion prevailed by voice vote.

HB 513 — “An Act to amend Chapter 59, Title 29, Delaware Code, relating to certain benefits for merit system employees.”

Representative Darling introduced **HA 1** to the Bill and it was adopted by voice vote.

The privilege of the floor was extended to Willard Thompson, Department of Highways and Transportation, to speak on the Bill after which the roll call vote was taken. The roll call vote revealed 37 Representatives voting YES with 3 Representatives (Boulden, Byrd and Plant) ABSENT. Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Temple moved that the roll call on **HB 407** be lifted and the motion prevailed by voice vote.

HB 407 — “An Act directing the State Personnel Commission to adopt a more equitable vacation accumulation schedule for merit system employees of this state.”

Representative Temple then moved that the roll call be rescinded and the motion prevailed by voice vote.

HA 1 to the Bill was introduced by Representative Temple and adopted by voice vote.

Representative Temple moved that **HB 407** w **HA 1** be laid on the table and the motion prevailed by voice vote.

At the request of Representative Plant, **HB 247** and **HB 85** were stricken.

Representative Gilligan moved that the necessary rules be suspended for the introduction and consideration of **HJR 21**. The motion prevailed by voice vote.

HJR 21 — "Establishing a Special Legislative Committee to Study School Desegregation Proposals and to Report No Later Than September 15, 1975; and Requesting a Stay of the Federal Court Order to Submit Desegregation proposals until October 15, 1975."

The Resolution was sponsored by Representatives Gilligan, Ferguson, Hebner, Maxwell, Powell, Kelly, Boulden, Arnold, Connor, McKay, Smith, Ridings, Leshner, Byrd, Spence, Cain, Jornlin and Ambrosino and Senators Hughes, Berndt, Kearns, Sharp, Martin, Cicione and Isaacs.

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

YES: Representatives Ambrosino, Arnold, Billingsley, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Jornlin, Kelly, LeGates, Minner, Leshner, Lynch, Maxwell, McGinnis, Miller, Morris, Powell, Riddagh, Ridings, Rispoli, Seibel, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

ABSENT: Representative Plant — 1.

Therefore, the Resolution was adopted by the House and ordered to the Senate for concurrence.

Representative Matushefske deferred to Representative Clendaniel on whose motion **HB 514** was taken up for consideration.

HB 514 — "An Act to Amend Chapter 5, Title 1, Delaware Code, To Provide That Return Day Shall Be a Legal Holiday in Sussex County."

The roll call vote on the Bill was taken but before being announced Representative Clendaniel moved that the roll call be tabled. The roll call vote on the motion was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincok, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 33.

NO: Representatives Billingsley, Connor, Derrickson, McKay, Seibel, Smith — 6.

ABSENT: Representatives Ambrosino and Arnold — 2.

Therefore, the motion prevailed and the roll call on **HB**

514 was tabled.

Representative Lynch deferred to Representative George on whose motion **SB 305** was taken up for consideration. The roll call vote on the Bill revealed:

YES: Representatives Ambrosino, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, McGinnis, Miller, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

ABSENT: Representatives Arnold, Darling, Derrickson, Matushefske, Maxwell, McKay, Plant — 7.

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

At the request of Representative George, **HB 212** and **HB 264** were stricken.

Representative Ferguson deferred to Representative Boulden on whose Motion, **SB 270 w SA 1-2** was taken up for consideration.

HA 1 to the Bill was introduced by Representative Byrd and adopted by voice vote.

HA 2 to the Bill was stricken on motion of Representative McGinnis.

HA 3 to the Bill was introduced by Representative McGinnis and adopted by voice vote.

The privilege of the floor was extended to Austin Chidester and James Turner of the Delaware Safety Council to speak on the Bill.

Representative Matushefske moved that **SB 90** be lifted from the table for consideration. The motion was defeated by voice vote.

Representative Clendaniel moved that the roll call on **SB 163** be lifted.

SB 163 — "An Act To Amend Chapter 3, Title 9, Delaware Code Relating to Use of Mobile Homes on Farms."

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

YES: Representatives Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, McGinnis, Miller, Minner, Plant, Rispoli, Spence, Worthen, Jonkiert — 21.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Hebner, McKay, Powell, Riddagh, Ridings, Seibel, Sincock, Smith — 13.

NOT VOTING: Representatives Jornlin and Leshner — 2.

ABSENT: Representatives Boulden, Byrd, Maxwell, Morris, Temple — 5.

Therefore, the motion prevailed and the roll call vote on **SB 163** was lifted and announced:

YES: Representatives Boulden, Cain, Clendaniel, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, LeGates, Lynch, Matushefske, McGinnis, Miller, Minner, Plant, Rispoli, Spence, Temple, Jonkiert — 22.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Leshner, Maxwell, McKay, Powell, Ridings, Seibel, Sincock, Smith — 12.

NOT VOTING: Representatives Byrd, Jornlin, Kelly, Riddagh, Worthen — 5.

ABSENT: Representative Morris — 1.

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

Representative Worthen deferred to Representative George on whose motion **HB 428** was taken up for consideration.

HB 428 — “An Act authorizing a Supplementary Appropriation to the Department of Health and Social Services for the Purpose of Increasing Title XIX Medicaid Rates.”

The privilege of the floor was extended to John Sullivan of the Department of Health and Social Services to speak on the Bill after which the roll call vote was taken and announced:

YES: Representatives Ambrosino, Arnold, Billingsley, Byrd, Cain, Clendaniel, Darling, Derrickson, Connor, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, Miller, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Seibel, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

ABSENT: Representatives Boulden, Hebner, Matushefske, McKay, Plant, Sincock, Smith — 7.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative George moved that the roll call on **HB 477 w HA 2 and 3** be lifted and the motion prevailed by voice vote.

HB 477 — “An Act To Amend Title 10 Of The Delaware Code Relating To Attorney’s Fees.”

HA 4 to HB 477 was introduced by Representative George and adopted by voice vote.

The roll call vote on **HB 477 w HA 2-3-4** was then taken

and revealed:

YES: Representatives Boulden, Byrd, Clendaniel, Darling, Ferguson, George, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Mr. Speaker Jonkiert — 21.

NO: Representatives Ambrosino, Arnold, Cain, Connor, Derrickson, Gilligan, Hebner, Jornlin, Leshner, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 16.

ABSENT: Representatives Billingsley, Maxwell, McGinnis, McKay — 4.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Morris moved that **SB 159** be lifted for consideration and the motion prevailed by voice vote. The privilege of the floor was extended to Ed Terry to speak on the Bill after which Representative Morris moved that the Bill be tabled. The motion prevailed by voice vote.

The House recessed at 3:02 p.m. and reconvened at 3:57 p.m.

Representative Jornlin deferred to Representative Jonkiert on whose motion **HB 478** was taken up for consideration.

HB 478 — “An Act To Amend Chapter 61, Title 18, Delaware Code, Relating To Fraternal Benefits Societies And The Licensing Of Insurance Agencies For Such Societies.”

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

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 40.

ABSENT: Representative Johnson — 1.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Arnold moved that **HJR 20** be lifted for consideration and the motion prevailed by voice vote.

HJR 20 — “Memorializing the Congress of the United States to Call a Constitutional Convention for the Purpose of Proposing an Amendment to the Constitution of the United States.”

HA 1 to the Resolution was introduced by Representative

Arnold and adopted by voice vote.

The roll call vote on **HJR 20 w HA 1** was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McKay, Morris, Powell, Riddagh, Ridings, Sincok, Smith, Spence, Temple, Mr. Speaker Jonkiert — 30.

NO: Representatives Billingsley, Darling, George, Miller, Minner, Plant, Rispoli, Seibel, Worthen — 9.

NOT VOTING: Representative Johnson — 1.

ABSENT: Representative McGinnis — 1.

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

On motion of Representative Gilligan, **HB 347** was taken up for consideration.

HB 347 — “An Act to amend Title 6 and Title 19 of the Delaware Code providing that in Certain Instances where a Person is required to Disclose an Unlisted Telephone Number, such information shall be Confidential; and establishing Penalties and Violations.”

HA 1 to the Bill was introduced by Representative Gilligan and adopted by voice vote.

Representative Gilligan then moved that **HB 347 w HA 1** be laid on the table and the motion prevailed by voice vote.

Representative Matushefske deferred to Representative Gordy on whose motion **HB 493** was taken up for consideration.

HB 493 — “An Act to amend Chapter 480, Volume 59, Laws of Delaware entitled An Act to amend Title 9, Title 14, and Title 29 of the Delaware Code relating to Library Services in Delaware.”

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

YES: Representatives Arnold, Byrd, Cain, Clendaniel, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Lynch, Matushefske, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Spence, Temple, Mr. Speaker Jonkiert — 25.

NO: Representatives Billingsley, Connor, LeGates, Seibel, Worthen — 5.

NOT VOTING: Representatives Boulden, Hebner, Jornlin, Kelly, Leshner, Maxwell, McKay, Ridings, Smith — 9.

ABSENT: Representatives Ambrosino and Sincok — 2.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HA 4 to SB 270 w SA 1-2 and HA 1-3 was introduced by Representative Matushefske who moved for its adoption. The roll call vote on the Amendment was taken and revealed:

YES: Representatives Ambrosino, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Ridings, Rispoli, Temple, Worthen, Mr. Speaker Jonkiert — 31.

NO: Representatives Billingsley, Derrickson, Leshner, McKay, Seibel, Sincok, Smith, Spence — 8.

ABSENT: Representatives Arnold and Riddagh — 2.

Therefore the amendment was adopted.

The privilege of the floor was extended to Raymond Pusey of the Highway Department to speak on the Bill.

The roll call vote on **SB 270 w SA 1-2 and HA 1-3-4** was taken; however, before the roll call was announced, it was tabled on motion of Representative Boulden.

At the request of Representative Darling, **HB 113** and **HB 307** were stricken.

HB 391 was stricken at the request of Representative Temple.

The following Committee Reports were announced:

From the Revenue and Finance Committee: **HB 611** — 4 Merits; **HB 581** — 1 Favorable, 4 Merits; **HB 564** — 4 Merits; **HB 84** — 2 Favorable, 4 Merits; **HB 616** — 1 Favorable, 3 Merits; **HB 627** — 4 Merits; **HB 615** — 6 Merits; **HB 494** — 1 Favorable, 4 Merits; **HB 620** — 1 Favorable, 3 Merits; **HB 621** — 1 Favorable, 3 Merits; **HB 107** — 4 Merits; **HB 547** — 5 Merits; **HB 560** — 1 Favorable, 3 Merits; **HB 571** — 6 Merits.

From the Health and Social Services Committee: **HB 400** — 4 Merits.

From the Public Safety Committee: **HB 562** — 4 Merits.

From the Appropriations Committee: **SB 249** — 4 Merits.

At 6:35 p.m. the House recessed until June 19, 1975.

The House reconvened at 2:01 p.m. June 19, 1975.

The following Committee Reports were announced:

From the Appropriations Committee: **HB 525** — 1 Favorable, 2 Merits, 1 Unfavorable.

From the Highways and Transportation Committee: **SB**

341 — 6 Merits; **HB 629** — 6 Merits; **SB 313** — 5 Merits; **HB 630** — 6 Merits.

From the Community Affairs Committee: **SS 1** for **SB 295** — 4 Merits.

The House adjourned at 2:03 p.m. to immediately convene for the 46th Legislative Day.

46TH LEGISLATIVE DAY

The Speaker called the House to order at 2:03 p.m. June 19, 1975.

A Prayer was offered by Representative Morris.

Pledge of Allegiance to the Flag was lead by the Speaker.

By roll call there were 40 Members **PRESENT** with 1 Representative (McGinnis) **ABSENT**.

The Minutes were approved as posted.

The following pre-filed legislation was entered in the Calendar:

HB 653 — "An Act to amend Title 9 of the Delaware Code in relating to Counties; relating to the transfer of County Government functions and establishing a County Government Commission to study the transfer of all County functions to the State of Delaware, or existing Municipal Corporations." Sponsors: Representatives Seibel and Billingsley. Assigned to Community Affairs Committee.

HB 654 — "An Act to provide a supplementary appropriation to the Division of Aging of the Department of Health and Social Services for the purchase of Mini-buses." Sponsor: Representative Rispoli. Assigned to Appropriations Committee.

HB 655 — "An Act making a supplementary appropriation the State Board of Education to increase the funds for Division III, Equalization for Delaware School Districts." Sponsor: Representative Lynch. Assigned to Appropriations Committee.

HB 656 — "An Act to amend Chapter 83, Title 29, Delaware Code, relating to Division of Revenue, Department of Finance and fees paid thereto." Sponsors: Representatives McGinnis and Harrington. Assigned to Revenue and Finance Committee.

HB 657 — "An Act making an appropriation to Big Brothers Association of Northern Delaware, Inc." Sponsor: Representative George. Assigned to Appropriations Committee.

HB 658 — "An Act to provide a supplementary

appropriation to the Division of Purchasing of the Department of Administrative Services, to be used in compensating the State heating oil supplier for expenses incurred on behalf of the State." Sponsor: Representative Spence. Assigned to Appropriations Committee.

HB 659 — "An Act to amend Chapter 7, Title 17, Delaware Code, relating to Railway and Railroad Crossings." Sponsor: Representative Boulden. Assigned to Highways and Transportation Committee.

HB 660 — "An Act to amend Chapter 23, Title 30, Delaware Code, relating to Occupational License Taxes." Sponsor: Representative McGinnis. Assigned to Revenue and Finance Committee.

HB 661 — "An Act to amend Subchapter I, Chapter 11, Title 12, Delaware Code, relating to the escheat of intestate property." Sponsor: Representative McGinnis. Assigned to Judiciary Committee.

HB 662 — "An Act to amend Chapter 80, Title 15, Delaware Code, relating to campaign financing and disclosure and making a supplementary appropriation to the State Election Commissioner." Sponsor: Representative Gordy. Assigned to Judiciary Committee.

HS 1 for HB 578 — "An Act to amend Chapter 3 of Title 4, Delaware Code, requiring the establishing and posting of prices of alcoholic liquors." Sponsor: Representative Byrd. Assigned to Administrative Services Committee.

HA 1 to HB 517 was introduced by Representative Gordy and placed with the Bill.

HA 5 to HB 525 was introduced by Representative Ferguson and placed with the Bill.

HA 6, HA 7, HA 8, HA 9, HA 10 and HA 11 to HB 525, sponsored by Representative George, Plant, Johnson, Rispoli, Jonkiert; Senators Holloway and Schlör, were introduced and placed with the Bill.

HA 12 to HB 525 was introduced by Representative Johnson and placed with the Bill.

HA 1 to SB 30 was introduced by Representative LeGates and placed with the Bill.

HR 89 — "Congratulating Mrs. Edith E. Johnson of Sherwood Park upon being named a winner of the Delmarva Chicken Cooking Contest held in Easton, Maryland." Sponsor: Representative Arnold.

SB 192 w SA 1 — "An Act to amend Chapter 21, Title 3,

Delaware Code, relating to penalties for plant food deficiency in commercial fertilizer." Sponsor: Senator Isaacs. Assigned to Agriculture Committee.

SB 290 — "An Act to amend Chapter 17, Subchapter III, Title 15 of the Delaware Code relating to the transfer of registration for election." Sponsor: Senator Cordrey. Assigned to Judiciary Committee.

SB 373 — "An Act to amend Chapter 52 of Title 30, Delaware Code, relating to penalty assessments payable by mail." Sponsor: Senator Adams. Assigned to Revenue and Finance Committee.

SB 447 — "An Act to amend Chapter 225, Volume 59, Laws of Delaware, as amended, by extending its expiration date." Sponsors: Senators Adams and Berndt. Assigned to Natural Resources and Environmental Control Committee.

HR 90, sponsored by Representatives Ferguson and Kelly, was introduced from the floor and adopted by voice vote:

HR 90 — "Congratulating Arthur A. Lindholm, Jr., of Glenville, for completing an outstanding career at Conrad High School."

The Clerk announced that a message from the Senate informed the House the Senate passed **HB 350; HB 369; HB 383; HB 349; HB 211; HB 366; HB 343; HB 284 w HA 1, 3, 4; HB 145; HB 231; HB 251; HB 415; HB 174; HB 364; HB 165; HJR 5; HJR 16; HB 243; HB 608.**

* * * * *

Legislative Advisory No. 41 received from William C. Bradley, Jr., Counsel to the Governor, informed the House that the Governor approved **HB 328** on June 16, 1975.

Representative Gordy introduced **HCR 38** from the floor:

HCR 38 — "Establishing a Committee to evaluate the need for a Merit System for employees of the Family Court of Delaware and providing an appropriation for the expenses of the said Committee."

HA 1 to the Resolution was introduced by Representative Gordy and adopted by voice vote.

HCR 38 w HA 1 was then considered by the House and adopted by voice vote and ordered to the Senate for concurrence.

The House recessed at 2:28 p.m. and reconvened at 3:32 p.m.

Representative Powell deferred to himself in order to bring **HB 32** before the House for consideration.

HB 32 — “An Act to amend Chapter 25, Chapter 33, Chapter 35, and Chapter 63, Title 18, of the Delaware Code relating to Insurance, and providing for the Regulation of Rates for Health Insurance, Group Health Insurance, Blanket Health Insurance and Health Service Insurance.”

HA 1 to the Bill was introduced by Representative Connor and adopted by voice vote.

Representative Powell moved to table **HB 32 w HA 1** and Representative Gordy moved that the tabling motion be tabled. The roll call on the latter motion was taken and announced:

YES: Representatives Boulden, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 23.

NO: Representatives Ambrosino, Billingsley, Connor, Derrickson, Hebner, Jornlin, Leshner, McKay, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 15.

ABSENT: Representatives Arnold, Byrd and McGinnis — 3.

Therefore, the motion prevailed and the Bill remained before the House.

Representative Gordy then moved that **HB 32 w HA 1** be recommitted to the Public Safety Committee. The roll call vote on the motion revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 24.

NO: Representatives Ambrosino, Billingsley, Connor, Derrickson, Hebner, Jornlin, Leshner, McKay, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 15.

ABSENT: Representatives Arnold and Miller — 2.

Therefore, the motion prevailed and the Bill was recommitted to Committee.

The roll call vote on **HB 365 w HA 1** was lifted on motion of Representative Cain and revealed 40 Representatives voting **YES** with 1 Representative (Arnold) voting **NO**.

The Bill therefore passed the House and was sent to the Senate for concurrence.

On motion of Representative McGinnis, **HB 381** which

had previously passed the House was taken up for reconsideration as further amended by SA 1.

The roll call vote on **HB 381 w SA 1** was then taken and announced:

YES: Representatives Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Seibel, Temple, Worthen, Jonkiert — 27.

NO: Representatives Ambrosino, Hebner, Jornlin, Leshner, McKay, Powell, Riddagh, Ridings, Sincock, Smith, Spence — 11.

NOT VOTING: Representative Maxwell — 1.

ABSENT: Representatives Arnold and Derrickson — 2.

Therefore, the Bill (as so amended) passed the House.

Consideration of **HB 141** was deferred at the request of Representative Rispoli.

Representative Rispoli moved that **SB 254** be laid on the table and the motion prevailed by voice vote.

Representative Worthen moved that **HB 392 w HA 1** be lifted from the Speakers Table. "An Act to amend Chapter 54, Part VI, Title 30 of the Delaware Code relating to acceptance of Non-resident Students in Delaware Public Schools and tuition for such Out-of-State Residents." The motion prevailed by voice vote.

HA 2 to the Bill was introduced by Representative Worthen and adopted by voice vote.

The roll call vote on **HB 392 w HA 1, 2** was then taken and revealed 38 Representatives voting YES with 3 Representatives (Arnold, Maxwell and Powell) ABSENT.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

Representative Worthen moved that **HB 367** be taken up for consideration. "An Act to grant approval to the Department of Natural Resources and Environmental Control to purchase a tract of land within White Clay Creek State Park, White Clay Creek Hundred, New Castle County, Newark Delaware."

The roll call vote was taken and revealed 39 Representatives voting YES and 2 Representatives (Arnold and Maxwell) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Matushefske yielded to Representative

Hebner on whose motion **HB 487** was taken up for consideration. "An Act to Incorporate the Village of Ardentown."

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

YES: Representatives Ambrosino, Billingsley, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 35.

NO: Representatives Boulden, George, and Rispoli — 3.

ABSENT: Representatives Arnold, Ferguson, and Maxwell — 3.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 326 was taken up for consideration on motion of Representative Johnson. "An Act to amend Chapter 21, Title 21, Delaware Code, relating to Antique Vehicle Plates."

The roll call was taken and revealed 37 members voting **YES** and 4 members **ABSENT** (Arnold, Ferguson, McGinnis and Ridings).

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 444 was taken up for consideration on motion of Representative Morris. "An Act making a supplementary appropriation to the Family Court to pay wages past due Francine Gritz."

The roll call vote taken which revealed:

YES: Representatives Ambrosino, Billingsley, Boulden, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, Leshner, Lynch, Matushefske, Maxwell, McKay, Miller, Minner, Morris, Plant, Riddagh, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

ABSENT: Representatives Arnold, Byrd, Cain, LeGates, McGinnis, Powell and Ridings — 7.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 425 was taken up for consideration on motion of Representative Morris. "An Act to provide a Disability Pension for Elton R. Wood, a former State Employee."

The roll call vote was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Boulden,

Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Matushefske, Maxwell, McKay, Morris, Plant, Powell, Riddagh, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

NO: Representative Ridings — 1.

ABSENT: Representatives Arnold, Byrd, Lynch, McGinnis, Miller, and Minner — 6.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 342 was taken up for consideration on motion of Representative Morris.

HB 342 — "An Act directing the Department of Public Instruction to conduct a feasibility study to ascertain the need for a Satellite Branch of the Sterck School for Kent and Sussex Counties, and further providing a supplementary appropriation therefor."

HA 1 to the Bill was introduced by Representative Morris and adopted by voice vote.

The roll call vote on **HB 342 w HA 1** was then taken and announced:

YES: Representatives Ambrosino, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Sincock, Spence, Temple, Worthen, Jonkiert — 31.

NO: Representatives Billingsley, Hebner, Jornlin, Leshner, Ridings, Seibel, Smith — 7.

NOT VOTING: Representatives Boulden and McGinnis — 2.

ABSENT: Representative Arnold — 1.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Miller moved that **HB 447** be lifted for consideration. "An Act to amend Chapter 1, Title 26, Delaware Code, relating to the Public Service Commission and providing for the creation of the Office of the Public Advocate."

The motion prevailed by voice vote.

HA 1 and **HA 2** to the Bill were introduced by Representative Miller and both adopted by voice vote.

The following communication is included in this Journal

at the request of Representative Miller:

**STATE OF DELAWARE
THE PUBLIC SERVICE COMMISSION
DOVER, DELAWARE**

June 19, 1975

The Honorable Karen J. Miller
Legislative Hall
Dover, Delaware

Dear Representative Miller:

While I feel that my role on the Public Service Commission includes that of a public advocate, I am well aware of the need to significantly increase the public's confidence in the Commission. I am in favor of the establishment of an Office of Public Advocate. I would prefer that the Advocate's responsibilities be broad based; that is not confined to appearances before the Public Service Commission, but rather presenting the public's case before any governmental body which circumstances dictate. In lieu of that, I have no objection to the establishment at this time of a Public Advocate solely for Public Service Commission activities.

However, I am very much concerned about the provision in House Bill 447 to finance the Office of Public Advocate from the Public Utilities Revolving Fund. As you know, the fund in its first year of operation is only about \$400,000. The fiscal year 1976 Budget for the Public Service Commission is about \$380,000. Therefore, the balance of the revolving fund would barely cover the salary of the Public Advocate only and would certainly not be sufficient to fund his staff or provide office space, furniture and fixtures for collateral activities.

I am concerned too, about authorizing the Public Advocate to hire additional investigators and consultants at cost to regulated utilities. Certainly, if the Public Advocate duplicated many of the investigatory activities performed or purchased by the Commission, the Advocate's operations could cost well over a quarter of a million dollars a year. These costs clearly would be an opportunity for the utilities themselves to request additional rate increases. It also could result in an increase in the 2 mills now charged utilities for the revolving fund, up to 2½ or even 3 mills. Under any circumstances, an increase in the costs to the utilities would be an impolitic action at a time when the Commission's actions should be and are directed toward holding down further rate

increases.

I would be pleased to discuss this with you further at any time.

Sincerely,
Lee M. Cassidy
Commissioner

* * * * *

The privilege of the floor was extended to Joshua Twilley and Lee Cassidy, Public Service Commission members, to speak on the Bill.

Representative Miller then moved that **HB 447 w HA 1, 2** be tabled and the motion prevailed by voice vote.

The House recessed at 6:05 p.m. and reconvened at 6:47 p.m.

On motion of Representative Miller, **HB 447 w HA 1, 2** was lifted for further consideration and the privilege of the floor extended to Ed Spear, Delaware Power and Light Company spokesman, to speak on the Bill.

The roll call vote on **HB 447 w HA 1, 2** was then taken and announced:

YES: Representatives Ambrosino, Boulden, Byrd, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Ridings, Rispoli, Smith, Temple, Worthen, Jonkiert — 29.

NO: Representatives Billingsley, Cain, Jornlin, LeGates, Leshner, McKay, Riddagh and Seibel — 8.

NOT VOTING: Representatives Lynch, Sincok, and Spence — 3.

ABSENT: Representative Arnold — 1.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

The House recessed at 6:55 p.m. until June 20, 1975.

47TH LEGISLATIVE DAY

The House convened at 3:17 p.m. June 20, 1975.

A Prayer was offered by Representative Temple.

Pledge of Allegiance to the Flag was lead by the Speaker.

By roll call, there were 40 Members **PRESENT** with one Representative (Arnold) **ABSENT**.

The minutes of the previous Legislative Day were approved as posted.

The following Bills were reported out of Appropriations

47TH LEGISLATIVE DAY

Committee: **HB 619** — 2 Merits, 1 Unfavorable; **HB 565** — 5 Merits; **SB 363** — 5 Merits; **HB 639** — 4 Merits; **SB 49** — 5 Merits; **SB 348** — 5 Merits.

Representative Ferguson moved that the rules be suspended to get the new Bills on the Agenda and the motion prevailed by voice vote.

HJR 22, sponsored by Representatives Sincock and Morris, was introduced from the floor, and the necessary rules were suspended by voice vote for consideration of the Resolution:

HJR 22 — “An Act establishing a Special Fund, authorizing the Secretary of the Department of Health and Social Services to make certain refunds for payments made pursuant to Section 7940, Chapter 79, Title 29 of the Delaware Code and making a supplementary appropriation therefor.”

Representative Sincock then moved that the Resolution be laid on the table and the motion prevailed by voice vote.

The following pre-filed legislation was entered in the Calendar:

HB 663 — “An Act to amend Chapter 5, Part I, Title 7 of the Delaware Code relating to Hunting, Trapping and Fishing Licenses.” Sponsor: Representative Riddagh. Assigned to Natural Resources Committee.

HB 664 — “An Act to amend Chapter 11, Title 28 of the Delaware Code relating to the Bingo Control Commission; and providing for the number of meetings to be held by such Commission, and the compensation of its members.” Sponsors: Representatives Gilligan and Harrington. Assigned to Administrative Services Committee.

HB 665 — “An Act to amend Chapter 55, Part IV, Title 30 of the Delaware Code relating to the Public Utilities Taxes; and repealing its application to residential users of Cable Television Communication Services. Sponsor: Representative Gilligan. Assigned to Revenue and Finance Committee.

HB 666 — “An Act to amend Title 16, Delaware Code, relating to patient's compensation for injuries or death incurred while under the care of Health Care Providers and providing a supplementary appropriation therefor.” Sponsors: Representatives McGinnis, Jonkiert, Powell, Derrickson, Ridings; Senators Holloway, Adams, Zimmerman and Berndt. Assigned to Health and Social Services Committee.

HB 667 — “An Act to amend Title 14 and Title 19, Delaware Code relating to Certified Professional Employees of Public School Systems.” Sponsor: Representative McGinnis.

Assigned to Labor and Commerce Committee.

HB 668 — “An Act to provide a pension for Nicholas DeSimone, a former employee of the Claymont School District. Sponsor: Representative Gilligan. Assigned to Appropriations Committee.

HB 669 — “An Act to amend Chapter 74, Title 29, Delaware Code, relating to financing of adult cost for Major Capital Improvements and making a supplemental appropriation therefor.” Sponsor: Representative Derrickson. Assigned to Appropriations Committee.

HB 670 — “An Act to amend Title 14, Delaware Code, relating to the preservation of the Delaware Law School as a Delaware Institution and further preserving to the people of Delaware the Tax-free performance of certain public functions which the Delaware Law School now performs.” Sponsor: Representative Clendaniel. Assigned to Education Committee.

HB 671 — “An Act to amend Chapter 60, Part V, Title 29 of the Delaware Code, relating to Public Officers and Employees; and providing for a salary scale for psychiatrists, physicians, psychiatric residents, dentists, and dental interns.” Sponsor: Representative Miller. Assigned to Appropriations Committee.

HB 672 — “An Act to amend Chapter 381, Volume 59, Laws of Delaware, an Act entitled “An Act making appropriations for the expense of the State Government for the Fiscal Year ending June 30, 1975 and to amend certain pertinent statutory provision, also known as the 1975 Budget Appropriations Act.” Sponsor: Representative McGinnis. Assigned to Appropriations Committee.

HB 673 — “An Act to amend Chapter 13, Title 19, Delaware Code, relating to public employees’ right to strike.” Sponsor: Representative McGinnis. Assigned to Labor and Commerce Committee.

HA 2 to HB 32 was introduced by Representative Connor and placed with the Bill.

HA 1 to HB 261 was introduced by Representative Ridings and placed with the Bill.

HA 4 to HB 296 was introduced by Representative Spence and placed with the Bill.

HA 1 to HB 416 was introduced by Representative Miller and placed with the Bill.

HA 2 to HB 416 was introduced by Representatives Byrd and McKay and placed with the Bill.

HA 3 to HB 416 was introduced by Representative Miller and placed with the Bill.

HA 2 to HB 418 was introduced by Representative Boulden and placed with the Bill.

HA 13 to HB 525 was introduced by Representative Ambrosino and placed with the Bill.

HA 14, HA 15 and HA 16 to HB 525 were introduced by Representative Connor and placed with the Bill.

HA 1 to HB 662 was introduced by Representative Gordy and placed with the Bill.

HA 1 to HA 2 to HB 640 were introduced by Representative Miller and placed with the Bill.

HA 1 to HJR 18 was introduced by Representative Connor and placed with the Bill.

SB 206 w SA 4 — “An Act to amend Chapter 26 of Title 14, Delaware Code, relating to Vocational School Tax Funds in New Castle County.” Sponsors: Senators Schlor and Holloway. Assigned to Education Committee.

SB 223 — “An Act to amend Chapter 80, Title 29, Delaware Code, relating to grants to qualified Agencies for the construction of Treatment Works.” Sponsor Senator Murphy. Assigned to Natural Resources Committee.

SB 278 — “An Act to amend Chapter 45, Part IV, Title 29 of the Delaware Code relating to the regulation of parking around Legislative Hall and other areas; and permitting the Department of Administrative Services to enforce rules and regulations.” Sponsor: Senator Zimmerman. Assigned to Administrative Services.

SB 327 — “An Act to amend Title 15, Delaware Code, pertaining to the maximum number of registered voters in an Election District.” Sponsor: Senator Murphy. Assigned to Judiciary Committee.

SB 328 — “An Act to amend Title 15, Chapter 33, Delaware Code, pertaining to the filing of certificates of nomination and supplemental certificates of nomination.” Sponsor: Senator Murphy. Assigned to Judiciary Committee.

SB 336 w SA 1 — “An Act relating to Public Works Contracts in certain cases, providing for State wide prevailing wages, imposing duties upon the Departments of Labor, and providing remedies and penalties.” Sponsor: Senator Sharp. Assigned to Labor and Commerce.

SB 420 — “An Act to permit the New Castle County Gunning Bedford School District to transfer certain Funds

from its Local Debt Service Account to its Local Expense Account in order to replace the heating system at the Wilmington Manor Elementary School." Sponsor: Senator Kearns. Assigned to Appropriations Committee.

SB 312 w SA 1 — "An Act to amend Chapter 22, Title 9 of the Delaware Code, relating to Sewer Service charges." Sponsor: Senator Sharp. Assigned to Community Affairs Committee.

HR 90, sponsored by Representatives Ambrosino, Connor, Hebner and Smith, was introduced from the floor:

HR 90 — "Relating to action by State Agencies on applications for permits or approvals related to the construction or operation of the proposed Summit Power Station, Units 1 and 2."

The privilege of the floor was extended to John Fears, Summit Civic Association President, to speak on the Resolution.

Representative Matushefske moved that the Resolution be tabled. The roll call vote on the motion revealed:

YES: Representatives Billingsley, Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, Gilligan, Gordy, Harrington, Johnson, Jornlin, Kelly, Leshner, Lynch, Matushefske, Maxwell, Miller, Minner, Morris, Plant, Rispoli, Seibel, Temple, Worthen, Jonkiert — 26.

NO: Representatives Ambrosino, Connor, Derrickson, George, Hebner, LeGates, Riddagh, Ridings, Sincok, Smith, Spence — 11.

NOT VOTING: Representatives McKay and Powell — 2.

ABSENT: Representatives Arnold and McGinnis — 2.

Therefore, the motion prevailed and **HR 90** was tabled.

HR 91 was introduced by Representative Ferguson from the floor and adopted by voice vote:

HR 91 — "Congratulating Mr. and Mrs. Robert E. Kelly and Mr. and Mrs. Robert F. Kelly on the arrival of their first child and grandchild, respectively."

HCR 39, sponsored by Representatives Ambrosino and Connor, was introduced from the floor:

HCR 39 — "Urging the Governor to direct the Delaware Division of Revenue, in cooperation with the Internal Revenue Service, to conduct a joint audit of the Getty Oil Company and its Subsidiaries."

Representative Darling moved that the Resolution be placed in Committee for a Fiscal Note. The roll call vote on the

motion revealed:

YES: Representatives Billingsley, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, LeGates, Leshner, Lynch, Maxwell, Minner, Morris, Plant, Rispoli, Seibel, Worthen, Jonkiert — 22.

NO: Representatives Ambrosino, Connor, Derrickson, Hebner, Kelly, Miller, Riddagh, Ridings, Smith, Spence — 10.

NOT VOTING: Representatives Jornlin, McKay, Powell, Sincok, Temple — 5.

ABSENT: Representatives Arnold, Boulden, Matushefske, McGinnis — 4.

Therefore, the motion prevailed and **HCR 39** was assigned to Appropriations Committee.

The House recessed at 4:30 p.m. and reconvened at 6:03 p.m.

HJR 23, sponsored by Representative Byrd and Senator Cicione, was introduced from the floor:

HJR 23 — "Establishing a Committee to study and evaluate the present status and future of collective bargaining for Delaware State Employees, and to investigate methods of implementing collective bargaining and arbitration procedures if such are found to be desirable."

The necessary rules were suspended by voice vote to consider the Resolution. Before final action was taken on the Resolution, Representative Byrd moved that it be tabled and the motion prevailed by voice vote.

At the request of Representative Harrington, the necessary rules were suspended for the introduction and consideration of **HB 674**:

HB 674 — "An Act to amend §2113, Chapter 21, Title 23, Delaware Code, relating to licensing and registration fees of motor boats."

The roll call vote on the Bill was taken and revealed 35 Representatives voting YES with 6 Representatives (Arnold, Billingsley, Boulden, Lynch, Powell and Ridings) ABSENT.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

HB 675, sponsored by Representatives Derrickson, Sincok and McKay, was introduced from the floor and assigned to Appropriations Committee:

HB 675 — "An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures in the nature of Capital Investments and to issue

Bonds and Notes therefor and appropriating the monies to the various Agencies of the State and to borrow money to be used for the Local Share of School Construction Programs and issue Bonds and Notes therefor and appropriating the monies to the State Board of Education on behalf of Local School Districts."

HB 391 was stricken at the request of Representative Temple.

Representative Riddagh moved that **HB 187** be lifted from the Speakers Table for consideration. "An Act to amend Chapter 41, Part II, Title 11 of the Delaware Code relating to the collection of fines and costs."

The motion prevailed by voice vote.

HA 1 to the Bill was introduced by Representative Riddagh and adopted by voice vote.

HA 2 to the Bill was introduced by Representative Riddagh and adopted by voice vote.

The roll call vote on **HB 187 w HA 1, 2** was then taken and announced:

YES: Representatives Ambrosino, Boulden, Byrd, Clendaniel, Darling, George, Gilligan, Gordy, Harrington, Hebner, Jornlin, Kelly, LeGates, Leshner, Maxwell, McGinnis, McKay, Minner, Morris, Riddagh, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Jonkiert — 28.

NO: Representative Plant — 1.

NOT VOTING: Representative Johnson — 1.

ABSENT: Representatives Arnold, Billingsley, Cain, Connor, Derrickson, Ferguson, Lynch, Matushefske, Miller, Powell, Ridings — 11.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Riddagh deferred to Representative Rispoli on whose motion **SB 324** was taken up for consideration.

SB 324 — "An Act to amend Subchapter I of Chapter 23, Title 19, Delaware Code relating to Workmens Compensation."

HA 1 to the Bill was introduced by Representative Worthen and adopted by voice vote.

The roll call vote on **SB 324 w HA 1** was then taken and revealed 30 Representatives voting YES, 2 Representatives (Ambrosino and Hebner) voting NO and 9 Representatives (Arnold, Billingsley, Connor, Derrickson, Lynch, Matushefske, Miller, Powell and Ridings) ABSENT.

Therefore, the Bill passed the House and was ordered to

the Senate for concurrence in the House Amendment.

Representative Byrd moved that the necessary rules be suspended for the introduction and consideration of **HJR 24** and the motion prevailed by voice vote.

HJR 24 (sponsored by Representative Byrd and Senator Cicione) — "Establishing a Committee to study and evaluate the present status and future of collective bargaining for all public employees in the State of Delaware, and to investigate methods of implementing collective bargaining and arbitration procedures if such are found to be desirable."

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

YES: Representatives Ambrosino, Boulden, Byrd, Cain, Clendaniel, Connor, Ferguson, George, Gilligan, Harrington, Johnson, Kelly, LeGates, Maxwell, McGinnis, Plant, Riddagh, Rispoli, Seibel, Sincok, Spence, Temple, Worthen, Jonkiert — 24.

NO: Representatives Darling, Leshner, McKay and Smith — 4.

NOT VOTING: Representatives Gordy, Hebner, Jorlin, Minner and Morris — 5.

ABSENT: Representatives Arnold, Billingsley, Derrickson, Lynch, Matushefske, Miller, Powell, Ridings — 8.

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

HJR 23 was stricken at the request of Representative Byrd.

Representative Boulden deferred to Representative Gordy on whose motion **HB 542** was taken up for consideration.

HB 542 — "An Act to amend Chapter 45, Title 21, Delaware Code, relating to truck weights and lengths."

Representative Gordy introduced **HA 1** to the Bill and then moved that the Bill and the pending Amendment be laid on the table. The motion prevailed by voice vote.

On motion of Representative Minner, **HB 254 w HA 1, 3** which had previously passed the House was taken up for reconsideration as further amended by **SA 3**. "An Act to amend Part III, Title 25, of the Delaware Code relating to property; and providing for the regulation of Agricultural leases."

The roll call vote on the Bill (as amended) was taken and revealed:

YES: Representatives Ambrosino, Boulden, Byrd, Cain,

Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Maxwell, McGinnis, McKay, Minner, Morris, Riddagh, Rispoli, Seibel, Sincok, Smith, Temple, Worthen, Mr. Speaker Jonkiert — 30.

ABSENT: Representatives Arnold, Billingsley, Connor, Derrickson, Lynch, Matushefske, Miller, Plant, Powell, Ridings, and Spence — 11.

Therefore, **HB 254 w HA 1, 3, SA 3** passed the House.

Representative McGinnis moved that the necessary rules be suspended for the purpose of acting on **HB 501**. "An Act to amend Chapter 3 and Chapter 4, Title 28, Delaware Code relating to the State Tax on total contributions to pari-mutuel and to Totalizator Pools conducted or made at Horse Racing Tracks in Kent County and the licensee's commissions on such Pools."

The motion prevailed by voice vote.

HA 1 to HB 501 was introduced by Representative McGinnis and adopted by voice vote.

The roll call vote on **HB 501 w HA 1** was then taken and announced:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Derrickson, Ferguson, George, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Maxwell, McGinnis, McKay, Minner, Morris, Plant, Riddagh, Rispoli, Sincok, Smith, Spence, Temple, Jonkiert — 28.

NO: Representatives Ambrosino, Connor, Gilligan, Seibel and Worthen — 5.

NOT VOTING: Representative Leshner — 1.

ABSENT: Representatives Arnold, Billingsley, Lynch, Matushefske, Miller, Powell and Ridings — 7.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 111 was stricken at the request of Representative Sincok.

HB 306 and **HB 75** were stricken at the request of Representative Byrd.

HB 213 was stricken at the request of Representative Ambrosino.

At the request of Representative Ferguson, **SCR 4** which had been assigned to the House Administration Committee was returned to the Chief Clerk.

At 7:02 p.m. the House recessed until June 23, 1975.

The House reconvened at 1:40 p.m. June 23, 1975 and on motion of Representative Ferguson immediately adjourned to convene for the 48th Legislative Day.

48TH LEGISLATIVE DAY

The House convened at 1:40 p.m. June 23, 1975.

A Prayer was offered by Representative Boulden.

Pledge of Allegiance to the Flag was lead by the Speaker.

By roll call, there were 41 Members PRESENT.

The Journal of the previous day was approved as posted.

The following Committee Reports were announced:

From the Revenue and Finance Committee: **HB 416** — 4 Merits.

From the House Administration Committee: **HB 359** — 3 Favorable, 1 Merits.

From the Judiciary Committee: **SB 132** — 1 Favorable, 4 Merits; **SB 133** — 1 Favorable, 4 Merits.

SCR 45, sponsored by Senator Isaacs and Representative Jonkiert, was introduced from the floor and on motion of Representative Ferguson considered for adoption. The Resolution was adopted by voice vote of the House:

SCR 45 — "Expressing best wishes to Boys State of 1975 and Congratulating the newly elected Boys State Officials.

WHEREAS, the Delaware Boys State has convened in Dover for their 38th Session during the week of June 17, 1975; and

WHEREAS, the members of the 128th General Assembly recognize the unique educational experience that is afforded these fine young men by the sponsoring organization, the Delaware American Legion, which involves the Boys State members directly in the Legislative process; and

WHEREAS, on June 19, 1975, Boys State members elected their State Officials, following the proper political procedures; and

WHEREAS, these Officials include:

Governor - Stephen Sashihara

Lt. Governor - Guy E. Ramsey

Attorney General - Tom Sarnecky

Secretary of State - Norman H. Hahn, Jr.

Auditor - James A. Peckham

Insurance Commissioner - Jay Zehr

Treasurer - Clifton Hardesty; and

WHEREAS, these young men along with the entire Legislature of Boys State are to be commended for becoming

48TH LEGISLATIVE DAY.

involved first hand with Delaware's Legislative Process.

NOW, THEREFORE:

BE IT RESOLVED by the Senate of the 128th General Assembly, the House of Representatives concurring therein, that best wishes and congratulations are hereby extended to the Officials and Members of Boys State of 1975 and additional commendations be extended to the Sponsors of this event, the American Legion of Delaware.

BE IT FURTHER RESOLVED that a copy of this Resolution be entered upon the Journals of the Senate and House and a copy delivered to the Presiding Officer of Boys State of 1975, and an additional copy sent to the Commander of the American Legion of Delaware.

* * * * *

SCR 46, sponsored by Senator Holloway, was introduced from the floor and on motion of Representative Ferguson, considered for adoption:

SCR 46 — "Requesting the Chairman of the Delaware Legislative Council to designate a Quiet Meditation Room in Legislative Hall for the members of the General Assembly."

The Resolution was adopted by voice vote.

HR 93 was introduced by Representative Plant from the floor and on his motion considered for adoption:

HR 93 — "Requesting Governor Sherman W. Tribbitt to reconsider his decision to oppose increased Aid for Families with Dependent Children."

The Resolution was defeated by voice vote.

HR 94 was introduced by Representative Plant from the floor and on his motion considered for adoption:

HR 94 — "Requesting the Delaware Congressional Delegation to consider and sponsor legislation relieving Wilmington Housing Authority Welfare recipients from yielding a percentage of their Grant raises in increased rents."

The Resolution was defeated by voice vote.

The House recessed for Caucus at 2:00 p.m. and reconvened at 2:46 p.m.

The following pre-filed Legislation was entered in the Calendar:

HB 676 — "An Act to amend Part II, Title 16 of the Delaware Code relating to the Public Health and Safety, and providing for a Uniform Alcoholism and Intoxication Treatment Act." Sponsor: Representative Ambrosino. Assigned to Health and Social Services Committee.

HA 18 to HB 525 was introduced by Representative Derrickson and placed with the Bill.

HA 1 to HB 541 was introduced by Representative Minner and placed with the Bill.

HA 1 to HB 645 was introduced by Representative Sincok and placed with the Bill.

SS 1 for SB 83 — "An Act to amend Title 24 of the Delaware Code, relating to Professions and Occupations; and providing for the regulation and registration of Landscape Architects." Sponsor: Senator Hughes. Assigned to Administrative Services Committee.

SB 158 — "An Act to amend Title 17, Chapter 13, Delaware Code relating to the vacating of public roads and bridges." Sponsor: Senator Martin. Assigned to Highways and Transportation Committee.

SB 384 — "An Act to amend Chapter 167, Volume 37, Laws of Delaware, entitled "An Act to Incorporate the Town of Slaughter Beach." Sponsor: Senator Adams. Assigned to Community Affairs Committee.

SB 397 — "An Act making a supplementary appropriation to the Department of Highways and Transportation for the purpose of replacing a water tank in the Town of Newport, Delaware, removed as a result of construction on Route 141." Sponsor: Senator Sharp. Assigned to Appropriations Committee.

SB 403 — "An Act to amend an Act entitled "An Act to re-incorporate the Town of Milton" (Chapter 194, Volume 45, Laws of Delaware)." Sponsor: Senator Adams. Assigned to Community Affairs Committee.

SB 417 — "An Act making a supplementary appropriation to the Division of Social Services of the Department of Health and Social Services for the purpose of paying a purchase of Care Agreement made by the Division of Social Services with the Murphy School on June 30, 1972." Sponsors: Senator Zimmerman; Representatives McGinnis and Miller. Assigned to Appropriations Committee.

At the request of Representative Sincok the following Bills were stricken from the Consent Calendar:

HB 652 — "An Act to amend Subchapter XI, Chapter 1, Part I, Title 20, Delaware Code, relating to Military and Civil Defense; retirement of officers and enlisted men."

SB 348 — "An Act directing the Board of Pension Trustees to reevaluate pension benefits for Howard M. Teal, a

former employee of the State of Delaware and of New Castle County."

SB 302 — "An Act making an appropriation to the Delaware American Revolution Bicentennial Commission relating to the planning, encouragement, development and coordination of observances and activities commemorating the historic events that preceded and are associated with the American Revolution."

HB 506 — "An Act to amend Chapter 381, Volume 59, Laws of Delaware being the 1975 Budget Appropriation Act, originally designated as **HB 750** as amended by Chapter 523, Volume 59, Laws of Delaware, being the Omnibus Amendment to the 1975 Budget Appropriation Act originally designated **HB 1113** relating to the reversion of funds for the Delaware Agency to Reduce Crime."

HB 659 — "An Act to amend Chapter 7, Title 17, Delaware Code, relating to railway and railroad crossing."

HB 624 — "An Act to amend Subchapter I, Chapter 27, Title 24, Delaware Code, providing a professional Code for land surveyors."

On motion of Representative Darling the Bills on the Consent Calendar were read, as follows:

HB 368 — "An Act to amend Chapter 16, Title 17, and Chapter 79, Title 3, Delaware Code, relating to the Delaware Society for the Prevention of Cruelty to Animals: to Kent County Society for the Prevention of Cruelty to Animals, to enforcement of laws relating to Cruelty to Animals and to certain purchases made from the State of Delaware."

HB 489 — "An Act to amend Chapter 68, Title 7, Delaware Code, relating to appeals from decisions of the Secretary of the Department of Natural Resources and Environmental Control."

HB 517 — "An Act to amend Chapter 21, Title 21, Delaware Code, relating to trailer registrations."

SB 79 — "An Act to provide a supplementary appropriation to the Department of Public Safety to correct the pay of an employer of the Capitol Security Office resulting from an administrative error."

SB 214 — "An Act to amend Subchapter I and III, Chapter 85, Title 3, Delaware Code relating to corporate Law for cooperatives."

SB 293 — "An Act to amend Chapter 49, Title 18 of the Delaware Code relating to organization and corporate powers,

procedures of domestic stock and mutual insures.”

HB 604 — “An Act to amend Title 9, relating to Counties, to correct editorial errors in the Delaware Code annotated.”

HB 600 — “An Act to amend Chapter 25, Title 21, Delaware Code, relating to reassignment forms.”

HB 141 — “An Act to amend Chapter 54, Part VI, Title 30 of the Delaware Code, relating to the realty transfer Tax; and providing an exemption for certain real estate owned by nonprofit organizations.”

SB 84 — “An Act to amend Chapter 3, Part I, Title 30 of the Delaware Code relating to the Tax Appeal Board.”

SB 341 — “An Act to authorize the Department of Highways and Transportation to convey certain lands to Kent County.”

SS 1 for SB 85 — “An Act to amend Subchapter I of Chapter 7, Title 7, Delaware Code relating to the minimum barrel length for primitive weapons.”

HB 646 — “An Act to amend Subchapter V, Title 20, Delaware Code, relating to the Delaware National Guard.”

SB 298 — “An Act to provide a supplemental appropriation to the Department of Public Instruction to be used in compensating the DeLaWarr School District.”

HB 580 — “An Act to correct certain administrative errors resulting in loss of pay to certain previous employees of the Department of Public Safety and providing for the payment of lost pay.”

HB 565 — “An Act to provide a supplementary appropriation to the Division of Mental Health of the Department of Health and Social Services for payment of a portion of salary earned by promotion.”

The roll call vote on these Bills included in the Consent Calendar was taken and revealed 40 Representatives voting YES with 1 Representative (Matushefske) ABSENT.

Therefore, all the Bills included in the Consent Calendar were declared as passed by the House.

Consideration of **HB 469** was deferred at the request of Representative Minner.

HB 541 was taken up for consideration on motion of Representative Minner.

HB 541 — "An Act authorizing and directing the Board of Pension Trustees to grant George B. Davis, a former State employee a service pension" under the provisions of Chapter 55, Title 29, Delaware Code.

HA 1 to the Bill was then considered on the motion of Representative Minner and adopted by voice vote.

The roll call vote on **HB 541 w HA 1** was taken and announced:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Rispoli, Sincock, Spence, Temple, Worthen, Jonkiert — 35.

NO: Representatives Billingsley, McKay, Ridings and Seibel — 4.

ABSENT: Representatives Matushefske and Smith — 2.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

SB 211 was taken up for consideration on motion of Representative Morris. "An Act to repeal Section 7920, Chapter 79, Title 29, Delaware Code."

The roll call vote was taken and announced:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, Gordy, Harrington, Johnson, LeGates, Lynch, McGinnis, Miller, Minner, Morris, Riddagh, Ridings, Rispoli, Spence, Temple, Worthen, Jonkiert — 22.

NO: Representatives Ambrosino, Billingsley, Connor, Hebner, Jornlin, Leshner, Plant, Powell, Seibel, Smith — 10.

NOT VOTING: Representatives Arnold, Derrickson, George, Gilligan, Kelly, Maxwell, McKay and Sincock — 8.

ABSENT: Representative Matushefske — 1.

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

HB 458 was taken up for consideration on motion of Representative Maxwell.

HB 458 — "An Act to amend Chapter 17, Title 15, Delaware Code, relating to the transfer of Voter Registration upon moving from one County to another."

HA 1 to the Bill was taken up for consideration on motion of Representative Maxwell and adopted by voice vote.

The roll call vote on **HB 458 w HA 1** was then taken and announced:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Connor, Darling, Ferguson, George, Gilligan, Johnson, Kelly, LeGates, Leshner, Maxwell, McGinnis, Miller, Minner, Plant, Powell, Rispoli, Sincock, Spence, Temple, Worthen, Jonkiert — 27.

NO: Representatives Clendaniel, Harrington, Riddagh and Seibel — 4.

NOT VOTING: Representatives Derrickson, Gordy, Hebner, Jornlin, Lynch, McKay, Morris, Ridings and Smith — 9.

ABSENT: Representative Matushefske — 1.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 310 was taken up for consideration on motion of Representative McKay. "An Act to amend Chapter 41, Title 14 of the Delaware Code relating to the courses of instruction required to be taught in Public and Private Schools."

The privilege of the floor was extended to Duane Olsen, Controller General, to speak on the Bill.

Representative McKay then moved that the Bill be laid on the table and the motion prevailed by voice vote.

Representative LeGates moved that **SB 245** be laid on the table and the motion prevailed by voice vote.

Representative Sincock moved that **HJR 22** be lifted from the Speakers Table for consideration. "An Act establishing a Special Fund, authorizing the Secretary of Health and Social Services to make certain refunds for payments made pursuant to Section 7940, Chapter 79, Title 29 of the Delaware Code and making a supplementary appropriation therefor."

The motion prevailed by voice vote.

The roll call vote on the Resolution was taken and revealed 39 Representatives voting YES with 2 Representatives (Harrington and Matushefske) ABSENT.

Therefore, the Resolution was adopted by the House and ordered to the Senate for concurrence.

HB 261 was taken up for consideration on motion of Representative McGinnis.

HB 261 — "An Act to amend Chapter 51, Part VI, Title 30 of the Delaware Code relating to the motor fuel Tax; and providing for the refunding of such Tax paid on fuel for Taxicabs."

HA 1 to the Bill was considered for adoption on motion of

Representative Ridings and adopted by voice vote.

The roll call vote on **HB 261 w HA 1** was then taken and announced:

YES: Representatives Boulden, Byrd, Cain, Derrickson, George, Gilligan, Harrington, Johnson, Jornlin, Kelly, Leshner, Lynch, Matushefske, Maxwell, McGinnis, Miller, Plant, Powell, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen — 26.

NO: Representatives Ambrosino, Billingsley, Clendaniel, Connor, Darling, Hebner, LeGates, Minner, Morris, Riddagh, Jonkiert — 11.

NOT VOTING: Representatives Arnold, Gordy and McKay — 3.

ABSENT: Representative Ferguson — 1.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Consideration of **HB 53** was deferred on motion of Representative McGinnis.

HB 566 was taken up for consideration on motion of Representative McGinnis. "An Act to amend Chapter 5, Title 4, Delaware Code, relating to application for a license to purchase alcoholic liquor for resale."

The roll call vote was taken which revealed 40 Representatives voting YES with 1 Representative (Minner) NOT VOTING.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

Consideration of **HB 42** was deferred on motion of Representative McGinnis.

HB 520 was taken up for consideration on motion of Representative McGinnis. "An Act to amend Chapter 62, Title 29, Delaware Code, relating to the investment of funds in the Capital Investment Fund."

The roll call vote was taken which revealed 41 Representatives voting YES.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Derrickson moved that **HB 214** be laid on the table and the motion was adopted by voice vote.

HB 3 was taken up for consideration on motion of Representative Clendaniel.

HA 1 to the Bill was considered for adoption on motion of Representative Clendaniel and adopted by voice vote.

The roll call vote on **HB 3 w HA 1** was then taken and

revealed 39 Representatives voting YES with 2 Representatives (Billingsley and Ferguson) ABSENT.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

Representative Gordy moved that **HB 542** be lifted for consideration. "An Act to amend Chapter 45, Title 21, Delaware Code relating to truck weights and lengths."

The motion prevailed by voice vote.

HA 1 to the Bill was considered for adoption on motion of Representative Gordy and adopted by voice vote.

The privilege of the floor was extended to John McFadden, Delaware Motor Transport Association, to speak on the Bill.

Representative Gordy then moved that **HB 542 w HA 1** be laid on the table and motion prevailed by voice vote.

Consideration of **HB 348** was deferred on motion of Representative Ambrosino.

HB 185 was taken up for consideration on motion of Representative Ambrosino. "An Act to amend Title 6 and Title 24 of the Delaware Code relating to the advertising of eyeglasses; and permitting the advertising of eyeglass prices."

The roll call vote was taken which revealed 41 Representatives voting YES.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative George moved that the roll call be lifted on **HB 297** and the motion prevailed by voice vote.

Before the roll call vote on the Bill was announced however, Representative George moved that it be retabled and the motion prevailed by voice vote.

Representative McGinnis deferred to himself to bring **HB 615** before the House for consideration.

HB 615 — "An Act to amend Chapter 51, Title 30, Delaware Code, relating to penalties for late reporting."

The roll call vote on **HB 615** was then taken and revealed 38 Representatives voting YES, 1 Representative (Derrickson) NOT VOTING and 2 Representatives (Ambrosino and Byrd) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 32 was taken up for consideration on motion of Representative Powell.

HB 32 — "An Act to amend Chapter 25, Chapter 33,

Chapter 35 and Chapter 63, Title 18, of the Delaware Code relating to Insurance, and providing for the regulation of rates for Health Insurance, Group Health Insurance, Blanket Health Insurance, and Health Service Corporations.”

HA 1 to the Bill was stricken on motion of Representative Connor.

HA 2 to the Bill was considered for adoption on motion of Representative Connor and defeated by voice vote.

The roll call vote on **HB 32** was then taken and announced:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Jonkiert — 31.

NO: Representatives Billingsley, Cain, Johnson, Matushefske, Seibel, Worthen — 6.

NOT VOTING: Representatives Jornlin, Maxwell and McKay — 3.

ABSENT: Representative McGinnis — 1.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative McGinnis deferred to Representative Byrd on whose motion **HB 416** was taken up for consideration.

HB 416 — “An Act to amend Chapter 81, Title 9, Delaware Code, relating to property subject to County Taxation.”

HA 1 to the Bill was stricken on motion of Representative Miller.

HA 2 to the Bill was stricken on motion of Representative Byrd.

HA 3 to the Bill was stricken on motion of Representative Miller.

HA 4 to the Bill was considered for adoption on motion of Representative Byrd and adopted by voice vote.

The privilege of the floor was extended to Howard Handelman, Delaware State Chamber of Commerce Attorney, to speak on the Bill.

The roll call vote on **HB 416 w HA 4** was then taken and announced:

YES: Representatives Billingsley, Boulden, Byrd, Cain, Derrickson, Ferguson, Gilligan, Harrington, Hebner, Johnson,

Jornlin, Kelly, LeGates, Leshner, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Ridings, Rispoli, Seibel, Sincok, Smith, Temple, Worthen — 29.

NO: Representatives Ambrosino, Clendaniel, Connor, Darling, George, Lynch, Morris, Riddagh, Jonkiert — 9.

NOT VOTING: Representatives Arnold and Spence — 2.

ABSENT: Representative Gordy — 1.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Derrickson moved that **HB 241** be lifted for consideration. "An Act to amend Chapter 55, Title 30, Delaware Code, relating to Public Utilities taxes."

The motion was adopted by voice vote.

HA 1 to the Bill was taken up for consideration on motion of Representative Worthen and adopted by voice vote.

The roll call vote on **HB 214 w HA 1** was then taken and revealed 38 Representatives voting YES, 1 Representative (Clendaniel) voting NO, 1 Representative (McGinnis) NOT VOTING and 1 Representative (Matushefske) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Consideration of **HB 198** was deferred on motion of Representative Clendaniel.

Representative Clendaniel moved that **HB 507** be laid on the table and the motion prevailed by voice vote.

Representative Gilligan deferred to Representative Rispoli on whose motion **SB 144** was taken up for consideration. "An Act to amend Subchapter III, Chapter 87, Title 9 of the Delaware Code relating to redemption by Lienholder from Tax Sale."

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

YES: Representatives Ambrosino, Arnold, Billingsley, Boulton, Byrd, Cain, Connor, George, Gilligan, Harrington, Hebner, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincok, Smith, Spence, Worthen, Jonkiert — 32.

NO: Representatives Clendaniel, Darling and Minner — 3.

NOT VOTING: Representatives Derrickson, Ferguson, Gordy, Johnson, Seibel and Temple — 6.

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

Representative Rispoli moved that **SB 254** be lifted for consideration. "An Act to repeal Chapter 314, Volume 49, Laws of Delaware: and to repeal Chapter 136, Volume 52, Laws of Delaware, and to amend the Charter of the City of Dover, Chapter 158, Volume 36, Laws of Delaware entitled "An Act changing the name of the town of Dover to the City of Dover and establishing a Charter therefor" and to abolish the weighted voting provisions for an Annexation Referendum and to apply the one man vote principal to said Annexation Election." The motion prevailed by voice vote.

The roll call vote on the Bill was taken but before being announced Representative Rispoli moved that it be tabled and the motion prevailed by voice vote.

HB 60 was taken up for consideration on motion of Representative Ambrosino. "An Act to amend Chapter 33, Chapter 35, Chapter 37, Chapter 39 and Chapter 63, Title 18 of the Delaware Code relating to Insurance; and providing that insureds be given an opportunity to obtain out-patient coverage."

The roll call was taken which revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Hebner, Johnson, Kelly, Matushefske, Miller, Plant, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence, Temple, Worthen, Jonkiert — 26.

NO: Representatives Billingsley, Cain, Gordy, Harrington, Jornlin, Leshner, Lynch, Maxwell, McGinnis, McKay, Minner, Morris, Rispoli — 13.

ABSENT: Representatives Byrd and LeGates — 2.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Cain deferred to Representative Cain on whose motion **HB 616** was taken up for consideration. "An Act to amend Chapter 51, Title 30, Delaware Code, relating to monthly reports and payments."

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

YES: Representatives Ambrosino, Boulden, Byrd, Cain, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 25.

NO: Representatives Arnold, Billingsley, Clendaniel, Connor, Derrickson, Hebner, Jornlin, Leshner, McKay, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 16.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 149 was taken up for consideration on motion of Representative Lynch. "An Act to amend Chapter 17 of Title 7, Delaware Code, relating to certain requirements for dog licenses."

The roll call vote was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Sincock, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 36.

NO: Representatives Boulden and Seibel — 2.

ABSENT: Representative Matushefske, Plant and Smith — 3.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

HB 67 was taken up for consideration on motion of Representative McGinnis.

HB 67 — "An Act to amend Title 4 of the Delaware Code by making special provisions relating to beer and wine; relating to the age that certain persons can consume, possess and purchase beer or wine; relating to the age of which beer or wine may be sold or delivered to certain persons; relating to the alcoholic beverage offenses concerning certain persons; and providing penalties for violations therefor."

HA 1 to the Bill was stricken on motion of Representative McGinnis.

HA 2 to the Bill was taken up for consideration on motion of Representative McGinnis and the roll call vote taken which revealed:

YES: Representatives Billingsley, Byrd, Cain, Johnson, McGinnis, Miller, Ridings, Seibel, Temple, Worthen — 10.

NO: Representatives Ambrosino, Boulden, Clendaniel, Connor, Darling, Derrickson, Gilligan, Gordy, Hebner, Jornlin, LeGates, Leshner, Lynch, Maxwell, McKay, Minner, Morris, Powell, Riddagh, Rispoli, Sincock, Spence, Jonkiert — 23.

NOT VOTING: Representatives Arnold, Ferguson, and Kelly — 3.

ABSENT: Representatives George, Harrington,

Matushefske, Plant and Smith — 5.

Therefore, the Amendment was defeated.

The roll call vote on **HB 67** was then taken and announced:

YES: Representatives Billingsley, Byrd, Cain, Darling, Ferguson, George, Johnson, LeGates, McGinnis, Miller, Plant, Ridings, Seibel, Temple, Worthen — 15.

NO: Representatives Ambrosino, Arnold, Boulden, Clendaniel, Connor, Derrickson, Gilligan, Gordy, Hebner, Jornlin, Kelly, Leshner, Lynch, Maxwell, McKay, Minner, Morris, Powell, Riddagh, Rispoli, Sincock, Smith, Spence, Jonkiert — 24.

ABSENT: Representatives Harrington and Matushefske — 2.

Therefore, the Bill was declared defeated.

The following Committee reports were announced:

From the Judiciary Committee: **HB 661** — 4 Merits.

From the Labor and Commerce Committee: **SB 336** — 4 Merits.

From the Administrative Services Committee: **SS 1** for **SB 83** — 3 Merits, 1 Unfavorable.

From the Revenue and Finance Committee: **HB 47** — 1 Favorable, 5 Merits; **SB 373** — 6 Merits; **HB 656** — 5 Merits; **HB 134** — 1 Favorable, 4 Merits; **HB 660** — 6 Merits; **HB 442** — 1 Favorable, 5 Merits.

At the request of Representative Ferguson, **HB 267** was removed from the Agenda and returned to the Chief Clerk.

At 7:00 p.m. the House recessed until June 24.

The House reconvened at 1:28 p.m. June 24, 1975.

SB 206 w SA 4 was reassigned from the Education Committee to the Community Affairs Committee by Speaker Jonkiert.

SB 206 w SA 4 was reported out of the Community Affairs Committee: 1 Favorable, 1 Merits, 2 Unfavorable.

The House recessed at 1:29 p.m. and reconvened at 1:48 p.m. and immediately adjourned to begin the 49th Legislative Day.

49TH LEGISLATIVE DAY

The House convened at 1:48 p.m. June 24, 1975.

A Prayer was offered by the Chaplain.

Pledge of Allegiance to the Flag was lead by the Speaker.

By roll call, there were 41 Members PRESENT.

The minutes of the previous day were approved as posted.

The following pre-filed legislation was entered in the Calendar:

HB 677 — “An Act to amend Chapter 44, Part II, Title 6 of the Delaware Code relating to solicitations, and amending said Chapter to provide for a new Subchapter regulating Charitable Solicitations.” Sponsors: Representatives Ferguson and Arnold. Assigned to Labor and Commerce Committee.

HA 2 to HB 66 was introduced by Representative Ridings and placed with the Bill.

HA 1 to HB 281 was introduced by Representative Arnold and placed with the Bill.

HA 1 to HB 420 was introduced by Representative Ridings and placed with the Bill.

HA 1 to HB 533 was introduced by Representative Arnold and placed with the Bill.

HA 1 to HB 572 was introduced by Representative Ridings and placed with the Bill.

HA 1 to HB 575 was introduced by Representative Hebner and placed with the Bill.

HA 1 to HB 668 was introduced by Representative Ridings and placed with the Bill.

HA 1 to HJR 17 was introduced by Representative Leshner and placed with the Resolution.

HA 1 to SB 238 was introduced by Representative Ridings and placed with the Bill.

HB 678 — “An Act to provide supplementary appropriations to various Agencies and School Districts for the purpose of providing additional operating funds.” Sponsor: Representative George. Assigned to Appropriations Committee.

HB 679 — “An Act to amend Chapter 5, Chapter 23, Chapter 45, and Chapter 89, Title 10, Delaware Code, relating to Grand and Petit Juries.” Sponsors: Representative Jonkiert and Senator Isaacs. Assigned to Judiciary Committee.

HB 680 — “An Act to amend Titles 10, 11, and 21, Delaware Code by merging the Municipal Court of the City of Wilmington into the Court of Common Pleas for the State of Delaware; providing for the transfer of Judges, employees, equipment, dockets and judgements of the Municipal Court to the Court of Common Pleas; providing for jurisdiction over violations of the Laws of political subdivisions of the State.” Sponsor: Representative Jonkiert. Assigned to Judiciary Committee.

HB 681 — "An Act proposing an Amendment to Article I, Section 4 of the Constitution of Grand Juries and the vote necessary to find a Bill of indictment from the Constitution." Sponsor: Representative Jonkiert. Assigned to Constitutional Revision Committee.

HB 682 — "An Act to establish the Delaware State Compensation Commission." Sponsors: Representatives Worthen, Jonkiert, Derrickson; Senators Berndt and Kearns. Assigned to House Administration Committee.

The following Bills were reported out of Public Safety Committee: **HB 636** — 4 Merits; **HB 621** — 4 Merits.

HCR 40, sponsored by Representative Lynch, was introduced from the floor and adopted by voice vote:

HCR 40 — "Congratulating Elaine Campanelli of Ocean View, on winning the Miss Delaware Title at Rehoboth Beach on June 21, 1975."

HR 95, sponsored by Representative Temple, was introduced from the floor and adopted by voice vote.

HR 95 — "Congratulating William Himes for his selection as Seaford's Fireman of the Year."

HR 96, sponsored by Representative Plant, was introduced from the floor and considered for adoption by roll call:

HR 96 — "Expressing the hope that Governor Sherman W. Tribbitt will review his publicly-announced opposition to providing additional Aid for Families with Dependent Children."

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

YES: Representatives Ambrosino, Billingsley, Connor, George, Gilligan, Hebner, Johnson, Jornlin, Leshner, Matushefske, Miller, Plant, Rispoli, Seibel, Sincok, Smith, Jonkiert — 17.

NO: Representatives Arnold, Boulden, Clendaniel, Darling, Gordy, Harrington, Lynch, Maxwell, Minner, Morris, Powell, Riddagh, Ridings, Spence, Worthen — 15.

NOT VOTING: Representatives McKay and Temple — 2.

ABSENT: Representatives Byrd, Cain, Derrickson, Ferguson, Kelly, LeGates and McGinnis — 7.

Therefore, the Resolution was defeated.

HR 97, sponsored by Representative Plant, was introduced from the floor:

HR 97 — "Requesting the Delaware Congressional

Delegation to consider and sponsor Legislation relieving Wilmington Housing Authority and Dover Housing Authority Welfare recipients from yielding a percentage of their Grant raises in increased rents."

Representative Plant moved that the Resolution be laid on the table and the motion prevailed by voice vote.

HR 89 was taken up for consideration on motion of Representative Arnold.

HR 89 — "Congratulating Mrs. Edith E. Johnson of Sherwood Park upon being named a winner of the Delmarva Chicken Cooking Contest held in Easton, Maryland."

The Resolution was adopted by voice vote.

The House recessed at 2:10 p.m. and reconvened at 5:13 p.m.

The following Bills were stricken from the Consent Calendar at the sponsor's request:

HB 623 — "An Act authorizing the State of Delaware to borrow money and issue Bonds and Notes therefor; and appropriating the funds thus obtained to the Division of Soil and Water Conservation of the Department of Natural Resources and Environmental Control, which funds shall be expended in accordance with the purposes of the Watershed Protection and Flood Prevention Act."

HB 465 — "An Act authorizing the State of Delaware to borrow money and issue Bonds and Notes therefor; and appropriating the funds thus obtained to the Division of Highways and Transportation to be utilized in the Maryland Avenue Broom Street and Lancaster Avenue Projects."

HB 599 — "An Act to permit the Board of Public Education of the Mount Pleasant reorganized School District to transfer certain funds from its Local Debt Service Funds Account to a Special Local Current Operating Funds Account."

The Bills on the Consent Calendar were read before the vote was taken:

HB 590 — "An Act to aid the Delaware Guidance Services for Children and Youth, Inc., by making an appropriation therefor."

HB 591 — "An Act to aid Delaware Safety Council, Inc., by making a supplementary appropriation therefor."

HB 592 — "An Act to aid Delaware State Fair Inc., by making a supplementary appropriation therefor."

HB 593 — "An Act making a supplementary appropriation to Diamond State Youth, Inc."

HB 594 — "An Act to aid WHYY, Inc., engaged in educating the people of this State by making a supplementary appropriation therefor."

HB 595 — "An Act to aid certain Civic Organizations which maintain emergency vehicles by making appropriations therefor."

HB 657 — "An Act making an appropriation to Big Brothers Association, Inc."

HB 597 — "An Act to aid organizations maintaining residential facilities by making appropriations therefor."

HB 598 — "An Act to aid certain Fire Companies which are organized to extinguish fires or maintain ambulances or rescue trucks, by making a supplementary appropriation therefor."

HB 603 — "An Act to aid Mid-Sussex Rescue Squad, Inc., which is organized to operate and maintain an ambulance in the public service, by making a supplemental appropriation therefor."

HB 607 — "An Act to aid Veteran's Organizations by making an appropriation therefor."

The roll call vote on these Bills on the Consent Calendar was then taken and revealed 39 Representatives voting YES with 2 Representatives (Matushefske and McKay) ABSENT.

Therefore, the Bills were declared as passed by the House.

Representative Ferguson moved that the Preferred Agenda be used and the motion prevailed by voice vote.

The following Committee Reports were announced:

From the Highways and Transportation Committee: **SB 158** — 5 Merits.

From the Public Safety Committee: **HB 515** — 5 Merits.

HB 581 was taken up for consideration on motion of Representative McGinnis. "An Act to amend Chapter 55, Title 30, Delaware Code, relating to Public Utility Taxes."

Representative McGinnis introduced HA 1 to the Bill; however before final action was taken the Representative moved that the Bill and Amendment be tabled and the motion prevailed by voice vote.

Consideration of **HB 611** was deferred at the request of Representative McGinnis.

HB 564 was taken up for consideration on motion of Representative McGinnis. "An Act to amend Chapter 11, Title

30, Delaware Code, relating to Income Tax withheld by employers."

The roll call vote was taken which revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, McGinnis, Miller, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 33.

NOT VOTING: Representatives Derrickson, Jornlin, Leshner, Minner, and Seibel — 5.

ABSENT: Representatives George, Maxwell, and McKay — 3.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

SB 373 was taken up for consideration on motion of Representative McGinnis. "An Act to amend Chapter 52, Title 30, Delaware Code, relating to penalty assessments payable by mail."

The roll call vote was taken which revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, Gilligan, Gordy, Harrington, Johnson, Jornlin, Kelly, LeGates, Lynch, Matushefske, McGinnis, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 35.

NOT VOTING: Representatives Derrickson and Leshner — 2.

ABSENT: Representatives George, Hebner, Maxwell, and McKay — 4.

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

HB 627 was taken up for consideration on motion of Representative McGinnis. "An Act to amend Chapter 51, Title 30, Delaware Code, relating to Tax imposed."

The roll call vote was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Jornlin, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Riddagh, Ridings, Rispoli, Sincock, Spence, Temple, Worthen, Jonkiert — 33.

NO: Representative Powell — 1.

NOT VOTING: Representatives Arnold, Derrickson, Leshner, Seibel, Smith — 5.

ABSENT: Representatives Hebner and McKay — 2.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

HB 617 was deferred for consideration at the request of Representative McGinnis.

HB 502 was taken up for consideration on motion of Representative McGinnis. "An Act to amend Chapter 21, Title 21, Delaware Code, relating to certain semi-trailer registration fees."

The roll call vote was taken and revealed:

YES: Representatives Billingsley, Boulden, Byrd, Cain, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Riddagh, Rispoli, Temple, Worthen, Jonkiert — 27.

NO: Representatives Ambrosino, Clendaniel, Connor, Ridings, Seibel and Spence — 6.

NOT VOTING: Representatives Arnold, Derrickson, Hebner, Jornlin, Leshner, Powell, Smith — 7.

ABSENT: Representative Sincock — 1.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

HB 656 was taken up for consideration on motion of Representative McGinnis. "An Act to amend Chapter 83, Title 29, Delaware Code, relating to Division of Revenue, Department of Finance and fees paid thereto."

The roll call vote was taken and announced:

YES: Representatives Ambrosino, Billingsley, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Jornlin, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Sincock, Spence, Temple, Worthen, Jonkiert — 33.

NO: Representatives Connor and Hebner — 2.

NOT VOTING: Representatives Arnold, Leshner, Seibel and Smith — 4.

ABSENT: Representatives Boulden and Derrickson — 2.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 134 was deferred for consideration at the request of Representative McGinnis.

Representative McGinnis moved that **HB 660** be laid on the table and the motion prevailed by voice vote.

HB 442 was taken up for consideration on motion of Representative McGinnis. "An Act to amend Chapter 55, Title 30, Delaware Code, relating to the definition of Gross Receipts."

The roll call vote was taken; however, before it was announced the Representatives moved that it be tabled and the motion prevailed by voice vote.

Representative McGinnis moved that **HB 660** be lifted for consideration. "An Act to amend Chapter 23, Title 30, Delaware Code, relating to Occupational License Taxes."

The privilege of the floor was extended to John Malarkey, Secretary of Finance, to speak on the Bill.

The roll call vote on **HB 660** was then taken and revealed 40 Representatives voting YES with 1 Representative (Smith) NOT VOTING.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative McGinnis moved that **HB 581** be lifted for consideration. "An Act to amend Chapter 55, Title 30, Delaware Code, relating to Public Utility Taxes."

The motion prevailed by voice vote.

The privilege of the floor was extended to John Malarkey, Secretary of Finance, to speak on the Bill.

Representative McGinnis moved that the Bill be again laid on the table and the motion prevailed by voice vote.

HB 134 was taken up for consideration on motion of Representative McGinnis. "An Act to amend Chapter 52, Title 30, Delaware Code, relating to motor carrier identification marker and registration fees."

HA 1 to the Bill was considered for adoption on motion of Representative McGinnis and was adopted by voice vote.

The roll call vote on **HB 134 w HA 1** was then taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Powell, Ridings, Rispoli, Seibel, Temple, Worthen, Mr. Speaker Jonkiert — 34.

NO: Representatives Riddagh and Spence — 2.

NOT VOTING: Representatives Sincok and Smith — 2.
 ABSENT: Representatives Cain, Derrickson, and Plant

— 3.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 47 was deferred for consideration at the request of Representative McGinnis.

HB 515 was taken up for consideration on motion of Representative McGinnis. "An Act to amend Chapter 21, Title 21, Delaware Code, relating to the issuance of five year registration plates of certain trailers."

The privilege of the floor was extended to J. McFadden, Delaware Motor Transport Association, to speak on the Bill.

The roll call vote on the Bill was then taken and revealed 37 Representatives voting YES, 2 Representatives (Derrickson and Smith) NOT VOTING and 2 Representatives (Minner and Plant) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 624 was taken up for consideration on motion of Representative Lynch. "An Act to amend Subchapter I, Chapter 27, Title 24, Delaware Code, providing a professional Code for land surveyers."

The roll call vote was taken which revealed 38 Representatives voting YES, 1 Representative (Smith) NOT VOTING, and 2 Representatives (Miller and Plant) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 468 was taken up for consideration on motion of Representative LeGates. "An Act to amend Chapter 5, Part I, Title 7 of the Delaware Code relating to Hunting and Trapping, and Fishing Licenses."

The roll call vote was taken which revealed 37 Representatives voting YES, 3 Representatives (Darling, Johnson and Minner) voting NO, and 1 Representative (Plant) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 572 was taken up for consideration on motion of Representative Gordy. "An Act directing the Board of Pension Trustees to accept the application for a survivor's pension from Mrs. Helen Carmean."

HA 1 to the Bill was considered on motion of Representative Ridings but was defeated by voice vote.

The roll call vote on **HB 572** was then taken and revealed 37 Representatives voting YES and 4 Representatives (Connor, McKay, Ridings and Smith) voting NO.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Jonkiert deferred to Representative Byrd on whose motion **SB 336** was taken up for consideration. Representative Byrd then moved that the Bill be laid on the table and the motion prevailed by voice vote.

Representative Darling moved that **HB 509** be laid on the table and the motion prevailed by voice vote.

SB 238 was taken up for consideration on motion of Representative Ridings. "An Act directing the Board of Pension Trustees to recompute the pension paid to Katherine Episcopo, widow of Rocco A. Episcopo, a former State employee."

HA 1 to the Bill was considered on motion of Representative Ridings and was defeated by voice vote.

The roll call vote on **SB 238** was then taken and announced:

YES: Representatives Ambrosino, Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen, Jonkiert — 26.

NO: Representatives Arnold, Billingsley, Connor, Leshner, McKay, Riddagh, Ridings, Seibel, Smith, Spence — 10.

NOT VOTING: Representatives Derrickson, Hebner, Jornlin, Powell and Sincock — 5.

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

SB 313 w SA 1 was taken up for consideration on motion of Representative Boulden. "An Act to amend Chapter 1, Title 17, of the Delaware Code relating to jurisdiction powers and duties of the Department of Highways and Transportation."

The privilege of the floor extended to Mr. Thompson of the Highways Department, to speak on the Bill.

The roll call vote on the Bill revealed:

YES: Representatives Billingsley, Boulden, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Ridings, Rispoli, Temple, Worthen,

Jonkiert — 29.

NO: Representatives Arnold, Jornlin, Leshner, Riddagh, Seibel, Sincok, Smith, Spence — 8.

NOT VOTING: Representatives Ambrosino and Hebner — 2.

ABSENT: Representatives Byrd and Harrington — 2.

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

HR 98, sponsored by Representatives Ferguson, Boulden, Billingsley and Sincok, was introduced from the floor and adopted by voice vote.

HR 98 — "Requesting State Government voting and representation on the Wilmington Metropolitan Area Planning Coordinating Council."

Representative Byrd moved that **SB 336** be lifted from the Speakers Table for consideration. "An Act relating to Public Works Contracts in certain cases, providing for State wide prevailing wages, imposing duties upon the Department of Labor, and providing remedies and penalties."

The motion prevailed by voice vote.

The roll call vote on the Bill was taken but before it was announced it was tabled at the request of Representative Byrd.

The House recessed at 8:00 p.m. until June 25, 1975.

The House reconvened at 1:40 p.m. June 25, 1975.

HB 31 was reported out of Community Affairs Committee: 3 Favorable, 2 Merits.

On motion of Representative Ferguson, the House adjourned at 1:48 p.m. thereby ending the 49th Legislative Day.

50TH LEGISLATIVE DAY

The House convened at 1:48 p.m. June 25, 1975.

A Prayer was offered by the Chaplain, Rev. Larry Cornell.

Pledge of Allegiance to the Flag.

By roll call, there were 41 Representatives PRESENT.

The Journal was approved as posted.

The following pre-filed legislation was introduced:

HB 683 — "An Act making a supplementary appropriation to the Court of Common Pleas, the Administrative Office of the Courts and the Department of Justice for the purpose of providing the necessary funds as a result of the merger of the Municipal Court of the City of Wilmington with the Court of Common Pleas of the State of Delaware." Sponsor: Representative Jonkiert. Assigned to

50TH LEGISLATIVE DAY

Appropriations Committee.

HB 684 — "An Act to amend Title 92, §4710, Delaware Code, relating to the burial of certain deceased persons by the State." Sponsors: Representatives Jonkiert and Morris. Assigned to Health and Social Services Committee.

HB 685 — "An Act to amend Title 29 of the Delaware Code relating to claims of the certain elected officials for mileage rates for use of privately owned vehicles." Sponsors: Representative Sincock. Assigned to Appropriations Committee.

HB 686 — "An Act proposing an Amendment to Article I of the Constitution of the State of Delaware, ensuring to all persons the right to work." Sponsor: Representative Ridings. Assigned to Constitution Revision Committee.

HB 687 — "An Act making a supplementary appropriation to the State Fire Prevention Commission to provide for an increase in the salary of the State Fire Marshall and the Director of the State Fire School for the Fiscal Year beginning July 1, 1975." Sponsor: Representative Boulden. Assigned to Appropriations Committee.

HB 688 — "An Act to amend Part I, Title 19 of the Delaware Code relating to Labor; and providing for a Delaware Right-to-work Act." Sponsor: Representative Ridings. Assigned to Labor and Commerce Committee.

HB 689 — "An Act to amend Chapters 1 and 13, Title 14, Delaware Code, relating to student-teacher ratio in Drivers Education; and an appropriation therefor." Sponsor: Representative Maxwell. Assigned to Education Committee.

HB 690 — "An Act to amend Chapter 27 and Chapter 65, Title 29, Delaware Code, relating to the requirements for approval of vouchers by the Secretary of Finance and issuance of checks by the Treasurer." Sponsor: Representative Miller. Assigned to Appropriations Committee.

HB 691 — "An Act to amend Chapter 5, Title 11, Delaware Code, relating to licenses for the carrying of concealed deadly weapons." Sponsor: Representative Worthen. Assigned to Community Affairs Committee.

HB 692 — "An Act to amend Chapter 1, Title 31, Delaware Code, relating to the burial of the remains of an indigent person by the State." Sponsors: Representatives Morris and Jonkiert. Assigned to Health and Social Services Committee.

HB 693 — "An Act to amend Chapter 44 and Chapter 63,

Title 9, Delaware Code, providing additional requirements prior to issuance of building permits." Sponsor: Representative McGinnis. Assigned to Community Affairs Committee.

HB 694 — "An Act appropriating certain monies to Lois Katherine Hopkins, for the death of her husband, while in the performance of official duties in the line of service of the State of Delaware." Sponsor: Representative Darling. Assigned to Appropriation Committee.

HB 695 — "An Act to amend Chapter 55, Title 25, Delaware Code, relating to security deposits paid by tenants to landlords." Sponsor: Representative Rispoli. Assigned to Community Affairs Committee.

HB 696 — "An Act to amend Chapter 23, Title 30, Delaware Code, by adding thereto a new Occupational License Category designated as "Real Estate Lessors" and imposing a Tax thereon." Sponsor: Representative Ferguson. Assigned to Revenue and Finance Committee.

HB 697 — "An Act to amend Chapter 54, Title 30, Delaware Code, relating to the Realty Transfer Tax by exempting from such tax all Leases. Excepting only leases or other transfers or condominium units for residential usage." Sponsor: Representative Ferguson. Assigned to Revenue and Finance Committee.

HB 698 — "An Act to amend Chapter 5, Title 13, Delaware Code, relating to Support Orders and enforcement thereof." Sponsor: Representative Matushefske. Assigned to Judiciary Committee.

HB 699 — "An Act to amend Chapter 23, Title 21, Delaware Code, relating to fees for recording liens on motor vehicles paid to the Division of Motor Vehicles of the Department of Public Safety." Sponsor: Representative Cain. Assigned to Public Safety Committee.

HA 2 to HB 42 was introduced by Representative McGinnis and placed with the Bill.

HA 1 to HB 215 was introduced by Representative Plant and placed with the Bill.

HA 1 to HB 543 was introduced by Representative LeGates and placed with the Bill.

HA 1 to HB 560 was introduced by Representative Minner and placed with the Bill.

HA 2 to HB 581 was introduced by Representative Billingsley and placed with the Bill.

HA 1 to HB 585 was introduced by Representative

Johnson and placed with the Bill.

HA 1 to HB 637 was introduced by Representative Rispoli and placed with the Bill.

HA 1 to SB 245 was introduced by Representative LeGates and placed with the Bill.

HA 1 to SB 347 was introduced by Representative Matushefske and placed with the Bill.

HJR 25 — "Providing for the establishment of a Committee to study the Administration Operation of the Public School System in this State, and directing the Committee to request the assistance of the Delaware State Government Research Foundation in making such study." Sponsor: Representative Darling. Assigned to Education Committee.

HB 700 — "An Act to amend Chapter 23, Title 30, Delaware Code, relating to revision of the Wholesale News Agency License Fees and Taxes." Sponsor: Representative McGinnis. Assigned to Revenue and Finance Committee.

SB 172 — "An Act making a supplementary appropriation to the Department of Highways and Transportation for the purpose of installing traffic signal control equipment at the Intersection of Wrangle Hill Road and Route 40, New Castle County, Delaware." Sponsor: Senator Isaacs. Assigned to Appropriations Committee.

SB 189 — "An Act to modify Chapter 1, Title 26 of the Delaware Code in regard to provision for financing of utility facility extension. Sponsor: Senator Martin. Assigned to Administrative Services Committee.

SB 210 — "An Act to amend 59 Delaware Laws, Chapter 384, being the new Probate Code for the State of Delaware by offering certain Omnibus Amendments thereto." Sponsors: Senators Berndt and Kearns. Assigned to Judiciary Committee.

SB 224 — "An Act to amend Chapter 83 of Title 29 of the Delaware Code relating to the coverage of a full time employee of the Delaware State Employees Credit Union." Sponsors: Senators Cook and Zimmerman. Assigned to Administrative Services Committee.

SB 296 w SA 1 — "An Act to repeal Chapter 233, Volume 51, Laws of Delaware and to amend Chapter 216, Volume 27, Laws of Delaware entitled "An Act amending, revising and consolidating the Charter of the City of New Castle." Sponsor: Senator McCullough. Assigned to Community Affairs.

SB 396 — "An Act to amend Chapter 69, Part VI, Title 29 of the Delaware Code relating to Public Works by State Agencies and providing certain standards of construction for the protection of physically handicapped persons." Sponsor: Senator Manning. Assigned to Community Affairs Committee.

SB 402 — "An Act to amend Chapter 647, Volume 57, Laws of Delaware providing for the use of State-owned Helicopters." Sponsor: Senator Cordrey. Assigned to Public Safety Committee.

SB 404 — "An Act to amend Chapter 16, Part II, Title 2 of the Delaware Code relating to Local Transportation Authorities; and providing for Management and Budget Review by the Secretary of the Department of Highways and Transportation." Sponsor: Senator Isaacs. Assigned to Judiciary Committee.

SB 426 — "An Act to amend Chapter 7, Title 21, Delaware Code, relating to disposition of fines and costs collected for violations of this Title." Sponsors: Senator Adams; Representatives Boulden and Gordy. Assigned to Public Safety Committee.

SB 432 — "An Act to amend Chapter 39 of Title 7, Delaware Code, relating to the specification of sediment removal as an element of conservation, protection, development and utilization of land and water resources." Sponsors: Senator Murphy and Representative Minner. Assigned to Environmental Control Committee.

SJR 10 — "Urging Governor Sherman W. Tribbitt to enlist the support of the State of Delaware in the Federal Court Action challenging the Oil Import Tariff imposed by President Gerald Ford and pledging the cooperation of the Delaware General Assembly to the Governor." Sponsor: Senator Isaacs. Assigned to House Administration Committee.

The House recessed at 2:12 p.m. and reconvened at 4:32 p.m.

Representative Boulden moved that **HB 419** be lifted for consideration. "An Act making a supplementary appropriation to the Department of Highways and Transportation for continuing commuter train service into the State of Delaware during the fiscal year ending June 30, 1976."

The motion prevailed by voice vote.

The roll call vote on the Bill was taken and revealed 38 Representatives voting YES, and 3 Representatives

(Derrickson, Ferguson, and Minner) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Temple moved that **HB 407** be lifted for consideration. "An Act directing the State Personnel Commission to adopt a more equitable vacation accumulation schedule for merit system employees of the State."

The motion prevailed by voice vote.

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

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Plant, Rispoli, Temple, Worthen and Jonkiert — 27.

NO: Representatives Billingsley, Hebner, Jornlin, Leshner, McKay, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 11.

NOT VOTING: Representative Powell — 1.

ABSENT: Representatives Derrickson and Ferguson — 2.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 188 w HA 1 was lifted for consideration on motion of Representative Byrd.

HB 188 — "An Act to amend Title 19, Delaware Code, by creating a new Chapter to be designated as Chapter 14 to provide for the implementation of a State Occupational Safety and Health Act in accordance with the provisions of the William-Steiger Occupational Safety and Health Act of 1970 and providing a supplemental appropriation to implement the provision of this act."

HA 2 to the Bill was considered on motion of Representative George and adopted by voice vote.

HA 3 to the Bill was considered on motion of Representative Byrd and adopted by voice vote.

HA 4 to the Bill was considered on motion of Representative Byrd and adopted by voice vote.

HA 5 to the Bill was considered on motion of Representative Byrd and adopted by voice vote.

HA 6 to the Bill was considered on motion of Representative Byrd and adopted by voice vote.

The roll call vote on **HB 188 w HA 1, 2, 3, 4, 5, 6** was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley,

Boulden, Byrd, Cain, Connor, Ferguson, George, Gilligan, Hebner, Jornlin, Kelly, LeGates, Leshner, Matushefske, Maxwell, Plant, Powell, Ridings, Rispoli, Seibel, Sincok, Smith, Spence — 25.

NO: Representatives Clendaniel, Darling, Gordy, Harrington, Lynch, McGinnis, Minner, Morris, Riddagh, Worthen, Jonkiert — 11.

NOT VOTING: Representatives Derrickson, Johnson, McKay, Miller, Temple — 5.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

SB 318 w SA 1 was taken up for consideration on motion of Representative Lynch.

SB 318 — “An Act to amend Chapter 36 of Title 24, Delaware Code relating to the registration of Professional Geologists.”

HA 1 to the Bill was adopted by voice vote.

The roll call vote on **SB 118 w SA 1, HA 1** was then taken and revealed 37 Representatives voting YES, 1 Representative (Billingsley) voting NO and 3 Representatives (Cain, Lynch and McKay) ABSENT.

Therefore, the Bill passed the House and was returned to the Senate for concurrence in the House Amendment.

HB 581 was lifted for consideration on motion of Representative McGinnis.

HB 581 — “An Act to amend Chapter 55, Title 30, Delaware Code, relating to Public Utility taxes.”

HA 1 to the Bill was considered on motion of Representative McGinnis and adopted by voice vote.

HA 2 to the Bill was considered on motion of Representative Billingsley and adopted by voice vote.

The roll call vote on **HB 581 w HA 1, 2** was taken and revealed 39 Representatives voting YES and 2 Representatives (George and McKay) ABSENT.

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

Representative Morris moved that **SB 159** be lifted for consideration. “An Act to amend Chapter 31 of Title 24, Delaware Code relating to extension of time for applications to renew license for the practice of funeral services.”

The motion prevailed by voice vote.

The roll call vote on the Bill was taken and revealed 35 Representatives voting YES, 2 Representatives (Ridings and Smith) voting NO, 1 Representative Hebner NOT VOTING

and 3 Representatives (Derrickson, George and McKay) ABSENT.

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

Representative Spence moved that **HB 296 w HA 1** be lifted for consideration. "An Act to amend Title 11 of the Delaware Code amending the definition of the crime of rape and providing additional penalties therefor."

The motion prevailed by voice vote.

HA 2 to the Bill was considered on motion of Representative Plant and adopted by voice vote.

HA 3 to the Bill was considered on motion of Representative Plant and adopted by voice vote.

HA 4 to the Bill was considered on motion of Representative Plant and adopted by voice vote.

The roll call vote on **HB 296 w HA 1, 2, 3, 4** was then taken and announced:

YES: Representatives Ambrosino, Arnold, Boulden, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Hebner, Jornlin, Kelly, Leshner, Minner, Morris, Powell, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple — 24.

NO: Representatives Billingsley, Byrd, Cain, George, Harrington, Johnson, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Plant, Seibel, Worthen, Jonkiert — 16.

ABSENT: Representative McKay — 1.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Darling moved that **HB 509** be lifted for consideration. "An Act to amend Chapter 66, Title 18, Delaware Code, relating to line of duty "Death Benefits"."

The motion prevailed by voice vote.

The privilege of the floor was extended to Watson Baker, Highways Department and Fred Vansant of the Controller General's Office to speak on the Bill after which the roll call vote was taken and announced:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Johnson, Kelly, Matushefske, Minner, Morris, Plant, Powell, Rispoli, Seibel, Sincock, Spence, Temple — 25.

NO: Representatives Harrington, Hebner, Jornlin,

LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Riddagh, Ridings, Smith, Worthen, Jonkiert — 15.

ABSENT: Representative Ferguson — 1.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Jonkiert moved that the necessary rules be suspended for the purpose of considering **HB 679**.

HB 679 — "An Act to amend Chapter 54, Title 30, Delaware Code, relating to the Realty Transfer Tax by exempting from such Tax all leases, excepting only leases or other transfer or condominium units for residential usage."

Before action was taken on the motion however, at 6:12 the House recessed for dinner and reconvened at 9:18 p.m.

The motion for suspension of rules to act on **HB 679** was then adopted by voice vote, and the privilege of the floor was extended to Cliff Hearne, Attorney, to speak on the Bill.

Representative Jonkiert then moved that the Bill be laid on the table and the motion prevailed by voice vote.

Representative Jonkiert moved that the necessary rules be suspended for consideration of **HB 681**. "An Act proposing an Amendment to Article I, Section 5 of the Constitution of Grand Juries and the vote necessary to find a Bill of Indictment from the Constitution."

The motion prevailed by voice vote.

The privilege of the floor was extended to Cliff Hearne to speak on the Bill.

Representative Jonkiert then moved that the Bill be tabled and the motion prevailed by voice vote.

HB 506 was taken up for consideration on motion of Representative Worthen.

HB 506 — "An Act to amend Chapter 381, Volume 59, Laws of Delaware being the 1975 Budget Appropriation Act, originally designated as **HB 750** as amended by Chapter 523, Volume 59, Laws of Delaware being the Omnibus Amendment to the 1975 Budget Appropriation Act originally designated **HB 1113** relating to the reversion of funds for the Delaware Agency to Reduce Crime."

The roll call vote on the Bill revealed 34 Representatives voting YES, 1 Representative (Ridings) voting NO and 6 Representatives (Billingsley, Harrington, Maxwell, McGinnis, Miller and Plant) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 499 was taken up for consideration on motion of Representative Worthen.

HB 499 — "An Act to amend Chapter 9 and Chapter 11, Title 13 of the Delaware Code relating to adoption and termination of parental rights."

HA 1 to the Bill was adopted by voice vote and the roll call vote on **HB 499** w **HA 1** was taken and revealed 34 Representatives voting YES and 7 Representatives (Billingsley, Cain, Harrington, McGinnis, Miller, Plant and Smith) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 601 was taken up for consideration on motion of Representative Seibel. "An Act to amend Chapter 7, Title 13, of the Delaware Code, relating to minors' consent to Diagnostic and Lawful Therapeutic procedure."

The roll call vote was taken which revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, George, Gilligan, Gordy, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Maxwell, McKay, Minner, Morris, Powell, Riddagh, Rispoli, Seibel, Sincock, Smith, Temple, Worthen, Mr. Speaker Jonkiert — 31.

NO: Representatives Matushefske and Spence — 2.

NOT VOTING: Representatives Derrickson, Ferguson and Ridings — 3.

ABSENT: Representatives Billingsley, Harrington, McGinnis, Miller, Plant — 5.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

SB 152 was taken up for consideration on motion of Representative Rispoli. "An Act to amend Subchapter III, Chapter 87, Title 9 of the Delaware Code relating to redemption by owner from a Tax Sale."

The roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, George, Gilligan, Gordy, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McKay, Morris, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Temple, Worthen, Mr. Speaker Jonkiert — 31.

NO: Representatives Minner and Spence — 2.

NOT VOTING: Representative Derrickson — 1.

ABSENT: Representatives Billingsley, Darling, Ferguson, Harrington, McGinnis, Miller, and Plant — 7.

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

SB 161 was taken up for consideration on motion of Representative Rispoli. "An Act to amend Subchapter XI, Chapter 87, Title 9 of the Delaware Code relating to redemption by owner from a Tax Sale."

The roll call vote was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, George, Gilligan, Gordy, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McKay, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Temple, Worthen, Mr. Speaker Jonkiert — 30.

NO: Representatives Darling, Ferguson, Minner, Morris, and Spence — 5.

ABSENT: Representatives Billingsley, Derrickson, Harrington, McGinnis, Miller, and Plant — 6.

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

The following communication from the Governor was read into the record:

**STATE OF DELAWARE
EXECUTIVE DEPARTMENT
MEMORANDUM**

June 20, 1975

TO: All members of the
128th General Assembly
FROM: Governor Sherman W. Tribbitt

I am submitting to you herewith the latest estimates for FY '75 and FY '76 as presented to me by the Governor's Economic Advisory Council at its last meeting.

Also attached is a letter under the signature of Edward W. Hagemeyer, Chairman of the Council.

**FARMERS BANK
of the
STATE OF DELAWARE
Dover**

June 16, 1975

The Honorable Sherman W. Tribbit
Governor of the State of Delaware
Legislative Hall
Dover, Delaware
Dear Governor Tribbitt:

At the meeting of the Economic Advisory Council held on Friday morning, June 13th, we made minor revisions in the revenue estimates for both the current and the next fiscal year.

As I reported to you by telephone Friday afternoon, we increased our estimate of total revenue for the current fiscal year by \$1,400,000 to \$380,300,000. The major reason for the increase was a recent change in the law accelerating motor fuel tax payments received from major distributors with the result that an estimated additional \$1,100,000 will be received in the current fiscal year.

Based on actual revenue receipts for the first eleven months of the current fiscal year, we have made minor changes in the estimated revenue from a number of different sources. We increased revenue estimates from the franchise tax, parimutuel sales and admissions, dividends and interest, inheritance and estate taxes, fees from the Division of Motor Vehicles, and all other revenues. We made minor reductions in the estimates of revenue from individual income taxes, corporate income taxes and public utility taxes. The net affect of all of those revisions was a net increase of \$300,000.

We raised our estimate of revenue for the next fiscal year from \$406,900,000 to \$408,500,000 - a rise of \$1,900,000. This was the result of a minor reduction in our estimate of revenue from the corporate franchise tax and minor upward adjustments in revenues to be received from para-mutuel sales and admissions and all other income. In addition, as a result of a change in the law and increased Federal grants, we have increased our estimate for hospital board and treatment revenue from \$6,800,000 to \$7,700,000. The figures for both the current fiscal year and the next fiscal year exclude revenue sharing funds. The attached schedule shows in detail our final estimate of revenue for the current fiscal year and our revised estimate for the next fiscal year.

We have made no estimate for revenue from operation of lottery as we had no basis on which to make such an estimate at this time.

Sincerely,
Edward W. Hagemeyer

* * * * *

HB 462 was taken up for consideration on motion of Representative Ridings.

HB 462 — "An Act to amend Title 29 of the Delaware Code relating to Revenue projections for certain Acts of special appropriation and relating to pension funds as established by Chapter 55, Title 29 of the Delaware Code."

HA 1 to the Bill was considered for adoption on motion of Representative Ridings and adopted by voice vote.

HA 2 to the Bill was considered on motion of Representative Ridings and adopted by voice vote.

The roll call on **HB 462 w HA 1, 2** was then taken and revealed 32 Representatives voting YES, 2 Representatives (Gordy and Morris) voting NO, 1 Representative (Temple) NOT VOTING and 6 Representatives (Billingsley, Harrington, Matushefske, McGinnis, Miller, Plant) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 422 was taken up for consideration on motion of Representative Maxwell.

HB 422 — "An Act to amend Subchapter III of Chapter 1, Title 17 Delaware Code, relating to general powers and duties of the Department of Highways."

HA 1 to the Bill was considered on motion of Representative Maxwell and adopted by voice vote.

HA 2 to the Bill was considered on motion of Representative Maxwell and adopted by voice vote.

A communication was read from Richard A. Haber, Director of Highways, in regard to the Bill.

Honorable Robert L. Maxwell

311 Village Road

Wilmington, Delaware 19805

Dear Representative Maxwell:

The Department of Highways and Transportation has reviewed **HB 422** as it pertains to the replacement of trees removed as part of highway construction. Please be informed that the Federal Highway Administration requires that all obstacles (trees, poles, etc.) within 30 feet from the edge of pavement be removed on any highway project that utilizes Federal funds. The Department of Highways and Transportation fully supports the passage of this Bill provided that the Federal requirement described above is included in the Bill.

Very truly yours,
 Richard A. Haber
 Director of Highways

The roll call vote on **HB 422 w HA 1, 2** was then taken and announced:

YES: Representatives Arnold, Byrd, Cain, Connor, George, Gilligan, Hebner, Johnson, Jornlin, LeGates, Leshner, Maxwell, McKay, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Jonkiert — 23.

NO: Representatives Ambrosino, Boulden, Clendaniel, Darling, Derrickson, Ferguson, Gordy, Kelly, Lynch, Matushefske, Minner, Morris — 12.

NOT VOTING: Representative Worthen — 1.

ABSENT: Representatives Billingsley, Harrington, McGinnis, Miller and Plant — 5.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 391 was stricken at the request of Representative Temple.

The following Committee Reports were announced:

From the Agriculture Committee: **SB 192** — 3 Favorable, 2 Merits, 1 Unfavorable.

From the Health and Social Services Committee: **HB 692** — 1 Favorable, 3 Merits; **HB 684** — 2 Favorable, 3 Merits.

From the Education Committee: **SB 382** — 1 Favorable, 3 Merits.

From the Administrative Services Committee: **SB 278** — 4 Merits; **HB 445** — 4 Merits.

From the Appropriations Committee: **HB 548** — 4 Merits; **HB 549** — 4 Merits; **HB 550** — 4 Merits; **HB 552** — 4 Merits; **HB 559** — 4 Merits; **HB 638** — 4 Merits; **HB 672** — 4 Merits; **HB 678** — 4 Merits; **HB 690** — 4 Merits; **SB 417** — 4 Merits.

The House recessed at 11:18 p.m. until June 26, 1975..

The House reconvened at 1:40 p.m. June 26, 1975.

SB 432 was reported out of Environmental Control Committee: 1 Favorable, 3 Merits.

On motion of Representative Ferguson, the House adjourned at 1:45 p.m. to immediately convene for the 51st Day.

51ST LEGISLATIVE DAY

The House was called to order by the Speaker, Representative Jonkiert, at 1:45 p.m. June 26, 1975.

A Prayer was offered by Representative Morris.

51ST LEGISLATIVE DAY

Pledge of Allegiance to the Flag.

By roll call, there were 41 Members PRESENT.

The minutes of the previous Legislative Day were approved as posted.

The following pre-filed legislation was entered in the Calendar:

HB 701 — "An Act to amend Title 10, Title 11, and Title 31, Delaware Code, relating to the custody, care and treatment of children in need of services and the transfer of Juvenile detention facilities from the Division of Juvenile Corrections to the Family Court." Sponsor: Representative Worthen. Assigned to Judiciary Committee.

HA 1 to HB 270 was introduced by Representative Ambrosino and placed with the Bill.

HA 1 to HB 274 was introduced by Representative Smith and placed with the Bill.

HA 1 to HB 410 was introduced by Representative Cain and placed with the Bill.

HA 1 to HB 561 was introduced by Representative Johnson and placed with the Bill.

HA 1 to HB 579 was introduced by Representative Gordy and placed with the Bill.

HA 1 to HB 586 was introduced by Representative Gordy and placed with the Bill.

HA 1 to HB 602 was introduced by Representative Matushefske and placed with the Bill.

HA 1 to HB 687 was introduced by Representative Boulden and placed with the Bill.

HA 1 to SS 1 for SB 247 was introduced by Representative Gordy and placed with the Bill.

SB 26 — "An Act to amend Chapter 9, Part I, Title 10 of the Delaware Code relating to the Civil Jurisdiction of Family Court." Sponsor: Senator Kearns. Assigned to Judiciary Committee.

SB 67 — "An Act to amend Chapter 27, Title 14, Delaware Code, relating to mentally or physically Handicapped Children." Sponsor: Senator Holloway. Assigned to Education Committee.

SB 68 — "An Act to amend Chapter 31, Title 14, Delaware Code, relating to special classes and facilities for certain children." Sponsor: Senator Holloway. Assigned to Education Committee.

SB 209 w SA 2, 3, 4 — “An Act to amend Chapter 33, Part II, Title 6 of the Delaware Code relating to Commerce and Trade; and providing for the registration and protection of trademarks, brands and labels.” Sponsors: Senators Manning and Kearns. Assigned to Labor and Commerce Committee.

SB 236 — “An Act to amend Part VII, Title 7 of the Delaware Code relating to the control and abatement of noise.” Sponsors: Senator Knox and Representative Worthen. Assigned to Environmental Control Committee.

SB 253 — “An Act to amend Chapter 27, Title 21, Delaware Code, relating to assessing a fee for changing type of general class Driver's License.” Sponsor: Senator Adams. Assigned to Public Safety Committee.

SB 273 — “An Act to amend Chapter 1 of Title 9, Delaware Code, relating to the boundaries of New Castle County and Kent County.” Sponsor: Senator Isaacs. Assigned to Community Affairs Committee.

SB 297 — “An Act to amend Chapter 41 of Title 11, Delaware Code relating to default in payment of fine and inability to pay fine.” Sponsor: Senator McCullough. Assigned to Judiciary Committee.

SB 418 — “An Act to amend Chapter 1, Title 17, Delaware Code, relating to the State Highway Department.” Sponsor: Senator Zimmerman. Assigned to Highways and Transportation Committee.

SB 436 — “An Act making a supplementary appropriation to improve recreational boating and to remove shoals from Jefferson Creek and the Bethany Beach Improvement Canal.” Sponsor: Senator Cordrey. Assigned to Appropriations Committee.

SS 1 for SB 438 — “An Act to amend Chapter 13, Title 18 of the Delaware Code relating to investments of domestic insurers and revising the ownership requirements as to their investments in Insurance Subsidiaries and other Business Corporations.” Sponsor Senator Murphy. Assigned to Public Safety Committee.

SB 448 — “An Act to amend Chapter 41, Part I, Title 14 of the Delaware Code relating to the voluntary recitation of the Lord's Prayer in Public Elementary Schools at the option of the School District.” Sponsor: Senator Hughes. Assigned to Education.

SB 451 — “An Act to amend Chapter 66, Title 16, Delaware Code, relating to the inclusion of Deputy State Fire Marshalls into the State Personnel Commission's Merit

System." Sponsor: Senator Cook. Assigned to Administrative Services Committee.

SB 458 — "An Act to permit the Board of Public Education of the Mount Pleasant reorganized School District to transfer certain funds from its local Debt Service Funds Account to a special Local Current Operating Funds Account." Sponsors: Senators Berndt and Hughes. Assigned to Appropriations Committee.

SJR 32 — "Establishing a Committee to Study and report on the advantages of creating a Bicentennial Park on the plot known as Capitol Square bounded by Federal Street, Duke of York Street, William Penn Street and Legislative Avenue." Sponsor: Senator Isaacs. Assigned to House Administration Committee.

Representative Darling moved that the necessary rules be suspended for the purpose of considering **SJR 32** and the motion prevailed by voice vote. The roll call vote on the Resolution was then taken and revealed 37 Representatives voting YES and 4 Representatives (Billingsley, George, McKay and Plant) ABSENT.

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

HCR 41, sponsored by Representative Matushefske and Senator Hughes, was introduced from the floor and adopted by voice vote:

HCR 41 — "Requesting Delaware contractors and buyers of steel to purchase American made steel rather than foreign steel."

The following Bills were stricken from the Consent Calendar:

HB 171 — "An Act to amend Chapter 19, Title 14, Delaware Code, relating to School Taxation."

HB 561 — "An Act to amend Chapter 27, Title 21, Delaware Code, relating to application by minor for an operator's license."

HB 206 — "An Act to amend Chapter 65, Title 29 of the Delaware Code by exempting certain appointed State Officials from receiving terminal pay."

HB 286 — "An Act to amend Chapter 41, Part III, Title 21, of the Delaware Code, relating to the unlawful passing of a School Bus; and providing for identification of a violator."

HA 1 to HB 31 was also stricken on motion of Representative Gilligan.

The Bills included in the Consent Calendar were read before the vote was taken:

HB 358 — "An Act to amend Chapter 43, Title 21, Delaware Code, relating to lamps on parked vehicles."

HB 526 — "An Act to amend Chapter 44, Title 6, Delaware Code, relating to solicitations or "Door to Door" sales."

HB 659 — "An Act to amend Chapter 7, Title 17, Delaware Code, relating to Occupational Licenses Taxes."

HB 473 — "An Act to amend Chapter 5, Title 11, of the Delaware Code pertaining to the Crime of Obscenity and providing for penalties therefor."

SB 110 — "An Act to amend Chapter 19, Part I, Title 10 of the Delaware Code relating to the powers and duties of the Courts and Judges; and providing for occasional messages to the General Assembly on the State of the Judiciary."

SB 263 w SA 1 — "An Act to amend Chapter 9, Title 26 of the Delaware Code relating to the powers of Telegraph and Telephone Corporations; and providing that all wires be placed eighteen feet above road crossings."

SB 302 — "An Act making appropriation to the Delaware American Revolution Bicentennial Planning, Encouragement, Development and Coordination of observances and activities commemorating the historic events that preceded and are associated with the American Revolution."

SB 363 — "An Act to correct certain administrative errors in loss of pay to certain previous employees of the Department of Public Safety and providing for the payment of lost pay."

HB 617 — "An Act to amend Chapter 96, Title 9 of the Delaware Code relating to the Recording of Deeds or other instruments conveying title to real estate and requiring the execution of an affidavit of residence and gain and the transmission of information to the State Division of Revenue to assist in collecting Taxes due the State."

SS 1 to SB 83 — "An Act to amend Title 24 of the Delaware Code relating to Profession and Occupations; and providing for the regulation and registration of Landscape Architects."

SB 203 w SA 1 — "An Act to amend Chapter 1, Title 24, Delaware Code, relating to the practice of Certified Public Accountancy in the State."

HB 539 — “An Act to amend Chapter 65, Part VI, Title 11, Delaware Code, relating to the requirements of certain persons within the Division of Adult Corrections by delaying the effective date of such amended sections.”

HB 633 — “An Act to authorize and direct the Board of Pension Trustees to grant a pension to Norman F. Hasting, a former employee of the State Highway Department.”

HB 634 — “An Act to authorize the Board of Pension Trustees to grant Mrs. Fred H. Perkins a survivor's pension under Chapter 55, Title 29, Delaware Code.”

HB 31 — “An Act to authorize and approve the transfer of certain Real Property in Cranston Heights to the Cranston Heights Fire Company.”

HB 668 — “An Act to provide a pension for Nicholas DeSimone, a former employee of the Claymont School District.”

HB 461 — “An Act to amend Subchapter XI, Chapter 47, Title 9, Delaware Code, relating to garbage collection in unincorporated areas of Kent County.”

HB 582 — “An Act to amend Chapter 44, Title 9, Delaware Code, relating to building permits in Kent County.”

HB 548 — “An Act to provide a supplementary appropriation to the Delaware National Guard, to be expended for Uniform and Equipment Allowances.”

HB 549 — “An Act making a supplementary appropriation to the Department of Public Safety, Division of State Police, for operations.”

HB 550 — “An Act to provide a supplementary appropriation to the Delaware National Guard, to pay a prior year's obligation for a liability claim payable to the United States Government for the balance of expenses, incurred in March, 1967, motor vehicle accident.”

HB 552 — “An Act to provide a supplemental appropriation to the Department of Labor for the payment of Unemployment Benefits to State employees.”

HB 559 — “An Act to provide a supplemental appropriation to the Department of Administrative Services for operational costs for Fiscal Year 1975.”

HB 678 — “An Act to provide a supplemental appropriation to various Agencies and School Districts for the purpose of providing additional operating funds.”

HB 420 w HA 1 — “An Act authorizing and directing the Board of Pension Trustees to grant Mrs. Bessie Sudler a service

pension under the provisions of Chapter 55, Title 29, Delaware Code."

SB 290 w SA 1 — "An Act to amend Chapter 17, Subchapter III, Title 15, Delaware Code, relating to transfer of registration for Election."

HB 638 — "An Act directing the Board of Pension Trustees to provide a pension for Anne E. Klumpp, a former employee of the Department of Health and Social Services, Division of Adult Corrections."

HB 639 — "An Act directing the Board of Pension Trustees to provide a pension for Leo B. Green, a former employee of the Department of Health and Social Services, Division of Adult Corrections."

SB 283 — "An Act to amend Chapter 324, Volume 59, Delaware Code, relating to the Cancer Control Program."

HB 310 — "An Act to amend Chapter 41, Title 14, of the Delaware Code, relating to the courses of instruction required to be taught in Public and Private Schools."

HB 618 — "An Act to amend Chapter 15, Title 13 of the Delaware Code relating to divorce and annulment."

HB 577 — "An Act to amend Chapter 5, Title 13 of the Delaware Code relating to divorce and annulment."

SB 348 — "An Act directing the Board of Pension Trustees to reevaluate pension benefits for Howard M. Teal, a former employee of the State of Delaware and New Castle County."

HJR 3 — "Memorializing the Delaware Congressional Delegation to support Legislation which would grant reverse franking privileges for persons attempting to communicate with their elected Senators and Congressmen."

The vote on the Consent Calendar was then taken and revealed 40 Representatives voting YES and 1 Representative (Plant) ABSENT.

Therefore, all the Bills and Resolution included in the Consent Calendar were declared passed by the House and ordered to the Senate.

Representative LeGates moved that **SB 245** be lifted for consideration. "An Act to amend Chapter 60, Title 7, of the Delaware Code to provide the Environmental Appeals Board with the ability to promulgate rules and regulations governing procedures before that Board; and to allow for a fee charged for appeals costs."

The motion prevailed by voice vote.

HA 1 to the Bill was considered on motion of Representative LeGates and was adopted by voice vote.

The roll call vote on SB 245 w HA 1 was then taken and revealed 41 Representatives voting YES.

Therefore, the Bill passed the House and was returned to the Senate for concurrence in the House Amendment.

Representative Gordy moved that HB 542 be lifted for consideration. "An Act to amend Chapter 45, Title 21, Delaware Code, relating to truck weights and lengths."

The motion prevailed by voice vote.

The roll call on the Bill was taken but before being announced Representative Gordy moved that it be tabled and the motion prevailed by voice vote. Roll call on HB 542 was tabled.

Representative Clendaniel moved that HB 507 be lifted for consideration. "An Act to repeal Chapter 64, Title 9, Delaware Code, relating to pensions for Sussex County employees while preserving certain rights."

The motion prevailed by voice vote.

A communication from Joseph T. Conaway, County Administrator of Sussex County, was read in favor of the Bill.

The Honorable Howard A. Clendaniel
Representative of the State of Delaware
670 North Bedford Street
Georgetown, Delaware 19947

Dear Representative Clendaniel:

House Bill No. 507, an Act to repeal the present State Statute concerning a pension plan for Sussex County employees, is needed in Sussex County in order to complete the reorganization of the pension program in our County. The Sussex County Council passed on June 10, 1975 Ordinance No. 19 creating a pension plan for Sussex County employees. The new Ordinance is a much broader plan and, for the first time, spells out in detail eligibility requirements. The Council has also, because of this Ordinance, provided monies to fund a pension plan so that the pension plan will pay for itself rather than using operational funds to pay pensions as has been the case in the past. We urge you and your colleagues to pass this important step in the reorganization of the County Pension Program.

Thank you for your continued cooperation and efforts on behalf of all Sussex Countians.

Yours truly,
Joseph T. Conaway
County Administrator

The roll call vote was taken and revealed 40 Representatives voting YES, and 1 Representative (Plant) ABSENT.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

The House recessed at 6:20 p.m. and reconvened at 8:45 p.m.

Representative Gordy moved that SB 248 be lifted for consideration. "An Act to amend Section 2911 of Title 18 of the Delaware Code relating to Life Insurance Policy Loans."

The motion prevailed by voice vote.

The roll call vote on the Bill was then taken but before it was announced, Representative Gordy moved that it be tabled and the motion prevailed by voice vote.

Representative Minner moved that the Agenda rules be suspended for the purpose of considering SB 432. "An Act to amend Chapter 39, of Title 7, Delaware Code relating to the specification of sediment removal as an element of Conservation Protection, Development and Utilization of Land and Water Resources."

The motion prevailed by voice vote.

The roll call vote was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McKay, Minner, Morris, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Mr. Speaker Jonkiert — 33.

ABSENT: Representatives Harrington, McGinnis, Miller, Plant, Powell, Riddagh, Ridings, Worthen — 8.

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

SS 1 for SB 295 was taken up for consideration on motion of Representative Rispoli. "An Act to amend Title 9, Chapter 8, relating to County Libraries."

The roll call vote was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Hebner, Johnson, Jornlin, Kelly, Leshner, Lynch, Matushefske, Maxwell, McKay, Minner, Morris, Riddagh, Ridings, Rispoli, Sincock, Smith, Spence, Temple, Mr. Speaker Jonkiert — 32.

NO: Representatives Billingsley, LeGates and Seibel — 3.

ABSENT: Representatives Harrington, McGinnis, Miller, Plant, Powell, and Worthen — 6.

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

SB 210 w SA 1 was reported out of Judiciary Committee: 1 Favorable, 3 Merits.

Representative Matushefske moved that the necessary rules be suspended to consider **SB 210 w SA 1**. "An Act to amend 59 Delaware Laws, Chapter 384, being the New Probate Code to the State employees' pension plan and the definition of Credited Service." The motion prevailed by voice vote.

A communication from William T. Quillen, Chancellor, was read in:

Honorable John Matushefske:

For the Probate Code, we need Senate Bill 210 with Senate Amendment 1. In your capacity as Chairman of the Judiciary Committee, I would appreciate it if you would help assure the passage of the Bill and make sure it is not overlooked in the last minute rush. Thank you very much for your help.

Very sincerely yours,
William T. Quillen
Chancellor

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

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McKay, Miller, Morris, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Mr. Speaker Jonkiert — 35.

ABSENT: Representatives Harrington, McGinnis, Minner, Plant, Powell, and Worthen — 6.

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

HB 702, sponsored by Representative Derrickson, was introduced from the floor:

HB 702 — "An Act to amend Chapter 66, Title 18 of the Delaware Code and relating to Insurance and Line-of-duty Death Benefits for certain private non-profit ambulance companies."

Representative Derrickson moved that the necessary

rules be suspended for the purpose of considering the Bill and the motion prevailed by voice vote.

The roll call vote on the Bill was then taken and revealed 35 Representatives voting YES and 6 Representatives (Harrington, McGinnis, Miller, Plant, Powell and Worthen) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 703, sponsored by Representatives LeGates, Worthen, Johnson, Plant, Maxwell, Cain, Rispoli, Seibel, Billingsley, Ambrosino, Connor, Smith, Jornlin and Hebner, was introduced from the floor:

HB 703 — "An Act making an appropriation to the Child Foundation."

Representative LeGates moved that the necessary rules be suspended for the purpose of considering **HB 703** and the motion prevailed by voice vote.

The roll call vote on the Bill was taken and revealed 39 Representatives voting YES, 1 Representative (Ridings) NOT VOTING and 1 Representative (Plant) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

HB 704, sponsored by Representative Gordy, was introduced from the floor:

HB 704 — "An Act to amend Chapter 23, Title 10, Delaware Code, relating to annual compensation paid to the Chief Deputy Prothonotary."

Representative Gordy moved that the necessary rules be suspended for the purpose of considering **HB 704** and the motion prevailed by voice vote.

The roll call vote on the Bill was taken and revealed 37 Representatives voting YES, 1 Representative (Spence) voting NO, 1 Representative (Smith) NOT VOTING and 2 Representatives (Boulden and Plant) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative Gilligan moved that **HB 244** be laid on the table and the motion prevailed by voice vote.

SB 300 was taken up for consideration on motion of Representative Gordy. "An Act to amend Chapter 42, Title 18 Delaware Code relating claims against insolvent Insurance Carriers."

The roll call vote was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Morris, Powell, Riddagh, Rispoli, Seibel, Sincok, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 33.

NO: Representative Ridings — 1.

NOT VOTING: Representatives Jornlin, and Leshner — 2.

ABSENT: Representatives Derrickson, George, McKay, Plant, and Smith — 5.

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

At the request of Representative Gordy, the roll call vote on **SB 248** was lifted and announced:

YES: Representatives Billingsley, Boulden, Clendaniel, Darling, Ferguson, Gordy, Harrington, Johnson, Lynch, Matushefske, McGinnis, Miller, Minner, Morris, Powell, Riddagh, Rispoli, Seibel, Sincok, Temple, Jonkiert — 21.

NO: Representatives Ambrosino, Arnold, Byrd, Cain, Connor, George, Gilligan, Hebner, Jornlin, Kelly, LeGates, Leshner, Maxwell, Ridings, Smith, Spence, Worthen — 17.

NOT VOTING: Representatives Derrickson and McKay — 2.

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

HB 315 was taken up for consideration on motion of Representative Clendaniel.

HB 315 — “An Act to amend Chapter 504, Volume 59, Laws of Delaware, entitled “An Act to amend Subchapter XI of Chapter 43, Title 21, Delaware Code, relating to lighted lamps on motor vehicles.”

HA 1 to the Bill was considered on motion of Representative Clendaniel and adopted by voice vote.

HA 2 to the Bill was considered on motion of Representative Clendaniel and adopted by voice vote.

The roll call vote on **HB 315 w HA 1, 2** was then taken but before it was announced, Representative Clendaniel moved that it be tabled and the motion prevailed by voice vote.

Representative Darling moved that the necessary rules be suspended for the introduction and consideration of **HJR 26** and the motion prevailed by voice vote:

HJR 26 — “Providing for the establishment of a Committee to study the Administration and Operation of the

Public School System in this State, and directing the Committee to request the assistance of the Delaware Government Research Foundation in making such study and making a supplementary appropriation thereto."

The roll call vote on the Resolution was taken and revealed 36 Representatives voting YES and 5 Representatives (Derrickson, Ferguson, Maxwell, McKay and Plant) ABSENT.

Therefore, the Resolution was adopted by the House and ordered to the Senate for concurrence.

SB 206 was taken up for consideration on motion of Representative Rispoli. "An Act to amend Chapter 26 of Title 14, Delaware Code relating to Vocational School Tax Funds in New Castle County."

The roll call vote was taken and revealed:

YES: Representatives Ambrosino, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Morris, Powell, Riddagh, Rispoli, Seibel, Sincok, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

NO: Representatives Arnold, Gilligan, and Ridings — 3.

NOT VOTING: Representative Smith — 1.

ABSENT: Representatives Maxwell and Plant — 2.

Therefore, the Bill passed the House and was ordered back to the Senate.

HB 443 was taken up for consideration on motion of Representative Leshner.

HB 443 — "An Act to amend Chapter 5, Part I, Title 7 of the Delaware Code relating to Hunting and Fishing; and providing for reciprocity in the obtaining of licenses between residents of the State of Delaware and residents of other States."

HA 1 to the Bill was considered on motion of Representative Leshner and was adopted by voice vote.

Representative Leshner then moved that **HB 443** w **HA 1** be laid on the table and the motion prevailed by voice vote.

HB 47 was taken up for consideration on motion of Representative McGinnis. "An Act to amend Chapter 11, Part XI, Title 30 of the Delaware Code relating to modification of Personal Income."

The roll call vote was taken; however, before the roll call was announced Representative McGinnis moved that it be tabled and the motion prevailed by voice vote.

On motion of Representative Johnson, **HB 585** and **HB 561** were stricken.

HB 545 was taken up for consideration on motion of Representative Ferguson. "An Act to amend Chapter 45, Title 21, Delaware Code, relating to vehicle weights."

The roll call vote was taken which revealed 38 Representatives voting YES, 3 Representatives (Derrickson, McKay, and Plant) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

SB 347 was taken up for consideration on motion of Representative Matushefske. "An Act to amend Chapter 13, Part I, Title 10 of the Delaware Code relating to the Court of Common Pleas for the State of Delaware; and increasing the Civil Jurisdiction of that Court."

HA 1 to the Bill was considered on motion of Representative Matushefske and adopted by voice vote.

The roll call vote on **SB 347 w HA 1** was then taken and revealed 35 Representatives voting YES and 6 Representatives (Billingsley, Derrickson, Ferguson, George, McKay and Plant) ABSENT.

Therefore, the Bill passed the House and was returned to the Senate for concurrence in the House Amendment.

HB 270 was taken up for consideration on motion of Representative Ambrosino.

HB 270 — "An Act to amend Subchapter I, Chapter 1, Title 26 of the Delaware Code relating to votes of the Public Service Commission."

HA 1 to the Bill was considered on motion of Representative Ambrosino and adopted by voice vote.

Representative Ambrosino moved that **HB 270 w HA 1** be laid on the table and the motion prevailed by voice vote.

HB 464 was taken up for consideration on motion of Representative Jonkiert.

HB 464 — "An Act to amend Chapter 83, Part V, Title 11 of the Delaware Code relating to the State Police and providing pension eligibility, under certain circumstances, for prior service with the Wilmington Bureau of Police."

HA 1 to the Bill was considered on motion of Representative Jonkiert and adopted by voice vote.

The roll call vote on **HB 464 w HA 1** was then taken and revealed 33 Representatives voting YES, 2 Representatives (Billingsley and Riddagh) voting NO, 2 Representatives

(Ridings and Spence) NOT VOTING and 4 Representatives (Ambrosino, Byrd, Derrickson and Plant) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

Representative McGinnis moved that the Agenda rules be suspended for the consideration of **HB 672**. "An Act to amend Chapter 381, Volume 59, Laws of Delaware, an Act entitled "An Act making appropriations for the expense of the State Government fiscal year ending June 30, 1975 and to amend certain pertinent statutory provisions" also known as the 1975 Budget Appropriation Act."

The motion prevailed by voice vote.

The roll call vote on the Bill was then taken and revealed 39 Representatives voting YES and 2 Representatives (Cain and Plant) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

The following Committee Reports were announced:

From the Natural Resources Committee: **HB 434** — 6 Merits; **SB 223** — 5 Merits.

From the Revenue and Finance Committee: **HB 635** — 5 Merits; **HB 429** — 3 Merits, 1 Unfavorable; **HB 700** — 4 Merits; **HB 696** — 2 Favorable, 2 Merits; **HB 697** — 2 Favorable, 2 Merits.

From the Education Committee: **HB 384** — 5 Merits.

From the Community Affairs Committee: **SB 396** — 5 Merits; **SB 403** — 5 Merits; **HB 401** — 2 Favorable, 4 Merits; **HB 693** — 4 Merits; **HB 695** — 3 Favorable, 1 Merits.

From the Administrative Services Committee: **HB 521** — 3 Merits, 1 Unfavorable; **HB 432** — 2 Merits, 2 Unfavorable.

The House recessed at 11:18 p.m. until June 27, 1975.

The House reconvened at 1:42 p.m. June 27, 1975 by Representative Jonkiert.

The following Committee reports were made:

From the Community Affairs Committee: **SB 296** — 4 Merits.

From the Public Safety Committee: **HB 699** — 4 Merits; **SB 402** — 4 Merits; **SB 426** — 4 Merits.

At 1:45 p.m. the House adjourned to immediately convene for the 52nd Legislative Day.

52ND LEGISLATIVE DAY

The House was called to order at 1:45 p.m. June 27, 1975 by the Speaker.

52ND LEGISLATIVE DAY

A Prayer was offered by Representative Temple.

Pledge of Allegiance to the Flag was lead by the Speaker.

By call of the roll, there were 41 Representatives
PRESENT.

The minutes of the previous Legislative Day were approved as posted.

At the request of Representative George the following Bills were stricken: **HB 192; HB 423; HB 530; HB 596.**

HCR 42, sponsored by Representatives McGinnis, Jornlin, Connor, Temple, Smith, Maxwell, Powell, Harrington; Senators Holloway, Castle, Martin, Elliott and Zimmerman, was introduced from the floor and adopted by voice vote:

HCR 42 — "Saluting the players, cheerleaders, and the Delaware 1975 All-Star Football Game Child and others associated with this outstanding Annual Event benefitting the Delaware Association for Retarded Children, and designating August 16, 1975, as Delaware All-Star Football Day in Delaware."

The House recessed at 2:00 p.m. and reconvened at 2:18 p.m.

Representative Ferguson moved that the necessary rules be suspended for the introduction and consideration of **HB 707**. The motion was adopted by voice vote.

HB 707 — "An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures in the nature of Capital Investments and to issue Bonds and Notes therefor and appropriating the monies to various Agencies of the State and to borrow money to be used for the Local Share of School Construction Programs and to issue Bonds and Notes therefor and appropriating the monies to the State Board of Education on behalf of Local School Districts."

The roll call vote on the Bill was taken and revealed 40 Representatives voting YES and 1 Representative (Ridings) ABSENT. Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

The House recessed at 2:35 p.m. and reconvened at 4:35 p.m.

HR 99, sponsored by Representatives Jonkiert and Ferguson, was introduced from the floor and adopted by voice vote:

HR 99 — "Providing for the appointment of an Overview Committee to review programs enacted by recent General Assemblies with respect to their continued value to the State."

Representative Ferguson moved that the necessary rules be suspended for the introduction and consideration of **HB 711** and the motion prevailed by voice vote.

HB 711 (Sponsored by Representatives Ferguson, Derrickson, McKay and George) — "An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures in the nature of Capital Investments and to issue Bonds and Notes therefor and appropriating the monies to various Agencies of the State and to borrow money to be used for the Local Share of School Construction Programs to issue Bonds and Notes therefor and appropriating the monies to the State Board of Education on behalf of Local School Districts."

The roll call vote on the Bill was taken and revealed 39 Representatives voting YES, 1 Representative (Clendaniel) voting NO and 1 Representative (Ridings) NOT VOTING. Therefore, the Bill passed the House and was sent to the Senate for concurrence.

Representative McGinnis moved that the roll call on **HB 442** be lifted for consideration. "An Act to amend Chapter 55, Title 30, Delaware Code, relating to the definition of Gross Receipts."

The motion prevailed by voice vote.

Therefore, the roll call vote on the Bill was announced to be:

YES: Representatives Boulden, Byrd, Cain, Darling, Derrickson, Ferguson, George, Gordy, Harrington, Hebner, Johnson, Leshner, Lynch, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Temple, Worthen — 27.

NO: Representatives Ambrosino, Arnold, Billingsley, Clendaniel, Connor, LeGates, Maxwell, Spence, Jonkiert — 9.

NOT VOTING: Representatives Gilligan, Jornlin, Kelly, Smith — 4.

ABSENT: Representative Matushefske — 1.

Therefore, the Bill passed the House and was sent to the Senate for concurrence.

On motion of Representative George, **HB 549** which had previously passed the House, was taken up for reconsideration as further amended by **SA 1**.

The roll call vote on **HB 549 w SA 1** was therefore taken and revealed 40 Representatives voting YES and 1 Representative (Jornlin) NOT VOTING. Therefore, the Bill (as

so amended) passed the House.

The House recessed at 4:55 p.m. and reconvened at 8:42 p.m.

The following pre-filed Legislation was entered in the Calendar:

HB 705 — "An Act to amend Chapter 17 and Chapter 56, Title 10, Delaware Code, relating to pensions for and salaries of the Judges of the Municipal Court for the City of Wilmington and providing a supplementary appropriation therefor." Sponsor: Representative Jonkiert. Assigned to Judiciary Committee.

HB 706 — "An Act making a supplementary appropriation to the Department of Health and Social Services to be used for payment of certain obligations of the Blackman's Development Center, Inc." Sponsors: Representatives Plant, Johnson, Jonkiert, Rispoli, Riddagh; Senators Schlör and Holloway. Assigned to Appropriations Committee.

HB 708 — "An Act to amend Chapter 29, Title 30, Delaware Code, relating to licensing requirements and taxes and providing for the exemption of taxes paid on motor fuels from computation of Gross Receipts." Sponsor: Representative Harrington. Assigned to Revenue and Finance Committee.

HB 709 — "An Act directing the Board of Pension Trustees to re-evaluate pension benefits for Angeline Morris, widow of Charles Morris, a former State employee of the Division of Corrections of the State of Delaware." Sponsor: Representative Matushefske. Assigned to Appropriations Committee.

HB 710 — "An Act directing the Board of Pension Trustees to accept the application of Dominick E. Scatasti for a disability pension." Sponsor: Representative Matushefske. Assigned to Appropriations Committee.

HB 712 — "An Act to amend Chapter 96, Title 9 of the Delaware Code, relating to the Recording of Deeds or other instruments conveying Title to real estate and requiring the execution of an Affidavit of Residence and Gain and the transmission of information to the State Division of Revenue to assist in collecting taxes due the State." Sponsors: Representatives McGinnis, Powell, Miller, Byrd, Harrington. Assigned to Revenue and Finance Committee.

HA 3 to HB 42 was introduced by Representative McGinnis and placed with the Bill.

HA 1 to HB 286 was introduced by Representative

Connor and placed with the Bill.

HA 2 to SB 132 was introduced by Representative Riddagh and placed with the Bill.

HA 1 to SB 133 was introduced by Representative Riddagh and placed with the Bill.

HA 1 to SB 336 was introduced by Representative Lynch and placed with the Bill.

SB 259 — "An Act to amend Chapter 9 and 19 through 27 of Title 7, Delaware Code, relating to the Rules and Regulations concerning Shellfish." Sponsor: Senator Isaacs. Assigned to Environmental Control Committee.

SB 314 — "An Act to amend Part IV of Article IX, Title 6, Delaware Code, relating to Termination Statements and repayment for filing same." Sponsors: Senators Cook and Elliott. Assigned to Labor and Commerce Committee.

SB 315 — "An Act to amend Chapter 40, Title 31, Delaware Code, by adding thereto Subchapter VII establishing a Delaware Home Improvement Insurance Fund and providing an appropriation for the funding thereof." Sponsor: Senator Holloway. Assigned to Appropriations Committee.

SB 379 — "An Act to amend Title 29, Chapter 82, Section 8208 and 8209, Delaware Code relating to the Division of Emergency Planning and Operations and the Council on Emergency Planning Operations." Sponsor: Senator Steele. Assigned to Federal and State Relations Committee.

SB 392 — "An Act to amend Chapter 68, Title 7, Delaware Code, relating to authority of the Department of Natural Resources and Environmental Control to repair storm related damages to private beaches." Sponsor: Senator Murphy. Assigned to Environmental Control Committee.

SB 408 — "An Act to amend Title 29 of the Delaware Code, Section 5903, relating to the exempting of certain engineers from the Merit System." Sponsor: Senator Murphy. Assigned to Administrative Services Committee.

SB 410 — "An Act establishing a Delaware Solid Waste Authority to provide Statewide Solid Waste Management Services and which transfers from the Department of Natural Resources and Environmental Control to the Authority the power to license the hauling, conveyance, and transportation of solid waste and to provide a supplementary appropriation thereto." Sponsors: Senators Isaacs, Kearns, Knox and Berndt. Assigned to Natural Resources Committee.

SB 419 — “An Act to amend Chapter 1, Title 17, Delaware Code, relating to Highways and the powers and duties of the Department of Highways and Transportation.” Sponsor: Senator Zimmerman. Assigned to Highways and Transportation Committee.

SB 423 — “An Act to amend Subchapter I, Chapter 5, Title 9, Delaware Code, relating to Suburban Communities Improvements.” Sponsor: Senator Zimmerman. Assigned to Community Affairs Committee.

SB 425 — “An Act to amend Chapter 69, Title 29, Delaware Code relating to standards of construction for the protection of the physically handicapped.” Sponsor: Senator Holloway. Assigned to Health and Social Services Committee.

SB 527 — “An Act to amend Chapter 7, Title 17, Delaware Code, relating to Railroad Crossings over Highways.” Sponsor: Senator Zimmerman. Assigned to Highways and Transportation Committee.

SB 433 — “An Act amending Chapter 61, Title 29, Delaware Code, relating to composition of General Fund and authorizing the Bureau of Child Support Enforcement to establish a Special Fund for the purpose of depositing collections under the Delaware Child Support Enforcement and Paternity Program.”

SB 443 — “An Act to amend Title 29, Delaware Code, relating to the method of payment of State Officials and employees.” Sponsors: Senator Zimmerman and Representative Boulden. Assigned to Highways and Transportation Committee.

SB 449 — “An Act to amend Chapter 1, Title 17, Delaware Code, relating to the regulation of Public Carriers by the Department of Highways and Transportation.” Sponsor: Senator Zimmerman. Assigned to Highways and Transportation Committee.

SB 453 — “An Act to amend Chapter 1, Title 1, Delaware Code, and Supplements.” Sponsors: Senator Adams and Representative Gordy. Assigned to House Administration Committee.

SB 455 — “An Act to restore funds eliminated from the F.Y. 1976 Budget of the Public Service Commission for its regulatory operations.” Sponsor: Senator Martin. Assigned to Appropriations Committee.

On motion of Representative LeGates, **HB 171** was taken up for consideration. “An Act to amend Chapter 19, Title 14, Delaware Code, relating to School Taxation.”

The roll call vote was taken and revealed 39 Representatives voting YES and 2 Representatives (Derrickson and Ferguson) ABSENT.

Therefore, the Bill passed the House and was ordered to the Senate for concurrence.

On motion of Representative Matushefske, consideration of **HB 435** was deferred.

On motion of Representative Cain, **HB 641** was taken up for consideration. "An Act to amend Chapter 88, Title 29, Delaware Code, relating to preventive maintenance of space heating and cooling equipment within all State owned, operated, or controlled buildings and facilities including School facilities, and providing an appropriation therefor."

The privilege of the floor extended to John Bryson, Secretary of the Department of Natural Resources and Environmental Control to speak on the Bill.

Representative Cain then moved that the Bill be laid on the table and the motion prevailed by voice vote.

Representative Gordy moved that the roll call vote on **HB 542 w HA 1** be lifted and the motion prevailed by voice vote.

Therefore, the roll call on the Bill was announced and revealed 38 Representatives voting YES, 2 Representatives (Ambrosino and Smith) voting NO and 1 Representative (Seibel) NOT VOTING. Therefore, the Bill passed the House and was sent to the Senate for concurrence.

Representative Gordy moved that the necessary rules be suspended for the consideration of **HB 714**. "An Act making an appropriation to the Gumboro Volunteer Fire Company to cover the Company's landfill."

The motion prevailed by voice vote.

The roll call vote on the Bill was then taken and revealed 39 Representatives voting YES and 2 (Ferguson and Seibel) ABSENT. Therefore, the Bill passed the House and was sent to the Senate.

Representative Plant moved that the necessary rules be suspended for the consideration of **HB 706**. "An Act making a supplementary appropriation to the Department of Health and Social Services to be used for payment of certain obligations of the Blackman's Development Center."

The motion was adopted by voice vote.

HA 1 to HB 706 was introduced by Representative Plant and adopted by voice vote.

The privilege of the floor was extended to Major Jailal to

speak on the Bill.

Representative Plant then moved that the Bill be laid on the table and the motion prevailed by voice vote.

Representative Matushefske moved that the necessary rules be suspended for consideration of **HB 709**. "An Act directing the Board of Pension Trustees to re-evaluate pension benefits for Angeline Morris, widow of Charles Morris, a former State Employee of the Division of Correction for the State of Delaware."

The motion prevailed by voice vote.

The roll call vote on the Bill was then taken and revealed 35 Representatives voting YES, 2 (McKay and Ridings) voting NO and 4 (Derrickson, Ferguson, LeGates and Maxwell) ABSENT. Therefore, the Bill passed the House and was sent to the Senate.

Representative Matushefske moved that the necessary rules be suspended for consideration of **HB 710**. "An Act directing the Board of Pension Trustees to accept the application of Dominick E. Scatasti for a disability pension."

The motion prevailed by voice vote.

The roll call vote on the motion was then taken and revealed 37 Representatives voting YES, 2 (Hebner and Ridings) NOT VOTING, and 2 (Billingsley and Ferguson) ABSENT. Therefore, the Bill passed the House and was sent to the Senate.

HR 100, sponsored by Representatives Riddagh and Temple, was introduced from the floor:

HR 100 — "Requesting the Senate to return **SB 248** for further consideration by the members of the House of Representatives of the 128th General Assembly."

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

YES: Representatives Ambrosino, Arnold, Boulden, Cain, Connor, Derrickson, George, Gilligan, Harrington, Hebner, Jornlin, Kelly, LeGates, Leshner, Lynch, McKay, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen — 27.

NO: Representatives Clendaniel, Darling, Gordy, Johnson, Matushefske, McGinnis, Miller, Minner, Morris, Jonkiert — 10.

ABSENT: Representatives Billingsley, Byrd, Ferguson, Maxwell — 4.

Therefore, the Resolution was adopted.

On motion of Representative Connor, **HB 286** was taken

up for consideration. "An Act to amend Chapter 41, Part III, Title 21, of the Delaware Code relating to the unlawful passing of a School Bus and providing for identification of a violator."

HA 1 to the Bill was introduced by Representative Connor and adopted by voice vote.

The roll call vote on **HB 286 w HA 1** was then taken and revealed 35 Representatives voting YES, 3 (Boulden, Darling and Morris) voting NO, 1 (Byrd) NOT VOTING and 2 (Billingsley and Ferguson) ABSENT. Therefore, the Bill passed the House and was sent to the Senate.

Representative Boulden moved that the necessary rules be suspended for the introduction and consideration of **HB 715** and the motion prevailed by voice vote.

HB 715 (Sponsored by Representative Boulden and Senator Zimmerman) — "An Act to permit certain employees of the Department of Highways and Transportation to retain certain salary overpayments and declaring the promotions of such employees to be valid and legal."

The roll call vote on the Bill was taken and revealed 38 Representatives voting YES, 1 (McKay) NOT VOTING and 2 (Billingsley and Ferguson) ABSENT. Therefore, the Bill passed the House and was sent to the Senate.

Representative Jonkiert moved that **HB 679** be lifted from the table for consideration. "An Act to amend Chapter 5, Chapter 23, Chapter 45, and Chapter 89, Title 10, Delaware Code, relating to Grand and Petit Juries."

The motion prevailed by voice vote.

HA 1 to the Bill was introduced by Representative Gordy and adopted by voice vote.

The privilege of the floor was extended to Cliff Hearne, Attorney at Law, to speak on the Bill.

The roll call vote on **HB 679 w HA 1** was then taken and revealed:

YES: Representatives Arnold, Boulden, Byrd, Cain, Connor, Darling, Derrickson, George, Gilligan, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Minner, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Worthen, Jonkiert — 29.

NO: Representatives Ambrosino, Clendaniel, Plant, Temple — 4.

NOT VOTING: Representatives Gordy, Jornlin, Leshner, McKay, Miller, Morris — 6.

ABSENT: Representatives Billingsley and Ferguson — 2.
Therefore, the Bill passed the House and was sent to the Senate.

Representative Clendaniel moved that the necessary rules be suspended for the introduction and consideration of **HB 716** and the motion prevailed by voice vote.

HB 716 (Sponsored by Representatives Clendaniel and Lynch and Senator Cordrey) — “An Act to amend Title 3, Delaware Code, relating to Exotic Avian Species.”

Representative Clendaniel then moved that the Bill be laid on the table and the motion prevailed by voice vote.

The following Committee reports were announced:

From the Revenue and Finance Committee: **HB 708** — 1 Favorable, 4 Merits.

From the Appropriations Committee: **HB 573** — 4 Merits; **HB 651** — 4 Merits; **HB 654** — 4 Merits; **HB 694** — 4 Merits.

From the Public Safety Committee: **SS 1** for **SB 438** — 4 Merits; **SB 253** — 4 Merits.

From the Highways and Transportation Committee: **SB 427** — 6 Merits.

From the Environmental Control Committee: **SB 236** — 4 Merits.

From the Appropriations Committee: **HB 459** — 4 Merits.

From the Revenue and Finance Committee: **HB 712** — 1 Favorable, 4 Merits.

From the Education Committee: **SJR 25** — 4 Merits.

The House recessed at 11:15 p.m. until 1:30 June 28, 1975.

The House reconvened at 1:40 p.m. June 28, 1975.

The following Bills were reported from Committee:

From the Environmental Control Committee: **SB 259** — 1 Favorable, 3 Merits.

From the Highways and Transportation Committee: **SB 449** — 4 Merits; **SB 419** — 4 Merits; **SB 449** — 4 Merits.

At 1:42 p.m. the House adjourned to immediately convene for the 53rd Day.

53RD LEGISLATIVE DAY

The Speaker called the House to order at 1:42 p.m. June 28, 1975.

A Prayer was offered by Representative Temple.

Pledge of Allegiance to the Flag was lead by the Speaker.

By call of the roll, there were 41 Members **PRESENT**.

The minutes of the previous Legislative Day were approved as posted.

Legislative Advisories No. 42 through 46 received from William C. Bradley, Jr., Counsel to the Governor, informed the House that the Governor had approved the following legislation: **HCR 35** on June 19, 1975; **HB 65** on June 20, 1975; **HB 375** on June 20, 1975; **HCR 34** on June 20, 1975; **HB 301 w HA 1** on June 23, 1975; **HB 285** on June 23, 1975; **HCR 36** on June 23, 1975; **HB 343** on June 24, 1975; **HB 428** on June 24, 1975; **HB 154** on June 26, 1975; **HB 152** on June 26, 1975; **HB 608** on June 26, 1975; **HB 251** on June 26, 1975; **HB 383** on June 26, 1975; **HB 349** on June 26, 1975; **HB 350** on June 26, 1975; **HB 369** on June 26, 1975; **HB 231** on June 26, 1975; **HB 211** on June 26, 1975; **HB 366** on June 26, 1975; **HB 245** on June 26, 1975.

The Clerk announced that a message from the Senate informed the House that it had passed: **HB 674**; **HB 276**; **HB 537**; **HB 678**; **HB 365 w HA 1**; **HB 38 w HA 1**; **HJR 21**; **HCR 42**; **HB 134 w HA 1**; **HB 616**; **HB 502**; **HB 660**; **HB 416 w HA 4**; **HB 549 w HA 1**; **HB 397**; **HB 457 w SA 1 & HA 1**; **HB 397**; **HB 325**; **HB 326**; **HB 456**; **HB 318**; **HB 280**; **HB 428**; **HB 309 w HA 1**; **HB 285**; **HB 381 w SA 1**; **HB 254 w HA 1**; **HB 3 w SA 3**.

Representative Miller moved that the necessary rules be suspended for the introduction and consideration of **HB 713** and the motion prevailed by voice vote:

HB 713 — "An Act authorizing the transfer of the Free Public Library of the Capital School District known as the Dover Public Library to the City of Dover, providing that the City of Dover shall assume the outstanding obligations of the Library and the obligations of the Capital School District and its District Library Commission relating to such Library upon the transfer thereof and authorizing the City of Dover to levy, assess and collect a Library Tax."

Representative Miller then moved that the Bill be laid on the table and the motion prevailed by voice vote.

Representative McGinnis moved that the necessary rules be suspended for the introduction and consideration of **HB 719** and the motion prevailed by voice vote:

HB 719 — "An Act to amend Chapter 4, Title 28, Delaware Code, relating to the State Tax on special Pari-mutuel and Totalizator Pools conducted or made at Horse Racing Tracks in Kent County."

The roll call vote on the Bill was then taken and revealed 33 Representatives voting YES, 6 (Ambrosino, Arnold, Billingsley, Connor, Leshner and Worthen) voting NO and 2

(Derrickson and Jornlin) NOT VOTING. Therefore, the Bill passed the House and was sent to the Senate.

The House recessed at 2:03 p.m. and reconvened at 4:50 p.m.

HB 697 was taken up for consideration on motion of Representative Ferguson. "An Act to amend Chapter 54, Title 30, Delaware Code, relating to the Realty Transfer Tax by exempting from such Tax all leases, excepting only leases or other transfer or condominium units for residential usage."

The privilege of the floor was extended to Bruce Ralston to speak on the Bill.

The House recessed at 5:20 and reconvened at 5:30 p.m.

Representative Ferguson moved that **HB 697** which was still before the House be laid on the table and the motion prevailed by voice vote.

The House recessed at 5:40 p.m. and reconvened at 8:30 p.m.

HJR 17 was taken up for consideration on motion of Representative Leshner. "Establishing a Committee to study the interrelationship of the State of The Courts of Delaware, School Administrations, Faculty and Students and pertaining to discipline problems within our Public Schools."

The Representative moved that **HA 1** to the Resolution be stricken.

HA 2 to the Resolution was then introduced by Representative Leshner and adopted by voice vote.

The roll call vote on **HJR 17** w **HA 2** was then taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Harrington, Hebner, Jornlin, Kelly, LeGates, Leshner, Matushefske, Maxwell, McGinnis, McKay, Miller, Plant, Powell, Riddagh, Ridings, Sincock, Smith, Spence, Worthen, Jonkiert — 30.

NO: Representatives Boulden, Byrd, Cain, Johnson — 4.

NOT VOTING: Representative Temple — 1.

ABSENT: Representatives Gordy, Lynch, Minner, Morris, Rispoli, Seibel — 6.

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

The following pre-filed legislation was entered in the Calendar:

HB 717 — "An Act to amend Chapter 55, Part IV, Title 30, Delaware Code, relating to Tobacco Products Tax Licenses and

the fee for a Cigarette Vending Machine Identification Stamp." Sponsor: Representative McGinnis. Assigned to Revenue and Finance.

HB 718 — "An Act to amend Chapter 51 of Title 30, Delaware Code, relating to monthly reports of distributors." Sponsor: Representative McGinnis. Assigned to Revenue and Finance Committee.

HB 720 — "An Act to amend Chapter 1, Title 1, Delaware Code relating to distribution of the Code and Supplements." Sponsor: Representative Gordy. Assigned to House Administration Committee.

HB 721 — "An Act relating to a pension for Helen Dryden, an employee of the Family Court and a former employee of the New Castle County Tax Department." Sponsor: Representative Ferguson. Assigned to Appropriations Committee.

HB 722 — "An Act to amend Chapter 17, Part I, Title 18 of the Delaware Code relating to Insurance Agents, Brokers, Solicitors and Adjustors." Sponsor: Representative Byrd. Assigned to Public Safety Committee.

HB 723 — "An Act to amend Chapter 41, Title 29, Delaware Code, relating to Notary fees of Justices of the Peace." Sponsor: Representative Matushefske. Assigned to Judiciary Committee.

HB 724 — "An Act to amend Article I, Section 9 of the Constitution of the State of Delaware by eliminating the prohibitions against Change of Venue." Sponsor: Representative Riddagh. Assigned to Constitution Revision Committee.

HB 725 — "An Act to amend Chapter 7, Part I, Title 7 of the Delaware Code relating to prohibited Hunting and Trapping Devices and Methods." Sponsor: Representative Cain (by request). Assigned to Environmental Control Committee.

HB 726 — "An Act to amend Chapter 233, Volume 51, Laws of Delaware, relating to the salaries of certain Officials of the City of New Castle." Sponsors: Representative Connor and Senator McCullough. Assigned to Community Affairs Committee.

HB 727 — "An Act to amend §9210, Title 10, Delaware Code, by providing for attendance at State Institutions by Justices of the Peace." Sponsor: Representative Maxwell. Assigned to Judiciary Committee.

HB 728 — “An Act to create six Process Service Officers for the Family Court of the State of Delaware with appropriations for their salaries.” Sponsor: Representative Gordy. Assigned to Appropriations Committee.

HB 729 — “An Act to amend §8003, Chapter 80, Title 29, Delaware Code, to authorize the Secretary of the Department of Natural Resources and Environmental Control to offer and pay rewards in specific circumstances.” Sponsor: Representative LeGates. Assigned to Environmental Control Committee.

HB 730 — “An Act making a supplementary appropriation from the General Fund of the State of Delaware to the Insurance Commissioner.” Sponsors: Representatives Ambrosino and McKay. Assigned to Appropriations Committee.

HB 731 — “An Act to amend Part V, Title 9 of the Delaware Code relating to County Taxes, and providing for the “Circuit-breaker” concept of tax relief to lighten excessive Property Tax burdens on elderly and disabled persons.” Sponsor: Representative Connor. Assigned to Committee on Aging.

HB 732 — “An Act to amend Chapter 12, Part II, Title 16 of the Delaware Code relating to Nursing Home Administrators; and providing Compensation for the Board of Examiners for Nursing Home Administrators.” Sponsors: Representative Worthen and Senator Isaacs. Assigned to Health and Social Services Committee.

HB 733 — “An Act to amend Chapter 26, Title 24 of the Delaware Code relating to Physical Therapy; and permitting the Examining Board of Physical Therapists to set fees for examinations and temporary Certificates.” Sponsors: Representative Worthen and Senator Holloway. Assigned to Health and Social Services Committee.

HB 734 — “An Act to amend Chapter 31, Title 24, of the Delaware Code relating to Funeral Services and Contracts; providing payment to the Board of Funeral Service Practitioners, determining examination fees, and the expiration of Certificates.” Sponsors: Representative Worthen and Senator Isaacs. Assigned to Health and Social Services Committee.

HB 735 — “An Act to amend Chapter 11, Title 24, of the Delaware Code relating to Dentistry and Oral Hygiene.” Sponsor: Representative Worthen. Assigned to Health and Social Services Committee.

HB 736 — "An Act making a supplementary appropriation to the Conrad School District (95-30-000) for the proposed payment of certain back pay." Sponsors: Representative Arnold and Senator Manning. Assigned to Appropriations Committee.

HA 1 to HB 606, sponsored by Representatives Jornlin and Jonkiert, was introduced and placed with the Bill.

HA 2 to SB 336 was introduced by Representative Byrd and placed with the Bill.

HA 1 to SB 346 was introduced by Representative Matushefske and placed with the Bill.

SB 31 — "An Act to amend Title 18, Delaware Code, providing for Health Insurance, Group Health Insurance, Blanket Health Insurance, and Health Service Corporations to be subject to the provisions of Chapter 25, Title 18, Delaware Code, regarding rates and rating organizations." Sponsor: Senator Murphy. Assigned to Public Safety Committee.

SB 365 — "An Act to amend Title 18 of the Delaware Code relating to Medical Malpractice Insurance." Sponsor: Senator Murphy. Assigned to House Administration Committee.

SB 457 — "An Act to amend Chapter 1, Title 16, Delaware Code, relating to suspension/revocation of permits to operate Public Eating Places." Sponsor: Senator Zimmerman. Assigned to Health and Social Services Committee.

SB 481 — "An Act to amend Chapter 57, Title 25, Delaware Code, relating to Jury Trials in Justice of the Peace Courts." Sponsors: Senators Kearns and Castle. Assigned to Judiciary Committee.

SJR 35 — "Directing the Department of Natural Resources and Environmental Control to change the name of the Petersburg Wildlife Area to the Norman G. Wilder Conservation and Wildlife Area." Sponsors: Senators Cook, Zimmerman and Murphy. Assigned to Environmental Control Committee.

SJR 36 — "Providing for the establishment of a Committee to study the changes to the State Employees Pension Fund proposed by **HB 431** of the 128th General Assembly of the State of Delaware and directing such Committee to request the assistance of the Delaware Staff Pension Board in making such study." Sponsor: Senator Cook. Assigned to Appropriations Committee.

The House recessed at 9:00 p.m. for a short period.

Representative Arnold moved that the necessary rules be

suspended for the consideration of **HB 533**. "An Act to provide a supplementary appropriation to the Department of Highways and Transportation for the purpose of installing traffic signal control equipment at the intersection of Greenbank Road and Old Capitol Trail in Marshallton."

The motion prevailed by voice vote.

HA 1 to the Bill was introduced by Representative Arnold and adopted by voice vote.

The roll call vote on **HB 533 w HA 1** was then taken and announced:

YES: Representatives Ambrosino, Arnold, Billingsley, Connor, Darling, Ferguson, Gilligan, Gordy, Hebner, Jornlin, Leshner, McKay, Miller, Plant, Powell, Riddagh, Ridings, Sincock, Smith, Spence, Temple — 21.

NO: Representatives Clendaniel, George, Harrington, Lynch, Worthen, Jonkiert — 6.

NOT VOTING: Representatives Byrd, Cain, Kelly, LeGates, Maxwell, McGinnis, Minner — 7.

ABSENT: Representatives Boulden, Derrickson, Johnson, Matushefske, Morris, Rispoli, Seibel — 7.

Therefore, the Bill passed the House and was sent to the Senate.

SJR 28 was taken up for consideration on motion of Representative Lynch. "Directing the State Board of Education to abandon and/or discontinue any recommended and/or proposed plans to merge or consolidate Stanton School District and Claymont School District with the Wilmington Public Schools."

The roll call was taken and revealed:

YES: Representatives Arnold, Clendaniel, Darling, Ferguson, Gilligan, Gordy, Harrington, Hebner, Leshner, Lynch, Minner, Powell, Riddagh, Ridings — 14.

NO: Representatives Ambrosino, Billingsley, Boulden, Connor, George, McGinnis, McKay, Miller, Plant, Smith, Spence, Mr. Speaker Jonkiert — 12.

NOT VOTING: Representatives Byrd, Cain, Derrickson, Jornlin, Kelly, LeGates, Matushefske, Maxwell, Sincock, Temple, Worthen — 11.

ABSENT: Representatives Johnson, Morris, Rispoli, Seibel — 4.

Therefore, the Resolution was declared lost.

HB 625 was taken up for consideration on motion of Representative Lynch.

HB 625 — “An Act to amend Chapter 1, 7, 17, 20, 21, 29, Title 5, Delaware Code, relating to certain Statutory fee charges by the Office of State Bank Commissioner.”

The House recessed at 9:45 p.m. and reconvened at 9:50 p.m.

HB 625 was still before the House and the roll call vote taken; however, before it was announced Representative Lynch moved that it be tabled and the motion prevailed by voice vote.

HB 236 was taken up for consideration on motion of Representative Spence.

HB 236 — “An Act to amend Subchapter I, Chapter 5, Title 28 of the Delaware Code relating to the Delaware Harness Racing Commission; and providing for a membership of five members for said Commission.”

HA 1 to the Bill was introduced by Representative Spence and adopted by voice vote.

The roll call vote on **HB 236 w HA 1** was then taken; however, before it was announced Representative Spence moved that it be tabled.

The roll call vote on the motion to table the roll call on **HB 236 w HA 1** was then taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Hebner, Jornlin, Leshner, McKay, Powell, Riddagh, Ridings, Sincock, Smith, Spence — 15.

NO: Representatives Boulden, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Kelly, LeGates, Lynch, Matushefske, Maxwell, Minner, Plant, Temple, Worthen, Mr. Speaker Jonkiert — 18.

NOT VOTING: Representatives Byrd, Cain, McGinnis, Miller — 4.

ABSENT: Representatives Johnson, Morris, Rispoli, Seibel — 4.

Therefore, the motion was defeated and the roll call vote on **HB 236 w HA 1** was announced:

YES: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Hebner, Jornlin, Leshner, McKay, Powell, Riddagh, Ridings, Sincock, Smith, Spence — 15.

NO: Representatives Boulden, Byrd, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Temple, Worthen, Jonkiert — 21.

NOT VOTING: Representative Cain — 1.

ABSENT: Representatives Johnson, Morris, Rispoli,

Seibel — 4.

Therefore, the Bill was declared lost.

Representative Maxwell moved that the necessary rules be suspended for the consideration of **HB 732**.

HB 732 — “An Act to amend Chapter 12, Part XI, Title 16 of the Delaware Code, relating to the Nursing Home Administrators; and providing Compensation for the Board of Examiners for Nursing Home Administrators.”

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

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Gilligan, Gordy, Kelly, LeGates, Matushefske, Maxwell, Miller, Plant, Worthen — 15.

NO: Representatives Ambrosino, Arnold, Derrickson, Ferguson, George, Lesh, Lynch, Spence, Mr. Speaker Jonkiert — 9.

NOT VOTING: Representatives Billingsley, Harrington, Hebner, Jornlin, McGinnis, McKay, Minner, Powell, Riddagh, Ridings, Sincok, Smith, Temple — 13.

ABSENT: Representatives Johnson, Morris, Rispoli, Seibel — 4.

Therefore, the motion was defeated and the Bill was not taken up.

Representative Ridings moved that the necessary rules be suspended for the consideration of **HB 538**. “An Act to amend Title 4 and 6 of the Delaware Code relating to Fair Trade on alcoholic beverages.”

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

YES: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Ferguson, Harrington, Hebner, Jornlin, LeGates, Lesh, Lynch, McGinnis, McKay, Miller, Powell, Riddagh, Ridings, Sincok, Smith, Spence, Worthen — 22.

NO: Representatives Boulden, Clendaniel, Darling, George, Gilligan, Gordy, Matushefske, Minner, Plant, Mr. Speaker Jonkiert — 10.

NOT VOTING: Representative Temple — 1.

ABSENT: Representatives Byrd, Cain, Johnson, Kelly, Maxwell, Morris, Rispoli, Seibel — 8.

Therefore, the motion prevailed and **HB 538** was before the House.

Representative Ridings then moved that the Bill be laid on the table and the motion prevailed by voice vote.

HB 606 was taken up for consideration on motion of Representative Jornlin. “An Act to amend Chapter 5, Title 13 of the Delaware Code relating to desertion and support.”

The roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Jornlin, Kelly, Leshar, Lynch, McGinnis, McKay, Miller, Minner, Powell, Riddagh, Ridings, Sincok, Smith, Spence, Temple, Mr. Speaker Jonkiert — 29.

NO: Representatives Boulden, Matushefske, Plant — 3.

NOT VOTING: Representatives Byrd, Cain, LeGates, Maxwell, Worthen — 5.

ABSENT: Representatives Johnson, Morris, Rispoli, Seibel — 4.

Therefore, the Bill passed the House and was sent to the Senate.

Representative Jonkiert introduced **SCR 47** from the floor and moved that it be adopted:

SCR 47 (Sponsored by Senators Cicione and Isaacs; Representative Jonkiert) — "Commending the American Legion Auxiliary, Department of Delaware, and the participants of the 1975 Girls State for their participation in a uniquely educational experience."

The Resolution was adopted by voice vote and returned to the Senate.

HB 605 was taken up for consideration on motion of Representative Jornlin and the roll call vote taken; however, before it was announced, Representative Jornlin moved that it be tabled and the motion prevailed by voice vote.

HB 429 was taken up for consideration on motion of Representative Jornlin and the roll call vote was taken; however, before it was announced, Representative Jornlin moved that it be tabled and the motion prevailed by voice vote.

Representative Ambrosino moved that the necessary rules be suspended for the consideration of **HB 70**. "An Act to amend Chapter 16, Part XI, Title 2 of the Delaware Code relating to the powers of a Local Transportation Authority."

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

YES: Representatives Ambrosino, Arnold, Billingsley, Clendaniel, Connor, Derrickson, Ferguson, George, Gordy, Harrington, Hebner, Jornlin, Leshar, Lynch, McGinnis, McKay, Miller, Plant, Powell, Riddagh, Ridings, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 27.

NO: Representatives Boulden and Darling — 2.

NOT VOTING: Representatives Byrd, Cain, Gilligan,

Kelly, LeGates, Matushefske, Maxwell, Minner — 8.

ABSENT: Representatives Johnson, Morris, Rispoli, Seibel — 4.

Therefore, the motion prevailed and the Bill was brought before the House for consideration.

Representative Boulden then moved that the Bill be recommitted to Committee and the roll call vote on the motion was taken which revealed:

YES: Representatives Boulden, Byrd, Clendaniel, Darling, Gilligan, Gordy, Maxwell, Minner, Temple — 9.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Ferguson, George, Harrington, Hebner, Jornlin, Leshner, Lynch, Matushefske, McGinnis, McKay, Miller, Plant, Powell, Riddagh, Sincok, Smith, Spence, Worthen, Mr. Speaker Jonkiert — 24.

NOT VOTING: Representatives Kelly and LeGates — 2.

ABSENT: Representatives Cain, Johnson, Morris, Ridings, Rispoli, Seibel — 6.

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

Representative Ambrosino then moved that **HB 70** be laid on the table and the motion prevailed by voice vote.

Representative George moved that the necessary rules be suspended for consideration of **HS 1** for **HB 599**. "An Act to permit the Board of Public Education of the Mount Pleasant reorganized School District to transfer certain funds from its Local Debt Service Funds Account to a Special Local Current Operating Fund Account."

The motion prevailed by voice vote.

The roll call vote on the Bill was taken and revealed 30 Representatives voting YES and 11 (Boulden, Byrd, Cain, Johnson, Kelly, LeGates, Matushefske, Maxwell, Morris, Rispoli, Seibel) ABSENT.

Representative George then moved that the roll call be rescinded and the motion prevailed by voice vote.

A new roll call vote on **HS 1** for **HB 599** was then taken but before being announced Representative George moved that it be tabled and the motion prevailed by voice vote.

HB 308 was taken up for consideration on motion of Representative Connor. "An Act to amend Chapter 55, Part V, Title 29 of the Delaware Code relating to the State employees' pension plan; and providing for the employment of pensioners receiving two thousand dollars or less per year."

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

YES: Representatives Ambrosino, Arnold, Billingsley,

Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Harrington, Hebner, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 32.

NO: Representative Cain — 1.

ABSENT: Representatives Boulden, Byrd, Gordy, Johnson, Maxwell, Morris, Rispoli, and Seibel — 8.

The Bill passed the House and was sent to the Senate.

HB 23 was taken up for consideration on motion of Representative Connor.

HB 23 — "An Act to amend Chapter 2 and Chapter 27, Title 14 of the Delaware Code relating to the Public School System; and providing for Kindergartens."

Representative Connor then moved that the Bill be laid on the table and the motion prevailed by voice vote.

The roll call vote on HB 297 was lifted at the request of Representative George and revealed 31 Representatives voting YES, 2 (Boulden and Seibel) voting NO and 8 (Byrd, Cain, Gilligan, Kelly, LeGates, Matushefske, Maxwell and Worthen) NOT VOTING. Therefore, the Bill passed the House and was sent to the Senate.

Representative Miller moved that the necessary rules be suspended for the consideration of HB 713. "An Act authorizing the transfer of the Free Public Library of the Capital School District known as the Dover Public Library to the City of Dover, providing that the City of Dover shall assume the outstanding obligations of the Library and the Obligations of the Capital School District and its District Library Commission relating to such Library and authorizing the City of Dover, to levy, assess, and collect a Library Tax."

The motion prevailed by voice vote.

The roll call vote on the Bill was taken and revealed 33 Representatives voting YES, 2 (Billingsley and Boulden) voting NO and 5 (Derrickson, Johnson, Morris, Rispoli and Seibel) ABSENT. Therefore, the Bill passed the House and was sent to the Senate.

HB 708 was taken up for consideration on motion of Representative Harrington. "An Act to amend Chapter 29, Title 30 of the Delaware Code relating to licensing requirements and taxes and providing for the exemption of taxes paid on motor fuel from computation of Gross Receipts."

The roll call vote was taken and revealed:

YES: Representatives Ambrosino, Cain, Clendaniel,

Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Powell, Ridings, Sincock, Smith, Temple, Mr. Speaker Jonkiert — 27.

NO: Representatives Arnold, Billingsley, Boulden, Connor, Jornlin, McKay, Spence and Worthen — 8.

ABSENT: Representatives Byrd, Johnson, Morris, Riddagh, Rispoli, and Seibel — 6.

Therefore, the Bill passed the House and was sent to the Senate.

The House recessed at 11:55 p.m.

The House reconvened at 1:30 p.m. June 30, 1975.

The following Committee reports were announced:

From the Appropriations Committee: SB 455 — 4 Merits; SB 436 — 4 Merits; SB 420 — 5 Merits; SB 315 — 4 Merits; SB 279 — 5 Merits; SB 183 — 5 Merits.

From the Administrative Services Committee: SB 224 — 4 Merits.

From the Education Committee: SB 448 — 2 Favorable, 3 Merits.

From the Health and Social Services Committee: SB 433 — 2 Favorable, 2 Merits.

From the Administrative Services Committee: SB 408 — 4 Merits.

At 1:35 the House adjourned to immediately convene for the 54th Legislative Day.

54TH LEGISLATIVE DAY

The House convened at 1:35 p.m. June 30, 1975 with Representative Jonkiert, Speaker of the House, presiding.

A Prayer was offered by Representative Boulden.

Pledge of Allegiance to the Flag.

By roll call, there were 40 Representatives PRESENT and 1 Representative (Morris) ABSENT.

The minutes were approved as posted.

The Clerk announced that a message from the Senate informed the House that it had passed HB 501 w HA 1; HB 516; HB 363; HB 487; HB 357; HB 129 w HA 1, SA 2; HB 719; HB 715; HB 488; HB 275; HB 493 w SA 1; HB 565; HB 293; HB 395 w HA 1; HB 396; HB 336 w HA 2, 3; HB 539; HB 230; HB 288; HB 373; HB 392 w HA 1, 2; HB 679 w HA 1.

HR 101 (sponsored by Representative Plant) was

introduced from the floor:

HR 101 — "Requesting all Agencies of the State of Delaware which have their own Security Units to regulate employment so that no Security Officer is required to work more than two weekends in a row."

On motion of Representative Plant, the Resolution was immediately stricken.

Representative George moved that the roll call on **HS 1** for **HB 599** be lifted. "An Act to permit the Board of Public Education of the Mount Pleasant reorganized School District to transfer certain funds from its Local Debt Service Fund Account to a Special Local Current Operating Funds Account."

The motion prevailed by voice vote.

The roll call as announced revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

NOT VOTING: Representative Byrd — 1.

ABSENT: Representatives Boulden and Morris — 2.

Representative McGinnis moved that the roll call vote on **HB 47** be lifted. "An Act to amend Chapter 11, Part XI, Title 30 of the Delaware Code relating to modification of Personal Income."

The motion prevailed by voice vote.

The roll call on **HB 47** revealed:

YES: Representatives Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Powell, Ridings, Rispoli, Sincok, Spence, Jonkiert — 26.

NO: Representatives Ambrosino, Billingsley, Boulden, Hebner, Jornlin, Kelly, Leshner, Riddagh, Seibel, Smith, Temple, Worthen — 12.

NOT VOTING: Representative Arnold — 1.

ABSENT: Representatives McKay and Morris — 2.

Therefore, the Bill passed the House and was sent to the Senate.

Representative Plant moved that **HR 101** which had been stricken be restored to the calendar and the motion

prevailed by a roll call vote which revealed 32 Representatives voting YES, 2 (Billingsley and Seibel) voting NO; 1 (McKay) NOT VOTING and 6 (Ferguson, George, Harrington, Kelly, Morris and Ridings) ABSENT.

Representative Plant then moved that the Resolution be laid on the table and the motion was adopted by voice vote.

Representative Byrd moved that the roll call on SB 336 be lifted and the motion was defeated by voice vote.

Representative LeGates moved that the necessary rules be suspended for consideration of SJR 35. "Directing the Department of Natural Resources and Environmental Control to change the name of the Petersburg Wildlife area to the Norman G. Wilder Management Wildlife area."

The motion prevailed by voice vote.

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

YES: Representatives Ambrosino, Arnold, Billingsley, Cain, Clendaniel, Connor, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, McGinnis, McKay, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 35.

NO: Representative Darling — 1.

ABSENT: Representatives Boulden, Byrd, George, Maxwell and Morris — 5.

Therefore, the Resolution passed the House and was returned to the Senate.

SJR 25 was taken up for consideration on motion of Representative Lynch. "Directing the State Board of Education to abandon and/or discontinue a recommended and/or proposed plans to merge or consolidate Appoquinimink School District with the Newark School District."

The roll call vote taken which revealed:

YES: Representatives Cain, Clendaniel, George, Gilligan, Gordy, Harrington, Hebner, Johnson, LeGates, Leshner, Lynch, McGinnis, Miller, Minner, Plant, Riddagh, Ridings, Rispoli, Spence, Temple, Mr. Speaker Jonkiert — 21.

NO: Representatives Ambrosino, Billingsley, Connor, Darling, Derrickson, Jornlin, McKay, Seibel, Sincok, Smith — 10.

NOT VOTING: Representatives Arnold, Kelly and Worthen — 3.

ABSENT: Representatives Boulden, Byrd, Ferguson, Matushefske, Maxwell, Morris and Powell — 7.

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

Representative Jornlin moved that the roll call vote on HB 429 be lifted. "An Act to amend Chapter 23, Title 30, Delaware Code relating to Occupational Licenses for Nurseries and Florist."

The motion was adopted by voice vote and the roll call vote on HB 429 was lifted and announced:

YES: Representatives Arnold, Clendaniel, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Minner, Plant, Powell, Riddagh, Rispoli, Sincok, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 24.

NO: Representatives Ambrosino, Billingsley, Cain, Connor, George, Hebner, McGinnis, Miller, Ridings — 9.

NOT VOTING: Representatives Byrd, Matushefske, Maxwell, McKay, Smith — 5.

ABSENT: Representatives Boulden, Morris and Seibel — 3.

Therefore, the Bill passed the House and was sent to the Senate.

The House recessed at 2:42 p.m. and reconvened at 4:13 p.m.

The following pre-filed legislation was entered in the Calendar:

HA 2 to HB 270 (sponsored by Representative Ambrosino) was placed with the Bill.

HA 1 to HB 636 (sponsored by Representative Smith) was placed with the Bill.

HA 1 to SB 213 (sponsored by Representative Smith) was placed with the Bill.

HA 1 to SB 365 (sponsored by Representative McGinnis) was placed with the Bill.

SB 395 — "An Act to modify Chapter 65, Title 29, Delaware Code, to provide for a cost of living salary supplement and a supplemental appropriation to modify certain State pay scales." Sponsors: Senator Cicone; Representatives Temple and Sincok. Assigned to Appropriations Committee.

SB 434 — "An Act to amend Chapter 5, Title 31, Delaware Code, relating to collection and transfer of Support Payments."

Sponsor: Senator Holloway. Assigned to Health and Social Services Committee.

SB 435 — "An Act amending Subchapter III, Part C, Chapter 9, Title 10, Delaware Code, relating to dispositions within the Family Court." Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 475 — "An Act to amend Chapter 15 of Title 13 and Chapter 9 of Title 10, Delaware Code, relating to domestic relations and providing sole jurisdiction over divorce and annulment proceedings to the Family Court; and further providing a supplementary appropriation therefor." Sponsor: Senator Kearns. Assigned to Judiciary Committee.

SB 476 — "An Act relating to a pension for Charles A. Dougherty, an employee of the State Department of Highways and Transportation, and a former Highway employee for New Castle County." Sponsors: Senator Cicione and Representative Ferguson. Assigned to Appropriations Committee.

SB 480 — "An Act authorizing the State of Delaware to borrow money to be used for the purpose of making renovations and repairs to Legislative Hall, and to issue Bonds and Notes therefore and appropriating the monies to Legislative Council." Sponsor: Senator Isaacs. Assigned to Appropriations.

SB 487 — "An Act to amend Part II and IV, Title 11, Delaware Code, and Part VIII, Title 29, Delaware Code, relating to State government, providing for the transfer of powers, duties and functions of the Division of Corrections of the Department of Health and Social Services, and providing for establishment of a separate Department of Corrections." Sponsor: Senator Isaacs. Assigned to Judiciary Committee.

SB 488 — "An Act to amend Subchapter II of Chapter 55, Title 29, Delaware Code, relating to mandatory retirement of Public Officers." Sponsor: Senator Holloway. Assigned to House Administration Committee.

SB 490 — "An Act to amend Chapter 233, Volume 59, Laws of Delaware entitled An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures in the nature of Capital Investments and to issue Bonds and Notes therefor and appropriating the monies to various Agencies of the State and to borrow money to be used for the Local Share of School Construction Programs and to issue Bonds and Notes therefor

and appropriating the monies to the State Board of Education on behalf of Local School Districts." Sponsors: Senators Steele and Cordrey. Assigned to Appropriations Committee.

SB 471 — "An Act to permit the Board of Education of the Alfred I. duPont School District to transfer certain funds from its Local Debt Service Account to a Special Construction Fund Account." Sponsor: Senator Steele. Assigned to Appropriations Committee.

SB 479 — "An Act to direct the Board of Pension Trustees to grant a Disability Pension to Joseph A. Lenhoff, a former employee of the Division of Revenue, Department of Finance." Sponsor: Senator Holloway. Assigned to Appropriations Committee.

Representative Matushefske moved that the necessary rules be suspended for the consideration of **SB 475** and the motion prevailed by voice vote.

Representative Matushefske then moved that the Bill be laid on the table and that motion prevailed by voice vote.

Representative Jornlin moved that the roll call vote on **HB 605** be lifted. "An Act to amend Chapter 15, Title 13, of the Delaware Code, relating to divorce and annulment to provide a new definition of "Voluntary Separation."

The motion was adopted by voice vote and the roll call vote on **HB 605** was lifted and announced:

YES: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Ferguson, Gilligan, Hebner, Johnson, Jornlin, Kelly, Leshner, Lynch, Matushefske, McKay, Minner, Plant, Powell, Riddagh, Rispoli, Sincok, Smith, Spence, Temple, Mr. Speaker Jonkiert — 25.

NO: Representatives Boulden, Cain, Clendaniel, Darling, Gordy, Harrington, McGinnis, Miller, Worthen — 9.

NOT VOTING: Representatives Byrd, George, LeGates, Maxwell, Ridings — 5.

ABSENT: Representatives Morris and Seibel — 2.

Therefore, the Bill passed the House and was sent to the Senate.

HB 465 — "An Act authorizing the State of Delaware to borrow money and to issue Bonds and Notes therefor; and appropriating the funds thus obtained to the Division of Highways of the Department of Highways and Transportation, to be utilized in the Maryland Avenue, Broom Street, and Lancaster Avenue projects." was taken up for consideration on motion of Representative Jonkiert and the

roll call vote taken; however, before it was announced Representative Jonkiert moved that it be tabled and the motion prevailed by voice vote.

HB 706 was brought up for consideration on the motion of Representative Plant.

HB 706 — “An Act making a supplementary appropriation to the Department of Health and Social Services to be used for payment of certain obligations of the Blackman’s Development Center.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, McGinnis, Miller, Minner, Plant, Powell, Riddagh, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 35.

NO: Representatives Boulden, Maxwell, McKay, Ridings — 4.

ABSENT: Representatives Byrd and Morris — 2.

Therefore, the Bill passed the House and was sent to the Senate.

HB 469 — “An Act to amend “An Act to reincorporate the Town of Bowers,” being Chapter 279, Volume 53, Laws of Delaware, relating to the date of the regular meetings of the Town Council.” was taken up for consideration on motion of Representative Minner.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Byrd, Johnson, Jornlin, Morris — 4.

Therefore, the Bill passed the House and was sent to the Senate.

HB 543 — “An Act to amend Chapter 45, Title 7, Delaware Code, relating to destruction of Public or State Property.” was taken up for consideration on motion of Representative LeGates

HA 1 to the Bill was introduced by Representative LeGates and adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Darling, Ferguson, Jornlin, Morris — 4.

Therefore, the Bill passed the House and was sent to the Senate.

HB 34 was taken up for consideration on motion of Representative Worthen.

HB 34 — “An Act to amend Title 13 of the Delaware Code relating to Domestic Relations; and providing for a Uniform Child Custody Jurisdiction Law.”

HA 1 to the Bill was introduced by Representative Worthen and adopted by voice vote.

The following letter in reference to **HB 34** is made part of this record at the request of Representative Worthen:

THE FAMILY COURT OF THE STATE OF DELAWARE

May 16, 1975

Representative Sandra Worthen
Newark, Delaware

Dear Representative Worthen:

The Judges of the Family Court at their monthly meeting on May 2, 1975, unanimously endorsed House Bill 34 (An Act to amend Title 13 of the Delaware Code relating to Domestic Relations; and providing for a Uniform Child Custody Jurisdiction Act), which you sponsored in the House of Representatives.

Favorable consideration by the Legislators of this Bill would be welcomed by the Family Court Judges, for it would be in the best interests and well-being of children involved in custodial matters.

I understand the State of Maryland this year passed the Uniform Child Custody Jurisdiction Act, which increases the desirability of the State of Delaware to also adopt this Act.

Please feel free to call upon me for any assistance you

may need in the passage of this Bill.

Yours very truly,
Robert D. Thompson
Chief Judge

* * * * *

The roll call vote on **HB 34 w HA 1** was then taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives George, Jornlin, Matushefske, Morris — 4.

Therefore, the Bill passed the House and was sent to the Senate.

HB 413 was brought up for consideration on motion of Representative Derrickson.

HB 413 — “An Act to amend Chapter 212, Volume 25, Laws of Delaware entitled “An Act to Incorporate the Town of Bethany Beach and giving it authority to Issue Bonds,” as amended, to give the Commissioners of the Town of Bethany Beach the Power to borrow up to \$100,000.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Ferguson, McGinnis, Morris — 3.

Therefore, the Bill passed the House and was sent to the Senate.

HB 401 was taken up for consideration on motion of Representative Derrickson.

HB 401 — “An Act to amend an Act, being Chapter 504, Volume 57, Laws of Delaware, entitled “An Act to Incorporate the Town of Henlopen Acres” to provide for the organization of the meeting of the Commissioners of Henlopen Acres, to

provide for the selection of officers, to provide for a Town meeting to provide for the appointment of a Town Clerk, to provide for the payment of a Town Clerk, to provide for the appointment of a Treasurer, to provide for the Bond of the Treasurer, and to provide for the appointment of Auditors of Accounts and to provide for reports at regular meetings."

HA 1 to the Bill was introduced by Representative Derrickson and adopted by voice vote.

Roll call on **HB 401 w HA 1** was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Ferguson, George, Morris, Riddagh — 4.

Therefore, the Bill passed the House and was sent to the Senate.

On motion of Representative McGinnis, the roll call on **HB 465** was lifted and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 40.

ABSENT: Representative Morris — 1.

Therefore, the Bill passed the House and was sent to the Senate.

Representative Derrickson moved that **HB 340** be lifted for consideration and the motion prevailed by voice vote.

HB 340 — "An Act to amend an Act being Chapter 197, Volume 54, Laws of Delaware, as amended, entitled "An Act revising the prior Charter of the City of Rehoboth Beach and prescribing a New Charter therefor and prescribing the powers and duties of the Commissioners of Rehoboth Beach" to provide for a one-man one-vote voting in Annexation Elections, to provide for appeals from the assessments, to provide for notice of Elections other than the Annual Municipal Election, to provide a new time for filing petitions for nominations, to increase the amount that can be raised by

taxation, to provide a procedure for borrowing money and Issuing Bond, to increase the amount for which contracts may be awarded without competitive bidding."

HA 1 to the Bill was introduced by Representative Derrickson and adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 40.

ABSENT: Representative Morris — 1.

Therefore, the Bill passed the House and was sent to the Senate.

Representative Ferguson moved the necessary rules be suspended for consideration of **HB 738** and the motion prevailed by voice vote.

HB 738 — "An Act establishing a Transportation Commission for Highways and Transportation within New Castle County providing Authority thereto describing Responsibilities and Duties and Petitioning certain Congressional Delegates to Transfer certain Federal Funds and Authority to the Commission."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

NO: Representative George — 1.

ABSENT: Representatives Maxwell and Morris — 2.

Therefore, the Bill passed the House and was sent to the Senate.

SB 334 was taken up for consideration on the motion of Representative Matushefske.

SB 334 — "An Act to amend Chapter 5, Part I, Title 11 of the Delaware Code relating to Robbery in the First Degree and providing for a minimum term of imprisonment."

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Billingsley, Cain, McKay, Morris — 4.

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

HB 716 was lifted for consideration on the motion of Representative Clendaniel.

HB 716 — “An Act to amend Title 3, Delaware Code, relating to Exotic Avian Species.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Cain, Johnson, Morris, Sincock — 4.

Therefore, the Bill passed the House and was sent to the Senate.

HB 540 was taken up for consideration on the motion of Representative Gordy.

HB 540 — “An Act to amend the Corporate Charter of the Town of Bethel, as amended; providing a minimum voting age of eighteen years; requiring valuation and assessment of property within the Town; and removing Tax Exemption Status from Farmland within the Town boundaries.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Derrickson, Ferguson, Morris,

Rispoli — 4.

Therefore, the Bill passed the House and was sent to the Senate.

SB 111 — “An Act to amend Chapter 3, Title 4 of the Delaware Code relating to compensation of the Delaware Alcoholic Control Commission.” was taken up for consideration on motion of Representative Maxwell and the roll call vote taken. Representative Maxwell moved that the roll call vote be tabled before it was announced and the motion prevailed by voice vote.

The House recessed at 5:30 p.m. and reconvened at 8:30 p.m.

Representative McGinnis moved that the necessary rules be suspended for consideration of **HB 739** — “An Act to amend Volume 59, Chapter 545, Laws of Delaware relating to residual funds for establishing an efficient system of operation in the Division of Revenue.” and the motion prevailed by voice vote.

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

YES: Representatives Arnold, Boulden, Byrd, Cain, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Powell, Riddagh, Rispoli, Seibel, Sincock, Spence, Temple, Worthen, Jonkiert — 30.

NO: Representatives Ambrosino, Connor, Jornlin, Leshner, Ridings, Smith — 6.

NOT VOTING: Representative McKay — 1.

ABSENT: Representatives Billingsley, Clendaniel, Hebner, Morris — 4.

Therefore, the Bill passed the House and was sent to the Senate.

Representative Maxwell moved that the roll call on **SB 111** be lifted and the motion prevailed by voice vote.

The roll call vote on the Bill was then announced to be:

YES: Representatives Boulden, Byrd, Cain, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Rispoli, Temple, Worthen, Mr. Speaker Jonkiert — 22.

NO: Representatives Ambrosino, Arnold, Billingsley, Clendaniel, Connor, Derrickson, Hebner, Jornlin, Leshner, Lynch, McKay, Powell, Riddagh, Ridings, Seibel, Sincock, Smith, Spence — 18.

ABSENT: Representative Morris — 1.

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

Representative Ridings moved that **HB 538** — “An Act to amend Titles 4 and 6 of the Delaware Code relating to Fair Trade of alcoholic beverages sold in the State.” be lifted from the table for consideration and the motion prevailed by voice vote.

HA 1 to the Bill was introduced by Representative Ridings and adopted by voice vote.

Representative Byrd moved that **HB 538 w HA 1** be tabled and the roll call vote on the motion was taken and revealed:

YES: Representatives Boulden, Byrd, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, Lynch, Matushefske, Maxwell, McGinnis, Minner, Plant, Riddagh, Rispoli, Temple, Worthen, Mr. Speaker Jonkiert — 22.

NO: Representatives Ambrosino, Arnold, Billingsley, Cain, Connor, Derrickson, Hebner, Jornlin, LeGates, Leshner, McKay, Powell, Seibel, Smith, Spence — 15.

ABSENT: Representatives Miller, Morris, Ridings and Sincock — 4.

Therefore, the motion prevailed and **HB 538 w HA 1** was tabled.

Representative Cain moved that the necessary rules be suspended for the introduction and consideration on **HB 740** and the motion prevailed by voice vote.

HB 740 (sponsored by Representative Cain and Senator Isaacs) — “An Act authorizing the State of Delaware to borrow money and to issue Bonds and Notes therefore and appropriating the funds thus obtained to the Division of Parks and Recreation of the Department of Natural Resources and Environmental Control, to be utilized in the improvement and restoration of Pea Patch Island and the Old Canal Lock Facilities at Delaware City.”

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, George, Gilligan, Gordy, Harrington, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr.

Speaker Jonkiert — 37.

ABSENT: Representatives Derrickson, Ferguson, Hebner, Morris — 4.

Therefore, the Bill passed the House and was sent to the Senate.

On motion of Representative Harrington, the necessary rules were suspended for the introduction and consideration of HB 741:

HB 741 — "An Act to amend Chapter 29, Title 30 of the Delaware Code, relating to Retail and Wholesale Merchant licensing requirements and taxes and providing for the exemption of taxes paid on Tobacco Products from computation of Gross Receipts."

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

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Temple, Mr. Speaker Jonkiert — 24.

NO: Representatives Billingsley, Connor, Hebner, Leshner, McKay, Seibel, Smith, Spence, Worthen — 9.

NOT VOTING: Representatives Ambrosino, Arnold, Derrickson, Jornlin, Maxwell, Sincock — 6.

ABSENT: Representatives McGinnis and Morris — 2.

Therefore, the Bill passed the House and was sent to the Senate.

Representative Arnold moved that the necessary rules be suspended for the consideration of HB 736 — "An Act making a supplementary appropriation to the Conrad School District (95-30-000) for the proposed payment of certain back pay." and the motion prevailed by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, Leshner, Lynch, Matushefske, Maxwell, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

NO: Representative Darling — 1.

ABSENT: Representatives LeGates, McGinnis, Morris —

3.

Therefore, the Bill passed the House and was sent to the

Senate.

Representative Ridings moved that **HB 538** be lifted for consideration and the motion prevailed by voice vote.

The roll call vote on the Bill was taken; however, before it was announced, Representative Ridings moved that it be tabled and the motion prevailed by voice vote.

Representative Ferguson moved that the necessary rules be suspended for consideration of **SB 480** — "An Act authorizing the State of Delaware to borrow money to be used for the purpose of making renovations and repairs to Legislative Hall, and to issue Bonds and Notes therefor and appropriating the monies to Legislative Council." and the motion prevailed by voice vote. The privilege of the floor was extended to Don Coker, Acting Director of Legislative Council, to speak on the Bill.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Byrd, Cain, Morris — 3.

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

Representative George moved that the necessary rules be suspended for consideration of **SB 476** — "An Act relating to a pension for Charles A. Dougherty, an employee of the State Department of Highways and Transportation, and a former highway employee of New Castle County." and the motion prevailed by voice vote.

The House recessed at 9:30 p.m. and reconvened at 10:15 p.m.

SB 476 was still before the House for consideration and the roll call vote on the Bill was taken and revealed:

YES: Representatives Boulden, Byrd, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, McGinnis, Miller, Minner, Plant, Powell, Riddagh, Rispoli, Sincock, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 26.

NO: Representatives Ambrosino, Billingsley, Hebner, Leshner, Ridings, Seibel, Smith — 7.

NOT VOTING: Representatives Arnold, Connor, Derrickson, Jornlin, Maxwell, McKay — 6.

ABSENT: Representatives Matushefske and Morris — 2.

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

On motion of Representative George, **HB 607** — “An Act to aid Veteran’s Organizations by making an appropriation therefor.” which had previously passed the House was taken up for reconsideration as further amended by SA 1.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives Derrickson, Matushefske, Morris — 3.

Therefore, the Bill, as so amended, passed the House.

SB 436 was brought up for consideration on the motion of Representative George.

SB 436 — “An Act making an appropriation to improve recreational boating and to remove shoals from Jefferson Creek and the Bethany Beach Improvement Center.”

The roll call vote was taken and revealed:

YES: Representatives Ambrosino, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Riddagh, Ridings, Rispoli, Seibel, Sincock, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 35.

NO: Representative Smith — 1.

NOT VOTING: Representatives Arnold, McKay and Powell — 3.

ABSENT: Representatives Morris and Plant — 2.

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

SB 488 was brought up for consideration on the motion of Representative George.

SB 488 — “An Act to amend Subchapter XI of Chapter 55, Title 29, Delaware Code, relating to mandatory retirement of

public employees."

Roll call was taken and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Rispoli, Seibel, Sincok, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 35.

NO: Representatives Jornlin, Leshner — 2.

NOT VOTING: Representatives Ridings, Smith — 2.

ABSENT: Representatives Ambrosino, Morris — 2.

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

Representative Darling moved that the necessary rules be suspended for the consideration of **SB 487** — "An Act to amend Parts XI and IV, Title 11, Delaware Code and Part VIII, Title 29, Delaware Code, relating to State Government, providing for the transfer of powers, duties and functions of the Division of Corrections of the Department of Health and Social Services, and providing for establishment of a separate Department of Corrections." and the motion prevailed by voice vote.

Representative Clendaniel introduced **HA 1** to the Bill and moved that it be adopted.

The roll call vote on **HA 1** to **SB 487** was then taken and revealed:

YES: Representatives Clendaniel, Gordy, Lynch, Plant, Riddagh, Rispoli, Spence and Worthen — 8.

NO: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Matushefske, Maxwell, McGinnis, McKay, Minner, Powell, Ridings, Seibel, Sincok, Smith, Temple, Mr. Speaker Jonkiert — 31.

NOT VOTING: Representative Miller — 1.

ABSENT: Representative Morris — 1.

Therefore, the Amendment was defeated.

The roll call vote on **SB 487** was then taken. Representative Clendaniel moved that the roll call be tabled before it was announced; however, the motion was defeated by voice vote and the roll call vote on the Bill was announced and revealed:

YES: Representatives Boulden, Byrd, Cain, Connor,

Darling, George, Gilligan, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Riddagh, Rispoli, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 24.

NO: Representatives Ambrosino, Arnold, Billingsley, Clendaniel, Hebner, Jornlin, Leshner, Seibel, Sincock, Smith — 10.

NOT VOTING: Representatives Derrickson, McKay, Powell, Ridings — 4.

ABSENT: Representatives Ferguson, Gordy and Morris — 3.

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

Representative Matushefske moved that **SB 475** be lifted from the table for consideration and the motion prevailed by voice vote.

The roll call vote on the Bill was taken; however, before it was announced, Representative Matushefske moved that it be tabled and the motion prevailed by voice vote.

Representative McGinnis moved that the necessary rules be suspended for the consideration of **SB 417** — "An Act making a supplementary appropriation to the Division of Social Services of the Department of Health and Social Services for the purpose of paying a Purchase of Care Agreement made by the Division of Social Services with the Murphy School on June 30, 1972." and the motion prevailed by voice vote.

Representative McGinnis then moved that the Bill be laid on the table and that motion prevailed by voice vote.

On motion of Representative Ferguson, the necessary rules were suspended for consideration of the Consent Calendar."

The following Bills were included in the Consent Calendar:

HB 712 — "An Act to amend Chapter 96, Title 9 of the Delaware Code relating to the Recording of Deeds or other instruments conveying Title to real estate and requiring the execution of an Affidavit of residence and gain and the transmission of information to the State Division of Revenue to assist in collecting taxes due the State."

SB 417 — "An Act making a supplementary appropriation to the Division of Social Services of the Department of Health and Social Services for the purpose of

paying a Purchase of Care Agreement made by the Division of Social Services with the Murphy School on June 30, 1972."

HB 717 — "An Act to amend Chapter 55, Part IV, Title 30, Delaware Code, relating to Tobacco Products Tax Licenses and the fee for a Cigarette Vending Machine Identification Stamp."

SB 481 — "An Act to amend Chapter 57, Title 25, Delaware Code, relating to Jury Trials in Justice of the Peace Courts."

SB 223 — "An Act to amend Chapter 80, Title 29, Delaware Code, relating to Grants to qualified Agencies for the construction of treatment works."

SB 133 — "An Act to amend Chapter 35, Part XI, Title 11 of the Delaware Code relating to the admissability of certain evidence in rape cases."

SB 479 — "An Act to direct the Board of Pension Trustees to grant a disability pension to Joseph A. Lenhoff, a former employee of the Division of Revenue, Department of Finance."

HB 398 — "An Act to amend Chapter 21, Title 21, of the Delaware Code, relating to New Residents obtaining Delaware Registration."

HB 378 — "An Act to provide a supplemental appropriation to the Department of Highways and Transportation, to pay a prior year's obligation for under payments of salaries to certain employees."

SB 382 — "An Act transferring the Educational Television Resource Center on the campus of Delaware State College to the Trustees of the Delaware State College."

The roll call vote on the Consent Calendar was taken and revealed:

YES: Representatives Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

NO: Representatives Ambrosino, Maxwell — 2.

ABSENT: Representative Morris — 1.

Therefore, the Bills included in the Consent Calendar were declared passed by the House and the House Bills were sent to the Senate for concurrence and the Senate Bills were returned to the Senate.

Representative Boulden moved that the roll call on **SB 270** — “An Act to amend Title 17 and 21, Delaware Code, relating to Omnibus Changes in the Department of Highways and Transportation and the Department of Public Safety.” w **SA 1, 2, HA 1, 3, 4** be lifted and the motion prevailed by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jorlin, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Morris, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 39.

NO: Representatives Derrickson, Leshner — 2.

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

HR 102 (sponsored by Representatives Cain, Billingsley and McKay) was introduced and adopted by voice vote:

HR 102 — “Requesting the Delaware Society of Professional Engineers to make a study relating to more efficient use of space heating and cooling equipment within all State owned, operated or controlled buildings and facilities, including School facilities.”

At the request of Representative Cain, the Speaker reassigned **HB 641** — “An Act to amend Subchapter XI, Chapter 47, Title 9, Delaware Code, relating to garbage collection in unincorporated areas of Kent County.” (which had been laid on the table) to the Appropriations.

SB 384 — “An Act to amend Chapter 167, Volume 37, Laws of Delaware, entitled “An Act to Incorporate the Town of Slaughter’s Beach.” was taken up for consideration on motion of Representative Rispoli.

The roll call vote on the Bill was taken but before it was announced, Representative Rispoli moved that it be tabled and the motion prevailed by voice vote.

SB 403 — “An Act to amend an Act entitled “An Act to reincorporate the Town of Milton (Chapter 194, Volume 45, Laws of Delaware).” was taken up for consideration on motion of Representative Rispoli.

The roll call vote on the Bill was taken; however, before it was announced, Representative Rispoli moved that it be tabled and the motion prevailed by voice vote.

SB 224 — “An Act to amend Chapter 83, of Title 29 of the Delaware Code relating to the coverage of a full time employee of the Delaware State Employees Credit Union.” was taken up for consideration on motion of Representative Maxwell.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Cain, Clendaniel, Connor, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 36.

NOT VOTING: Representative Derrickson — 1.

ABSENT: Representatives Byrd, Matushefske, Morris, Riddagh — 4.

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

Representative Temple moved that the necessary rules be suspended for consideration of **SB 395** — “An Act to modify Chapter 65, Title 29, Delaware Code, to provide for a Cost-of-living Salary Supplement and a supplemental appropriation to modify certain State Pay Scales.” w SA 1 and the motion prevailed by voice vote.

The privilege of the floor was extended to John Malarkey, Division of Revenue, to speak on the Bill.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Powell, Riddagh, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 36.

NO: Representatives Jornlin, Leshner, McKay, Ridings — 4.

ABSENT: Representative Morris — 1.

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

HR 103, sponsored by Representatives Ferguson, Jonkiert and Darling, was introduced and adopted by voice vote:

HR 103 — “Saluting the House Staff and the Legislative Council Staff for their cooperation and indefatigable efforts in

serving the needs of the House of Representatives during the First Session of the 128th General Assembly."

On the motion of Representative George, **HB 594**, which had previously passed the House, was taken up for reconsideration as further amended by **SA 2**.

HB 594 — "An Act to aid WHYY, Inc., engaged in Educating the people of this State by making a supplementary appropriation therefor."

The roll call vote on the Bill as amended was taken; however, Representative George moved that it be tabled and the motion prevailed by voice vote.

The House adjourned at 12:00 p.m. midnight.

SPECIAL SESSION — 1ST DAY

Pursuant to the Governor's Proclamation recorded below, the Speaker called the House to order at 1:35 p.m. July 28, 1975.

STATE OF DELAWARE EXECUTIVE DEPARTMENT DOVER PROCLAMATION

I, Sherman W. Tribbitt, Governor of the State of Delaware, pursuant to Article III, Section 16, of the Constitution of the State of Delaware, do hereby convene the House of Representatives and Senate of the 128th General Assembly of the State of Delaware into Special Session on Monday, July 28, 1975, at 1:00 p.m., to consider, inter alia, an Omnibus Amendment to the 1976 Budget Appropriation Act originally designated Senate Bill 431, and accompanying matters supporting same.

IN WITNESS WHEREOF, I, SHERMAN W. TRIBBITT, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the said State to be hereunto affixed at Dover this 22nd day of July in the year of our Lord, one thousand nine hundred and seventy-five and of the Independence of the United States of America, the two hundredth.

The Proclamation was signed by Governor Sherman W. Tribbitt and Secretary of State, Robert H. Reed.

* * * * *

By roll call, there were 37 members PRESENT and 4 (Harrington, Matushefske, Morris and Worthen) ABSENT.

The two following letters from the Governor were read:

SPECIAL SESSION - 1ST DAY

**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

July 9, 1975

To the House of Representatives
of the 128th General Assembly
of the State of Delaware

On June 28, 1975, I received House Bill No. 365 with House Amendment No. 1 entitled:

“AN ACT AUTHORIZING THE STATE OF DELAWARE TO BORROW MONEY AND TO ISSUE BONDS AND NOTES THEREFORE; AND APPROPRIATING THE FUNDS THUS OBTAINED TO THE DIVISION OF PARKS AND RECREATION OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, TO BE UTILIZED IN THE IMPROVEMENT AND RESTORATION OF PEA PATCH ISLAND AND THE OLD CANAL LOCK FACILITES AT DELAWARE CITY.”

I am returning this Bill without my signature for the following reason:

The requirement of §7424, Title 29, Delaware Code, was not met in that a debt statement was not attached to the Bill when the final vote was taken in each House of the General Assembly.

Sincerely,
Sherman W. Tribbitt
Governor

* * * * *
**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

July 11, 1975

To the House of Representatives
of the 128th General Assembly
of the State of Delaware

On June 30, 1975, I received House Bill No. 442, entitled:

“AN ACT TO AMEND CHAPTER 55, TITLE 10, DELAWARE CODE, RELATING TO THE DEFINITION OF GROSS RECEIPTS.”

I am returning this Bill without my signature for the following reasons:

This Bill will have application, I am advised, to a small segment of the Industrial Community in this State.

As you are aware, we have jointly acted within recent

months to repeal the Onerous Domestic Utility Tax. In line with proper fiscal procedure, it may well be necessary to reevaluate the Commercial and Industrial Utility Tax as well as other aspects of Business Taxation.

It is not possible to provide this type of relief at this time without replacing the revenue lost with a defined amount from other sources.

This matter will be reviewed by the Department of Finance as well as, I hope, the House Revenue and Taxation Committee and the Senate Revenue and Taxation Committee.

It is the responsibility of the State and its Legislators to ensure that taxes are as equitable as possible.

Sincerely,
Sherman W. Tribbitt,
Governor

* * * * *

HR 104, sponsored by Representatives Minner and Darling, was introduced from the floor and adopted by voice vote:

HR 104 — "Expressing the hopes of the members of the House of the 128th General Assembly of the State of Delaware for the quick recovery of Representative J. Edward Morris."

Representative Kelly moved that the necessary rules be suspended for the introduction of **HJR 27** and the motion prevailed by voice vote:

HJR 27 — "Authorizing and requesting the Governor of the State of Delaware to issue a Proclamation designating September 14, 1975, as Saint Elizabeth Ann Seton Day" in the State of Delaware." The Resolution was assigned to House Administration Committee.

The House recessed at 1:53 p.m. and reconvened at 4:20 p.m.

HR 105 was introduced from the floor by Representative Gordy and adopted by voice vote:

HR 105 — "Expressing the sincere hope of the House for the full and speedy recovery of Representative Howard A. Clendaniel, of Georgetown."

At the request of Representative Derrickson, the privilege of the floor was extended to John Rich, House Attorney, to determine whether the Special Session could consider other Legislation then the Omnibus Amendment mentioned in the Proclamation. The opinion given was that any items may so be considered.

SB 420 — “An Act to permit the New Castle Gunning Bedford School District to transfer certain Funds from its Local Debt Service Account to its Local Expense Account in order to replace the Heating System at the Wilmington Manor Elementary School.” was taken up for consideration on motion of Representative George.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Clendaniel, Ferguson, Morris, Sincok — 4.

Therefore, the Bill receiving the necessary $\frac{3}{4}$ vote passed the House and was returned to the Senate.

SB 259 was taken up for consideration on motion of Representative LeGates and the privilege of the floor extended to Secretary Bryson of the Division of Natural Resources and Environmental Control to speak on the Bill.

HA 1 to the Bill was introduced from the floor by Representative Ambrosino and the roll call vote taken; however, before being announced Representative Ambrosino moved that it be tabled and the motion prevailed by voice vote.

HA 2 to the Bill was introduced from the floor by Representative Ambrosino and the roll call vote taken; however, before it was announced Representative Ambrosino moved that it be tabled and the motion prevailed by voice vote.

HA 3 to the Bill was introduced from the floor by Representative Ambrosino and the roll call vote taken; however, before it was announced, Representative Ambrosino moved that it be tabled and the motion prevailed by voice vote.

Representative LeGates then moved that the Bill be laid on the table and the motion prevailed by voice vote.

Representative Gilligan moved that the necessary rules be suspended for the consideration of **SB 410** and the motion prevailed by voice vote.

The privilege of the floor was extended to Secretary Bryson of the Division of Natural Resources and Environmental Control to speak on the Bill.

Representative Gilligan then moved that the Bill be laid

on the table and the motion prevailed by voice vote.

Representative LeGates deferred to Representative Gilligan who moved that the necessary rules be suspended for consideration of **SB 447** — "An Act to amend Chapter 225, Volume 59, Laws of Delaware, as amended, by Extending its Expiration Date." and the motion prevailed by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Connor, Darling, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

ABSENT: Representatives Clendaniel, Derrickson, Ferguson, Matushefske, Morris, Ridings, Sincock — 7.

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

On motion of Representative Gordy, **HB 493** which had previously passed the House was taken up for reconsideration as further amended by **SA 1**.

HB 493 — "An Act to amend Chapter 480, Volume 59, Laws of Delaware entitled "An Act to amend Title 9, Title 14 and Title 29 of the Delaware Code relating to Library Services in Delaware."

Roll call was taken and revealed:

YES: Representatives Arnold, Boulden, Byrd, Cain, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Smith, Spence, Temple, Mr. Speaker Jonkiert — 33.

NO: Representatives Seibel, Worthen — 2.

NOT VOTING: Representative Ambrosino — 1.

ABSENT: Representative Billingsley, Clendaniel, Ferguson, Morris, Sincock — 5.

Therefore, the Bill, as so amended, passed the House.

Representative Matushefske moved that the necessary rules be suspended for consideration of **HB 106** — "An Act to amend Chapter 71, Title 29 of the Delaware Code by increasing the mileage rates for Employees of the State of Delaware." and the motion prevailed by voice vote.

HA 1 to the Bill was introduced by Representative Matushefske and adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Clendaniel, Ferguson, Morris, Sincok — 4.

Therefore, the Bill passed the House and was sent to the Senate.

HB 424 — “An Act authorizing an Automatic Appropriation to the Department of Health and Social Services for the specific purpose of increasing Title XIX Medicaid Rates retroactive from January 31, 1975.” was taken up for consideration on motion of Representative George and the privilege of the floor extended to Secretary Earl McGinnis of the Department of Health and Social Services to speak on the Bill.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 36.

ABSENT: Representatives Clendaniel, Ferguson, Morris, Sincok, Smith — 5.

Therefore, the Bill passed the House and was sent to the Senate.

Representative George moved that the roll call be lifted on **HB 594** — “An Act to aid WHY, Inc. engaged in Educating the people of this State by making an appropriation therefor.” and the motion prevailed by voice vote.

The roll call was therefore lifted.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Clendaniel, Connor, Darling, Derrickson, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincok, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 38.

ABSENT: Representatives LeGates, Miller, Morris — 3.

Therefore, the Bill passed the House and was sent to the Senate.

On motion of Representative McGinnis, **HB 457** — “An Act to amend Chapter 23, Title 30, Delaware Code, relating to the Occupational License Tax.” which had previously passed the House was taken up for reconsideration as further amended by **SA 1**.

HA 1 to the Bill was then introduced by Representative McGinnis and adopted by voice vote.

The roll call vote on **HB 457 w SA 1, HA 1** was then taken and announced:

YES: Representatives Boulden, Byrd, Cain, Darling, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Rispoli, Temple, Worthen, Jonkiert — 22.

NO: Representatives Ambrosino, Arnold, Billingsley, Connor, Derrickson, Hebner, Jornlin, Leshner, McKay, Powell, Riddagh, Ridings, Seibel, Smith, Spence — 15.

ABSENT: Representatives Clendaniel, Ferguson, Morris and Sincok — 4.

Therefore, the Bill passed the House and was returned to the Senate for concurrence in the House Amendment.

Representative Matushefske deferred to Representative Maxwell who moved that the necessary rules be suspended for consideration of **HB 737** — “An Act to amend Chapter 103, Volume 60, Laws of Delaware, entitled “An Act to amend Part V of Chapter 83, Title 11, Delaware Code, relating to powers and duties of State Police and Local Police Officers assisting State Police.” and the motion prevailed by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Billingsley, Boulden, Byrd, Cain, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 37.

ABSENT: Representatives Clendaniel, Ferguson, Morris, Sincok — 4.

Therefore, the Bill passed the House and was ordered to the Senate.

HB 693 was taken up for consideration on motion of

Representative McGinnis.

HA 1 to the Bill was introduced by Representative McGinnis and adopted by voice vote.

The privilege of the floor was extended to House Attorney John Rich to speak on the Bill after which Representative McGinnis moved that it be laid on the table. The motion prevailed by voice vote.

SB 315 — "An Act to amend Chapter 40, Title 31, Delaware Code, by adding thereto Subchapter VII, establishing a Delaware Home Improvement Insurance Fund and providing an appropriation for the funding thereof." was taken up for consideration on motion of Representative George and the privilege of the floor extended to John Daniello, Secretary of Community Affairs and Economic Development, to speak on the Bill.

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

YES: Representatives Boulden, Byrd, Cain, Darling, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Rispoli, Temple, Worthen, Jonkiert — 22.

NO: Representatives Ambrosino, Connor, Hebner, Riddagh, Spence — 5.

NOT VOTING: Representatives Arnold, Billingsley, Derrickson, Jornlin, Leshner, McKay, Powell, Ridings, Seibel, Smith — 10.

ABSENT: Representatives Clendaniel, Ferguson, Morris and Sincock — 4.

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

SB 278 was taken up for consideration on motion of Representative Maxwell and the roll call vote taken; however, before it was announced, Representative Maxwell moved that it be tabled and the motion prevailed by voice vote.

HCR 43, sponsored by Representative LeGates, Jonkiert, Maxwell and Kelly, was introduced from the floor and adopted by voice vote of the House:

HCR 43 — "Recognizing and commending the success, hard work, and spirit of dedication shown by Delaware Volunteers for the Democratic National Telethon."

Representative Kelly moved that the necessary rules be suspended for consideration of **HJR 27** — "Authorizing and requesting the Governor of the State of Delaware to issue a Proclamation designating September 14, 1975, as "Saint

Elizabeth Ann Seton Day" in the State of Delaware." and the motion prevailed by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Byrd, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 33.

ABSENT: Representatives Billingsley, Boulden, Cain, Clendaniel, Ferguson, Morris, Sincock, Smith — 8.

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

SB 433 — "An Act amending Chapter 61, Part VI, Title 29, Delaware Code, relating to Composition of General Fund and authorizing the Bureau of Child Support Enforcement to establish a Special Fund for the purpose of depositing collections under the Delaware Child Support Enforcement and Paternity Program." was taken up for consideration on motion of Representative Darling.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 34.

ABSENT: Representatives Billingsley, Cain, Clendaniel, Ferguson, Hebner, Morris, Sincock — 7.

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

Representative Darling moved that the necessary rules be suspended for consideration of **SB 434** — "An Act to amend Chapter 5, Title 31, Delaware Code, relating to collection and transfer of Support Payments." and the motion prevailed by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Rispoli, Seibel, Smith, Temple, Worthen, Mr. Speaker Jonkiert — 34.

ABSENT: Representatives Billingsley, Clendaniel, Ferguson, Morris, Ridings, Sincock, Spence — 7.

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

Representative Matushefske moved that the necessary rules be suspended for consideration of **SB 435** — “An Act amending Subchapter III, Part C, Chapter 9, Title 10, Delaware Code, relating to dispositions within the Family Court.” and the motion was adopted by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Minner, Plant, Powell, Riddagh, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 35.

ABSENT: Representatives Billingsley, Clendaniel, Ferguson, Morris, Ridings, Sincock — 6.

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

Representative Rispoli deferred to Representative Boulden on whose motion **HB 630** — “An Act to amend Subchapter I, Chapter 11, Title 17, Delaware Code, relating to Regulations of Outdoor Advertising.” was taken up for consideration.

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

YES: Representatives Ambrosino, Boulden, Byrd, Cain, Connor, Darling, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Rispoli, Temple, Worthen, Jonkiert — 26.

NO: Representatives Riddagh and Spence — 2.

NOT VOTING: Representatives Arnold, Derrickson, Leshner, McKay, Powell, Seibel, Smith — 7.

ABSENT: Representatives Billingsley, Clendaniel, Ferguson, Morris, Ridings, Sincock — 6.

Therefore, the Bill passed the House and was sent to the Senate.

Representative Maxwell deferred to Representative McGinnis on whose motion **HB 661** — “An Act to amend Subchapter I, Chapter 11, Title 12, Delaware Code, relating to the Escheat of Intestate Property.” was taken up for consideration.

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

YES: Representatives Ambrosino, Boulden, Byrd, Cain, Connor, Darling, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Powell, Riddagh, Rispoli, Temple, Worthen, Jonkiert — 27.

NO: Representative Spence — 1.

NOT VOTING: Representatives Arnold, Jornlin, Leshner, McKay, Seibel, Smith — 6.

ABSENT: Representatives Billingsley, Clendaniel, Derrickson, Ferguson, Morris, Ridings, Sincock — 7.

Therefore, the Bill passed the House and was sent to the Senate.

Representative George deferred to Representative Worthen who moved that the necessary rules be suspended for consideration of **HB 701** — “An Act to amend Title 10, Title 11, and Title 31, Delaware Code, relating to the custody, care and treatment of children in need of services, and the transfer of Juvenile Detention Facilities from the Division of Juvenile Corrections to the Family Court.” The motion prevailed by voice vote.

HA 1 to the Bill was introduced by Representative Worthen and adopted by voice vote.

The privilege of the floor was extended to Robert Carey, Attorney for the Governor’s Task Force on Juvenile Corrections, to speak on the Bill.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Connor, Darling, Derrickson, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Miller, Plant, Powell, Riddagh, Rispoli, Seibel, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 33.

NOT VOTING: Representative Minner — 1.

ABSENT: Representatives Billingsley, Cain, Clendaniel, Ferguson, Morris, Ridings, Sincock — 7.

Therefore, the Bill passed the House and was sent to the Senate.

The House recessed at 8:13 p.m. and reconvened at 9:57 p.m.

Representative McGinnis moved that **HB 693** — “An Act to amend Chapter 44 and Chapter 63, Title 9, Delaware Code, and Chapter 83, Title 16, Delaware Code, providing additional

requirements prior to issuance of building permits." w HA 1 be lifted from the table for consideration and the motion prevailed by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Connor, Darling, George, Gilligan, Gordy, Harrington, Hebner, Johnson, Jornlin, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Powell, Riddagh, Rispoli, Seibel, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 31.

NOT VOTING: Representatives Derrickson, McKay, Smith — 3.

ABSENT: Representatives Billingsley, Clendaniel, Ferguson, Leshner, Morris, Ridings, Sincock — 7.

Therefore, the Bill passed the House and was sent to the Senate.

Representative George moved that the necessary rules be suspended for the consideration of **SB 505** and the motion prevailed by voice vote.

SB 505 — "An Act to amend Chapter 113, Volume 60, Laws of Delaware, the 1976 Budget Appropriation Act, originally designated **SB 431**, and to amend Chapter 5, Title 28, Delaware Code."

HA 1 to the Bill was introduced by Representative Ambrosino and the roll call vote taken on its adoption; however, before it was announced Representative Ambrosino moved that the roll call be tabled and the motion prevailed by voice vote.

HA 2 to the Bill was introduced by Representative McKay and the roll call vote taken on its adoption; however, before being announced, Representative McKay moved that it be tabled and the motion prevailed by voice vote.

The roll call vote on **SB 505** was then taken but before it was announced, Representative George moved that it be tabled and the motion prevailed by voice vote.

Representative George moved that the necessary rules be suspended for the introduction and consideration of **HB 742** and the motion prevailed by voice vote.

HB 742 (sponsored by Representative George and Senator Cicione) — "An Act to amend Chapter 113, Volume 60, Laws of Delaware, the 1976 Budget Appropriation Act, originally designated **SB 431**, and to amend Chapter 5, Title 28, Delaware Code."

HA 1 to the Bill was introduced by Representative McKay who moved for its adoption.

The roll call vote on adoption of **HA 1** to **HB 742** was then taken and announced:

YES: Representatives Ambrosino, Arnold, Connor, Darling, Derrickson, Gilligan, Hebner, Jornlin, LeGates, Leshner, Lynch, Matushefske, McKay, Minner, Powell, Riddagh, Seibel, Smith, Spence, Temple, Worthen — 21.

NO: Representatives Byrd, George, Harrington, Johnson, Kelly, Maxwell, McGinnis, Miller, Rispoli, Jonkiert — 10.

NOT VOTING: Representative Boulden — 1.

ABSENT: Representatives Billingsley, Cain, Clendaniel, Ferguson, Gordy, Morris, Plant, Ridings, Sincok — 9.

Therefore, the Amendment was adopted.

The House recessed at 10:55 p.m. and reconvened at 11:07 p.m.

HB 742 w HA 1 which was still before the House, was then laid on the table on motion of Representative George.

Representative George moved that the roll call vote on **SB 505** — “An Act to amend Chapter 113, Volume 60, Laws of Delaware, the 1976 Budget Appropriation Act, originally designated **SB 431**, and to amend Chapter 5, Title 28, Delaware Code.” be lifted and the motion prevailed by voice vote.

Roll call was taken and revealed:

YES: Representatives Ambrosino, Boulden, Byrd, Cain, Connor, Darling, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Riddagh, Rispoli, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 26.

NO: Representatives Arnold, Derrickson, Hebner, Jornlin, Leshner, McKay, Powell, Seibel, Smith — 9.

ABSENT: Representatives Billingsley, Clendaniel, Ferguson, Morris, Ridings, Sincok — 6.

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

Representative Darling moved that the necessary rules be suspended for introduction and consideration of **HJR 28** and the motion prevailed by voice vote:

HJR 28 — “Establishing a Committee to administer and oversee all aspects in the State purchase of the Bellevue Estate.”

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

YES: Representatives Boulden, Byrd, Cain, Darling, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Rispoli, Temple, Worthen, Jonkiert — 22.

NO: Representatives Ambrosino, Arnold, Connor, Derrickson, Hebner, Jornlin, Leshner, McKay, Powell, Seibel, Smith, Spence — 12.

NOT VOTING: Representative Riddagh — 1.

ABSENT: Representatives Billingsley, Clendaniel, Ferguson, Morris, Ridings and Sincock — 6.

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

SB 410 — "An Act establishing a Delaware Solid Waste Authority to provide Statewide Solid Waste Management Services and which transfers from the Department of Natural Resources and Environmental Control to the Authority the power to License the hauling, conveyance, and transportation of Solid Waste and to provide an appropriation thereto." was lifted from the table for consideration on motion of Representative Gilligan and the roll call vote taken which revealed:

YES: Representatives Boulden, Byrd, Cain, Darling, George, Gilligan, Gordy, Harrington, Johnson, Kelly, LeGates, Lynch, Matushefske, Maxwell, McGinnis, Miller, Minner, Plant, Riddagh, Rispoli, Seibel, Smith, Temple, Worthen, Jonkiert — 25.

NOT VOTING: Representatives Ambrosino, Arnold, Derrickson, Hebner, Jornlin, Leshner, McKay, Powell, Spence — 9.

ABSENT: Representatives Billingsley, Clendaniel, Connor, Ferguson, Morris, Ridings, Sincock — 7.

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

The House recessed at 11:35 p.m. July 28, 1975.

SPECIAL SESSION — II

The Speaker called the House to order at 2:18 p.m. August 11, 1975.

A Prayer was offered by Representative Boulden.

Pledge of Allegiance to the Flag.

Roll call was taken and revealed:

PRESENT: Representatives Ambrosino, Arnold, Boulden, Byrd, Cain, Clendaniel, Connor, Darling,

Derrickson, Ferguson, Gilligan, Gordy, Harrington, Hebner, Johnson, Kelly, LeGates, Leshner, Lynch, Matushefske, Maxwell, McGinnis, McKay, Minner, Plant, Powell, Riddagh, Ridings, Rispoli, Seibel, Sincock, Smith, Spence, Temple, Worthen, Mr. Speaker Jonkiert — 36.

ABSENT: Representatives Billingsley, George, Miller, Morris — 4.

The minutes of the previous Session were approved as posted.

The following Writ of Election was read:

August 6, 1975

WRIT OF ELECTION

To: The Department of Elections
of New Castle County
Public Building
Wilmington, Delaware 19801

WHEREAS, a vacancy exists in the House of Representatives of the 128th General Assembly of the State of Delaware by reason of the death of Francis M. Jornlin, the Member from the 6th Representative District of New Castle County, State of Delaware;

NOW THEREFORE, I, Casimir S. Jonkiert, Speaker of the House of Representatives of the 128th General Assembly of the State of Delaware, Presiding Officer of said House of Representatives, in accordance with the Constitution and Laws of the State of Delaware in such cases made and provided, do hereby issue this Writ of Election and command that you shall cause a Special Election to be held in the said 6th Representative District in New Castle County, State of Delaware by the qualified electors thereof on a day to be appointed by you, such day not to be more than 11 nor less than 10 days next after the day of your receiving this Writ, exclusive of that day, for the purpose of electing a Representative to the House of Representatives in the 128th General Assembly for said Representative District to fill the aforesaid vacancy, the person thereupon chose to hold office for the residue of the term of the said Francis M. Jornlin.

IN WITNESS WHEREOF, I, Casimir S. Jonkiert, Speaker of the House of Representatives of the State of Delaware of the 128th General Assembly, and Presiding Officer thereof, have hereunto set my hand and seal this sixth day of August, in the year one thousand nine hundred seventy-