

STATE OF DELAWARE



JOURNAL
OF THE
STATE SENATE

SESSION
of the
131ST GENERAL ASSEMBLY

Convened
Tuesday, January 13, 1981
Dover, Delaware

MEMBERSHIP of THE DELAWARE STATE SENATE
131st GENERAL ASSEMBLY

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

<u>District</u>	<u>Senator</u>
1st	Harris B. McDowell, III - 2311 Baynard Boulevard, Wilmington 19806
2nd	Herman M. Holloway, Sr. - 2008 Washington Street, Wilmington 19802
3rd	Robert I. Marshall (Marchlewicz) - 601 South duPont Street, Wilmington 19805
4th	Robert J. Berndt - 312 Beverly Place, Gordon Heights, Wilmington 19809
5th	Charles E. Hughes - 1406 Lincoln Avenue, Silverside Heights, Wilmington 19809
6th	Myrna L. Bair - 4 Little Leaf Court, Foulk Woods, Wilmington 19810
7th	Andrew G. Knox - 107 Quintynnes Drive, Centreville, Wilmington 19807
8th	John H. Arnold - 2223 Downing Lane, Kiamensi Heights, Wilmington 19804
9th	Thomas B. Sharp - 2226 E. Huntington Drive, Pinecrest, Wilmington 19808
10th	James P. Neal - 111 Radcliffe Drive, Newark 19711
11th	Angelo T. Citro - 301 Taylor Road, Rosemont, Wilmington 19804
12th	Robert T. Connor - 18 Cripppen Drive, Penn Acres, New Castle 19720
13th	David B. McBride - 407 Cushman Road, Wilmington 19804
14th	Roger A. Martin - 13 Pinedale Road, Windy Hills, Newark 19711
15th	James T. Vaughn - 201 Washington Street, Clayton 19938
16th	Nancy W. Cook - Post Office Box 127, Kenton 19955
17th	Jacob W. Zimmerman - Post Office Box 775, Dover 19903
18th	William M. Murphy, Jr. - 1437 Nathaniel Mitchell Road, Dover 19901 (Resigned October 28, 1981)
18th	William C. Torbert - 8A Bradys Lane, Dover 19901 (Elected December 5, 1981)
19th	Thurman Adams, Jr. Post Office Box 218, Bridgeville 19933
20th	Richard S. Cordrey - River Drive, Box 486, Millsboro 19966
21st	W. Lee Littleton - 135 Sharptown Road, Laurel 19956

131ST GENERAL ASSEMBLY
1ST LEGISLATIVE DAY
DOVER, DELAWARE
JANUARY 13, 1981

Pursuant to Section 4, Article 2, of the Constitution of the State of Delaware, the Senate met at Legislative Hall in Dover, Delaware, at 1:45 p.m., Lt. Governor McGinnis presiding.

The following prayer was offered by the Chaplain, Rev. Walter Stricker:

O Lord, Almighty God, whose glory is in all the world, who art the fountain of wisdom, whose will is good and gracious, and whose law is truth; we beseech thee to bless and guide this assembly of the Legislature of the State of Delaware, and especially the members of the Senate here gathered, that they may enact such laws as shall please thee. Fill them with wisdom and strength to know and to do thy will. Give them the love of truth and righteousness, and make them ever mindful of their calling to serve this people in thy fear and to the glory of thy name, all this we ask through Jesus Christ our Lord. Amen.

Pledge of Allegiance to the Flag.

On motion of Senator Cordrey, the Chair appointed Betty Jean Caniford as Temporary Secretary of the Senate, Patricia A. Hagarty as Temporary Reading Clerk and Charles Staats as Temporary Bill Clerk.

The roll call vote of the hold-over Senators was taken and revealed:

PRESENT: Senators Adams, Berndt, Holloway, Hughes, Knox, Marshall, Murphy, Sharp, Zimmerman - 9.

ABSENT: Senator Martin - 1.

The Chair appointed Senators Holloway and Littleton as a Committee to receive and examine the Certificates of Elections of the newly elected Senators.

A short recess was called for the examination of the Certificates after which the Senate reconvened and the Committee reported the Certificates of the newly-elected Senators to be in order:

On motion of Senator Cordrey and without objection, the Chair ruled that the reading of one Certificate of Election would constitute the reading of all of the Certificates.

From New Castle County: Harris B. McDowell, III; Myrna Bair; John H. Arnold; James P. Neal; Angelo T. Citro; Robert T. Connor; David B. McBride; James T. Vaughn.

From Kent County: James T. Vaughn; Nancy W. Cook.

From Sussex County: Nancy W. Cook; Richard Cordrey; Lee Littleton.

Illustration of
Certificate of Election

THE STATE OF DELAWARE, S.S.
SUSSEX COUNTY

Be it remembered, that at the general election held on the Tuesday next after the first Monday in November, 1980, for Sussex County, according to the Constitution and Laws of the State of Delaware, Richard S. Cordrey was duly elected Senator for Senatorial District Number 20, which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, WE Hon. Claud L. Tease and Hon. Joseph T. Walsh, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this 6th day of November, 1980.

Claud L. Tease,
Res. Assoc. Judge
Joseph T. Walsh,
Assoc. Judge

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The Lt. Governor administered the Oath of Office to the newly elected Senators.

Illustration of Oath of Office
for Members of the General Assembly

"I, Richard S. Cordrey, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Senator according to the best of my ability.

And I do further solemnly swear (or affirm) that I have not directly or indirectly paid,

offered or promised to pay, contributed, or offered or promised to contribute, any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office."

Richard S. Cordrey, Senator

Sworn to this 13th day of January, A.D., 1981, before me, James D. McGinnis, President of the Senate

SR 1 (sponsored by Senators Cordrey and Sharp) was introduced and considered for adoption on motion of Senator Cordrey:

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

BE IT RESOLVED by the Senate of the 131st General Assembly of the State of Delaware that the following constitute the permanent roll of the Senate of the 131st General Assembly. Thurman Adams, Jr., John H. Arnold, Myrna L. Bair, Robert J. Berndt, Angelo T. Citro, Robert T. Connor, Nancy W. Cook, Richard S. Cordrey, Herman M. Holloway, Sr., Charles E. Hughes, Andrew G. Knox, Lee Littleton, Robert Marshall, Roger A. Martin, Harris B. McDowell, III, William M. Murphy, Jr., James P. Neal, Thomas B. Sharp, James T. Vaughn, Jake Zimmerman.

On motion of Senator Sharp, and without objection, the name of David B. McBride was added to the permanent roll of the Senate contained in SR 1, since it had been omitted in error.

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

The roll call of attendance was then taken and revealed:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 20.

ABSENT: Senator Martin - 1.

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

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

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

The Oath of Office of President pro Tempore was administered to Senator Cordrey by the Lt. Governor.

OATH OF OFFICE

"I, Richard S. Cordrey, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of President Pro Tempore of the Senate in the General Assembly of the State of Delaware, according to the best of my ability."

Richard S. Cordrey, President Pro Tempore

Sworn and subscribed to this 13th day of January, A.D., 1981

James D. McGinnis, President of the Senate

Senator Cordrey announced that Senator Sharp would be the Majority Leader and Senator McDowell, the Majority Whip.

Senator Hughes announced that Senator Knox would be the Minority Leader and Senator Arnold, the Minority Whip.

SR 3 (sponsored by Senators Cordrey and Sharp) was introduced and considered for adoption:

SR 3 - IN REFERENCE TO ELECTION OF OFFICERS.

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

Pursuant to the above Resolution and on motion of Senator Sharp, Betty Jean Caniford was sworn in by the Lt. Governor as Secretary of the Senate.

OATH OF OFFICE

"I, Betty Jean Caniford do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Secretary of the Senate, according to the best of my ability.

Betty Jean Caniford

Sworn to and subscribed before me this 13th day of January, A.D., 1981. James D. McGinnis, President of the Senate.

SR 4 (sponsored by Senators Cordrey and Sharp) was introduced and considered for adoption:

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

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

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

SJR 1 - IN REFERENCE TO ELECTION OF OFFICERS.

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

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

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

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

Pursuant to the above Resolution, the Chair appointed Senators Citro and Holloway as a Committee to notify the Governor.

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

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

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

Pursuant to the above Resolution, the Chair appointed Senators Marshall and Connor as a Committee to notify the House.

At 2:30 p.m., on motion of Senator Cordrey, the Senate recessed for a short period and reconvened at 4:23 p.m., Senator Sharp presiding.

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

SR 7 - AUTHORIZING THE LEGISLATIVE COUNCIL TO FURNISH POSTAGE FOR THE FIRST SESSION OF THE 131ST GENERAL ASSEMBLY.

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

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

SR 8 - IN REFERENCE TO ELECTION OF STAFF.

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

Senator Martin marked PRESENT.

The following Committees for the 131st General Assembly were announced:

ADMINISTRATIVE SERVICES/ENERGY - Harris B. McDowell, Chairman; Nancy W. Cook, William M. Murphy, Jr.; Robert Marshall; Roger A. Martin; Myrna L. Bair; Robert T. Connor.

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

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

COMMUNITY AFFAIRS - Robert Marshall, Chairman; William M. Murphy, Jr.; Harris B. McDowell, Myran L. Bair; Robert T. Connor.

CORRECTIONS - James T. Vaughn, Chairman; Thomas B. Sharp, Herman M. Holloway, Sr.; Nancy W. Cook, Angelo T. Citro, Robert T. Connor.

EDUCATION - David B. McBride, Chairman; Jake Zimmerman; Harris B. McDowell; James T. Vaughn; Robert T. Connor; James P. Neal; Myrna L. Bair.

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

FINANCE - Nancy W. Cook, Chairman; Herman M. Holloway, Sr.; David B. McBride; William M. Murphy, Jr.; Lee Littleton; Robert J. Berndt.

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

HIGHWAYS AND TRANSPORTATION - Roger A. Martin, Chairman; Thomas B. Sharp, Nancy W. Cook, Robert J. Berndt, Charles E. Hughes.

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

JUDICIARY - Thomas B. Sharp, Chairman; Harris B. McDowell; Jake Zimmerman; James T. Vaughn; Charles E. Hughes; Angelo T. Citro.

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

NATURAL RESOURCES/ENVIRONMENTAL CONTROL - Jake Zimmerman, Chairman; Richard S. Cordrey, William M. Murphy, Jr.; Roger A. Martin; Andrew G. Knox; Robert J. Berndt.

PUBLIC SAFETY - William M. Murphy, Jr., Chairman; Thomas B. Sharp; Richard S. Cordrey, James T. Vaughn; Thurman Adams; Charles E. Hughes; James P. Neal.

REVENUE AND TAXATION - Richard S. Cordrey, Chairman; David B. McBride; Robert Marshall; John H. Arnold; James P. Neal.

The following communications were read at the request of Senator Cordrey:

SENATE
STATE OF DELAWARE
DOVER, DELAWARE

January 13, 1981

TO: Members of the 131st General Assembly
FROM: Richard S. Cordrey, President Pro Tempore
SUBJECT: Sunset Committee

I would like to name the following members of the 131st General Assembly to serve on the Sunset Committee: 4-year term — Senator Harris B. McDowell, Chairman; 3-year term — Senator James Vaughn; 2-year term — Senator Robert Marshall; 1 year term — Senator Myrna Bair; 1 year term — Senator Robert Connor.

SENATE
STATE OF DELAWARE
DOVER, DELAWARE

January 13, 1981

TO: Members of the 131st General Assembly
FROM: Richard S. Cordrey, President Pro Tempore
SUBJECT: Ethics Committee

I would like to name the following members of the 131st General Assembly to serve on the Ethics Committee: Senator Richard S. Cordrey, Chairman; Senator Thomas B. Sharp; Senator Harris B. McDowell; Senator Andrew G. Knox; Senator John H. Arnold.

Senator Cordrey announced that Senator Nancy C. Cook would be the majority party appointee to the Legislative Council.

Senator Knox announced that Senator John H. Arnold would be the minority party appointee to the Legislative Council.

Senators Holloway and Citro informed the Senate that they had notified the Governor that the Senate was organized.

Senators Marshall and Connor informed the Senate that they had notified the House that the Senate was organized and ready to receive business.

Senator Sharp informed the Senate that a Committee from the House had been over to notify the Senate that the House was organized and ready for business but the Senate was out. Senator Sharp requested that this be recorded.

At 4:45 p.m. on motion of Senator Cordrey, the Senate recessed until January 14, 1981 at 1:30 p.m..

The Senate reconvened at 1:46 p.m., January 14, 1981, Lt. Governor McGinnis presiding.

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

SCR 1 - PROVIDING THAT A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE BE CONVENED FOR THE PURPOSE OF OPENING AND PUBLISHING THE ELECTION RETURNS FOR GOVERNOR.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES and 4 (Holloway,, Martin, McBride and Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

At 1:50 p.m., on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 2nd Legislative Day.

2ND LEGISLATIVE DAY
January 14, 1981

The Senate convened at 1:50 p.m., Lt. Governor McGinnis presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll, revealed the following attendance:

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

The Journal of the previous day was approved as read.

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

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
January 13, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: T. Dennis Sullivan, II, 1 Glenview Drive, Princeton, New Jersey, to be appointed Secretary of the Department of Finance to serve during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
January 13, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Marna C. Whittington, P.O. 485, Wilmington, Delaware, to be appointed Secretary of Administrative Services to serve during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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The following legislation was introduced:

SB 1 - AN ACT TO AMEND CHAPTER 5, PART I, TITLE 31 OF THE DELAWARE CODE RELATING TO PHARMACEUTICAL ASSISTANCE FOR THE AGED; AND PROVIDING AN APPROPRIATION THEREFOR. Sponsors: Senators McBride & McDowell (joint sponsors); Senators Holloway, Marshall; Representatives Anderson, Plant, Dixon, Gilligan, Cain, George, Campanelli, Jonkiert and Soles. Assigned to Finance Committee.

SB 2 - AN ACT TO AMEND SUBCHAPTER VI, TITLE II OF THE DELAWARE CODE RELATING TO TAMPERING WITH A WITNESS. Sponsor: Senator Hughes. Assigned to Judiciary Committee.

SB 3 - AN ACT TO AMEND TITLE 1, TITLE 5, TITLE 10, TITLE 12, TITLE 23 AND TITLE 29 OF THE DELAWARE CODE RELATING TO DIVESTURE BY THE STATE OF DELAWARE OF THOSE SHARES OF STOCK IN THE FARMERS' BANK OF THE STATE OF DELAWARE WHICH ARE OWNED BY THE STATE. Sponsors: Senators Connor and McBride. Assigned to Banking Commission.

SB 5 - AN ACT TO AMEND CHAPTER 5, TITLE I, DELAWARE CODE, RELATING TO LEGAL HOLIDAYS AND ESTABLISHING MARTIN LUTHER KING'S BIRTHDAY AS A LEGAL HOLIDAY. Sponsors: Senator Holloway; Representatives Holloway and Plant. Assigned to Executive Committee.

SB 6 - AN ACT TO AMEND TITLE 5, CHAPTER 27, DELAWARE CODE, RELATING TO LIMITATION ON FEES AND CHARGES FOR CASHING CHECKS OR MONEY ORDERS. Sponsor: Senator Holloway. Assigned to Banking Committee.

SB 7 - AN ACT TO AMEND CHAPTER 49, TITLE 15, DELAWARE CODE, RELATING TO SAMPLE BALLOTS. Sponsor: Senator Holloway. Assigned to Insurance and Elections Committee.

SB 8 - AN ACT TO AMEND CHAPTER 15, TITLE 13 OF THE DELAWARE CODE RELATING TO AN AWARD OF ALIMONY IN DIVORCE AND ANNULMENT ACTIONS. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 9 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 1, TITLE 23, DELAWARE CODE, RELATING TO PILOTAGE RATES. Sponsors: Senators Cordrey, Cook, Hughes; Representatives Derrickson, Harrington, Bennett. Assigned to Administrative Services Committee.

SB 10 - AN ACT TO AMEND CHAPTER II, PART II, TITLE 30 OF THE DELAWARE CODE RELATING TO CERTAIN REDUCTIONS IN THE PERSONAL INCOME TAX. Sponsors: Senator Marshall and Representative Jonkiert. Assigned to Revenue and Taxation Committee.

SB 11 - AN ACT TO AMEND CHAPTER 413, VOLUME 62 OF THE LAWS OF DELAWARE TO CORRECT A TYPOGRAPHICAL ERROR. Sponsors: Senator McBride and Representative Petrilli. Assigned to Judiciary Committee.

SA 1 to SR 4 sponsored by Senators Citro and Bair. Placed with the Bill.

At 2:00 p.m. on motion of Senator Cordrey, the Senate recessed to convene in Joint Session with the House.

JOINT SESSION
SENATE CHAMBER
JANUARY 14, 1981

Pursuant to SCR 1, the House and Senate convened for Joint Session in the Senate Chamber at 2:03 p.m., January 14, 1981.

On motion of Senator Sharp and without objection, the President of the Senate was appointed to preside over the Joint Session.

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

The President directed the reading clerk to read the following Certificates of Election as follows:

THE STATE OF DELAWARE
NEW CASTLE COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and eighty, for New Castle County, according to the Constitution and Laws of the State of Delaware, 43,821 votes were given for WILLIAM J. GORDY for Governor; 115,050 votes were given for PIERRE S. DuPONT, IV for Governor; 1,496 votes were given for R. LAWRENCE LEVY for Governor; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, the undersigned Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on the 7th day of November, A.D. 1980.

Albert J. Stiffel,
President Judge
Andrew D. Christie,
Resident Judge

THE STATE OF DELAWARE
KENT COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and Eighty for Keny County, according to the Constitution and Laws of the State of Delaware, Eight Thousand Six Hundred Sixty Six votes were given for William J. Gordy for Governor; Nineteen Thousand Eight Hundred Ninety Five votes were given for Pierre S. duPont, IV, for Governor; One Hundred Seventy Seven votes were given for R. Lawrence Levy for Governor; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, We, William Marvel and George R. Wright constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 6th day of November, A.D. 1980.

William Marvel,
Chancellor
George R. Wright,
Resident Associate Judge

THE STATE OF DELAWARE
SUSSEX COUNTY, S.S.

Be it remembered, that at the general election held on the Tuesday next after the first Monday in November, 1980, for Sussex County, according to the Constitution and Laws of the State of Delaware, Eleven thousand seven hundred and thirty (11,730) votes were given for William J. Gordy for Governor Twenty-three thousand nine hundred and fifty nine (23,959) votes were given for Pierre S. duPont for Governor One hundred and forty (140) votes were given for R. Lawrence Levy for Governor which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, WE Hon. Claud L. Tease and Hon. Joseph T. Walsh, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this 6th day of November, 1980.

Claud L. Tease,
Res. Assoc. Judge
Joseph T. Walsh,
Assoc. Judge.

* * * * *

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

On motion of Senator Sharp, the Joint Session then adjourned and the two Houses reconvened in their respective chambers.

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The Senate reconvened at 4:25 p.m., Senator Sharp presiding.

SB 12 was introduced by Senator Cook and assigned to the Finance Committee:

SB 12 - AN ACT TO AMEND CHAPTER 39 OF TITLE 14 AND CHAPTER 55, TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS WHO RETIRED PRIOR TO 1980 AND PROVIDING A SUPPLEMENTAL APPROPRIATION THEREFOR.

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

SS 1 for SR 1 (sponsored by Senators Cordrey and Sharp) was introduced and considered for adoption on motion of Senator Cordrey:

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

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

SCR 2 was introduced and laid on the table on motion of Senator Holloway:

SCR 2 - COMMENDING DENNIS C. CAREY, EDUCATION ADVISOR TO THE GOVERNOR FOR ACCOMPLISHING THE FEAT OF SWIMMING THE ENGLISH CHANNEL. Sponsors: Senators Holloway, Hughes and all the Senators; Representatives Jonkiert, VanSeiver, Sinecock, Bennett, Mack, Petrilli and Ennis.

SCR 3 was introduced and considered for adoption:

SCR 3 - CONGRATULATING JOHN DICKINSON HIGH SCHOOL UPON WINNING THE DIVISION I STATE FOOTBALL CHAMPIONSHIP AND CONGRATULATING COACH MARTY APOSTOLICO UPON BEING NAMED COACH OF THE YEAR. Sponsors: Senators Arnold and Sharp; Representatives Powell, Roy, Spence, Gilligan.

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

Senator Martin marked PRESENT.

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

SCR 4 - COMMENDING JOHN E. BABIARZ OF WILMINGTON FOR 31 YEARS OF OUTSTANDING PUBLIC SERVICE. Sponsors: Senators Marshall, Holloway, Berndt, McDowell, Hughes, Knox, Cook; Representatives Jonkiert, Powell, Sinecock, Ennis, Holloway, Jr., George.

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

SJR 2 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Cordrey:

SJR 2 - REVISING THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1981. Sponsors: Senators Cordrey and Berndt; Representatives Sinecock and Petrilli.

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

Senator Holloway marked PRESENT.

SCR 2 was lifted from the table for consideration on motion of Senator Holloway.

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

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

HJR 1 - IN REFERENCE TO ELECTION OF OFFICERS. Sponsors: Representatives Burris and Petrilli.

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

SR 9 was introduced and assigned to Executive Committee:

SR 9 - RELATING TO THE TEMPORARY RULES OF THE DELAWARE STATE SENATE OF THE 131ST GENERAL ASSEMBLY OF THE STATE OF DELAWARE; AND PROVIDING FOR EIGHTEEN ESSENTIAL QUESTIONS IN THE CONSIDERATION OF BILLS CREATING OR AMENDING REGULATORY OR OCCUPATIONAL AGENCIES. Sponsor: Senator Connor.

SR 10 was introduced and assigned to Executive Committee:

SR 10 - RELATING TO THE TEMPORARY RULES OF THE DELAWARE STATE SENATE OF THE 131ST GENERAL ASSEMBLY. Sponsor: Senator Connor.

SR 11 was introduced and assigned to the Executive Committee:

SR 11 - AMENDING THE TEMPORARY RULES OF THE DELAWARE STATE SENATE; AND PROVIDING FOR THE CONSIDERATION OF LEGISLATIVE BILLS IN OPEN COMMITTEE HEARINGS. Sponsor: Senator Connor.

SR 12 was introduced and assigned to Executive Committee:

SR 12 - RELATING TO THE TEMPORARY RULES OF THE DELAWARE STATE SENATE AND PROVIDING FOR A PROHIBITION AGAINST THE TABLING OF ROLL CALL VOTES. Sponsor: Senator Connor.

SR 13 - AMENDING THE TEMPORARY RULES OF THE DELAWARE STATE SENATE TO ALLOW FOR A LITTLE "SUNSHINE" IN CAUCUS MEETINGS. Sponsor: Senator Connor.

SR 14 was introduced and assigned to Executive Committee:

SR 14 - AUTHORIZING THE PRESIDENT PRO TEM TO APPOINT A PERMANENT ETHICS COMMITTEE FOR THE SENATE. Sponsor: Senator Hughes.

SA 2 to SR 4 (sponsored by Senators Knox, Bair and Citro) was introduced and placed with the Resolution.

SA 3 to SR 4 (sponsored by Senators Connor and Neal) was introduced and placed with the Resolution.

SA 4 to SR 4 (sponsored by Senator Connor) was introduced and placed with the Resolution.

SA 5 to SR 4 (sponsored by Senators Hughes, Bair, Knox, Citro and Neal) was introduced and placed with the Resolution.

SA 6 to SR 4 (sponsored by Senators Neal, Connor, Berndt and Bair) was introduced and placed with the Resolution.

SA 7 to SR 4 (sponsored by Senators Connor, Neal, Knox and Bair) was introduced and placed with the Resolution.

Senator Cordrey pointed out the since SR 4 w SA 1 had already been adopted by the Senate, the above Amendments #2 through 7 were out of order. The Amendments were therefore stricken on motion of the various sponsors.

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

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

January 14, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Dennis C. Carey, 104 Holly Oak Road, Wilmington, Delaware, to be appointed Secretary of the Department of Labor for the State of Delaware to serve during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
January 14, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: John A. Dillman, III, 13 Liberty Drive, Dover, Delaware, to be appointed Personnel Director for the State of Delaware to serve during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
January 14, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Joseph M. Lank, 6026 Sherborn Lane, Springfield, Virginia, to be appointed Adjutant General for the State of Delaware to serve during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
January 14, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Donald J. Lynch, Selbyville-Gumboro Road, Selbyville, Delaware, to be appointed Secretary for the Department of Agriculture for the State of Delaware to serve during the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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At 5:08 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., January 15, 1981.
The Senate reconvened at 4:45 p.m., January 15, 1981, President pro Tempore Cordrey, presiding.
On motion of Senator Sharp, the Senate adjourned to immediately convene for the 3rd Legislative Day.

3RD LEGISLATIVE DAY
January 15, 1981

The Senate convened at 4:45 p.m., Senator Cordrey presiding.
A Prayer was offered by Senator Littleton.
Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

The following legislation was introduced:

SB 13 - AN ACT TO AMEND CHAPTER 51, TITLE 29, DELAWARE CODE, RELATING TO DISCLOSURE OF LANDLORDS AND OWNERS OF RENTAL PROPERTY. Sponsor: Senator Martin. Assigned to Community Affairs Committee.

SB 14 - AN ACT TO AMEND CHAPTER 53, TITLE 29, DELAWARE CODE, RELATING TO LANDLORD OBLIGATIONS AND TENANT REMEDIES. Sponsor: Senators Martin and Connor. Assigned to Community Affairs Committee.

SB 15 - AN ACT TO AMEND TITLE 24, DELAWARE CODE BY ESTABLISHING A BOARD OF SANITARIAN REGISTRATION, TO ESTABLISH POWERS AND DUTIES OF SAID BOARD, TO PROVIDE FOR THE CERTIFICATION AND REGISTRATION OF SANITARIANS, TO ESTABLISH A SCHEDULE OF FEES FOR SANITARIAN REGISTRATION, AND TO AUTHORIZE EXPENDITURE OF FEES COLLECTED BY SAID BOARD. Sponsor: Senator Holloway. Assigned to Health and Social Services Committee.

SB 16 - AN ACT TO AMEND SUBCHAPTER VI OF CHAPTER 1, TITLE 26, DELAWARE CODE RELATING TO REGULATION BY THE PUBLIC SERVICE COMMISSION OF RATES CHARGED BY CABLE TELEVISION SYSTEMS. Sponsor: Senator Holloway. Assigned to Community Affairs Committee.

SB 17 - AN ACT TO AMEND CHAPTER 1, TITLE 26 OF THE DELAWARE CODE RELATING TO NUCLEAR POWER PLANTS; AND PROVIDING FOR A MORATORIUM ON ANY FURTHER CONSTRUCTION UNTIL CERTAIN CONDITIONS ARE MET. Sponsor: Senator McDowell. Assigned to Administrative Services/Energy Committee.

SB 18 - AN ACT TO AMEND PART V, TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION; AND PROVIDING FOR A COMMUNITY SCHOOLS ACT. Sponsor: Senator Connor. Assigned to Education Committee.

SB 19 - AN ACT TO AMEND PART II, TITLE 16 OF THE DELAWARE CODE RELATING TO "LIVING WILLS" AND SIMILAR DOCUMENTS WHEREIN TERMINALLY-ILL PATIENTS AND OTHER PERSONS MAY AUTHORIZE THE DISCONTINUANCE OF CERTAIN MEDICAL PROCEDURES. Sponsor: Senator McBride. Assigned to Health and Social Services Committee.

SB 20 - AN ACT TO AMEND PART E, TITLE 10, DELAWARE CODE RELATING TO PRIVACY OF FAMILY COURT PROCEEDINGS. Sponsor: Senator Martin. Assigned to Judiciary Committee.

SB 21 - AN ACT TO AMEND CHAPTER II, TITLE 30, DELAWARE CODE, RELATING TO PERSONAL EXEMPTIONS ON THE DELAWARE STATE INCOME TAX. Sponsor: Senator Sharp. Assigned to Revenue and Taxation Committee.

SB 22 - AN ACT TO AMEND CHAPTER 13, TITLE 14, DELAWARE CODE, RELATING TO THE NUMBER OF STATE SUPPORTED SCHOOL NURSES. Sponsor: Senator Sharp. Assigned to Finance Committee.

SA 1 to SB 5. Sponsor: Senator Hughes. Placed with the Bill.

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

SCR 5 - CONGRATULATING THE PHILADELPHIA EAGLES FOR THEIR FIRST WORLD SERIES CHAMPIONSHIP. Sponsors: Senator Cordrey; Representatives McKay, Burris, Mack and Buckworth.

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

At 4:55 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 21, 1981.

The Senate reconvened at 2:10 p.m., January 21, 1981, Lt. Governor Castle presiding.

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

SCR 7 - PROVIDING THAT A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE BE CONVENED FOR THE PURPOSE OF OPENING AND PUBLISHING THE ELECTION RETURNS FOR LT. GOVERNOR. Sponsor: Senator Sharp.

The roll call vote on the Resolution was taken and revealed 14 Senators voting YES and 7 (Berndt, Connor, Holloway, Marshall, Martin, McDowell and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 4 was introduced and assigned to Administrative Services/Energy Committee:

SB 4 - AN ACT TO AMEND CHAPTER I, TITLE 26 OF THE DELAWARE CODE RELATING TO NUCLEAR POWER PLANTS; AND PROVIDING FOR A MORATORIUM ON ANY FURTHER CONSTRUCTION UNTIL CERTAIN CONDITIONS ARE MET. Sponsor: Senator McDowell.

SB 23 was introduced and assigned to Revenue and Taxation Committee:

SB 23 - AN ACT TO AMEND CHAPTER 39, TITLE 30 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE DOCUMENT FEE. Sponsors: Senators McDowell, McBride, Marshall, Vaughn, Hughes; Representative Anderson.

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

SCR 6 - COMMENDING SENATOR CALVIN R. MCCULLOUGH OF HOLLOWAY TERRACE FOR HIS LONG AND ILLUSTRIOUS CAREER IN THE DELAWARE GENERAL ASSEMBLY. Sponsors: Senator Murphy and all the Senators; Representatives Jonkiert, Minner, Dixon, Darling, Anderson, Gilligan, Holloway, West, Bennett, Plant, George, Cain, Soles, Campanelli, Jester.

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

SJR 3 was introduced and assigned to Administrative Services/Energy Committee:

SJR 3 - REQUIRING THE STATE ENERGY OFFICE OR ITS SUCCESSOR TO DEVELOP A PLAN FOR RECYCLING OF WASTE OIL. Sponsors: Senators Bair, Berndt, McDowell, Neal, Knox, Martin; Representatives Smith and Free.

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

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

SCR 1 - CONGRATULATING THE DICKINSON HIGH SCHOOL RAMS AND THEIR COACH, MARTY APOSTOLICO, ON WINNING THE DIVISION I STATE FOOTBALL CHAMPIONSHIP, AND THE FIVE PLAYERS WHO WERE CHOSEN FOR THE ALL-FLIGHT A TEAM. Sponsors: Roy, Petrilli, Powell, Gilligan, Spence, Corrozi, Barnes, Sincok, Bennett; Senators Arnold and Sharp.

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

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

SCR 2 - MARKING THE 52ND BIRTHDAY OF THE REV. DR. MARTIN LUTHER KING, JR., CIVIL RIGHTS LEADER, ON JANUARY 15, 1981. Sponsors: Representatives Plant, Holloway, Jr., Petrilli and Hebner; Senator Holloway, Sr.

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

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

SCR 3 - WISHING JOE BEN HUDSON, OF MISSION, SUSSEX COUNTY, A HAPPY BIRTHDAY AS HE REACHES NUMBER 107 ON JANUARY 26, 1981. Sponsors: Representatives West, Burris, Cordrey; Senators Cordrey, Littleton.

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

The following Committee reports were announced:

From the Insurance and Elections Committee: SB 7 - 4 Merits.

From the Judiciary Committee: SB 11 - 3 Favorable, 2 Merits.

From the Administrative Services/Energy Committee: SB 9 - 3 Favorable, 4 Merits.

At 2:32 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 3:17 p.m.

At 3:19 p.m. on motion of Senator Sharp, the Senate recessed to go into Joint Session with the House of Representatives.

JOINT SESSION
SENATE CHAMBER
January 21, 1981

Pursuant to SCR 7, the House and Senate convened for Joint Session in the Senate Chamber at 3:19 p.m., January 21, 1981.

On motion of Senator Sharp and without objection, the President of the Senate was appointed to preside over the Joint Session.

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

The President directed the reading clerk to read the Certificates of Election as follows:

THE STATE OF DELAWARE
NEW CASTLE COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and eighty, for New Castle County, according to the Constitution and Laws of the State of Delaware, 62,143 votes were given for THOMAS B. SHARP for Lieutenant Governor; 92,703 votes were given for MICHAEL N. CASTLE for Lieutenant Governor; 554 votes were given for MARY D. GIES for Lieutenant Governor; 1,311 votes were given for MARGARET R. BUCHANAN for Lieutenant Governor; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, the undersigned Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on the 7th day of November, A.D. 1980.

Albert J. Stiftel,
President Judge
Andrew D. Christie,
Resident Judge

THE STATE OF DELAWARE
KENT COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and Eighty for Kent County, according to the Constitution and Laws of the State of Delaware, Eleven Thousand Nine Hundred Four votes were given for Thomas B. Sharp for Lieutenant-Governor; Fifteen Thousand Nine Hundred Forty votes were given for Michael N. Castle for Lieutenant-Governor; Seventy Six votes were given for Mary D. Gies for Lieutenant-Governor; One Hundred Ninety Three votes were given for Margaret R. Buchanan for Lieutenant-Governor; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, We, William Marvel and George R. Wright constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 6th day of November, A.D. 1980.

William Marvel
Chancellor
George R. Wright
Resident Associate Judge

THE STATE OF DELAWARE
SUSSEX COUNTY, S.S.

Be it remembered, that at the general election held on the Tuesday next after the first Monday in November, 1980, for Sussex County, according to the Constitution and Laws of the State of Delaware, Fourteen thousand one hundred and seventy-seven (14,177) votes were given for Thomas B. Sharp for Lieutenant Governor Twenty thousand one hundred and eighty four (20,184) votes were given for Michael N. Castle for Lieutenant Governor Fifty Seven (57) votes were given for Mary D. Gies for Lieutenant Governor One hundred Fifty (150) votes were given for Margaret R. Buchanan for Lieutenant Governor which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, WE Hon. Claud L. Tease and Hon. Joseph T. Walsh, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this 6th day of November, 1980.

Claud L. Tease,
Res. Assoc. Judge
Joseph T. Walsh,
Assoc. Judge.

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

On motion of Senator Sharp, the Joint Session then adjourned. Time: 3:25 p.m.

The Senate reconvened at 4:42 p.m., Senator Cordrey presiding.

The following Committee reports were announced on the Governor's nominations for appointment: Joseph Lank - 3 Favorable, 2 Merits; Marna C. Whittington - 3 Favorable, 2 Merits; T. Dennis Sullivan, II - 3 Favorable, 2 Merits.

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

At 4:42 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 4th Legislative Day.

4TH LEGISLATIVE DAY
January 21, 1981

The Senate convened at 4:42 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 6.

The Secretary announced that Legislative Advisory #1 received from the Office of Counsel to the Governor informed the Senate that the Governor signed SJR 1 on January 13, 1981 and HJR 1 on January 15, 1981.

The following letter from the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
January 20, 1981

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

Dear Mr. President:

As required by Article VII, Section 1 of the Delaware Constitution, I am hereby transmitting to the General Assembly copies of all reprieves, pardons and remissions granted by me in 1980.

I would appreciate your advising members of the Senate that this transmittal has been received and making it available to them. I would also appreciate your reading this communication into the Journal, as formal acknowledgment of receipt.

Sincerely yours,
Pierre S. duPont, Governor

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HCR 6 was introduced and considered for adoption on motion of Senator Littleton:

HCR 6 - WELCOMING HOME MARINE SERGEANT GREGORY A PERSINGER, OF SEAFORD, ONE OF THE 52 HOSTAGES HELD IN IRAN. Sponsors: Representative Fallon and all the Representatives; Senators Adams, Littleton and all the Senators.

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

Senator Connor marked PRESENT.

The following legislation was introduced:

SB 24 - AN ACT TO AMEND TITLES 9 AND 22 OF THE DELAWARE CODE RELATING TO ZONING REQUIREMENTS FOR FACILITIES FOR DEVELOPMENTALLY DISABLED PERSONS. Sponsor: Senator Marshall. Assigned to Community Affairs Committee.

SB 25 - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE, RELATING TO ACCREDITATION OF ANATOMICAL STUDIES. Sponsors: Senator Holloway and Representative Maroney. Assigned to Health and Social Services Committee.

SB 26 - AN ACT TO MAKE AN APPROPRIATION TO THE HOCKESSIN COMMUNITY CENTER FOR SENIOR CITIZEN SERVICES. Sponsor: Senator Holloway. Assigned to Finance Committee.

SB 27 - AN ACT TO AMEND CHAPTER 17, TITLE 24, DELAWARE CODE, RELATING TO THE PRACTICE OF MEDICINE. Sponsors: Senator Holloway and Representative Maroney. Assigned to Health and Social Services Committee.

SB 28 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE TO PROVIDE FOR THE INCLUSION OF MAINTENANCE MECHANICS IN THE SALARY SCHEDULE FOR SCHOOL CUSTODIANS, AND PROVIDING THE BASIS FOR ALLOTMENT TO SCHOOL DISTRICTS. Sponsor: Senator Holloway. Assigned to Education Committee.

SB 29 - AN ACT TO AMEND CHAPTER 37, TITLE 31, DELAWARE CODE, RELATING TO LICENSING OF SOCIAL WORKERS. Sponsor: Senator Holloway. Assigned to Health and Social Services Committee.

SB 30 - AN ACT TO AMEND CHAPTER 85, TITLE 16, DELAWARE CODE, RELATING TO THE EXEMPTION OF RESIDENTIAL TYPE HOT WATER HEATERS IN PLACES OF BUSINESS. Sponsors: Senators Murphy and Adams; Representative Minner. Assigned to Public Safety Committee.

SB 31 - AN ACT TO AMEND CHAPTER 9, TITLE 22 OF THE DELAWARE CODE RELATING TO THE MUNICIPAL USER TAX. Sponsor: Senator Arnold. Assigned to Community Affairs Committee.

SB 32 - AN ACT ESTABLISHING AN ENERGY PLANNING TASK FORCE WHICH HAS THE RESPONSIBILITY FOR DEVELOPING A LONG RANGE COMPREHENSIVE ENERGY POLICY FOR THE STATE OF DELAWARE AND MAKING A SUPPLEMENTARY APPROPRIATION THEREFOR. Sponsors: Senators Bair, Neal, McDowell, Martin; Representatives Smith, Roy, Darling. Assigned to Administrative Services/Energy Committee.

SB 33 - AN ACT TO AMEND CHAPTER 53, TITLE 25, DELAWARE CODE, RELATING TO LANDLORD OBLIGATIONS AND TENANT REMEDIES. Sponsor: Senator Martin. Assigned to Community Affairs Committee.

SB 34 - AN ACT TO AMEND CHAPTER 51, TITLE 25, DELAWARE CODE, RELATING TO DISCLOSURE OF LANDLORDS AND OWNERS OF RENTAL PROPERTY. Sponsor: Senator Martin. Assigned to Community Affairs Committee.

SB 13 and SB 14 were stricken at the request of the sponsor, Senator Martin.

SB 35 - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO SPORTS AND AMUSEMENTS; AND PROVIDING FOR AN AMUSEMENT RIDES SAFETY ACT. Sponsors: Senator Connor and McBride (joint sponsors); Senators Citro, McDowell; Representatives VanSciver, Mack, Cathcart, Petrilli. Assigned to Community Affairs Committee.

SB 36 - AN ACT TO AMEND CHAPTER 53, TITLE 25, DELAWARE CODE, RELATING TO LANDLORD OBLIGATIONS AND TENANT REMEDIES. Sponsors: Senator Holloway, Sr., Representative Holloway, Jr. Assigned to Community Affairs Committee.

SB 37 - AN ACT TO AMEND CHAPTER 1, TITLE 22 OF THE DELAWARE CODE RELATING TO TOWN COMMISSIONERS FOR UNINCORPORATED TOWNS; AND PROVIDING FOR THE IMPOSITION OF FEES OR CHARGES FOR VEHICLE PARKING ON STREETS AND OTHER ACCESSIBLE AREAS. Sponsors: Senator Cordrey and Murphy. Assigned to Community Affairs Committee.

SB 38 - AN ACT TO AMEND TITLES 4 AND 30 OF THE DELAWARE CODE, RELATING TO TAXES ON ALCOHOLIC BEVERAGES AND TOBACCO PRODUCTS. Sponsor: Senator Holloway. Assigned to Revenue and Taxation Committee.

SB 39 - AN ACT TO AMEND CHAPTER 7, TITLE 7, DELAWARE CODE RELATING TO PROHIBITED HUNTING AND TRAPPING METHOD. Sponsor: Senator Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

SB 40 - AN ACT TO AMEND CHAPTER 7, TITLE 7, DELAWARE CODE RELATING TO RED FOXES. Sponsor: Senator Zimmerman. Assigned to Natural Resources and Environmental Control Committee.

SB 41 - AN ACT TO AMEND TITLE 21 AND TITLE 25 OF THE DELAWARE CODE, RELATING TO CIVIL LIABILITY OF AN OWNER OF CERTAIN REAL OR PERSONAL PROPERTY FOR NEGLIGENCE RESULTING IN INJURY TO A NON-PAYING GUEST. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 28 which had been assigned to the Education Committee was reassigned to the Finance Committee at the request of Senator Cook and without objection.

At the request of Senator Holloway, Senator Knox was added as co-sponsor of SB 27.

SB 17 was stricken at the request of the sponsor, Senator McDowell.

On motion of Senator Adams, the Governor's nomination for appointment of Joseph M. Lank was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of T. Dennis Sullivan, II, was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Marna C. Whittington was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

At 5:13 p.m., on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., January 22, 1981.

The Senate reconvened at 2:19 p.m., January 22, 1981, Lt. Governor Castle presiding.

The following legislation was introduced:

SB 42 - AN ACT TO AMEND CHAPTER 84, TITLE II, DELAWARE CODE, RELATING TO A POLICE TRAINING PROGRAM. Sponsor: Senator Cordrey. Assigned to Public Safety Committee.

SB 43 - AN ACT TO AMEND TITLE 21, CHAPTER 44, RELATING TO ABANDONED VEHICLES. Sponsors: Senator Adams; Representatives Minner and Barnes. Assigned to Public Safety Committee.

SB 44 - AN ACT TO AMEND CHAPTER 25 AND CHAPTER 67, TITLE 21, OF THE DELAWARE CODE RELATING TO THE TRANSFER AND SELLING OF SALVAGES OR TOTAL LOSS MOTOR VEHICLES AND RELATING TO THE RESPONSIBILITY OF THE VEHICLE OWNERS. Sponsors: Senator Adams; Representatives Minner and Barnes. Assigned to Public Safety Committee.

SCR 8 - EXPRESSING SORROW AT THE DEATH OF THE REVEREND DAVID F. RAY AT AGE 104. Sponsors: Senators Holloway and Hughes.

The Resolution was considered for adoption on motion of Senator Holloway and the roll call vote taken which revealed 15 Senators voting YES and 6 (Arnold, Berndt, Knox, Littleton, Martin, McDowell) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SJR 4 - PROCLAIMING 1981 AS THE INTERNATIONAL YEAR OF DISABLED PERSONS IN DELAWARE. Sponsors: Senators Berndt, Citro, McBride, Martin, Murphy, Knox; Representatives VanSeiver, Maroney, Edwards, Campanelli, Corrozi, Gilligan. Assigned to Health and Social Services Committee.

SB 20 was reported out of the Judiciary Committee: 2 Favorable, 2 Merits.

At 2:25 p.m., on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 5th Legislative Day.

5TH LEGISLATIVE DAY
JANUARY 22, 1981

The Senate convened at 2:25 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, Murphy, Neal, Sharp, Vaughn, Zimmerman - 20.

ABSENT: Senator McDowell - 1.

The Journal of the previous day was approved as read.

At the request of Senator Holloway, Senator Berndt, Representatives Anderson, Oberle, Maroney and Cathcart were added as sponsors to SB 15.

Senators Martin, Littleton and Arnold marked PRESENT.

SB 7 was temporarily deferred on motion of the sponsor, Senator Holloway.

SB 11 was stricken at the request of the sponsor, Senator McBride.

SB 9 was taken up for consideration on motion of Senator Cordrey:

SB 9 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 1, TITLE 23, DELAWARE CODE, RELATING TO PILOTAGE RATES.

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

SB 20 was taken up for consideration under suspension of the necessary rules on motion of Senator Sharp:

SB 20 - AN ACT TO AMEND PART E, TITLE 10, DELAWARE CODE RELATING TO PRIVACY OF FAMILY COURT PROCEEDINGS. Sponsor: Senator Martin. The following Senators were added as co-sponsors at their request: Connor, Bair, Hughes, Citro, Marshall.

The privilege of the floor was extended to Jack Russell and Harry Terry after which final consideration of the Bill was deferred on further motion of Senator Martin.

At 3:00 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:33 p.m., Lt. Governor Castle presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 16 and adopted SCR 3, SJR 2, SCR 5, SCR 6, HCR 4, HCR 5, HCR 7, HCR 8, HCR 9.

The following legislation was introduced:

SB 45 - AN ACT TO AMEND CHAPTER 143, VOLUME 57, LAWS OF DELAWARE, RELATING TO AN ACT ENTITLED: "AN ACT TO INCORPORATE THE TOWN OF SOUTH BETHANY;" AND PROVIDING CERTAIN AMENDMENTS THERETO. Sponsor: Senator Cordrey. Assigned to Community Affairs Committee.

SB 46 - AN ACT TO AMEND CHAPTER 58A, TITLE 29 OF THE DELAWARE CODE RELATING TO LAWS REGULATING THE CONDUCT OF OFFICERS AND EMPLOYEES OF THE STATE TO PROVIDE FOR HANDLING OF MEDICAD FUNDS. Sponsors: Senator Holloway; Representatives Maroney and McKay. Assigned to Health and Social Services Committee.

SB 47 - AN ACT TO AMEND CHAPTER 1, TITLE 26 OF THE DELAWARE CODE RELATING TO THE PUBLIC SERVICE COMMISSION; AND DESIGNATING CERTAIN PROVIDERS OF HEATING OIL AS PUBLIC UTILITIES. Sponsor: Senator McBride. Assigned to Administrative Services/Energy Committee.

SB 48 - AN ACT TO AMEND VOLUME 62, CHAPTER 277, LAWS OF DELAWARE, RELATING TO BUS TRANSPORTATION OF PUBLIC SCHOOL STUDENTS PREVIOUSLY DECLARED INELIGIBLE BY THE UNIQUE HAZARDS COMMITTEE. Sponsors: Senator Martin and Representative Oberle. Assigned to Highways and Transportation Committee.

SB 49 - AN ACT AMENDING TITLE 29, DELAWARE CODE, ACKNOWLEDGING THE RIGHTS AND DEFINING THE LIMITATIONS OF LEGISLATIVE OFFICE, ESTABLISHING A CODE OF LEGISLATIVE CONDUCT, AND ESTABLISHING A JOINT COMMITTEE ON LEGISLATIVE CONDUCT IN THE GENERAL ASSEMBLY. Sponsors: Senators Neal, Arnold, Bair, Berndt, Citro, Connor, Holloway, Hughes, Knox, Littleton, Martin, McBride, McDowell, Zimmerman; Representatives Anderson, Barnes, Brady, Buckworth, Cathcart, Corrozi, Derrickson, Edwards, Fallon, Free, Jester, Mack, Maroney, Minner, Oberle, Petrilli, Powell, Riddagh, Roy, Soles, Spence, VanSeiver. Assigned to Executive Committee.

SB 50 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO STATE GOVERNMENT, BY REQUIRING THAT RULES AND REGULATIONS PROMULGATED BY STATE AGENCIES BE SUBMITTED TO THE GENERAL ASSEMBLY. Sponsor: Senator Murphy. Assigned to Executive Committee.

SA 1 to SB 7. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 10. Sponsor: Senator Marshall. Placed with the Bill.

HB 16 - AN ACT TO AMEND CHAPTER 1, TITLE 8, DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. Sponsors: Representatives Burris, Petrilli, Cain, Bennett, Brady; Senators Adams and Knox. Assigned to Judiciary Committee.

SR 15 - CONGRATULATING WALTER B. WRIGHT, OF ROSEDALE BEACH, UPON REACHING HIS 100TH BIRTHDAY ON JANUARY 21, 1981. Sponsor: Senator Cordrey.

The Resolution was considered for adoption on motion of Senator Cordrey and the roll call vote taken which revealed 19 Senators voting YES and 2 (Adams and McDowell) ABSENT; therefore, the Resolution was declared adopted.

SR 16 - AUTHORIZING THE PRESIDENT PRO TEM TO APPOINT A SENATE RULES COMMITTEE TO STUDY AND RECOMMEND CHANGES TO THE RULES OF THE SENATE. Sponsors: Senators Neal and Connor. Laid on the table at the request of Senator Neal.

SCR 9 - URGING THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO ENCOURAGE NEGOTIATIONS BETWEEN THE UNITED STATES AND JAPAN TO RESTRAIN AUTO EXPORTS TO THE UNITED STATES AND ANY OTHER EFFORTS TO ASSIST THE AUTO INDUSTRY TO MEET THE CHALLENGE OF FOREIGN CAR IMPORTS. Sponsor: Senator Martin.

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

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

NOT VOTING: Senators Berndt, Holloway, Hughes - 3.

ABSENT: Senators Adams and McDowell - 2.

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

SB 7 was taken up for consideration on motion of Senator Holloway:

SB 7 - AN ACT TO AMEND CHAPTER 49, TITLE 15, DELAWARE CODE, RELATING TO SAMPLE BALLOTS.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the roll call vote taken which revealed 18 Senators voting YES and 3 (Adams, McBride, McDowell) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Tom Sandbach, Senate Attorney, after which the roll call vote on SB 7 w SA 1 was taken and revealed 18 Senators voting YES and 3 (Adams, McBride and McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HCR 4 (sponsored by Representative Derrickson and Senators Cordrey and Knox) was introduced and considered for adoption on motion of Senator Cordrey:

HCR 4 - ENCOURAGING THE UNITED STATES COAST GUARD TO LOCATE THEIR RESEARCH AND DEVELOPMENT CENTER AT THE UNIVERSITY OF DELAWARE MARINE STUDIES COMPLEX, LEWES, DELAWARE.

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

HCR 5 (sponsored by Representative Maroney) was introduced and considered for adoption on motion of Senator Bair:

HCR 5 - COMMENDING THE ALFRED I. DUPONT INSTITUTE, ROCKLAND, FOR ITS SERVICES TO 50,000 PATIENTS.

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

HCR 7 (sponsored by Representatives Bennett, Darling, Buckworth, Harrington, Minner and Riddagh; Senators Murphy, Cook, Vaughn and Zimmerman) was introduced and considered for adoption on motion of Senator Zimmerman:

HCR 7 - CONGRATULATING RENIE MARTIN, FORMER DOVER HIGH SCHOOL STAR, NOW A STARTING PITCHER FOR THE KANSAS CITY ROYALS, UPON HIS SELECTION AS DELAWARE ATHLETE OF THE YEAR.

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

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

HCR 8 - MOURNING THE DEATH OF DUDLEY C. LUNT, NATURALIST-WRITER-LAWYER, WHO HELPED THE CAUSE OF CONSERVATION IN DELAWARE FOR MANY YEARS. Sponsors: Representatives Smith, Derrickson, Minner, Jester, Soles.

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

HCR 9 was introduced and considered for adoption on motion of Senator Littleton:

HCN 9 - COMMENDING JUNE C. SOUKUP FOR BEING SELECTED AS THE 1981 DELAWARE TEACHER OF THE YEAR. Sponsors: Representatives Fallon and Barnes; Senators Littleton and Adams. The roll call vote on the Resolution was taken and revealed 18 Senators voting YES and 3 (Adams, Berndt and McDowell) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SR 17, sponsored by Senator Holloway, was introduced and considered for adoption on his motion:

SR 17 - COMMENDING THE PHILADELPHIA EAGLES FOR WINNING THE NATIONAL FOOTBALL CONFERENCE CHAMPIONSHIP AND WISHING THE TEAM GOOD LUCK AND VICTORY IN SUPER BOWL XV.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES and 2 (Adams and McDowell) ABSENT; therefore, the Resolution was declared adopted.

The following Committee reports were announced:

From the Health and Social Services Committee: SJR 4 - 2 Favorable, 4 Merits; SB 25 - 5 Merits; SB 27 - 5 Merits.

SA 1 to SB 20 (sponsored by Senator Martin) was introduced and placed with the Bill.

At 5:23 p.m. on motion of Senator Cordrey, the Senate recessed until 1:00 p.m., January 27, 1981.

The Senate reconvened at 2:30 p.m., January 27, 1981, Lt. Governor Castle presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 28 w HA 1, 2; HB 29.

The following legislation was introduced:

SB 51 - AN ACT TO AMEND DELAWARE CODE, TITLE 14 RELATING TO THE ASSIGNMENT OF CERTAIN PERSONNEL AUTHORIZED BY UNIT COUNT IN GRADES KINDERGARTEN THROUGH SIX INCLUSIVE, BY PROVIDING FOR THE ASSIGNMENT OF ELEMENTARY SCHOOL TEACHERS IN THE SPECIALIZED FIELDS OF GUIDANCE, LIBRARY, ART, MUSIC AND PHYSICAL EDUCATION. Sponsors: Senators Connor and Neal. Assigned to Education Committee.

SB 52 - AN ACT TO AMEND CHAPTER 17, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO A METHOD OF CALCULATING THE NUMBER OF UNITS IN A SCHOOL DISTRICT. Sponsors: Senators Connor and Neal. Assigned to Education Committee.

SB 53 - AN ACT TO AMEND CHAPTER 49, TITLE 15, DELAWARE CODE, RELATING TO SAMPLE BALLOTS. Sponsor: Senator Holloway. Assigned to Insurance and Elections Committee.

SB 54 - AN ACT TO AMEND CHAPTER 31, TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP LIFE INSURANCE. Sponsor: Senator Murphy. Assigned to Insurance and Elections Committee.

SB 55 - AN ACT TO AMEND CHAPTER 13, 17, 20, 45, AND 49 OF TITLE 15, DELAWARE CODE, RELATING TO REGISTRATION AND VOTING BY PHYSICALLY DISABLED AND ELDERLY PERSONS. Sponsor: Senator Murphy. Assigned to Insurance and Elections Committee.

SB 56 - AN ACT TO AMEND CHAPTER 32, TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP LIFE INSURANCE FOR STATE EMPLOYEES. Sponsor: Senator Murphy. Assigned to Insurance and Elections Committee.

SB 57 - AN ACT TO AMEND CHAPTER 3, TITLE 21, DELAWARE CODE, RELATING TO THE LIMITATION ON THE REQUESTS BY INSURANCE COMPANIES FOR DRIVERS' PERFORMANCE RECORDS. Sponsor: Senator Murphy. Assigned to Public Safety Committee.

SB 58 - AN ACT TO AMEND CHAPTER 25, TITLE 18, OF THE DELAWARE CODE TO REQUIRE INSURERS TO PROVIDE REDUCTIONS IN MOTOR VEHICLE INSURANCE PREMIUM RATES FOR DRIVERS COMPLETING A MOTOR VEHICLE ACCIDENT PREVENTION COURSE. Sponsor: Senator Murphy. Assigned to Insurance and Elections Committee.

SB 59 - AN ACT TO AMEND CHAPTER 423, VOLUME 62, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1981; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS, BEING HOUSE BILL 950 OF THE 130TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE,' BEING HOUSE BILL 1175 OF THE 130TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE." Sponsors: Senator Cook, Representative Sincok; Senators Adams, Bair, Berndt, Connor, Holloway, Sr., Hughes, Knox, Littleton, McDowell, Marshall, Martin, Murphy, Sharp, Vaughn, Zimmerman; Representatives Anderson, Bennett, Brady, Buckworth, Burris, Cain, Campanelli, Corrozi, Darling, Derriekson, Dixon, Edwards, Ennis, Fallon, Free, George, Gilligan, Harrington, Holloway, Jr., Jester, Jonkiert, Maroney, Minner, Oberle, Petrilli, Plant, Riddagh, Smith, Soles, Spence, VanSeiver, West. Assigned to Finance Committee.

SB 60 - AN ACT TO AMEND CHAPTER 16, TITLE 24, DELAWARE CODE RELATING TO ADULT ENTERTAINMENT ESTABLISHMENT. Sponsors: Senator McBride and Representative Petrilli. Laid on the table at the request of Senator Sharp.

SB 61 - AN ACT TO AMEND CHAPTER II, TITLE 30, DELAWARE CODE, RELATING TO PERSONAL INCOME TAX TO EXEMPT PAY AND ALLOWANCES OF DELAWARE RESIDENTS WHO ARE ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES. Sponsors: Senator Marshall and Representative Jonkiert. Assigned to Revenue and Taxation Committee.

HB 28 w HA 1, 2 - AN ACT TO AMEND TITLE 5 AND TITLE 6 OF THE DELAWARE CODE BY PROVIDING FOR THE ACQUISITION OF STOCK IN DELAWARE BANKS BY OUT-OF-STATE BANK HOLDING COMPANIES; BY PROVIDING FOR THE REGULATION OF BANK REVOLVING CREDIT AND CLOSED END CREDIT; BY PROVIDING RULES FOR THE TAXATION OF INCOME OF NON-UNITED

STATES BRANCH OFFICES OF DELAWARE BANKS; BY ADOPTING NEW RATES FOR THE TAXATION OF NET INCOME OF BANKS IN EXCESS OF \$20 MILLION DOLLARS; BY ELIMINATING CEILINGS ON INTEREST RATES WHICH MAY BE CHARGED IN RESPECT OF SMALL LOANS, SECONDARY MORTGAGE LOANS, MOTOR VEHICLE LOANS AND RETAIL INSTALLMENT SALES; BY PROVIDING FOR REFUNDS OF PRECOMPUTED INTEREST CHARGES IN ACCORDANCE WITH THE ACTUARIAL METHOD; BY PROVIDING FOR THE ISSUANCE OF REGULATIONS BY THE BANK COMMISSIONER ESTABLISHING REASONABLE TIMES FOR THE OPENING OF A BRANCH OF A SAVINGS BANK; BY REGULATING THE MAKING OF LOANS DIRECTLY OR INDIRECTLY TO DIRECTORS AND EXECUTIVE OFFICERS OF BANKS; AND BY DELETING FROM THE CODE PREVIOUSLY REPEALED PROVISIONS RELATING TO THE COLLECTION, PAYMENT AND DISHONOR OF DEMAND ITEMS AND REVOCATION OF LETTERS OF CREDIT; AND TO AMEND TITLE 30 TO PROVIDE FOR THE TAXATION OF AFFILIATED FINANCE COMPANIES. Sponsors: Representative Derrickson, Senator Cordrey; Representatives Powell, Sincok, Petrilli, Burris, Fallon, Edwards, Corozzi, Cathcart, Harrington, Spence, Barnes, Buckworth, Ennis, Roy, Plant, George, Bennett, Anderson, Dixon, Jonkiert, Soles, Jester, Holloway, Jr.; Senators Berndt, Bair, Cook, Hughes, Neal, Holloway, Murphy, Knox, Arnold, Citro, Littleton, Adams. Assigned to Banking Committee.

HB 29 - AN ACT TO AMEND CHAPTER 7 OF TITLE 5 OF THE DELAWARE CODE BY ESTABLISHING THE NUMBER AND QUALIFICATIONS OF PERSONS REQUIRED TO FORM A BANK OR TRUST COMPANY CONTROLLED BY AN OUT-OF-STATE BANK HOLDING COMPANY; BY PROVIDING FOR THE ISSUANCE OF REGULATIONS BY THE BANK COMMISSIONER ESTABLISHING REASONABLE TIMES FOR THE STARTUP OF A BANK OR TRUST COMPANY OR THE OPENING OF A BRANCH; BY AMENDING THE REQUIREMENTS REGULATING THE PERCENTAGE OF A BANK'S CAPITAL, SURPLUS AND UNDIVIDED PROFITS WHICH MAY BE INVESTED IN REAL ESTATE; BY DELETING FROM SECTION 764 (b) A REFERENCE WHICH IS NO LONGER APPLICABLE; BY PROVIDING THAT NO LETTER OF CREDIT SHALL BE CONSTRUED AS A GUARANTEE; AND BY AUTHORIZING THE ESTABLISHMENT OF BRANCH OFFICES WITHOUT THE STATE OF DELAWARE. Sponsors: Representative Derrickson, Senator Cordrey; Representatives Powell, Sincok, Petrilli, Burris, Fallon, Edwards, Corozzi, Cathcart, Harrington, Spence, Barnes, Buckworth, Ennis, Roy, Plant, George, Bennett, Anderson, Dixon, Jonkiert, Soles, Jester, Holloway, Jr.; Senators Berndt, Bair, Cook, Hughes, Neal, Holloway, Murphy, Knox, Arnold, Citro, Littleton, Adams. Assigned to Banking Committee.

SB 62 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 1, TITLE 26, DELAWARE CODE RELATING TO THE JURISDICTION OF THE PUBLIC SERVICE COMMISSION. Sponsors: Senators Cordrey, Adams, Littleton, Cook, Berndt, Zimmerman and Murphy. Assigned to Administrative Services/Energy Committee.

SB 62 was then laid on the table on motion of Senator Cordrey.

The following Committee reports were announced:

From the Health and Social Services Committee: SB 46 - 4 Merits.

From the Public Safety Committee: SB 30 - 2 Favorable, 2 Merits; SB 42 - 4 Merits; SB 43 - 4 Merits; SB 44 - 4 Merits.

At 2:47 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 6th Legislative Day.

6TH LEGISLATIVE DAY January 27, 1981

The Senate convened at 2:47 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 8; HCR 11; HCR 12.

SR 18 was introduced and considered for adoption on motion of Senator Holloway:

SR 18 - COMMENDING THE ADMINISTRATION OF THE DELAWARE STATE COLLEGE FOR THE SELECTION OF JOE PURZYCKI AS COACH OF THE FOOTBALL TEAM. Sponsors: Senators Holloway, Zimmerman, Murphy, Marshall, Adams and Neal.

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

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

SB 25 - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE, RELATING TO ACCREDITATION OF ANATOMICAL STUDIES.

The privilege of the floor was extended to Dr. Mark D. Rollag (University of Delaware) after which the Bill was laid on the table on further motion of Senator Holloway.

At 3:15 p.m., on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:29 p.m., Lt. Governor Castle presiding.

The following legislation was introduced:

SB 63 - AN ACT TO AMEND CHAPTER 10, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO ELECTIONS IN REORGANIZED SCHOOL DISTRICTS; AND PROVIDING FOR ABSENTEE VOTING. Sponsor: Senator McBride. Assigned to Insurance and Elections Committee.

SB 64 - AN ACT TO AMEND CHAPTER 13, TITLE 14, DELAWARE CODE, RELATING TO INSTRUCTIONAL ATTENDANTS AND/OR AIDES FOR THE PARTIALLY SIGHTED AND BLIND. Sponsors: Senator Holloway; Representatives Minner and Maroney. Assigned to Health and Social Services Committee.

SB 65 - AN ACT TO AMEND CHAPTER 21, PART II, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES, AND PROVIDING SPECIAL LICENSE PLATES FOR CERTAIN DISABLED VETERANS. Sponsor: Senator McBride. Assigned to Public Safety Committee.

SA 2 to SB 10. Sponsor: Senator Bair. Placed with the Bill.

SA 1 to SB 62. Sponsors: Senators Cordrey, Adams, Berndt, Zimmerman and Murphy. Placed with the Bill.

SR 19 - RESPECTFULLY REQUESTING THE HON. MURRAY M. SCHWARTZ, JUDGE OF THE U.S. DISTRICT COURT FOR THE DISTRICT OF DELAWARE, TO ORDER A STAY IN THE FORTHCOMING ELECTIONS SCHEDULED BY THE NEW CASTLE COUNTY BOARD OF EDUCATION. Sponsor: Senator Connor.

Senator Connor moved that the Resolution be considered for adoption.

Senator Hughes moved that the Resolution be laid on the table. The roll call vote on the tabling motion was taken and revealed:

YES: Senators Arnold, Bair, Hughes, Martin, Zimmerman - 5.

NO: Senators Berndt, Citro, Connor, Knox, Marshall, McBride, Neal, Vaughn - 8.

NOT VOTING: Senators Cook, Cordrey, Holloway, Littleton, Murphy, Sharp - 6.

ABSENT: Senators Adams and McDowell - 2.

Therefore, the motion failed and the Resolution was before the Senate for consideration.

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

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

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

ABSENT: Senator McDowell - 1.

Therefore, the Resolution was declared lost.

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

HCRII - EXPRESSING THE SORROW OF THE MEMBERS OF THE 131ST GENERAL ASSEMBLY AT THE DEATH OF MRS. MABEL WILKINS LAMBDEN, OF COKEBURY, MOTHER OF THE YEAR IN 1978. Sponsors: Representative Barnes; Senators Adams, Cordrey, Littleton.

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

At 5:00 p.m., Senator Cordrey presiding.

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

HCRII - MOURNING THE DEATH OF HOUSTON WILSON, A PROMINENT ATTORNEY AND PAST PRESIDENT OF THE SUSSEX COUNTY BAR ASSOCIATION. Sponsors: Representative Barnes; Senators Adams, Cordrey and Littleton.

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

The following legislation was introduced:

SB 66 - AN ACT TO AMEND TITLE 4, DELAWARE CODE TO AUTHORIZE DELAWARE LIQUOR RETAILERS TO PURCHASE SUPPLIES FROM OUT-OF-STATE WHOLESALERS AND MANUFACTURERS. Sponsor: Senator Martin. Assigned to Administrative Services/Energy Committee.

SA 1 to SB 32. Sponsor: Senator Bair. Placed with the Bill.

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

SB 23 was reported out of the Revenue and Taxation Committee: 3 Merits, 2 Unfavorable.

SB 25 was lifted from the table for consideration on motion of Senator Holloway.

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

The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Littleton and McDowell) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Dr. Mark D. Rollog (University of Delaware) after which the roll call vote on SB 25 w SA 1 was taken and revealed 20 Senators voting YES and 1 (McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 63 was stricken at the request of the sponsor, Senator McBride.

At 5:30 p.m., on motion of Senator Sharp, the Senate recessed until 2:00 p.m., January 28, 1981.

The Senate reconvened at 2:08 p.m., January 28, 1981, Lt. Governor Castle presiding.

Senator McDowell marked PRESENT.

The following legislation was introduced:

SB 67 - AN ACT TO AMEND TITLE 14, DELAWARE CODE BY ESTABLISHING THE BOARD OF TRUSTEES OF THE DELAWARE INSTITUTE OF DENTAL EDUCATION AND RESEARCH FOR THE PURPOSE OF PROMOTING THE DENTAL RESIDENCY PROGRAM AT ANY GENERAL HOSPITAL IN THE STATE OF DELAWARE WITH AN ACCREDITED GENERAL PRACTICE RESIDENCY IN DENTISTRY. Sponsors: Senator Zimmerman and Representative Maroney. Assigned to Education Committee.

SB 68 - AN ACT TO AMEND CHAPTER 4, TITLE 24, OF THE DELAWARE CODE RELATING TO THE STATE BOARD OF EXAMINERS OF BARBERS. Sponsors: Senators Berndt and Cordrey; Representatives Sincok and West. Assigned to Administrative Services/Energy Committee.

SB 69 - AN ACT TO AMEND CHAPTERS 10 AND 19 OF TITLE 14 OF THE DELAWARE CODE RELATING TO TAXATION IN SCHOOL TAX DISTRICTS. Sponsors: Senator Connor; Representatives Cathcart, Mack and Spence. Assigned to Education Committee.

The following Committee reports were announced:

From the Finance Committee: SB 1 - 5 Merits; SB 26 - 6 Merits; SB 59 - 6 Merits.

From the Banking Committee: HB 28 w HA 1, 2 - 5 Merits; HB 29 - 5 Merits.

At 2:13 p.m., on motion of Senator Sharp, the Senate adjourned to immediately convene for the 7th Legislative Day.

7TH LEGISLATIVE DAY
January 28, 1981

The Senate convened at 2:13 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 20.

ABSENT: Senator Arnold - 1.

The Journal of the previous day was approved as read.

SB 27 was taken up for consideration on motion of Senator Holloway:

SB 27 - AN ACT TO AMEND CHAPTER 17, TITLE 24, DELAWARE CODE, RELATING TO THE PRACTICE OF MEDICINE.

The privilege of the floor was extended to Dr. Arthur F. Zimmerman (President of the State Board of Medical Practice) and Tom Sandbach (Senate Attorney).

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

SJR 4 was taken up for consideration on motion of Senator Berndt:

SJR 4 - PROCLAIMING 1981 AS THE INTERNATIONAL YEAR OF DISABLED PERSONS IN DELAWARE.

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

Senators Marshall and Zimmerman marked PRESENT.

SB 20 was lifted for consideration on motion of Senator Martin.

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

The roll call vote on SB 20 w SA 1 was then taken and revealed 18 Senators voting YES and 3 (Arnold, Holloway and McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 1 was taken up for consideration on motion of Senator McBride:

SB 1 - AN ACT TO AMEND CHAPTER 5, PART 31 OF THE DELAWARE CODE RELATING TO PHARMACEUTICAL ASSISTANCE FOR THE AGED; AND PROVIDING AN APPROPRIATION THEREFOR.

During discussion of the Bill and the several Amendments offered to it, the privilege of the floor was extended to Duane Olsen (Controller General), Harry Terry (Senate Attorney), Gigi Gruenke (Wilmington Senior Center) and Muriel Rusten (Delaware State Hospital Workers).

SA 1 and SA 2 to the Bill were introduced by Senator Holloway and placed with the Bill.

SA 3 to the Bill was introduced by Senator McBride and placed with the Bill.

SA 4 to the Bill was introduced by Senator Bair and placed with the Bill.

SA 5 to the Bill was introduced by Senator McBride and placed with the Bill.

At 3:47 p.m., Senator Sharp presiding.

Senator Knox moved that the Bill be deferred. The roll call vote on the motion to defer the Bill was taken and revealed:

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

NO: Senators Adams, Cook, Cordrey, Holloway, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 12.

ABSENT: Senator Arnold.

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

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the roll call vote taken which revealed 17 Senators voting YES, 3 (Marshall, McBride and McDowell) voting NO, and 1 (Arnold) ABSENT; therefore, the Amendment was declared adopted.

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

SA 3 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McBride and the roll call vote taken which revealed 19 Senators voting YES, 1 (Marshall) voting NO, and 1 (Arnold) ABSENT; therefore, the Amendment was declared adopted.

SA 4 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Bair; however, the Amendment was then laid on the table on further motion of the Senator.

SA 5 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McBride; however, the Amendment was then laid on the table on further motion of the Senator.

SA 6 to the Bill was introduced by Senator McBride and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 19 Senators voting YES and 2 (Arnold and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

SA 2 to the Bill was lifted from the table for discussion on motion of Senator Holloway; however, before final action was taken, the Amendment was again tabled on further motion of the Senator.

SA 5 to the Bill was lifted from the table for consideration on motion of Senator McBride.

SA 1 to SA 5 was introduced by Senator McBride and considered for adoption on his motion. The roll call vote on the Amendment to the Amendment was taken and revealed 20 Senators voting YES and 1 (Arnold) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SA 5 as amended by SA 1 was then taken on motion of Senator McBride and revealed 20 Senators voting YES, and 1 (Arnold) ABSENT; therefore, the Amendment was declared adopted.

SA 7 to the Bill was introduced by Senator Bair and considered for adoption on her motion. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES, 1 (Zimmerman) voting NO, and 2 (Arnold and Knox) ABSENT; therefore, the Amendment was declared adopted.

SA 4 to the Bill which had been placed with the Bill was stricken on motion of the sponsor, Senator Bair.

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

YES: Senators Bair, Berndt, Citro, Hughes, Knox, Littleton, Neal - 7.

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

NOT VOTING: Senator Holloway - 1.

ABSENT: Senators Arnold and Connor - 2.

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

The roll call vote on SB 1 w SA 1, 3, 5 (w SA 1), 6, 7 was then taken and revealed:

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

NO: Senators Berndt and Hughes - 2.

NOT VOTING: Senators Knox and Neal - 2.

ABSENT: Senator Arnold - 1.

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

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

SB 59 - AN ACT TO AMEND CHAPTER 423, VOLUME 62, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1981; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINANT STATUTORY PROVISIONS, BEING HOUSE BILL 950 OF THE 130TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE,' BEING HOUSE BILL 1175 OF THE 130TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE."

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

SB 46 was taken up for consideration on motion of Senator Holloway:

SB 46 - AN ACT TO AMEND CHAPTER 58A, TITLE 29 OF THE DELAWARE CODE RELATING TO LAWS REGULATING THE CONDUCT OF OFFICERS AND EMPLOYEES OF THE STATE TO PROVIDE FOR HANDLING OF MEDICAID FUNDS.

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

The roll call vote on SB 46 w SA 1 was then taken on motion of Senator Holloway and revealed 20 Senators voting YES and 1 (Arnold) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 6:31 p.m., on motion of Senator Cordrey, the Senate adjourned until 1:30 p.m., January 29, 1981.

8TH LEGISLATIVE DAY January 29, 1981

The Senate convened at 1:37 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 13, HCR 14, HCR 15.

HCR 14 was introduced and considered for adoption on motion of Senator Cordrey:

HCR 14 - PROVIDING THAT A JOINT SESSION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES BE CONVENED TO HEAR THE PRESENTATION OF THE GOVERNOR'S ANNUAL STATE OF THE STATE ADDRESS AND BUDGET MESSAGE. Sponsors: Representatives Burris and Petrilli.

The roll call vote on the Resolution was taken and revealed 16 Senators voting YES and 5 (Arnold, Citro, Holloway, Marshall and Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

At 1:43 p.m. on motion of Senator Cordrey, the Senate recessed to convene with the House in Joint Session.

JOINT SESSION
House Chamber
January 29, 1981

Pursuant to HCR 14, the House and Senate met for a Joint Session in the House Chamber.

The Speaker of the House invited the President and the President Pro Tempore of the Senate to join him on the podium.

Representative Burris moved that the House and Senate convene in Joint Session. There was no objection.

Representative Burris moved that the Chief Clerk of the House and the Secretary of the Senate act as secretaries of the Joint Session. There was no objection.

On motion of Representative Burris (and without objection) the Chair appointed the following as a Committee to escort the Governor to the Chamber: Representatives Sinecock and Minner; Senators Neal and Cook.

The Honorable Chief Justice Daniel L. Herrmann of the State Supreme Court and other members of the judiciary were admitted to attend the Joint Session.

The constitutionally elected officials of the State of Delaware and members of the Governor's Cabinet were admitted to the Chamber for the Joint Session.

Governor duPont and his party, escorted by the duly appointed Committee, were then admitted and welcomed to the Chamber by the Speaker.

The Governor then addressed the Joint Session as follows:

Mr. Speaker, Lt. Governor Castle, Mr. President Pro Tempore, members of the 131st General Assembly, Members of the Judiciary, honored guests, and ladies and gentlemen:

This afternoon, for the fifth consecutive year I have the distinct pleasure and privilege of reporting to you on the state of our State, and presenting to you my recommendations for the State Budget for the coming fiscal year. This unique annual message is important for it is an opportunity to reflect for a moment on where we are, and to suggest where we should be going in the next year and into the next decade.

The progress we have achieved in the past several years has been on many fronts — from restoring our financial equilibrium to improving the availability of housing for our state's older citizens; from improving our correction and criminal justice system to modernizing our transportation network; from expanding our economic base to providing educational and job opportunities for our young people. The progress we have made has not come easily. It's took personal discipline from each of us and political discipline from all of us. It's meant forsaking short-term gain for long-term stability. The result has been a better managed Delaware government, one that is affordable, yet responsive to the human needs of our people. This progress is a tribute not only to the members of this Administration, but to each of you — legislators, judges, government workers and taxpayers. I thank you for your patience and your support.

But of course there is still much unfinished business before us. In the past four years, the legislature has come close, but has not yet enacted financial disclosure and ethics legislation for themselves and state officials. I think that time is now. There has been consideration of making Dr. Martin Luther King's birthday a holiday. It is way past time to enact such legislation. Similarly, now is the time to rededicate ourselves towards improving confidence in our public school system, much as we have done with our state finances.

There are many other challenges, as well, challenges, as I said in my Inaugural Address last week, that are more complex than in the past. Challenges that will require greater thought, more tolerance, and statesmanship from each of us. And challenges which are going to require cooperation among all of us.

Now is the time to accept the challenge of resolving problems that have needed attention for many years, problems we have avoided because of the high cost of solving them. Now is the time to use the goodwill, the cooperation, our confidence, and the sense of integrity we have created in the past to tackle the difficult problems facing us in the future. We have a unique opportunity, one that is built upon a firm foundation and one that we must seize to develop new partnerships, and blaze new paths to progress.

This afternoon I want to explore the new partnerships we need to form and the new paths to progress we need to discover in two principal contents: first, in the way our government works; and second, in what our government does.

Progress in the Way Delaware Government Works

The sum total of all our efforts to significantly improve the way Delaware government works should and must be to see that there is greater reliance on, greater recognition of, and greater reward for excellence and quality.

If our paths to progress in making government work better were limited to just one, we would surely follow the path toward meaningful reform of our merit system for personnel. What once was rightfully conceived as a necessary bulwark against arbitrary action in a politically volatile environment has long ago become a disincentive for individual initiative, and a cumbersome roadblock to the efficient conduct of necessary and legitimate personnel actions. In fifteen years, times have changed; concerns about the political dismissals of public employees belong to an earlier generation. Indeed, practically all public employees now enjoy constitutional protection against such dismissal.

Based upon the experience of the past four years, I have no illusions about the difficulty of bringing basic reform to a system that is short on merit and long on system. Indeed, the past four years have been marked by difficulty in restoring integrity and reason to the Personnel Commission, and in opening of the merit system to qualified candidates from outside government. We have instituted an Affirmative Action program to correct past inequities in the hiring, training and promotion of employees — and even this has not been a simple step in a very cumbersome system.

It is time to rethink, and to re-examine our personnel system; to begin to restore incentive, flexibility, and prompt response to the needs of our Departments. I will designate a task force that will include Administration and legislative representatives to develop specific recommendations for fundamental changes in our merit system, and to insure protection for the basic rights of state employees, to be submitted before the conclusion of this session of the General Assembly.

In addition, I am recommending that we begin an incentive pay system to compensate the exceptional employee for quality work. This incentive pay increase would be in addition to the basic increase most employees receive based on length of service; it would reward outstanding employees for meritorious work. It is time to adopt the teaching of the private sector that an employee should in some measure be compensated in proportion to the quality of his or her work.

A similar challenge confronts us in the sensitive, but vitally important area of adequate compensation for the officers of our government. Judges, cabinet secretaries, legislators, and statewide elected officials have been denied an adequate compensation to the point that newly qualified individuals are driven from, or refuse to enter public service. It is difficult to persuade judicial and Cabinet nominees of exceptional quality to enter public service under current circumstances.

Indexing salaries to the cost of living is not an appropriate answer to this difficult problem (although I have recommended in the Budget that judicial officers receive the same annual salary increment as other State employees), nor is leaving the determination of salary levels to a highly charged political debate between the three branches of government. Instead, I'm recommending a permanent salary commission be established to recommend every two years appropriate increases in salaries to be paid to judges, cabinet officials, legislators and state wide elected officials. I shall designate seven individuals from the private sector, men and women of high calibre and reputation, to review salary levels and to make recommendations. I would hope that after this Salary Commission can make recommendations by April 1, to be included in the new budget, and that it will be permanently established by a statute requiring that the Administration include its recommendations in its proposed budget. As always, for elected officials, the increases would not take effect until after the next election for their respective offices.

Another path to progress leads from the success we have enjoyed in contracting out such functions as janitorial services and prison health care to the private sector. We have learned that in many cases the private sector can provide better service at less cost than the public sector. I believe that there are a variety of other services, ranging from fleet automobile rental and maintenance to food service that might more effectively and less expensively be provided by contracting with private vendors. I have today directed each cabinet secretary to review the programs and services within their Departments and recommend to me within sixty days those additional services which Delaware government can better provide through contracting with the private sector.

And of course, there is one such service already known to us: the banking service necessary to handle state funds. It is time for Delaware to get out of the banking business; we must sell Farmers Bank so we can free the tens of millions of dollars in state deposits for profitable investment at market rates. I believe the agreement of sale that is pending before the General Assembly is a fair one. Delaware receives a return of its capital, and the taxpayers will be relieved of the \$1 million-a-month cost of owning that Bank.

As we consider involving private enterprise in providing public services, we must also consider ways to control the often arbitrary distribution of public funds to private entities through the Grants-in-Aid program. In the past five years we have placed limits on the growth of our capital budget, our operating budget, and our taxes. During the time we were focusing our attention on these matters, Grants-in-Aid expenditures have nearly doubled, from \$4.6 million in FY 1977, to \$8.0 million current in FY 1981, and the authorization, auditing, and use of these funds is almost without control. I would recommend to the General Assembly four basic reforms in the Grants-in-Aid process: first, that the total size of the Grants-in-Aid spending be capped at 1% of appropriations or \$8.5 million, whichever is greater, and that these sums be paid quarterly to the grantee; second, that the Joint Finance Committee undertake to review Grants-in-Aid expenditures as it does other expenditures; third, that all grantees be required to submit an annual audit in a form acceptable to the State Auditor and provide a waiver permitting the Auditor to examine the operations of the grantee if he chooses to do so; and finally, the Grants bill should be split in two — the traditional grants to fire companies and veterans organizations being passed separately this year with a 25% or \$250,000 increase in Grants-in-Aid for fire companies — the first such increase in many, many years.

The last of the major new paths to progress we must follow in the way government works is that leading to the reorganization of the Department of Community Affairs and Economic Development. I have spoken often of the need for a strengthened economic development effort, and for an equally responsive community affairs department. Yesterday, Acting Secretary Hayward and I put forward a sound and comprehensive program. It is being introduced in the General Assembly today so that you may have ample time to examine the recommendations, and plan for its consideration upon the reconvening of the General Assembly in March.

Progress in What Government Does

Not only must we reexamine the way government operates, but also seek progress in what government does. The largest single expenditure of the state goes to public education. And while we have made substantial progress in public education — in such areas as basic education, graduation and promotion standards and handicapped programs among others — we must resolve the lack of confidence parents now feel towards public education, especially in New Castle County. We have begun to take the first tentative steps towards restoring that confidence. In two days time, elections will be held to elect members to the four new schoolboards that will soon be governing the education system in our largest county. I believe, as I have said many times, that this will return local control of the schools to the parents and taxpayers of New Castle County, where it rightfully belongs.

We must redouble our efforts to make certain that basic skills are taught to every student, and that no students graduate without having demonstrated minimum adulthood educational competency. No less important is the task of seeing that those who are intent upon moving directly into the job market from high school, are targeted, counselled, trained and assisted in their efforts to become immediate and productive wage earners. Funds to continue these efforts are included in the budget as are increases in Division III and gifted and talented programs.

I believe, if we want measurable progress throughout the State in educating our children and in developing community confidence in our school system, two additional steps must be taken.

First, we must insist that our teachers, no less than the students they teach, demonstrate that level of competence necessary to assure learning. I have assigned the Department of Public Instruction the task of recommending a sound teacher competence testing program for Delaware; so that parents, administrators, and students can be confident that teaching is being conducted by qualified and competent teachers.

Second, we must establish and adequately fund through the unit formula alternative schools which guarantee that unruly and disruptive students will not destroy the learning atmosphere for those people who want an education. These schools will provide for disruptive students, for some indefinite period, a highly disciplined learning environment outside of the regular classroom so that sincere and motivated students may obtain a sound education within the classroom. Funding for this program should receive top priority as revenue projections increase later in the year, as I will further discuss in a moment.

The task of transforming our most valuable resource — our children — into productive adults is only partially the responsibility of the public school system. Elsewhere lie the responsibilities for helping us to develop the potential of all children — providing for foster care, assisting the handicapped child, the emotionally disturbed child, and the disruptive and anti-social child. For the more than \$15 million that we spend each year on child services; from school to clinic to prison, I think we can do better. I have asked Secretary Schramm, as Chairman, and Commissioner Sullivan, Superintendent Keene and Secretary Whittington to join with major providers of child care services to consider how we might better serve the young people of Delaware across the full range of youth services. Once I have received the recommendations of this group, I will be prepared to recommend to the General Assembly appropriate legislation to improve the delivery of child care services.

While Delaware's most precious human resource is its children, its most precious natural resource is water. We are consuming our water supplies at record rates; the water table is not replenishing to meet the increased demands; and as a result the four states of the Delaware River Basin Compact declared a drought emergency earlier this month. Tomorrow, the first steps of establishing a conservation plan will be taken when representatives of all levels of government and the private sector meet to discuss possible reductions in water usage. Water conservation may well become the major resource challenge confronting us in the years ahead.

Finally, our odyssey should take us this next year down new paths towards progress in the administration of justice. Two alternative paths lie before us regarding the way we sentence offenders to prison; we must as a community consider them, decide whether we can accept or afford to take either, or perhaps select a compromise between the two.

In the last four years, I have asked the General Assembly for close to \$30 million in order to construct two new prisons, and the corrections budget has grown from \$14 million to \$29 million, a 212% increase in 4 years. The reason for this massive investment in corrections programs has been the ever-escalating population of inmates in our corrections facilities. Although the rate of incarceration continues to slowly increase, this rate is not really the culprit. The principal culprit is the pattern of mandatory and consecutive sentencing which has governed our sentencing process for the past decade. As a result of these laws, fewer people are coming out of our prisons than are going in.

By way of example, between 1974 and 1978, when both mandatory and consecutive sentencing were in full force, 134 adults were sentenced to terms of ten years or more while only 23 adults serving sentences of 10 years or more were released. This means that our corrections system in that period, in less than 2 years, effectively lost 111 beds for the foreseeable future. The end result is an inevitable spiral of overcrowding followed by massive expenditures for new prison beds.

A new prison bed in a secure facility in all likelihood costs more to be built than your house did. And the cost of maintaining an inmate for a year now exceeds the annual cost for tuition, room, and board at Harvard. It is clearly time to reconsider the very expensive prison construction program that has been the basis of our corrections program for the past four years.

I challenge our criminal justice system to develop a comprehensive alternative to current sentencing policies which will let us progress from the whirlpool that now engulfs us to a new system which is less costly, consistent and equitable, and maintains strict security conditions for those felons who require it. To this end, I am today asking the Chief Justice, the Speaker of the House and the President Pro Tem of the Senate, the Attorney General and the Commissioner of Corrections or their designates to join my former Executive Assistant David Swayzye in forming a working group which will consider and report to each of the branches by year end its recommendations for change. Their examination should include close scrutiny of all mandatory sentencing laws in Delaware and other jurisdictions, and alternatives to incarceration, including those now in effect in Delaware for lesser offenders.

THE BUDGET

In his Inaugural address last week, President Reagan spoke eloquently of the heavy burden and severe distortions inflation have placed on the American Family.

He said, and I quote: "We suffer from the longest and one of the worst sustained inflations in our national history. It distorts our economic decisions, penalizes thrift and crushes the struggling young and the fixed-income elderly alike. It threatens to shatter the lives of millions of our people."

The burden has been no less difficult for State Government. In the past two years, the Philadelphia Consumer Price Index has risen 11% and 12 1/2%, respectively. This inflationary pressure has had its effect on government services, as we have battled year after year to deliver adequate services at an affordable cost to the taxpayer. Our schools, hospitals, our prisons, our service programs, our recreational resources have all been suffered under continually rising costs. Chief among these costs are the enormous increases in energy costs, and employee salary and fringe benefit costs, which have for the past several years taken the largest share of our increased revenues.

The dual impact of inflation driving up costs, and the recession which has been reatrding revenue growth makes next year's budget a very, very tight one. It is my conviction that we must properly maintain those programs that we choose to continue before we expand or begin new efforts and the budget I am presenting today follows this course: a basic budget covering the basic costs of government; and some new program proposals that should be folded into the budget as projected revenues for FY 1982 increase between now and passage of the budget in June.

In the last session, the General Assembly appropriated a budget of about \$634 million, plus an emergency appropriation of a little over \$9.4 million for Medicaid payments in state institutions. This provided state government with total appropriations of \$643.1 million. As you will recall, the emergency appropriation of \$9.4 million was necessary to cover all expenses of government, and also to prevent an ever increasing excess of funds from accumulating, above and beyond the constitutionally established "Rainy Day" fund of 5% of General Fund Revenues.

For Fiscal Year 1982 I am proposing a similar approach. I am submitting for your consideration today a budget bill totaling \$700 million and an emergency appropriation of \$11.4 million — a total budget of \$711.4 million and this again will prevent the unnecessary build-up of surpluses in addition to the "Rainy Day" fund, which is projected to reach almost \$36 million this year — a total of 5% of General Fund revenues. After accounting adjustments, total expenditures under this budget, including Grants-in-Aid, are expected to reach \$712 million which is in balance with the DEFAC projected revenue of \$712 million. It will also be just \$3.1 million less than our constitutionally mandated spending limit of 100% of revenues.

BUDGET INCREASES

My proposed FY 1982 appropriations are about 9.5% larger than the current year's appropriations, considerably less than the inflation rate of about 12 1/2 percent, so that the cost of government in constant dollars will decline again, for the fourth straight year.

With the DEFAC revenue set at \$712 million, there was available to us an increase of about \$64 million for allocation in the new budget. Of this increase, almost 40%, or \$24 million has been set aside for state employee salary increases; \$8 million more for energy and other cost increases for the operation of government, and \$16 million more for education. To put it in a different perspective, we have programmed a basic pay increase of 8% for state employees, a 6% inflation increase for general government operations, and 10% and 11% increases, respectively, for Division II and Division III in public education. Support programs for education — transportation, basic skills, and private placement of the handicapped require an additional \$5 million dollars in increased funds next year.

Further, the budget contains increases to compensate for inflation in road repair costs, and to operate the two new prisons that will open at the beginning and end of the coming fiscal year. These provisions complete the basic budget, although there are of course many other programs we would fund if and I believe, revenues are going to be available.

Revenue Increases

On January 15th, the Farmers Bank Commission signed an agreement on behalf of the State of Delaware to sell our stock in the bank. This agreement, if approved by the General Assembly by March 31, the last day for approval under the agreement, will result in the freeing of all state and school district funds, and the competitive investment of these funds in the commercial banking system effective September 30, 1981. At current investment yields, this could mean approximately \$9 million of additional revenues for the state in the coming fiscal year. Because legislative consideration will not come until March, I am unable to include these revenues, in my budget today. But I very much hope approval by the Legislature will be forthcoming so that these revenues and any additional revenue growth may of right appear in the following priority programs:

- * First, an education program that will provide the resources to improve the management, the educational atmosphere, and the operation of school districts. I have already spoken of alternative schools for disruptive youth which should receive top funding priority. We should also adopt a guaranteed annual unit count procedure to end the chaotic RIF-ing procedure so disruptive to students, teachers, and school districts alike. I am in support of such a proposal — Rep. Petrilli's H.B. 1 — with the understanding that its gross cost not exceed \$550,000 per year. In addition, I am recommending a modification in the secretarial unit formula to increase secretarial support in larger school districts, and change in the unemployment compensation system for school districts that will place future funding for the unemployment compensation fund upon the level of government responsible for paying the employee: federal, state or local.

These recommendations touch upon many of the financial troubles of the New Castle County School District; I believe they will help relieve the financial problems of those new districts. But I add, and underscore the firm need for the district or districts to keep their pledge to close some twenty under-utilized schools at the end of the school year and to implement the additional recommendations of the Financial Overview Committee. My support for additional financial resources is absolutely dependent upon the keeping of that pledge.

- * Second of the 5, is for an additional salary increment for state employees above the 8% provided in the basic budget. As I discussed earlier, this additional increase should be awarded within overall guidelines to those employees who have demonstrated superior achievement in this past year.

- * Third, continued progress in overhauling and upgrading Delaware's road system. In the past two years we have invested \$15 million in overhauling our highways. This has brought about a dramatic improvement in a near devastated road system; but there is still an awful lot to be done. We have not yet built into the budget an ongoing program of major road repair. Our highways, so important to our economic development and well-being are a tremendous investment not to be ignored. Out of any increase in revenues, a portion must be dedicated to another major effort of road repair.

- * Fourth, an affordable, and carefully limited prescription drug program for Delaware's elderly poor. You will recall that I vetoed such a measure last July because it did not contain funding for its implementation. I want to restate the basic understanding upon which rests my support for this program: it must be fully funded; it must be included in the budget package approved by the General Assembly in June.

Following my veto of that legislation last July, I began two efforts to meet this need. First, Secretary Schramm and I discussed with the Nemours Foundation about a prescription drug program identifying it as the number one medical need of Delaware's elderly. You will recall that the Foundation is obligated to spend about \$2.5 million each year on programs for the elderly in Delaware. Our discussions, to put it mildly, have been prolonged and frustrating, but I believe we may yet persuade the Foundation Trustees to support such a program. I hope to attend the Trustees meeting in Florida in March to complete our efforts for financing this program with Foundation resources.

In addition, last July I asked Secretary Schramm to conduct a study of alternative health care programs, including pharmaceutical benefits, ranging from Medicaid extensions, to 100% State Funded programs. That study will be available shortly, but preliminary findings underscore the basic problem with programs of this kind: they are expensive, and their cost is uncontrollable because they are entitlement programs; that is, once the program is enacted everyone falling within its provisions is entitled to its benefits, regardless of the cost to the state. It is impossible to know precisely how many people will apply, and what their entitled benefits may be, thus the cost of the program is not controllable.

The federal government, with all of its resources, has been unable to control the cost of entitlement programs. Social Security, Medicaid, Medicare — all have proven enormously expensive, impossible to control, and have produced annual federal budget deficits. For a small state like Delaware to enter an open-ended entitlement program is unwise, for sooner or later a program will have to be capped, cut back, or discontinued. Thus, my support for a prescription drug bill must also depend upon firm cost controls being placed upon the program from the beginning — specifically, limitations upon both eligibility and how much an individual may draw in benefits in any given year. These limitations will protect us against escalating costs of unknown magnitude, and will insure that the state continues to live within its means. Should our efforts with the Nemours Foundation fail, we are preparing an appropriate proposal for consideration by the Joint Finance Committee.

* Fifth, should additional revenues become available, the state should assume the costs of the family violence program which have formerly been paid by the Federal government.

And finally, I should mention one area where the executive and legislative branches of government still need to reach an understanding: the longstanding question of school bus contractor payments. There remain a 2¢ per pupil misunderstanding that I hope we can resolve between now and passage of the budget in June.

I believe that with the sale of the Farmers Bank and the improving economy as we emerge from the recession, revenue projections for the next fiscal year will rise substantially between now and June and those revenues should be allocated to these priority programs if we are going to continue to improve the quality of government services in Delaware.

What I have outlined today is an agenda for Delaware's future. Our efforts commenced four years ago when we began constructing a solid financial base for our government. The paths to progress for Delaware have encountered many road blocks; and no doubt will encounter many more, but we are progressing in our journey because we have attacked the difficult issues concerning the way our government works and what our government does. The progress I have detailed today and the agenda I have forth for the future, chart Delaware's course for the 1980's and as we embark upon this course, let me say that I will strive to continue the spirit of cooperation which has been the hallmark of the past few years in Delaware government. I know you will join with me in the spirit of doing what is best for Delaware.

I thank you.

The Committee then escorted the Governor and his party from the Chamber.

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

On motion of Representative Burris (and without objection), the Joint Session then adjourned in order that the two houses could reconvene in their respective chambers.

The Senate reconvened at 4:03 p.m., Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: SB 39 - 2 Favorable, 4 Merits; SB 40 - 3 Favorable, 3 Merits.

From the Highways and Transportation Committee: SB 48 - 1 favorable, 4 Merits.

The following legislation was introduced:

SB 70 - AN ACT TO AMEND DELAWARE CODE, TITLE 14, BY AUTHORIZING ALTERNATIVE PROGRAMS FOR DISRUPTIVE PUPILS IN THE PUBLIC SCHOOLS. Sponsors: Senators Bair, Holloway, Sharp, Neal, Connor, Berndt, Martin, Arnold, Knox, Hughes, Citro; Representatives Smith, Ennis, Fallon, Soles, Jester. Assigned to Education Committee.

SB 71 - AN ACT TO AMEND CHAPTER 5, TITLE 17, OF THE DELAWARE CODE TO PROVIDE THAT THE SOUTH MARKET STREET BRIDGE IN WILMINGTON SHALL BE NAMED THE JOHN E. REILLY, SR. BRIDGE IN HONOR OF THE LATE STATE SENATOR; AND MAKING AN APPROPRIATION THEREFOR. Sponsors: Senators Holloway and Representative Holloway. Assigned to Highways and Transportation Committee.

SB 72 - AN ACT TO AMEND CHAPTER 5, TITLE 17, OF THE DELAWARE CODE, TO PROVIDE THAT THE WALNUT STREET BRIDGE IN WILMINGTON SHALL BE NAMED THE LEO J. DUGAN BRIDGE IN HONOR OF THE LATE STATE REPRESENTATIVE AND CITY COUNCILMAN; AND MAKING AN APPROPRIATION THEREFOR. Sponsors: Senator Holloway and Representative Holloway. Assigned to Highways and Transportation Committee.

SB 73 - AN ACT CREATING AN OFFICE OF RIDE SHARING WITHIN THE DEPARTMENT OF TRANSPORTATION; AND PROVIDING AN APPROPRIATION THEREFOR. Sponsor: Senator McBride. Assigned to Highways and Transportation Committee.

SB 74 - AN ACT AUTHORIZING A FEASIBILITY STUDY OF THE RECREATIONAL POTENTIAL OF THE CHRISTINA RIVER; AND MAKING AN APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. Sponsors: Senators Martin, McBride and Marshall; Representatives Jonkiert and Dixon. Assigned to Natural Resources and Environmental Control Committee.

SB 75 - AN ACT TO AMEND CHAPTER 6, PART I, TITLE 29 OF THE DELAWARE CODE, RELATING TO STATE GOVERNMENT; AND PROHIBITING THE TRANSFER AND DELIVERY OF CERTAIN LISTS BY STATE AGENCIES. Sponsor: Senator Connor. Assigned to Administrative Services/Energy Committee.

SB 76 - AN ACT TO AMEND CHAPTER 28, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO UTILIZATION OF EDUCATIONAL FACILITIES. Sponsors: Senator Connor; Representatives VanSeiver, Mack, Cathcart. Assigned to Education Committee.

SB 77 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV, SECTION 28 OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO CRIMINAL JURISDICTION OF INFERIOR COURTS AND JUSTICES OF THE PEACE. Sponsor: Senator Berndt. Assigned to Judiciary Committee.

SB 78 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TAXES; ELIMINATING THE LOCAL SCHOOL PROPERTY TAX FOR CERTAIN OWNERS OF RESIDENTIAL PROPERTY; AND PROVIDING FOR A STATE SCHOOL TAX, WITH APPROVAL BY REFERENDUM. Sponsors: Senator Connor; Representative Cathcart. Assigned to Revenue and Taxation Committee.

SA 1 to SB 23. Sponsors: Senators McDowell, McBride, Marshall, Vaughn, Hughes; Representative Anderson. Placed with the Bill.

SA 2 to SB 23. Sponsor: Senator Cordrey. Placed with the Bill.

SA 3 to SB 23. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to SB 39. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to SB 43. Sponsor: Senator Adams. Placed with the Bill.

SA 1 to SB 48. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to SB 57. Sponsor: Senator Murphy. Placed with the Bill.

SR 20 - DIRECTING THE SECRETARY OF THE SENATE TO INCLUDE IN THE SENATE MINUTES FOR ANY GIVEN DAY THE HISTORIC SPEECH MADE BY IRVING S. SHAPIRO, CHAIRMAN OF THE DUPONT COMPANY, AT THE ANNUAL DINNER OF THE DELAWARE STATE CHAMBER OF COMMERCE ON JANUARY 26, 1981. Sponsors: Senator Hughes, Holloway, Berndt.

Senators Marshall and Holloway marked PRESENT.

On motion of Senator Holloway, SR 20 was laid on the table.

SCR 10 - DESIGNATING JANUARY 26-31, 1981 AS ESEA TITLE I WEEK IN DELAWARE. Sponsors: Senators Holloway and Connor.

Senator Connor floor-managed the Resolution at the request of Senator Holloway. The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Arnold) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

Senator Citro marked PRESENT.

SCR 11 - COMMENDING THE NEWS JOURNAL PAPERS OF WILMINGTON FOR THEIR CURRENT SERIES OF ARTICLES POINTING OUT THE PLIGHT OF BLACKS TRYING TO FIND JOBS IN TODAY'S RECESSION. Sponsor: Senator Holloway. The Resolution was immediately stricken at the request of the Senator.

SJR 5 - RELATING TO AGENCIES MADE SUBJECT TO REVIEW. Sponsors: Senators Bair, McDowell, Connor, Vaughn; Representatives Brady, Smith, Barnes. Assigned to Executive Committee.

HCR 13 - MOURNING THE DEATH OF CLAUDE E. PHILLIPS, RETIRED CHAIRMAN OF THE AGRONOMY DEPARTMENT AT THE UNIVERSITY OF DELAWARE. Sponsors: Representative Smith; Senators Adams, Zimmerman and Knox.

The Resolution was considered for adoption on motion of Senator Knox and the roll call vote taken which revealed 20 Senators voting YES and 1 (Arnold) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 15 - CONCURRING IN A JOINT RESOLUTION ADOPTED BY THE NINETY-SEVENTH CONGRESS OF THE UNITED STATES DESIGNATING THURSDAY, JANUARY 29, 1981, AS "A DAY OF THANKSGIVING TO HONOR OUR RETURNED HOSTAGES" AND ASKING FOR PRAYERS OF THANKS. Sponsors: Representatives Burris, Hebner, Petrilli, George, Cain and all House members and all the Senators.

The Resolution was considered for adoption on motion of Senator Knox and the roll call vote taken which revealed 20 Senators voting YES and 1 (Arnold) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

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

SB 23 - AN ACT TO AMEND CHAPTER 39, TITLE 30 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE DOCUMENT FEE.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to William D. Luke, Jr. (Delaware Automobile Dealers Association), and Tom Sandbach (Senate Attorney).

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cordrey and the roll call vote taken which revealed:

YES: Senators Bair, Berndt, Cook, Cordrey, Knox, Martin, Zimmerman - 7.

NO: Senators Adams, Citro, Connor, Holloway, Hughes, Littleton, Marshall, McBride, McDowell, Murphy, Sharp, Vaughn - 12.

ABSENT: Senators Arnold and Neal - 2.

Therefore, the Amendment was declared lost.

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

YES: Senators Adams, Citro, Connor, Holloway, Hughes, Knox, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn - 14.

NO: Senators Bair, Berndt, Cordrey, Littleton, Zimmerman - 5.

ABSENT: Senators Arnold and Cook - 2.

Therefore, the Amendment was declared adopted.

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

YES: Senators Adams, Citro, Cook, Holloway, Zimmerman - 5.

NO: Senators Bair, Berndt, Connor, Cordrey, Hughes, Knox, Littleton, Marshall, McBride, McDowell, Murphy, Neal, Vaughn - 13.

NOT VOTING: Senators Martin and Sharp - 2.

ABSENT: Senator Arnold - 1.

Therefore, the Amendment was declared lost.

The roll call vote on SB 23 w SA 1 was then taken and revealed:

YES: Senators Adams, Citro, Connor, Hughes, Marshall, Martin, McBride, McDowell, Sharp, Vaughn - 10.

NO: Senators Bair, Cook, Cordrey, Littleton, Neal, Zimmerman - 6.

NOT VOTING: Senators Berndt, Holloway, Knox, Murphy - 4.

ABSENT: Senator Arnold - 1.

Therefore, the Bill was declared lost.

SB 27 was lifted from the table for consideration on motion of Senator Holloway.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Edward F. Kafader (Attorney General's Office) and Tom Sandbach (Senate Attorney).

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

The roll call vote on the Amendment was taken; however, Senator Hughes moved that the roll call be tabled before being announced.

The roll call vote on the tabling motion was taken and announced:

YES: Senators Bair, Berndt, Citro, Connor, Cordrey, Hughes, Knox, Littleton - 8.

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

ABSENT: Senators Arnold and Neal - 2.

Therefore, the motion was defeated and the roll call vote on SA 1 to SB 27 was announced:

YES: Senators Adams, Berndt, Citro, Connor, Cook, Hughes, Knox, Littleton, Neal - 9.

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

ABSENT: Senator Arnold - 1.

Therefore, the Amendment was declared lost.

The roll call vote on SB 27 was then taken and revealed:

YES: Senators Adams, Bair, Citro, Connor, Cook, Cordrey, Holloway, Knox, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 16.

NO: Senators Berndt, Hughes, Littleton, Marshall - 4.

ABSENT: Senator Arnold - 1.

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

SB 43 was taken up for consideration on motion of Senator Adams:

SB 43 - AN ACT TO AMEND TITLE 21, CHAPTER 44, RELATING TO ABANDONED VEHICLES.

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

The roll call vote on SB 43 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Arnold and McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 44 was taken up for consideration on motion of Senator Adams:

SB 44 - AN ACT TO AMEND CHAPTER 25 AND CHAPTER 67, TITLE 21, OF THE DELAWARE CODE RELATING TO THE TRANSFER AND SELLING OF SALVAGES OR TOTAL LOSS MOTOR VEHICLES AND RELATING TO THE RESPONSIBILITY OF THE VEHICLE OWNERS.

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

The following legislation was introduced:

SB 79 - AN ACT TO AMEND CHAPTER 182 AND 199, VOLUME 62, LAWS OF DELAWARE RELATING TO THE DELAWARE ENERGY CRISIS ASSISTANCE PROGRAM BY PROVIDING FINANCIAL ASSISTANCE TO CERTAIN HOMEOWNERS AND OTHERS FOR THE PURCHASE OF HEATING FUELS. Sponsors: Senators McDowell, Bair, Marshall, Martin, Zimmerman, Vaughn; Representatives Campanelli, Darling, Holloway, Jr., Minner, Plant, West. Assigned to Finance Committee.

SB 80 - AN ACT TO AMEND CHAPTER 162, VOLUME 40, LAWS OF DELAWARE, AS AMENDED BY CHAPTER 486, VOLUME 58 LAWS OF DELAWARE RELATING TO THE FLOATING DEBT OF THE CITY OF HARRINGTON. Sponsors: Senator Cook and Representative Darling. Assigned to Finance Committee.

SB 81 - AN ACT TO AMEND CHAPTER 21, PART II, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES; AND PROVIDING SPECIAL LICENSE PLATES FOR CERTAIN VETERANS. Sponsors: Senators McBride and Hughes; Representatives Dixon and Jonkiert. Assigned to Public Safety Committee.

SR 21 - COMMENDING IRVING S. SHAPIRO FOR HIS CONTRIBUTIONS TO THE PRIVATE AND PUBLIC SECTORS AND WISHING HIM GOOD LUCK ON HIS RETIREMENT AS PRESIDENT OF THE DUPONT COMPANY. Sponsor: Senator Holloway. Laid on the table.

SA 1 to SB 69. Sponsor: Senator Connor. Placed with the Bill.

At 6:12 p.m., on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., February 3, 1981.

The Senate reconvened at 2:05 p.m., February 3, 1981, Lt. Governor Castle presiding.

Senator Arnold marked PRESENT.

On motion of Senator Cordrey, the Senate adjourned to immediately convene for the 9th Legislative Day.

9TH LEGISLATIVE DAY February 3, 1981

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

A Prayer was offered by Senator Sharp.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had passed HB 41 w HA 1 and adopted HCR 10.

SB 62 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Cordrey:

SB 62 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 1, TITLE 26, DELAWARE CODE RELATING TO THE JURISDICTION OF THE PUBLIC SERVICE COMMISSION.

Senators Murphy, Berndt and Zimmerman were added as co-sponsors of the Bill.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Cordrey and the roll call vote taken which revealed 17 Senators voting YES and 4 (Connor, Hughes, Martin, McBride) ABSENT; therefore, the Amendment was declared adopted.

Senators Connor, McBride and Hughes marked PRESENT.

The roll call vote on SB 62 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 2:19 p.m., on motion of Senator Sharp, the Senate recessed for a short period and reconvened at 2:53 p.m., Lt. Governor Castle presiding.

The following legislation was introduced:

HB 41 w HA 1 - AN ACT TO AMEND SECTION 1701, TITLE 7 OF THE DELAWARE CODE RELATING TO DOG LICENSES. Sponsor: Representative Oberle. Assigned to Natural Resources and Environmental Control Committee.

SB 82 - AN ACT TO AMEND CHAPTER 21, PART II, TITLE 21, OF THE DELAWARE CODE TO PROVIDE FOR SPECIAL LICENSE PLATES FOR MEMBERS OF VOLUNTEER FIRE COMPANIES. Sponsor: Senator McBride. Assigned to Public Safety Committee.

SA 1 to HB 28 w HA 1, 2. Sponsor: Senator Sharp. Placed with the Bill.

The following Committee reports were announced:

From the Health and Social Services Committee: SB 64 - 5 Merits.

From the Executive Committee: Donald J. Lynch - 6 Favorable; Dennis C. Carey - 3 Favorable; John A. Dillman III, - 3 Favorable, 2 Merits, 1 Unfavorable.

Senator Martin marked PRESENT.

HB 28 w HA 1, 2 was taken up for consideration on motion of Senator Cordrey:

HB 28 w HA 1, 2 - AN ACT TO AMEND TITLE 5 AND TITLE 6 OF THE DELAWARE CODE BY PROVIDING FOR THE ACQUISITION OF STOCK IN DELAWARE BANKS BY OUT-OF-STATE BANK HOLDING COMPANIES; BY PROVIDING FOR THE REGULATION OF BANK REVOLVING CREDIT AND CLOSED END CREDIT; BY PROVIDING RULES FOR THE TAXATION OF INCOME OF NON-UNITED

STATES BRANCH OFFICES OF DELAWARE BANKS; BY ADOPTING NEW RATES FOR THE TAXATION OF NET INCOME OF BANKS IN EXCESS OF \$20 MILLION DOLLARS; BY ELIMINATING CEILINGS ON INTEREST RATES WHICH MAY BE CHARGED IN RESPECT OF SMALL LOANS, SECONDARY MORTGAGE LOANS, MOTOR VEHICLE LOANS AND RETAIL INSTALLMENT SALES; BY PROVIDING FOR REFUNDS OF PRECOMPUTED INTEREST CHARGES IN ACCORDANCE WITH THE ACTUARIAL METHOD; BY PROVIDING FOR THE ISSUANCE OF REGULATIONS BY THE BANK COMMISSIONER ESTABLISHING REASONABLE TIMES FOR THE OPENING OF A BRANCH OF A SAVINGS BANK; BY REGULATING THE MAKING OF LOANS DIRECTLY OR INDIRECTLY TO DIRECTORS AND EXECUTIVE OFFICERS OF BANKS; AND BY DELETING FROM THE CODE PREVIOUSLY REPEALED PROVISIONS RELATING TO THE COLLECTION, PAYMENT AND DISHONOR OF DEMAND ITEMS AND REVOCATION OF LETTERS OF CREDIT; AND TO AMEND TITLE 30 TO PROVIDE FOR THE TAXATION OF AFFILIATED FINANCE COMPANIES.

During discussion of the Bill and the several Amendments which were offered to it, the privilege of the floor was extended to the following: O. Francis Biondi, Esq. (Montgomery Ward Co.); Douglas A. Shachtmor; Joseph M. Moran (Delaware Bankers Association); Nathan Hayward, III (Department of Community Affairs and Economic Development); Jim Boyle (Consumers Federation of America); John Malarkey (State Banking Commissioner); Ted Keller (Citizens Coalition for Tax Reform); Jeremiah P. Shea (Bank of Delaware).

SA 1 to the Bill which had been placed with the Bill was laid on the table at the request of the sponsor, Senator Sharp.

SA 2 to the Bill was introduced by Senator Connor and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Citro, Connor, Cook, Marshall, Martin, McBride, McDowell, Sharp, Vaughn, Zimmerman - 10.

NO: Senators Adams, Arnold, Cordrey, Holloway, Hughes, Knox, Littleton, Murphy, Neal - 9.

NOT VOTING: Senator Berndt - 1.

ABSENT: Senator Bair - 1.

Therefore, the Amendment was declared lost.

SA 3 to the Bill was introduced by Senator Marshall and laid on the table at his request.

SA 4 to the Bill was introduced by Senator McBride and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Connor, Marshall, Martin, McBride - 4.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 17.

Therefore, the Amendment was declared lost.

SA 5 to the Bill was introduced by Senator Connor and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Connor, Marshall, McBride, McDowell - 4.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Martin, Murphy, Neal, Sharp, Vaughn, Zimmerman - 17.

Therefore, the Amendment was declared lost.

SA 6 to the Bill was introduced by Senator Marshall and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Citro, Connor, Marshall, McBride, McDowell - 5.

NO: Senators Adams, Arnold, Bair, Berndt, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Martin, Murphy, Neal, Sharp, Vaughn, Zimmerman - 16.

Therefore, the Amendment was declared lost.

SA 7 to the Bill was introduced by Senator Marshall and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Marshall and McBride - 2.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Martin, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 19.

Therefore, the Amendment was declared lost.

At 6:10 p.m. on motion of Senator Sharp, the Senate recessed and reconvened at 6:25 p.m., Lt. Governor Castle presiding.

HB 28 w HA 1, 2 was still before the Senate.

SA 8 to the Bill was introduced by Senator McBride and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Citro, Connor, Cook, Marshall, McBride, Zimmerman - 6.

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

ABSENT: Senators Holloway and McDowell - 2.

Therefore, the Amendment was declared lost.

SA 9 to the Bill was introduced by Senator McBride and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Citro, Connor, Marshall, McBride, McDowell, Zimmerman - 6.

NO: Senators Adams, Arnold, Bair, Berndt, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Martin, Murphy, Neal, Sharp, Vaughn - 15.

Therefore, the Amendment was declared lost.

SA 10 to the Bill was introduced by Senator McBride and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Citro, Connor, Cook, Holloway, Marshall, McBride, McDowell, Sharp, Zimmerman - 9.

NO: Senators Adams, Arnold, Bair, Berndt, Cordrey, Hughes, Knox, Littleton, Martin, Murphy, Neal, Vaughn - 12.

Therefore, the Amendment was declared lost.

SA 11 to the Bill was introduced by Senator Connor and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Citro, Connor, Holloway, Marshall, McBride, McDowell, Sharp, Zimmerman - 8.

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

Therefore, the Amendment was declared lost.

SA 12 to the Bill was introduced by Senator McBride and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Marshall, McBride, Zimmerman - 3.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Martin, McDowell, Murphy, Neal, Sharp, Vaughn - 18.

Therefore, the Amendment was declared lost.

SA 13 to the Bill was introduced by Senator McBride and laid on the table on his motion.

SA 14 to the Bill was introduced by Senator Connor and then stricken on his motion.

At 7:43 p.m., Senator Cordrey presiding.

SA 15 to the Bill was introduced by Senator Connor and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Citro, Connor, Cook, Littleton, Marshall, McBride, McDowell, Sharp, Zimmerman - 9.

NO: Senators Adams, Arnold, Bair, Berndt, Cordrey, Holloway, Hughes, Knox, Martin, Murphy, Neal, Vaughn - 12.

Therefore, the Amendment was declared lost.

At 7:50 p.m., Lt. Governor Castle presiding.

SA 16 to the Bill was introduced by Senator McBride and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Connor, Marshall, McBride, McDowell - 4.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Martin, Murphy, Neal, Sharp, Vaughn, Zimmerman - 17.

Therefore, the Amendment was declared lost.

SA 17 to the Bill was introduced by Senator Zimmerman and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Cook, Holloway, Marshall, McBride, McDowell, Sharp, Zimmerman - 7.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cordrey, Hughes, Knox, Littleton, Martin, Murphy, Neal, Vaughn - 14.

Therefore, the Amendment was declared lost.

SA 18 to the Bill was introduced by Senator Connor and then stricken at his request.

The roll call vote on HB 28 w HA 1, 2 was then taken on motion of Senator Cordrey and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Cordrey, Holloway, Hughes, Knox, Littleton, McDowell, Murphy, Neal, Sharp, Vaughn - 14.

NO: Senators Citro, Connor, Cook, Marshall, Martin, McBride, Zimmerman - 7.

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

HB 29 was taken up for consideration on motion of Senator Cordrey:

HB 29 - AN ACT TO AMEND CHAPTER 7 OF TITLE 5 OF THE DELAWARE CODE BY ESTABLISHING THE NUMBER AND QUALIFICATIONS OF PERSONS REQUIRED TO FORM A BANK OR TRUST COMPANY CONTROLLED BY AN OUT-OF-STATE BANK HOLDING COMPANY; BY PROVIDING FOR THE ISSUANCE OF REGULATIONS BY THE BANK COMMISSIONER ESTABLISHING REASONABLE TIMES FOR THE STARTUP OF A BANK OR TRUST COMPANY OR THE OPENING OF A BRANCH; BY AMENDING THE REQUIREMENTS REGULATING THE PERCENTAGE OF A BANK'S CAPITAL, SURPLUS AND UNDIVIDED PROFITS WHICH MAY BE INVESTED IN REAL ESTATE; BY DELETING FROM SECTION 764 (b) A REFERENCE WHICH IS NO LONGER APPLICABLE; BY PROVIDING THAT NO LETTER OF CREDIT SHALL BE CONSTRUED AS A GUARANTEE; AND BY AUTHORIZING THE ESTABLISHMENT OF BRANCH OFFICES WITHOUT THE STATE OF DELAWARE.

The privilege of the floor was extended to O. Francis, Biondi, Esq. (representing several out-of-state banks and business firms), after which the roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House.

At 9:40 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 9:47 p.m., Senator Sharp presiding.

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

On motion of Senator Adams, the Governor's nomination for appointment of Donald J. Lynch was taken up for consideration under suspension of the necessary rules and the roll call vote taken which revealed 19 Senators voting YES and 2 (Bair and Hughes) NOT VOTING; therefore, the appointment was declared confirmed.

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

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

NO: Senators Cook, Cordrey, McDowell, Sharp, Zimmerman - 5.

Therefore, the appointment was declared confirmed.

HJR 4 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Cordrey:

HJR 4 - DELEGATING FULL POWERS TO THE LEGISLATIVE COUNCIL OF THE 131ST GENERAL ASSEMBLY IN THE DETERMINATION OF THE COMPOSITION AND REAPPORTIONMENT OF THE GENERAL ASSEMBLY; AND PROVIDING FUNDS THEREFOR. Sponsors: Representative Burris and Senator Cordrey; Representatives Petrilli, George, Cain; Senators Sharp, Cook, Knox, Arnold.

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

The Secretary announced that a message from the House informed the Senate that it had passed SB 46 w SA 1; HB 32; HB 34 w HA 1 and adopted HCR 18; HCR 20; HCR 19; HJR 4.

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

SCR 13 - COMMEMORATING THE 235TH ANNIVERSARY OF THE BIRTH OF GENERAL THADDEUS KOSCIUSZKO, AMERICAN REVOLUTIONARY WAR HERO. Sponsors: Senators Marshall, Holloway and Citro; Representative Jonkier.

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

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

SCR 12 - CONGRATULATING ROBERT E. ELLEGOOD, M.D., AS HE CELEBRATES HIS 100TH BIRTHDAY ON FEBRUARY 9, 1981. Sponsors: Senators Cordrey, Sharp, Knox; Representatives Hebner, Burris, George.

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

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

HCR 10 - REQUESTING THE GOVERNOR TO DESIGNATE FEBRUARY 14, THROUGH FEBRUARY 24 AS NATIONAL DEFENSE WEEK. Sponsors: Representative Harrington; Senator Hughes.

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

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

HCR 18 - EXPRESSING THE BEST WISHES OF THE 131ST GENERAL ASSEMBLY TO WESTON E. (PETE) NELLIUS, FORMER SECRETARY OF THE DEPARTMENT OF FINANCE, AS HE PURSUES A NEW CAREER IN PRIVATE INDUSTRY. Sponsors: Representatives George, Burris, Cain, Sincok, Bennett, Maroney, Powell, McKay, Petrilli; Senator Cook.

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

HCR 19 was introduced and considered for adoption on motion of Senator Cordrey:

HCR 19 - EXPRESSING SYMPATHY AND CONDOLENCES OF THE HOUSE OF REPRESENTATIVES OF THE 131ST GENERAL ASSEMBLY, WITH THE CONCURRENCE OF THE SENATE THEREIN TO THE FAMILY OF FELIX E. SPURNEY. Sponsor: Representative Burris.

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

HCR 20 was introduced and considered for adoption on motion of Senator Cordrey:

HCR 20 - CONGRATULATING CASSIE BLIZZARD, OF MILFORD, WHO CELEBRATED HER 109TH BIRTHDAY ON JANUARY 30, 1981. Sponsors: Representatives Minner and Burris; Senator Adams.

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

SB 87 was introduced and assigned to Finance Committee:

SB 87 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE, ESTABLISHING A DIVISION IV ENERGY FUNDING FORMULA FOR THE PUBLIC SCHOOLS. Sponsors: Senators Bair, McBride, Vaughn, Neal, Knox; Representatives Smith, Ennis, Corrozi, Jester, Soles. Assigned to Finance Committee.

At 10:12 p.m. on motion of Senator Cordrey, the Senate recessed to the call of the President Pro Tem.

The Senate reconvened at 2:09 p.m., March 24, 1981, Lt. Governor Castle presiding, and immediately adjourned on motion of Senator Cordrey to convene for the 10th Legislative Day.

10TH LEGISLATIVE DAY

March 24, 1981

The Senate convened at 2:09 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Sharp.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 20.

ABSENT: Senator Holloway - 1.

The Journal of the previous day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had passed HB 30 w HA 1, 2; SB 25 w SA 1; SB 59; SB 62 w SA 1; and adopted SCR 12; SCR 13; HCR 21; and HCR 22.

The following legislation was introduced:

HCR 22 - RECOGNIZING AND WELCOMING THE LEGISLATORS AND STAFF OF THE WEST AFRICAN NATION OF NIGERIA TO THE STATE OF DELAWARE. Sponsors: Representatives Hebner, Burris, Petrilli, George, Cain; Senators Cordrey, Sharp, McDowell, Knox, Arnold.

The Resolution was laid on the table on motion of Senator Cordrey.

Senators Arnold, Berndt, Zimmerman, Martin, Marshall marked PRESENT.

HCR 21 - REQUESTING ALL DEPARTMENTS TO CONTINUE THEIR COMMITMENT TO ENERGY CONSERVATION AS A STATE POLICY. Sponsors: Representatives Smith, Brady; Senators Bair and Neal.

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

HCR 22 was lifted from the table for consideration on motion of Senator Cordrey and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

Pursuant to the above Resolution, Senator Cordrey asked the members of the Nigerian General Assembly to introduce themselves and a spokesman for the group addressed the Senate. The members of the Nigerian delegation were Messrs. MacDuhu, Bayero, Osuji, Bolalola, Noma, Oloyo, Awolowo, Batu, Kadashni, Adekanmi.

The following legislation was introduced:

SB 83 - AN ACT TO AMEND CHAPTER 11, PART II, TITLE 30, OF THE DELAWARE CODE TO PROVIDE EDUCATIONAL EXEMPTION FROM TAXABLE INCOME. Sponsors: Senators Marshall, Murphy, McBride, Citro, Connor; Representatives Jonkiert, Anderson, Brady, Dixon, Campanelli, Cain, Gilligan, Holloway, Plant. Assigned to Revenue and Taxation Committee.

SB 84 - AN ACT TO AMEND TITLE 24 AND TITLE 30, DELAWARE CODE, RELATING TO SECOND-HAND DEALERS IN PRECIOUS METALS. Sponsor: Senator Martin. Assigned to Revenue and Taxation Committee.

SB 85 - AN ACT TO AMEND CHAPTERS 10, 19 AND 21 OF TITLE 14 OF THE DELAWARE CODE RELATING TO ELECTIONS IN SCHOOL DISTRICTS. Sponsors: Senators Hughes, Holloway, McBride. Assigned to Insurance and Elections Committee.

SB 86 - AN ACT TO AMEND CHAPTER 16, TITLE 24 OF THE DELAWARE CODE RELATING TO LOCATION OF ADULT ENTERTAINMENT ESTABLISHMENTS. Sponsors: Senators Citro, Bair, Hughes, McBride; Representatives Maroney, Petrilli, Oberle. Assigned to Judiciary Committee.

SB 88 - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO CONDUCT A FEASIBILITY STUDY OF THE RECREATIONAL POTENTIAL OF THE CHRISTINA RIVER, AND PROVIDING FUNDS THEREFOR. Sponsors: Senators Martin, McBride, Marshall; Representatives Jonkiert, Dixon. Assigned to Natural Resources and Environmental Control Committee.

SB 89 - AN ACT TO AMEND CHAPTER 17, TITLE 24, DELAWARE CODE RELATING TO DETERMINATION OF DEATH. Sponsors: Senators Berndt, Sharp, Knox, Hughes, McBride; Representatives Maroney and Smith. Assigned to Health and Social Services/ Aging Committee.

SB 90 - AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO INCREASE GENERAL ASSISTANCE AND AID TO FAMILIES WITH DEPENDENT CHILDREN PAYMENTS TO A MINIMUM OF 100 PERCENT OF A 1970 STANDARD OF NEED. Sponsor: Senator Holloway. Assigned to Finance Committee.

SB 91 - AN ACT TO AMEND PART I, TITLE 19, DELAWARE CODE, BY ADDING A NEW CHAPTER AUTHORIZING COLLECTIVE BARGAINING BETWEEN LAW ENFORCEMENT OFFICERS AND THEIR PUBLIC EMPLOYERS; PROVIDING FOR ARBITRATION IN ORDER TO SETTLE DISPUTES; AND REQUIRING COMPLIANCE WITH COLLECTIVE BARGAINING AGREEMENT AND FIND OF ARBITRATORS. Sponsors: Senators Marshall and Connor; Representatives Oberle, Roy, Cain, Powell, Cathcart, Mack. Assigned to Labor/Industrial Relations Committee.

SB 92 - AN ACT TO AMEND AN ACT BEING CHAPTER 277, VOLUME 49, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF LAUREL" TO PROVIDE FOR ABSENTEE VOTING IN THE GENERAL MUNICIPAL ELECTION. Sponsors: Senator Littleton and Representative C. Cordrey. Assigned to Community Affairs Committee.

SB 93 - AN ACT PROPOSING AN AMENDMENT TO SECTION 15, ARTICLE II OF THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO THE COMPENSATION OF MEMBERS OF THE GENERAL ASSEMBLY. Sponsor: Senator McBride. Assigned to Executive Committee.

SB 94 - AN ACT TO AMEND CHAPTER 51, PART II, TITLE 14 OF THE DELAWARE CODE RELATING TO THE APPOINTMENT OF MEMBERS TO THE BOARD OF TRUSTEES OF THE UNIVERSITY OF DELAWARE. Sponsors: Senators McDowell and Connor; Representatives Cain and Jester. Assigned to Education Committee.

SB 95 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF SLAUGHTER BEACH", 37 DELAWARE LAWS, CHAPTER 167, AS AMENDED, BY PROVIDING FOR THE OPENING, ALTERING, OR CLOSING OF STREETS, THE ACQUISITION OF PROPERTY FOR PUBLIC PURPOSE (INCLUDING THE POWER OF EMINENT DOMAIN), MUNICIPAL TAX LIENS, AND REVISING THE LIMITATION ON THE TOWN'S TAXING POWER. Sponsors: Senator Adams, Representative Burris. Assigned to Community Affairs Committee.

SB 96 - AN ACT TO AMEND CHAPTER 27, TITLE 24 OF THE DELAWARE CODE, RELATING TO PROFESSIONAL LAND SURVEYORS. Sponsor: Senator McBride. Assigned to Administrative Services/Energy Committee.

SB 97 - AN ACT TO AMEND CHAPTER 66, TITLE 16 OF THE DELAWARE CODE RELATING TO THE REQUIREMENT OF RESIDENTIAL SMOKE DETECTORS. Sponsor: Senator Holloway. Assigned to Public Safety Committee.

SB 98 - AN ACT TO AMEND TITLE 4, DELAWARE CODE, TO AUTHORIZE CABARET LICENSES FOR THE SALE AND DISPENSING OF ALCOHOLIC BEVERAGES, ESTABLISH FEES FOR SUCH LICENSES, AND MAKE OTHER PROVISIONS THEREFORE. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

SB 99 - AN ACT TO AMEND TITLE II, DELAWARE CODE, BY ADDING THERETO A NEW CHAPTER 44 ENTITLED THE CRIMINAL PENALTY WARNING AND INFORMATION ACT, AND MAKING A SUPPLEMENTAL APPROPRIATION THEREFORE. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 100 - AN ACT TO AMEND SUBCHAPTER I, CHAPTER 69, TITLE 29, DELAWARE CODE, RELATING TO THE AWARD OF CONTRACTS. Sponsors: Senators Cordrey, Littleton. Assigned to Administrative Services/Energy Committee.

SB 101 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 5, TITLE 13, DELAWARE CODE, RELATING TO VIOLATION OF SUPPORT ORDER. Sponsor: Senator Cordrey. Assigned to Judiciary Committee.

SB 102 - AN ACT TO AMEND CHAPTER 408, VOLUME 62, LAWS OF DELAWARE, TO TRANSFER FUNDS FROM THE KENT COUNTY RAPE CRISIS CENTER TO THE RAPE CRISIS CENTER OF SUSSEX COUNTY. Sponsors: Senators Cordrey, Littleton. Assigned to Finance Committee.

SB 103 - AN ACT TO AMEND CHAPTER 79, TITLE 29 OF THE DELAWARE CODE TO PROVIDE THAT THE GOVERNOR SHALL APPOINT SENIOR CITIZENS TO CERTAIN UNITS. Sponsor: Senator Cordrey. Assigned to Executive Committee.

SB 104 - AN ACT TO AMEND CHAPTER 21, TITLE 23, DELAWARE CODE, RELATING TO NONSTATE AGENCY LOCATIONS FOR THE REGISTRATION OF MOTORBOATS. Sponsor: Senator Cordrey. Assigned to Natural Resources and Environmental Control Committee.

SB 105 - AN ACT TO AMEND CHAPTER 5, TITLE 4, DELAWARE CODE, RELATING TO GROUNDS FOR REFUSAL OF ALCOHOLIC LIQUOR LICENSES. Sponsor: Senator Cordrey. Assigned to Administrative Services/Energy Committee.

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

SA 1 TO SB 40. Sponsor: Senator Bair. Placed with the Bill.

SA 1 TO SB 28. Sponsor: Senator Connor. Placed with the Bill.

HB 32 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE LENGTH OF LEGISLATIVE SESSIONS. Sponsors: Representatives McKay, Gilligan, Burris, George, Cain, Petrilli. Assigned to Executive Committee.

HB 34 w HA 1 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO GAMBLING. Sponsors: Representatives Free, Cathcart, Edwards, Gilligan; Senators Marshall and Citro. Assigned to Judiciary Committee.

On motion of Senator McBride, and without objection, SB 85 which had been assigned to Insurance and Elections Committee was reassigned to Education Committee.

SA 1 to SB 28 was stricken at the request of the sponsor, Senator Connor.

HB 30 w HA 1, 2 - AN ACT TO AMEND CHAPTER 199, VOLUME 62, LAWS OF DELAWARE RELATING TO FINANCIAL ASSISTANCE TO CERTAIN DELAWARE FAMILIES FOR THE PURCHASE OF ENERGY CONSERVATION MATERIALS. Sponsors: Representatives VanSeiver, Cathcart, Dixon, Harrington, Free, Holloway, Jr., Mack, Plant and Spence. Assigned to Administrative Services/Energy Committee.

The following letter from the Governor was read at the request of Senator Cordrey:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

February 9, 1981

The Honorable Richard S. Cordrey
President Pro Tempore
Delaware State Senate
Legislative Hall
Dover, Delaware 19901

Dear Mr. President:

This is to notify you that I have received from Mr. Edmund L. Henshaw, Jr., Clerk of the United States House of Representatives, by communication dated January 15, 1981, Certificate of Entitlement, under seal of the United States House of Representatives. This Certificate shows that as a result of the 1980 decennial census, Delaware shall be entitled to one representative in the Ninety-eighth Congress and in each Congress thereafter until a subsequent reapportionment shall take effect.

The Clerk has also transmitted a copy of the Message from the President of the United States of January 7, 1981, transmitting to Congress the 1980 population basis of apportionment, and the apportionment of Representatives by the method of equal proportions.

I believe it would be appropriate if this letter were read into the Senate Journal as official acknowledgement of its receipt.

By copy of this letter, I am transmitting the Certificate and copy of the President's Message to the Department of State, Division of Historical and Cultural Affairs, Bureau of Archives and Records for appropriate safekeeping.

Sincerely yours,
Pierre S. duPont, IV, Governor

Senator Cook moved that HB 30 w HA 1, 2 which had been introduced and assigned to Administrative Services/Energy Committee, be reassigned to the Finance Committee.

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

YES: Senators Adams, Berndt, Citro, Cook, Cordrey, Hughes, Littleton, McBride, Murphy, Neal, Vaughn, Zimmerman - 12.

NO: Senators Arnold, Bair, Connor, Marshall, McDowell - 5.

NOT VOTING: Senators Knox and Sharp - 2.

ABSENT: Senators Holloway and Martin - 2.

Therefore, the motion prevailed and the Bill was reassigned to the Finance Committee.

At 4:00 p.m., on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:46 p.m., Lt. Governor Castle presiding.

The following legislation was introduced:

SB 106 - AN ACT TO AMEND AN ACT, BEING CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, 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" RELATING TO THE AMOUNT WHICH MAY BE BORROWED AGAINST ANTICIPATED REVENUES. Sponsors: Senator Cordrey and Representative Derrickson. Assigned to Community Affairs/Energy Committee.

SB 107 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 1, TITLE 25, DELAWARE CODE RELATING TO THE RECORDING OF DEEDS AND LETTERS OF ATTORNEY. Sponsors: Senator Cordrey and Representative Derrickson. Assigned to Judiciary Committee.

SB 108 - AN ACT TO AMEND TITLE 11 AND TITLE 24 OF THE DELAWARE CODE, RELATING TO MESSAGE ESTABLISHMENTS AND ADULT BOOK STORES. Sponsor: Senator McBride. Assigned to Judiciary Committee.

SB 109 - AN ACT TO AMEND CHAPTER 29, TITLE 6 OF THE DELAWARE CODE RELATING TO RETAIL SALES OF MOTOR FUEL; AND PROVIDING FOR PRICE SIGNS WHICH ARE EASILY OBSERVABLE BY PASSING MOTORISTS. Sponsor: Senator Connor. Assigned to Highways and Transportation Committee.

SB 110 - AN ACT TO AMEND CHAPTER 13, TITLE 26 OF THE DELAWARE CODE RELATING TO EMINENT DOMAIN. Sponsor: Senator Connor. Assigned to Administrative Services/Energy Committee.

SB 111 - AN ACT TO PROVIDE ADDITIONAL SCHOOL SUPPLIES FOR DELAWARE SCHOOLS, AND PROVIDING THE FUNDS THEREFOR. Sponsor: Senator Murphy. Assigned to Education Committee.

SB 112 - AN ACT TO AMEND ADDITIONAL SUBSTITUTE TEACHERS AVAILABLE TO DELAWARE SCHOOL DISTRICTS, AND PROVIDING FUNDS THEREFOR. Sponsor: Senator Murphy. Assigned to Education Committee.

SB 113 - AN ACT TO AMEND CHAPTER 23, TITLE 19, DELAWARE CODE, RELATING TO WORKMENS COMPENSATION PREMIUMS. Sponsors: Senators Sharp, Cook and McDowell. Assigned to Labor/Industrial Relations Committee.

SB 114 - AN ACT TO AMEND CHAPTER 23, TITLE 19, DELAWARE CODE, RELATING TO WORKMENS COMPENSATION INSURANCE CARRIERS FINANCIAL REPORTS. Sponsors: Senators Sharp, Cook, McDowell, Berndt, Zimmerman, Bair, Marshall, Arnold, Neal, Littleton, Vaughn. Assigned to Labor/Industrial Relations Committee.

SB 115 - AN ACT TO AMEND SUBCHAPTER II, TITLE 30, DELAWARE CODE, RELATING TO EXCLUSION OF PENSION INCOME FROM DELAWARE PERSONAL INCOME TAX. Sponsors: Senators Zimmerman and Murphy. Assigned to Revenue and Taxation Committee.

SB 116 - AN ACT TO AMEND SUBCHAPTER II, TITLE 19, DELAWARE CODE, RELATING TO UNEMPLOYMENT COMPENSATION BENEFITS. Sponsors: Senators McBride, Murphy, Zimmerman; Representatives Oberle, Buckworth. Assigned to Labor/Industrial Relations Committee.

SB 117 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO LEGISLATIVE AUTHORITY; AND PROVIDING FOR INITIATIVE AND REFERENDUM. Sponsors: Senators McBride and Sharp; Representatives Gilligan, Riddagh and Oberle. Assigned to Executive Committee.

On motion of Senator McBride (and without objection), SB 113 and SB 114 which had been assigned to Labor/Industrial Relations Committee, were reassigned to Elections and Insurance Committee.

SR 22 - INVITING THE CHAIRMAN AND MEMBERS OF THE PUBLIC SERVICE COMMISSION TO APPEAR BEFORE THE SENATE TO DISCUSS VARIOUS FACTORS ON WHICH PUBLIC UTILITY RATE DECISIONS ARE BASED. Sponsor: Senator Holloway. Laid on the table in the absence of the sponsor.

SCR 14 - REQUESTING THE STATE BOARD OF EDUCATION TO STUDY THE FEASIBILITY OF SOME MODIFICATION IN THE ADMINISTRATION OF PUBLIC SCHOOL PROGRAMS FOR EXCEPTIONAL CHILDREN. Sponsors: Senator McBride and Representative Soles; Senators McDowell, Holloway, Marshall, Berndt, Bair, Sharp, Neal, Citro, Connor, Vaughn, Cook, Adams and Littleton; Representatives Ennis, Hebner, McKay, Corrozi, Campanelli, Dixon, Gilligan, Oberle, Anderson, Petrilli, Cain, Jester, Free, Fallon and Minner.

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

SCR 15 - CONGRATULATING NANCY E. FLEMING, OF WILMINGTON, UPON WINNING THE STATE VOICE OF DEMOCRACY CONTEST. Sponsors: Senators McBride and Bair; Representative Hebner.

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

SCR 16 - MOURNING THE DEATH OF JOHN E. HOCUTT, SR., FIRST DEAN OF STUDENTS AND A RETIRED VICE PRESIDENT OF THE UNIVERSITY OF DELAWARE. Sponsors: Senator Neal; Representatives Soles, Bennett.

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

SJR 6 - DIRECTING THE PUBLIC SCHOOLS IN THE STATE OF DELAWARE TO ADOPT ENERGY CONSERVATION AS AN OFFICIAL POLICY. Sponsors: Senators Bair, Neal, Knox, McBride, Vaughn; Representatives Roy, Smith, Soles, Jester, Ennis, Corrozi. Assigned to Education Committee.

SCR 17 - CONGRATULATING THE SEVENTY GRADUATING HIGH SCHOOL SENIORS SELECTED TO REPRESENT THE BLUE AND GOLD TEAMS AT THE 26TH ANNUAL BLUE-GOLD ALL STAR FOOTBALL GAME AUGUST 8. Sponsors: Senator Zimmerman and all the Senators; Representatives Bennett, Harrington, Spence, Hebner, George, Corrozi, Buckworth, Barnes, Edwards.

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

SJR 7 - RELATING TO CERTAIN FUNCTIONS; POWERS AND DUTIES OF THE DELAWARE SUNSET COMMITTEE. Sponsors: Senators McDowell, Vaughn, Marshall, Bair, Connor; Representatives Brady, Smith, Barnes, Soles, Jonkiert. Assigned to Executive Committee.

SB 60 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator McBride:

SB 60 - AN ACT TO AMEND CHAPTER 16, TITLE 24, DELAWARE CODE RELATING TO ADULT ENTERTAINMENT ESTABLISHMENT.

The privilege of the floor was extended to Harry Terry (Senate Attorney) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 48 was taken up for consideration on motion of Senator Martin:

SB 48 - AN ACT TO AMEND VOLUME 62, CHAPTER 277, LAWS OF DELAWARE, RELATING TO BUS TRANSPORTATION OF PUBLIC SCHOOL STUDENTS PREVIOUSLY DECLARED INELIGIBLE BY THE UNIQUE HAZARDS COMMITTEE.

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

The roll call vote on SB 48 w SA 1 was then taken and revealed:

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

NO: Senators Arnold, Knox, Neal - 3.

ABSENT: Senator Holloway - 1.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.
At 5:55 p.m., on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., March 25, 1981.
The Senate reconvened at 2:20 p.m., March 25, 1981, Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Judiciary Committee: SB 2 - 3 Favorable, 2 Merits; SB 101 - 5 Merits; SB 107 - 5 Merits; HB 34 w HA 1 - 5 Merits.

From the Natural Resources and Environmental Control Committee: SB 74 - 6 Merits; SB 88 - 6 Merits; SB 104 - 6 Merits.

The following legislation was introduced:

SB 129 - AN ACT TO AMEND CHAPTER 199, VOLUME 62, LAWS OF DELAWARE RELATING TO FINANCIAL ASSISTANCE TO CERTAIN DELAWARE FAMILIES AND PUBLICLY OPERATED HOUSING AUTHORITIES FOR THE PURCHASE AND INSTALLATION OF ENERGY CONSERVATION MATERIALS FOR THEIR HOMES. Sponsor: Senator McDowell. Assigned to Administrative Services/Energy Committee.

SB 118 - AN ACT TO AMEND CHAPTER 27, TITLE 21, DELAWARE CODE, RELATING TO TEMPORARY INSTRUCTION PERMITS. Sponsors: Senators Bair, Vaughn, Hughes, McDowell; Representatives Soles, Brady. Assigned to Public Safety Committee.

SB 119 - AN ACT TO AMEND CHAPTER 21, PART III, TITLE 29 OF THE DELAWARE CODE RELATING TO THE ANNUAL SALARY OF THE GOVERNOR. Sponsor: Senator Berndt. Assigned to Executive Committee.

On motion of Senator McDowell (and without objection), SB 129 which had been assigned to Administrative Services/Energy Committee, was reassigned to the Finance Committee.

SB 120 - AN ACT TO AMEND CHAPTER 1, TITLE 26 OF THE DELAWARE CODE TO BAN THE USE OF CONSTRUCTION PROGRAM COSTS IN COMPUTING THE RATE BASE FOR UTILITIES. Sponsors: Senators Sharp, McDowell and Martin. Assigned to Administrative Services/Energy Committee.

SB 121 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 1, TITLE 26, DELAWARE CODE, RELATING TO GENERAL ASSEMBLY APPROVAL OR DISAPPROVAL OF CERTAIN UTILITY RATES. Sponsors: Senators Sharp and McDowell. Assigned to Administrative Services/Energy Committee.

SB 122 - AN ACT TO AMEND CHAPTER 71, TITLE 29 OF THE DELAWARE CODE RELATING TO THE USE OF STATE VEHICLES BY STATE EMPLOYEES. Sponsor: Senator Martin. Assigned to Public Safety Committee.

SB 123 - AN ACT TO AMEND CHAPTER 9, PART I, TITLE 7 OF THE DELAWARE CODE RELATING TO RULES AND REGULATIONS CONCERNING FISHING IN THE DELAWARE RIVER AND BAY. Sponsor: Senator Connor. Assigned to Natural Resources and Environmental Control Committee.

SB 124 - AN ACT TO AMEND SECTION 4403, CHAPTER 44, TITLE 6, DELAWARE CODE, PERTAINING TO HOME SOLICITATION SALES, BY EXTENDING THE APPLICATION OF THAT ACT TO TRANSACTIONS CONSUMMATED AT TRANSIENT PLACES OF BUSINESS. Sponsors: Senators Bair, Knox, Neal, Hughes, Marshall, Vaughn; Representatives Brady, Soles, Smith, Free, Jester. Assigned to Community Affairs Committee.

SB 125 - AN ACT TO AMEND CHAPTER 1, TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES; AND PROVIDING CERTAIN RESTRICTIONS ON THE GRANTING OF AUTOMATIC RATE INCREASES. Sponsor: Senator Connor. Assigned to Administrative Services/Energy Committee.

SB 126 - AN ACT TO AMEND CHAPTER 81, PART V, TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY TAXES. Sponsor: Senator Connor. Assigned to Community Affairs Committee.

SB 127 - AN ACT TO AMEND CHAPTER 33, PART III, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsor: Senator Connor. Assigned to Labor/Industrial Relations Committee.

SB 128 - AN ACT TO AMEND CHAPTER 1, TITLE 17, DELAWARE CODE RELATING TO THE ACQUISITION AND SALE OF REAL PROPERTY BY THE DEPARTMENT OF TRANSPORTATION. Sponsors: Senators Martin; Neal. Assigned to Highways and Transportation Committee.

The Secretary announced that a message from the House informed the Senate that it had passed HB 45; HB 46 w HA 1; HB 71; HB 93.

The following legislation was introduced:

SA 1 to HB 34. Sponsor: Senator Arnold. Placed with the Bill.

SA 2 to HB 34. Sponsor: Senator Bair. Placed with the Bill.

SA 3, SA 4 and SA 5 to HB 34. Sponsor: Senator Neal. Placed with the Bill.

SA to SB 41. Sponsor: Senator Connor. Placed with the Bill.

HB 45 - AN ACT TO AMEND CHAPTER 1, TITLE 13 OF THE DELAWARE CODE RELATING TO A DETERMINATION OF THE RESIDENCY OF CERTAIN PERSONS DESIRING TO BE MARRIED WITHIN THE STATE OF DELAWARE. Sponsors: Representatives Smith and George. Assigned to Judiciary Committee.

HB 46 w HA 1 - AN ACT TO AMEND CHAPTER 13, OF TITLE 24, DELAWARE CODE, RELATING TO PRIVATE DETECTIVES. Sponsors: Representative Bennett (By request); Senators Sharp, Hughes. Assigned to Administrative Services/Energy Committee.

HB 71 - AN ACT TO AMEND CHAPTER 9, TITLE 24, DELAWARE CODE, RELATING TO DEADLY WEAPONS. Sponsor: Representative Cathcart (By request). Assigned to Judiciary Committee.

HB 93 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, SECTION 4308, BY REQUIRING A NOTARY PUBLIC TO ENSURE THAT THE INDIVIDUAL WHOSE PRESENCE IS BEING CERTIFIED TO BY THE NOTARY, PROVIDE PROOF OF THEIR IDENTITY. Sponsors: Representatives VanSeiver, Brady, Ennis, Cathcart, Mack, Corrozi, Dixon, Free, Jester, Barnes, Riddagh, Spence, Buckworth; Senators Citro and Connor. Assigned to Judiciary Committee.

SCR 18 was introduced and considered for adoption on motion of Senator Martin:

SCR 18 - A CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION STUDY THE HIGHWAY SIGNS NEAR AND SURROUNDING THE CHRISTINA MALL. Sponsor: Senator Martin.

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

At 2:45 p.m., on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 11th Legislative Day.

11TH LEGISLATIVE DAY

March 25, 1981

The Senate convened at 2:45 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 20.

ABSENT: Senator Holloway - 1.

The Journal of the previous day was approved as read.

Legislative Advisories #2 and #3 from the Office of Counsel to the Governor were read which informed the Senate that the Governor signed the following legislation on the dates indicated: on February 4, 1981 - SJR 2; on February 7 - HJR 4; on February 11 - SB 46 w SA 1; on February 18 - HB 28 w HA 1, 2, HB 29; on February 19 - SB 25 w SA 1, SB 62 w SA 1; on February 23 - SB 59.

At 2:47 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:55 p.m., Lt. Governor Castle presiding.

On motion of Senator Sharp and without objection, the necessary rules were suspended for the introduction and consideration of HB 106 w HA 1:

HB 106 w HA 1 - AN ACT TO VALIDATE THE ACTS DONE AND PROCEEDINGS TAKEN BY THE TOWN OF BLADES, A MUNICIPAL CORPORATION, AND BY ITS OFFICERS AND AGENTS IN RELATION TO THE ISSUANCE OF THE "TWO HUNDRED ELEVEN THOUSAND DOLLARS (\$211,000.00) BLADES WATER ISSUE OF 1981" AND TO LEGALIZE AND VALIDATE SAID BONDS AND TO PROVIDE FOR THE PAYMENT OF SAID BONDS. Sponsor: Representative Fallon.

At 5:00 p.m., Senator Cordrey presiding.

Senator Bair marked PRESENT.

Senator Sharp yielded to Senator Littleton to floor manage HB 106 w HA 1.

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

At 5:10 p.m., Senator Sharp presiding.

SB 104 was taken up for consideration on motion of Senator Cordrey:

SB 104 - AN ACT TO AMEND CHAPTER 21, TITLE 23, DELAWARE CODE, RELATING TO NONSTATE AGENCY LOCATIONS FOR THE REGISTRATION OF MOTORBOATS.

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

SB 39 was taken up for consideration on motion of Senator Zimmerman:

SB 39 - AN ACT TO AMEND CHAPTER 7, TITLE 7, DELAWARE CODE RELATING TO PROHIBITED HUNTING AND TRAPPING METHOD.

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

The privilege of the floor was extended to Harry Terry (Senate Attorney) after which, final consideration of the Bill was deferred on further motion of Senator Zimmerman.

The following Committee reports were announced:

From the Insurance and Elections Committee: SB 54 - 4 Merits; SB 55 - 4 Merits; SB 56 - 4 Merits; SB 58 - 4 Merits; SB 113 - 4 Merits; SB 114 - 4 Merits.

From the Finance Committee: SB 79 - 5 Merits; SB 80 - 5 Merits; SB 102 - 5 Merits; SB 129 - 5 Merits.

From the Administrative Services/Energy Committee: SB 96 - 5 Merits; SB 100 - 6 Merits; SB 105 - 2 Merits, 4 Unfavorable.

From the Executive Committee: SB 103 - 5 Merits; SJR 5 - 5 Merits; SJR 7 - 6 Merits; SB 50 - 4 Merits.

From the Public Safety Committee: SB 57 - 4 Merits, 1 Favorable; SB 81 - 5 Merits.

The following legislation was introduced:

SB 130 - AN ACT TO AMEND TITLE 16 AND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS; AND PROVIDING FOR A PUBLIC MEMBER ON THE GOVERNING BODY OF CERTAIN BOARDS, COMMISSIONS AND OTHER AGENCIES. Sponsor: Senator Marshall. Assigned to Executive Committee.

SB 132 - AN ACT TO AMEND CHAPTER 88, TITLE 29 OF THE DELAWARE CODE, RELATING TO THE STATE BANK COMMISSIONER'S OFFICE. Sponsor: Senator Cordrey. Assigned to Banking Committee.

SA 6 to HB 34 w HA 1. Sponsor: Senator Neal. Placed with the Bill.

SA 7 to HB 34 w HA 1. Sponsor: Senator Neal. Placed with the Bill.

SA 2 to SB 5. Sponsor: Senator Arnold. Placed with the Bill.

SCR 19 was introduced and considered for adoption on motion of Senator Martin:

SCR 19 - A CONCURRENT RESOLUTION REQUESTING THAT THE GOVERNOR APPOINT A COMMISSION TO STUDY THE LAWS AND REGULATIONS OF THE STATE OF DELAWARE RELATING TO ALCOHOLIC LIQUORS AND RECOMMEND REVISIONS WHERE NECESSARY.

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

SB 133 was introduced and assigned to Natural Resources and Environmental Control Committee:

SB 133 - AN ACT TO AMEND CHAPTER 79, TITLE 3, DELAWARE CODE, RELATING TO IMPOUNDMENT AND DISPOSITION OF ANIMALS. Sponsors: Senators Zimmerman, Adams, Arnold, Berndt, Cook, Knox, Murphy, Vaughn; Representatives Harrington, Barnes, Fallon, Minner, West.

SA 13 to HB 28 was stricken on motion of the sponsor, Senator McBride.

SB 82 was stricken on motion of the sponsor, Senator McBride.

SA 3 to HB 28 was stricken at the request of the sponsor, Senator Marshall.

SA 1 to SB 41 was stricken at the request of the sponsor, Senator Connor.

At 5:35 p.m., on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., March 26, 1981.

The Senate reconvened at 2:46 p.m., March 26, 1981, Lt. Governor Castle presiding.

SB 134 was introduced and assigned to Executive Committee:

SB 134 - AN ACT TO AMEND TITLE 29, CHAPTER 91 AND CHAPTER 92 OF THE DELAWARE CODE BY REDESIGNATING THE OFFICE OF MANAGEMENT, BUDGET AND PLANNING AS THE OFFICE OF PLANNING AND DEVELOPMENT, BY CREATING THE POSITION OF CHIEF PLANNER, BY CLARIFYING THE ROLES AND RESPONSIBILITIES OF THE DIRECTOR OF THE OFFICE AND THE CHIEF PLANNER; TO AMEND TITLE 29, CHAPTER 86 OF THE DELAWARE CODE, AND TITLE 6, CHAPTER 70 OF THE DELAWARE CODE TO ASSIGN CERTAIN RESPONSIBILITIES TO THE DELAWARE ECONOMIC DEVELOPMENT AUTHORITY AND TO REDESIGNATE THE COUNCIL ON INDUSTRIAL FINANCING AS THE COUNCIL ON DEVELOPMENT FINANCE; TO AMEND TITLE 7, CHAPTER 70 OF THE DELAWARE CODE TO CLARIFY THE RESPONSIBILITY FOR DECISIONS UNDER THE COASTAL ZONE ACT; TO AMEND TITLE 14, TITLE 16, AND TITLE 29 OF THE DELAWARE CODE BY TRANSFERRING TO THE OFFICE OF PLANNING AND DEVELOPMENT CERTAIN FUNCTIONS; TO AMEND THE FY 1981 APPROPRIATIONS ACT, AS AMENDED; AND TO MAKE OTHER NECESSARY CONFORMING AMENDMENTS TO THE LAWS OF DELAWARE AND THE DELAWARE CODE. Sponsors: Senator Knox and Representative Burris.

The following Committee reports were announced:

From the Education Committee: SB 94 - 2 Favorable, 2 Merits; SB 111 - 6 Favorable; SB 112 - 4 Favorable, 2 Merits.

The following legislation was introduced:

SA 1 to SB 42. Sponsor: Senator Cordrey. Placed with the Bill.

SA 8 to HB 34 w HA 1. Sponsor: Senator Neal. Placed with the Bill.

At 2:50 p.m., on motion of Senator Sharp, the Senate adjourned to immediately convene for the 12th Legislative Day.

12TH LEGISLATIVE DAY

March 26, 1981

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

A Prayer was offered by Senator Sharp.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

SB 39 (final consideration of which had been deferred) was taken up for consideration on motion of Senator Zimmerman.

SA 1 to the Bill which had been laid on the table, was stricken on motion of Senator Zimmerman.

The roll call vote on SB 39 was then taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 42 was taken up for consideration on motion of Senator Cordrey:

SB 42 - AN ACT TO AMEND CHAPTER 84, TITLE II, DELAWARE CODE, RELATING TO A POLICE TRAINING PROGRAM.

During the discussion of the Bill and the Amendments which were offered to it, the privilege of the floor was extended to Tom Sandbach (Senate Attorney) and Colonel Norman V. Cochran (Delaware State Police).

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

SA 2 to the Bill was introduced by Senator Knox and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Arnold, Berndt, Connor, Knox, Martin, Neal - 6.

NO: Senators Adams, Bair, Citro, Cook, Cordrey, Hughes, Littleton, Marshall, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 14.

ABSENT: Senator Holloway - 1.

Therefore, the Amendment was declared defeated.

The roll call vote on SB 42 w SA 1 was then taken and revealed 19 Senators voting YES, 1 (Zimmerman) voting NO, and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 80 was laid on the table on motion of Senator Cook.

HB 34 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 34 w HA 1 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO GAMBLING.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Tom Sandbach (Senate Attorney).

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

YES: Senators Adams, Arnold, Bair, Knox, Littleton, Neal - 6.

NO: Senators Berndt, Citro, Connor, Hughes, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn - 11.

ABSENT: Senators Cook, Cordrey, Holloway, Zimmerman - 4.

Therefore, the Amendment was declared defeated.

SA 2 to the Bill which had been placed with the Bill was laid on the table on motion of the sponsor, Senator Bair.

SA 3 to the Bill which had been placed with the Bill was laid on the table on motion of the sponsor, Senator Neal.

SA 4 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Neal and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Bair, Cordrey, Knox, Littleton, McDowell, Neal - 8.

NO: Senators Citro, Connor, Cook, Hughes, Marshall, Martin, McBride, Sharp, Vaughn - 9.

NOT VOTING: Senator Berndt - 1.

ABSENT: Senators Holloway, Murphy and Zimmerman - 3.

Therefore, the Amendment was declared defeated.

SA 5 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Neal and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Cook, Cordrey, Knox, Littleton, McBride, McDowell, Neal - 11.

NO: Senators Citro, Connor, Hughes, Marshall, Martin, Murphy Sharp, Vaughn - 8.

ABSENT: Senators Holloway and Zimmerman - 2.

Therefore, the Amendment was declared adopted.

SA 6 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Neal and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Bair, Knox, Littleton, McDowell, Neal - 7.

NO: Senators Berndt, Citro, Connor, Cook, Cordrey, Hughes, Marshall, Martin, McBride, Murphy, Sharp, Vaughn - 12.

ABSENT: Senators Holloway and Zimmerman - 2.

Therefore, the Amendment was declared defeated.

SA 7 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Neal.

SA 8 to the Bill was introduced by Senator Neal and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Bair, Cook, Cordrey, Knox, Littleton, Neal - 8.

NO: Senators Citro, Connor, Marshall, McBride, Sharp, Vaughn - 7.

NOT VOTING: Senators Berndt, Hughes, Martin, McDowell - 4.

ABSENT: Senators Holloway and Zimmerman - 2.

Therefore, the Amendment was declared defeated.

Senator Sharp moved that the roll call vote on SA 5 to HB 34 w HA 1 be rescinded for purpose of reconsideration. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Berndt, Citro, Connor, Cook, Hughes, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn - 13.

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

ABSENT: Senators Holloway and Zimmerman - 2.

Therefore, the motion prevailed and a new roll call vote was taken on SA 5 to HB 34 w HA 1 and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Cook, Cordrey, Knox, Littleton, Neal - 9.

NO: Senators Citro, Connor, Hughes, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn - 10.

ABSENT: Senators Holloway and Zimmerman - 2.

Therefore, the Amendment was declared defeated.

SA 9 to the Bill was introduced by Senator Neal and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Arnold, Bair, Knox, Littleton, Neal - 5.

NO: Senators Adams, Berndt, Citro, Connor, Cook, Cordrey, Hughes, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn - 14.

ABSENT: Senators Holloway and Zimmerman - 2.

Therefore, the Amendment was declared defeated.

SA 10 to the Bill was introduced by Senator Bair and considered for adoption on her motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Bair, Cook, Knox, Littleton, Neal - 7.

NO: Senators Berndt, Citro, Connor, Hughes, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn - 11.

ABSENT: Senators Cordrey, Holloway and Zimmerman - 3.

Therefore, the Amendment was declared defeated.

SA 2 to the Bill was stricken on motion of the sponsor, Senator Bair.

SA 3 to the Bill was stricken on motion of the sponsor, Senator Neal.

The roll call vote on HB 34 w HA 1 was then taken on motion of Senator Sharp; however, before being announced, the roll call was laid on the table on further motion of the Senator.

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

SB 80 - AN ACT TO AMEND CHAPTER 162, VOLUME 40, LAWS OF DELAWARE, AS AMENDED BY CHAPTER 466 VOLUME 58 LAWS OF DELAWARE RELATING TO THE FLOATING DEBT OF THE CITY OF HARRINGTON.

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

SA 1 to HB 28 was stricken at the request of the sponsor, Senator Sharp.

At 5:38 p.m., on motion of Senator Sharp, the Senate recessed until 2:00 p.m., March 31, 1981.

The Senate reconvened at 2:26 p.m., March 31, 1981, Lt. Governor Castle presiding.

The following legislation was introduced:

SB 135 - AN ACT TO AMEND CHAPTER 17, TITLE 14 OF THE DELAWARE CODE RELATING TO UNITS OF PUPILS FOR STATE APPROPRIATIONS; AND PROVIDING FOR A "UNIT OF PUPILS" DESIGNATION FOR LANGUAGE-IMPAIRED CHILDREN. Sponsor: Senator Connor. Assigned to Education Committee.

SB 136 - AN ACT TO AMEND PART VII, TITLE 7 OF THE DELAWARE CODE RELATING TO NATURAL RESOURCES; AND PROVIDING FOR A DELAWARE GROUNDWATER PROTECTION ACT. Sponsor: Senator Connor. Assigned to Natural Resources and Environmental Control Committee.

SB 137 - AN ACT TO AMEND CHAPTER 45, TITLE 6 OF THE DELAWARE CODE RELATING TO EQUAL ACCOMMODATIONS; AND PROVIDING FOR A TIME LIMITATION WITHIN WHICH COMPLAINTS SHALL BE FILED. Sponsors: Senator McBride; Representatives Brady and Plant. Assigned to Community Affairs Committee.

SB 138 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE NEW CASTLE SENIOR CENTER. Sponsors: Senator Connor; Representatives Mack and Cathcart. Assigned to Finance Committee.

SB 139 - AN ACT TO AMEND CHAPTER 5 AND CHAPTER 11, PART 1, TITLE 7 OF THE DELAWARE CODE RELATING TO FISHING; AND PROVIDING FOR THE IMPOSITION OF CERTAIN CHARGES. Sponsors: Senator McBride and Representative Smith, joint sponsors (by request); Senators Holloway, Martin, Murphy, Sharp, Vaughn, Zimmerman Representatives Anderson, Cain, Campanelli, Dixon, Gilligan, Holloway, Jester, Plant, Minner, Neal, Oberle, Spence, Soles. Assigned to Natural Resources and Environmental Control Committee.

SB 140 - AN ACT TO PERMIT THE MARRIAGE OF TWO PERSONS PRIOR TO THE EXPIRATION OF NINETY-SIX HOURS FROM THE ISSUANCE OF THE MARRIAGE LICENSE. Sponsors: Senators Murphy and Cordrey; Representative Derrickson. Laid on the table.

SA 2 to SB 40. Sponsor: Senator Bair. Placed with the Bill.

SA 1 to SB 79. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SB 129. Sponsors: Senators Cook, Berndt, Murphy, Littleton, McBride. Placed with the Bill.

SA 1 to SJR 5. Sponsor: Senator Bair. Placed with the Bill.

SR 23 sponsored by Senator Connor was introduced and considered for adoption on motion of the sponsor:

SR 23 - REQUESTING THE DEPARTMENT OF NATURAL RESOURCES AND MARINE BIOLOGY TO INVESTIGATE THE EFFECTS OF CHLORINE ON UNDERWATER BAY GRASSES, SPAWNING FISH AND LARVAE OF OYSTERS.

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

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

NO: Senator Neal - 1.

NOT VOTING: Senator Berndt - 1.

ABSENT: Senators Martin and Zimmerman - 2.

Therefore, the Resolution was declared adopted.

Senator Holloway marked PRESENT.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 29; HCR 24; HCR 25; HCR 26; HCR 27; HCR 28; SCR 10; SCR 14; SCR 15; SCR 16; SCR 17; HJR 3; SJR 4; and passed HB 31; HB 55; HB 61 w H A I, 2; HB 63 w H A I.

HCR 29 was introduced and considered for adoption on motion of Senator Zimmerman:

HCR 29 - CONGRATULATING HARRY A. THOMAS, DOVER HIGH SCHOOL JUNIOR, ON WINNING THE ORATORY CONTEST SPONSORED ANNUALLY BY THE AMERICAN LEGION, DEPARTMENT OF DELAWARE. Sponsors: Representatives Burris, Bennett, Buckworth, Darling, Harrington, Minner, Riddagh; Senators Cook, Murphy, Zimmerman.

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

Pursuant to the above Resolution, the privilege of the floor was extended to William W. Craig (Department of Delaware American Legion) and Harry Thomas (winner of the American Legion Oratorical Contest) who presented his winning address before the Senate.

At 2:55 p.m., on motion of Senator Sharp, the Senate adjourned to immediately convene for the 13th Legislative Day.

13TH LEGISLATIVE DAY

March 31, 1981.

The Senate convened at 2:55 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

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

HCR 24 - MOURNING THE DEATH OF ANDY B. CLEMENTS, DOVER BUSINESSMAN AND PUBLIC OFFICIAL. Sponsors: Representative Bennett and Senator Zimmerman.

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

HCR 25 was introduced and considered for adoption on motion of Senator Cordrey:

HCR 25 - CONGRATULATING THE INDIAN RIVER HIGH SCHOOL BASKETBALL TEAM ON WINNING THE STATE CHAMPIONSHIP FOR THE SECOND CONSECUTIVE YEAR. Sponsors: Representative West and Senator Cordrey.

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

HCR 26 was introduced and considered for adoption on motion of Senator Cook:

HCR 26 - CALLING ATTENTION TO THE VALUABLE SERVICES PROVIDED BY DELAWARE LIBRARIES. Sponsors: Representatives Minner, Maroney, Fallon.

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

HCR 27 was introduced and considered for adoption on motion of Senator Adams:

HCR 27 - CONGRATULATING THE MILFORD HIGH SCHOOL WRESTLING TEAM FOR ITS SECOND CONSECUTIVE STATE CHAMPIONSHIP. Sponsors: Representatives Minner, Burris, Darling; Senators Cook, Adams, Murphy.

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

HCR 28 was introduced and considered for adoption on motion of Senator Marshall:

HCR 28 - RECOGNIZING THE HISTORIC ACCOMPLISHMENTS OF ORGANIZED LABOR NOW CELEBRATING ITS CENTENNIAL IN THE UNITED STATES. Sponsors: Representatives George, Anderson, Brady, Cain, Campanelli, Corrozi, Dixon, Edwards, Gilligan, Holloway, Jester, Mack, Oberle, Petrilli, Plant, Powell, Roy, Soles, VanSciver; Senators Connor, Marshall, McBride, McDowell, Holloway, Neal, Sharp.

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

The following legislation was introduced:

HB 31 - AN ACT TO REQUIRE AFFECTED STATE AGENCIES TO REPORT ANNUALLY THEIR EFFORTS TO COMPLY WITH THE POLICY OF THIS STATE TO ENCOURAGE EMPLOYEE STOCK OWNERSHIP PLANS. Sponsors: Representatives Free, Oberle, Maroney, Powell, Petrilli; Senator Neal. Assigned to Revenue and Taxation Committee.

HB 55 - AN ACT TO AMEND CHAPTER 3, TITLE 21 OF THE DELAWARE CODE, RELATING TO FEES CHARGED FOR DRIVING RECORDS AND VEHICLE REGISTRATION RECORDS FURNISHED BY THE DIVISION OF MOTOR VEHICLES. Sponsor: Representative Roy. Assigned to Highways and Transportation Committee.

HB 61 w HA 1, 2 - AN ACT TO AMEND CHAPTER 1, TITLE 13 OF THE DELAWARE CODE RELATING TO THE FEE FOR ISSUING MARRIAGE LICENSES. Sponsors: Representative Smith and Senator Marshall. Assigned to Administrative Services/Energy Committee.

HB 63 w HA 1 - AN ACT TO AMEND CHAPTER 19, TITLE 5, DELAWARE CODE, RELATING TO POWERS OF FEDERALLY CHARTERED INSTITUTIONS. Sponsors: Representative Harrington and Senator Cordrey. Assigned to Banking Committee.

HJR 3 - CONGRATULATING "PROJECT 70001," A PROGRAM CREATED AND BASED IN DELAWARE TO GUIDE HIGH SCHOOL DROP-OUTS INTO PRODUCTIVE EMPLOYMENT; AND COMMENDING CERTAIN CIVIC-MINDED DELAWARE BUSINESSES FOR PROVIDING JOB OPPORTUNITIES AND ENCOURAGEMENT. Sponsors: Representatives Powell, Dixon, VanSeiver, Corrozi, Mack, Ennis. Assigned to Community Affairs Committee.

SB 101 was taken up for consideration on motion of Senator Cordrey:

SB 101 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 5, TITLE 13, DELAWARE CODE, RELATING TO VIOLATION OF SUPPORT ORDER.

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

The roll call vote on SB 101 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 107 was taken up for consideration on motion of Senator Cordrey:

SB 107 - AN ACT TO AMEND SUBCHAPTER III, CHAPTER 1, TITLE 25, DELAWARE CODE RELATING TO THE RECORDING OF DEEDS AND LETTERS OF ATTORNEY.

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

SB 113 was taken up for consideration on motion of Senator Sharp:

SB 113 - AN ACT TO AMEND CHAPTER 23, TITLE 19, DELAWARE CODE, RELATING TO WORKMENS COMPENSATION PREMIUMS.

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

SB 113 was then lifted from the table for consideration on motion of Senator Sharp; however, the Bill was again laid on the table on further motion of the Senator.

At 3:55 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:40 p.m., Senator Cordrey presiding.

SB 113 was again lifted from the table for consideration on motion of Senator Sharp.

The privilege of the floor was extended to Insurance Commissioner David H. Elliott after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Knox) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

The following Bills were reported out of the Banking Committee: SB 132 - 4 Merits; HB 63 w HA 1 - 4 Merits.

The following legislation was introduced:

SB 141 - AN ACT TO AMEND CHAPTER 33 OF TITLE 16 OF THE DELAWARE CODE, RELATING TO THE PURITY OF FOOD AND DRUGS. Sponsors: Senator Holloway; Representative Maroney. Assigned to Health - Social Services/Aging Committee.

SB 142 - AN ACT TO AMEND CHAPTER 31, TITLE 16, OF THE DELAWARE CODE, RELATING TO THE REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, DIVORCES, ANNULMENTS, AND ADOPTIONS. Sponsors: Senator Holloway; Representative Maroney. Assigned to Health - Social Services/Aging Committee.

SB 143 - AN ACT TO AMEND CHAPTER 6, TITLE 24, DELAWARE CODE, RELATING TO NUMBER OF COSMETOLOGISTS' APPRENTICES AND THE FEE SCHEDULE FOR THIS PROFESSION. Sponsors: Senator Holloway and Representative Derrickson. Assigned to Administrative Services/Energy Committee.

SB 144 - AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE TO PROVIDE FOR THE INCLUSION OF MAINTENANCE MECHANICS IN THE SALARY SCHEDULE FOR SCHOOL CUSTODIANS, AND PROVIDING THE BASIS FOR ALLOTMENT TO SCHOOL DISTRICTS. Sponsor: Senator Holloway. Assigned to Finance Committee.

SB 145 - AN ACT TO AMEND SUBCHAPTER 1, TITLE 16, DELAWARE CODE, RELATING TO NEGLECT OF DUTY. Sponsors: Senators Holloway; Representative Maroney. Assigned to Judiciary Committee.

SB 146 - AN ACT TO AMEND CHAPTER 94, TITLE 16 OF THE DELAWARE CODE, RELATING TO THE STATE ADVISORY COUNCIL FOR THE COORDINATION OF SERVICES TO THE HANDICAPPED. Sponsors: Senator Holloway and Representative Maroney. Assigned to Health - Social Services/Aging Committee.

SB 147 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 10, TITLE 14 OF THE DELAWARE CODE, RELATING TO ELECTIONS IN REORGANIZED SCHOOL DISTRICTS. Sponsors: Senators McBride, Marshall, Sharp, Vaughn, Bair, Berndt, Citro, Connor; Representatives Dixon, Jester, Plant, Ennis, Oberle, Petrilli, Riddagh, Smith, Spence. Assigned to Education Committee.

SA 1 to SB 58. Sponsor: Senator Murphy. Placed with the Bill.

SA 1 to SB 103. Sponsor: Senator Cordrey. Placed with the Bill.

SR 24 was introduced and considered for adoption on motion of Senator Hughes:

SR 24 - EXTENDING BEST WISHES TO DANIELLE McHALE BRADY AS SHE TRAVELS TO DUBLIN, IRELAND TO COMPETE IN THE 1981 WORLD CHAMPIONSHIPS OF IRISH DANCING. Sponsor: Senator Hughes.

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

SCR 20 was introduced and assigned to the Natural Resources and Environmental Control Committee:

SCR 20 - REQUESTING THE PRESIDENT PRO TEM OF THE SENATE AND THE SPEAKER OF THE HOUSE TO APPOINT A TASK FORCE TO REVIEW THE DELAWARE CODE FOR MARINE FISHING. Sponsors: Senator McBride and Representative Cain.

SB 131 was introduced and immediately stricken on motion of the sponsor, Senator Sharp:

SB 131 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE JUDICIARY AND PROVIDING FOR THE FILLING OF JUDICIAL VACANCIES BY A SYSTEM OF APPOINTMENT BY THE GOVERNOR AND SUBSEQUENT RETENTION BY THE ELECTORATE. Sponsors: Senators Arnold and Sharp; Representative Riddagh.

SCR 21 was introduced and considered for adoption on motion of Senator Adams:

SCR 21 - CONGRATULATING THE DELAWARE COUNCIL OF FARM ORGANIZATIONS FOR AGGRESSIVE LEADERSHIP IN THE CONTINUING DEVELOPMENT OF AGRICULTURE, OUR MAJOR INDUSTRY. Sponsors: Senator Adams and all members of the Senate and House Agriculture Committees - Senators Cordrey, Vaughn, Cook, Littleton and Arnold, Representatives Barnes, Buckworth, Darling; and Representatives Smith and Fallon.

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

SCR 22 was introduced and laid on the table on motion of Senator McBride:

SCR 22 - COMMENDING MRS. JUNE SOUKUP OF SUSSEX CENTRAL HIGH SCHOOL, INDIAN RIVER SCHOOL DISTRICT, FOR BEING SELECTED AS DELAWARE TEACHER OF THE YEAR FOR 1981. Sponsors: Senators McBride and Littleton; Representatives McKay and Fallon.

SB 148 was introduced and assigned to Health - Social Services/Aging Committee:

SB 148 - AN ACT TO AMEND TITLE 24 DELAWARE CODE BY ADDING AT THE END OF SUBCHAPTER 1, MEDICAL COUNCIL OF DELAWARE, REGULATIONS AFFECTING THE PRACTICE OF ACUPUNCTURE. Sponsor: Senator Berndt.

SR 8 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Hughes:

SR 8 - OFFERING OUR THANKS THAT GOD SPARED PRESIDENT RONALD REAGAN AND EXPRESSING OUR HOPE FOR A FULL AND SPEEDY RECOVERY FOR HIM. Sponsors: Senator Hughes and all Senators and Representatives.

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

At 5:57 p.m., on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 1, 1981.

The Senate reconvened at 2:07 p.m., April 1, 1981, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 92.

The following legislation was introduced:

HB 92 - AN ACT TO AMEND CHAPTER 23, PART III, TITLE 30 OF THE DELAWARE CODE RELATING TO THE GROSS RECEIPTS TAX; AND PROVIDING AN EXEMPTION FOR DRAYMEN OR MOVERS. Sponsors: Representatives Powell and Dixon; Senators Adams and Littleton. Assigned to Revenue and Taxation Committee.

SB 149 - AN ACT TO AMEND CHAPTER 1, TITLE 26 OF THE DELAWARE CODE RELATING TO RATE APPROVALS BY THE PUBLIC SERVICE COMMISSION. Sponsor: Senator Sharp. Assigned to Judiciary Committee.

SB 150 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF SLAUGHTER BEACH", 37 DELAWARE LAWS CHAPTER 167, AS AMENDED, BY PROVIDING FOR THE CLOSING OF STREETS, VACATING OR ABANDONMENT OF STREETS (INCLUDING THE AWARD OF COMPENSATION THEREFORE), MUNICIPAL TAX LIENS, AND REVISING THE LIMITATIONS ON THE TOWN'S TAXING POWER. Sponsor: Senator Adams. Assigned to Executive Committee.

On motion of Senator McDowell, SB 149 which had been assigned to Judiciary Committee was reassigned to Administrative Services/Energy Committee without objection.

SR 25 (sponsored by Senator Holloway) was introduced and considered for adoption:

SR 25 - URGING THE GOVERNOR OF DELAWARE AND THE DIVISION OF HOUSING TO CONTINUE SUPPORT AND ENCOURAGEMENT OF STATE PROGRAMS TO ASSIST LOW AND MODERATE INCOME DELAWAREANS TO ACQUIRE HOUSING.

The roll call vote on the Resolution was taken and revealed 19 Senators voting YES, and 2 (Martin and Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

SJR 9 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Sharp:

SJR 9 - DIRECTING THE PUBLIC SERVICE COMMISSION TO TERMINATE ITS USE OF ASSOCIATED UTILITY SERVICES, INC. AS A CONSULTANT TO SAID COMMISSION AND TO HIRE A CONSULTANT APPROVED BY THE STATE PUBLIC ADVOCATE. Sponsor: Senator Sharp.

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

At 2:40 p.m., on motion of Senator Sharp, the Senate adjourned to immediately convene for the 14th Legislative Day.

14TH LEGISLATIVE DAY
APRIL 1, 1981

The Senate convened at 2:40 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 21.

SJR 10 was introduced and laid on the table on motion of Senator Sharp:

SJR 10 - DIRECTING THE PUBLIC SERVICE COMMISSION NOT TO PAY STATE FUNDS TO ASSOCIATED UTILITY SERVICES INC. OF CHERRY HILL, NEW JERSEY, FOR THE FORTHCOMING DIAMOND STATE TELEPHONE COMPANY RATE CASE. Sponsors: Senator Sharp; Representatives Roy and Oberle.

SB 114 was taken up for consideration on motion of Senator Sharp:

SB 114 - AN ACT TO AMEND CHAPTER 23, TITLE 19, DELAWARE CODE, RELATING TO WORKMENS COMPENSATION INSURANCE CARRIERS FINANCIAL REPORTS.

A communication concerning the legislation was read from Insurance Commissioner David Elliott, after which the Bill was laid on the table on motion of Senator Sharp.

Senator McBride marked PRESENT.

SB 102 was taken up for consideration on motion of Senator Cordrey:

SB 102 - AN ACT TO AMEND CHAPTER 408, VOLUME 62, LAWS OF DELAWARE, TO TRANSFER FUNDS FROM THE KENT COUNTY RAPE CRISIS CENTER TO THE RAPE CRISIS CENTER OF SUSSEX COUNTY.

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

SB 100 was taken up for consideration on motion of Senator Cordrey:

SB 100 - AN ACT TO AMEND SUBCHAPTER 1, CHAPTER 69, TITLE 29, DELAWARE CODE, RELATING TO THE AWARD OF CONTRACTS.

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

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Cordrey, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Vaughn, Zimmerman - 16.

NO: Senators Arnold, Hughes, Murphy, Sharp - 4.

ABSENT: Senator Holloway - 1.

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

At 3:15 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:26 p.m., Lt. Governor Castle presiding.

SA 1 to SB 114 was introduced and immediately stricken at the request of the sponsor, Senator Berndt.

The following legislation was introduced:

SB 151 - AN ACT TO AMEND CHAPTER 83, TITLE 11, DELAWARE CODE RELATING TO STATE POLICE STATIONS. Sponsor: Senator Adams. Assigned to Community Affairs Committee.

SB 152 - AN ACT TO AMEND AN ACT BEING CHAPTER 277, VOLUME 49, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF LAUREL" TO INCREASE THE SALARY OF THE MAYOR AND MEMBERS OF THE TOWN COUNCIL AND TO PROVIDE FOR NOTICE TO PERSONS WHOSE NAMES ARE REMOVED FROM THE BOOKS OF REGISTERED VOTERS. Sponsors: Senator Littleton; Representative Cordrey. Assigned to Community Affairs Committee.

SB 153 - AN ACT TO AMEND CHAPTER 22, TITLE 16, DELAWARE CODE, RELATING TO THE UNIFORM ALCOHOLISM AND INTOXICATION TREATMENT ACT. Sponsors: Senators McDowell, Marshall, McBride, Knox, Berndt, Neal, Connor; Representatives Edwards, Brady, Gilligan, Riddagh, Maroney, Anderson. Assigned to Public Safety Committee.

SB 154 - AN ACT TO AMEND CHAPTER 66, TITLE 18 OF THE DELAWARE CODE TO PROVIDE LINE-OF-DUTY DEATH BENEFITS FOR PARENTS OF CERTAIN COVERED PERSONS AND FOR PAYMENT OF BURIAL EXPENSES OF CERTAIN COVERED PERSONS. Sponsors: Senators Murphy, Cook, Vaughn, Zimmerman, McBride, Adams, Citro, Hughes, Berndt, Sharp, McDowell, Cordrey, Knox, Neal; Representatives Burris, Harrington, Powell, Gilligan, Corrozi, Cordrey, Buckworth, Cain, Cathcart, Derrickson, Oberle, Hebner, Roy, Petrilli, Minner, Darling, West, Soles, Dixon. Assigned to Insurance and Elections Committee.

SB 155 - AN ACT TO AMEND TITLE 6, SECTION 2902 OF THE DELAWARE CODE PERTAINING TO THE ADVERTISEMENT OF RETAIL MOTOR FUEL PRICES. Sponsor: Senator Sharp. Assigned to Highways and Transportation Committee.

SR 26 - URGING THE GOVERNOR OF THE STATE OF DELAWARE TO APPOINT A COMMITTEE TO STUDY METHODS OF COORDINATING REPORTS AND EVALUATIONS OF PERSONS PASSING THROUGH THE STATE'S CRIMINAL JUSTICE SYSTEM. Sponsor: Senator Holloway. Laid on the table.

SB 140 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Murphy:

SB 140 - AN ACT TO PERMIT THE MARRIAGE OF TWO PERSONS PRIOR TO THE EXPIRATION OF NINETY-SIX HOURS FROM THE ISSUANCE OF THE MARRIAGE LICENSE.

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

SB 105 was taken up for consideration on motion of Senator Cordrey:

SB 105 - AN ACT TO AMEND CHAPTER 5, TITLE 4, DELAWARE CODE, RELATING TO GROUNDS FOR REFUSAL OF ALCOHOLIC LIQUOR LICENSES.

The privilege of the floor was extended to Harry Terry (Senate Attorney) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Adams, Cordrey, Holloway, Littleton, Marshall - 5.

NO: Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Hughes, Knox, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn - 15.

NOT VOTING: Senator Zimmerman - 1.

Therefore, the Bill was declared lost.

SB 114 was lifted from the table for consideration on motion of Senator Sharp.

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

All the Senators were added as co-sponsors to the Bill.

The roll call vote on SB 114 w SA 2 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

The following reports were announced from the Education Committee: SB 67 - 1 Favorable, 6 Merits; SJR 6 - 6 Favorable.

SB 70 was stricken at the request of the sponsor, Senator Bair.

The following Committee reports were announced:

From the Health - Social Services/Aging Committee: SB 142 - 4 Merits; SB 146 - 4 Merits; SB 148 - 3 Merits; SB 141 - 4 Merits.

The following legislation was introduced:

SB 156 - AN ACT TO AMEND SUBCHAPTER I, TITLE 26, DELAWARE CODE, RELATING TO PERSONNEL OF THE PUBLIC SERVICE COMMISSION. Sponsors: Senators McDowell and Sharp. Assigned to Administrative Services/Energy Committee.

SB 157 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, TO REQUIRE FINANCIAL DISCLOSURE FOR STATE OFFICIALS AND EMPLOYEES. Sponsors: Senators Connor, Arnold, Bair, Berndt, Citro, Holloway, Hughes, Knox, Littleton, Neal; Representatives Barnes, Cathcart, Edwards, Mack, Maroney, Riddagh, Roy, VanSeiver. Assigned to Executive Committee.

SB 158 - AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO INCREASE AID FOR FAMILIES WITH DEPENDENT CHILDREN PAYMENTS TO A MINIMUM OF 100% OF A 1970 STANDARD OF NEED AND TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR THIS PURPOSE. Sponsors: Senator Holloway, Sr.; Representatives Holloway, Jr., Plant. Assigned to Finance Committee.

SS 1 for SB 32. Adopted in lieu of the Original and assigned to Administrative Services/Energy Committee:

SS 1 for SB 32: AN ACT ESTABLISHING AN ENERGY PLANNING TASK FORCE WHICH HAS THE RESPONSIBILITY FOR DEVELOPING A LONG RANGE COMPREHENSIVE ENERGY POLICY FOR THE STATE OF DELAWARE AND MAKING A SUPPLEMENTARY APPROPRIATION THEREFOR. Sponsors: Senators Bair, Knox, Neal, McDowell, Martin; Representatives Smith, Roy, Darling.

SA 1 to SB 149. Sponsor: Senator Connor. Placed with the Bill.

SA 1 to SB 157. Sponsor: Senator Connor. Placed with the Bill.

SB 95 was stricken at the request of the sponsor, Senator Adams.

At 5:24 p.m., on motion of Senator Sharp, the Senate recessed until 2 p.m., April 2, 1981.

The Senate reconvened at 2:05 p.m., April 2, 1981, Lt. Governor Castle presiding.

The Secretary announced a corrected Committee Report on SB 148 - 4 Merits.

The following legislation was introduced:

SB 159 -AN ACT TO AMEND SUBCHAPTER III, TITLE 29, DELAWARE CODE, FOR THE PURPOSE OF EXPANDING THE POWERS AND DUTIES OF THE PUBLIC ADVOCATE TO INCLUDE REPRESENTING THE PUBLIC IN INSURANCE MATTERS WITHIN THE JURISDICTION OF THE STATE INSURANCE COMMISSIONER. Sponsor: Senator Marshall. Assigned to Insurance and Elections Committee.

SA 3 to SB 5. Sponsor: Senator Hughes. Placed with the Bill.

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

SR 27 was introduced and considered for adoption on motion of Senator Holloway:

SR 27 - COMMENDING THE DIVISION OF SOCIAL SERVICES ON ITS SELECTION FOR MEMBERSHIP IN THE CHILD WELFARE LEAGUE OF AMERICA. Sponsor: Senator Holloway, Sr.

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

SJR 9 was taken up for consideration on motion of Senator Sharp:

SJR 9 - DIRECTING THE PUBLIC SERVICE COMMISSION TO TERMINATE ITS USE OF ASSOCIATED UTILITY SERVICES, INC. AS A CONSULTANT TO SAID COMMISSION AND TO HIRE A CONSULTANT APPROVED BY THE STATE PUBLIC ADVOCATE.

During discussion of the Resolution the privilege of the floor was extended to Nancy M. Norling (Delaware Public Service Commission), Evan Wilner (Public Advocate), Joshua W. Martin, III (Public Service Commission) and Joshua M. Twilley (Public Service Commission).

At 4:55 p.m. on motion of Senator Sharp, the Senate recessed and reconvened at 5:23 p.m., Senator Cordrey presiding.

On motion of Senator Sharp, the Senate adjourned to immediately convene for the 15th Legislative Day.

15TH LEGISLATIVE DAY

April 2, 1981

The Senate convened at 5:23 p.m., President Pro Tem Cordrey presiding.

A Prayer was offered by Senator Martin.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

On motion of Senator Sharp, SJR 9 which had been before the Senate before the adjournment was assigned to the Administrative Services/Energy Committee.

Senator Arnold marked PRESENT.

SB 2 was brought up for consideration on motion of Senator Hughes:

SB 2 - AN ACT TO AMEND SUBCHAPTER VI, TITLE 11 OF THE DELAWARE CODE RELATING TO TAMPERING WITH A WITNESS.

The privilege of the floor was extended to Tim Barron (Attorney General's Office) and Captain Thomas J. Roman (Delaware State Police).

Senator Holloway marked PRESENT.

The following communication regarding the Bill was read into this record at the request of Senator Hughes:

STATE OF DELAWARE
DEPARTMENT OF JUSTICE
STATE OFFICE BUILDING
WILMINGTON, DELAWARE
March 30, 1981

The Honorable Charles E. Hughes
Delaware State Senate
Dover, Delaware

Re: SB 2 - Tampering with a Witness

Dear Senator Hughes:

This letter will advise that this Office stands firmly behind your Senate Bill No. 2 (Tampering with a Witness) which is scheduled to be debated on the Senate floor on Thursday, April 2, 1981.

I view the bill as another necessary piece of ammunition in our continuing battle against crime.

Thanking you for your interest, I remain,

Very truly yours,
Richard S. Gebelein
Attorney General

* * * * *

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

Senators Marshall, McDowell, Cook, Adams and Murphy marked PRESENT.

At 6:15 p.m. on motion of Senator Sharp, the Senate recessed until Tuesday, April 7, 1981 at 2 p.m.

The Senate reconvened at 2:32 p.m., April 7, 1981, Lt. Governor Castle presiding.

The following legislation was introduced:

SB 160 - AN ACT TO AMEND CHAPTER 6, TITLE 29, DELAWARE CODE, RELATING TO STATE GOVERNMENT BY REQUIRING NOTIFICATION OF THE GOVERNOR AND GENERAL ASSEMBLY OF RULES AND REGULATIONS PROMULGATED BY STATE AGENCIES. Sponsor: Senator Murphy. Assigned to Executive Committee.

SB 161 - AN ACT TO AMEND CHAPTER 423, VOLUME 62, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1981; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS, BEING HOUSE BILL 950 OF THE 130TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE,' BEING HOUSE BILL 1175 OF THE 130TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE." Sponsors: Senators Cook, Cordrey, Citro and Berndt. Assigned to Finance Committee.

SA 1 to SB 2. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to SR 26. Sponsor: Senator Hughes. Placed with the Bill.

SA 1 to SB 67. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to SB 84. Sponsor: Senator Martin. Placed with the Bill.

SA 2 to SB 84. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to SB 143. Sponsor: Senator Holloway. Placed with the Bill.

SCR 23 - EXTENDING THE TERM OF A SELECT COMMITTEE ON SMALL BUSINESS TO DEVELOP LEGISLATIVE RECOMMENDATIONS FOR STATE POLICIES TO ENCOURAGE SMALL BUSINESS DEVELOPMENT. Sponsors: Senators Neal and Cordrey; Representatives Burris, Hebner and Smith.

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

SCR 24 - URGING THE DELAWARE HEALTH COUNCIL AND THE DELAWARE BUREAU OF HEALTH PLANNING AND DEVELOPMENT NOT TO APPROVE APPLICATIONS FOR ANY ADDITIONAL ACUTE-CARE HOSPITAL BEDS IN NEW CASTLE COUNTY PENDING THE DECISION OF THE THIRD U.S. CIRCUIT COURT OF APPEALS ON THE PLAN OMEGA APPEAL. Sponsors: Senators Neal and Sharp; Representatives Roy, Spence; Senators Arnold, Martin, Vaughn; Representatives Anderson, Cain, Gilligan, Jester, Petrilli, Powell, Soles.

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

YES: Senators Adams, Arnold, Citro, Connor, Cook, Cordrey, Hughes, Knox, Littleton, Martin, McBride, Murphy, Neal, Sharp, Vaughn - 15.

NO: Senators Bair, Berndt, Holloway, Marshall, McDowell - 5.

NOT VOTING: Senator Zimmerman - 1.

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

SCR 25 - URGING THE POSTMASTER GENERAL OF THE UNITED STATES TO WAIVE AN OBSCURE REGULATION WHICH IS DENYING ROUTINE POSTAL DELIVERY TO RESIDENTS OF WILMINGTON AND OTHER MUNICIPALITIES. Sponsors: Senator McDowell and Representative Brady.

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

SCR 26 - COMMENDING OFFICER P. KEVIN SMITH OF THE CRIME PREVENTION UNIT OF THE WILMINGTON POLICE DEPARTMENT ON HIS SELECTION TO RECEIVE THE KIWANIS AWARD AS 1980 POLICEMAN OF THE YEAR. Sponsors Senator McBride and Representative Spence. The Resolution was immediately stricken at the request of Senator McBride.

SCR 27 - COMMENDING OFFICER P. KEVIN SMITH OF THE CRIME PREVENTION UNIT OF THE WILMINGTON POLICE DEPARTMENT ON HIS SELECTION TO RECEIVE THE KIWANIS AWARD AS 1980 POLICEMAN OF THE YEAR. Sponsors: Senators McBride and Holloway; Representatives Spence, George, Brady, VanSeiver, Free.

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

At 3:12 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 16th Legislative Day.

16TH LEGISLATIVE DAY

April 7, 1981

The Senate convened at 3:12 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had passed HB 2 and HB 95 and adopted HCR 23; HCR 30 and HCR 31.

Legislative Advisory #4 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation: On March 25, 1981 - HB 106 w HA 1 (Volume 63, Chapter 7, Laws of Delaware); on April 2, 1981 - SJR 4 and SJR 8.

Senator McBride marked PRESENT.

SB 2 was lifted from the table for consideration on motion of Senator Hughes.

SA 1 to SA 1 to the Bill was introduced by Senator Hughes and placed with the Bill.

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

SB 67 was taken up for consideration on motion of Senator Zimmerman:

SB 67 - AN ACT TO AMEND TITLE 14, DELAWARE CODE BY ESTABLISHING THE BOARD OF TRUSTEES OF THE DELAWARE INSTITUTE OF DENTAL EDUCATION AND RESEARCH FOR THE PURPOSE OF PROMOTING THE DENTAL RESIDENCY PROGRAM AT ANY GENERAL HOSPITAL IN THE STATE OF DELAWARE WITH AN ACCREDITED GENERAL PRACTICE RESIDENCY IN DENTISTRY.

Senators Murphy and Holloway marked PRESENT.

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

The privilege of the floor was extended to Dr. Garrett B. Lyons (State Board of Dental Examiners) and Dr. George A. Zurkow (Wilmington Medical Center).

The roll call vote on SB 67 w SA 1 was then taken on motion of Senator Zimmerman and revealed:

YES: Senators Adams, Citro, Connor, Holloway, Hughes, Marshall, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 13.

NO: Senators Arnold, Bair, Berndt, Cook, Cordrey, Littleton, Martin - 7.

NOT VOTING: Senator Knox - 1.

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

At 4:00 p.m., Senator Sharp presiding.

At 4:11 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 4:41 p.m., Senator Sharp presiding.

SB 2 was lifted from the table for consideration on motion of Senator Hughes.

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

SA 1 to SA 1 to the Bill was taken up for consideration on motion of Senator Hughes and the roll call vote taken which revealed:

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

NO: Senators Marshall, McDowell and Zimmerman - 3.

NOT VOTING: Senator Sharp - 1.

ABSENT: Senator Holloway - 1.

Therefore, the Amendment to the Amendment was declared adopted.

SA 1 to the Bill was then stricken on motion of the sponsor of the Amendment, Senator Zimmerman.

The roll call vote on SB 2 was then taken and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Neal, Vaughn - 14.

NO: Senators Adams, Cook, Cordrey, Zimmerman - 4.

NOT VOTING: Senators Murphy and Sharp - 2.

ABSENT: Senator Holloway - 1.

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

SJR 7 was taken up for consideration on motion of Senator McDowell:

SJR 7 - RELATING TO CERTAIN FUNCTIONS; POWERS AND DUTIES OF THE DELAWARE SUNSET COMMITTEE.

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

The roll call vote on SJR 7 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SJR 5 was taken up for consideration on motion of Senator Bair:

SJR 5 - RELATING TO AGENCIES MADE SUBJECT TO REVIEW.

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

The roll call vote on SJR 5 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The following Committee reports were announced:

From the Community Affairs Committee: SB 37 - 4 Merits, 1 Unfavorable; HJR 3 4 Merits.

From the Public Safety Committee: SB 122 - 5 Merits.

From the Revenue and Taxation Committee: HB 92 - 5 Merits.

At 5:12 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., April 8, 1981.

The Senate reconvened at 2:29 p.m., April 8, 1981, Senator Sharp presiding.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 27 and passed HB 90 w HA 1, 2 and HB 120 w HA 1.

At 2:30 p.m., Lt. Governor Castle presiding.

The following communication from the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
April 8, 1981

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

Dear Mr. President:

Pursuant to the provisions of Article IV, Section 3 of the Delaware Constitution of 1897, this is to notify you of my intention to submit the name of the Honorable Andrew D. Christie for reappointment as Association Judge of the Superior Court of the State of Delaware. Judge Christie's reappointment has been recommended by the Judicial Nominating Committee.

Judge Christie's term expires on April 29, 1981 and I expect to send his nomination to the Senate on April 30. I would be greatly appreciative of prompt action by the Senate on Judge Christie's nomination to avoid a vacancy on the Superior Court.

As the Constitution requires that this notification to you be a public communication, I believe it would be appropriate for this communication to be read to the Senate and entered in the Journal.

Sincerely yours,
Pierre S. duPont, IV, Governor

cc: The Honorable Richard S. Cordrey
The Honorable Thurman Adams
The Honorable Thomas B. Sharp

SB 175 was reported out of the Executive Committee: 5 Merits.

The following legislation was introduced:

SB 162 - AN ACT TO AMEND CHAPTER 71, TITLE 29 OF THE DELAWARE CODE, RELATING TO MILEAGE REIMBURSEMENT. Sponsors: Senators Murphy, Vaughn, McDowell, Martin, Hughes, Berndt, Arnold. Assigned to Finance Committee.

SB 163 - AN ACT TO AMEND DELAWARE CODE, TITLE 14, AS IT RELATES TO LOCAL CONTROL RATHER THAN FEDERAL MANDATE. Sponsors: Senator Bair; Representative Ennis; Senators Knox and Berndt; Representatives Hebner and Smith. Assigned to Education Committee.

SB 164 - AN ACT TO AMEND CHAPTER 423, VOLUME 62, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1981; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS BEING HOUSE BILL NO. 950 OF THE 130TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE', BEING HOUSE BILL NO. 1175 OF THE 130TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE." Sponsors: Senators Adams, Cook, Cordrey, Littleton, Vaughn; Representatives Barnes and Darling. Assigned to Finance Committee.

SB 165 - AN ACT TO AMEND CHAPTER 70, TITLE 9, OF THE DELAWARE CODE, RELATING TO THE INTERGOVERNMENTAL RELATIONS POWERS OF THE GOVERNMENT OF SUSSEX COUNTY. Sponsors: Senators Adams, Cordrey, Littleton; Representatives Burris, Derrickson, Barnes, Fallon, Cordrey, West. Assigned to Community Affairs Committee.

Senator Cordrey introduced the members of the Future Farmers of America who were present in the Senate chamber and presented each Senator with an Easter lily. Valerie Shahan was extended the privilege of the floor to speak for the group.

The following legislation was introduced:

SB 166 - AN ACT TO AMEND CHAPTER 67, TITLE 9, OF THE DELAWARE CODE, RELATING TO SERVICE CHARGES TO PERMIT BORROWING OF FUNDS THEREFOR BY SUSSEX COUNTY. Sponsors: Senators Adams, Cordrey, Littleton; Representatives Burris, Barnes, Fallon, Cordrey, West. Assigned to Community Affairs Committee.

SB 167 - AN ACT TO AMEND CHAPTER 91, TITLE 9, DELAWARE CODE, RELATING TO UNIFORM MILEAGE PAYMENT. Sponsors: Senators Adams, Cordrey, Littleton; Representatives Burris, Derrickson, Barnes, Fallon, Cordrey, West. Assigned to Community Affairs Committee.

SB 168 - AN ACT TO AMEND CHAPTER 67, TITLE 9, OF THE DELAWARE CODE RELATING TO THE INTERGOVERNMENTAL RELATIONS POWERS OF THE GOVERNMENT OF SUSSEX COUNTY. Sponsors: Senators Adams, Cordrey, Littleton; Representatives Burris, Derrickson, Barnes, Fallon, Cordrey, West. Assigned to Community Affairs Committee.

SB 169 - AN ACT TO AMEND CHAPTER 23, TITLE 10, OF THE DELAWARE CODE, RELATING TO THE DEPOSIT OF MONIES BY THE PROTHONOTARY. Sponsors: Senators Cordrey, Adams, Littleton; Representatives Burris, Derrickson, Barnes, Fallon, Cordrey, West. Assigned to Community Affairs Committee.

SB 170 - AN ACT TO AMEND CHAPTERS 64 AND 70 OF TITLE 9 OF THE DELAWARE CODE, RELATING TO PENSIONS FOR SUSSEX COUNTY EMPLOYEES. Sponsors: Senators Cordrey, Adams, Littleton; Representatives Burris, Derrickson, Barnes, Fallon, Cordrey, West. Assigned to Community Affairs

SB 171 - AN ACT TO AMEND CHAPTER 65, TITLE 9, OF THE DELAWARE CODE, RELATING TO GRANTS FROM FEDERAL, STATE OR INTERSTATE AGENCIES TO SUSSEX COUNTY TO PERMIT BORROWING IN ANTICIPATION OF THE RECEIPT THEREOF. Sponsors: Senators Cordrey, Adams, Littleton; Representatives Burris, Derrickson, Barnes, Fallon, Cordrey, West. Assigned to Community Affairs

SB 172 - AN ACT TO AMEND CHAPTER 23, TITLE 10, DELAWARE CODE TO PROVIDE FOR THE COMPENSATION OF DEPUTIES AND CLERKS. Sponsors: Senators Cordrey, Adams, Littleton; Representatives Burris, Derrickson, Barnes, Fallon, Cordrey, West. Assigned to Community Affairs Committee.

SB 173 - AN ACT TO AMEND SUBCHAPTER III OF CHAPTER I OF TITLE 17, OF THE DELAWARE CODE RELATING TO THE JURISDICTION, POWERS AND DUTIES OF THE DEPARTMENT OF TRANSPORTATION OVER ROADS AND STREETS NOT DEDICATED TO THE PUBLIC USE. Sponsors: Senators Cordrey, Adams, Littleton; Representatives Burris, Derrickson, Barnes, Fallon, Cordrey, West. Assigned to Highways and Transportation Committee.

SB 174 - AN ACT TO AMEND CHAPTER 52, TITLE 29, DELAWARE CODE TO CORRECT AN INEQUITY IN HEALTH CARE INSURANCE COVERAGE FOR RETIREES OVER AGE 65. Sponsor: Senator Cook. Assigned to Insurance and Elections Committee.

SB 175 - AN ACT TO AMEND CHAPTER 5, TITLE 1, DELAWARE CODE, RELATING TO LEGAL HOLIDAYS AND ESTABLISHING THE FOURTH FRIDAY IN NOVEMBER AS HEROES DAY. Sponsors: Senators Marshall and Citro; Representative Jonkiert. Assigned to Executive Committee.

SA 1 to SB 37. Sponsor: Senator Murphy. Placed with the Bill.

SA 1 to SB 81. Sponsor: Senator McBride. Placed with the Bill.

SA 1 to SB 91. Sponsor: Senator Marshall. Placed with the Bill.

SA 1 to SB 118. Sponsor: Senator Bair. Placed with the Bill.

HCR 23 - AUTHORIZING THE TWENTIETH CENTURY CLUB OF SMYRNA TO ERECT INFORMATION SIGNS NORTH AND SOUTH OF SMYRNA IN THE PARKWAY OF U.S. 13. Sponsors: Representative Riddagh and Senator Vaughn.

The Resolution was considered for adoption on motion of Senator McDowell and the roll call vote taken which revealed 19 Senators voting YES and 2 (Cordrey and Marshall) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 30 - CONGRATULATING THE FORTY DELAWARE HIGH SCHOOL SENIORS WHO HAVE BEEN NAMED FINALISTS IN THE COLLEGE SCHOLARSHIP COMPETITION OF THE NATIONAL MERIT SCHOLARSHIP CORPORATION. Sponsors: Representatives Oberle, Anderson, Barnes, Bennett, Brady, Buckworth, Burris, Cain, Campanelli, Cathcart, Cordrey, Corrozi, Darling, Derrickson, Dixon, Edwards, Ennis, Fallon, Free, George, Gilligan, Harrington, Hebner, Holloway, Jester, Jonkiert, Mack, Maroney, McKay, Minner, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Soles, Spence, VanSciver, West.

The Resolution was considered for adoption on motion of Senator Vaughn and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 31 - THANKING THE ITALO-AMERICAN UNITED EARTHQUAKE RELIEF FUND COMMITTEE FOR LEADING THE CAMPAIGN FOR \$100,000 TO HELP SURVIVORS OF THE NOVEMBER DISASTER. Sponsors: Representatives Petrilli, Corrozi, Campanelli, George, Free, Senators Citro and Marshall.

The Resolution was considered for adoption on motion of Senator Citro and the roll call vote taken which revealed 20 Senators voting Yes and 1 (Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HB 2 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE IMPOSITION OF TAXES OR LICENSE FEES. Sponsors: Representatives Roy, Anderson, Bennett, Brady, Burris, Cain, Cathcart, Fallon, Free, Gilligan, Harrington, Hebner, Jonkiert, Maroney, McKay, Oberle, Petrilli, Powell, Riddagh, Sincok, Smith; Senators Connor, Neal and McBride. Assigned to Executive Committee.

HB 90 w HA 1, 2 - AN ACT TO AMEND CHAPTER 19, TITLE 24 OF THE DELAWARE CODE RELATING TO EXAMINATION AND LICENSING OF NURSES. Sponsors: Representative Maroney and Senator Holloway. Assigned to Administrative Services/Energy Committee.

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

HB 120 w HA 1 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO ADJUDICATION PROCEDURE IN THE INTEREST OF A CHILD. Sponsors: Representatives Oberle and Edwards; Senator Sharp. Assigned to Judiciary Committee.

SR 28 - DIRECTING THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO INVESTIGATE THE BROADKILL CHANNEL FOR RECREATIONAL BOATING IMPROVEMENT. Sponsors: Senator Adams; Representatives Derrickson and Burris. Laid on the table at the request of Senator Adams.

At 3:00 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 17th Legislative Day.

17TH LEGISLATIVE DAY

April 8, 1981

The Senate convened at 3:00 p.m., Senator Sharp presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

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

SENATE
STATE OF DELAWARE
DOVER, DELAWARE

April 7, 1981

TO: Governor Pierre S. duPont, IV
All Members of the Senate of the 131st General Assembly
All Members of the House of Representatives of the 131st General Assembly
FROM: Senator Richard S. Cordrey, President Pro Tempore
SUBJECT: Delaware Commission on Interstate Cooperation

As per the power invested in me, as President Pro Tempore of the Senate, per 29 Delaware Code, Section 3901, Subsection (a), I hereby appoint the following to serve on the Senate Committee on Interstate Cooperation: Senator Thurman Adams, Jr., Chairman; Senator Herman M. Holloway, Sr.; Senator Robert J. Berndt.

* * * * *

The Secretary announced that a message from the House informed the Senate that it had passed HB 134.

HB 134 was introduced and assigned to the Executive Committee:

HB 134 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE BY REDESIGNATING THE OFFICE OF MANAGEMENT, BUDGET AND PLANNING AS THE OFFICE OF PLANNING AND DEVELOPMENT; BY TRANSFERRING TO THAT OFFICE SPECIFIED FUNCTIONS OF THE SECRETARY OF THE DEPARTMENT OF COMMUNITY AFFAIRS AND ECONOMIC DEVELOPMENT AND THE DIVISION OF ECONOMIC DEVELOPMENT; BY DESIGNATING A POSITION OF CHIEF PLANNER AND CLARIFYING THE RESPONSIBILITY FOR DECISIONS UNDER THE COASTAL ZONE ACT; TO AMEND THE FY 1981 BUDGET APPROPRIATIONS ACT, AS AMENDED (CHAPTERS 277 AND 423 OF VOLUME 62 OF LAWS OF DELAWARE); AND TO MAKE NECESSARY CONFORMING AMENDMENTS TO TITLES 6, 7, 14, 16 AND 29 OF THE DELAWARE CODE AND CERTAIN LAWS OF DELAWARE TO REFLECT THE CHANGE OF NAME AND THE TRANSFER OF THESE RESPONSIBILITIES. Sponsors: Representatives Derrickson and Burris.

SB 103 was taken up for consideration on motion of Senator Cordrey:

SB 103 - AN ACT TO AMEND CHAPTER 79, TITLE 29 OF THE DELAWARE CODE TO PROVIDE THAT THE GOVERNOR SHALL APPOINT SENIOR CITIZENS TO CERTAIN UNITS.

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

The roll call vote on SB 103 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 57 was taken up for consideration on motion of Senator Murphy:

SB 57 - AN ACT TO AMEND CHAPTER 3, TITLE 21, DELAWARE CODE, RELATING TO THE LIMITATION ON THE REQUESTS BY INSURANCE COMPANIES FOR DRIVERS' PERFORMANCE RECORDS.

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

The roll call vote on SB 57 w SA 1 was taken on motion of Senator Murphy and revealed 18 Senators voting YES, 1 (Connor) voting NO, and 2 (Holloway and Martin) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 3:18 p.m., Lt. Governor Castle presiding.

SB 58 was taken up for consideration on motion of Senator Murphy:

SB 58 - AN ACT TO AMEND CHAPTER 25, TITLE 18, OF THE DELAWARE CODE TO REQUIRE INSURERS TO PROVIDE REDUCTIONS IN MOTOR VEHICLE INSURANCE PREMIUM RATES FOR DRIVERS COMPLETING A MOTOR VEHICLE ACCIDENT PREVENTION COURSE.

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

The roll call vote on SB 58 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Neal) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 4:06 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:55 p.m., Lt. Governor Castle presiding.

The following legislation was introduced:

SB 176 - AN ACT TO AMEND CHAPTER 29, PART III, TITLE 30 OF THE DELAWARE CODE RELATING TO RETAIL AND WHOLESALE MERCHANTS' LICENSE REQUIREMENT AND TAXES. Sponsors: Senators McBride and Berndt; Representatives Cain and Powell. Assigned to Revenue and Taxation Committee.

SB 177 - AN ACT AMENDING CHAPTER 19, TITLE 10 OF THE DELAWARE CODE, RELATING TO ADMISSION OF ATTORNEYS. Sponsor: Senator Sharp (by request). Assigned to Judiciary Committee.

SB 178 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE XV OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE AWARD OF CONTRACTS. Sponsor: Senator Arnold. Assigned to Executive Committee.

SB 179 - AN ACT TO AMEND CHAPTER 7, TITLE 21 OF THE DELAWARE CODE TO PROHIBIT THE PAYMENT OF MOTOR VEHICLE FINES BY MAIL FOR MINORS. Sponsor: Senator Hughes. Assigned to Public Safety Committee.

SB 180 - AN ACT TO AMEND CHAPTER 71, TITLE 29, DELAWARE CODE, RELATING TO USE OF STATE-OWNED VEHICLES. Sponsor: Senator Sharp. Assigned to Highways and Transportation Committee.

SB 181 - AN ACT TO AMEND CHAPTER 5, TITLE 4, DELAWARE CODE, RELATING TO THE SALE OF ALCOHOLIC LIQUOR IN A RACQUETBALL CLUB. Sponsor: Senator Sharp (by request). Assigned to Administrative Services/Energy Committee.

SS 1 for SB 119 - AN ACT TO AMEND CHAPTER 21, PART III, TITLE 29 OF THE DELAWARE CODE RELATING TO THE ANNUAL SALARY OF THE GOVERNOR. Sponsor: Senator Berndt. Adopted in lieu of the Original and assigned to Executive Committee.

SA 1 to SB 146. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SJR 6. Sponsor: Senator Bair. Placed with the Resolution.

SR 29 - COMMENDING LINDA LONG, ADMINISTRATIVE ASSISTANT TO GOVERNOR DUPONT, FOR HER OUTSTANDING SERVICE AND EXTENDING BEST WISHES FOR A PRODUCTIVE AND REWARDING CAREER IN PRIVATE INDUSTRY. Sponsors: Senators Holloway, Hughes, Littleton and Neal.

The Resolution was considered for adoption on motion of Senator Holloway and the roll call vote taken which revealed 18 Senators voting YES and 3 (Marshall, Sharp and Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

SA 1 to SB 26 was stricken at the request of the sponsor, Senator Hughes.

SB 81 was taken up for consideration on motion of Senator McBride:

SB 81 - AN ACT TO AMEND CHAPTER 21, PART II, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES; AND PROVIDING SPECIAL LICENSE PLATES FOR CERTAIN VETERANS.

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

YES: Senators Adams, Arnold, Citro, Connor, Cook, Holloway, Hughes, Littleton, Marshall, Martin, McBride, Sharp, Vaughn - 13.

NO: Senators Bair, Berndt, Cordrey, Knox, McDowell, Neal - 6.

NOT VOTING: Senator Zimmerman - 1.

ABSENT: Senator Murphy - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 81 w SA 1 was then taken and revealed:

YES: Senators Hughes, Martin, McBride and Vaughn - 4.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, McDowell, Murphy, Neal, Sharp, Zimmerman - 17.

Therefore, the Bill was declared lost.

SCR 28 was introduced and considered for adoption on motion of Senator Adams:

SCR 28 - DIRECTING THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO INVESTIGATE THE BROADKILL CHANNEL FOR RECREATIONAL BOATING IMPROVEMENT. Sponsors: Senator Adams; Representatives Derrickson and Burris.

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

SCR 29 was introduced and considered for adoption on motion of Senator Holloway:

SCR 29 - REQUESTING THE STATE LIBRARIAN TO MAINTAIN THE PRESENT LEVEL OF SERVICE FOR THE BLIND. Sponsors: Senators Holloway, Zimmerman and Representative Bennett.

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

SR 28 which had been laid on the table was stricken at the request of the sponsor, Senator Adams.

At 5:50 p.m. on motion of Senator Cordrey, the Senate recessed until 3:00 p.m. April 9, 1981.

The Senate reconvened at 3:29 p.m., April 9, 1981, Lt. Governor Castle presiding.

The Secretary announced that a message from the House informed the Senate that it had passed SB 27 and SB 140 and adopted HCR 33, HCR 34 and HJR 11.

HCR 33 was introduced and considered for adoption on motion of Senator Cordrey:

HCR 33 - SALUTING PROFESSIONAL SECRETARIES FOR THEIR VITAL CONTRIBUTION TO OUR SOCIETY AND DESIGNATING THE WEEK OF APRIL 19-25 AS PROFESSIONAL SECRETARIES WEEK AND WEDNESDAY, APRIL 22, AS SECRETARIES DAY. Sponsor: Representative Mack.

The roll call vote on the Resolution was taken and revealed 18 Senators voting YES, 1 (Littleton) NOT VOTING, and 2 (Bair and Holloway) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SB 182 was introduced and assigned to Administrative Services/Energy Committee:

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

HJR 11 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Adams:

HJR 11 - PROVIDING FOR THE APPOINTMENT OF A STATE DISABILITY REFORM COMMITTEE TO RECOMMEND LEGISLATION CONSOLIDATING DISABILITY PROGRAMS. Sponsors: Representative Sincok and Senator Adams.

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

HCR 34 was introduced and considered for adoption on motion of Senator Arnold:

HCR 34 - MOURNING THE DEATH OF DAVID J. KING., M.D., WHO AIDED CRIPPLED CHILDREN IN KENT AND SUSSEX COUNTIES AND WAS A PRESIDENT OF THE STAFF OF THE FORMER WILMINGTON GENERAL HOSPITAL. Sponsor: Representative Maroney.

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

SA 2 to SB 129 (sponsored by Senator McDowell) was introduced and placed with the Bill.

At 3:37 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 18th Legislative Day.

18TH LEGISLATIVE DAY

April 9, 1981

The Senate convened at 3:37 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Arnold.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

SCR 22 was lifted from the table for consideration on motion of Senator McBride:

SCR 22 - COMMENDING MRS. JUNE SOUKUP OF SUSSEX CENTRAL HIGH SCHOOL, INDIAN RIVER SCHOOL DISTRICT, FOR BEING SELECTED AS DELAWARE TEACHER OF THE YEAR FOR 1981.

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

Pursuant to the above Resolution, the privilege of the floor was extended to June C. Soukup.

Senator McDowell marked PRESENT.

SB 132 was taken up for consideration on motion of Senator Cordrey:

SB 132 - AN ACT TO AMEND CHAPTER 88, TITLE 29 OF THE DELAWARE CODE, RELATING TO THE STATE BANK COMMISSIONER'S OFFICE.

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

HB 63 w HA 1 was taken up for consideration on motion of Senator Cordrey:

HB 63 w HA 1 - AN ACT TO AMEND CHAPTER 19, TITLE 5, DELAWARE CODE, RELATING TO POWERS OF FEDERALLY CHARTERED INSTITUTIONS.

The privilege of the floor was extended to State Banking Commissioner, John Mullarkey.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Citro, Connor and McBride) voting NO; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 92 was taken up for consideration on motion of Senator Cordrey:

HB 92 - AN ACT TO AMEND CHAPTER 23, PART III, TITLE 30 OF THE DELAWARE CODE RELATING TO THE GROSS RECEIPTS TAX; AND PROVIDING AN EXEMPTION FOR DRAYMEN OR MOVERS.

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

HJR 3 was taken up for consideration on motion of Senator Marshall:

HJR 3 - CONGRATULATING "PROJECT 70001," A PROGRAM CREATED AND BASED IN DELAWARE TO GUIDE HIGH SCHOOL DROP-OUTS INTO PRODUCTIVE EMPLOYMENT; AND COMMENDING CERTAIN CIVIC-MINDED DELAWARE BUSINESSES FOR PROVIDING JOB OPPORTUNITIES AND ENCOURAGEMENT.

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

SB 146 was taken up for consideration on motion of Senator Holloway:

SB 146 - AN ACT TO AMEND CHAPTER 94, TITLE 16 OF THE DELAWARE CODE, RELATING TO THE STATE ADVISORY COUNCIL FOR THE COORDINATION OF SERVICES TO THE HANDICAPPED.

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

The roll call vote on SB 146 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 142 was taken up for consideration on motion of Senator Holloway:

SB 142 - AN ACT TO AMEND CHAPTER 31, TITLE 16, OF THE DELAWARE CODE, RELATING TO THE REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, DIVORCES, ANNULMENTS, AND ADOPTIONS.

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

SB 129 was taken up for consideration on motion of Senator McDowell:

SB 129 - AN ACT TO AMEND CHAPTER 199, VOLUME 62, LAWS OF DELAWARE RELATING TO FINANCIAL ASSISTANCE TO CERTAIN DELAWARE FAMILIES AND PUBLICLY OPERATED HOUSING AUTHORITIES FOR THE PURCHASE AND INSTALLATION OF ENERGY CONSERVATION MATERIALS FOR THEIR HOMES.

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

The privilege of the floor was extended to Walter Malone, Jr. after which the roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Martin, Murphy, Sharp, Vaughn, Zimmerman - 15.

NO: Senators Bair, Marshall, McBride, McDowell, Neal - 5

ABSENT: Senator Littleton - 1.

Therefore, the Amendment was declared adopted.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator McDowell and the roll call vote taken which revealed 19 Senators voting YES, 1 (Berndt) voting NO, and 1 (Littleton) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 129 w SA 1, 2 was then taken and revealed 19 Senators voting YES, 1 (Berndt) voting NO, and 1 (Littleton) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 79 was taken up for consideration on motion of Senator McDowell:

SB 79 - AN ACT TO AMEND CHAPTER 182 AND 199, VOLUME 62, LAWS OF DELAWARE RELATING TO THE DELAWARE ENERGY CRISIS ASSISTANCE PROGRAM BY PROVIDING FINANCIAL ASSISTANCE TO CERTAIN HOMEOWNERS AND OTHERS FOR THE PURCHASE OF HEATING FUELS.

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

YES: Senators Adams, Bair, Connor, Cook, Cordrey, Holloway, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 15.

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

NOT VOTING: Senator Hughes - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 79 w SA 1 was then taken and revealed 17 Senators voting YES and 4 (Arnold, Berndt, Hughes, Knox voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SJR 6 was taken up for consideration on motion of Senator Bair:

SJR 6 - DIRECTING THE PUBLIC SCHOOLS IN THE STATE OF DELAWARE TO ADOPT ENERGY CONSERVATION AS AN OFFICIAL POLICY.

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

The roll call vote on SJR 6 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

On motion of Senator Sharp, the roll call vote on HB 34 w HA 1 was lifted and announced:

YES: Senators Berndt, Citro, Connor, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn - 10.

NO: Senators Adams, Arnold, Bair, Cook, Cordrey, Hughes, Knox, Littleton, Neal, Zimmerman - 10.

ABSENT: Senator Holloway - 1.

Therefore, the Bill was declared lost in the Senate and returned to the House. A 2/3 vote was required for passage of this Bill.

SCR 30 was introduced and considered for adoption on motion of Senator McBride:

SCR 30 - REQUESTING THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT HOUSE JOINT RESOLUTION NO. 182 DESIGNATING APRIL 26 AS A NATIONAL DAY OF RECOGNITION FOR VETERANS OF THE VIETNAM ERA. Sponsors: Senators McBride, Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman; Representatives Anderson, Barnes, Bennett, Brady, Buckworth, Burris, Cain, Campanelli, Cathcart, Cordrey, Corrozi, Darling, Derrickson, Dixon, Edwards, Ennis, Fallon, Free, George, Gilligan, Harrington, Hebner, Holloway, Jester, Jonkiert, Mack, Maroney, McKay, Minner, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Soles, Spence, VanSeiver, West.

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

SCR 31 was introduced and considered for adoption on motion of Senator Cordrey:

SCR 31 - RELATING TO THE SYMPOSIUM TO BE HELD SATURDAY, APRIL 11TH BY THE DIVISION OF HISTORIC AND CULTURAL AFFAIRS IN LIVING FORMER GOVERNORS. Sponsors: Senators Cordrey, Sharp, McDowell, Knox, Arnold; Representatives Hebner, Burris, Petrilli, George, Cain.

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

The following legislation was introduced:

SB 183 - AN ACT TO AMEND TITLES 26 AND 29, DELAWARE CODE, RELATING TO THE RETENTION OF CONSULTANTS BY THE PUBLIC SERVICE COMMISSION AND THE PUBLIC ADVOCATE. Sponsors: Senators Marshall, Sharp, Connor, Citro; Representative Jonkiert. Assigned to Administrative Services/Energy Committee.

SB 184 - AN ACT TO AMEND THE CITY CHARTER FOR THE CITY OF NEWARK, DELAWARE. Sponsors: Senators Martin and Neal. Assigned to Community Affairs Committee.

SB 185 - AN ACT TO AMEND DELAWARE CODE, TITLE 14 AS THAT TITLE RELATES TO THE QUALIFICATION AND SALARY OF SUBSTITUTE TEACHERS IN THE PUBLIC SCHOOLS. Sponsors: Senators Neal, McBride, Connor, Vaughn, Bair; Representative Brady. Assigned to Education Committee.

SB 186 - AN ACT TO AMEND CHAPTER 6, TITLE 29 OF THE DELAWARE CODE PROVIDING FOR ATTORNEYS' FEES FOR SMALL BUSINESSES IN ACTIONS INVOLVING A STATE AGENCY. Sponsors: Senators Neal, McDowell, Murphy, Sharp, Knox, Citro, Connor; Representative Bennett. Assigned to Finance Committee.

SB 187 - AN ACT TO AMEND CHAPTER 96, TITLE 16, DELAWARE CODE, RELATING TO THE OPERATION OF FOOD SERVICE FACILITIES IN PUBLIC BUILDINGS. Sponsors: Senators Holloway, Cordrey, Hughes; Representatives Maroney, Brady, Derrickson, Gilligan, Minner, Oberle, Fallon. Assigned to Health-Social Services/Aging Committee.

SB 188 - AN ACT TO AMEND CHAPTER 56, TITLE 29 OF THE DELAWARE CODE RELATING TO JUDICIAL PENSIONS. Sponsors: Senator Adams and Representative Brady. Assigned to Finance Committee.

SB 189 - AN ACT TO AMEND CHAPTERS 88 AND 69 OF TITLE 29 OF THE DELAWARE CODE PROVIDING FOR OPPORTUNITIES FOR CERTAIN SMALL BUSINESS CONCERNS TO DO BUSINESS WITH THE STATE. Sponsors: Senators Neal, Sharp, McDowell, Murphy, Knox, Citro, Connor; Representatives Bennett and Soles. Assigned to Administrative Services/Energy Committee.

SA 1 to SB 147. Sponsor: Senator Hughes. Placed with the Bill.

SA 1 to SB 19. Sponsor: Senator McBride. Placed with the Bill.

SB 190 - AN ACT TO AMEND PART X, TITLE 29 OF THE DELAWARE CODE PROVIDING FOR REGULATORY EXCEPTIONS FOR INDIVIDUALS AND SMALL BUSINESSES. Sponsors: Senators Murphy, Neal, Sharp, McDowell, Knox, Citro, Connor; Representative Bennett. Assigned to Community Affairs Committee.

SB 191 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR HIGHWAY MAINTENANCE. Sponsors: Senator Arnold; Representative Spence. Assigned to Finance Committee.

SB 192 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR HIGHWAY MAINTENANCE. Sponsors: Senator Arnold; Representative Gilligan. Assigned to Finance Committee.

SB 19 was reported out of the Health-Social Services/Aging Committee - 4 Merits.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 36; HCR 37; SCR 22; SCR 25 and SCR 29.

HCR 36 was introduced and considered for adoption on motion of Senator Adams:

HCR 36 - WELCOMING TO LEGISLATIVE HALL AND TODAY'S SESSIONS OF THE 131ST GENERAL ASSEMBLY OF DELAWARE PETER GLADWIN, CHAIRMAN OF THE EAST SUSSEX (ENGLAND) COUNTY COUNCIL. Sponsors: Representatives Barnes, Burris, Cordrey, Derrickson, Fallon, West; Senators Adams, Cordrey and Littleton.

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

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

SENATE
STATE OF DELAWARE
DOVER, DELAWARE

April 9, 1981

TO: Governor Pierre S. duPont, IV

All Members of the Senate of the 131st General Assembly

All Members of the House of Representatives of the 131st General Assembly

FROM: Richard S. Cordrey, President Pro Tempore

SUBJECT: State Group Life Insurance Committee

As per the power invested in me by Title 18, Delaware Code, Section 32, Subsection 3206, I hereby appoint the following to serve on the State Group Life Insurance Committee: Senator Thomas B. Sharp, Senator Angelo T. Citro

* * * * *

Senator Berndt made the motion to rescind the roll call and reconsider HB 34 w HA 1 which had been lost in the Senate; however, the Senator then withdrew his motion.

At 5:40 p.m. on motion of Senator Sharp, the Senate recessed to the call of the President Pro Tempore.

The Senate reconvened at 2:23 p.m., April 28, 1981, Lt. Governor Castle presiding.

The following legislation was introduced:

SB 193 - AN ACT TO AMEND CHAPTER 7, TITLE 4 OF THE DELAWARE CODE RELATING TO SALES OF ALCOHOLIC LIQUORS ON SUNDAYS AND HOLIDAYS AND DELIVERY OF ALCOHOLIC LIQUORS. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

SB 194 - AN ACT TO AMEND TITLE 6 AND TITLE 11 OF THE DELAWARE CODE, RELATING TO TRADE AND COMMERCE; AND PROVIDING FOR A UNIFORM TRADE SECRETS ACT. Sponsors: Senators Zimmerman and Neil. Assigned to Community Affairs Committee.

SA 1 to SB 161. Sponsor: Senator Cook. Placed with the Bill.

SR 30 - PROCLAIMING THE WEEK OF MAY 10 TO 16 AS "SMALL BUSINESS WEEK." Sponsors: Senators Zimmerman, Bair, Neal, Cook, Citro, Vaughn, Hughes.

The Resolution was considered for adoption on motion of Senator Zimmerman and the roll call vote taken which revealed 17 Senators voting YES and 4 (Arnold, Connor, Martin, Sharp) ABSENT; therefore, the Resolution was declared adopted.

SA 11 to HB 34. Sponsor: Senator Neal. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 68 w HA 1, 2, 5; HB 99 w HA 1, 15; SB 9; SB 80; SB 100; and adopted HCR 38; SCR 30; SCR 31; SJR 5 w SA 1 and SJR 7 w SA 1.

HB 68 w HA 1, 2, 5 was introduced and assigned to Executive Committee:

HB 68 w HA 1, 2, 5 - AN ACT TO AMEND TITLES 9, 14, 16, 19, 25, 29, 30, 31, OF THE DELAWARE CODE AND CHAPTERS 277, 416, AND 423, VOLUME 62, LAWS OF DELAWARE, PROVIDING FOR THE ESTABLISHMENT OF A DEPARTMENT OF COMMUNITY AFFAIRS AND PROVIDING FOR AMENDMENTS AND CORRECTIONS RELATED THERETO. Sponsors: Representative Petrilli and Senator Knox.

Senator Marshall moved that HB 68 w HA 1, 2, 5 be reassigned to the Community Affairs Committee. The roll call vote on the motion was taken and revealed:

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

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

ABSENT: Senators Arnold and Martin - 2.

Therefore, the motion prevailed and the Bill was reassigned to the Community Affairs Committee.

HB 15 was introduced and assigned to the Community Affairs Committee:

HB 15 - AN ACT TO AMEND CHAPTER 46, TITLE 9, DELAWARE CODE RELATING TO THE TIME LIMITATION FOR THE KENT COUNTY LEVY COURT TO ISSUE NOTES IN ANTICIPATION OF BOND SALES. Sponsor: Representative Bennett.

HB 99 w HA 1 was introduced and assigned to Natural Resources and Environmental Control Committee:

HB 99 w HA 1 - AN ACT TO AMEND AN ACT BEING CHAPTER 503, VOLUME 61, LAWS OF DELAWARE, ENTITLED AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE RECLAMATION AND RECYCLING OF BEVERAGE CONTAINERS BY CHANGING THE EFFECTIVE DATE THEREOF. Sponsors: Representatives Smith, Anderson, Ennis, Gilligan, Maroney, Minner, Riddagh, Soles; Senators Martin, Arnold, Connor, Knox, Littleton, McBride, Neal.

Senator Hughes moved that HB 99 w HA 1 be reassigned to the Executive Committee.

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

YES: Senators Bair, Holloway, Knox, Littleton - 4.

NO: Senators Adams, Berndt, Citro, Connor, Cook, Cordrey, Hughes, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 15.

ABSENT: Senators Arnold and Neal - 2.

Therefore, the motion was declared lost and the Bill remained in the Natural Resources and Environmental Control Committee.

HCR 37 was introduced and considered for adoption on motion of Senator Knox:

HCR 37 - CONGRATULATING THE FOUR DELAWARE HIGH SCHOOL SENIORS WHO HAVE BEEN NAMED FINALISTS IN THE COLLEGE SCHOLARSHIP COMPETITION OF THE NATIONAL MERIT SCHOLARSHIP CORPORATION. Sponsors: Representatives McKay and Corrozi; Senators Citro and Knox.

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

HCR 38 was introduced and considered for adoption on motion of Senator Knox:

HCR 38 - REQUESTING THE CONGRESS OF THE UNITED STATES TO SUPPORT THE STATES' EFFORTS IN MANAGING THEIR COASTAL RESOURCES AND TO PROVIDE ESSENTIAL FUNDING THEREFOR. Sponsors: Representatives Smith, Cordrey, Derrickson, Dixon, Fallon, George, Jester, Minner, Powell, Sincoc, Soles, VanSciver; Senators Berndt, Knox, McDowell, Murphy, Vaughn, Martin, Arnold, Neal, Bair.

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

SB 187 was reported from the Health-Social Services/Aging Committee: 4 Merits.

Legislative Advisory #5 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation: on April 14, 1981 - SB 140 (Volume 63, Chapter 8, Laws of Delaware); on April 21, 1981 - SB 27 (Volume 63, Chapter 9, Laws of Delaware); HB 63 w HA 1 (Volume 63, Chapter 10, Laws of Delaware); HJR 3; HJR 11.

At 2:50 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 19th Legislative Day.

19TH LEGISLATIVE DAY April 28, 1981

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

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

The roll call vote on HB 34 w HA 1 which had been defeated for passage in the Senate was rescinded and the Bill restored to the Calendar on motion of Senator Cook.

Senator Holloway moved that the Bill be assigned to Community Affairs Committee. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Berndt, Citro, Cook, Cordrey, Holloway, Knox, Littleton, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 14.

NO: Senators Connor, Hughes, Marshall, Martin, McBride - 5.

NOT VOTING: Senators Arnold and Bair - 2.

Therefore, the motion prevailed and the Bill was re-assigned to Community Affairs Committee.

SB 96 was taken up for consideration on motion of Senator McBride:

SB 96 - AN ACT TO AMEND CHAPTER 27, TITLE 24 OF THE DELAWARE CODE, RELATING TO PROFESSIONAL LAND SURVEYORS.

The privilege of the floor was extended to Gerald A. Donovan, Sr. (Delaware State Board of Registration for Professional Land Surveyor) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Arnold) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 3:11 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:39 p.m., Lt. Governor Castle presiding.

SB 111 was taken up for consideration on motion of Senator Murphy:

SB 111 - AN ACT TO PROVIDE ADDITIONAL SCHOOL SUPPLIES FOR DELAWARE SCHOOLS, AND PROVIDING THE FUNDS THEREFOR.

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

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

NO: Senators Arnold, Hughes, Knox, Martin - 4.

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

SB 112 was taken up for consideration on motion of Senator Murphy:

SB 112 - AN ACT TO AMEND ADDITIONAL SUBSTITUTE TEACHERS AVAILABLE TO DELAWARE SCHOOL DISTRICTS, AND PROVIDING FUNDS THEREFOR.

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

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

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

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

SCR 33 was introduced and considered for adoption on motion of Senator Adams:

SCR 33 - CONGRATULATING MILTON R. ROBERTS, OF LEWES, FORMER UNIVERSITY OF DELAWARE LACROSSE COACH, UPON HIS ELECTION TO THE LACROSSE HALL OF FAME. Sponsors: Senators Adams and Cordrey; Representatives Barnes and Derrickson.

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

SB 150 was taken up for consideration on motion of Senator Adams:

SB 150 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF SLAUGHTER BEACH", 37 DELAWARE LAWS CHAPTER 167, AS AMENDED, BY PROVIDING FOR THE CLOSING OF STREETS, VACATING OR ABANDONMENT OF STREETS (INCLUDING THE AWARD OF COMPENSATION THEREFORE), MUNICIPAL TAX LIENS, AND REVISING THE LIMITATIONS ON THE TOWN'S TAXING POWER.

The privilege of the floor was extended to John Terence Jayworth (Town Attorney, Slaughter Beach) and Tom Sandbach (Senate Attorney) after which the roll call vote on the Bill was taken and revealed:

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

NO: Senators McDowell and Neal - 2.

NOT VOTING: Senator Zimmerman - 1.

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

The following communications from the Governor were read and assigned to the Executive Committee:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

April 28, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Frank L. Benedict, Jr. 7 Clyth Drive, Wilmington, Delaware, to be a member of the Board of Pension Trustees for a term of four years to succeed Leonard Bardsley, resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

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STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
April 28, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Joseph Whitmore Maybee, 10 South Bradford Street, Dover, Delaware, to be reappointed as a Delaware Code Revisor for a term of four years.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

SB 29 was reported out of the Health-Social Services/Aging Committee: 4 Merits.

The following legislation was introduced:

SB 195 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR THE PURPOSE OF PAYING COMPENSATORY AND PUNITIVE DAMAGES IN BEHALF OF WILBERT KEE, GUARD AT THE DELAWARE CORRECTIONAL CENTER FACILITY IN THE CASE OF COURTLAND PITTS, PLAINTIFF, VS. WILBERT KEE, DEFENDANT. Sponsors: Senators Vaughn, Sharp, Cook, Hughes; Representative Riddagh. Assigned to Corrections Committee.

SB 196 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO GAMBLING. Sponsor: Senator Holloway. Assigned to Community Affairs Committee.

SB 197 - AN ACT TO AMEND CHAPTER 29, TITLE 24, DELAWARE CODE, RELATING TO ACTS PROHIBITED BY THE DELAWARE REAL ESTATE COMMISSION. Sponsor: Senator Sharp. Assigned to Community Affairs Committee.

SB 198 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR HIGHWAY MAINTENANCE. Sponsors: Senator Arnold; Representative McKay. Assigned to Highways and Transportation Committee.

SB 199 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE TRANSFERRING JURISDICTION OF CERTAIN MOTOR VEHICLE OFFENSES FROM FAMILY COURT TO JUSTICE OF THE PEACE COURTS. Sponsors: Senators Neal, Citro, Hughes, Vaughn; Representatives Bennett and Brady. Assigned to Judiciary Committee.

SB 200 - AN ACT TO AMEND AN ACT, BEING CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES" TO INCREASE THE AMOUNT WHICH MAY BE RAISED FROM THE TAXATION OF REAL ESTATE. Sponsors: Senator Cordrey; Representative Derriekson. Assigned to Community Affairs Committee.

SB 201 - AN ACT TO AMEND PART IV, TITLE 12 OF THE DELAWARE CODE BY REPEALING THE PRESENT CHAPTER 37 ENTITLED "TRUSTEE FOR MENTALLY ILL PERSONS" AND BY REPEALING PRESENT SECTION 3914 AND BY SUBSTITUTING A NEW CHAPTER 37 ENTITLED "GUARDIANSHIP OF ADULTS" IN LIEU THEREOF. Sponsor: Senator Berndt. The Bill was assigned to the Judiciary Committee; however, on motion of Senator Holloway and without objection, it was reassigned to the Health-Social Services/Aging Committee.

SA 12 to HB 34. Sponsor: Senator Holloway. Placed with the Bill.

SA 13 to HB 34. Sponsor: Senator Hughes. Placed with the Bill.

SR 31 (sponsored by Senator Cook) was introduced and laid on the table at the Senator's request:

SR 31 - COMMENDING J. EDWIN LEWIS FOR HIS LONG AND DISTINGUISHED SERVICE TO THE DELAWARE STATE SENATE.

At 5:50 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 29, 1981.

The Senate reconvened at 2:59 p.m., April 29, 1981, Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HS 1 for

HB 3 w HA 1; HB 152; HB 107; SB 60 w HA 1; and adopted HJR 6; SCR 33.

HB 16 was reported out of the Judiciary Committee: 1 Favorable, 5 Merits.

The following legislation was introduced:

SB 202 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO GAMBLING. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SA 1 to SB 56. Sponsor: Senator Murphy. Placed with the Bill.

HS 1 for HB 3 w HA 1 - AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO REGULATION AND SALE OF PORTABLE OIL FUELED HEATERS. Sponsors: Representatives Powell, Anderson, Dixon, Roy, Petrilli, Cordrey, West, VanSciver, Riddagh; Senators Cordrey and Hughes. Assigned to Administrative Services/Energy Committee.

HB 107 - AN ACT AUTHORIZING THE STATE OF DELAWARE TO CONVEY TO THE TOWN OF BETHANY BEACH PROPERTY TO BE USED FOR CERTAIN STORAGE PURPOSES. Sponsors: Representative Derrickson and Senator Cordrey. Assigned to Administrative Services/Energy Committee.

HB 152 - AN ACT TO AMEND TITLE 12, CHAPTER 39 OF THE DELAWARE CODE RELATING TO GUARDIAN AND WARD. Sponsors: Representatives Oberle, Sincok, Spence, Harrington. Assigned to Health-Social Services/Aging Committee.

At 3:03 p.m., Lt. Governor Castle presiding.

HJR 6 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Knox:

HJR 6 - COMMENDING DAVID S. SWAYZE ON HIS RETURN TO PRIVATE PRACTICE FOR HIS OUTSTANDING SERVICE TO DELAWARE AS LEGAL COUNSEL AND EXECUTIVE ASSISTANT TO GOVERNOR PIERRE S. DUPONT 4TH. Sponsors: Representatives Brady, Burris, George, Sincok; Senators Knox and Cordrey.

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

Senator Cordrey introduced Andrea Dickinson (Miss Delaware) to the Senate and she was extended the privilege of the floor.

SCR 32 was introduced and laid on the table on motion of Senator Bair:

SCR 32 - REQUESTING THE DIVISION OF HOUSING TO STUDY CURRENT PROBLEMS IN APARTMENT LIVING IN DELAWARE. Sponsors: Senators Bair, Citro, Connor, Martin, McDowell, Marshall, Neal, McBride.

At the request of Senator Marshall the privilege of the floor was extended to Secretary of Labor, Dennis C. Carey to speak on Unemployment Insurance.

At 3:48 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 20th Legislative Day.

20TH LEGISLATIVE DAY

April 29, 1981

The Senate convened at 3:48 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

SB 187 was taken up for consideration on motion of Senator Holloway:

SB 187 - AN ACT TO AMEND CHAPTER 96, TITLE 16, DELAWARE CODE, RELATING TO THE OPERATION OF FOOD SERVICE FACILITIES IN PUBLIC BUILDINGS.

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

SB 40 was taken up for consideration on motion of Senator Zimmerman:

SB 40 - AN ACT TO AMEND CHAPTER 7, TITLE 7, DELAWARE CODE RELATING TO RED FOXES.

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

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Bair and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 40 w SA 2 was then taken; however, before being announced, the roll call was tabled on motion of Senator Zimmerman.

At 4:25 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:15 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SA 14 to HB 34. Sponsors: Senators Arnold and Bair. Placed with the Bill.

SA 15 to HB 34. Sponsors: Senators Holloway and Neal. Placed with the Bill.

SB 203 - AN ACT TO TITLE 7, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF PUBLIC POLICY IN PROMOTING THE DISCOVERY, DEVELOPMENT, PRODUCTION AND REGULATION OF GEOTHERMAL RESOURCES IN THE STATE OF DELAWARE. Sponsors: Senators McDowell, Zimmerman, Arnold, Bair, Berndt, Cook, Connor, Marshall, Martin, Murphy, Neal; Representatives Smith, Barnes, Bennett, Campanelli, Free, Gilligan, Minner, Oberle, Plant. Assigned to Administrative Services/Energy Committee.

SB 204 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE DEPARTMENT OF HIGHWAYS AND TRANSPORTATION FOR THE PURPOSE OF INSTALLING A TRAFFIC CONTROL SIGNAL TO SERVE MCKEAN HIGH SCHOOL. Sponsors: Senator Arnold and Representative McKay. Assigned to Highways and Transportation Committee.

At 5:19 p.m., Lt. Governor Castle presiding.

Senator Zimmerman introduced to the Senate the First State Chapter of Professional Secretaries Association.

The roll call vote on SB 40 w SA 2 was lifted from the table on motion of Senator Zimmerman and announced:

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cordrey, Holloway, Knox, Marshall, Martin, McBride, McDowell, Murphy, Neal, Vaughn, Zimmerman - 16.

NO: Senators Cook, Hughes, Littleton - 3.

NOT VOTING: Senators Citro and Sharp - 2.

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

On motion of Senator McBride, SB 60 which had passed the Senate was taken up for reconsideration as further amended by HA 1. The roll call vote on SB 60 w HA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed.

SB 122 was taken up for consideration on motion of Senator Martin:

SB 122 - AN ACT TO AMEND CHAPTER 71, TITLE 29 OF THE DELAWARE CODE RELATING TO THE USE OF STATE VEHICLES BY STATE EMPLOYEES.

The privilege of the floor was extended to John T. Davis, Delaware Department of Transportation, after which the Bill was laid on the table on further motion of Senator Martin.

At 5:45 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., April 30, 1981.

The Senate reconvened at 2:35 p.m., April 30, 1981, Lt. Governor Castle presiding.

The following letter of nomination for appointment from the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
April 30, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Andrew D. Christie, P.O. Box 3522 Brook Valley Road, Greenville, Delaware, to be reappointed as a Judge of the Superior Court for a term of twelve years.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 41; HCR 42; HCR 43; HCR 44 and HCR 45.

The following legislation was introduced:

SB 205 - AN ACT TO AMEND TITLE 30, CHAPTER 11, OF THE DELAWARE CODE RELATING TO STATE TAXES. Sponsor: Senator Connor. Assigned to Revenue and Taxation Committee.

SB 206 - AN ACT TO PERMIT THE MARRIAGE OF TWO PERSONS PRIOR TO THE EXPIRATION OF NINETY-SIX HOURS FROM THE ISSUANCE OF THE MARRIAGE LICENSE. Sponsors: Senator Knox and Representative McKay. Assigned to Judiciary Committee.

SA 1 and SA 2 to SB 187. Sponsor: Senator Neal. Placed with the Bill.

SA 1 to HB 68. Sponsors: Senators Bair, Sharp, Connor, McDowell. Placed with the Bill.

SR 32 - URGING MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT THE ECONOMIC EQUITY ACT. Sponsor: Senator Holloway.

The Resolution was considered for adoption on motion of Senator Holloway and the roll call vote taken which revealed 18 Senators voting YES and 3 (Connor, Martin and McDowell) ABSENT; therefore, the Resolution was declared adopted.

SCR 34 - CONGRATULATING EDWARD H. RALPH, OF LAUREL, UPON HIS SELECTION BY THE DELMARVA POULTRY INDUSTRY INC. AS DELMARVA'S DISTINGUISHED CITIZEN OF 1981. Sponsors: Senators Adams, Cordrey, Littleton; Representatives Barnes, Derrickson.

The Resolution was considered for adoption on motion of Senator Adams and the roll call vote taken which revealed 18 Senators voting YES and 3 (Connor, Martin and McDowell) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 35 - COMMEMORATING THE 190TH ANNIVERSARY OF THE POLISH CONSTITUTION OF MAY 3, 1791. Sponsor: Senator Marshall.

The Resolution was considered for adoption on motion of Senator Marshall and the roll call vote taken which revealed 17 Senators voting YES, 1 (Zimmerman) NOT VOTING and 3 (Connor, Martin and McDowell) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 36 - RATIFYING THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES GIVING WASHINGTON, D.C., REPRESENTATION IN THE HOUSE OF REPRESENTATIVES AND SENATE OF THE UNITED STATES. Sponsors: Senators McDowell, Citro, Holloway; Representatives Campanelli, Buckworth, Corrozi, George, Holloway, Jr., Plant. Assigned to Judiciary Committee.

SCR 37 - REQUESTING THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO OPPOSE TWO BILLS WHICH WOULD GIVE POWER TO THE NUCLEAR REGULATORY COMMISSION TO AVOID PUBLIC HEARINGS BEFORE ISSUING CERTAIN PERMITS. Sponsor: Senator McDowell.

Senator Knox moved that the Resolution be assigned to the Natural Resources and Environmental Control Committee. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Holloway, Knox, Littleton, Murphy, Zimmerman - 11.

NO: Senators Cook, Cordrey, Hughes, Marshall, Martin, McBride, McDowell, Neal, Sharp, Vaughn - 10.

Therefore, the motion prevailed and the Resolution was assigned to the Natural Resources and Environmental Control Committee.

SCR 38 - REQUESTING THE STATE BOARD OF EDUCATION TO REVIEW AND RECOMMEND A BETTER ALLOCATION OF THE LANGUAGE ARTS UNITS. Sponsors: Senators Martin and Connor. Laid on the table at the request of the sponsor.

SCR 39 - EXPRESSING THE WILL OF THE DELAWARE GENERAL ASSEMBLY THAT THE UNITED STATES ADOPT A NATIONAL STRATEGY OF PEACE THROUGH STRENGTH. Sponsors: Senators Arnold, Vaughn; Representatives Riddagh, Dixon.

The Resolution was considered for adoption on motion of Senator Arnold and the roll call vote taken which revealed 20 Senators voting YES and 1 (Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

At 3:35 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 21st Legislative Day.

21ST LEGISLATIVE DAY

April 30, 1981

The Senate convened at 3:35 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

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

SENATE
STATE OF DELAWARE
DOVER, DELAWARE
April 30, 1981

TO: Members of the 131st General Assembly

FROM: Senator Richard S. Cordrey, President Pro Tempore of the Senate of the 131st General Assembly

SUBJECT: Appointments—House Joint Resolution No. 11

As per the power invested in me according to House Joint Resolution No. 11, I hereby appoint the following to serve as members of the State Disability Reform Committee: Senator Nancy W. Cook and Senator Charles E. Hughes

SB 187 was lifted from the table on motion of Senator Holloway for consideration.

During the discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Beatrice P. Simonds (Council on the Blind).

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

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Cook, Knox, Littleton, Marshall, Martin, Murphy, Neal, Vaughn, Zimmerman - 14.

NO: Senators Adams, Cordrey, Holloway, Hughes, McBride, McDowell, Sharp - 7.

Therefore, the Amendment was declared adopted.

Senator Marshall marked PRESENT.

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

Consideration of the Bill was then deferred on further motion of Senator Holloway.
SB 141 was laid on the table on motion of Senator Holloway, the sponsor.
The following letter was read from the White House:

THE WHITE HOUSE
WASHINGTON
April 28, 1981

To the Members of the Delaware General Assembly

I was delighted to receive the get-well message and Joint Resolution adopted by the General Assembly of the State of Delaware. Knowing of your friendship encourages and helps me daily.

With best wishes,

Sincerely,
Ronald Reagan

* * * * *

SB 56 was taken up for consideration on motion of Senator Murphy:

SB 56 - AN ACT TO AMEND CHAPTER 32, TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP LIFE INSURANCE FOR STATE EMPLOYEES.

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

The roll call vote on SB 56 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HCR 41 was introduced and considered for adoption on motion of Senator Knox:

HCR 41 - MOURNING THE DEATH OF ALFRED RIVES SHANDS, JR., M.D., FORMER MEDICAL DIRECTOR OF THE ALFRED I. DUPONT INSTITUTE AND A LEADING ORTHOPEDIC SURGEON, ON APRIL 20, 1981. Sponsor: Representative Maroney.

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

At 4:20 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:55 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Revenue and Taxation Committee: SB 84 - 5 Merits; SB 115 - 4 Merits, 1 Unfavorable; SB 176 - 4 Merits, 1 Unfavorable.

The following legislation was introduced:

SB 207 - AN ACT TO REPEAL CERTAIN SECTIONS OF TITLE II AND TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE RELATING TO THE PERFORMANCE OF ABORTIONS. Sponsors: Senators Marshall, Connor, Citro; Representatives Jonkiert and Edwards. Assigned to Health-Social Services/Aging Committee.

SB 208 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE JUDICIARY AND PERMITTING CERTAIN FORMER STATE JUDGES AND FORMER JUSTICES OF THE SUPREME COURT TO RETURN TO ACTIVE JUDICIAL DUTY UNDER CERTAIN CIRCUMSTANCES. Sponsors: Senator McDowell and Representative Brady. Assigned to Judiciary Committee.

SB 209 - AN ACT TO AMEND CHAPTER 9, TITLE 4, DELAWARE CODE, RELATING TO THE AUTHORITY OF THE DELAWARE ALCOHOLIC BEVERAGES CONTROL COMMISSION TO LEVY FINES. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SA 1 to HB 16. Sponsor: Senator Sharp. Placed with the Bill.

SA 3 to SB 187. Sponsor: Senator Cordrey. Placed with the Bill.

SA 4 to SB 187. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to SCR 32. Sponsor: Senator Bair. Placed with the Bill.

SA 1 to SB 122. Sponsor: Senator Neal. Placed with the Bill.

SJR 11 - A JOINT RESOLUTION CREATING A COMMITTEE TO STUDY METHODS OF COORDINATING REPORTS AND EVALUATIONS OF PERSONS PASSING THROUGH THE STATES CRIMINAL JUSTICE SYSTEM. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SCR 40 - COMMENDING AND CONGRATULATING THE JOBS FOR DELAWARE GRADUATES CHAPTER 2 AND CHAPTER 1 OF JOHN DICKINSON HIGH SCHOOL FOR WINNING FIRST AND SECOND PLACE, RESPECTIVELY, IN THE DELAWARE CAREER ASSOCIATION AWARDS FOR OUTSTANDING CHAPTER OF THE YEAR - SENIOR DIVISION. Sponsors: Senators Arnold, Sharp, Citro; Representatives Powell, Roy, Petrilli, Gilligan.

The Resolution was considered for adoption on motion of Senator Arnold and the roll call vote taken which revealed 18 Senators voting YES and 3 (Connor, Martin and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The following legislation was introduced:

HB 20 w HA 1 - AN ACT TO AMEND CHAPTER 29, TITLE 24 OF THE DELAWARE CODE RELATING TO CERTIFICATION OF LICENSURE FOR REAL ESTATE SALESPERSONS, AND THEIR RETENTION ON AN INACTIVE LIST. Sponsors: Representatives Bennett, McKay, Petrilli. Assigned to Administrative Services/Energy Committee.

HB 37 w HA 1 - AN ACT TO AMEND CHAPTER 45, PART IV, TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS; AND REQUIRING THE LISTING OF POLLING PLACES PRIOR TO AN ELECTION. Sponsor: Representative Anderson. Assigned to Insurance and Elections Committee.

HB 103 w HA 1, 2, - AN ACT TO AMEND PART III OF TITLE 25, OF THE DELAWARE CODE BY EXCLUDING LEASES FOR CERTAIN COMMERCIAL UNITS FROM APPLICATION OF CERTAIN PROVISIONS OF THE LANDLORD-TENANT CODE. Sponsor: Representative Burris. Assigned to Community Affairs Committee.

HCN 42 - CONGRATULATING GEORGE C. WRIGHT, JR., UPON HIS ELECTION AS MAYOR OF SMYRNA TO BECOME THE FIRST BLACK MAYOR IN THE HISTORY OF DELAWARE. Sponsor: Representative Plant.

The Resolution was considered for adoption on motion of Senator Holloway and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SCR 37 was lifted from the Natural Resources and Environmental Control Committee and laid on the table on motion of Senator Zimmerman and without objection.

HCN 43 was introduced and considered for adoption on motion of Senator Sharp:

HCN 43 - THANKING DELAWARE'S ESTIMATED 13,000 VOLUNTEERS WHOSE UNGRUDGED HELP GIVES ADDED MEANING TO OUR LIVES. Sponsor: Representative Minner.

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

HCN 44 was introduced and laid on the table on motion of Senator Sharp:

HCN 44 - REQUESTING GOVERNOR PIERRE S. DUPONT 4TH TO PROCLAIM MAY 21, 1981, UNITED STATES TENNIS ASSOCIATION DAY, MARKING THE 100TH ANNIVERSARY OF THE FOUNDING OF THAT ORGANIZATION. Sponsor: Representative Buckworth.

HCN 45 was introduced and laid on the table on motion of Senator Sharp:

HCN 45 - REQUESTING THE GOVERNOR PIERRE S. DUPONT 4TH TO PROCLAIM THE WEEK OF MAY 3 THROUGH MAY 9, 1981, PHYSICAL FITNESS WEEK. Sponsor: Representative Buckworth.

SA 2 to SB 122 (sponsored by Senator Martin) was introduced and placed with the Bill.

The following communications were read into the record at the request of Senator Cordrey:

SENATE
STATE OF DELAWARE
DOVER, DELAWARE

April 30, 1981

TO: All Members of the 131st General Assembly
FROM: Senator Richard S. Cordrey, President Pro Tempore
SUBJECT: Desegregation Committee

As per the power invested in me by Volume 60, Chapter 487, Laws of Delaware, I would like to make the following appointments: Senator David B. McBride to replace Calvin R. McCullough; Senator James T. Vaughn to replace Anthony J. Cicione; Senator Angelo T. Citro to replace Winifred M. Spence

SENATE
STATE OF DELAWARE
DOVER, DELAWARE
April 30, 1981

TO: Governor Pierre S. duPont, IV
All Members of the Senate of the 131st General Assembly
All Members of the House of Representatives of the 131st General Assembly
FROM: Senator Richard S. Cordrey, President Pro Tempore
SUBJECT: Delaware Commission on Interstate Cooperation

As per the powers invested in me by 39 Delaware Code, Section 3901, Subsection (a), I hereby appoint the following members of the Senate to serve on the Senate Committee on Interstate Cooperation: Senator Thurman Adams, Jr., Chairman; Senator Herman M. Holloway, Sr.; Senator Robert J. Berndt

SR 31 was lifted from the table for consideration on motion of Senator Cook and considered for adoption. The roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted.

Pursuant to the above Resolution, the privilege of the floor was extended to J. Edwin Lewis.

SB 54 was taken up for consideration on motion of Senator Murphy:

SB 54 - AN ACT TO AMEND CHAPTER 31, TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP LIFE INSURANCE.

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

At 5:24 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 5, 1981.

The Senate reconvened at 3:50 p.m., May 5, 1981, Lt. Governor Castle presiding.

The following communication from the Governor was read and is made part of this Journal at the request of the Lt. Governor:

STATE OF DELAWARE
Office of the Governor
Dover, Delaware
April 28, 1981

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

Dear Mr. Castle:

I have received a suitable copy of Senate Resolution No. 25, adopted April 1, 1981, for which I am most grateful. I am pleased that the Senate is urging this Administration and its Division of Housing to continue encouraging programs that assist low and moderate income Delawareans to acquire private housing through the Single Family Mortgage Purchase Program.

You will be pleased to learn that efforts are well underway by the Division of Housing to schedule another State housing bond issue as soon as the U. S. Treasury Department issues new regulations governing the program. Substantial changes were made by the Congress last year, and until new regulations are adopted it will be impossible for the State or any other jurisdiction to sell bonds under a new resolution. Nevertheless, Acting Secretary Hayward advises me that the Division of Housing is working through the Council of State Housing Authorities to push the Treasury toward an early adoption of these regulations. If the legal and financial circumstances are resolved, the State could have an issue of up to \$100 million later this year.

Being aware of your special interest in this program, I will keep the Senate advised of developments on this matter.

Sincerely,
Pierre S. duPont, Governor

cc Senator Herman M. Holloway

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SB 164 was reported out of the Finance Committee: 1 Favorable, 4 Merits.

The following legislation was introduced:

SB 210 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO CERTAIN COUNTY OFFICERS. Sponsors: Senator Neal and Representative Brady. Assigned to Executive Committee.

SB 211 - AN ACT TO AMEND SUBCHAPTER 1, CHAPTER 49, TITLE 10, OF THE DELAWARE CODE RELATING TO EXEMPTIONS IN BANKRUPTCY AND INSOLVENCY. Sponsors: Senators Cordrey, Berndt and Adams. Assigned to Judiciary Committee.

SB 212 - AN ACT TO AMEND TITLE 9, CHAPTER 94; TITLE 9, CHAPTER 96; TITLE 10, CHAPTER 21; TITLE 10, CHAPTER 23; TITLE 10, CHAPTER 25; TITLE 12, CHAPTER 25; TITLE 15, CHAPTER 45; AND TITLE 15, CHAPTER 57 OF THE DELAWARE CODE RELATING TO THE OFFICES OF CLERK OF THE PEACE, RECORDER, SHERIFF, PROTHONOTARY, REGISTER IN CHANCERY AND REGISTER OF WILLS. Sponsor: Senator Neal. Assigned to Community Affairs Committee.

SB 213 - AN ACT TO AMEND SUBCHAPTER 1, TITLE 21, DELAWARE CODE, RELATING TO RIDING ON MOTORCYCLES. Sponsor: Senator Holloway. Assigned to Public Safety Committee.

SB 214 - AN ACT TO AMEND CHAPTER 5, TITLE 4, DELAWARE CODE, RELATING TO COVER CHARGES FOR LIVE ENTERTAINMENT. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

SA 1 to SCR 38. Sponsor: Senator Martin. Placed with the Resolution.
SCR 41 - MOURNING THE DEATH OF JAMES O. BAKER, STATE 4-H CLUB LEADER. Sponsors: Senators Neal, Adams, Littleton, Cordrey. Laid on the table.

The Secretary announced that a message from the House informed the Senate that it had passed HB 148; HB 52; HB 48 w HA 1; HB 49; HB 94 w HA 1; HB 103 w HA 1, 2; HB 20 w HA 1; HB 37 w HA 1; and adopted HJR 8. The House defeated SB 42 w SA 1, HA 2.

The following legislation was introduced:

HB 48 w HA 1 - AN ACT TO AMEND CHAPTER 33, TITLE 16 OF THE DELAWARE CODE RELATING TO ADULTERATION AND MISBRANDING OF DRUGS. Sponsors: Representative Oberle and Senator Sharp. Assigned to Health-Social Services/Aging Committee.

HB 49 - AN ACT TO AMEND CHAPTER 25, TITLE 24 OF THE DELAWARE CODE RELATING TO PENALTIES FOR VIOLATING PHARMACY LICENSING PROVISION. Sponsors: Representative Oberle and Senator Sharp. Assigned to Administrative Services/Energy Committee.

HB 94 w HA 1 - AN ACT TO AMEND CHAPTER 41, PART I, TITLE 14 OF THE DELAWARE CODE RELATING TO DRUGS, DANGEROUS INSTRUMENTS, AND DEADLY WEAPONS ON SCHOOL PREMISES. Sponsors: Representative Harrington; Senators Bair and Vaughn. Assigned to Education Committee.

HJR 8 - MOURNING THE DEATH OF JAMES FRANCIS (JUMBO) ELLIOTT, INTERNATIONALLY FAMOUS VILLANOVA TRACK COACH, WHO WORKED WITH MANY DELAWARE ATHLETES. Sponsors: Representatives Brady, Cain, Gilligan, Sincok; Senators Connor and Zimmerman. Assigned to Executive Committee.

HB 52 - AN ACT TO AMEND SUBCHAPTER V, TITLE 11 OF THE DELAWARE CODE, RELATING TO SEXUAL EXPLOITATION OF CHILDREN. Sponsor: Representative Roy. Assigned to Judiciary Committee.

HB 148 - AN ACT TO AMEND CHAPTER 649, VOLUME 18, LAWS OF DELAWARE, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF OCEAN VIEW IN SUSSEX COUNTY, DELAWARE". Sponsors: Representatives Derrickson, West; Senator Cordrey. Assigned to Community Affairs Committee.

At 4:00 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 22nd Legislative Day.

22ND LEGISLATIVE DAY

May 5, 1981

The Senate convened at 4:00 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

Legislative Advisory #6 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation: on April 22, 1981 - SB 9 (Volume 63, Chapter 11, Laws of Delaware; on April 27 - HB 92 (Volume 63, Chapter 12, Laws of Delaware); on April 29 - SCR 33; on April 30 - SB 60 w HA 1 (Volume 63, Chapter 13, Laws of Delaware), SB 80 (Volume 63, Chapter 14, Laws of Delaware), SB 100 (Volume 63, Chapter 15, Laws of Delaware); on May 4 - SJR 5 w SA 1, SJR 7 w SA 1.

Senator Connor marked PRESENT.

The Governor's nomination for appointment of Andrew D. Christie was reported out of the Executive Committee: 3 Favorable, 2 Merits, 1 Unfavorable.

SCR 38 was lifted from the table for consideration on motion of Senator Martin.

SA 1 to the Resolution which had been placed with the Resolution was taken up for consideration on motion of Senator Martin and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SCR 38 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SB 122 was lifted from the table for consideration on motion of Senator Martin.

During discussion of the Bill and the Amendments offered to it the privilege of the floor was extended to John T. Davis, Executive Assistant to the Secretary of Transportation.

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

YES: Senators Arnold, Bair, Berndt, Hughes, Knox, Martin, Neal - 7.

NO: Senators Adams, Citro, Connor, Cook, Cordrey, Littleton, Marshall, McBride, McDowell, Murphy, Vaughn, Zimmerman - 12.

NOT VOTING: Senators Holloway and Sharp - 2.

Therefore, the Amendment was declared lost.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Martin and the roll call vote taken which revealed 19 Senators voting YES and 2 (McBride and Zimmerman) voting NO; therefore, the Amendment was declared adopted.

The roll call vote on SB 122 w SA 2 was then taken and revealed:

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

NO: Senators Cordrey, Sharp, Zimmerman - 3.

ABSENT: Senators Citro and Marshall - 2.

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

SB 187 w SA 1, which had been deferred, was taken up for consideration on motion of Senator Holloway; however, before final action was taken on the Bill, it was again deferred on further motion of the Senator.

SCR 32 was lifted from the table for consideration on motion of Senator Bair; however, before final action was taken on the Resolution, it was again laid on the table on further motion of the Senator.

SB 195 was reported out of the Corrections Committee: 5 Favorable, 1 Merits.

Senator Adams moved that the necessary rules be suspended for consideration of the Governor's nomination for appointment of Andrew D. Christie. The roll call vote on the motion was taken and revealed:

YES: Senators Arnold, Bair, Holloway, Knox, Martin, McBride, Neal, Zimmerman - 8.

NO: Senators Hughes and Littleton - 2.

NOT VOTING: Senators Adams, Berndt, Citro, Connor, Cook, McDowell, Murphy, Sharp, Vaughn - 9.

ABSENT: Senators Cordrey and Marshall - 2.

Therefore, the motion was defeated.

At 5:10 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:24 p.m., Lt. Governor Castle presiding.

On motion of Senator Adams and without objection, the Governor's nomination for appointment of Andrew D. Christie was taken up for consideration under suspension of the necessary rules.

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

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

NO: Senators Arnold, McBride and Neal - 3.

NOT VOTING: Senators Bair, Berndt, Hughes, Sharp - 4.

Therefore, the nomination was declared confirmed.

SCR 32 was lifted from the table for consideration on motion of Senator Bair.

SA 1 to the Resolution which had been placed with the Resolution was taken up for consideration on motion of Senator Bair and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SCR 32 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 41 was lifted from the table for consideration on motion of Senator Neal and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

HB 107 was reported out of the Administrative Services/Energy Committee: 5 Merits.

The following legislation was introduced:

SB 215 - AN ACT TO AMEND CHAPTER 52, TITLE 29 OF THE DELAWARE CODE TO CORRECT AN INEQUITY IN HEALTH CARE INSURANCE COVERAGE FOR RETIREES OVER AGE 65 AND EXTENDING AN APPROPRIATION THEREFORE. Sponsors: Senators Cook, Zimmerman and Murphy; Representative Sincok. Assigned to Finance Committee.

SB 216 - AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION TO THE OFFICE OF THE PUBLIC ADVOCATE AND PROVIDING FUNDS THEREFOR. Sponsor: Senator McDowell. Assigned to Administrative Services/Energy Committee.

SB 217 - AN ACT TO AMEND CHAPTER 166, VOLUME 43, LAWS OF DELAWARE, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE TOWN OF GEORGETOWN" AS AMENDED TO PERMIT THE TOWN COUNCIL TO CONTRACT WITH ITS ELECTED OFFICERS FOR ADDITIONAL SERVICES. Sponsors: Senator Adams and Representative Barnes. Assigned to Community Affairs Committee.

SB 218 - AN ACT TO AUTHORIZE THE DEPARTMENT OF HIGHWAYS AND TRANSPORTATION TO CONVEY CERTAIN LANDS TO THE DELAWARE CENTER FOR CONTEMPORARY ARTS, INC. Sponsors: Senator Holloway and McDowell; Representative Holloway. Assigned to Highways and Transportation Committee.

SB 219 - AN ACT TO AMEND TITLE 28, DELAWARE CODE, TO PROVIDE FOR THE REGULATIONS AND CONTROL OF LOTTERIES CONDUCTED BY VOLUNTEER FIRE COMPANIES VETERAN ORGANIZATION, RELIGIOUS OR CHARITABLE ORGANIZATIONS OR BY FRATERNAL SOCIETY AND AUTHORIZING THE BINGO CONTROL COMMISSION TO IMPLEMENT SUCH LOTTERIES. Sponsors: Senators Marshall and Citro; Representatives Free, Cathcart, Edwards and Gilligan. Assigned to Community Affairs Committee.

SA 2 to SB 37. Sponsor: Senator Cordrey. Placed with the Bill.

SA 5 to SB 187. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to HB 120. Sponsor: Senator Sharp. Placed with the Bill.

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

SCR 42 - JOINING IN THE COMMEMORATION OF THE HOLOCAUST. Sponsors: Senators Holloway and McBride.

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

The following Committee reports were announced:

From the Administrative Services/Energy Committee: SB 4 - 2 Favorable, 3 Merits, 2 Unfavorable; SB 156 - 2 Favorable, 2 Merits; SB 203 - 5 Favorable, 2 Merits; SS 1 for SB 32 - 1 Favorable, 6 Merits; SB 183 - 5 Merits.

SB 220 was introduced and assigned to Highways and Transportation Committee:

SB 220 - AN ACT TO AMEND CHAPTER 1, TITLE 17, AND CHAPTER 5, AND 96, TITLE 9, DELAWARE CODE RELATING TO THE JURISDICTION, POWERS AND DUTIES OF THE DEPARTMENT OF TRANSPORTATION OVER ROADS AND STREETS WITHIN THE COUNTIES NOT DEDICATED TO THE PUBLIC USE AND TO THE RECORDING OF DEEDS TO REAL ESTATE FRONTING ON SUCH STREETS AND ROADS. Sponsors: Senators Cordrey, Adams, Littleton; Representatives Burris, Derrickson, Barnes, Fallon, Cordrey, West.

At 6:03 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., May 6, 1981.

The Senate reconvened at 2:35 p.m., Lt. Governor Castle presiding.

SB 8 was reported out of the Judiciary Committee: 3 Merits, 1 Unfavorable.

On motion of Senator Sharp and without objection, SB 211 was lifted from the Judiciary Committee and reassigned to the Banking Committee.

SCR 43 was introduced and considered for adoption on motion of Senator Littleton:

SCR 43 - HONORING ELIZABETH R. RIDDLE ON HER SELECTION AS LITTLE MISS DELAWARE AND EXPRESSING THE BEST WISHES OF THE GENERAL ASSEMBLY FOR HER COMPETITION IN THE NATIONAL LITTLE MISS PAGEANT. Sponsors: Senator Littleton and Representative Cordrey.

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

The following Committee reports were announced:

From the Judiciary Committee: SB 99 - 1 Favorable, 3 Merits; SB 145 - 4 Merits; SB 177 - 4 Merits.

From the Insurance and Elections Committee: SB 154 - 5 Favorable; HB 37 w HA 1 - 1 Favorable, 4 Merits.

The following legislation was introduced:

SB 221 - AN ACT TO AMEND SUBCHAPTER II, TITLE 13, DELAWARE CODE, RELATING TO PREMARITAL PHYSICAL EXAMINATIONS. Sponsor: Senator Holloway (by request). Assigned to Health-Social Services/Aging Committee.

SA 2 to SB 19. Sponsor: Senator Holloway. Placed with the Bill.

HB 100 w HA 1 - AN ACT TO AMEND PART VI, TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT; AND PROVIDING FOR THE GRANTING OF MONETARY AWARDS FOR SUGGESTIONS THAT RESULT IN FINANCIAL OR ECONOMIC BENEFIT TO THE STATE OF DELAWARE. Sponsors: Representatives Petrilli and McKay. Assigned to Executive Committee.

HB 112 w HA 1 - AN ACT TO AMEND CHAPTER 67, TITLE 21 OF THE DELAWARE CODE RELATING TO REMOVAL OF IDENTIFICATION NUMBERS FROM BICYCLES. Sponsors: Representatives Harrington, Buckworth; Senator Berndt. Assigned to Public Safety Committee.

HCR 44 was lifted from the table for consideration on motion of Senator Knox and the roll call vote taken which revealed 19 Senators voting YES; 1 (Sharp) NOT VOTING; and 1 (Murphy) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

HCR 45 was lifted from the table for consideration on motion of Senator Knox and the roll call vote taken which revealed 19 Senators voting YES; 1 (Sharp) NOT VOTING; and 1 (Murphy) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The following Committee reports were announced:

From the Community Affairs Committee: SB 35 - 1 Favorable, 2 Merits; SB 45 - 3 Merits; SB 106 - 3 Merits; SB 151 - 3 Merits; SB 169 - 3 Merits; SB 171 - 3 Merits; SB 172 - 3 Merits; SB 219 - 3 Merits; SB 24 - 1 Favorable, 2 Merits.

At 2:55 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 23rd Legislative Day.

23RD LEGISLATIVE DAY May 6, 1981

The Senate convened at 2:55 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

SB 164 was taken up for consideration on motion of Senator Adams:

SB 164 - AN ACT TO AMEND CHAPTER 423, VOLUME 62, LAWS OF DELAWARE, BEING AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1981; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS BEING HOUSE BILL NO. 950 OF THE 130TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE', BEING HOUSE BILL NO. 1175 OF THE 130TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE."

The privilege of the floor was extended to Patrick A. Hurley (Department of Interior - Water and Power Resources Services) after which the roll call vote on the Bill was taken and revealed:

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

NO: Senators Connor, Marshall, McDowell, Neal, Sharp, Zimmerman - 6.

NOT VOTING: Senator Citro - 1.

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

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

SB 19 - AN ACT TO AMEND PART II, TITLE 16 OF THE DELAWARE CODE RELATING TO "LIVING WILLS" AND SIMILAR DOCUMENTS WHEREIN TERMINALLY-ILL PATIENTS AND OTHER PERSONS MAY AUTHORIZE THE DISCONTINUANCE OF CERTAIN MEDICAL PROCEDURES.

During discussion of the Bill and the various Amendments offered to it the privilege of the floor was extended to Sidney D. Rosoff, Esq. (Society for the Right to Die); Thomas R. Jewett (Catholic Diocese of Wilmington); Walter B. Janocha, Sr. (Delaware Right to Life, Inc.) and Tom Sandbach (Senate Attorney).

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

YES: Senators Adams, Arnold, Bair, Berndt, Cook, Hughes, Knox, Littleton, Martin, McBride, Neal, Sharp, Vaughn, Zimmerman - 14.

NO: Senators Connor, Marshall and McDowell - 3.

NOT VOTING: Senator Holloway - 1.

ABSENT: Senators Citro, Cordrey, Murphy - 3.

Therefore, the Amendment was declared adopted.

SA 2 was introduced by Senator Holloway and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES; 2 (Connor and Marshall) voting NO; and 1 (Citro) ABSENT; therefore, the Amendment was declared adopted.

SA 3 to the Bill was introduced by Senator Holloway and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

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

NO: Senators Citro, Connor, Marshall and McDowell - 4.

Therefore, the Amendment was declared adopted.

SA 4 to the Bill was introduced by Senator Holloway and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

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

NO: Senators Connor and McDowell - 2.

ABSENT: Senators Littleton and Marshall - 2.

Therefore, the Amendment was declared adopted.

SA 5 to the Bill was introduced by Senator McDowell.

SA 1 to SA 5 was introduced by Senator McBride and considered for adoption on his motion. The roll call vote on the Amendment to the Amendment was taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Cook, Cordrey, Hughes, Knox, Martin, McBride, Murphy - 11.

NO: Senators Citro, Connor, Holloway, Littleton, Marshall, McDowell, Neal, Sharp, Vaughn, Zimmerman - 10.

Therefore, the Amendment was declared adopted.

The roll call vote on SA 5 as amended by SA 1 was then taken and revealed 20 Senators voting YES and 1 (Citro) voting NO; therefore, the Amendment was declared adopted.

The roll call vote on SB 19 w SA 1, 2, 3, 4, 5 (as amended by SA 1) was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Cook, Cordrey, Hughes, Knox, Martin, McBride, Murphy, Sharp, Vaughn - 13.

NO: Senators Citro, Connor, Holloway, Littleton, Marshall, McDowell, Neal, Zimmerman - 8.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration. At 6:24 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 7, 1981. The Senate reconvened at 2:19 p.m., May 7, 1981, Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Community Affairs Committee: SB 170 - 3 Merits.

From the Executive Committee: SB 180 - 5 Merits.

From the Health-Social Services/Aging Committee: SB 15 - 4 Merits; SB 89 - 3 Merits, 1 Unfavorable; SB 202 - 4 Merits; SB 221 - 4 Merits.

From the Judiciary: HB 34 - 5 Merits.

The following legislation was introduced:

SB 222 - AN ACT TO AMEND CHAPTER 51, TITLE 15, DELAWARE CODE, RELATING TO THE RIGHT OF EMPLOYEES TO VOTE. Sponsor: Senator Marshall. Assigned to Insurance and Elections Committee.

SB 223 - AN ACT TO AMEND SECTION 2510, TITLE 12, DELAWARE CODE, RELATING TO CHARGES OF THE REGISTER OF WILLS, IN AND FOR SUSSEX COUNTY. Sponsor: Senator Adams. Assigned to Community Affairs Committee.

SB 224 - AN ACT TO AMEND TITLE 9, CHAPTER 96, AS IT RELATES TO THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY. Sponsor: Senator Adams. Assigned to Community Affairs Committee.

SB 225 - AN ACT TO AMEND CHAPTER 13, TITLE 14, DELAWARE CODE, RELATING TO WORKING CONDITIONS OF SCHOOL EMPLOYEES. Sponsor: Senator Holloway. Assigned to Education Committee.

SB 226 - AN ACT TO AMEND CHAPTER 71, TITLE 7 OF THE DELAWARE CODE TO EXEMPT FIRE AND EMERGENCY OPERATIONS, AS WELL AS FARM OPERATIONS, FROM THE NOISE CONTROL LAW. Sponsors: Senator Cook; Representative Derrickson. Assigned to Natural Resources and Environmental Control Committee.

SS 1 for SB 35 - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO SPORTS AND AMUSEMENTS; AND PROVIDING FOR AN AMUSEMENT RIDES SAFETY ACT. Sponsors: Senators Connor and McBride (joint sponsors); Senators Citro, McDowell, Neal, Arnold, Littleton, Martin; Representatives VanSciver, Mack, Cathcart, Petrilli, Barnes, Free, Jonkiert. Adopted in lieu of the Original and assigned to Community Affairs Committee.

SA 1 to SB 33. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to HB 103. Sponsor: Senator Berndt. Placed with the Bill.

SCR 44 - URGING MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO SEEK DISTRIBUTION OF DELAWARE FUNDS BEING HELD ILLEGALLY BY THE U. S. DEPARTMENT OF ENERGY. Sponsors: Senators McDowell, Marshall, Bair, Connor; Representatives Jonkiert, Soles, Campanelli. Laid on the table in the absence of the prime sponsor.

SCR 45 - CONGRATULATING THE DELOS STRING QUARTET, IN RESIDENCE AT THE UNIVERSITY OF DELAWARE, FOR WINNING FIRST PRIZE IN THE 14TH INTERNATIONAL CHAMBER MUSIC COMPETITION OF COLMAR, FRANCE. Sponsors: Senators Neal and Martin; Representatives Petrilli and Soles.

The Resolution was considered for adoption on motion of Senator Neal and the roll call vote taken which revealed 19 Senators voting YES and 2 (Martin and McBride) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 46 - CONGRATULATING THE CONRAD JUNIOR HIGH SCHOOL BAND FOR WINNING FIRST PLACE IN CONCERT BAND COMPETITION AT HOUSTON, TEXAS. Sponsors: Senators McBride and Citro; Representative VanSciver.

The Resolution was considered for adoption on motion of Senator McBride and the roll call vote taken which revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SJR 12 - COMMENDING EDWARD R. "PAT" KNIGHT ON BEING ELECTED TO THE DELAWARE SPORTS HALL OF FAME AND CONGRATULATING HIM FOR HIS MANY YEARS OF DEDICATION AND INVOLVEMENT IN DELAWARE SPORTS. Sponsors: Senators Vaughn, Zimmerman, Cook and Murphy; Representatives Bennett and Buckworth.

The Resolution was considered for adoption under suspension of the necessary rules on motion of Senator Vaughn and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The Secretary announced that a message from the House informed the Senate that it had passed HB 108; HB 211 w HA 1; SB 2 w HA 1; and adopted HCR 47; HCR 48; SCR 34; SCR 35; SCR 40; SCR 41; SCR 42; SCR 43.

A corrected Committee Report from the Community Affairs Committee was announced for HB 34 w HA 1 - 1 Favorable, 2 Merits.

The following legislation was introduced:

HB 108 - AN ACT TO AMEND CHAPTER 25, TITLE 11 OF THE DELAWARE CODE REQUIRING ACTUAL NOTICE TO BE RECEIVED BY PROSECUTORS FROM SENTENCED PRISONERS IN OTHER STATES WHO ARE REQUESTING DISPOSITION OF DETAINERS LODGED AGAINST THEM BY DELAWARE. Sponsors: Representatives Riddagh and Jonkiert. Assigned to Judiciary Committee.

HB 211 w HA 1 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR PASSING STOPPED SCHOOL BUSES. Sponsors: Representative Derrickson and Senator Cordrey. Assigned to Highways and Transportation Committee.

HCR 47 - MARKING THE 190TH ANNIVERSARY OF THE ADOPTION OF THE POLISH CONSTITUTION ON MAY 3RD, 1791. Sponsors: Representative Jonkiert and Senator Marshall.
The Resolution was considered for adoption on motion of Senator Marshall and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 48 - COMMENDING THE WORK OF THE GIRLS CLUBS OF DELAWARE AND MARKING THE WEEK OF MAY 10-16, 1981, AS GIRLS CLUB WEEK. Sponsors: Representatives Jonkiert, Maroney, Fallon, Corrozi, Buckworth, Spence; Senator Marshall.

The Resolution was considered for adoption on motion of Senator Marshall and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SCR 44 was lifted from the table for consideration on motion of Senator McDowell and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SA 6 to SB 187. Sponsor: Senator Berndt. Placed with the Bill.

SB 2 w HA 1 was laid on the table at the request of the sponsor, Senator Hughes.

At 2:55 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 24th Legislative Day.

24TH LEGISLATIVE DAY May 7, 1981

The Senate convened at 2:55 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

✓ SB 187 w SA 1, final consideration of which had been deferred, was taken up for consideration on motion of Senator Holloway.

SA 4 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Zimmerman.

SA 5 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Zimmerman and the roll call vote taken which revealed 20 Senators voting YES and 1 (Sharp) ABSENT; therefore, the Amendment was declared adopted.

SA 6 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Berndt and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Albert A. DeCristofalo after which the roll call vote on SB 187 w SA 1, 5, 6 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 3:10 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:33 p.m., Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Judiciary Committee: SB 86 - 3 Favorable, 1 Merits; SB 206 - 4 Merits; HB 45 - 4 Merits.

From the Public Safety Committee: SB 118 - 5 Merits; SB 153 - 5 Merits; SB 179 - 1 Favorable, 4 Merits.

SB 195 was taken up for consideration on motion of Senator Vaughn:

SB 195 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF CORRECTION FOR THE PURPOSE OF PAYING COMPENSATORY AND PUNITIVE DAMAGES IN BEHALF OF WILBERT KEE, GUARD AT THE DELAWARE CORRECTIONAL CENTER FACILITY IN THE CASE OF COURTLAND PITTS, PLAINTIFF, VS. WILBERT KEE, DEFENDANT.

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

HB 107 was taken up for consideration on motion of Senator McDowell:

HB 107 - AN ACT AUTHORIZING THE STATE OF DELAWARE TO CONVEY TO THE TOWN OF BETHANY BEACH PROPERTY TO BE USED FOR CERTAIN STORAGE PURPOSES.

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

SB 219 was taken up for consideration on motion of Senator Marshall:

SB 219 - AN ACT TO AMEND TITLE 28, DELAWARE CODE, TO PROVIDE FOR THE REGULATIONS AND CONTROL OF LOTTERIES CONDUCTED BY VOLUNTEER FIRE COMPANIES VETERAN ORGANIZATION, RELIGIOUS OR CHARITABLE ORGANIZATIONS OR BY FRATERNAL SOCIETY AND AUTHORIZING THE BINGO CONTROL COMMISSION TO IMPLEMENT SUCH LOTTERIES.

SA 1 and SA 2 to the Bill were introduced by Senator Marshall and placed with the Bill.

Senator Marshall moved for consideration of SA 1 to the Bill. Senator Berndt moved that the Bill and the Amendment be laid on the table. The roll call vote on the tabling motion was taken and revealed:

YES: Senators Arnold, Bair, Berndt, Hughes, Knox, Littleton - 6.

NO: Senators Adams, Citro, Connor, Cook, Cordrey, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn - 13.

NOT VOTING: Senators Holloway and Zimmerman - 2.

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

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

The roll call vote on SA 1 to the Bill was taken on motion of Senator Marshall and revealed:

YES: Senators Adams, Citro, Connor, Holloway, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 13.

NO: Senators Cordrey and Littleton - 2.

NOT VOTING: Senators Bair, Berndt, Hughes, Knox, - 4.

ABSENT: Senators Arnold and Cook - 2.

Therefore, the Amendment was declared adopted.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Marshall and the roll call vote taken which revealed:

YES: Senators Adams, Citro, Connor, Cook, Holloway, Marshall, Martin, McBride, McDowell, Murphy, Neal, Vaughn, Zimmerman - 13.

NO: Senators Cordrey and Sharp - 2.

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

Therefore, the Amendment was declared adopted.

At 5:28 p.m., Senator Adams presiding.

SB 219 w SA 1, 2 was then laid on the table on motion of Senator Marshall.

SB 227 was introduced and assigned to Judiciary Committee:

SB 227 - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE TO TRANSFER CERTAIN FUNCTIONS FROM THE MUNICIPAL COURT FOR THE CITY OF WILMINGTON TO THE COURT OF COMMON PLEAS, REDUCING THE JURISDICTION OF THE FORMER AND INCREASING THE JURISDICTION OF THE LATTER; TO REDUCE THE SIZE AND ALTER THE MANNER OF APPOINTMENT OF THE MUNICIPAL COURT JUDICIARY AND TO INCREASE THE SIZE OF THE COMMON PLEAS JUDICIARY TO FACILITATE THIS CHANGE. Sponsor: Senator Holloway.

At 5:31 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 12, 1981.

The Senate reconvened at 2:33 p.m., May 12, 1981, Lt. Governor Castle presiding.

The following legislation was introduced:

SB 228 - AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE INSTALLATION OF FIREFIGHTING STANDPIPES. Sponsor: Senator McDowell and Representative VanSciver; Senators Sharp, Citro, Holloway, Marshall, McBride; Representatives George, Holloway, Free, Corrozi, Brady, Campanelli, Jonkiert. Assigned to Finance Committee.

SB 229 - AN ACT AWARING SPECIAL PENSION BENEFITS TO MARY MEARS, WIDOW OF HENRY DALE MEARS, SR., A FORMER STATE EMPLOYEE; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsors: Senator Littleton and Representative Cordrey. Assigned to Finance Committee.

SB 230 - AN ACT TO AMEND CHAPTER 47, PART IV OF TITLE 16 OF THE DELAWARE CODE PERTAINING TO UNLAWFUL DELIVERY OF A NONCONTROLLED SUBSTANCE. Sponsors: Senators Sharp and Citro; Representative Oberle. Assigned to Judiciary Committee.

SA 2 to SB 41. Sponsor: Senator Connor. Placed with the Bill.

SR 33 - URGING THE MEDIA OF MASS COMMUNICATION IN DELAWARE TO CONSIDER THE MERITS OF APPOINTING OMBUDSMEN TO HANDLE AUDIENCE COMPLAINTS AND DISPUTES. Sponsor: Senator Holloway. Laid on the table in the absence of the sponsor.

SCR 47 - URGING THE OFFICE OF MANAGEMENT, BUDGET AND PLANNING TO INVESTIGATE THE FEASIBILITY OF PRIVATE PHONE SYSTEMS FOR THE USE OF STATE GOVERNMENT. Sponsors: Senator McDowell and Connor; Representative Gilligan. Laid on the table at the request of Senator McDowell.

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: SB 133 - 4 Merits; SB 226 - 4 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 214.

HB 214 was introduced and temporarily laid on the table on motion of Senator Sharp:

HB 214 - AN ACT TO AMEND DELAWARE CODE, TITLE 14, AS IT RELATES TO SCHOOL DISTRICTS CREATED BY DIVISION OF A SCHOOL DISTRICT CREATED BY ORDER OF A FEDERAL COURT. Sponsors: Representative Petrilli and Senator Arnold; Representatives Powell, Soles, Dixon, Senators Citro, Hughes, Knox, Neal, Sharp, Vaughn, Martin.

SA 1 to HB 214 was introduced by Senator Bair. Placed with the Bill.

At 2:39 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 25th Legislative Day.

25TH LEGISLATIVE DAY
May 12, 1981

The Senate convened at 2:39 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

On motion of Senator Sharp and without objection, the necessary rules were suspended for lifting HB 214 from the table for consideration:

HB 214 - AN ACT TO AMEND DELAWARE CODE, TITLE 14, AS IT RELATES TO SCHOOL DISTRICTS CREATED BY DIVISION OF A SCHOOL DISTRICT CREATED BY ORDER OF A FEDERAL COURT.

SA 1 to the Bill which had been placed with the Bill, was taken up for consideration on motion of Senator Bair; however, before final action was taken on the Amendment it was laid on the table on further motion of the Senator.

During discussion of the Bill and the Amendment offered to it the privilege of the floor was extended to H. James Conaway, Jr. (Joint Desegregation Committee of the General Assembly) and Irving Morris.

At 4:35 p.m. Senator Sharp presiding.

At 4:55 p.m. Lt. Governor Castle presiding.

SA 1 to HB 214 was lifted from the table for consideration on motion of Senator Bair and the roll call vote taken which revealed:

YES: Senators Adams, Bair, Berndt, Citro, Connor, McBride, McDowell - 7.

NO: Senators Arnold, Cook, Cordrey, Hughes, Knox, Littleton, Marshall, Martin, Neal, Sharp, Vaughn - 11.

NOT VOTING: Senators Holloway and Murphy - 2.

ABSENT: Senator Zimmerman - 1.

Therefore, the Amendment was declared lost.

The roll call vote on HB 214 was then taken on motion of Senator Sharp. Senator Knox moved that the roll call be tabled before being announced. The roll call vote on the tabling motion was taken and revealed:

YES: Senators Adams, Arnold, Bair, Cordrey, Hughes, Knox, Littleton, Martin, Neal, Sharp, Vaughn - 11.

NO: Senators Berndt, Connor, Holloway, Marshall, McBride, McDowell, Zimmerman - 7.

NOT VOTING: Senators Cook and Murphy - 2.

ABSENT: Senator Citro - 1.

Therefore, the motion prevailed and the roll call vote on HB 214 was laid on the table.

At 6:02 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m. May 13, 1981.

The Senate reconvened at 2:22 p.m., May 13, 1981, Lt. Governor Castle presiding.

The following legislation was introduced:

SB 231 - AN ACT TO AMEND CHAPTER 39, TITLE 18, DELAWARE CODE, RELATING TO REASONS FOR CANCELLATION OR NONRENEWAL OF AUTOMOBILE INSURANCE. Sponsors: Senator Holloway; Representative West. Assigned to Insurance and Elections Committee.

SB 232 - AN ACT TO AMEND CHAPTER 14, TITLE 16 OF THE DELAWARE CODE RELATING TO WATER AND/OR SEWER AUTHORITIES. Sponsors: Senator Murphy; Representatives Bennett, Buckworth. Laid on the table at the request of Senator Murphy.

SB 233 - AN ACT TO PROVIDE FOR THE TRANSFER OF FUNDS FOR THE TRANSPORTATION OF STUDENT IN NON-PUBLIC SCHOOLS AND TO AMEND CHAPTER 277, VOLUME 62, LAWS OF DELAWARE TO ACCOMPLISH SUCH PURPOSE. Sponsors: Senator Citro, McBride, Connor, Marshall; Representatives VanSciver, Corrozi, Spence, Mack, Campanelli, Cathcart, Roy. Laid on the table at the request of Senator Citro.

SA 1 to SB 156. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SB 105. Sponsor: Senator Cordrey. Placed with the Bill.

SA 1 to SB 29. Sponsor: Senator Bair. Placed with the Bill.

SA 3 to SB 219. Sponsor: Senator Marshall. Placed with the Bill.

The following Committee reports were announced:

From the Executive Committee: Joseph T. Maybee - 3 Favorable, 2 Merits; Frank L. Benedict - 4 Favorable, 1 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 121; HB 160 w HA 1; HB 183. The House defeated SB 20 w SA 1.

The following legislation was introduced:

HB 121 - AN ACT TO AMEND CHAPTER 6, TITLE 11 OF THE DELAWARE CODE RELATING TO VEHICULAR HOMICIDES AND ASSAULTS AND TO AMEND CHAPTER 12 OF TITLE 11 RELATING TO CIVIL IMMUNITY, AND TO AMEND CHAPTER 2 OF TITLE 11 IN ORDER TO PROVIDE A DEFINITION OF NEGLIGENCE. Sponsors: Representatives Oberle and Edwards. Assigned to Judiciary Committee.

HB 160 w HA 1 - AN ACT TO AMEND CHAPTER 3, TITLE 9 OF THE DELAWARE CODE RELATING TO THE AWARD OF CONTRACTS FOR PUBLIC WORK OR GOODS. Sponsors: Representatives Bennett, Buckworth, Darling, Harrington, Minner, Riddagh; Senators Cook, Murphy, Zimmerman. Assigned to Administratives Services/ Energy Committee.

HB 183 - AN ACT AMENDING TITLE 18 OF THE DELAWARE CODE PROVIDING FOR THE REGULATION OF DENTAL SERVICE BENEFITS BY DENTAL PLAN ORGANIZATIONS. Sponsors: Representatives Derrickson and Gilligan; Senators Martin and Berndt. Assigned to Health-Social Services/Aging Committee.

SCR 48 - SUPPORTING THE NATIONAL SAFETY COUNCIL CAMPAIGN FOR THE USE OF SEAT BELTS IN MOTOR VEHICLES. Sponsor: Senator Vaughn.

The Resolution was considered for adoption on motion of Senator Vaughn and the roll call vote taken which revealed 17 Senators voting YES and 4 (Citro, Connor, Martin and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 49 - CONGRATULATING NOMINEES FOR 1981 STATE SUPERINTENDENT'S SCHOLAR'S AWARDS. Sponsors: Senators Neal and Martin; Representatives Petrilli and Soles.

The Resolution was considered for adoption on motion of Senator Neal and the roll call vote taken which revealed 18 Senators voting YES and 3 (Citro, Connor and Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 50 - ASKING PRAYERS FOR THE RECOVERY OF POPE JOHN PAUL II. Sponsors Senator Hughes and all members of the Senate and House.

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

SR 33 was lifted from the table for consideration on motion of Senator Holloway and the roll call vote taken which revealed 20 Senators voting YES and 1 (Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

At 2:40 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 26th Legislative Day.

26TH LEGISLATIVE DAY May 13, 1981

The Senate convened at 2:40 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

HB 16 was taken up for consideration on motion of Senator Sharp:

HB 16 - AN ACT TO AMEND CHAPTER 1, TITLE 8, DELAWARE CODE, RELATING TO THE GENERAL CORPORATION LAW.

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

The privilege of the floor was extended to Glenn C. Kenton, Secretary of State, after which the roll call vote on HB 16 w SA 1 was taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

On motion of Senator Sharp, the roll call vote on HB 214 was lifted from the table and announced:

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

NO: Senators Berndt, Connor, Cook, Marshall, McBride, McDowell - 6.

NOT VOTING: Senators Holloway and Zimmerman - 2.

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

Senator Zimmerman introduced to the Senate a group of American Field Service Exchange students who were present in the chamber.

At 3:30 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:53 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Community Affairs Committee: SS 1 for SB 35 - 4 Merits; SB 194 - 3 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 171 w HA 1; and adopted HCR 49; HCR 50; HCR 51; HCR 52; SCR 45; SCR 46.

HB 171 w HA 1 was introduced and assigned to Community Affairs Committee:

HB 171 w HA 1 - AN ACT TO AMEND AN ACT, BEING CHAPTER 42, VOLUME 53, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD" RELATING TO CHARGES MADE BY THE CITY OF SEAFORD. Sponsors: Representative Fallon, Senator Littleton.

The following Committee reports were announced:

From the Administrative Services/Energy Committee: SB 216 - 1 Favorable, 4 Merits; SB 98 - 5 Merits.

At 4:55 p.m., Lt. Governor Castle presiding.

HCR 49 was introduced and considered for adoption on motion of Senator Zimmerman:

HCR 49 - MARKING PENN STATE NIGHT IN DELAWARE ON MAY 27TH. Sponsors: Representative Harrington and Senator Zimmerman.

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

HCR 50 was introduced and considered for adoption on motion of Senator Vaughn:

HCR 50 - IN MEMORY OF DELAWARE POLICEMEN WHOSE SERVICE IS COMMEMORATED DURING NATIONAL POLICE WEEK. Sponsors: Representatives Bennett, Riddagh, Spence; Senators Citro, Hughes, Vaughn.

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

On motion of Senator Adams, the Governor's nomination for appointment of Joseph Whitmore Maybee was taken up for consideration and the roll call vote taken which revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the appointment was declared confirmed.

On motion of Senator Adams, the Governor's nomination for appointment of Frank L. Benedict, Jr. was taken up for consideration and the roll call vote taken which revealed 21 Senators voting YES; therefore, the appointment was declared confirmed.

SB 219 w SA 1, 2 was lifted from the table for consideration on motion of Senator Marshall.

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

YES: Senators Adams, Citro, Holloway, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn - 11.

NO: Senators Arnold, Bair, Berndt, Connor, Cordrey, Hughes, Knox, Littleton, Zimmerman - 9.

ABSENT: Senator Cook - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 219 w SA 1, 2, 3 was then taken and revealed:

YES: Senators Citro, Connor, Holloway, Marshall, McBride, McDowell, Murphy, Neal, Sharp - 9.

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

ABSENT: Senator Zimmerman - 1.

Therefore, the Bill was declared lost.

SB 203 which was next on the Agenda of the day was deferred for consideration on motion of the sponsor, Senator McDowell.

SB 156 was taken up for consideration on motion of Senator McDowell:

SB 156 - AN ACT TO AMEND SUBCHAPTER I, TITLE 26, DELAWARE CODE, RELATING TO PERSONNEL OF THE PUBLIC SERVICE COMMISSION.

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

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

NO: Senators Berndt and Hughes - 2.

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

Therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Harry Terry (Senate Attorney) after which the roll call vote on SB 156 w SA 1 was taken and revealed:

YES: Senators Citro, Connor, Holloway, Marshall, McBride, McDowell, Murphy, Sharp, Vaughn - 9.

NO: Senators Adams, Bair, Berndt, Cordrey, Hughes, Knox, Littleton, Martin, Neal - 9.

ABSENT: Senators Arnold, Cook, Zimmerman - 3.

Therefore, the Bill was declared lost.

SB 84 was taken up for consideration on motion of Senator Martin:

SB 84 - AN ACT TO AMEND TITLE 24 AND TITLE 30, DELAWARE CODE, RELATING TO SECOND-HAND DEALERS IN PRECIOUS METALS.

At 6:02 p.m., Senator Sharp presiding.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Harry Terry (Senate Attorney) and Jack Russell (Administrative Assistant of the Senate Majority Party).

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

YES: Senators Adams, Connor, Holloway, Marshall, Martin, McBride, Vaughn - 7.

NO: Senators Arnold, Bair, Berndt, Cordrey, Hughes, Knox, Littleton, McDowell, Neal, Sharp - 10

ABSENT: Senators Citro, Cook, Murphy, Zimmerman - 4.

Therefore, the Amendment was declared lost.

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Martin and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cordrey, Holloway, Hughes, Knox, Littleton, Martin, McBride, Murphy, Sharp, Vaughn - 16.

NO: Senators Marshall, McDowell, Neal - 3.

ABSENT: Senators Cook and Zimmerman - 2.

Therefore, the Amendment was declared adopted.

SA 3 to the Bill was introduced by Senator Martin and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Citro, Connor, Cordrey, Holloway, Hughes, Littleton, Martin, Murphy, Sharp, Vaughn, Zimmerman - 12.

NO: Senators Arnold, Bair, Berndt, Knox, Marshall, McBride, McDowell, Neal - 8.

ABSENT: Senator Cook - 1.

Therefore, the Amendment was declared adopted.

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

The roll call vote on SB 84 w SA 2, 3 was then taken on motion of Senator Martin and revealed 20 Senators voting YES and 1 (Cook) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SS 1 for SB 32 was taken up for consideration on motion of Senator Bair:

SS 1 for SB 32 - AN ACT ESTABLISHING AN ENERGY PLANNING TASK FORCE WHICH HAS THE RESPONSIBILITY FOR DEVELOPING A LONG RANGE COMPREHENSIVE ENERGY POLICY FOR THE STATE OF DELAWARE AND MAKING A SUPPLEMENTARY APPROPRIATION THEREFOR.

Before final consideration of the Bill was taken, however, it was laid on the table on further motion of the sponsor.

SB 2 which had previously passed the Senate was taken up for reconsideration as further amended by HA 1 on motion of Senator Hughes.

The roll call vote on SB 2 w HA 1 was then taken and revealed 19 Senators voting YES and 2 (Cook and Zimmerman) ABSENT; therefore, the Bill was declared passed.

The following legislation was introduced:

SB 234 - AN ACT TO APPROPRIATE FUNDS TO VOLUNTEER FIRE COMPANIES FOR THE OPERATION OF CERTAIN EQUIPMENT. Sponsors: Senators Cook, Murphy, Vaughn; Representatives Barnes, Buckworth, Bennett, Minner, Jester. Assigned to Finance Committee.

SB 235 - AN ACT TO AMEND CHAPTER 10, TITLE 14, DELAWARE CODE, RELATING TO SKILLED MAINTENANCE PERSONNEL IN REORGANIZED SCHOOL DISTRICTS. Sponsors: Senators Holloway, Marshall, Sharp, Citro, McBride, Connor; Representatives Cathcart, Campanelli, Corrozi, Plant, Holloway, Gilligan. Assigned to Education Committee.

AT 6:34 p.m. on motion of Senator Cordrey the Senate recessed until 2:00 p.m., May 14, 1981.

The Senate reconvened at 2:30 p.m., May 14, 1981, Senator Cordrey presiding.

The following legislation was introduced:

SB 236 - AN ACT TO AMEND SUBCHAPTER I, OF CHAPTER 43, TITLE 21, DELAWARE CODE, RELATING TO PROJECTIONS FROM THE PERIPHERY OF TIRES. Sponsors: Senators Bair and Citro; Representative Sincok. Assigned to Public Safety Committee.

SA 16 to HB 34 w HA 1. Sponsor: Senator Holloway. Placed with the Bill.

SR 34 - DIRECTING THE COMMISSIONER OF CORRECTIONS TO FURNISH CERTAIN INFORMATION TO THE CHAIRMAN OF THE SENATE STANDING COMMITTEE ON CORRECTIONS. Sponsors: Senators Vaughn, Sharp, Hughes, Cook.

The Resolution was considered for adoption on motion of Senator Vaughn and the roll call vote taken which revealed 18 Senators voting YES and 3 (Berndt, Holloway and Zimmerman) ABSENT; therefore, the Resolution was declared adopted.

The following communications from the Governor were read and assigned to the Executive Committee:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
May 14, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: William H. Brady, II, R.D. 1, Box 432, Middletown, Delaware, to be appointed a member of the Delaware Solid Waste Authority for a term of three years to succeed J. Donald Isaacs, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
May 14, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Jay H. Conner, 118 Hitching Post Drive, Wilmington, Delaware, to be a Judge of the Family Court of the State of Delaware for a twelve-year term from date of confirmation, to replace Elwood S. Nelson, retired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
May 14, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Charles D. Broll, 112 Haywood Road, Centerville, Delaware, to be Chairman of the Delaware Alcoholic Beverage Control Commission, to serve at the pleasure of the Governor.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

The Secretary announced that a message from the House informed the Senate that it had adopted HJR 13; SCR 48; SCR 50.

The following legislation was introduced:

HCR 51 - MARKING 100 YEARS OF THE AMERICAN RED CROSS. Sponsor: Representative Maroney.

The Resolution was considered for adoption on motion of Senator Bair and the roll call vote taken which revealed 19 Senators voting YES and 2 (Holloway and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 52 - CALLING ATTENTION TO THE OUTSTANDING CAREER OF PUBLIC SERVICE OF CHARLOTTE T. (MRS. JOSEPH S.C.) MACH, OF SEAFORD. Sponsors: Representatives Fallon, Smith, Burris, Derrickson, Barnes; Senators Littleton, Berndt and Adams.

The Resolution was considered for adoption on motion of Senator Littleton and the roll call vote taken which revealed 19 Senators voting YES and 2 (Holloway and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HJR 13 was introduced and considered for adoption under suspension of the necessary rules on motion of Senator Knox:

HJR 13 - RELATING TO CHANGING MEMORIAL DAY CELEBRATION THIS YEAR TO MAY 25. Sponsors: Representative Brady and Senator Knox; Representatives Oberle, Holloway, Jr., Anderson, Jonkier.

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

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Cordrey, Knox, Littleton, Martin, McDowell, Neal - 11.

NO: Senators Adams, Cook, Hughes, Marshall, McBride, Murphy, Sharp, Vaughn, Zimmerman - 9.

ABSENT: Senator Holloway.

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

At 2:50 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 27th Legislative Day.

27TH LEGISLATIVE DAY

May 14, 1981

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

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

SB 237 was introduced and laid on the table on motion of Senator Cook:

SB 237 - AN ACT TO AMEND CHAPTER 277, VOLUME 62, AS AMENDED BY CHAPTER 423, VOLUME 62, LAWS OF DELAWARE, TO PROVIDE FOR THE ADJUSTMENT OF THE FORMULA FOR NON-PUBLIC SCHOOL BUS TRANSPORTATION, AND PROVIDING FUNDS THEREFOR. Sponsors: Senator Cook and Representative Sincok Senators Arnold, Berndt, Citro, Connor, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Vaughn, Zimmerman; Representatives Anderson, Barnes, Brady, Cain, Campanelli, Cathcart, Corrozi, Derrickson, Dixon, Edwards, Ennis, Free, George, Gilligan, Harrington, Hebner, Holloway, Jester, Jonkiert, Mack, Oberle, Plant, Riddagh, Roy, Smith, Spence, VanSciver.

SS 1 for SB 32 was lifted from the table for consideration on motion of Senator Bair.

The privilege of the floor was extended to Tom Sandbach, Senate Attorney, after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 232 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Murphy:

SB 232 - AN ACT TO AMEND CHAPTER 14, TITLE 16 OF THE DELAWARE CODE RELATING TO WATER AND/OR SEWER AUTHORITIES.

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

SB 45 was taken up for consideration on motion of Senator Cordrey:

SB 45 - AN ACT TO AMEND CHAPTER 143, VOLUME 57, LAWS OF DELAWARE, RELATING TO AN ACT ENTITLED: "AN ACT TO INCORPORATE THE TOWN OF SOUTH BETHANY;" AND PROVIDING CERTAIN AMENDMENTS THERETO.

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

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

NO: Senators McDowell, Sharp, Zimmerman - 3.

NOT VOTING: Senators Berndt, Hughes - 2.

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

SB 106 was taken up for consideration on motion of Senator Cordrey:

SB 106 - AN ACT TO AMEND AN ACT, BEING CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, 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" RELATING TO THE AMOUNT WHICH MAY BE BORROWED AGAINST ANTICIPATED REVENUES.

SA 1 to the Bill which had been placed with the Bill was considered for adoption on motion of Senator Cordrey and the roll call vote taken which revealed 20 Senators voting YES and 1 (McDowell) voting NO; therefore, the Amendment was declared adopted.

The roll call vote on SB 106 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (McDowell) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 154 was taken up for consideration on motion of Senator Murphy:

SB 154 - AN ACT TO AMEND CHAPTER 66, TITLE 18 OF THE DELAWARE CODE TO PROVIDE LINE-OF-DUTY DEATH BENEFITS FOR PARENTS OF CERTAIN COVERED PERSONS AND FOR PAYMENT OF BURIAL EXPENSES OF CERTAIN COVERED PERSONS.

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

SB 99 was taken up for consideration on motion of Senator Holloway:

SB 99 - AN ACT TO AMEND TITLE II, DELAWARE CODE, BY ADDING THERETO A NEW CHAPTER 44 ENTITLED THE CRIMINAL PENALTY WARNING AND INFORMATION ACT, AND MAKING A SUPPLEMENTAL APPROPRIATION THEREFOR.

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

SB 145 was taken up for consideration on motion of Senator Holloway:

SB 145 - AN ACT TO AMEND SUBCHAPTER I, TITLE 16, DELAWARE CODE, RELATING TO NEGLECT OF DUTY.

Final action on the Bill was deferred on further motion of Senator Holloway.

Senator Cook moved that the necessary rules be suspended for lifting **SB 237** from the table for consideration. The roll call vote on the motion was taken and revealed:

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

NO: Senators Bair, Cordrey and Holloway - 3.

NOT VOTING: Senators Berndt and Knox - 2.

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

SB 237 - AN ACT TO AMEND CHAPTER 277, VOLUME 62, AS AMENDED BY CHAPTER 423, VOLUME 62, LAWS OF DELAWARE, TO PROVIDE FOR THE ADJUSTMENT OF THE FORMULA FOR NON-PUBLIC SCHOOL BUS TRANSPORTATION, AND PROVIDING FUNDS THEREFOR.

SA 1 to the Bill was introduced by Senator Berndt and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Bair, Berndt, Cook, Cordrey, Knox, Littleton, Murphy, Neal - 9.

NO: Senators Arnold, Citro, Connor, Marshall, Martin, McBride, McDowell, Sharp, Vaughn, Zimmerman - 10.

ABSENT: Senators Holloway and Hughes - 2.

Therefore, the Amendment was declared lost.

The roll call vote on SB 237 was then taken and revealed:

YES: Senators Arnold, Citro, Connor, Cook, Hughes, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 13.

NO: Senators Adams, Bair, Berndt, Cordrey, Littleton - 5.

NOT VOTING: Senators Knox and Neal - 2.

ABSENT: Senator Holloway - 1.

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

At 4:43 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:35 p.m., Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Highways and Transportation Committee: SB 71 - 1 Favorable, 3 Merits; SB 72 - 1 Favorable, 3 Merits; SB 128 - 2 Favorable, 2 Merits; SB 155 - 4 Merits; SB 173 - 3 Merits, 1 Unfavorable; SB 180 - 3 Merits; SB 218 - 1 Merits, 3 Unfavorable; SB 220 - 3 Merits, 1 Unfavorable; HB 211 w HA 1 - 4 Merits.

From the Revenue and Taxation Committee: SB 83 - 2 Merits, 3 Unfavorable.

At 5:37 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 19, 1981.

The Senate reconvened at 3:20 p.m., May 19, 1981, Lt. Governor Castle presiding.

The following legislation was introduced:

SB 238 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE, TO CLARIFY AND REFINES THE DEFINITION OF FAMILY AS SAID WORD IS USED WITHIN THE FAMILY COURT ACT. Sponsors: Senators Sharp, McDowell, Zimmerman, Vaughn, Hughes, Citro; Representative Riddagh. Assigned to Judiciary Committee.

SB 239 - AN ACT TO AMEND CHAPTER 7, TITLE 5 OF THE DELAWARE CODE RELATING TO BANKING; AND PROVIDING FOR THE LOCATION OF MEETINGS OF STOCKHOLDERS. Sponsor: Senator Cordrey. Assigned to Banking Committee.

SB 240 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 86, TITLE 29, DELAWARE CODE, RELATING TO DISTRIBUTION OF INFORMATION BY THE DEPARTMENT OF COMMUNITY AFFAIRS AND ECONOMIC DEVELOPMENT. Sponsor: Senator Holloway. Assigned to Community Affairs Committee.

SB 241 - AN ACT TO AMEND SECTION 1509, TITLE 13, DELAWARE CODE, RELATING TO PRELIMINARY INJUNCTIONS IN DIVORCE AND ANNULMENT PROCEEDINGS. Sponsors: Senators Sharp, McDowell, Zimmerman, Vaughn, Hughes, Citro; Representative Riddagh. Assigned to Judiciary Committee.

SB 242 - AN ACT TO AMEND SUBCHAPTER I OF CHAPTER 92, OF TITLE 10 OF THE DELAWARE CODE, TO INCREASE THE SALARIES OF JUSTICES OF THE PEACE. Sponsor: Senator Holloway. Assigned to Finance Committee.

SB 243 - AN ACT TO AMEND CHAPTERS 41 AND 42, TITLE 21, DELAWARE CODE, TO INCREASE THE FINES WHICH MAY BE IMPOSED FOR CERTAIN TRAFFIC OFFENSES. Sponsor: Senator Holloway. Assigned to Public Safety Committee.

SB 244 - AN ACT TO AMEND CHAPTERS 57 AND 63, TITLE 25, DELAWARE CODE, RELATING TO LANDLORDS AND TENANTS. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 245 - AN ACT TO AMEND CHAPTER 5, SUBCHAPTER VII, SUBPART C, TITLE II OF THE DELAWARE CODE PROVIDING CERTAIN PUNISHMENTS UPON CONVICTION FOR THE CRIME OF OBSCENITY; AND RELATING TO THE DEFINITION THEREOF. Sponsors: Senators Berndt, McBride, Hughes, Arnold; Representatives VanSciver, Riddagh, Jester, Gilligan. Assigned to Judiciary Committee.

SB 246 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE, RELATING TO THE POWERS AND DUTIES OF THE CHIEF JUDGE OF THE FAMILY COURT. Sponsors: Senators Sharp, McDowell, Zimmerman, Vaughn, Hughes, Citro; Representative Riddagh. Assigned to Judiciary Committee.

SB 247 - AN ACT TO AMEND SECTION 925, TITLE 10, DELAWARE CODE, GIVING FAMILY COURT CONCURRENT JURISDICTION WITH THE COURT OF CHANCERY TO APPOINT GUARDIANS OF THE PERSON OVER MINORS UNDER 18 YEARS OF AGE. Sponsors: Senators Sharp, McDowell, Zimmerman, Vaughn, Hughes, Citro; Representative Riddagh. Assigned to Judiciary Committee.

SB 1 for SB 234 - AN ACT TO APPROPRIATE FUNDS TO VOLUNTEER FIRE COMPANIES FOR THE OPERATION OF CERTAIN EQUIPMENT. Sponsors: Senators Cook, Murphy, Vaughn; Representatives Barnes, Buckworth, Bennett, Minner, Jester. Assigned to Finance Committee.

SA 1 to SB 194. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 1 to SB 145. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 201. Sponsor: Senator Berndt. Placed with the Bill.

SA 17 to HB 34. Sponsor: Senator Holloway. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 130;
HB 131 w HA 1; HB 132; HB 147.

The following legislation was introduced:

HB 130 - AN ACT TO AMEND CHAPTER 15, PART IV, TITLE 12 OF THE DELAWARE CODE RELATING TO POWERS OF ATTORNEY; AND PROVIDING FOR A UNIFORM DURABLE POWER OF ATTORNEY ACT. Sponsors: Representatives Riddagh, Harrington, Powell, Cain; Senators Connor, Murphy, Zimmerman. Assigned to Judiciary Committee.

HB 131 w HA 1 - AN ACT TO AMEND TITLE 12, TITLE 25 AND TITLE 29 OF THE DELAWARE CODE RELATING TO ACKNOWLEDGMENTS; AND PROVIDING FOR A UNIFORM RECOGNITION OF ACKNOWLEDGEMENTS ACT. Sponsors: Representatives Riddagh, Harrington, Powell, Cain; Senators Connor, Murphy, Zimmerman. Assigned to Judiciary Committee.

HB 132 - AN ACT TO REPEAL CERTAIN PROVISIONS OF THE DELAWARE CODE RELATING TO EVIDENCE WHICH HAVE BEEN SUPERSEDED BY THE DELAWARE UNIFORM RULES OF EVIDENCE. Sponsors: Representatives Riddagh, Harrington, Powell, Cain; Senators Connor, Murphy, Zimmerman. Assigned to Judiciary Committee.

HB 147 - AN ACT TO AMEND CHAPTER 65, PART IV, TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PRECEDURE; AND PROVIDING FOR A UNIFORM DECLATORY JUDGEMENTS ACT. Sponsors: Representatives Riddagh, Harrington, Powell, Cain; Senators Connor, Murphy, Zimmerman. Assigned to Judiciary Committee.

Senator McDowell handed the Secretary of the Senate the completed Report of the Sunset Committee and requested that the report be placed in the State Archives.

Senator Martin moved that SB 156 w SA 1 which had been defeated for passage be restored to the Calendar. The roll call vote on the motion was taken and revealed:

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

NO: Senators Arnold, Bair, Berndt, Hughes, Knox, Littleton, Neal - 7.

Therefore, the motion prevailed and SB 156 w SA 1 was restored to the Calendar and laid on the table on motion of Senator Martin and without objection.

Senator Martin moved that SB 219 which had been defeated for passage be restored to the Calendar. The roll call vote on the motion was taken and revealed:

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

NO: Senators Arnold, Bair, Berndt, Hughes, Knox, Littleton - 6.

ABSENT: Senator Holloway - 1.

Therefore, the motion prevailed and SB 219 was restored to the Calendar and laid on the table on motion of Senator Martin and without objection.

At 3:40 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 28th Legislative Day.

28TH LEGISLATIVE DAY

May 19, 1981

The Senate convened at 3:40 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Arnold.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

The following communication was read and is made part of this Journal at the request of Senator Holloway:

Mr. President, it's been nearly four months since the Governor first submitted his proposed budget for the Fiscal Year 1982. It's been the same four months since he first officially proposed reorganizing the Department of Community Affairs and Economic Development. It seems to me it's about time for some action.

Mr. President, I have stood in this Chamber many times and argued for programs which are responsive to Delaware's citizens. I have been the Senate's most consistent supporter of programs and projects which endeavor to help Delaware's less fortunate citizens. I have worked to get our kids through school. I have worked to support job training programs and vocational education. I have worked to strengthen advanced training at our three higher educational institutions and I have worked for job training and placement activities.

I have worked to put fuel assistance and weatherization programs together. I have worked to make sure our housing programs are the best; and I have worked to see that our library system serves all Delawareans - regardless of age or physical impairments.

Last year, with the Senate's support, we created the first Coordinating Council to work on problems of the handicapped. With our support, we have seen the Commission on the Status of Women and the Human Relations Commission bring renewed efforts and attention to bear on problems of discrimination and abuse in the home, in schools, and in the workplace.

Mr. President, I am known to my Senate colleagues as a man who feels strongly about government's role in helping the citizens of this State achieve a better standard of living. I have almost always been on the leading edge of efforts to make sure that our federal, state, county, and municipal governments devote their attention and put their best employees to work on helping solve community-based problems with community-based solutions.

Mr. President, there is only so much that government can do in its own right, and try as we will to make sure that government is always responsive to people's needs, the backbone of our society is a strong economy. Without jobs and without the private investment that creates those jobs, Delaware will never achieve its full potential.

Mr. President, since I have been in this Chamber, I have seen the State's economic development program tossed around with a lot of debate and a lot of delay. It's pretty clear to me that what our State needs is less talk and more action when it comes to solving some of our important economic problems. Delaware is a small State and we can ill afford to fritter away precious time and resources if we are going to compete successfully with our neighboring states - in this region. We have seen the beginning of successful competition with our new banking legislation. Chase Manhattan and Morgan Guaranty are right now putting their plans into action for new banks to be located in the City of Wilmington. We have seen Hercules and Wilmington Trust decide to stay in Wilmington and build new corporate headquarters there. We have seen encouraging efforts to bring new business downstate - to Kent and Sussex counties - and we have seen a commitment by our Governor and his Administration to make sure that Delaware stays in First Place.

Mr. President, the Governor's plan to reorganize economic development and community affairs sits in limbo here in the Senate and I believe it is time to get on with the job of dealing with this important legislation. The House has held extensive hearings and passed two bills (House Bill 68 and House Bill 134) which will give us a new Office of Planning and Development and a new Department of Community Affairs. Our Joint Finance Committee has recommended a budget bill for next year, appropriating money to State Government as it exists today; but if we are going to channel these resources in the right direction, we ought to pass these two bills and give our Committee Chairperson (Senator Cook) a mandate from this Chamber to put the necessary changes in place with a budget omnibus amendment. The Governor needs time to propose and we need time to confirm appointees to the important jobs which these bills contemplate.

I, for one, refuse to believe that the Senate is not capable nor willing to tangle with this important issue, and go on record supporting long-needed improvements in our community-based programs in our effort to strengthen Delaware's interest in future business.

Now, Mr. President, I know there is some controversy surrounding this legislation. Some people say it is too much authority vested in one individual. I don't see it that way. I have reviewed this legislation and the bill which the House passed simply moves the Division of Economic Development out of the Department of Community Affairs and merges it into the State's overall planning office. How can we assume that jobs and the State support necessary to bring them here will increase if our overall economic development effort isn't carefully planned and coordinated?

Other people say a Department of Community Affairs would be too expensive but I believe we can pass this important legislation bringing existing units of government together without adding new expense in the next fiscal year. Our efforts to strengthen services to the handicapped, to those alleging discrimination, to those seeking volunteer opportunities, and to those being served by other community-based programs need not be more expensive. We can do a better job though if we pull together some of the loose pieces of State government and concentrate our efforts on building a stronger department for Delaware's communities.

Mr. President, I, for one, intend to support these two bills and I urge my colleagues on both sides of the aisle to work with me toward insuring a prompt consideration of these bills and their adoption in time for use to make the necessary budget and personnel decisions which they will require.

I thank you.

Senator Herman Holloway, Sr.
May 19, 1981

SB 194 was taken up for consideration on motion of Senator Zimmerman:
SB 194 - AN ACT TO AMEND TITLE 6 AND TITLE 11 OF THE DELAWARE CODE, RELATING TO
TRADE AND COMMERCE; AND PROVIDING FOR A UNIFORM TRADE SECRETS ACT.

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

The roll call vote on SB 194 w SA 1 was then taken and revealed 18 Senators voting YES; 1 (McDowell) NOT VOTING; and 2 (Citro and Connor) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 115 was taken up for consideration on motion of Senator Zimmerman:

SB 115 - AN ACT TO AMEND SUBCHAPTER II, TITLE 30, DELAWARE CODE, RELATING TO EXCLUSION OF PENSION INCOME FROM DELAWARE PERSONAL INCOME TAX.

The roll call vote on the Bill was taken and revealed 16 Senators voting YES and 5 (Berndt, Cordrey, Knox, Littleton and Martin) voting No; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 45 was taken up for consideration on motion of Senator Sharp:

HB 45 - AN ACT TO AMEND CHAPTER 1, TITLE 13 OF THE DELAWARE CODE RELATING TO A DETERMINATION OF THE RESIDENCY OF CERTAIN PERSONS DESIRING TO BE MARRIED WITHIN THE STATE OF DELAWARE.

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

SB 206 was laid on the table on motion of Senator Knox.

SB 133 was taken up for consideration on motion of Senator Zimmerman:

SB 133 - AN ACT TO AMEND CHAPTER 79, TITLE 3, DELAWARE CODE, RELATING TO IMPOUNDMENT AND DISPOSITION OF ANIMALS.

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

Senator Marshall moved that SB 219 w SA 1, 2, 3 be lifted from the table for consideration. The roll call vote on the motion was taken and revealed:

YES: Senators Adams, Citro, Connor, Cook, Cordrey, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 13.

NO: Senators Bair, Berndt, Hughes, Knox, Littleton - 5.

NOT VOTING: Senators Arnold and Neal - 2.

ABSENT: Senator Holloway - 1.

Therefore, the motion prevailed and the Bill was before the Senate. The roll call vote on the Bill was then taken and revealed:

YES: Senators Citro, Connor, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 11.

NO: Senators Adams, Arnold, Bair, Berndt, Cook, Cordrey, Hughes, Knox, Littleton - 9.

ABSENT: Senator Holloway - 1.

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

SB 118 was taken up for consideration on motion of Senator Bair:

SB 118 - AN ACT TO AMEND CHAPTER 27, TITLE 21, DELAWARE CODE, RELATING TO TEMPORARY INSTRUCTION PERMITS.

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

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

NO: Senator Citro - 1.

NOT VOTING: Senator Sharp - 1.

ABSENT: Senator Zimmerman - 1.

Therefore, the Amendment was declared adopted.

Senator Citro requested that his name be removed as a co-sponsor of the Bill.

At 5:10 p.m., Senator Sharp presiding.

The roll call vote on SB 118 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Connor, Cook, Hughes, Knox, Littleton, McDowell, Neal, Vaughn - 12.

NO: Senators Citro, Cordrey, Marshall, Martin, McBride, Sharp - 6.

ABSENT: Senators Holloway, Murphy and Zimmerman - 3.

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

SB 216 was taken up for consideration on motion of Senator McDowell:

SB 216 - AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION TO THE OFFICE OF THE PUBLIC ADVOCATE AND PROVIDING FUNDS THEREFOR.

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

SB 74 and SB 88 were stricken at the request of the sponsor, Senator Martin.

The roll call vote on SB 216 was lifted on motion of Senator McDowell and announced:

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

NO: Senators Adams, Cordrey, Hughes, Knox, Littleton, Murphy, Neal, Zimmerman - 8.

NOT VOTING: Senator Arnold - 1.

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

SB 148 was stricken at the request of the sponsor, Senator Berndt.

At 5:28 p.m. on motion of Senator Cordrey, the Senate recessed until 2 p.m., May 20, 1981.

The Senate reconvened at 3:05 p.m., May 20, 1981, Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Community Affairs Committee: SB 165 - 1 Favorable, 4 Merits; SB 166 - 5 Merits; SB 167 - 5 Merits; SB 168 - 5 Merits; SB 223 - 5 Merits; SB 224 - 5 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 212 w HA 1; HB 216 w HA 1; HB 218; HB 219; HB 116; HB 272 w HA 1; HB 205 w HA 1; and adopted HCR 46; HCR 58; HCR 59; SCR 44 and SCR 49.

The following legislation was introduced:

HB 205 w HA 1 - AN ACT TO AMEND CHAPTER 102, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE SUNSET ACT. Sponsors: Representatives Brady, Barnes, Smith, Jonkiert, Soles; Senators Connor, Vaughn, Bair, Marshall, McDowell. Assigned to Executive Committee.

HB 116 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO ADMISSIBILITY IN EVIDENCE OF RESULTS OF CHEMICAL TEST. Sponsors: Representatives Oberle and Edwards. Assigned to Judiciary Committee.

HB 272 w HA 1 - AN ACT AMENDING CHAPTER 277, VOLUME 62, LAWS OF DELAWARE, AS AMENDED BY CHAPTER 423, VOLUME 62, LAWS OF DELAWARE, TO CAUSE A TRANSFER OF FUNDS TO PROVIDE PAYMENT FOR OTHER EMPLOYMENT COSTS. Sponsors: Representatives Sincok, George; Senators Cook and Berndt. Laid on the table on motion of Senator Cordrey.

HB 212 w HA 1 - AN ACT TO AMEND TITLE 21, CHAPTER 41, OF THE DELAWARE CODE TO PROVIDE FOR A PENALTY FOR VIOLATION OF A CONDITIONAL LICENSE. Sponsors: Representatives Minner, Brady, Jonkiert, Mack, Spence. Assigned to Public Safety Committee.

HB 216 w HA 1 - AN ACT TO AMEND TITLE 11, §612 AND §613 OF THE DELAWARE CODE RELATING TO ASSAULTS UPON FIREMEN. Sponsors: Representatives Mack, Cathcart, Harrington, Buckworth, Holloway, Jr., Jester, Darling, Cordrey, Campanelli, George, Powell, Derrickson, Free, Corrozi, Edwards, McKay, Riddagh, Brady, Burris, Gilligan, Smith, Soles, Barnes, Spence, Ennis, West, Dixon, Minner, Petrilli, Bennett, Fallon, Oberle, Sincok, Cain, Jonkiert, Anderson and VanSciver; Senator Connor. Assigned to Judiciary Committee.

HB 218 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE V OF THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO ABSENTEE VOTING. Sponsor: Representative George. Assigned to Insurance and Elections Committee.

HB 219 - AN ACT TO AMEND CHAPTER 55, PART IV, TITLE 15 OF THE DELAWARE CODE RELATING TO ABSENTEE VOTING. Sponsor: Representative George. Assigned to Insurance and Elections Committee.

SB 248 - AN ACT TO AMEND SUBSECTION 103(f), CHAPTER 1, TITLE 7 OF THE DELAWARE CODE RELATING TO FORFEITURE OF PROPERTY USED IN CONNECTION WITH THE ILLEGAL HUNTING OR POSSESSION OF DEER. Sponsors: Senator Zimmerman and Berndt; Representatives Smith and Minner. Assigned to Natural Resources and Environmental Control Committee.

SB 249 - AN ACT TO AMEND CHAPTER 80, TITLE 29, DELAWARE CODE, RELATING TO THE MEMBERSHIP OF THE COUNCIL ON GAME AND FISH. Sponsors: Senators Zimmerman and Berndt; Representatives Smith and Minner. Assigned to Natural Resources and Environmental Control Committee.

SB 250 - AN ACT TO AMEND TITLE 29, OF THE DELAWARE CODE BY ESTABLISHING A NEW CHAPTER 50 AND REDESIGNATING THE DIVISION OF ECONOMIC DEVELOPMENT AS THE OFFICE OF ECONOMIC DEVELOPMENT DIRECTLY RESPONSIBLE TO THE GOVERNOR, AND AMEND TITLE 29, CHAPTER 86, TRANSFERRING ALL DUTIES AND FUNCTIONS OF THE DIVISION OF ECONOMIC DEVELOPMENT TO THE OFFICE OF ECONOMIC DEVELOPMENT AND ALL DUTIES AND RESPONSIBILITIES OF THE SECRETARY OF THE DEPARTMENT OF COMMUNITY AFFAIRS AND ECONOMIC DEVELOPMENT TO THE DIRECTOR OF THE OFFICE OF ECONOMIC DEVELOPMENT AND TO AMEND TITLE 29, CHAPTER 86, ABOLISHING SUBCHAPTER II, STATE DEVELOPMENT. Sponsor: Senator Cordrey. Assigned to Executive Committee.

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

SA 1 to SB 208. Sponsor: Senator McDowell. Placed with the Bill.

SA 2 to SB 24. Sponsor: Senator Marshall. Placed with the Bill.

SA 18 to HB 34. Sponsors: Senators Neal, Holloway, Hughes, Berndt. Placed with the Bill.

SCR 51 - CONGRATULATING LUNA I. MISHOE, PRESIDENT OF THE DELAWARE STATE COLLEGE, UPON HIS ELECTION TO THE MID-EASTERN ATHLETIC CONFERENCE HALL OF FAME. Sponsors: Senators Holloway and Zimmerman.

The Resolution was considered for adoption on motion of Senator Holloway and the roll call vote taken which revealed 19 Senators voting YES and 2 (Hughes and Marshall) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

HCR 46 - URGING THE CONGRESS OF THE UNITED STATES TO RESTRICT JURISDICTIONS OF FEDERAL COURTS. Sponsors: Representatives Oberle, Spence, Gilligan, Anderson, Corrozi, Edwards, Barnes, Harrington, VanSciver, Cain; Senators Sharp, McBride, Citro, Arnold, Hughes. The Resolution was laid on the table on motion of Senator Sharp.

HCR 58 - CONGRATULATING RITA RICCIO ON BEING NAMED VOLUNTEER OF THE YEAR FOR THE AGING AND FOR HER MANY OTHER FINE CONTRIBUTIONS TO HER COMMUNITY. Sponsors: Representatives Ennis and Plant; Senators Berndt and Hughes.

The Resolution was considered for adoption on motion of Senator Berndt and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 59 - CONGRATULATING THE WOMEN'S LACROSSE TEAM OF THE UNIVERSITY OF DELAWARE FOR BECOMING THE FIRST CHAMPION SINCE THE UNIVERSITY ENTERED INTERCOLLEGIATE WOMEN'S SPORTS IN 1972. Sponsor: Representative Soles.

The Resolution was considered for adoption on motion of Senator Bair and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SB 94 which was next on the Agenda was deferred for consideration on motion of Senator McDowell.

At 3:23 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 29th Legislative Day.

**29TH LEGISLATIVE DAY
May 20, 1981**

The Senate convened at 3:23 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

Legislative Advisories #7, 8 and 9 received from the Office of Counsel to the Governor were read which informed the Senate that the Governor signed the following legislation: On May 12, 1981 - HJR 6; on May 14 - SCR 50; HB 214 (Volume 63, Chapter 16, Laws of Delaware); HB 107 (Volume 63, Chapter 17, Laws of Delaware; HJR 13; HCR 52; on May 15 - SB 237 (Volume 63, Chapter 18, Laws of Delaware).

SB 160 was taken up for consideration on motion of Senator Murphy:

SB 160 - AN ACT TO AMEND CHAPTER 6, TITLE 29, DELAWARE CODE, RELATING TO STATE GOVERNMENT BY REQUIRING NOTIFICATION OF THE GOVERNOR AND GENERAL ASSEMBLY OF RULES AND REGULATIONS PROMULGATED BY STATE AGENCIES.

The privilege of the floor was extended to Harry Terry (Senate Attorney) after which the roll call vote on the Bill was taken and revealed:

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

NO: Senators Arnold, Berndt, Citro, Connor, Knox, Littleton, McBride - 7.

NOT VOTING: Senators Holloway and Hughes - 2.

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

SB 153 was temporarily laid on the table on motion of Senator McDowell.

SB 24 w SA 1 was removed from the Agenda at the request of Senator Marshall and reassigned to the Community Affairs Committee.

Senator Marshall moved that **HB 34 w HA 1** be removed from the Agenda and reassigned to the Community Affairs Committee; however, before action was taken on the motion, the Senate recessed for Party Caucus on motion of Senator Cordrey. Time: 4:17 p.m.

The Senate reconvened at 5:15 p.m., Lt. Governor Castle presiding.

The following legislation was introduced:

SB 251 - AN ACT TO AMEND CHAPTER 31, TITLE 24, DELAWARE CODE RELATING TO PRE-NEED FUNERAL CONTRACTS. Sponsor: Senator Cordrey. Assigned to Administrative Services/Energy Committee.

SB 252 - AN ACT TO AMEND CHAPTER 37, TITLE 31, DELAWARE CODE, RELATING TO LICENSING OF SOCIAL WORKERS. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SB 253 - AN ACT TO AMEND SECTION 9109, TITLE 9, DELAWARE CODE BY REQUIRING COUNTY OFFICERS TO PAY OVER COLLECTED FEES TO THE NEW CASTLE COUNTY DEPARTMENT OF FINANCE ON A SEMI-MONTHLY BASIS. Sponsor: Senator Citro. Assigned to Community Affairs Committee.

SB 254 - AN ACT TO AMEND TITLE 18, DELAWARE CODE, BY ADDING SECTION 2525(e) REQUIRING INSURERS LICENSED IN THIS STATE TO WRITE PROPERTY OR CASUALTY INSURANCE TO SUBMIT A LOSS AND EXPENSE EXPERIENCE REPORT WITH ITS ANNUAL STATEMENT. Sponsor: Senator Sharp. Assigned to Insurance and Elections Committee.

SA 1 to SB 153. Sponsors: Senator McDowell. Placed with the Bill.

SA 1 to SB 236. Sponsors: Senators Citro and Bair. Placed with the Bill.

SB 137 was reported out of the Community Affairs Committee - 4 Merits.

Senator Marshall withdrew his motion to reassign **HB 34 w HA 1** (made before the last recess).

HB 34 w HA 1 was taken up for consideration on motion of Senator Marshall.

SA 11 to the Bill which had been placed with the Bill was laid on the table on motion of Senator Neal.

SA 12 to the Bill which had been placed with the Bill was stricken on motion of Senator Holloway.

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

NO: Senators Bair, Cordrey and Holloway - 3.

NOT VOTING: Senators Berndt and Knox - 2.

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

SB 237 - AN ACT TO AMEND CHAPTER 277, VOLUME 62, AS AMENDED BY CHAPTER 423, VOLUME 62, LAWS OF DELAWARE, TO PROVIDE FOR THE ADJUSTMENT OF THE FORMULA FOR NON-PUBLIC SCHOOL BUS TRANSPORTATION, AND PROVIDING FUNDS THEREFOR.

SA 1 to the Bill was introduced by Senator Berndt and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Bair, Berndt, Cook, Cordrey, Knox, Littleton, Murphy, Neal - 9.

NO: Senators Arnold, Citro, Connor, Marshall, Martin, McBride, McDowell, Sharp, Vaughn, Zimmerman - 10.

ABSENT: Senators Holloway and Hughes - 2.

Therefore, the Amendment was declared lost.

The roll call vote on SB 237 was then taken and revealed:

YES: Senators Arnold, Citro, Connor, Cook, Hughes, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 13.

NO: Senators Adams, Bair, Berndt, Cordrey, Littleton - 5.

NOT VOTING: Senators Knox and Neal - 2.

ABSENT: Senator Holloway - 1.

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

At 4:43 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:35 p.m., Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Highways and Transportation Committee: SB 71 - 1 Favorable, 3 Merits; SB 72 - 1 Favorable, 3 Merits; SB 128 - 2 Favorable, 2 Merits; SB 155 - 4 Merits; SB 173 - 3 Merits, 1 Unfavorable; SB 180 - 3 Merits; SB 218 - 1 Merits, 3 Unfavorable; SB 220 - 3 Merits, 1 Unfavorable; HB 211 w HA 1 - 4 Merits.

From the Revenue and Taxation Committee: SB 83 - 2 Merits, 3 Unfavorable.

At 5:37 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 19, 1981.

The Senate reconvened at 3:20 p.m., May 19, 1981, Lt. Governor Castle presiding.

The following legislation was introduced:

SB 238 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE, TO CLARIFY AND REFINES THE DEFINITION OF FAMILY AS SAID WORD IS USED WITHIN THE FAMILY COURT ACT. Sponsors: Senators Sharp, McDowell, Zimmerman, Vaughn, Hughes, Citro; Representative Riddagh. Assigned to Judiciary Committee.

SB 239 - AN ACT TO AMEND CHAPTER 7, TITLE 5 OF THE DELAWARE CODE RELATING TO BANKING; AND PROVIDING FOR THE LOCATION OF MEETINGS OF STOCKHOLDERS. Sponsor: Senator Cordrey. Assigned to Banking Committee.

SB 240 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 86, TITLE 29, DELAWARE CODE, RELATING TO DISTRIBUTION OF INFORMATION BY THE DEPARTMENT OF COMMUNITY AFFAIRS AND ECONOMIC DEVELOPMENT. Sponsor: Senator Holloway. Assigned to Community Affairs Committee.

SB 241 - AN ACT TO AMEND SECTION 1509, TITLE 13, DELAWARE CODE, RELATING TO PRELIMINARY INJUNCTIONS IN DIVORCE AND ANNULMENT PROCEEDINGS. Sponsors: Senators Sharp, McDowell, Zimmerman, Vaughn, Hughes, Citro; Representative Riddagh. Assigned to Judiciary Committee.

SB 242 - AN ACT TO AMEND SUBCHAPTER I OF CHAPTER 92, OF TITLE 10 OF THE DELAWARE CODE, TO INCREASE THE SALARIES OF JUSTICES OF THE PEACE. Sponsor: Senator Holloway. Assigned to Finance Committee.

SB 243 - AN ACT TO AMEND CHAPTERS 41 AND 42, TITLE 21, DELAWARE CODE, TO INCREASE THE FINES WHICH MAY BE IMPOSED FOR CERTAIN TRAFFIC OFFENSES. Sponsor: Senator Holloway. Assigned to Public Safety Committee.

SB 244 - AN ACT TO AMEND CHAPTERS 57 AND 63, TITLE 25, DELAWARE CODE, RELATING TO LANDLORDS AND TENANTS. Sponsor: Senator Holloway. Assigned to Judiciary Committee.

SB 245 - AN ACT TO AMEND CHAPTER 5, SUBCHAPTER VII, SUBPART C, TITLE II OF THE DELAWARE CODE PROVIDING CERTAIN PUNISHMENTS UPON CONVICTION FOR THE CRIME OF OBSCENITY; AND RELATING TO THE DEFINITION THEREOF. Sponsors: Senators Berndt, McBride, Hughes, Arnold; Representatives VanSciver, Riddagh, Jester, Gilligan. Assigned to Judiciary Committee.

SB 246 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE, RELATING TO THE POWERS AND DUTIES OF THE CHIEF JUDGE OF THE FAMILY COURT. Sponsors: Senators Sharp, McDowell, Zimmerman, Vaughn, Hughes, Citro; Representative Riddagh. Assigned to Judiciary Committee.

SB 247 - AN ACT TO AMEND SECTION 925, TITLE 10, DELAWARE CODE, GIVING FAMILY COURT CONCURRENT JURISDICTION WITH THE COURT OF CHANCERY TO APPOINT GUARDIANS OF THE PERSON OVER MINORS UNDER 18 YEARS OF AGE. Sponsors: Senators Sharp, McDowell, Zimmerman, Vaughn, Hughes, Citro; Representative Riddagh. Assigned to Judiciary Committee.

SS 1 for SB 234 - AN ACT TO APPROPRIATE FUNDS TO VOLUNTEER FIRE COMPANIES FOR THE OPERATION OF CERTAIN EQUIPMENT. Sponsors: Senators Cook, Murphy, Vaughn; Representatives Barnes, Buckworth, Bennett, Minner, Jester. Assigned to Finance Committee.

HB 169 - AN ACT TO AMEND CHAPTER 18, TITLE 5, DELAWARE CODE, RELATING TO THE REPORT OF NET EARNINGS AND PAYMENT OF TAX BY BUILDING AND LOAN ASSOCIATIONS. Sponsors: Representative Harrington and Senator Zimmerman. Assigned to Revenue and Taxation Committee.

HB 224 w HA 1 - AN ACT TO AMEND CHAPTER 26, PART 1, TITLE 14 OF THE DELAWARE CODE RELATING TO VOCATIONAL SCHOOLS. Sponsors: Representatives Riddagh, Barnes, Burris, Corrozi, Hebner, McKay, Petrilli, Roy, Sincoc, Cain, Campanelli, George, Jonkiert; Senators Berndt, Hughes, Cordrey. Assigned to Revenue and Taxation Committee.

HCR 60 - MOURNING THE DEATH OF CHARLES L. PARUSZEWSKI, FORMER CHIEF DEPUTY ATTORNEY GENERAL OF DELAWARE. Sponsors: Representative Jonkiert and Senator Marshall.

The Resolution was considered for adoption on motion of Senator Marshall and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SB 217 was stricken at the request of the sponsor, Senator Adams.

At 2:55 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 30th Legislative Day.

30TH LEGISLATIVE DAY

May 21, 1981

The Senate convened at 2:55 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

SB 169 was taken up for consideration on motion of Senator Cordrey:

SB 169 - AN ACT TO AMEND CHAPTER 23, TITLE 10, OF THE DELAWARE CODE, RELATING TO THE DEPOSIT OF MONIES BY THE PROTHONOTARY.

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

SB 170 was taken up for consideration on motion of Senator Cordrey:

SB 170 - AN ACT TO AMEND CHAPTERS 64 AND 70 OF TITLE 9 OF THE DELAWARE CODE, RELATING TO PENSIONS FOR SUSSEX COUNTY EMPLOYEES.

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

SB 171 was taken up for consideration on motion of Senator Cordrey:

SB 171 - AN ACT TO AMEND CHAPTER 65, TITLE 9, OF THE DELAWARE CODE, RELATING TO GRANTS FROM FEDERAL, STATE OR INTERSTATE AGENCIES TO SUSSEX COUNTY TO PERMIT BORROWING IN ANTICIPATION OF THE RECEIPT THEREOF.

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

SB 172 was taken up for consideration on motion of Senator Cordrey:

SB 172 - AN ACT TO AMEND CHAPTER 23, TITLE 10, DELAWARE CODE TO PROVIDE FOR THE COMPENSATION OF DEPUTIES AND CLERKS.

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

SB 220 was taken up for consideration on motion of Senator Cordrey:

AN ACT TO AMEND Chapter 1, Title 17, AND CHAPTER 5, AND 96, TITLE 9, DELAWARE CODE RELATING TO THE JURISDICTION, POWERS AND DUTIES OF THE DEPARTMENT OF TRANSPORTATION OVER ROADS AND STREETS WITHIN THE COUNTIES NOT DEDICATED TO THE PUBLIC USE AND TO THE RECORDING OF DEEDS TO REAL ESTATE FRONTING ON SUCH STREETS AND ROADS.

The privilege of the floor was extended to John Davis after which the Bill was laid on the table on motion of Senator Cordrey.

SB 169 was lifted from the table for consideration on motion of Senator Cordrey and the roll call vote taken which revealed:

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Cordrey, Hughes, Littleton, McBride, Murphy, Neal, Vaughn - 13.

NO: Senators Arnold, Knox, Marshall, Martin, McDowell, Sharp - 6.

NOT VOTING: Senator Holloway - 1.

ABSENT: Senator Zimmerman - 1.

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

At 4:40 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:12 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Judiciary Committee: SB 108 - 5 Merits, 1 Unfavorable; SB 230 - 4 Fvorble, 2 Merits; SB 241 - 6 Merits; SB 244 - 1 Favorable, 4 Merits, 1 Unfavorable; SB 246 - 6 Merits; SB 247 - 6 Merits.

From the Labor and Industrial Relations Committee: SB 116 - 4 Merits.

From the Community Affairs Committee: SB 16 - 5 Merits; SB 33 - 5 Merits; SB 34 - 4 Merits; SB 36 - 3 Merits; SB 92 - 5 Merits; SB 152 - 5 Merits; SB 184 - 5 Merits; SB 190 - 5 Merits; SB 197 - 2 Merits, 1 Unfavorable; SB 200 - 5 Merits; SB 240 - 5 Merits; HB 15 - 5 Merits; HB 103 w HA 1, 2 - 4 Merits; HB 171 w HA 1 - 5 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 178 w HA 1; HB 159 w HA 1; HB 161; HB 179; HB 226.

The following legislation was introduced:

SB 255 - AN ACT TO AMEND CHAPTER 43, TITLE 30, DELAWARE CODE, RELATING TO THE EXEMPTION OF THE LEASE TAX ON LESSORS' OF MOTOR VEHICLES. Sponsor: Senator McDowell. Assigned to Revenue and Taxation Committee.

HB 159 w HA 1 - AN ACT TO AMEND TITLE 24, CHAPTER 25 OF THE DELAWARE CODE RELATING TO DRUG PRODUCTS AND THE DELAWARE DRUG ADVISORY BOARD. Sponsor: Representative Maroney. Assigned to Health-Social Services/Aging Committee.

HB 161 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF ELSMERE. Sponsors: Representatives Campanelli and Corrozi; Senator Citro. Assigned to Community Affairs Committee.

HB 178 w HA 1 - AN ACT TO AMEND CHAPTER 59, PART V, TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION; AND PROVIDING FOR A PROHIBITION AGAINST THE IMPOSITION OF NON-COMPENSATED WORK AS A DISCIPLINARY MEASURE. Sponsors: Representatives Cain and Corrozi. Assigned to Administrative Services/Energy Committee.

HB 179 - AN ACT TO AMEND CHAPTER 3, TITLE 29, OF THE DELAWARE CODE DESIGNATING THE WEAKFISH (ALSO KNOWN AS THE SEA TROUT) AS THE OFFICIAL STATE FISH. Sponsors: Representatives Burris, Minner, Derrickson; Senators Cook, Adams, Murphy and Zimmerman. Assigned to Executive Committee.

HB 226 - AN ACT TO AMEND §151, SUBCHAPTER IV, TITLE 17 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF TRANSPORTATION PARTICIPATING IN CONTRACTS ISSUED BY OTHER GOVERNMENTAL AGENCIES. Sponsors: Representative Mack; Senator Martin. Assigned to Highways and Transportation Committee.

SB 165 was taken up for consideration on motion of Senator Adams:

SB 165 - AN ACT TO AMEND CHAPTER 70, TITLE 9, OF THE DELAWARE CODE, RELATING TO THE INTERGOVERNMENTAL RELATIONS POWERS OF THE GOVERNMENT OF SUSSEX COUNTY.

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

SB 166 was taken up for consideration on motion of Senator Adams:

SB 166 - AN ACT TO AMEND CHAPTER 67, TITLE 9, OF THE DELAWARE CODE, RELATING TO SERVICE CHARGES TO PERMIT BORROWING OF FUNDS THEREFOR BY SUSSEX COUNTY.

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

SB 167 was taken up for consideration on motion of Senator Adams:

SB 167 - AN ACT TO AMEND CHAPTER 91, TITLE 9, DELAWARE CODE, RELATING TO UNIFORM MILEAGE PAYMENTS.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cordrey, Holloway, Knox, Littleton, McBride, McDowell, Murphy, Vaughn, Zimmerman - 14.

NO: Senators Connor, Hughes, Marshall, Martin, Neal, Sharp - 6.

NOT VOTING: Senator Cook - 1.

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

SB 168 - AN ACT TO AMEND CHAPTER 67, TITLE 9, OF THE DELAWARE CODE RELATING TO THE INTERGOVERNMENTAL RELATIONS POWERS OF THE GOVERNMENT OF SUSSEX COUNTY.

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

SB 223 was taken up for consideration on motion of Senator Adams:

SB 223 - AN ACT TO AMEND SECTION 2510, TITLE 12, DELAWARE CODE, RELATING TO CHARGES OF THE REGISTER OF WILLS, IN AND FOR SUSSEX COUNTY.

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

SB 224 was taken up for consideration on motion of Senator Adams:

SB 224 - AN ACT TO AMEND TITLE 9, CHAPTER 96, AS IT RELATES TO THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY.

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

SB 179 - AN ACT TO AMEND CHAPTER 7, TITLE 21 OF THE DELAWARE CODE TO PROHIBIT THE PAYMENT OF MOTOR VEHICLE FINES BY MAIL FOR MINORS.

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

SB 128 - AN ACT TO AMEND CHAPTER 1, TITLE 17, DELAWARE CODE RELATING TO THE ACQUISITION AND SALE OF REAL PROPERTY BY THE DEPARTMENT OF TRANSPORTATION.

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

The following Committee reports were announced:

From the Judiciary Committee: SB 245 - 5 Merits; HB 52 - 6 Merits; HB 108 - 6 Merits; HB 120 w HA 1 - 6 Merits; HB 130 - 6 Merits; HB 131 - 6 Merits; HB 132 - 6 Merits; HB 147 - 6 Merits.

SA 11 to HB 34 was stricken at the request of the sponsor, Senator Neal.

At 6:00 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., May 26, 1981.

The Senate reconvened at 2:37 p.m., Lt. Governor Castle presiding.

SB 256 was introduced and assigned to the Public Safety Committee:

SB 256 - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE, RELATING TO THE ISSUANCE OF CONDITIONAL DRIVER'S LICENSE TO PERSONS WHO RECEIVE SUSPENSIONS FOR FAILURE TO HAVE LIABILITY INSURANCE. Sponsors: Senators Vaughn, Citro; Representatives Darling, Riddagh.

SA 2 to SB 180. Sponsor: Senator Sharp. Placed with the Bill.

SA 2 to SB 201. Sponsor: Senator Berndt. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 273 w HA 4.

HB 273 w HA 4 was introduced and laid on the table on motion of Senator Cordrey.

HB 273 w HA 4 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE TO MODIFY UNEMPLOYMENT INSURANCE TAX RATES, PROVIDE FOR BENEFITS BASED UPON ANNUAL WAGE HISTORIES, EXTEND THE PRESENT LEVEL OF MAXIMUM BENEFITS, AND RELATED PROVISIONS FOR THE PURPOSE OF IMPROVING THE SOLVENCY OF THE UNEMPLOYMENT COMPENSATION TRUST FUND. Sponsors: Representative Oberle, Senator Marshall; Representatives Sincok, Roy, Buckworth, Barnes, Petrilli, Burris; Senators Hughes, Bair, Knox, Berndt, Connor, Citro, Arnold, Murphy, Adams.

The following Committee reports were announced:

From the Banking Committee: SB 6 - 5 Merits; SB 211 - 5 Merits; SB 239 - 5 Merits.

SCR 53 was introduced and considered for adoption on motion of Senator Vaughn:

SCR 53 - WELCOMING UP WITH PEOPLE TO DELAWARE AND COMMEMORATING ITS SUCCESS IN BUILDING BRIDGES OF UNDERSTANDING AND COMMUNICATION AMONG PEOPLE, CULTURES, AND COUNTRIES. Sponsors: Senators Vaughn and Representative Jester.

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

At 2:44 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 31st Legislative Day.

31ST LEGISLATIVE DAY May 26, 1981

The Senate convened at 2:44 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Arnold.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 20.

ABSENT: Senator Connor - 1.

The Journal of the previous day was approved as read.

SCR 54 was introduced and considered for adoption on motion of Senator Marshall:

SCR 54 - COMMENDING THE NEMOURS FOUNDATION INCORPORATED FOR ESTABLISHING THE NEMOURS HEALTH CLINIC INCORPORATED IN WILMINGTON TO ASSIST DELAWARE SENIOR CITIZENS. Sponsors: Senator Marshall and Representative Jonkiert.

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

SB 176 was taken up for consideration on motion of Senator McBride:

SB 176 - AN ACT TO AMEND CHAPTER 29, PART III, TITLE 30 OF THE DELAWARE CODE RELATING TO RETAIL AND WHOLESALE MERCHANTS' LICENSE REQUIREMENT AND TAXES.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Holloway, Hughes, Littleton, Martin, McBride, McDowell, Murphy, Neal, Vaughn - 15.

NO: Senators Cordrey, Knox, Marshall, Sharp, Zimmerman - 5.

ABSENT: Senator Connor - 1.

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

SB 155 was taken up for consideration on motion of Senator Sharp:

SB 155 - AN ACT TO AMEND TITLE 6, SECTION 2902 OF THE DELAWARE CODE PERTAINING TO THE ADVERTISEMENT OF RETAIL MOTOR FUEL PRICES.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Holloway, Littleton, Marshall, Martin, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 15.

NO: Senators Cordrey, Hughes, Knox, McBride, Neal - 5.

ABSENT: Senator Connor - 1.

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

SB 180 was taken up for consideration on motion of Senator Sharp:

SB 180 - AN ACT TO AMEND CHAPTER 71, TITLE 29, DELAWARE CODE, RELATING TO USE OF STATE-OWNED VEHICLES.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration; however, before final action was taken on the Amendment, the Bill and the Amendment were laid on the table on further motion of Senator Sharp.

SB 226 was laid on the table on motion of Senator Cook.

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

SB 15 - AN ACT TO AMEND TITLE 24, DELAWARE CODE BY ESTABLISHING A BOARD OF SANITARIAN REGISTRATION, TO ESTABLISH POWERS AND DUTIES OF SAID BOARD, TO PROVIDE FOR THE CERTIFICATION AND REGISTRATION OF SANITARIANS, TO ESTABLISH A SCHEDULE OF FEES FOR SANITARIAN REGISTRATION, AND TO AUTHORIZE EXPENDITURE OF FEES COLLECTED BY SAID BOARD.

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

The privilege of the floor was extended to David C. Rodehower (Environmental Health Sanitarians) and Michael Joyce (Delaware Division of Public Health).

At 4:12 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:05 p.m. Senator Sharp presiding.

The roll call vote on SB 15 w SA 1 was then taken on motion of Senator Holloway; however, the roll call was laid on the table before being announced on further motion of the Senator.

SB 220 was lifted from the table for consideration on motion of Senator Cordrey:

SB 220 - AN ACT TO AMEND CHAPTER 1, TITLE 17, AND CHAPTER 5, AND 96, TITLE 9, DELAWARE CODE RELATING TO THE JURISDICTION, POWERS AND DUTIES OF THE DEPARTMENT OF TRANSPORTATION OVER ROADS AND STREETS WITHIN THE COUNTIES NOT DEDICATED TO THE PUBLIC USE AND TO THE RECORDING OF DEEDS TO REAL ESTATE FRONTING ON SUCH STREETS AND ROADS.

SA 1 to the Bill was introduced by Senator Cordrey and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

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

NO: Senators Martin, Murphy and Zimmerman - 3.

ABSENT: Senator Connor - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 220 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cordrey, Holloway, Hughes, Knox, Littleton, Murphy, Vaughn - 12.

NO: Senators Cook, Marshall, Martin, McBride, McDowell, Neal, Sharp, Zimmerman - 8.

ABSENT: Senator Connor - 1.

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

SB 71 was taken up for consideration on motion of Senator Holloway:

SB 71 - AN ACT TO AMEND CHAPTER 5, TITLE 17, OF THE DELAWARE CODE TO PROVIDE THAT THE SOUTH MARKET STREET BRIDGE IN WILMINGTON SHALL BE NAMED THE JOHN E. REILLY, SR. BRIDGE IN HONOR OF THE LATE STATE SENATOR; AND MAKING AN APPROPRIATION THEREFOR.

The Bill was then laid on the table before final action was taken on further motion of the Senator.

SB 137 was taken up for consideration on motion of Senator McBride:

SB 137 - AN ACT TO AMEND CHAPTER 45, TITLE 6 OF THE DELAWARE CODE RELATING TO EQUAL ACCOMMODATIONS; AND PROVIDING FOR A TIME LIMITATION WITHIN WHICH COMPLAINTS SHALL BE FILED.

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

The following legislation was introduced:

SB 257 - AN ACT TO AMEND CHAPTER 21, TITLE 6, DELAWARE CODE, RELATING TO EXEMPTIONS UNDER THE ANTI-TRUST ACT. Sponsors: Senator Cordrey and Representative Derrickson. Assigned to Banking Committee.

SA 1 to SB 136. Sponsor: Senator Neal. Placed with the Bill.

SA 1 to SB 85. Sponsor: Senator Bair. Placed with the Bill.

At 5:35 p.m. on motion of Senator Cordrey, the Senate adjourned until 2:00 p.m., May 27, 1981.

32ND LEGISLATIVE DAY
May 27, 1981

The Senate convened at 2:10 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Adams.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

On motion of Senator Marshall, HB 273 w HA 4 was lifted from the table and assigned to the Labor and Industrial Relations Committee.

The Secretary announced that a message from the House informed the Senate that it had passed HB 189; HB 191; HB 220; SB 187 w SA 1, 5, 6, HA 1; and SB 104.

SB 187 w SA 1, 5, 6, HA 1 was laid on the table on motion of Senator Holloway.

The following legislation was introduced:

HB 189 - AN ACT TO AMEND CHAPTER 43, TITLE 31, OF THE DELAWARE CODE RELATING TO THE INDEBTEDNESS OF THE HOUSING AUTHORITY. Sponsors: Representatives Harrington, Brady, Holloway, Jr; Senators Zimmerman, Holloway, Sr., Neal, Knox. Assigned to Revenue and Taxation Committee.

HB 191 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE CONSTITUTION OF THE STATE OF DELAWARE TO REMOVE THE REQUIREMENT FOR SEPARATE SCHOOLS FOR WHITE AND BLACK CHILDREN. Sponsor: Representative Plant. Assigned to Education Committee.

HB 220 - AN ACT TO AMEND THE DELAWARE CODE, TITLE 29 PROVIDING FOR THE APPROPRIATE SHARING OF EXPENSES INVOLVED IN THE PROPER CLOSING AND SECURING OF VACATED PUBLIC SCHOOL DISTRICT BUILDINGS. Sponsors: Representatives Roy, Petrilli, Gilligan, Powell, Soles, Cain, VanSciver; Senators Arnold, Neal. Assigned to Education Committee.

SA 1 to SB 235. Sponsor: Senator Holloway. Placed with the Bill.

Legislative Advisory #10 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation: on May 26, 1981 - HB 272 w HA 1 (Volume 63, Chapter 19, Laws of Delaware); SB 2 w HA 1 (Volume 63, Chapter 20, Laws of Delaware); HB 45 (Volume 63, Chapter 21, Laws of Delaware). HB 34 w HA 1, SA 18 is a Constitutional Amendment and does not require the Governor's signature (Volume 63, Chapter 22, Laws of Delaware).

SB 230 was taken up for consideration on motion of Senator Sharp:

SB 230 - AN ACT TO AMEND CHAPTER 47, PART IV OF TITLE 16 OF THE DELAWARE CODE PERTAINING TO UNLAWFUL DELIVERY OF A NONCONTROLLED SUBSTANCE.

Senator Martin marked PRESENT.

The privilege of the floor was extended to Richard J. McMahon (Department of Justice) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 2:57 p.m. on motion of Senator Cordrey, the Senate recessed for an hour for the taking of a group picture of the Senate and for Party Caucus.

The Senate reconvened at 4:25 p.m., Lt. Governor Castle presiding.

The Secretary announced that a message from the House informed the Senate that it had passed HB 137 w HA 2, 3, 4 and adopted HCR 55; HCR 62; SCR 51; SCR 52; SCR 53; SCR 54.

SB 200 was taken up for consideration on motion of Senator Cordrey:

SB 200 - AN ACT TO AMEND AN ACT, BEING CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES" TO INCREASE THE AMOUNT WHICH MAY BE RAISED FROM THE TAXATION OF REAL ESTATE.

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

SB 55 was taken up for consideration on motion of Senator Murphy:

SB 55 - AN ACT TO AMEND CHAPTERS 13, 17, 20, 45, AND 49 OF TITLE 15, DELAWARE CODE, RELATING TO REGISTRATION AND VOTING BY PHYSICALLY DISABLED AND ELDERLY PERSONS.

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

SB 246, SB 247, SB 241 and SB 197 were deferred for consideration on motion of Senator Sharp.

SB 239 was taken up for consideration on motion of Senator Cordrey:

SB 239 - AN ACT TO AMEND CHAPTER 7, TITLE 5 OF THE DELAWARE CODE RELATING TO BANKING; AND PROVIDING FOR THE LOCATION OF MEETINGS OF STOCKHOLDERS.

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

SB 218 was taken up for consideration on motion of Senator Holloway:

SB 218 - AN ACT TO AUTHORIZE THE DEPARTMENT OF HIGHWAYS AND TRANSPORTATION TO CONVEY CERTAIN LANDS TO THE DELAWARE CENTER FOR CONTEMPORARY ARTS, INC.

The privilege of the floor was extended to W. A. S. Hatch (Delaware Center for the Contemporary Arts, Inc.) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Neal) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 141 was lifted from the table for consideration on motion of Senator Holloway:

SB 141 - AN ACT TO AMEND CHAPTER 33 OF TITLE 16 OF THE DELAWARE CODE, RELATING TO THE PURITY OF FOOD AND DRUGS.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Dr. Colin Meyer (Division of Public Health).

At 5:19 p.m., Senator Sharp presiding.

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

The roll call vote on SB 141 w SA 1 was then taken and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Holloway, Hughes, Knox, Marshall, Martin, McDowell, Murphy, Neal, Sharp, Vaughn - 15.

NO: Senators Adams, Cook, Cordrey, Littleton, McBride - 6.

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

SB 145 was taken up for consideration on motion of Senator Holloway:

SB 145 - AN ACT TO AMEND SUBCHAPTER 1, TITLE 16, DELAWARE CODE, RELATING TO NEGLECT OF DUTY.

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

The privilege of the floor was extended to Dr. Colin Meyer (Division of Public Health) after which the roll call vote on SB 145 w SA 1 was taken and revealed:

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

NO: Senators Adams, Cordrey, McBride, Murphy, Zimmerman - 5.

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

SB 142 was lifted from the table for consideration on motion of Senator Holloway:

SB 142 - AN ACT TO AMEND CHAPTER 31, TITLE 16, OF THE DELAWARE CODE, RELATING TO THE REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, DIVORCES, ANNULMENTS, AND ADOPTIONS.

The privilege of the floor was extended to Michael L. Richards (Bureau of Vital Statistics) after which the roll call vote on the Bill was taken and revealed:

YES: Senators Arnold, Bair, Berndt, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Martin, Neal, Sharp - 12.

NO: Senators Adams, Citro, Connor, Marshall, McBride, Murphy, Vaughn, Zimmerman - 9.

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

At 5:58 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., May 28, 1981.

The Senate reconvened at 2:39 p.m., May 28, 1981, Lt. Governor Castle presiding.

SB 215 was reported from the Finance Committee: 1 Favorable, 4 Merits.

The following legislation was introduced:

SA 1 to SB 98. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to HB 273. Sponsor: Senator Sharp. Placed with the Bill.

SA 1 to SB 252. Sponsor: Senator Holloway. Placed with the Bill.

SA 1 to SB 241. Sponsor: Senator Sharp. Placed with the Bill.

SB 258 - AN ACT TO AMEND CHAPTER 45, TITLE 11 OF THE DELAWARE CODE RELATING TO APPEAL FROM CERTAIN CONVICTIONS BEFORE ALDERMEN AND MAYORS. Sponsors: Senator Neal; Representatives Petrilli, Anderson, Soles, Jester. Assigned to Judiciary Committee.

SB 259 - AN ACT TO AMEND SECTION 1104, ARTICLE XI, OF THE CHARTER OF THE CITY OF NEWARK, DELAWARE, BY REMOVING THE PROHIBITION AGAINST POLITICAL ACTIVITY BY PERSONS HOLDING UNPAID APPOINTIVE CITY POSITIONS. Sponsors: Senators Neal and Martin; Representatives Petrilli, Anderson, Soles, Jester. Assigned to Community Affairs Committee.

SB 260 - AN ACT TO AMEND CHAPTER 33, TITLE 24 OF THE DELAWARE CODE, RELATING TO VETERINARY MEDICINE BY INCREASING COMPENSATION FOR THE BOARD OF EXAMINERS: PROVIDING FOR EXAMINATIONS; AND PROVIDING FOR RENEWAL FEES AND PROCEDURES. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

SB 261 - AN ACT TO AMEND CHAPTER 50, PART IV, TITLE 15 OF THE DELAWARE CODE RELATING TO THE USE OF VOTING MACHINES IN CERTAIN TOWNS AND MUNICIPALITIES. Sponsor: Senator McBride. Assigned to Insurance and Elections Committee.

SB 262 - AN ACT TO AMEND TITLE 4, DELAWARE CODE, TO AUTHORIZE CABARET LICENSES FOR HOTELS AND RESTAURANTS, TO ESTABLISH FEES THEREFORE, AND TO MAKE OTHER PROVISIONS THEREFORE. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

HB 137 w HA 2, 3, 4 - AN ACT TO AMEND CHAPTER 69, TITLE 29, DELAWARE CODE, BY PROVIDING FOR THE USE OF UNITED STATES PRODUCED STEEL IN STATE CONTRACTS. Sponsors: Representatives Harrington, Oberle, Roy, Edwards, Cathcart, Mack, Cain, Dixon, Plant; Senators Martin, McBride, Holloway, Sharp, Connor, Citro. Assigned to Administrative Services/Energy Committee.

SCR 55 - EXPRESSING CONDOLENCES TO THE ROWAN FAMILY UPON HEARING OF THE DEATH OF THOMAS C. ROWAN, FORMER MEMBER OF THE 117TH AND 118TH GENERAL ASSEMBLIES. Sponsors: Senators Vaughn and Murphy; Representative Jester and all the Senators.

The roll call vote on the Resolution was taken and revealed 16 Senators voting YES and 5 (Connor, Littleton, Martin, McBride, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

HCN 55 - REQUESTING THE MEMBERS OF THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION PROTECTING THE NATIONAL BARRIER ISLAND SYSTEM. Sponsors: Representatives Smith, Anderson, Barnes, Bennett, Brady, Buckworth, Burris, Cain, Cathcart, Corrozi, Darling, Derrickson, Dixon, Edwards, Ennis, Free, George, Harrington, Hebner, Jester, Maroney, McKay, Minner, Oberle, Petrilli, Sincok, Soles, Spence, VanSciver, West; Senators Arnold, Bair, Citro, Holloway, Hughes, Knox, Marshall, Martin, McBride, McDowell, Neal, Vaughn, Zimmerman.

The Resolution was considered for adoption on motion of Senator Bair and the roll call vote taken which revealed 18 Senators voting YES and 3 (Connor, Littleton and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 62 - CONGRATULATING MR. ROY RUDY OF THE NEWARK SENIOR CENTER ON BEING NAMED MALE VOLUNTEER OF THE YEAR. Sponsors: Representatives Oberle, Petrilli, Anderson, Soles; Senators Martin, Sharp, Neal.

The Resolution was considered for adoption on motion of Senator Neal and the roll call vote taken which revealed 19 Senators voting YES and 2 (Berndt and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

SB 238 was reported out of the Judiciary Committee: 6 Merits.

At 2:53 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 33rd Legislative Day.

33RD LEGISLATIVE DAY May 28, 1981

The Senate convened at 2:53 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

The following Committee reports were announced:

From the Public Safety Committee: HB 212 w HA 1 - 5 Merits; SB 97 - 5 Merits; SB 256 - 5 Merits.

Senators Cook and Zimmerman marked PRESENT.

SB 235 was reported out of the Education Committee: 2 Favorable, 3 Merits.

Senator McBride marked PRESENT.

SB 86 was taken up for consideration on motion of Senator Citro:

SB 86 - AN ACT TO AMEND CHAPTER 16, TITLE 24 OF THE DELAWARE CODE RELATING TO LOCATION OF ADULT ENTERTAINMENT ESTABLISHMENTS.

The privilege of the floor was extended to Tom Sandbach, Senate Attorney, after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 103 w HA 1, 2 was taken up for consideration on motion of Senator Marshall:

HB 103 w HA 1, 2 - AN ACT TO AMEND PART III OF TITLE 25, OF THE DELAWARE CODE BY EXCLUDING LEASES FOR CERTAIN COMMERCIAL UNITS FROM APPLICATION OF CERTAIN PROVISIONS OF THE LANDLORD-TENANT CODE.

SA 1 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator Berndt.

The privilege of the floor was extended to Israel J. Floyd (Hercules, Inc.).

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

HB 2 was taken up for consideration on motion of Senator Adams:

HB 2 - AN ACT CONCURRENCE IN A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE IMPOSITION OF TAXES OR LICENSE FEES.

Senators Adams and Citro were added as co-sponsors of the Bill.

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

SB 215 was taken up for consideration on motion of Senator Cook:

SB 215 - AN ACT TO AMEND CHAPTER 52, TITLE 29 OF THE DELAWARE CODE TO CORRECT AN INEQUITY IN HEALTH CARE INSURANCE COVERAGE FOR RETIREES OVER AGE 65 AND EXTENDING AN APPROPRIATION THEREFORE.

The privilege of the floor was extended to Donald F. McArdle of the State Pension Office after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Cordrey and McDowell) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 37 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 37 w HA 1 - AN ACT TO AMEND CHAPTER 45, PART IV, TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS; AND REQUIRING THE LISTING OF POLLING PLACES PRIOR TO AN ELECTION.

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

The following Committee reports were announced:

From the Insurance and Elections Committee: SB 53 - 5 Merits; SB 174 - 5 Merits; SB 222 - 5 Merits; SB 231 - 5 Merits; SB 254 - 2 Favorable, 3 Merits; HB 218 - 5 Merits; HB 219 - 5 Merits.

From the Revenue and Taxation Committee: HB 224 w HA 1 - 4 Merits; HB 31 - 2 Favorable, 3 Merits; SB 255 - 4 Merits.

The following legislation was introduced:

SB 263 - AN ACT TO AMEND CHAPTER 5, TITLE 11, DELAWARE CODE RELATING TO KIDNAPPING. Sponsors: Senators McDowell, Connor, Marshall; Representatives Dixon, Edwards, Cathcart, Free, Darling, Jester, Jonkiert, Cain. Assigned to Judiciary Committee.

SB 264 - AN ACT TO AMEND CHAPTER 4, TITLE 24 OF THE DELAWARE CODE RELATING TO BARBERS. Sponsors: Senators McDowell, Berndt, Vaughn, Marshall, Bair, Connor, Adams. Assigned to Administrative Services/Energy Committee.

SB 265 - AN ACT TO AMEND CHAPTER 17, TITLE 24, DELAWARE CODE, RELATING TO THE PRACTICE OF MEDICINE. Sponsors: Senator Holloway; Representative Maroney. Assigned to Health-Social Services/Aging Committee.

SA 1 to HB 183. Sponsor: Senator Holloway. Placed with the Bill.

HB 52 was taken up for consideration on motion of Senator Sharp:

HB 52 - AN ACT TO AMEND SUBCHAPTER V, TITLE 11 OF THE DELAWARE CODE, RELATING TO SEXUAL EXPLOITATION OF CHILDREN.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Cook, Holloway and Neal) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 103 w HA 1, 2 was lifted from the table for consideration on motion of Senator Marshall:

HB 103 w HA 1, 2 - AN ACT TO AMEND PART III OF TITLE 25, OF THE DELAWARE CODE BY EXCLUDING LEASES FOR CERTAIN COMMERCIAL UNITS FROM APPLICATION OF CERTAIN PROVISIONS OF THE LANDLORD-TENANT CODE.

The privilege of the floor was extended to Israel J. Floyd, Hercules, Incorporated.

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

YES: Senators Adams, Cook, Cordrey, Marshall, Martin, McDowell, Sharp, Zimmerman - 8.

NO: Senators Arnold, Bair, Berndt, Citro, Holloway, Hughes, Knox, Littleton, McBride, Neal, Vaughn - 11.
NOT VOTING: Senator Murphy - 1.

ABSENT: Senator Connor - 1.

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

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, Neal - 14.

NO: Senators McBride, McDowell, Sharp, Vaughn, Zimmerman - 5.

NOT VOTING: Senator Murphy - 1.

ABSENT: Senator Connor - 1.

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

At 5:55 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 2, 1981.

The Senate reconvened at 2:21 p.m., June 2, 1981, Senator Cordrey presiding

The following legislation was introduced:

SB 266 - AN ACT TO AMEND CHAPTER 86, TITLE 29 OF THE DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF THE DELAWARE COMMISSION FOR WOMEN. Sponsors: Senators Cook and Bair; Representatives Minner and Fallon. Assigned to Finance Committee.

SB 267 - AN ACT TO AMEND CHAPTER 76, PART VII, TITLE 16 OF THE DELAWARE CODE TO ESTABLISH A LIGHTING ENERGY EFFICIENCY CODE FOR NEW AND EXISTING NON-RESIDENTIAL BUILDINGS. Sponsors: Senators McDowell, Bair, Berndt, Connor, Holloway, Marshall, Martin, Neal; Representatives Smith, Anderson, Barnes, Corrozi, Darling, Ennis, Soles. Assigned to Administrative Services/Energy Committee.

SB 268 - AN ACT TO AMEND TITLE 11 AND TITLE 29 OF THE DELAWARE CODE RELATING TO LAW ENFORCEMENT ADMINISTRATION; AND PROVIDING FOR THE REORGANIZATION OF CERTAIN LAW ENFORCEMENT AGENCIES. Sponsors: Senators Vaughn, Cook, Citro, Hughes; Representatives Riddagh, Mack. Assigned to Public Safety Committee.

SB 269 - AN ACT TO AMEND CHAPTER 39 OF TITLE 14 AND CHAPTER 55, TITLE 29 DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS WHO RETIRED PRIOR TO 1980 AND PROVIDING A SUPPLEMENTAL APPROPRIATION THEREFORE. Sponsors: Senators Cook, Berndt, Cordrey, Citro. Assigned to Finance Committee.

SA 1 to HB 40. Sponsor: Senator Holloway. Placed with the Bill.

SCR 56 - EXTENDING THE EXISTENCE AND MANDATE OF THE DISABILITY REFORM COMMITTEE AND ADDING TWO MEMBERS TO THAT COMMITTEE. Sponsors: Senators Hughes and Cook; Representatives Corrozi and Dixon.

The Resolution was considered for adoption on motion of Senator Hughes and the roll call vote taken which revealed 18 Senators voting YES and 3 (Bair, Knox and Martin) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

SCR 57 - COMMENDING THE DELAWARE POLICE CHIEFS' COUNCIL FOR DEVELOPING AN APPROACH TO POLICE USE OF DEADLY FORCE DESIGNED TO PERMIT POLICE OFFICERS TO FUNCTION WHILE EASING CITIZEN FEARS OF MISUSE OF SUCH FORCE. Sponsors: Senators Adams, Holloway and Vaughn. Laid on the table on motion of Senator Adams.

At 2:27 p.m. on motion of Senator McDowell, the Senate adjourned to immediately convene for the 34th Legislative Day.

34TH LEGISLATIVE DAY June 2, 1981

The Senate convened at 2:27 p.m., Senator Cordrey presiding.

A Prayer was offered by Senator Sharp.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

Legislative Advisory #11 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation: On May 28, 1981 - SB 232 (Volume 63, Chapter 23, Laws of Delaware); HB 2, a Constitutional Amendment on its 2nd Leg did not require a signature (Volume 63, Chapter, 24, Laws of Delaware).

SB 255 was taken up for consideration on motion of Senator McDowell:

SB 255 - AN ACT TO AMEND CHAPTER 43, TITLE 30, DELAWARE CODE, RELATING TO THE EXEMPTION OF THE LEASE TAX ON LESSORS' OF MOTOR VEHICLES.

The privilege of the floor was extended to Gerri Poppiti, representing All State Auto Leasing companies.

Senators Bair and Zimmerman marked PRESENT.

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

SB 183 was taken up for consideration on motion of Senator Marshall:

SB 183 - AN ACT TO AMEND TITLES 26 AND 29, DELAWARE CODE, RELATING TO THE RETENTION OF CONSULTANTS BY THE PUBLIC SERVICE COMMISSION AND THE PUBLIC ADVOCATE.

At 3:00 p.m., Lt. Governor Castle presiding.

The roll call vote on the Bill was taken; however, before it was announced Senator Marshall moved that it be laid on the table. The roll call vote on the tabling motion was taken and revealed:

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

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

NOT VOTING: Senator Arnold - 1.

ABSENT: Senator Littleton - 1.

Therefore, the motion prevailed and the roll call on SB 183 was laid on the table.

SB 211 was taken up for consideration on motion of Senator Cordrey:

SB 211 - AN ACT TO AMEND SUBCHAPTER 1, CHAPTER 49, TITLE 10, OF THE DELAWARE CODE RELATING TO EXEMPTIONS IN BANKRUPTCY AND INSOLVENCY.

The privilege of the floor was extended to Samuel M. Simpson, Delaware Credit Union League, Inc.

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

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

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

NO: Senators Holloway, Marshall, Martin, McDowell, Sharp - 5.

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

At 4:26 p.m. Senator Sharp presiding.

At 4:40 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 6:04 p.m., Senator Cordrey presiding.

SCR 57 was lifted from the table for consideration on motion of Senator Adams.

Senators Citro and Hughes were added as co-sponsors to the Resolution after which the roll call vote was taken and revealed 18 Senators voting YES; and 3 (Bair, Holloway and Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

HB 108 was taken up for consideration on motion of Senator Sharp:

HB 108 - AN ACT TO AMEND CHAPTER 25, TITLE 11 OF THE DELAWARE CODE REQUIRING ACTUAL NOTICE TO BE RECEIVED BY PROSECUTORS FROM SENTENCED PRISONERS IN OTHER STATES WHO ARE REQUESTING DISPOSITION OF DETAINERS LODGED AGAINST THEM BY DELAWARE.

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

The following legislation was introduced:

SB 270 - AN ACT TO AMEND CHAPTER 47, TITLE 16 OF THE DELAWARE CODE TO CREATE ENHANCED PENALTIES FOR DRUG TRAFFICKING. Sponsors: Senators Sharp, Citro, McDowell, Zimmerman, Vaughn, Hughes; Representatives Riddagh, Oberle, Harrington, Cathcart, Mack, Spence, Minner, Jonkiert. Assigned to Judiciary Committee.

SB 271 - AN ACT TO AMEND CHAPTER 41 OF TITLE 14 OF THE DELAWARE CODE RELATING TO DISTURBING SCHOOLS OR DESTROYING SCHOOL PROPERTY. Sponsors: Senators Sharp, Citro, McDowell, Zimmerman, Vaughn, Hughes; Representatives Riddagh, Oberle, Harrington, Cathcart, Mack, Spence, Minner, Jonkiert. Assigned to Judiciary Committee.

SB 272 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE JURISDICTION OF THE SUPREME COURT. Sponsors: Senators Sharp, Citro, McDowell, Zimmerman, Vaughn, Hughes; Representatives Riddagh, Oberle, Harrington, Cathcart, Mack, Spence, Minner, Jonkiert. Assigned to Judiciary Committee.

SB 273 - AN ACT TO AMEND CHAPTER 52, TITLE 29, DELAWARE CODE, RELATING TO HEALTH CARE BENEFITS FOR STATE EMPLOYEES AND PENSIONERS. Sponsors: Senators Cook, Berndt, Zimmerman; Representatives Sincock, Harrington, Powell, Roy, Maroney, Dixon, Campanelli, Soles. Assigned to Finance Committee.

SB 274 - AN ACT TO AMEND CHAPTER 32, PART I, TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP LIFE INSURANCE; AND PROVIDING LIFE INSURANCE COVERAGE FOR CERTAIN PERSONS. Sponsor: Senator Connor. Assigned to Insurance and Elections Committee.

SB 275 - AN ACT TO AMEND TITLE 24, CHAPTERS 11 AND 21 TO PERMIT THE RENDERING OF DENTAL AND OPTOMETRIC SERVICES IN NON-PROFIT CLINICS OPERATED IN AFFILIATION WITH HOSPITALS. Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

The following nominations for appointment from the Governor were read and assigned to Executive Committee:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

June 2, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Dr. Jack E. Robinson, DVM, Townsend, Delaware, to be reappointed to the Unemployment Insurance Appeals Board for a term of five years.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

June 2, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Kathryn S. Andersen, 7 Perth Drive, Wilmington, Delaware, to be appointed a member of the State Board of Education for a term of six years to succeed Raymond E. Tomsetti, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

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HJR 8 was reported out of the Executive Committee: 4 Favorable, 2 Merits.

SB 65 and SB 261 were stricken at the request of the sponsor, Senator McBride.

Senator Zimmerman returned SA 1 to HB 40 since the Bill was not yet in his Committee.

At 6:20 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 3, 1981.

The Senate reconvened at 2:19 p.m., June 3, 1981, Lt. Governor Castle presiding.

The following legislation was introduced:

SB 276 - AN ACT TO AMEND CHAPTER 10, TITLE 14, DELAWARE CODE, RELATING TO SKILLED MAINTENANCE PERSONNEL IN REORGANIZED SCHOOL DISTRICTS. Sponsor: Senator Holloway. Assigned to Education Committee.

SB 277 - AN ACT TO AMEND CHAPTER 11, PART II, TITLE 30 OF THE DELAWARE CODE RELATING TO THE PERSONAL INCOME TAX; AND PROVIDING FOR AN ARTISTIC CONTRIBUTIONS TAX DEDUCTION ACT. Sponsor: Senator Connor. Assigned to Revenue and Taxation Committee.

SB 278 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO INTELLECTUAL AND ARTISTIC PROPERTY. Sponsor: Senator Connor. Assigned to Revenue and Taxation Committee.

SA 1 to SB 8. Sponsor: Senator Holloway. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 22 w HA 1; HB 184; HB 209 w HA 1; HB 259; SB 42 w SA 1, HA 2, 3.

The following legislation was introduced:

HB 22 w HA 1 - AN ACT TO AMEND CHAPTER 29, TITLE 24 OF THE DELAWARE CODE RELATING TO EXPENDITURES FROM THE REAL ESTATE GUARANTY FUND. Sponsors: Representatives Bennett, McKay, Petrilli. Assigned to Administrative Services/Energy Committee.

HB 184 - AN ACT TO AMEND CHAPTER 17, TITLE 18, DELAWARE CODE, REGARDING THE EXAMINATION PROCEDURES OF AGENTS, BROKERS, SURPLUS LINES BROKERS, CONSULTANTS, LIMITED REPRESENTATIVES, FRATERNAL REPRESENTATIVES, ADJUSTERS, AND APPRAISERS. Sponsors: Representative Harrington; Senator Adams. Assigned to Insurance and Elections Committee.

HB 209 w HA 1 - AN ACT TO AMEND TITLE 18, SECTION 2503 OF THE DELAWARE CODE TO REQUIRE INSURERS TO PROVIDE REDUCTIONS IN MOTOR VEHICLE INSURANCE PREMIUM RATES FOR DRIVERS COMPLETING A MOTOR VEHICLE ACCIDENT PREVENTION COURSE. Sponsors: Representatives Buckworth, Free, Mack, Harrington, Spence, Ennis; Senator Murphy. Assigned to Public Safety Committee.

HB 259 - AN ACT TO AMEND CHAPTER 61, TITLE 30 OF THE DELAWARE CODE RELATING TO THE LODGING TAX ON TOURIST HOMES. Sponsors: Representative Derrickson; Senator Cordrey. Assigned to Revenue and Taxation Committee.

On motion of Senator Cordrey, SB 42 w SA 1 which had previously passed the Senate was taken up for reconsideration as further amended by HA 2, 3.

The roll call vote on SB 42 w SA 1, HA 2, 3 was then taken and revealed:

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

NO: Senator McBride - 1.

ABSENT: Senators Martin, Murphy and Zimmerman - 3.

Therefore, the Bill was declared passed.

At 2:39 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 35th Legislative Day.

35TH LEGISLATIVE DAY
June 3, 1981

The Senate convened at 2:39 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

HB 171 w HA 1 was taken up for consideration on motion of Senator Marshall:

HB 171 w HA 1 - AN ACT TO AMEND AN ACT BEING CHAPTER 42, VOLUME 53, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD" RELATING TO CHARGES MADE BY THE CITY OF SEAFORD.

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

Senators Zimmerman and McBride marked PRESENT.

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

HB 15 - AN ACT TO AMEND CHAPTER 46, TITLE 9, DELAWARE CODE RELATING TO THE TIME LIMITATION FOR THE KENT COUNTY LEVY COURT TO ISSUE NOTES IN ANTICIPATION OF BOND SALES.

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

Senator Martin marked PRESENT.

The following Bills were temporarily deferred at the request of Senator Martin: SB 33; SB 34; SB 184.

SB 116 was laid on the table at the request of Senator McBride.

SB 92 was taken up for consideration on motion of Senator Littleton:

SB 92 - AN ACT TO AMEND AN ACT BEING CHAPTER 277, VOLUME 49, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF LAUREL" TO PROVIDE FOR ABSENTEE VOTING IN THE GENERAL MUNICIPAL ELECTION.

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

SB 152 was taken up for consideration on motion of Senator Littleton:

SB 152 - AN ACT TO AMEND AN ACT BEING CHAPTER 277, VOLUME 49, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF LAUREL" TO INCREASE THE SALARY OF THE MAYOR AND MEMBERS OF THE TOWN COUNCIL AND TO PROVIDE FOR NOTICE TO PERSONS WHOSE NAMES ARE REMOVED FROM THE BOOKS OF REGISTERED VOTERS.

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

SB 89 was taken up for consideration on motion of Senator Berndt:

SB 89 - AN ACT TO AMEND CHAPTER 17, TITLE 24, DELAWARE CODE RELATING TO DETERMINATION OF DEATH.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Holloway, Hughes, Knox, Littleton, McBride, Murphy, Sharp, Vaughn, Zimmerman - 15.

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

ABSENT: Senators Cordrey and Neal - 2.

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

At 3:47 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:00 p.m., Senator Cordrey presiding.

The following legislation was introduced:

SB 279 - AN ACT TO AMEND CHAPTER 30, PART III, TITLE 30 OF THE DELAWARE CODE RELATING TO THE MOTOR VEHICLE DOCUMENT FEE. Sponsor: Senator McBride. Assigned to Public Safety Committee.

SB 280 - AN ACT TO AMEND CHAPTER 5, PART I, TITLE 11 OF THE DELAWARE CODE RELATING TO ASSAULTS UPON PERSONS RENDERING EMERGENCY CARE. Sponsor: Senator McBride. Assigned to Judiciary Committee.

SB 281 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE BY ADDING A NEW CHAPTER 15 THERETO RELATING TO THE CONTROL OF ORGANIZED CRIMINAL ACTIVITY. Sponsors: Senators Sharp, Citro, McDowell, Zimmerman, Vaughn, Hughes; Representatives Riddagh, Oberle, Harrington, Cathcart, Mack, Spence, Minner, Jonkiert. Assigned to Judiciary Committee.

At 5:03 p.m., Lt. Governor Castle presiding.

SB 282 - AN ACT TO AMEND CHAPTER 41, TITLE 11 OF THE DELAWARE CODE RELATING TO THE CREATION OF A SPECIAL LAW ENFORCEMENT ASSISTANCE FUND. Sponsors: Senators Sharp, Citro, McDowell, Zimmerman, Vaughn, Hughes; Representatives Riddagh, Oberle, Harrington, Cathcart, Mack, Spence, Minner, Jonkiert. Assigned to Judiciary Committee.

SB 283 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE, RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE AND METHODS FOR ACQUIRING PERSONAL JURISDICTION OVER PARTIES. Sponsors: Senators Sharp, McDowell, Zimmerman, Vaughn, Hughes, Citro; Representative Riddagh. Assigned to Judiciary Committee.

SB 284 - AN ACT TO PERMIT FAMILY COURT TO ORDER CHILDREN UNDER FOURTEEN YEARS OF AGE TO WORK AND MAKE RESTITUTION TO REPAY THEIR VICTIMS. Sponsors: Senators Sharp, McDowell, Zimmerman, Vaughn, Hughes, Citro; Representative Riddagh. Laid on the table at the request of Senator Sharp.

SB 285 - AN ACT AWARDING SPECIAL PENSION BENEFITS TO FRANCES W. FARLOW, APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND AUTHORIZED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE; AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. Sponsors: Senators Littleton and Adams; Representative Cordrey. Assigned to Finance Committee.

SB 286 - AN ACT TO AMEND CHAPTER 11, TITLE 17 OF THE DELAWARE CODE RELATING TO THE REGULATION OF OUTDOOR ADVERTISING. Sponsors: Senators Martin and Littleton; Representatives Cordrey and Fallon. Assigned to Highways and Transportation Committee.

SB 287 - AN ACT TO AMEND CHAPTER 138, VOLUME 41, LAWS OF DELAWARE, AS AMENDED BEING "AN ACT TO REINCORPORATE THE TOWN OF CLAYTON" BY PERMITTING THE TOWN OF CLAYTON TO LEVY A SEPARATE GARBAGE ASSESSMENT. Sponsors: Senator Vaughn and Representative Riddagh. Assigned to Community Affairs Committee.

SB 288 - AN ACT TO AMEND CHAPTER 56, TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE JUDICIARY PENSION PLAN. Sponsors: Senator Adams and Representative Brady. Assigned to Finance Committee.

SA 2 to SB 33. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to SB 250. Sponsor: Senator Cordrey. Placed with the Bill.

SA 1 to HB 211. Sponsor: Senator Cordrey. Placed with the Bill.

SA 1 to SJR 3. Sponsor: Senator Bair. Placed with the Bill.

SJR 13 - REQUIRING STATE AGENCIES TO CONSIDER CONTRACTING OF SERVICES RATHER PROVIDING SUCH SERVICES THROUGH INTERNAL DEPARTMENTS. Sponsor: Senator Bair. Assigned to Executive Committee.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 63; HCR 64; HCR 65; SCR 55; SCR 57.

HCR 63 was introduced and considered for adoption on motion of Senator Cordrey:

HCR 63 - ACKNOWLEDGING AND ENDORSING THE TITLE VI COMPLIANCE PLAN WHICH THE STATE AND EACH OF ITS PUBLIC INSTITUTIONS OF HIGHER EDUCATION HAVE FILED WITH THE OFFICE FOR CIVIL RIGHTS OF THE UNITED STATES DEPARTMENT OF EDUCATION. Sponsors: Representative McKay and Senator Cordrey.

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

HCR 64 was introduced and considered for consideration on motion of Senator Knox:

HCR 64 - RECOGNIZING THE MUSHROOM INDUSTRY OF DELAWARE. Sponsors: Representatives Petrilli, McKay; Senator Knox.

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

HCR 65 was introduced and considered for adoption on motion of Senator Bair:

HCR 65 - MARKING THE RETIREMENT OF BETTY BURROUGHS, NEWSPAPERWOMAN FOR 45 YEARS AND OUTSTANDING COLUMNIST OF THE WILMINGTON MORNING NEWS. Sponsors: Representatives Smith, Ennis, VanSeiver; Senator Bair.

The roll call vote on the Resolution was taken and revealed 16 Senators voting YES; 1 (Zimmerman) voting NO; and 4 (Berndt, Cook, Hughes, Littleton) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

The following legislation was introduced:

SA 1 to SB 152. Sponsor: Senator Littleton. Placed with the Bill.

SA 2 to SB 33. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to SB 186. Sponsor: Senator Neal. Placed with the Bill.

SB 289 - AN ACT TO AMEND CHAPTER 44, TITLE 6, DELAWARE CODE, RELATING TO SOLICITATION BY SOCIAL AND CHARITABLE ORGANIZATIONS. Sponsors: Senators McDowell and Arnold. Assigned to Finance Committee.

The following Committee reports were announced:

From the Health-Social Services/Aging Committee: HB 48 w HA 1 - 4 Merits; HS 1 for HB 91 - 4 Merits; HB 159 w HA 1 - 4 Merits; SB 275 - 4 Merits; SB 265 - 4 Merits; HB 183 - 4 Merits.

From the Education Committee: HB 191 - 2 Favorable, 2 Merits.

From the Administrative Services/Energy Committee: SB 264 - 7 Merits; SB 267 - 4 Favorable, 2 Merits; HB 46 w HA 1 - 7 Merits; HB 160 w HA 1 - 7 Merits; HB 178 w HA 1 - 7 Merits; SB 181 - 7 Merits; SB 189 - 6 Merits.

From the Executive Committee: SB 130 - 4 Merits, 1 Unfavorable; HB 100 - 5 Merits; HB 205 - 5 Merits.

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

SB 33 - AN ACT TO AMEND CHAPTER 53, TITLE 25, DELAWARE CODE, RELATING TO LANDLORD OBLIGATIONS AND TENANT REMEDIES.

During the discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to Senate Attorney, Harry Terry.

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

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Martin and the roll call vote taken which revealed 19 Senators voting YES; 1 (McDowell) voting NO; and 1 (Citro) NOT VOTING; therefore, the Amendment was declared adopted.

The roll call vote on SB 33 w SA 1, 2 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 34 was stricken at the request of the sponsor, Senator Martin.

Consideration of SB 184 which was next on the Agenda was deferred at the request of the sponsor, Senator Martin.

SB 116 was taken up for consideration on motion of Senator McBride:
SB 116 - AN ACT TO AMEND SUBCHAPTER 11, TITLE 19, DELAWARE CODE, RELATING TO UNEMPLOYMENT COMPENSATION BENEFITS.

The privilege of the floor was extended to W. Thomas MacPherson, Division of Unemployment Insurance after which the Bill was laid on the table on motion of Senator McBride.
At 6:20 p.m., Senator Cordrey presiding.

SB 214 was reported out of the Administrative Services/Energy Committee: 6 Merits.

SB 290 was introduced and assigned to the Administrative Services/Energy Committee:

SB 290 - AN ACT TO AMEND CHAPTER 51, TITLE 25, DELAWARE CODE RELATING TO LANDLORD TENANT CODE PROVIDING FOR A LANDLORD ANSWERING SERVICE FOR TENANTS. Sponsor: Senator Martin.

The following Bills were stricken at the request of Senator Holloway: SB 28; SB 29; SB 38; SB 202; SB 213; SB 196.

SB 24 was stricken at the request of the sponsor, Senator Marshall.

At 6:30 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 4, 1981.

The Senate reconvened at 2:30 p.m., June 4, 1981, Lt. Governor Castle presiding and immediately adjourned on motion of Senator Cordrey to convene for the 36th Legislative Day.

36TH LEGISLATIVE DAY

June 4, 1981

The Senate convened at 2:30 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Sharp.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

SB 238 was taken up for consideration on motion of Senator Sharp:

SB 238 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE, TO CLARIFY AND REFINES THE DEFINITION OF FAMILY AS SAID WORK IS USED WITHIN THE FAMILY COURT ACT.

The privilege of the floor was extended to Robert D. Thompson, Chief Judge of the Family Court after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Martin) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 241 was taken up for consideration on motion of Senator Sharp:

SB 241 - AN ACT TO AMEND SECTION 1509, TITLE 13, DELAWARE CODE, RELATING TO PRELIMINARY INJUNCTIONS IN DIVORCE AND ANNULMENT PROCEEDINGS.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Robert D. Thompson, Chief Judge of the Family Court.

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

The roll call vote on SB 241 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 246 was taken up for consideration on motion of Senator Sharp:

SB 246 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE, RELATING TO THE POWERS AND DUTIES OF THE CHIEF JUDGE OF THE FAMILY COURT.

The privilege of the floor was extended to Robert D. Thompson, Chief Judge of the Family Court after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Arnold) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 247 was taken up for consideration on motion of Senator Sharp:

SB 247 - AN ACT TO AMEND SECTION 925, TITLE 10, DELAWARE CODE, GIVING FAMILY COURT CONCURRENT JURISDICTION WITH THE COURT OF CHANCERY TO APPOINT GUARDIANS OF THE PERSON OVER MINORS UNDER 18 YEARS OF AGE.

The privilege of the floor was extended to Robert D. Thompson, Chief Judge of the Family Court after which the roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 284 was lifted from the table for consideration under suspension of the necessary rules on motion of Senator Sharp:

SB 284 - AN ACT TO PERMIT FAMILY COURT TO ORDER CHILDREN UNDER FOURTEEN YEARS OF AGE TO WORK AND MAKE RESTITUTION TO REPAY THEIR VICTIMS.

Senator Bair was added as a co-sponsor of the Bill.

The privilege of the floor was extended to Robert D. Thompson, Chief Judge of the Family Court after which the roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 283 was taken up for consideration under suspension of the necessary rules on motion of Senator Sharp:
SB 283 - AN ACT TO AMEND CHAPTER 9, TITLE 10, DELAWARE CODE, RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE AND METHODS FOR ACQUIRING PERSONAL JURISDICTION OVER PARTIES.

The privilege of the floor was extended to Robert D. Thompson, Chief Judge of the Family Court after which the roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HB 211 w HA 1 was taken up for consideration on motion of Senator Martin:

HB 211 w HA 1 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR PASSING STOPPED SCHOOL BUSES.

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

The roll call vote on HB 211 w HA 1, SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SB 152 was lifted from the table for consideration on motion of Senator Littleton.

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

The roll call vote on SB 152 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

The Secretary announced that a message from the House informed the Senate that it had passed HB 200 w HA 1, HA 2 as amended by HA 1, HA 3 as amended by HA 1, HAS 5, 6, 7, 9, 10, 12, 23, 24, 26, 28, 29.

The following legislation was introduced:

HB 200 w HA 1, HA 2 as amended by HA 1, HA 3 as amended by HA 1, HAS 5, 6, 7, 9, 10, 12, 23, 24, 26, 28, 29 - **AN ACT TO AMEND TITLES 19, 9, 11, 18, 24, 29, 30 AND 31 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION, PROVIDING FOR THE "WORKERS' COMPENSATION ACT OF 1981" AND FURTHER PROVIDING FOR AN APPROPRIATION FOR THE IMPLEMENTATION OF THAT ACT.** Sponsors: Representatives Burris and Bennett. Assigned to Insurance and Elections Committee.

SB 291 - **AN ACT TO AMEND CHAPTER 41, TITLE 11, OF THE DELAWARE CODE RELATING TO CRIMINAL PROCEDURES; AND PROVIDING FOR RESTITUTION FOR PROPERTY DAMAGE OR LOSS SUSTAINED BY VICTIMS OF CRIMES.** Sponsors: Senators Vaughn, Sharp, Cook, Hughes, Citro; Representatives Riddagh, Spence, Mack, Jonkiert, Minner. Assigned to Judiciary Committee.

SB 292 - **AN ACT TO AMEND CHAPTERS 33 OF TITLE 18, CHAPTER 23 OF TITLE 19, AND CHAPTER 5 OF TITLE 31 OF THE DELAWARE CODE RELATING TO PAYMENT FOR THE SERVICES OF LICENSES CLINICAL SOCIAL WORKERS AS MENTAL HEALTH PROVIDERS.** Sponsors: Senator Holloway and Representative Cain. Assigned to Health-Social Services/Aging Committee.

SB 293 - **AN ACT TO AMEND CHAPTER 10 AND 19, TITLE 14 OF THE DELAWARE CODE RELATING TO THE TAXATION FOR SCHOOL PURPOSES.** Sponsors: Senators Connor and McDowell; Representative Buckworth. Assigned to Revenue and Taxation Committee.

SA 1 to SB 120. Sponsor: Senator Sharp. Placed with the Bill.

SA 1 and SA 2 to SB 16. Sponsor: Senator Neal. Placed with the Bill.

SB 294 - **AN ACT TO AMEND DELAWARE CODE, TITLE 14, AS IT RELATES TO THE FUNDING OF EDUCATIONAL SERVICES FOR PERSONS WHO ARE AUTISTIC.** Sponsors: Senators Neal, Holloway, Zimmerman, Sharp, McDowell, Berndt, Cook, Littleton, Adams, Martin, Connor, Bair, Marshall, Hughes, Vaughn, Citro, Arnold, Knox, McBride, Murphy; Representatives Holloway, Jr., Roy, Harrington, Fallon, Bennett, Anderson, Brady, Free, Plant, Maroney, VanSciver, Corrozi, Gilligan, Cain, Soles, Barnes, Spence, Oberle, Hebner, West, Riddagh, Cathcart, Minner, Darling, Jester, Cordrey, Edwards, Ennis, Campanelli, Derrickson, George, Buckworth, Powell, Dixon, Petrilli, McKay. Assigned to Education Committee.

At 3:52 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:15 p.m., Senator Cordrey presiding.

The following Committee reports were announced:

From the Judiciary Committee: SB 208 - 5 Merits, 1 Unfavorable; SB 270 - 6 Merits; SB 271 - 6 Merits; SB 272 - 6 Merits; SB 280 - 6 Merits; SB 281 - 6 Merits; SB 282 - 6 Merits; HB 71 - 6 Merits; HB 216 - 6 Merits.

The following legislation was introduced:

SB 295 - **AN ACT TO AMEND CHAPTER 44, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REMOVAL OF ABANDONED VEHICLES.** Sponsors: Senator Adams and Representative Spence. Assigned to Public Safety Committee.

SB 296 - **AN ACT TO AMEND TITLE 24, CHAPTERS 11 AND 21 TO PERMIT THE RENDERING OF DENTAL AND OPTOMETRIC SERVICES IN NON-PROFIT CLINICS OPERATED IN AFFILIATION WITH HOSPITALS.** Sponsor: Senator Holloway. Assigned to Health-Social Services/Aging Committee.

SA 3 to SB 291. Sponsor: Senator Cook. Placed with the Bill.

SA 3 to SB 16. Sponsor: Senator Adams. Placed with the Bill.

SA 4 and SA 5 to SB 16. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SB 222. Sponsor: Senator Citro. Placed with the Bill.

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

The Secretary announced that a message from the House informed the Senate that it had passed HB 242 and HB 243.

The following legislation was introduced:

HB 242 - AN ACT TO AMEND CHAPTER 2, OF TITLE 11, OF THE DELAWARE CODE RELATING TO A DEFINITION OF WHAT CONSTITUTES AN ORDINARY POCKETKNIFE. Sponsors: Representative Riddagh and Senator Vaughn. Assigned to Judiciary Committee.

HB 243 - AN ACT TO AMEND CHAPTER 9, TITLE 10, OF THE DELAWARE CODE RELATING TO EXCLUSIVE ORIGINAL CRIMINAL JURISDICTION OF THE FAMILY COURT. Sponsors: Representative Riddagh and Senator Vaughn. Assigned to Judiciary Committee.

SB 207 was reported out of the Health-Social Services/Aging Committee: 1 Favorable, 3 Merits, 3 Unfavorable.

SCR 58 was introduced and considered for adoption on motion of Senator Marshall:

SCR 58 - URGING THE NEMOURS FOUNDATION INCORPORATED TO USE THE EVALUATION OF THE PERFORMANCE OF THE NEMOURS HEALTH CLINIC INCORPORATED AS A SPRINGBOARD TO EXPANDED SERVICES FOR DELAWARE SENIOR CITIZENS. Sponsors: Senator Marshall, McBride, McDowell, Citro, Bair; Representative Jonkiert.

The roll call vote on the Resolution was taken and revealed 17 Senators voting YES, 1 (Knox) NOT VOTING and 3 (Arnold, Martin and Neal) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The following Committee reports were announced:

From the Community Affairs Committee: SB 95 - 5 Merits; HB 148 - 5 Merits; HB 161 - 5 Merits.

HB 224 w HA 1 was taken up for consideration on motion of Senator Cordrey:

HB 224 w HA 1 - AN ACT TO AMEND CHAPTER 26, PART 1, TITLE 14 OF THE DELAWARE CODE RELATING TO VOCATIONAL SCHOOLS.

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

HB 31 was taken up for consideration on motion of Senator Cordrey:

HB 31 - AN ACT TO REQUIRE AFFECTED STATE AGENCIES TO REPORT ANNUALLY THEIR EFFORTS TO COMPLY WITH THE POLICY OF THIS STATE TO ENCOURAGE EMPLOYEE STOCK OWNERSHIP PLANS.

The privilege of the floor was extended to Representative Free after which the roll call vote on the Bill was taken; however, the roll call was laid on the table before being announced on motion of Senator Cordrey.

SB 298 was introduced and assigned to Health-Social Services/Aging Committee:

SB 298 - AN ACT TO AMEND TITLE 24, CHAPTERS 11 AND 21 TO PERMIT THE RENDERING OF DENTAL AND OPTOMETRIC SERVICES IN NON-PROFIT CLINICS OPERATED IN AFFILIATION WITH HOSPITALS. Sponsors: Senators Holloway and Berndt.

At 6:08 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., June 9, 1981.

The Senate reconvened at 2:17 p.m., June 9, 1981, Lt. Governor Castle presiding.

SB 297 was introduced and assigned to Finance Committee:

SB 297 - AN ACT TO AMEND CHAPTER 55, TITLE 29, DELAWARE CODE RELATING TO THE STATE EMPLOYEES PENSION PLAN. Sponsors: Senators Hughes, Adams, Arnold, Bair, Berndt, Citro, Connor, Holloway, Knox, Littleton, Martin, Murphy, Sharp, Vaughn, Zimmerman; Representatives McKay and Sincok.

The Secretary announced that a message from the House informed the Senate that it had passed HB 196; HB 245; HB 248 w HA 1; HB 253; HB 257 w HA 1; HB 258; HB 265.

The following legislation was introduced:

HB 196 - AN ACT TO AMEND CHAPTER 11, TITLE 30, DELAWARE CODE, RELATING TO THE DEFINITION OF RESIDENT INDIVIDUAL FOR PERSONAL INCOME TAX PURPOSES, AND TO CLARIFY THE DEDUCTION FOR TAXES PAID TO A FOREIGN COUNTRY. Sponsor: Representative Powell. Assigned to Revenue and Taxation Committee.

HB 245 - AN ACT TO AMEND TITLE 11, SECTION 1336 OF THE DELAWARE CODE RELATING TO WIRETAPPING AND ELECTRONIC SURVEILLANCE. Sponsors: Representative Riddagh; Senator Vaughn. Assigned to Judiciary Committee.

HB 248 w HA 1 - AN ACT TO AMEND CHAPTER 14, TITLE 11 OF THE DELAWARE CODE RELATING TO DEADLY WEAPONS AND DANGEROUS INSTRUMENTS. Sponsors: Representatives Riddagh, Harrington, Buckworth; Senator Vaughn. Assigned to Judiciary Committee.

HB 253 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO PASSING STOPPED SCHOOL BUSES. Sponsor: Representative Derrickson. Assigned to Public Safety Committee.

HB 257 w HA 1 - AN ACT TO AMEND SECTION 7309, CHAPTER 73, TITLE 6 OF THE DELAWARE CODE RELATING TO THE DELAWARE SECURITIES ACT. Sponsor: Representative Sincok. Assigned to Finance Committee.

HB 258 - AN ACT TO AMEND CHAPTER 73, TITLE 6 OF THE DELAWARE CODE RELATING TO THE DELAWARE SECURITIES ACT. Sponsor: Representative Sincok. Assigned to Finance Committee.

HB 265 - AN ACT TO AMEND CHAPTER 13, TITLE 14, OF THE DELAWARE CODE RELATING TO THE CREATION OF AN EDUCATIONAL MANAGEMENT ADVISORY COMMITTEE. Sponsors: Representatives Ennis, George, Maroney, Petrilli, Cathcart, Free, Brady, Smith, Edwards, Mack; Senators Berndt, Holloway. Assigned to Education Committee.

At 2:24 p.m. on motion of Senator Cordrey, the Senate adjourned to immediately convene for the 37th Legislative Day.

37TH LEGISLATIVE DAY

June 9, 1981

The Senate convened at 2:24 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

SB 256 was taken up for consideration on motion of Senator Vaughn:

SB 256 - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE, RELATING TO THE ISSUANCE OF CONDITIONAL DRIVER'S LICENSE TO PERSONS WHO RECEIVE SUSPENSIONS FOR FAILURE TO HAVE LIABILITY INSURANCE.

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

SB 245 was taken up for consideration on motion of Senator Berndt:

SB 245 - AN ACT TO AMEND CHAPTER 5, SUBCHAPTER VII, PART C, TITLE 11 OF THE DELAWARE CODE PROVIDING CERTAIN PUNISHMENTS UPON CONVICTION FOR THE CRIME OF OBSCENITY; AND RELATING TO THE DEFINITION THEREOF.

The privilege of the floor was extended to Rev. John R. Flinn, M.M. (Catholic Diocese of Wilmington) and Mrs. Thomas Londergan (Citizens for a Decent Community).

Senators Bair, Citro, Connor and Marshall were added as co-sponsors of the Bill.

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

HJR 8 was taken up for consideration on motion of Senator Adams:

HJR 8 - MOURNING THE DEATH OF JAMES FRANCIS (JUMBO) ELLIOTT, INTERNATIONALLY FAMOUS VILLANOVA TRACK COACH, WHO WORKED WITH MANY DELAWARE ATHLETES.

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

SB 16 was taken up for consideration on motion of Senator Holloway:

SB 16 - AN ACT TO AMEND SUBCHAPTER VI OF CHAPTER 1, TITLE 26, DELAWARE CODE RELATING TO REGULATION BY THE PUBLIC SERVICE COMMISSION OF RATES CHARGED BY CABLE TELEVISION SYSTEMS.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to Harry Terry (Senate Attorney).

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

SA 2 to the Bill which had been placed with the Bill was laid on the table on motion of the sponsor, Senator Neal.

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

YES: Senators Adams, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Knox, Littleton, Marshall, McDowell, Neal, Sharp, Vaughn - 15.

NO: Senators Arnold, Hughes, Martin, McBride, Murphy, Zimmerman - 6.

Therefore, the Amendment was declared adopted.

SA 4 to the Bill which had been placed with the Bill was stricken at the request of the sponsor, Senator McDowell.

SA 5 to the Bill which had been placed with the Bill was laid on the table on motion of the sponsor, Senator McDowell.

The roll call vote on SB 16 w SA 1, 3 was then taken and revealed:

YES: Senators Berndt and Holloway - 2.

NO: Senators Adams, Arnold, Bair, Citro, Connor, Cook, Cordrey, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 19.

Therefore, the Bill was declared defeated.

SA 5 to SB 16 was stricken at the request of the sponsor, Senator McDowell.

At 4:05 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 4:48 p.m., Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Public Safety Committee: SB 243 - 5 Merits; SB 268 - 1 Favorable, 4 Merits; SB 279 - 5 Merits; SB 295 - 2 Favorable, 3 Merits.

From the Community Affairs Committee: SB 287 - 4 Merits.

From the Labor and Industrial Relations Committee: HB 273 w HA 4 - 6 Merits; SB 91 - 3 Merits, 3 Unfavorable.

The following legislation was introduced:

SB 299 - AN ACT TO AMEND CHAPTER 71, TITLE 7 OF THE DELAWARE CODE TO PROVIDE FOR ADDITIONAL EXEMPTIONS FROM THE NOISE CONTROL LAW. Sponsors: Senator Cook and Representative Spence. Assigned to Natural Resources and Environmental Control Committee.

SB 300 - AN ACT TO AMEND CHAPTER 69, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REMOVAL OF MOTOR VEHICLES FROM PUBLIC HIGHWAYS BY POLICE OR BY OTHERS UPON POLICE DIRECTION. Sponsors: Senators Martin, Adams, Holloway, Vaughn, Littleton; Representatives Jester, Minner, Cathcart, Oberle, Roy. Assigned to Public Safety Committee.

SB 301 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF MENTAL HEALTH, BUREAU OF ALCOHOL AND DRUG ABUSE TO PROVIDE THROUGH CONTRACTUAL SERVICES, EDUCATION, RESEARCH AND COUNSELING SERVICES TO TREAT COMPULSIVE GAMBLING AS A SOCIAL PROBLEM; AND FURTHER AUTHORIZING THE BUDGET DIRECTOR AND CONTROLLER GENERAL TO TRANSFER SAID FUNDS. Sponsors: Senators McDowell, Holloway, McBride, Knox, Arnold, Bair, Neal, Citro; Representatives Petrilli, Cathcart, Free, Cain, Gilligan. Assigned to Health-Social Services/Aging Committee.

SA 1 to SB 269. Sponsors: Senators Cook, Berndt, Cordrey, Citro. Placed with the Bill.

SA 1 to SB 287. Sponsor: Senator Bair. Placed with the Bill.

SA 1 to SB 298. Sponsor: Senator Holloway. Placed with the Bill.

SA 2 to SB 91. Sponsor: Senator Neal. Placed with the Bill.

SA 1 to HB 100. Sponsor: Senator Bair. Placed with the Bill.

SCR 59 - REQUESTING THE FEDERAL COMMUNICATIONS COMMISSION TO COOPERATE WITH CURRENT EFFORTS TO IMPROVE TELEVISION PROGRAMMING FOR THE DEAF. Sponsor: Senator Holloway. Laid on the table at the sponsor's request.

SB 120 was taken up for consideration on motion of Senator Sharp:

SB 120 - AN ACT TO AMEND CHAPTER 1, TITLE 26 OF THE DELAWARE CODE TO BAN THE USE OF CONSTRUCTION PROGRAM COSTS IN COMPUTING THE RATE BASE FOR UTILITIES.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Sharp and the roll call vote taken which revealed 18 Senators voting YES and 3 (Berndt, Holloway and Zimmerman) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 120 w SA 1 was then taken and revealed:

YES: Senators Adams, Citro, Connor, Cook, Cordrey, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Sharp, Vaughn - 13.

NO: Senators Bair, Knox, Neal - 3.

NOT VOTING: Senators Arnold, Berndt, Hughes, Zimmerman - 4.

ABSENT: Senator Holloway.

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

SB 264 was taken up for consideration on motion of Senator McDowell:

SB 264 - AN ACT TO AMEND CHAPTER 4, TITLE 24 OF THE DELAWARE CODE RELATING TO BARBERS.

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

SB 267 was taken up for consideration on motion of Senator McDowell:

SB 267 - AN ACT TO AMEND CHAPTER 76, PART VII, TITLE 16 OF THE DELAWARE CODE TO ESTABLISH A LIGHTING ENERGY EFFICIENCY CODE FOR NEW AND EXISTING NON-RESIDENTIAL BUILDINGS.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Donald A. Crews, Acting Director of the Delaware Energy Office.

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

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

NO: Senators Holloway, McBride, Zimmerman - 3.

NOT VOTING: Senators Murphy and Sharp - 2.

ABSENT: Senator Martin - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 267 w SA 1 was then taken and revealed:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Holloway, Hughes, Knox, Marshall, Martin, McDowell, Neal, Sharp - 13.

NO: Senators Adams, Cook, Cordrey, Littleton, McBride, Murphy, Vaughn, Zimmerman - 8.

Therefore, the Bill was declared defeated since a 2/3 majority was required for passage.

The roll call vote on HB 224 w HA 1 was lifted from the table on motion of Senator Cordrey and announced:

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

NO: Senators Connor, McDowell, Zimmerman - 3.

NOT VOTING: Senator Marshall - 1.

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

The roll call vote on HB 31 was lifted from the table on motion of Senator Cordrey and announced:

YES: Senators Arnold, Bair, Berndt, Citro, Connor, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, Neal - 13.

NO: Senators Adams, Cook, McBride, McDowell, Murphy, Sharp, Vaughn, Zimmerman - 8.

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

At 6:05 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., June 10, 1981.

The Senate reconvened at 2:28 p.m., June 10, 1981, Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Revenue and Taxation Committee: HB 259 - 5 Merits.

From the Health-Social Services/Aging Committee: SB 296 - 4 Merits; SB 298 - 4 Merits.

From the Judiciary Committee: SB 291 - 4 Favorable, 1 Merits.

The Secretary announced that a message from the House informed the Senate that it had passed HB 233 w HA 1; HB 266 w HA 1; HB 291 w HA 1; HB 324 w HA 1; SB 106 w SA 1; HB 206; HB 215; HB 275 w HA 1; HB 307 w HA 1, 2.

The following legislation was introduced:

SB 302 - AN ACT TO AMEND TITLE 14, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A COMMUNITY EDUCATION ACT. Sponsors: Senators Martin, Berndt, Vaughn, Holloway, Littleton, Connor; Representatives Cordrey, Anderson, Dixon, Jester, Soles, Oberle, Cain, West. Assigned to Education Committee.

SB 303 - AN ACT TO AMEND CHAPTER 17, TITLE 14 OF THE DELAWARE CODE, RELATING TO EQUALIZATION FUNDING. Sponsors: Senators Bair, Sharp, Berndt, Arnold, Knox, Citro, Hughes; Representative Ennis. Assigned to Education Committee.

SA 2 to SB 186. Sponsor: Senator Neal. Placed with the Bill.

SA 1 to SB 276. Sponsor: Senator Holloway. Placed with the Bill.

SB 14 - CREATING A COMMITTEE TO STUDY ALTERNATIVES FOR FUTURE UTILIZATION OF SCHOOL BUILDINGS WHICH BECOME VACANT IN NEW CASTLE COUNTY. Sponsor: Senator Hughes. Assigned to Education Committee.

The following Committee reports were announced:

From the Finance Committee: SB 266 - 5 Merits; SB 273 - 5 Merits.

The following legislation was introduced:

HB 206 - AN ACT TO AMEND CHAPTER 50, TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE HOLDING COMPANIES. Sponsors: Representative Harrington and Senator Citro. Assigned to Insurance and Elections Committee.

HB 215 - AN ACT TO AMEND CHAPTER 23 OF TITLE 10, DELAWARE CODE IN ORDER TO PERMIT THE PROTHONOTARY OF EACH COUNTY TO EARN MAXIMUM INTEREST ON CERTAIN FUNDS BY PURCHASING CERTIFICATES OF DEPOSIT. Sponsor: Representative Jonkiert. Assigned to Revenue and Taxation Committee.

HB 275 w HA 1 - AN ACT TO AMEND TITLE 21, CHAPTER 21 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF SPECIAL VANITY PLATES FOR MOTORCYCLES. Sponsors: Representatives Oberle and Roy; Senators Arnold and Martin. Assigned to Public Safety Committee.

HB 307 w HA 1, 2 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF AGRICULTURE BY PROVIDING FOR AGRICULTURAL LANDS PRESERVATION AND TO AMEND CHAPTER 81 OF TITLE 29 OF THE DELAWARE CODE BY ADDING AN AGRICULTURAL LANDS PRESERVATION SECTION. Sponsors: Representative Fallon and Senator Adams; Representatives Anderson, Barnes, Brady, Buckworth, Cain, Cathcart, Cordrey, Corrozi, Dixon, Ennis, Free, George, Jester, Jonkiert, Mack, Maroney, McKay, Minner, Oberle, Plant, Riddagh, Sincok, Smith, Spence, West; Senators Arnold, Cook, Hughes Knox, Littleton, Neal, Vaughn. Assigned to Agriculture Committee.

HB 233 w HA 1 - AN ACT TO AMEND CHAPTERS 51 AND 55 OF TITLE 25 OF THE DELAWARE CODE RELATING TO METERING AND CHARGES FOR UTILITY SERVICES BY LANDLORDS. Sponsor: Representative Sincok. Assigned to Administrative Services/Energy Committee.

HB 266 w HA 1 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO EMERGENCY VEHICLES. Sponsors: Representatives Cathcart, Mack, Oberle, Buckworth, Derrickson, Gilligan, Spence, Corrozi, Dixon, Jester, VanSeiver; Senators Connor, McBride. Assigned to Public Safety Committee.

HB 291 w HA 1 - AN ACT TO AMEND CHAPTER 57, TITLE 25, OF THE DELAWARE CODE TO PERMIT A SUMMARY PROCEEDINGS FOR POSSESSION TO BE MAINTAINED ONLY IN THAT JUSTICE OF THE PEACE COURT WHICH HANDLES CIVIL CASES AND WHICH IS IN THE SAME COUNTY AS AND IS CLOSEST TO THE LEASED PREMISES. Sponsors: Representatives Ennis, Hebner, Smith, Holloway, Jr.; Senators Bair, Berndt. Assigned to Judiciary Committee.

HB 324 w HA 1 - AN ACT TO AMEND CHAPTER 5, PART I, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DISPLAY AND DISTRIBUTION OF THE STATE FLAG. Sponsors: Representative Riddagh and Senator Cook. Assigned to Executive Committee.

SB 66 was reported out of the Administrative Services/Energy Committee: 1 Favorable, 4 Merits.

At 2:42 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 38th Legislative Day.

38TH LEGISLATIVE DAY
June 10, 1981

The Senate convened at 2:42 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Arnold.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

Legislative Advisory #12 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following legislation on June 6, 1981: HB 16 w SA 1 (Volume 63, Chapter 25, Laws of Delaware); HB 37 w HA 1 (Volume 63, Chapter 26, Laws of Delaware); SB 104 (Volume 63, Chapter 27, Laws of Delaware); HCR 65.

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HB 46 w HA 1 was taken up for consideration on motion of Senator McDowell:

HB 46 w HA 1 - AN ACT TO AMEND CHAPTER 13, OF TITLE 24, DELAWARE CODE, RELATING TO PRIVATE DETECTIVES.

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

HB 150 w HA 1 was taken up for consideration on motion of Senator McDowell:

HB 150 w HA 1 - AN ACT TO AMEND CHAPTER 3, TITLE 9 OF THE DELAWARE CODE RELATING TO THE AWARD OF CONTRACTS FOR PUBLIC WORK OR GOODS.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES, 1 (Sharp) NOT VOTING, and 2 (Arnold and Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 171 w HA 1 was lifted from the table for consideration on motion of Senator McDowell who then yielded to Senator Littleton to floor manage the Bill.

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

HB 178 w HA 1 was taken up for consideration on motion of Senator McDowell:

HB 178 w HA 1 - AN ACT TO AMEND CHAPTER 59, PART V, TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION; AND PROVIDING FOR A PROHIBITION AGAINST THE IMPOSITION OF NON-COMPENSATED WORK AS A DISCIPLINARY MEASURE.

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

YES: Senators Citro, Connor, Holloway, Marshall, Martin, McDowell, Murphy - 7.

NO: Senators Adams, Arnold, Bair, Cook, Cordrey, Hughes, Knox, Littleton, McBride, Neal, Sharp, Vaughn, Zimmerman - 13.

ABSENT: Senator Berndt - 1.

Therefore, the Bill was declared defeated.

HB 100 w HA 1 was taken up for consideration on motion of Senator Adams:

HB 100 w HA 1 - AN ACT TO AMEND PART VI, TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT; AND PROVIDING FOR THE GRANTING OF MONETARY AWARDS FOR SUGGESTIONS THAT RESULT IN FINANCIAL OR ECONOMIC BENEFIT TO THE STATE OF DELAWARE.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Bair and the roll call vote taken which revealed 18 Senators voting YES, 2 (Holloway and Zimmerman) voting NO, and 1 (Berndt) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Representative Petrilli.

SA 2 to the Bill was introduced by Senator McDowell and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES, 1 (Neal) voting NO, and 2 (Martin and Murphy) ABSENT; therefore, the Amendment was declared adopted.

SA 3 to the Bill was introduced by Senator Bair and considered for adoption on her motion. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES, and 1 (Murphy) ABSENT; therefore, the Amendment was declared adopted.

On motion of Senator Adams, HB 100 w HA 1, SA 1, 2, 3 was then laid on the table.

SCR 60 was introduced and considered for adoption on motion of Senator Littleton:

SCR 60 - WELCOMING THE DELEGATION FROM CHANNEL 64, SEAFORD, TO LEGISLATIVE HALL TODAY, JUNE 10, 1981. Sponsors: Senators Littleton and Adams; Representative Fallon.

The privilege of the floor was extended to J. Christopher Farlow, General Manager of Channel 64 after which the roll call vote on the Resolution was taken and revealed 21 Senators voting YES; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

HB 205 w HA 1 was taken up for consideration on motion of Senator Adams:

HB 205 w HA 1 - AN ACT TO AMEND CHAPTER 102, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE SUNSET ACT.

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

At 4:26 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 11, 1981.

The Senate reconvened at 2:35 p.m., June 11, 1981, Lt. Governor Castle presiding.

The following legislation was introduced:

SB 306 - AN ACT TO AMEND CHAPTER 11, TITLE 9, OF THE DELAWARE CODE RELATING TO VACANCIES IN THE OFFICE OF THE COUNTY EXECUTIVE OF NEW CASTLE COUNTY AND IN THE OFFICES OF OTHER ELECTED OFFICIALS OF THE COUNTY GOVERNING BODY. Sponsors: Senators Neal, Martin, Vaughn; Representative Brady. Assigned to Community Affairs Committee.

SB 304 - AN ACT TO AMEND CHAPTER 65, TITLE 29 OF THE DELAWARE CODE RELATING TO PAYMENT OF STATE VENDORS. Sponsors: Senators Neal and Adams. Assigned to Finance Committee.

SB 305 - AN ACT TO AMEND CHAPTER 1, TITLE 26, DELAWARE CODE, BY ADDING A NEW SUBSECTION RELATING TO SUBSCRIBER REMEDIES FOR INTERRUPTION OF CABLE TELEVISION SYSTEM SERVICE. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

SB 307 - AN ACT TO AMEND TITLE 11, DELAWARE CODE, SECTION 475, RELATING TO IMMUNITY AS AN AFFIRMATIVE DEFENSE. Sponsors: Senator Cordrey and Representative Darling. Assigned to Judiciary Committee.

SS 1 for SB 190 - AN ACT TO AMEND PART X, TITLE 29 OF THE DELAWARE CODE PROVIDING FOR REGULATORY EXCEPTIONS FOR INDIVIDUALS AND SMALL BUSINESSES. Sponsors: Senators Murphy, Neal, Sharp, McDowell, Knox, Citro, Connor; Representative Bennett. Assigned to Community Affairs Committee.

SA 1 to SB 184. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to HB 48. Sponsor: Senator Sharp. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had adopted HCR 67; HCR 68; HCR 69; HCR 70; SCR 18; SCR 19; SCR 32 w SA 1.

HCR 67 was introduced and considered for adoption on motion of Senator Marshall:

HCR 67 - CONGRATULATING THE MEMBERS OF THE WILMINGTON MOUNTED PATROL DRILL TEAM WHO WON HONORS IN THE POLICE COMPETITION AT THE DEVON HORSE SHOW. Sponsors: Representative Jonkiert and Senator Marshall.

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

HCR 68 was introduced and considered for adoption on motion of Senator Adams:

HCR 68 - CONGRATULATING THE WOODBRIDGE HIGH SCHOOL TRACK TEAM AND COACH RON DEISER ON WINNING THE DIVISION II CHAMPIONSHIP. Sponsors: Representative Barnes; Senators Adams and Cook.

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

HCR 69 was introduced and laid on the table on motion of Senator Sharp:

HCR 69 - CONGRATULATING SUSAN MCLAUGHLIN, DEPARTMENT CHAIRMAN OF FINE AND APPLIED ARTS AT THE TALLEY JUNIOR HIGH SCHOOL, CLAYMONT, UPON HER SELECTION AS THE DELAWARE VOCATIONAL HOME ECONOMICS ASSOCIATION'S TEACHER OF THE YEAR. Sponsors: Representatives Smith, Hebner, Ennis, VanSeiver; Senator Bair.

HCR 70 was introduced and laid on the table on motion of Senator Sharp:

HCR 70 - CONGRATULATING THE UNITED STATES COAST GUARD RESERVE UNIT INDIAN RIVER AND ITS COMMANDING OFFICER, LIEUTENANT COMMANDER RICHARD W. SCHNEIDER, FOR CITATIONS FROM THE COMMANDANT OF THE COAST GUARD SINGLING OUT EXCEPTIONAL SERVICE AND LEADERSHIP BETWEEN JUNE 4, 1977, AND OCTOBER 30, 1979. Sponsors: Representative Derrickson and Senator Cordrey.

The following Committee reports were announced:

From the Revenue and Taxation Committee: HB 169 - 5 Merits.

From the Administrative Services/Energy Committee: SB 110 - 1 Favorable, 5 Merits; SB 125 - 1 Favorable, 4 Merits; SB 262 - 5 Merits; HB 22 w HA 1 - 5 Merits.

At 2:50 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 39th Legislative Day.

39TH LEGISLATIVE DAY

June 11, 1981

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

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

On motion of Senator Holloway, SB 187 w SA 1, 5, 6 which had previously passed the Senate was taken up for reconsideration as further amended by HA 1.

The roll call vote on SB 187 w SA 1, 5, 6, HA 1 was then taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the Bill was declared passed.

SB 265 was taken up for consideration on motion of Senator Holloway:

SB 265 - AN ACT TO AMEND CHAPTER 17, TITLE 24, DELAWARE CODE, RELATNG TO THE PRACTICE OF MEDICINE.

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

SB 298 was taken up for consideration on motion of Senator Holloway:

SB 298 - AN ACT TO AMEND TITLE 24, CHAPTERS 11 AND 21 TO PERMIT THE RENDERING OF DENTAL AND OPTOMETRIC SERVICES IN NON-PROFIT CLINICS OPERATED IN AFFILIATION WITH HOSPITALS.

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

The roll call vote on SB 298 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Bair) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

HS 1 for HB 91 was laid on the table on motion of Senator Holloway.

HB 183 was taken up for consideration on motion of Senator Holloway:

HB 183 - AN ACT AMENDING TITLE 18 OF THE DELAWARE CODE PROVIDING FOR THE REGULATION OF DENTAL SERVICE BENEFITS BY DENTAL PLAN ORGANIZATIONS.

Senator Bair marked PRESENT.

At 3:21 p.m., Senator Adams presiding.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Holloway and the roll call vote taken which revealed 18 Senators voting YES and 3 (Arnold, Berndt and Cordrey) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Bruce B. Wright (Delaware State Dental Society) after which the roll call vote on HB 183 w SA 1 was taken and revealed:

YES: Senators Adams, Bair, Citro, Cook, Cordrey, Holloway, Hughes, Marshall, Martin, McDowell, Murphy, Vaughn, Zimmerman - 13.

NO: Senators Connor, McBride, Neal, Sharp - 4.

ABSENT: Senators Arnold, Berndt, Knox, Littleton - 4.

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

At 3:45 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 5:07 p.m., Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Public Safety Committee: SB 300 - 1 Favorable, 5 Merits; HB 112 w HA 1 - 6 Merits.

The following legislation was introduced:

SB 308 - AN ACT TO AMEND PART VIII, TITLE 16 OF THE DELAWARE CODE RELATING TO HOSPITALS AND OTHER HEALTH FACILITIES; AND PROVIDING FOR THE ESTABLISHMENT OF HEALTH MAINTENANCE ORGANIZATIONS. Sponsors: Senators Sharp, McDowell, Arnold; Representatives Petrilli and Gilligan. Assigned to Health-Social Services/Aging Committee.

SB 309 - AN ACT TO AMEND CHAPTER 59, TITLE 29, DELAWARE CODE, RELATING TO VETERAN'S PREFERENCE. Sponsors: Senators Neal, Bair, Berndt, Cook, Holloway, Knox, Martin, McDowell; Representatives Free, Maroney, Minner, Petrilli, Powell, Smith, VanSciver, Edwards, Derrickson, George. Assigned to Finance Committee.

SB 310 - AN ACT TO AMEND CHAPTER 56, TITLE 29, DELAWARE CODE, RELATING TO JUDICIAL PENSIONS. Sponsors: Senators Neal, Bair, Berndt, Cook, Holloway, Knox, Martin, McDowell; Representatives Free, Maroney, Minner, Petrilli, Powell, Smith, VanSciver, Edwards, Derrickson, George. Assigned to Finance Committee.

SB 311 - AN ACT TO AMEND CHAPTER 17, TITLE 13, DELAWARE CODE, RELATING TO THE DOMICILE OF MARRIED WOMEN. Sponsors: Senators Neal, Bair, Berndt, Cook, Holloway, Knox, Martin, McDowell; Representatives Free, Maroney, Minner, Petrilli, Powell, Smith, VanSciver, Edwards, Derrickson, George. Assigned to Finance Committee.

SB 312 - AN ACT TO AMEND CHAPTER 83, TITLE 11, DELAWARE CODE, RELATING TO PENSION BENEFITS FOR STATE POLICE. Sponsors: Senators Neal, Bair, Berndt, Cook, Holloway, Knox, Martin, McDowell; Representatives Free, Maroney, Minner, Petrilli, Powell, Smith, VanSciver, Edwards, Derrickson, George, Cain. Assigned to Finance Committee.

SB 313 - AN ACT TO AMEND SUBCHAPTER IV, CHAPTER 10, TITLE 14, DELAWARE CODE, RELATING TO QUALIFICATIONS FOR VOTING IN SCHOOL BOARD ELECTIONS. Sponsor: Senator Sharp. Assigned to Insurance and Elections Committee.

SB 314 - AN ACT TO AMEND CHAPTER 1, TITLE 26 OF THE DELAWARE CODE RELATING TO CHARGES IMPOSED BY CERTAIN UTILITIES FOR LATE PAYMENTS. Sponsors: Senators McBride, Holloway, Marshall, Sharp, Citro and Connor; Representatives West, Edwards and VanSeiver. Assigned to Administrative Services/Energy Committee.

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

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER

June 11, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Stephen L. Hershey, MD, 3916 Heather Drive, Wilmington, Delaware, to be appointed to the Board of Trustees of the Delaware Institute of Medical Education and Research for a term of three years, to fill expired term of G. Dean MacEwen, MD.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

The following legislation was introduced:

SB 315 - AN ACT TO AMEND §106, CHAPTER 11, TITLE 30 OF THE DELAWARE CODE RELATING TO MODIFICATIONS TO THE PERSONAL INCOME TAX. Sponsor: Senator Connor. Assigned to Revenue and Taxation Committee.

SB 316 - AN ACT TO AMEND TITLES 5, 9, 10, 12, 14, 18, 23, 29, AND 31 RELATING TO PROVISIONS WITHIN SAID TITLES DEALING SPECIFICALLY WITH THE FARMERS BANK OF THE STATE OF DELAWARE AND TO MAKE PROVISIONS FOR THE DISPOSITION OF MONEY PREVIOUSLY DEPOSITED WITH THE FARMERS BANK OF THE STATE OF DELAWARE. Sponsors: Senators Cordrey, Cook, McDowell, McBride, Adams, Martin, Holloway, Hughes, Citro, Connor, Bair, Berndt, Neal, Knox; Representatives Derrickson, Burris, Petrilli, Sincok, Ennis, Harrington, Maroney, Fallon, Powell, Roy, Brady, George, Minner, Gilligan, Soles, Darling, Anderson, Plant, Bennett, Dixon, McKay, Cathcart, Oberle. Assigned to Banking Committee.

SB 317 - AN ACT TO AMEND CHAPTER 86, TITLE 9, AND CHAPTER 19, SUBCHAPTER 1, TITLE 14, DELAWARE CODE, RELATING TO COLLECTION OF TAXES. Sponsors: Senators Neal, Bair, Martin, Vaughn. Assigned to Revenue and Taxation Committee.

SB 318 - AN ACT TO AMEND CHAPTER 73, TITLE 7 OF THE DELAWARE CODE TO SPECIFY TERMS OF OFFICE FOR THE MEMBERS OF THE DELAWARE NATURAL AREAS ADVISORY COUNCIL. Sponsors: Senator Zimmerman; Representative Smith. Assigned to Natural Resources and Environmental Control Committee.

The following Committee reports were announced:

From the Finance Committee: SB 229 - 5 Merits; SB 285 - 5 Merits; SB 289 - 5 Merits; SB 297 - 5 Merits.

From the Education Committee: HB 220 - 5 Merits; SB 276 - 5 Merits; HB 94 w HA 1 - 3 Favorable, 3 Merits.

SA 1 to HB 265 was introduced by Senator Connor and placed with the Bill.

HB 159 w HA 1 was taken up for consideration on motion of Senator Holloway:

HB 159 w HA 1 - AN ACT TO AMEND TITLE 24, CHAPTER 25 OF THE DELAWARE CODE RELATING TO DRUG PRODUCTS AND THE DELAWARE DRUG ADVISORY BOARD.

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

HB 48 w HA 1 was taken up for consideration on motion of Senator Holloway:

HB 48 w HA 1 - AN ACT TO AMEND CHAPTER 33, TITLE 16 OF THE DELAWARE CODE RELATING TO ADULTERATION AND MISBRANDING OF DRUGS.

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

The roll call vote on HB 48 w HA 1, SA 1 was then taken and revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SB 8 was taken up for consideration on motion of Senator Holloway:

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

At 5:58 p.m. Senator Sharp presiding.
The privilege of the floor was extended to Roy E. Thomas.
The Bill was then laid on the table on further motion of Senator Holloway.
Consideration of SB 270; SB 271; SB 272; SB 281 and SB 282 was deferred on motion of the sponsor, Senator Sharp.

6:10 p.m. Senator Cordrey presiding.
HB 216 w HA 1 was taken up for consideration on motion of Senator Sharp:
HB 216 w HA 1 - AN ACT TO AMEND TITLE 11, §612 and §613 OF THE DELAWARE CODE RELATING TO ASSAULTS UPON FIREMEN.

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

HB 212 w HA 1 was taken up for consideration on motion of Senator Murphy:
HB 212 w HA 1 - AN ACT TO AMEND TITLE 21, CHAPTER 41, OF THE DELAWARE CODE TO PROVIDE FOR A PENALTY FOR VIOLATION OF A CONDITIONAL LICENSE.

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

The roll call vote on HB 212 w HA 1, SA 1 was then taken and revealed 19 Senators voting YES and 2 (Holloway and Martin) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

HB 71 was taken up for consideration on motion of Senator Sharp:
HB 71 - AN ACT TO AMEND CHAPTER 9, TITLE 24, DELAWARE CODE, RELATING TO DEADLY WEAPONS.

The privilege of the floor was extended to Representative Cathcart after which the roll call vote on the Bill was taken and revealed:

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

NO: Senators Bair, Holloway, McDowell - 3.

NOT VOTING: Senator Citro.

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

SB 185 was reported out of the Education Committee: 2 Favorable, 4 Merits.

The following legislation was introduced:

SA 2, SA 3, SA 4, SA 5 to HB 265. Sponsor: Senator Connor. Placed with the Bill.

SA 4 to HB 100. Sponsor: Senator Marshall. Placed with the Bill.

SA 1 to HB 91. Sponsor: Senator Neal. Placed with the Bill.

HB 162 - AN ACT TO AMEND CHAPTER 5, TITLE 31 OF THE DELAWARE CODE, RELATING TO PUBLIC ASSISTANCE. Sponsor: Representative Maroney. Assigned to Finance Committee.

SCR 61 - REQUESTING THE DEPARTMENT OF TRANSPORTATION TO UNDERTAKE A STUDY OF THE MAXIMUM GROSS WEIGHT PERMITTED UNDER EXISTING LAW ON DELAWARE HIGHWAYS TO DETERMINE IF THE WEIGHT LIMITS ARE ABUSING OUR HIGHWAYS AND TO REPORT THEIR FINDINGS AND RECOMMENDATIONS TO THE DELAWARE GENERAL ASSEMBLY. Sponsors: Senators Neal, Bair, Martin, Vaughn; Representative Brady.

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

On motion of Senator McBride, the roll call on SB 267 w SA 1 was rescinded and the Bill was laid on the table.

At 6:40 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 16, 1981.

The Senate reconvened at 2:04 p.m., June 16, 1981, Senator Cordrey presiding.

The following legislation was introduced:

SA 1 to SB 272. Sponsor: Senator Sharp. Placed with the Bill.

SA 1 to SB 35. Sponsor: Senator Connor. Placed with the Bill.

SB 319 - AN ACT TO AMEND CHAPTER 1, TITLE 22, OF THE DELAWARE CODE TO REQUIRE THE ERECTION OF SIGNS AT INTERSECTIONS OF ROADWAYS WITH CITY BOUNDARIES. Sponsor: Senator Hughes. Assigned to Public Safety Committee.

SB 320 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE VIII, §7 OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO REAL ESTATE ASSESSMENTS. Sponsor: Senator Neal. Assigned to Administrative Services/Energy Committee.

SB 321 - AN ACT TO AMEND CHAPTER 301, VOLUME 62 LAWS OF DELAWARE RELATING TO THE BOARD OF FUNERAL SERVICE PRACTITIONERS. Sponsors: Senators Neal, Holloway, Hughes, Knox, Murphy. Assigned to Administrative Services/Energy Committee.

SA 1 to SB 270. Sponsor: Senator Sharp. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed HB 162; SB 165; SB 166; SB 167; SB 168; SB 170; and adopted SCR 23.

HCR 69 was lifted from the table on motion of Senator Bair and the roll call vote taken which revealed 14 Senators voting YES and 7 (Berndt, Connor, Cook, Littleton, McBride, Murphy, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 70 was lifted from the table for consideration on motion of Senator Adams and the roll call vote taken which revealed 16 Senators voting YES and 5 (Connor, Cook, Littleton, Marshall, Zimmerman) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

At 2:12 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 40th Legislative Day.

40TH LEGISLATIVE DAY
June 16, 1981

The Senate convened at 2:12 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Sharp.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

SB 207 was taken up for consideration on motion of Senator Marshall:

SB 207 - AN ACT TO REPEAL CERTAIN SECTIONS OF TITLE 11 AND TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE RELATING TO THE PERFORMANCE OF ABORTIONS.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to the following: Barbara C. Herr (Governor's Commission on the Status of Women); Phyllis A. Sheppard; Anyda Marchant; Gail F. Santoro (Wilmington N.O.W.); Susan H. Kirk (Attorney General's Office); Jeffrey I. Komins, M.D. (Medical Society of Delaware); Tom Sandbach (Senate Attorney); Thomas C. Crumpler (Delaware Right to Life); Shirley G. Horowitz (Delaware League for Planned Parenthood); Yvette Rudutsky (N.O.W.); Cathleen Schurr; L. W. Wadsworth; Harry Terry (Senate Attorney).

SA 1 to the Bill was introduced by Senator Marshall and considered for adoption on his motion.

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

YES: Senators Citro, Connor, Cook, Littleton, Marshall, Sharp - 6.

NO: Senators Adams, Arnold, Bair, Berndt, Cordrey, Holloway, Knox, Martin, McBride, McDowell, Sharp - 11.

ABSENT: Senators Hughes, Murphy, Neal, Zimmerman - 4.

Therefore, the Amendment was declared defeated.

Senators Littleton and Connor marked PRESENT.

SA 2 to the Bill was introduced by Senator Citro and considered for adoption under suspension of the necessary rules since the Amendment contained no synopsis.

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

YES: Senators Arnold, Citro, Connor, Littleton, Marshall, McBride - 6.

NO: Senators Adams, Bair, Berndt, Cook, Cordrey, Knox, Martin, Neal, Sharp, Vaughn - 10.

NOT VOTING: Senators Holloway, McDowell, Murphy, Zimmerman - 4.

ABSENT: Senator Hughes - 1.

Therefore, the Amendment was declared defeated.

SA 3 to the Bill was introduced by Senator Marshall and laid on the table on his motion.

SA 4 to the Bill was introduced by Senator Marshall and considered for adoption on his motion.

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

YES: Senators Citro, Cook, Marshall, McDowell, Vaughn, Zimmerman - 6.

NO: Senators Adams, Arnold, Bair, Berndt, Cordrey, Knox, Littleton, Martin, McBride, Murphy, Neal, Sharp - 12.

ABSENT: Senators Connor, Holloway, Hughes - 3.

Therefore, the Amendment was declared defeated.

SA 5 to the Bill was introduced by Senator Marshall and then laid on the table on his motion.

SA 6 to the Bill was introduced by Senator Marshall and considered for adoption on his motion.

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

YES: Senators Citro and Marshall - 2.

NO: Senators Adams, Arnold, Bair, Berndt, Cook, Cordrey, Holloway, Knox, Littleton, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 17.

NOT VOTING: Senator Connor - 1.

ABSENT: Senator Hughes - 1.

Therefore, the Amendment was declared defeated.

SA 7 to the Bill was introduced by Senator Marshall and considered for adoption on his motion.

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

YES: Senators Arnold, Citro, Connor, Cook, Littleton, Marshall, McBride, Vaughn, Zimmerman - 9.

NO: Senators Adams, Bair, Berndt, Cordrey, Holloway, Knox, Martin, McDowell, Murphy, Neal - 10.

ABSENT: Senators Hughes and Sharp - 2.

Therefore, the Amendment was declared defeated.

SA 5 to the Bill was lifted from the table for consideration on motion of Senator Marshall and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Citro, Connor, Cook, Cordrey, Littleton, Marshall, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 15.

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

NOT VOTING: Senators Holloway and Hughes - 2.

Therefore, the Amendment was declared adopted.

SA 3 to the Bill was stricken on motion of Senator Marshall.

SB 207 w SA 5 was then laid on the table on motion of Senator Marshall.

At 6:10 p.m. on motion of Senator Sharp, the Senate recessed for Party Caucus and reconvened at 6:55 p.m., Senator Cordrey presiding.

The Secretary announced that a message from the House informed the Senate that it had defeated SB 216 and passed HB 389 w HA 1, 2, 3, 4 and adopted HJR 14.

SA 1 to HB 40 was stricken on motion of the sponsor, Senator Holloway.

HB 389 w HA 1, 2, 3, 4 was introduced and laid on the table on motion of Senator Sharp:

HB 389 w HA 1, 2, 3, 4 - AN ACT TO INCORPORATE THE TOWN OF DEWEY BEACH. Sponsors: Representative Derrickson and Senator Cordrey.

At 6:57 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 17, 1981.

The Senate reconvened at 2:13 p.m., June 17, 1981, Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: SB 248 - 6 Merits; SB 249 - 6 Merits; SB 318 - 6 Merits; SB 299 - 6 Merits.

From the Health-Social Services/Aging Committee: SB 292 - 4 Merits.

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

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 16, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: J. Allen Frear, 622 S. State Street, Dover, Delaware, to be reappointed as a member of the Board of Trustees, University of Delaware, for a six year term to expire November 13, 1987.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 16, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Ms. Ruth Graham, 915 W. 23rd Street, Wilmington, Delaware, to be appointed as a member of the Board of Trustees, University of Delaware for a term of six years from date of confirmation, to replace John J. DeLuca, resigned.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 16, 1981

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

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that Board: Andrew A. Williamson, 12 Kathlyn Court, Wilmington, Delaware, to be appointed as a member of the Board of Trustees, University of Delaware, for a one year term to expire June 30, 1982.

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 16, 1981

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

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that Board: Hudson Gruwell, P.O. Box 142, Dover, Delaware, to be reappointed as a member of the Board of Trustees, University of Delaware, for a six year term to expire December 14, 1986.

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 16, 1981

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

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that Board: G. Burton Pearson, Jr., P.O. Box 68, Montchanin, Delaware, to be reappointed as a member of the Board of Trustees, University of Delaware, for a six year term to expire August 8, 1986.

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 16, 1981

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

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that Board: Samuel Lenher, Cokesbury Village, C-50, Hockessin, Delaware, to be reappointed as a member of the Board of Trustees, University of Delaware, for a six year term to expire June 19, 1986.

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 16, 1981

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

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that Board: Edward G. Jefferson, 700 Snuff Mill Road, Greenville, Delaware, to be appointed as a member of the Board of Trustees, University of Delaware, for a six year term to fill the unexpired term of Irving S. Shapiro, resigned, expiring December 6, 1982.

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
Pierre S. duPont, Governor

SB 322 was introduced and assigned to Health-Social Services/Aging Committee:
SB 322 - AN ACT TO AMEND CHAPTER 55, TITLE 25, DELAWARE CODE, RELATING TO RENT.
Sponsor: Senator Holloway.

The following communication from the Governor was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 17, 1981

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

Dear Mr. President:

This is to advise you of two new additions to my staff. William B. Chandler, Esquire, is the new Legal Counsel to the Governor and Janet B. Timlin will serve as his Secretary. Battle Robinson will continue to serve on the Legal staff.

They will be in the Dover office when the General Assembly is in session. Please advise the members of the Senate and the Senate staff.

Sincerely yours,
Pierre S. duPont, IV, Governor

The following legislation was introduced:

SB 323 - AN ACT TO AMEND VOLUME 62 DELAWARE LAWS CHAPTER 301, CHAPTER 3, CHAPTER 4 AND CHAPTER 5, TITLE 28 DELAWARE CODE RELATING TO HORSE RACING AND HARNESS RACING AND TO RE-ESTABLISH AND REORGANIZE THE DELAWARE RACING COMMISSION AND DELAWARE HARNESS RACING COMMISSION. Sponsors: Senator Cook, Bair, Knox, Hughes. Assigned to Administrative Services/Energy Committee.

SB 324 - AN ACT TO AMEND CHAPTER 41, TITLE 15, DELAWARE CODE, RELATING TO DEPARTMENTS OF ELECTIONS AND VARIOUS VOTER REGISTRATION AND ELECTION PROCEDURES. Sponsor: Senator Cordrey. Assigned to Insurance and Elections Committee.

SB 325 - AN ACT TO AUTHORIZE AND DIRECT THE TRANSFER OF CERTAIN DEPARTMENT OF CORRECTION PROPERTY TO CHILD, INC. Sponsors: Senator Marshall, Representative Free (Joint Sponsors); Senator Bair. Assigned to Corrections Committee.

SB 326 - AN ACT TO AMEND AN ACT, BEING CHAPTER 504, VOLUME 54, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HENLOPEN ACRES" TO PERMIT THE CONTRACTING FOR POLICE PROTECTION. Sponsors: Senator Cordrey, Representative Derrickson. Assigned to Community Affairs Committee.

SB 327 - AN ACT TO AMEND TITLE 28 AND TITLE 30 OF THE DELAWARE CODE RELATING TO THE REGULATION OF CERTAIN SPORTS AND AMUSEMENTS; AND PROVIDING FOR A DELAWARE GAMING CONTROL BOARD. Sponsors: Senators McDowell, Marshall, Vaughn and Connor; Representatives Brady, Barnes, Smith, Jonkiert and Soles. Assigned to Administrative Services/Energy Committee.

SB 328 - AN ACT TO AMEND TITLE 16, TITLE 28, AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REGULATION OF CERTAIN SPORTS. Sponsors: Senators McDowell, Marshall, Vaughn, Bair and Connor; Representatives Brady, Barnes, Smith, Jonkiert and Soles. Assigned to Administrative Services/Energy Committee.

SB 329 - AN ACT TO AMEND TITLE 5 AND TITLE 24 OF THE DELAWARE CODE RELATING TO THE REGULATION OF BUSINESSES AND OCCUPATIONS WHICH PERFORM CERTAIN SERVICES; AND PROVIDING FOR A STATE BOARD OF SERVICES. Sponsors: Senators McDowell, Marshall, Vaughn, Bair and Connor; Representatives Brady, Barnes, Smith, Jonkiert and Soles. Assigned to Administrative Services/Energy Committee.

SB 330 - AN ACT TO AMEND TITLE 16 AND TITLE 24 OF THE DELAWARE CODE RELATING TO THE LICENSING AUDIOLOGISTS, SPEECH PATHOLOGISTS AND HEARING AID DEALERS. Sponsors: Senators McDowell, Marshall, Vaughn, Bair and Connor; Representatives Brady, Barnes, Smith, Jonkiert and Soles. Assigned to Administrative Services/Energy Committee.

SB 331 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE REGULATION OF THOSE BUSINESS AND OCCUPATIONS WHICH PERFORM CERTAIN SERVICES; AND PROVIDING FOR A BOARD OF PERSON SERVICES. Sponsors: Senators McDowell, Marshall, Vaughn, Bair and Connor; Representatives Brady, Barnes, Smith, Jonkiert and Soles. Assigned to Administrative Services/Energy Committee.

SA 1 to **SB 108**. Sponsors: Senators McBride and Citro. Placed with the Bill.

SA 2 to **SB 276**. Sponsor: Senator Connor. Placed with the Bill.

SA 1 to **SB 316**. Sponsor: Senator Cordrey. Placed with the Bill.

SA 1 to **HB 200**. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 2 to **HB 273**. Sponsor: Senator Sharp. Placed with the Bill.

The Secretary announced that a message from the House informed the Senate that it had passed **SB 39 w HA 1**; **SB 40 w SA 2**; **SB 44**; **HB 33**; **HS 1** for **HB 1 w HA 1, 2, 3, 4, 5**; **SB 118 w SA 1**; **SB 122 w SA 2, HA 2**; **SB 155**.

On motion of Senator Zimmerman, **SB 39** which had previously passed the Senate, was taken up for reconsideration as further amended by **HA 1**.

The roll call vote on **SB 39 w HA 1** was then taken and revealed 19 Senators voting YES and 2 (Holloway and Murphy) ABSENT; therefore, the Bill was declared passed.

Senator Martin introduced the members of the Boys State who were present in the chamber.

On motion of Senator Cook, and without objection, the roll call vote on **HB 178 w HA 1** was rescinded and the Bill laid on the table.

SB 122 w SA 2, HA 2 was laid on the table on motion of Senator Martin.

The following legislation was introduced:

HB 331 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO REQUIRE INSURERS TO INFORM THEIR CLAIMANT, IN WRITING, OF THE APPLICABLE STATUTE OF LIMITATIONS PERIOD. Sponsors: Representatives Petrilli and Harrington. Assigned to Insurance and Elections Committee.

HS 1 for **HB 1 w HA 1, 2, 3, 4, 5** - AN ACT TO AMEND DELAWARE CODE, TITLE 14, RELATING TO THE METHOD OF CALCULATING PUPIL UNITS IN ORDER TO DETERMINE THE AMOUNT OF STATE FINANCIAL SUPPORT TO THE PUBLIC SCHOOLS. Sponsors: Representatives Petrilli, Bennett, Senator McBride; Representatives Mack, VanSciver, Spence, Roy, Minner, Dixon, Soles, Powell, Buckworth, Edwards, Corrozi, Oberle, Ennis, Fallon, Gilligan, Anderson, Jester; Senators Connor, Bair, Neal, Arnold, Citro, Littleton, Hughes, Murphy, Berndt. Assigned to Education Committee.

HJR 14 - DESIGNATING THE WEEK OF JUNE 21, 1981, AS SENIOR CENTER WEEK. Sponsor: Representatives Jonkiert, Petrilli, VanSciver, Edwards, Holloway, Jr., Corozzi, Cain, Bennett, West, Harrington, Cathcart, Hebner, George, Brady, Fallon, Free, Spence, Maroney, Buckworth, Smith.

The Resolution was read in its entirety and considered for adoption under suspension of the necessary rules on motion of Senator Sharp. The roll call vote on the Resolution was taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

At 2:45 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 41st Legislative Day.

41ST LEGISLATIVE DAY
June 17, 1981

The Senate convened at 2:45 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Littleton.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had adopted SCR 39.

Legislative Advisory #13 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed the following: on June 11, 1981: HB 52 (Volume 63, Chapter 28, Laws of Delaware), HB 103 w HA 1, 2 (Volume 63, Chapter 29, Laws of Delaware), HB 224 w HA 1 (Volume 63, Chapter 30, Laws of Delaware), HJR 8; on June 15: SB 42 w SA 1, HA 2, 3 (Volume 63, Chapter 31, Laws of Delaware), HB 108 (Volume 63, Chapter 32, Laws of Delaware).

HB 273 w HA 4 was taken up for consideration on motion of Senator Marshall:

HB 273 w HA 4 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE TO MODIFY UNEMPLOYMENT INSURANCE TAX RATES, PROVIDE FOR BENEFITS BASED UPON ANNUAL WAGE HISTORIES, EXTEND THE PRESENT LEVEL OF MAXIMUM BENEFITS, AND RELATED PROVISIONS FOR THE PURPOSE OF IMPROVING THE SOLVENCY OF THE UNEMPLOYMENT COMPENSATION TRUST FUND.

During discussion of the Bill and the various Amendments offered to it, the privilege of the floor was extended to Dennis C. Carey (Secretary of Labor), Steve Zubicka (Analyst, Controller General's Office), Samuel E. Hous (Department of Labor) and Joachim Elterich (University of Delaware).

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

SA 2 to the Bill was introduced by Senator Sharp and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Amendment was declared adopted.

SA 1 to the Bill which had been laid on the table was stricken on motion of the sponsor, Senator Sharp.

SA 3 to the Bill was introduced by Senator Zimmerman and laid on the table on his motion.

The roll call vote on HB 273 w HA 4, SA 2 was then taken and revealed:

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

NO: Senators Marshall and McDowell - 2.

NOT VOTING: Senator Holloway - 1.

ABSENT: Senator Citro - 1.

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

Senator Holloway marked PRESENT.

At 4:05 p.m. on motion of Senator Sharp the Senate recessed for Party Caucus and reconvened at 5:54, p.m., Lt. Governor Castle presiding.

SB 270 was taken up for consideration on motion of Senator Sharp:

SB 270 - AN ACT TO AMEND CHAPTER 47, TITLE 16 OF THE DELAWARE CODE TO CREATE ENHANCED PENALTIES FOR DRUG TRAFFICKING.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Richard S. Gebelein, Attorney General.

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

The roll call vote on SB 270 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 271 was taken up for consideration on motion of Senator Sharp:
SB 271 - AN ACT TO AMEND CHAPTER 41 OF TITLE 14 OF THE DELAWARE CODE RELATING TO DISTURBING SCHOOLS OR DESTROYING SCHOOL PROPERTY.

The privilege of the floor was extended to Richard S. Gebelein, Attorney General, after which the roll call vote on the Bill was taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 272 was taken up for consideration on motion of Senator Sharp:
SB 272 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE JURISDICTION OF THE SUPREME COURT.

During discussion of the Bill and the Amendment offered to it, the privilege of the floor was extended to Richard S. Gebelein, Attorney General.

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

The roll call vote on SB 272 w SA 1 was then taken and revealed 18 Senators voting YES and 3 (Holloway, McDowell and Zimmerman) NOT VOTING; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 282 was taken up for consideration on motion of Senator Sharp:
SB 282 - AN ACT TO AMEND CHAPTER 41, TITLE 11 OF THE DELAWARE CODE RELATING TO THE CREATION OF A SPECIAL LAW ENFORCEMENT ASSISTANCE FUND.

The privilege of the floor was extended to Richard S. Gebelein (Attorney General) and Tom Sandbach, Senate Attorney.

Senators Zimmerman and McDowell requested that their names be stricken as co-sponsors of the Bill. Senators Connor, Bair, Berndt and Arnold requested that their names be added as co-sponsors of the Bill.

The roll call vote on SB 282 was then taken and revealed:
YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, Sharp, Vaughn - 16.

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

NOT VOTING: Senator Murphy - 1.

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

SB 281 was taken up for consideration on motion of Senator Sharp:
SB 281 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE BY ADDING A NEW CHAPTER 15 THERETO RELATING TO THE CONTROL OF ORGANIZED CRIMINAL ACTIVITY.

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

SB 233 was stricken at the request of the sponsor, Senator Citro.

At 7:45 p.m. on motion of Senator Cordrey, the Senate recessed until 2:00 p.m., June 18, 1981.

The Senate reconvened at 2:11 p.m., June 18, 1981, Lt. Governor Castle presiding.

The following legislation was introduced:

SB 332 - AN ACT TO AMEND CHAPTER 13 TITLE 14 OF THE DELAWARE CODE RELATING TO MAINTENANCE MECHANICS. Sponsors: Senators Neal, Arnold, Knox. Assigned to Education Committee.

SB 333 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE II OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO PRIVATE SUBDIVISION STREETS BEING RECONSTRUCTED TO STATE STANDARDS PRIOR TO THEIR ACCEPTANCE FOR MAINTENANCE. Sponsors: Senator Cordrey and Representative Burris. Assigned to Highways and Transportation Committee.

SB 334 - AN ACT TO AMEND CHAPTER 1, TITLE 8, DELAWARE CODE, ALSO BEING CHAPTER 25, 63 LAWS OF DELAWARE, RELATING TO THE GENERAL CORPORATION LAW. Sponsors: Senator Sharp and Representative Burris. Assigned to Judiciary Committee.

SB 335 - AN ACT TO AMEND CHAPTER 216, VOLUME 27, LAWS OF DELAWARE RELATING TO "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF NEW CASTLE." Sponsors: Senator Connor and Representative Mack. Assigned to Community Affairs Committee.

SB 336 - AN ACT TO AMEND TITLE 3, DELAWARE CODE RELATING TO BIOLOGICAL PRODUCTS FOR POULTRY DISEASES. Sponsors: Senator Adams and Representative Barnes. Assigned to Agriculture Committee.

SB 337 - AN ACT TO AMEND CHAPTER 33, TITLE 12 OF THE DELAWARE CODE TO PERMIT BANKS OR TRUST COMPANIES AUTHORIZED TO ESTABLISH COMMON FUNDS FOR THE COLLECTIVE INVESTMENT OF FUNDS HELD IN A FIDUCIARY CAPACITY TO ACQUIRE FRACTIONAL INTERESTS OF PARTICIPATION IN SUCH FUNDS WITH PROPERTY OTHER THAN CASH. Sponsors: Senators Adams and Cordrey; Representative McKay. Assigned to Banking Committee.

SS 1 for SB 8 - AN ACT TO AMEND CHAPTER 15, TITLE 13, DELAWARE CODE RELATING TO AN AWARD OF ALIMONY IN DIVORCE AND ANNULMENT ACTIONS. Sponsor: Senator Holloway. Adopted in lieu of the Original and laid on the table.

SA 1 to SB 273. Sponsor: Senator Cook. Placed with the Bill.
SA 1 to HB 134. Sponsor: Senator Bair. Placed with the Bill.
SA 1 to HB 275. Sponsor: Senator Martin. Placed with the Bill.
SCR 62 - RELATING TO A UTILITY CONSUMER BILL OF RIGHTS. Sponsors: Senators Connor, McDowell, Citro, Neal; Representatives Anderson, Buckworth, Campanelli, Cathcart, Dixon, Edwards, Ennis, Jester, Oberle, Spence. Laid on the table on motion of Senator Connor.
SJR 15 - RELATING TO OPPORTUNITIES FOR CERTAIN SMALL BUSINESS CONCERNS TO DO BUSINESS WITH THE STATE. Sponsors: Senators Neal, Arnold, Bair, Citro, Berndt, Knox, Vaughn, Sharp, McDowell; Representatives Brady and Free. Assigned to Executive Committee.

SB 101 w SA 1, HA 1 was laid on the table on motion of Senator Cordrey.
The following Committee reports were announced:
From the Public Safety Committee: HB 266 - 6 Merits; HB 275 - 5 Merits.
From the Education Committee: SB 294 - 5 Favorable; HS 1 for HB 1 w HA 1, 2, 3, 4, 5 - 5 Favorable, 1 Merits.

The following legislation was introduced:
HB 296 w HA 1 - AN ACT TO AMEND CHAPTER 26, TITLE 14 OF THE DELAWARE CODE RELATING TO THE POWER OF COUNTY VOCATIONAL SCHOOL DISTRICTS TO LEVY TAXES. Sponsors: Representatives Minner, Darling, Burris, George, Harrington, Holloway, Dixon, Bennett, Soles, Sincok, Campanelli, Petrilli. Assigned to Education Committee.

HCR 56 - REQUESTING THE STATE BOARD OF EDUCATION AND THE SCHOOL DISTRICT BOARDS OF EDUCATION TO INCLUDE AGING EDUCATION AT THE ELEMENTARY, INTERMEDIATE AND SECONDARY SCHOOL LEVELS. Sponsors: Representatives VanSeiver, Maroney, Edwards, West, Cathcart, Mack, Buckworth, Holloway, Jr.; Senators Holloway, Sr., Citro. Assigned to Executive Committee.

HCR 71 - REQUESTING THE DIVISION OF HIGHWAYS OF THE DEPARTMENT OF TRANSPORTATION TO COOPERATE WITH THE SPADE AND TROWEL GARDEN CLUB OF SEAFORD IN DESIGNATING SECTIONS OF U.S. 13 AS A BLUE STAR MEMORIAL HIGHWAY. Sponsors: Representatives Smith and Fallon; Senator Littleton. Assigned to Executive Committee.

HCR 72 - MOURNING THE DEATH OF JESSE W. STILLMAN, RETIRED FROM THE DUPONT COMPANY, ONCE RATED AMONG THE TEN OUTSTANDING ANALYTICAL CHEMISTS IN THE NATION. Sponsor: Representative Brady. Assigned to Executive Committee.

HCR 73 - WISHING FOR A SPEEDY RECOVERY FOR FORMER LEGISLATOR RALPH S. KEENAN. Sponsors: Representative Brady and Senator Knox.

The Resolution was considered for adoption on motion of Senator Knox and the roll call vote taken which revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

HCR 74 - WISHING EDWARD S. DENNIS, M.D., DOVER'S ONLY BLACK PHYSICIAN, A HAPPY RETIREMENT AS HE TAKES DOWN HIS SHINGLE ON JUNE 30, 1981. Sponsors: Representatives Harrington, Buckworth, Riddagh, Minner, Darling, Bennett; Senators Zimmerman, Murphy, Cook.

The Resolution was considered for adoption on motion of Senator Zimmerman and the roll call vote taken which revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Resolution was declared adopted by the Senate and returned to the House.

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

On motion of Senator Sharp, the roll call vote on SB 281 was rescinded and the Bill returned to the Ready List.

On motion of Senator Cordrey, SB 101 w SA 1 which had passed the Senate was lifted from the table for reconsideration as further amended by HA 1.

The roll call vote on SB 101 w SA 1, HA 1 was then taken and revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Bill was declared passed.

On motion of Senator Martin, SB 122 w SA 2 was lifted from the table for reconsideration as further amended by HA 2.

The roll call vote on SB 122 w SA 2, HA 2 was then taken and revealed:

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

NO: Senators Sharp and Zimmerman - 2.

ABSENT: Senator Connor - 1.

Therefore, the Bill was declared passed.

The following Committee reports were announced:

From the Revenue and Taxation Committee: HB 133 w HA 1 - 5 Merits; HB 189 - 5 Merits; HB 196 - 5 Merits; HB 215 - 5 Merits.

From the Banking Committee: SB 316 - 3 Favorable, 2 Merits.

From the Judiciary Committee: SB 307 - 5 Merits.

At 2:42 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 42nd Legislative Day.

42ND LEGISLATIVE DAY
June 18, 1981

The Senate convened at 2:42 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Sharp.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

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

The Journal of the previous day was approved as read.

The Secretary announced that a message from the House informed the Senate that it had passed HB 296 w HA 1; SB 154; SB 195; SB 92; SB 101 w SA 1, HA 1; SB 230 w HA 1 and adopted HCR 73; SCR 28; HCR 56; HCR 75; HCR 72; HCR 74; HCR 75; SCR 60; SCR 61.

Senator Connor marked PRESENT.

The following Committee reports were announced:

From the Natural Resources and Environmental Control Committee: HB 99 - 2 Favorable, 1 Merits, 3 Unfavorable.

From the Highways and Transportation Committee: SB 286 - 1 Favorable, 4 Merits.

From the Public Safety Committee: SB 236 - 6 Merits.

HB 161 was taken up for consideration on motion of Senator Marshall:

HB 161 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF ELSMERE.

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

SB 222 was taken up for consideration on motion of Senator Marshall:

SB 222 - AN ACT TO AMEND CHAPTER 51, TITLE 15, DELAWARE CODE, RELATING TO THE RIGHT OF EMPLOYEES TO VOTE.

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

The roll call vote on SB 222 w SA 1 was then taken and revealed 19 Senators voting YES and 2 (Cordrey and Neal) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 130 was taken up for consideration on motion of Senator Marshall:

SB 130 - AN ACT TO AMEND TITLE 16 AND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS; AND PROVIDING FOR A PUBLIC MEMBER ON THE GOVERNING BODY OF CERTAIN BOARDS, COMMISSIONS AND OTHER AGENCIES.

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

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

NO: Senators Adams, Arnold, Bair, Berndt, Cook, Hughes, Knox, Littleton, Zimmerman - 9.

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

SB 208 was taken up for consideration on motion of Senator McDowell:

SB 208 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE JUDICIARY AND PERMITTING CERTAIN FORMER STATE JUDGES AND FORMER JUSTICES OF THE SUPREME COURT TO RETURN TO ACTIVE JUDICIAL DUTY UNDER CERTAIN CIRCUMSTANCES.

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

HB 259 was taken up for consideration on motion of Senator Cordrey:

HB 259 - AN ACT TO AMEND CHAPTER 61, TITLE 30 OF THE DELAWARE CODE RELATING TO THE LODGING TAX ON TOURIST HOMES.

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

HB 191 was taken up for consideration on motion of Senator McBride:

HB 191 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE CONSTITUTION OF THE STATE OF DELAWARE TO REMOVE THE REQUIREMENT FOR SEPARATE SCHOOLS FOR WHITE AND BLACK CHILDREN.

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

SB 296 was stricken on motion of the sponsor, Senator Holloway.

SB 276 was taken up for consideration on motion of Senator Holloway:

SB 276 - AN ACT TO AMEND CHAPTER 10, TITLE 14, DELAWARE CODE, RELATING TO SKILLED MAINTENANCE PERSONNEL IN REORGANIZED SCHOOL DISTRICTS.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to Harry J. Davis (Skilled Trades) and Joshua A. Powell (Skillcraft Maintenance).

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

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Connor and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Bair, Connor, Hughes, Knox, Littleton, Martin, Neal - 9.

NO: Senators Citro, Cook, Cordrey, Holloway, Marshall, McBride, McDowell, Murphy, Sharp, Vaughn - 10.

ABSENT: Senators Berndt and Zimmerman - 2.

Therefore, the Amendment was declared lost.

The roll call vote on SB 276 w SA 1 was then taken and revealed:

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

NO: Senators Arnold, Bair, Connor, Hughes, Knox, Littleton, Neal - 7.

NOT VOTING: Senator Martin - 1.

ABSENT: Senators Berndt and Zimmerman - 2.

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

SB 208 was lifted from the table for consideration on motion of Senator McDowell.

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

The roll call vote on SB 208 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Knox, Marshall, Martin, McBride, McDowell, Murphy, Vaughn - 15.

NO: Senators Hughes, Neal, Sharp, Zimmerman - 4.

ABSENT: Senators Holloway and Littleton - 2.

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

At 4:25 p.m., Senator Cordrey presiding.

SB 91 was taken up for consideration on motion of Senator Marshall:

SB 91 - AN ACT TO AMEND PART I, TITLE 19, DELAWARE CODE, BY ADDING A NEW CHAPTER AUTHORIZING COLLECTIVE BARGAINING BETWEEN LAW ENFORCEMENT OFFICERS AND THEIR PUBLIC EMPLOYERS; PROVIDING FOR ARBITRATION IN ORDER TO SETTLE DISPUTES; AND REQUIRING COMPLIANCE WITH COLLECTIVE BARGAINING AGREEMENT AND FIND OF ARBITRATORS.

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

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Neal and the roll call vote taken which revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Cordrey, Hughes, Knox, Littleton, McDowell, Neal, Vaughn - 11.

NO: Senators Connor, Holloway, Marshall, Martin, McBride, Murphy, Sharp, Zimmerman - 8.

ABSENT: Senators Citro and Cook - 2.

Therefore, the Amendment was declared adopted.

SB 91 w SA 2 was then laid on the table on motion of Senator Marshall.

HB 148 was taken up for consideration on motion of Senator Marshall:

HB 148 - AN ACT TO AMEND CHAPTER 649, VOLUME 18, LAWS OF DELAWARE, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF OCEAN VIEW IN SUSSEX COUNTY, DELAWARE".

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

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

NO: Senator Zimmerman - 1.

NOT VOTING: Senator Hughes - 1.

ABSENT: Senator Arnold - 1.

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

SB 108 was taken up for consideration on motion of Senator McBride:

SB 108 - AN ACT TO AMEND TITLE 11 AND TITLE 24 OF THE DELAWARE CODE, RELATING TO MESSAGE ESTABLISHMENTS AND ADULT BOOK STORES.

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

SB 295 was taken up for consideration on motion of Senator Adams:

SB 295 - AN ACT TO AMEND CHAPTER 44, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REMOVAL OF ABANDONED VEHICLES.

SA 1 to the Bill was introduced by Senator Adams and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 17 Senators voting YES, 1 (Berndt) NOT VOTING and 3 (Arnold, Connor and Holloway) ABSENT; therefore, the Amendment was declared adopted.

The roll call vote on SB 295 w SA 1 was then taken and revealed 18 Senators voting YES and 3 (Arnold, Holloway and Zimmerman) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 287 was taken up for consideration on motion of Senator Vaughn:

SB 287 - AN ACT TO AMEND CHAPTER 138, VOLUME 41, LAWS OF DELAWARE, AS AMENDED BEING "AN ACT TO REINCORPORATE THE TOWN OF CLAYTON" BY PERMITTING THE TOWN OF CLAYTON TO LEVY A SEPARATE GARBAGE ASSESSMENT.

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

SB 108 was lifted from the table for consideration on motion of Senator McBride.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to Harry Terry, Senate Attorney.

SA 1 and SA 2 to the Bill which had been placed with the Bill were laid on the table on motion of Senator McBride.

SA 3 to the Bill was introduced by Senator McBride and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES and 3 (Holloway, Littleton and Sharp) ABSENT; therefore, the Amendment was declared adopted.

SB 108 w SA 3 was then laid on the table on motion of Senator McBride.

HB 130 was taken up for consideration on motion of Senator Sharp:

HB 130 - AN ACT TO AMEND CHAPTER 15, PART IV, TITLE 12 OF THE DELAWARE CODE RELATING TO POWERS OF ATTORNEY; AND PROVIDING FOR A UNIFORM DURABLE POWER OF ATTORNEY ACT.

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

HB 131 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 131 w HA 1 - AN ACT TO AMEND TITLE 12, TITLE 25 AND TITLE 29 OF THE DELAWARE CODE RELATING TO ACKNOWLEDGMENTS; AND PROVIDING FOR A UNIFORM RECOGNITION OF ACKNOWLEDGEMENTS ACT.

The privilege of the floor was extended to Harry Terry, Senate Attorney, after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

HB 132 was taken up for consideration on motion of Senator Sharp:

HB 132 - AN ACT TO REPEAL CERTAIN PROVISIONS OF THE DELAWARE CODE RELATING TO EVIDENCE WHICH HAVE BEEN SUPERSEDED BY THE DELAWARE UNIFORM RULES OF EVIDENCE.

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

HB 147 was taken up for consideration on motion of Senator Sharp:

HB 147 - AN ACT TO AMEND CHAPTER 65, PART IV, TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PRECEDURE; AND PROVIDING FOR A UNIFORM DECLARATORY JUDGMENTS ACT.

The privilege of the floor was extended to Harry Terry, Senate Attorney, after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES, and 2 (Arnold and Hughes) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House.

Consideration of SB 203 was deferred on motion of the sponsor, Senator McDowell.

SB 266 was taken up for consideration on motion of Senator Cook:

SB 266 - AN ACT TO AMEND CHAPTER 86, TITLE 29 OF THE DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF THE DELAWARE COMMISSION FOR WOMEN.

The roll call vote on the Bill was taken and revealed 18 Senators voting YES and 3 (Arnold, Hughes and Vaughn) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 5:32 p.m., Senator Sharp presiding.

SB 273 was taken up for consideration on motion of Senator Cook:

SB 273 - AN ACT TO AMEND CHAPTER 52, TITLE 29, DELAWARE CODE, RELATING TO HEALTH CARE BENEFITS FOR STATE EMPLOYEES AND PENSIONERS.

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

The privilege of the floor was extended to Tom Carper, State Treasurer, after which SB 273 w SA 1 was laid on the table on motion of Senator Cook.

At 5:40 p.m., Lt. Governor Castle presiding.

HB 169 was taken up for consideration on motion of Senator Cordrey:

HB 169 - AN ACT TO AMEND CHAPTER 18, TITLE 5, DELAWARE CODE, RELATING TO THE REPORT OF NET EARNINGS AND PAYMENT OF TAX BY BUILDING AND LOAN ASSOCIATIONS.

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

HB 389 w HA 1, 2, 3, 4 was taken up for consideration under suspension of the necessary rules on motion of Senator Cordrey:

HB 389 w HA 1, 2, 3, 4 - AN ACT TO INCORPORATE THE TOWN OF DEWEY BEACH.

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

HB 219 was taken up for consideration on motion of Senator Sharp:

HB 219 - AN ACT TO AMEND CHAPTER 55, PART IV, TITLE 15 OF THE DELAWARE CODE RELATING TO ABSENTEE VOTING.

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

HB 218 was taken up for consideration on motion of Senator Sharp:

HB 218 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE V OF THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO ABSENTEE VOTING.

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

HB 112 w HA 1 was taken up for consideration on motion of Senator Murphy:

HB 112 w HA 1 - AN ACT TO AMEND CHAPTER 67, TITLE 21 OF THE DELAWARE CODE RELATING TO REMOVAL OF IDENTIFICATION NUMBERS FROM BICYCLES.

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

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

NOT VOTING: Senators Hughes and Sharp - 2.

ABSENT: Senator Holloway - 1.

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

HB 120 w HA 1 was taken up for consideration on motion of Senator Sharp:

HB 120 w HA 1 - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO ADJUDICATION PROCEDURE IN THE INTEREST OF A CHILD.

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

The roll call vote on HB 120 w HA 1, SA 1 was then taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and returned to the House for consideration of the Senate Amendment.

SB 302 was reported out of the Education Committee: 4 Merits.

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

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 18, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Mr. R. Wayne Ashbee, 1001 Wagoner Drive, Wilmington, Delaware, to be reappointed as a member of the Delaware Solid Waste Authority for a term of three years.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 18, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Mr. Edward J. Steiner, 704 Lakeview Avenue, Milford, Delaware, to be a member of the Board of Trustees, Delaware Technical and Community College for a term of six years to succeed Annabel E. Moore, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 18, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Mr. Gene Derrickson, 406 Harvey Road, Claymont, Delaware, to be reappointed as a member of the Board of Trustees, Delaware Technical and Community College for a six year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 18, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Mr. Paul J. Andrisani, 104 Hackney Circle, Wilmington, Delaware, to be a member of the Board of Trustees, Delaware Technical and Community College for a term of six years to succeed Mr. Thurman W. Adams, resigned.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

The following legislation was introduced:

SB 338 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE PROVIDING FOR REAPPORTIONMENT OF THE STATE LEGISLATIVE DISTRICTS. Sponsors: Senators Cordrey, Sharp, McDowell; Representatives George and Cain. Laid on the table on motion of Senator Cordrey.

SA 1 to SB 338. Sponsor: Senator Cordrey. Placed with the Bill.

SB 339 - AN ACT TO AMEND CHAPTER 3, TITLE 9 OF THE DELAWARE CODE RELATING TO THE AWARD OF CONTRACTS FOR PUBLIC WORKS. Sponsors: Senator McBride and Representative Roy; Senators Marshall, McDowell, Bair, Connor; Representative Cathcart. Assigned to Community Affairs Committee.

SB 340 - AN ACT TO AMEND CHAPTER 69 OF TITLE 29 OF THE DELAWARE CODE RELATING TO PROCUREMENT OF MATERIEL AND AWARD OF CONTRACT FOR PUBLIC WORKS BY STATE AGENCIES AS IT APPLIES TO NEW CASTLE COUNTY. Sponsors: Senator McBride and Representative Roy; Senators Marshall, McDowell, Bair, Connor; Representative Cathcart. Assigned to Community Affairs Committee.

SB 341 - AN ACT TO AMEND CHAPTER 21, TITLE 6, DELAWARE CODE RELATING TO DELAWARE ANTI-TRUST LAW. Sponsors: Senator Cordrey and Representative Derrickson. Assigned to Finance Committee.

SB 342 - AN ACT TO AMEND TITLE 3, DELAWARE CODE RELATING TO BIOLOGICAL PRODUCTS FOR POULTRY AND ANIMAL DISEASES. Sponsors: Senator Adams and Representative Barnes. Assigned to Agriculture Committee.

SB 336 was stricken at the request of the sponsor, Senator Adams.

SB 343 - AN ACT TO AMEND CHAPTER 43, SUBCHAPTER IV, TITLE 21, DELAWARE CODE RELATING TO CONSTRUCTION OF VEHICLES TO PREVENT ESCAPE OF CONTENTS. Sponsors: Senators Hughes and Holloway. Assigned to Public Safety Committee.

SA 1 to SB 228. Sponsor: Senator McDowell. Placed with the Bill.

SA 1 to SB 268. Sponsor: Senator Vaughn. Placed with the Bill.

SA 1 to SB 291. Sponsor: Senator Vaughn. Placed with the Bill.

SA 1 to SB 300. Sponsor: Senator Hughes. Placed with the Bill.

SA 2 to HS 1 for HB 91. Sponsors: Senators Berndt and Holloway. Placed with the Bill.

SA 3 to SB 91. Sponsor: Senator Marshall. Placed with the Bill.

SCR 63 - CONGRATULATING E. JAMES MONIHAN, OF LEWES, UPON HIS ELECTION TO A THIRD CONSECUTIVE TWO-YEAR TERM AS CHAIRMAN OF THE NATIONAL VOLUNTEER FIRE COUNCIL. Sponsors: Senator Cordrey and Representative Derrickson.

The Resolution was considered for adoption on motion of Senator Cordrey and the roll call vote taken which revealed 18 Senators voting YES, 1 (Zimmerman) NOT VOTING and 2 (Bair and Holloway) ABSENT; therefore, the Resolution was declared adopted by the Senate and sent to the House for consideration.

The Secretary announced that a message from the House informed the Senate that it had passed HB 301; SB 211 w HA 1; SB 246; HB 292; HB 302 w HA 2; SB 238; SB 241 w SA 1 and adopted SJR 12.

On motion of Senator Cordrey, SB 211 which had previously passed the Senate was taken up for reconsideration as further amended by HA 1.

The roll call vote on SB 211 w HA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Berndt, Connor, Cook, Cordrey, Hughes, Knox, Littleton, Martin, McBride, McDowell, Murphy, Neal, Vaughn, Zimmerman - 16.

NO: Senators Citro, Marshall, Sharp - 3.

ABSENT: Senators Holloway and Bair - 2.

Therefore, the Bill was declared passed.

The following legislation was introduced:

HB 292 - AN ACT TO AMEND CHAPTER 92, OF TITLE 10, OF THE DELAWARE CODE RELATING TO ORGANIZATION AND OPERATION OF THE JUSTICE OF THE PEACE COURTS. Sponsors: Representative Riddagh and Senator Vaughn. Assigned to Judiciary Committee.

HB 302 w HA 2 - AN ACT TO AMEND CHAPTER 98, TITLE 10 OF THE DELAWARE CODE RELATING TO COSTS IN PROCEEDINGS BEFORE JUSTICES OF THE PEACE. Sponsors: Representative Riddagh and Senator Vaughn. Assigned to Judiciary Committee.

HB 301 - AN ACT TO AMEND CHAPTER 41, TITLE 11 OF THE DELAWARE CODE TO GRANT THE JUSTICES OF THE PEACE DISCRETION IMPOSING A SENTENCE FOR CIVIL CONTEMPT OF COURT UPON THOSE DEFENDANTS WHO FAIL TO COMPLY WITH THE COURT'S WORK REFERRAL ORDER. Sponsors: Representative Riddagh and Senator Vaughn. Assigned to Judiciary Committee.

SA 3 to HB 273 was stricken at the request of the sponsor, Senator Zimmerman.

At 6:43 p.m. on motion of Senator Sharp, the Senate recessed until 2:00 p.m., June 22, 1981

The Senate reconvened at 4:03 p.m., June 22, 1981, Lt. Governor Castle presiding.

The following Committee reports were announced:

From the Corrections Committee: SB 325 - 4 Merits.

From the Agriculture Committee: SB 342 - 4 Favorable, 1 Merits.

From the Executive Committee: SB 178 - 5 Merits.

The following legislation was introduced:

SB 344 - AN ACT TO AMEND CHAPTER 6, TITLE 29, DELAWARE CODE, RELATING TO THE REQUIREMENT THAT EACH DEPARTMENT, AGENCY, COMMISSION OR AUTHORITY OF THIS STATE ADOPT A FORMS MANAGEMENT PLAN WHICH MEETS CERTAIN CRITERIA; PROVIDING FOR A FORMS MANAGEMENT OFFICER IN EACH AGENCY; REQUIRING EACH AGENCY TO USE ONLY FORMS APPROVED UNDER ITS FORMS MANAGEMENT PLAN; REQUIRING EACH AGENCY TO FILE ITS PLAN WITH THE BUREAU OF ARCHIVES AND RECORDS; PROVIDING FOR THE APPROVAL AND MONITORING OF EACH PLAN BY THE BUREAU OF ARCHIVES AND RECORDS. Sponsors: Senators McDowell, Sharp, Cook, Murphy, Neal, Connor; Representatives George, Cain, Minner, Barnes, Fallon. Assigned to Executive Committee.

SB 345 - PROVIDING FOR THE CONTINUATION OF THE STATE BOARD OF EXAMINERS OF BARBERS AS IN CHAPTER 4, TITLE 24 OF THE DELAWARE CODE. Sponsor: Senator Holloway. Assigned to Administrative Services/Energy Committee.

SA 4 to SB 91. Sponsor: Senator Marshall. Placed with the Bill.

SA 2 to SB 273. Sponsor: Senator Zimmerman. Placed with the Bill.

SA 2 to SB 211. Sponsor: Senator Martin. Placed with the Bill.

The following Committee reports were announced:

From the Administrative Services/Energy Committee: SB 314 - 4 Merits.

From the Community Affairs Committee: SS 1 for SB 190 - 4 Merits; SB 306 - 4 Merits; SB 335 - 4 Merits; SB 339 - 1 Favorable, 3 Merits; SB 340 - 1 Favorable, 3 Merits; SB 259 - 4 Merits.

From the Agriculture Committee: HB 307 - 4 Favorable, 1 Merits.

SCR 64 was introduced and considered for adoption on motion of Senator Holloway:

SCR 64 - REQUESTING THAT VEHICLE RENTAL AGENCIES DO NOT DISCRIMINATE AGAINST DRIVERS OVER 70 YEARS OF AGE. Sponsor: Senator Holloway.

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

The roll call vote on SB 255 was lifted from the table on motion of Senator McDowell; however, the roll call was again tabled before being announced on further motion of Senator McDowell.

On motion of Senator Sharp, SB 230 which had previously passed the Senate was taken up for reconsideration as further amended by HA 1.

The roll call vote on SB 230 w HA 1 was then taken and revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Bill was declared passed.

At 4:20 p.m. on motion of Senator Sharp, the Senate adjourned to immediately convene for the 43rd Legislative Day.

43RD LEGISLATIVE DAY

June 22, 1981

The Senate convened at 4:20 p.m., Lt. Governor Castle presiding.

A Prayer was offered by Senator Arnold.

Pledge of Allegiance to the Flag.

Call of the roll revealed the following attendance:

PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 20.

ABSENT: Senator Connor - 1.

The Journal of the previous day was approved as read.

Legislative Advisory #14 received from the Office of Counsel to the Governor was read which informed the Senate that the Governor signed HB 15 (Volume 63, Chapter 33, Laws of Delaware) on June 16, 1981 and SCR 39 on June 18, 1981.

SB 316 was taken up for consideration on motion of Senator Cordrey:

SB 316 - AN ACT TO AMEND TITLES 5, 9, 10, 12, 14, 18, 23, 29, AND 31 RELATING TO PROVISIONS WITHIN SAID TITLES DEALING SPECIFICALLY WITH THE FARMERS BANK OF THE STATE OF DELAWARE AND TO MAKE PROVISIONS FOR THE DISPOSITION OF MONEY PREVIOUSLY DEPOSITED WITH THE FARMERS BANK OF THE STATE OF DELAWARE.

Senator Cordrey marked PRESENT.

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

The roll call vote on SB 316 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 268 was taken up for consideration on motion of Senator Vaughn:

SB 268 - AN ACT TO AMEND TITLE 11 AND TITLE 29 OF THE DELAWARE CODE RELATING TO LAW ENFORCEMENT ADMINISTRATION; AND PROVIDING FOR THE REORGANIZATION OF CERTAIN LAW ENFORCEMENT AGENCIES.

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Vaughn and the roll call vote taken which revealed 19 Senators voting YES, 1 (Zimmerman) voting NO, and 1 (Connor) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Lt. Jay R. Brackin, State Bureau of Identification, after which the roll call vote on SB 268 w SA 1 was taken and revealed:

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

NO: Senators McBride and Zimmerman - 2.

NOT VOTING: Senator Murphy - 1.

ABSENT: Senator Connor - 1.

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

SB 177 was taken up for consideration on motion of Senator Sharp:

SB 177 - AN ACT AMENDING CHAPTER 19, TITLE 10 OF THE DELAWARE CODE, RELATING TO ADMISSION OF ATTORNEYS.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Marshall, Martin, McDowell, Murphy, Neal, Sharp - 14.

NO: Senators Hughes, Knox, Littleton, McBride, Vaughn, Zimmerman - 6.

ABSENT: Senator Connor - 1.

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

On motion of Senator McDowell, the roll call vote on SB 255 was lifted and announced:

YES: Senators Adams, Berndt, Citro, Holloway, Hughes, Marshall, Martin, McBride, McDowell, Murphy, Vaughn - 11.

NO: Senators Arnold, Bair, Connor, Cook, Cordrey, Littleton, Neal, Sharp, Zimmerman - 9.

ABSENT: Senator Knox - 1.

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

SB 66 was taken up for consideration on motion of Senator Martin:

SB 66 AN ACT TO AMEND TITLE 4, DELAWARE CODE TO AUTHORIZE DELAWARE LIQUOR RETAILERS TO PURCHASE SUPPLIES FROM OUT-OF-STATE WHOLESALERS AND MANUFACTURERS.

At 5:20 p.m., Senator Sharp presiding.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Hughes, Littleton, Marshall, Martin, McDowell, Neal, Vaughn - 13.

NO: Senators Cordrey, Holloway, Knox, McBride, Murphy - 5.

NOT VOTING: Senator Sharp - 1.

ABSENT: Senators Connor and Zimmerman - 2.

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

SB 299 was taken up for consideration on motion of Senator Cook:

SB 299 - AN ACT TO AMEND CHAPTER 71, TITLE 7 OF THE DELAWARE CODE TO PROVIDE FOR ADDITIONAL EXEMPTIONS FROM THE NOISE CONTROL LAW.

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

SB 259 was taken up for consideration on motion of Senator Neal:

SB 259 - AN ACT TO AMEND SECTION 1104, ARTICLE XI, OF THE CHARTER OF THE CITY OF NEWARK, DELAWARE, BY REMOVING THE PROHIBITION AGAINST POLITICAL ACTIVITY BY PERSONS HOLDING UNPAID APPOINTIVE CITY POSITIONS.

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

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Holloway, Hughes, Knox, Littleton, Martin, McBride, Murphy, Neal, Vaughn - 14.

NO: Senators Cordrey, Marshall, McDowell, Zimmerman - 4.

NOT VOTING: Senators Cook and Sharp - 2.

ABSENT: Senator Connor - 1.

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

SB 151 was taken up for consideration on motion of Senator Adams:

SB 151 - AN ACT TO AMEND CHAPTER 83, TITLE 11, DELAWARE CODE RELATING TO STATE POLICE STATIONS.

The privilege of the floor was extended to Colonel Norman V. Cochran and Raymond A. Vignola of the Delaware State Police.

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

SA 2 to SB 16 was stricken on motion of the sponsor, Senator Neal.

SB 294 was taken up for consideration on motion of Senator Neal:

SB 294 - AN ACT TO AMEND DELAWARE CODE, TITLE 14, AS IT RELATES TO THE FUNDING OF EDUCATIONAL SERVICES FOR PERSONS WHO ARE AUTISTIC.

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

SB 292 was taken up for consideration on motion of Senator Holloway:

SB 292 - AN ACT TO AMEND CHAPTERS 33 OF TITLE 18, CHAPTER 23 OF TITLE 19, AND CHAPTER 5 OF TITLE 31 OF THE DELAWARE CODE RELATING TO PAYMENT FOR THE SERVICES OF LICENSED CLINICAL SOCIAL WORKERS AS MENTAL HEALTH PROVIDERS.

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

SA 1 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Berndt and the roll call vote taken which revealed 18 Senators voting YES and 3 (Connor, Cook and Littleton) ABSENT; therefore, the Amendment was declared adopted.

The privilege of the floor was extended to Charles E. Marvil, Licensed Clinical Social Workers, after which the roll call vote on SB 292 w SA 1 was taken and revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 248 was taken up for consideration on motion of Senator Zimmerman:

SB 248 - AN ACT TO AMEND SUBSECTION 103(f), CHAPTER 1, TITLE 7 OF THE DELAWARE CODE RELATING TO FORFEITURE OF PROPERTY USED IN CONNECTION WITH THE ILLEGAL HUNTING OR POSSESSION OF DEER.

The privilege of the floor was extended to William C. Wagner, II, Division of Fish and Wildlife, after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES and 2 (Connor and Marshall) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 178 was taken up for consideration on motion of Senator Arnold:

SB 178 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE XV OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE AWARD OF CONTRACTS.

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

SB 307 was taken up for consideration on motion of Senator Cordrey:
SB 307 - AN ACT TO AMEND TITLE II, DELAWARE CODE, SECTION 475, RELATING TO IMMUNITY AS AN AFFIRMATIVE DEFENSE.

The privilege of the floor was extended to Myron T. Steele, Delaware Bar Association, after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 297 was taken up for consideration on motion of Senator Hughes:
SB 297 - AN ACT TO AMEND CHAPTER 53, TITLE 29, DELAWARE CODE RELATING TO THE STATE EMPLOYEES PENSION PLAN.

The privilege of the floor was extended to Don McArdle, State Pension Office, after which the roll call vote on the Bill was taken and revealed 19 Senators voting YES, 1 (McBride) voting NO, and 1 (Connor) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 291 was taken up for consideration on motion of Senator Vaughn:
SB 291 - AN ACT TO AMEND CHAPTER 41, TITLE II, OF THE DELAWARE CODE RELATING TO CRIMINAL PROCEDURES; AND PROVIDING FOR RESTITUTION FOR PROPERTY DAMAGE OR LOSS SUSTAINED BY VICTIMS OF CRIMES.

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

The roll call vote on SB 291 w SA 1 was then taken and revealed 20 Senators voting YES and 1 (Connor) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

The following Committee reports were announced:
From the Health-Social Services/Aging Committee: SB 301 - 1 Favorable, 3 Merits; SB 322 - 4 Merits.

On motion of Senator Adams, the roll call vote on SB 151 was lifted and announced:
YES: Senators Adams, Cook, Cordrey, Littleton, Martin, McBride, Murphy, Neal, Sharp, Vaughn, Zimmerman - 11.

NO: Senators Marshall and McDowell - 2.
NOT VOTING: Senators Arnold, Bair, Berndt, Citro, Hughes, Knox - 6.
ABSENT: Senators Connor and Holloway - 2.

Therefore, the Bill was declared passed by the Senate and sent to the House for consideration.
At 7:02 p.m. on motion of Senator Cordrey, the Senate adjourned until 2:00 p.m., June 23, 1981.

44TH LEGISLATIVE DAY June 23, 1981

The Senate convened at 2:40 p.m., Lt. Governor Castle presiding.
A Prayer was offered by Senator Neal.
Pledge of Allegiance to the Flag.
Call of the roll revealed the following attendance:
PRESENT: Senators Adams, Arnold, Bair, Berndt, Citro, Connor, Cook, Cordrey, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McBride, McDowell, Murphy, Neal, Sharp, Vaughn, Zimmerman - 21.
The Journal of the previous day was approved as read.
The Secretary announced that a message from the House informed the Senate that it had passed SB 215.

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

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 22, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Mrs. Barbara K. Madden, 201 Harmony Street, New Castle, Delaware, to be reappointed as a member of the Board of Elections, New Castle County, for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 22, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Mr. Stephen L. Manista, 300 Taylor Road, Elsmere, Delaware, to be reappointed to the Violent Crimes Compensation Board for a three year term.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 22, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Mr. Lawrence T. Messick, 1 Plover Court, Wilmington, Delaware, to be reappointed as a member of the Board of Elections, New Castle County, for a term of four years.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 22, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Mr. Robert L. Moore, 142 W. Netherfield Road, Wilmington, Delaware, to be a member of the Board of Elections, New Castle County, for a four year term to succeed Ms. Dolores Hamilton, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 22, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Mr. Dennis Spivack, 1623 Windybush Road, Wilmington, Delaware, to be a member of the Board of Elections, New Castle County, for a four year term to succeed Ms. Phylis Seidel, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 22, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Mr. Edward S. Stansky, 420 Delaware Street, New Castle, Delaware, to be reappointed to the Violent Crimes Compensation Board for a three term.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
June 22, 1981

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

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following: Mr. Burton D. Willis, RD 2, Box 352, Milford, Delaware, to be a member of the Board of Elections, Kent County, for a four year term to succeed C. Robert Downham, term expired.

Your consideration of this nomination will be appreciated.

Sincerely,
Pierre S. duPont, Governor

SB 346 was introduced and laid on the table on motion of Senator McBride:
SB 346 - AN ACT TO AMEND TITLE 11 AND TITLE 24 OF THE DELAWARE CODE RELATING TO OBSCENITY AND ADULT ENTERTAINMENT ESTABLISHMENTS. Sponsors: Senators McBride, Berndt, Citro, Vaughn, Littleton, Connor; Representatives Spence, Oberle, Cathcart, Mack, Corrozi, Dixon.

SR 36 was introduced and considered for adoption on motion of Senator Neal:
SR 36 - CONGRATULATING JOHN O'REILLY ON WINNING THE SMALL BUSINESS PERSON OF THE YEAR AWARD FROM THE NEW CASTLE COUNTY CHAMBER OF COMMERCE.

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

SJR 16 was introduced and immediately stricken at the request of the sponsor, Senator McDowell:
SJR 16 - AUTHORIZING THE FUNDING OF A FEASIBILITY STUDY TO DETERMINE THE PRACTICALITY OF PUBLIC OWNERSHIP OF THE DELAWARE PORTION OF DELMARVA POWER AND LIGHT COMPANY'S ELECTRIC PRODUCTION AND OPERATING SYSTEM; AND DIRECTING THE PUBLIC SERVICE COMMISSION TO SUPPLY THE NEEDED FUNDS FROM ITS REVOLVING FUNDS. Sponsors: Senator McDowell and Connor; Representatives Oberle, Plant, West, VanSeiver.

The following legislation was introduced:

SA 1 to SCR 62. Sponsor: Senator Murphy. Placed with the Resolution.

SB 17 - AUTHORIZING THE FUNDING OF A FEASIBILITY STUDY TO DETERMINE THE PRACTICALITY OF PUBLIC OWNERSHIP OF THE DELAWARE PORTION OF DELMARVA POWER AND LIGHT COMPANY'S ELECTRIC PRODUCTION AND OPERATING SYSTEM; AND DIRECTING THE PUBLIC SERVICE COMMISSION TO SUPPLY THE NEEDED FUNDS FROM ITS REVOLVING FUNDS. Sponsors: Senators McDowell and Connor; Representatives Oberle, Plant, West, VanSeiver. Assigned to Administrative Services/Energy Committee.

SA 2 to SB 250. Sponsor: Senator Bair. Placed with the Bill.

SA 3 to SB 250. Sponsor: Senator McDowell. Placed with the Bill.

SA 2 to SB 300. Sponsor: Senator Martin. Placed with the Bill.

SA 1 to SB 303. Sponsor: Senator Bair. Placed with the Bill.

SA 1 to SB 229. Sponsor: Senator Littleton. Placed with the Bill.

SA 1 to SB 323. Sponsor: Senator Bair. Placed with the Bill.

The following Committee reports were announced:

From the Education Committee: SB 303 - 1 Favorable, 3 Merits.

From the Judiciary Committee: HB 93 - 2 Favorable, 3 Merits.

From the Health-Social Services/Aging Committee: HB 152 - 4 Merits.

From the Administrative Services/Energy Committee: HS 1 for HB 3 w HA 1 - 5 Merits.

SB 303 was taken up for consideration under suspension of the necessary rules on motion of Senator Bair:

SB 303 - AN ACT TO AMEND CHAPTER 17, TITLE 14 OF THE DELAWARE CODE, RELATING TO EQUALIZATION FUNDING.

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

At 3:18 p.m., Senator Sharp presiding.

The roll call vote on SB 303 w SA 1 was then taken and revealed:

YES: Senators Adams, Arnold, Bair, Berndt, Citro, Cordrey, Hughes, Knox, Littleton, Martin, McDowell, Murphy, Sharp, Vaughn - 14.

NO: Senators Connor, Marshall, McBride, Neal - 4.

NOT VOTING: Senators Cook and Holloway - 2.

ABSENT: Senator Zimmerman - 1.

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

SB 300 was taken up for consideration on motion of Senator Martin:

SB 300 - AN ACT TO AMEND CHAPTER 69, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REMOVAL OF MOTOR VEHICLES FROM PUBLIC HIGHWAYS BY POLICE OR BY OTHERS UPON POLICE DIRECTION.

At 3:35 p.m., Lt. Governor Castle presiding.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to Lt. Earl L. Emerson, Jr. (Delaware State Police) and Harry Terry (Senate Attorney).

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

SA 2 to the Bill which had been placed with the Bill was taken up for consideration on motion of Senator Martin and the roll call vote taken which revealed 21 Senators voting YES; therefore, the Amendment was declared adopted.

The roll call vote on SB 300 w SA 1, 2 was then taken on motion of Senator Martin and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

At 4:05 p.m., Senator Sharp presiding.

SB 325 was taken up for consideration on motion of Senator Marshall:

SB 325 - AN ACT TO AUTHORIZE AND DIRECT THE TRANSFER OF CERTAIN DEPARTMENT OF CORRECTION PROPERTY TO CHILD, INC.

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

SB 229 was taken up for consideration on motion of Senator Littleton:

SB 229 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO MARY MEARS, WIDOW OF HENRY DALE MEARS, SR., A FORMER STATE EMPLOYEE; APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE.

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

The roll call vote on SB 229 w SA 1 was taken and revealed 20 Senators voting YES and 1 (Cordrey) voting NO; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 249 was taken up for consideration on motion of Senator Zimmerman:

SB 249 - AN ACT TO AMEND CHAPTER 80, TITLE 29, DELAWARE CODE, RELATING TO THE MEMBERSHIP OF THE COUNCIL ON GAME AND FISH.

The privilege of the floor was extended to Bill Wagner (Division of Fish and Wildlife) after which the roll call vote on the Bill was taken and revealed 20 Senators voting YES and 1 (Holloway) ABSENT; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SS 1 for SB 8 was laid on the table at the request of Senator Holloway.

SB 280 was taken up for consideration on motion of Senator McBride:

SB 280 - AN ACT TO AMEND CHAPTER 5, PART 1, TITLE 11 OF THE DELAWARE CODE RELATING TO ASSAULTS UPON PERSONS RENDERING EMERGENCY CARE.

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

SB 314 was taken up for consideration on motion of Senator McBride:

SB 314 - AN ACT TO AMEND CHAPTER 1, TITLE 26 OF THE DELAWARE CODE RELATING TO CHARGES IMPOSED BY CERTAIN UTILITIES FOR LATE PAYMENTS.

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

SS 1 for SB 190 was taken up for consideration on motion of Senator Murphy:

SS 1 for SB 190 - AN ACT TO AMEND PART X, TITLE 29 OF THE DELAWARE CODE PROVIDING FOR REGULATORY EXCEPTIONS FOR INDIVIDUALS AND SMALL BUSINESSES. The Bill was substituted for the Original on motion of Senator Murphy.

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

The roll call vote on SS 1 for SB 190 w SA 1 was then taken and revealed 21 Senators voting YES; therefore, the Bill was declared passed by the Senate and sent to the House for consideration.

SB 342 was taken up for consideration on motion of Senator Adams:

SB 342 - AN ACT TO AMEND TITLE 3, DELAWARE CODE RELATING TO BIOLOGICAL PRODUCTS FOR POULTRY AND ANIMAL DISEASES.

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

At 4:55 p.m. on motion of Senator Cordrey, the Senate recessed for Party Caucus and reconvened at 6:00 p.m., Lt. Governor Castle presiding.

HB 20 w HA 1 was reported out of the Administrative Services/Energy Committee: 7 Merits.

SB 91 w SA 2 was lifted from the table for consideration on motion of Senator Marshall.

SA 1 and SA 3 to the Bill which had been placed with the Bill were stricken on motion of Senator Marshall.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to Myron T. Steele and Tom Sandbach (Senate Attorney).

SA 4 to the Bill was introduced by Senator Marshall and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed 18 Senators voting YES and 3 (Berndt, Holloway and Hughes) ABSENT; therefore, the Amendment was declared adopted.

SA 5 to the Bill was introduced by Senator McDowell and considered for adoption on his motion. The roll call vote on the Amendment was taken and revealed:

YES: Senators Adams, Berndt, Citro, Connor, Cook, Hughes, Marshall, Martin, McDowell, Murphy, Sharp, Zimmerman - 12.

NO: Senators Arnold, Bair, Cordrey, Knox, Littleton, Neal, Vaughn - 7.

NOT VOTING: Senator Holloway - 1.

ABSENT: Senator McBride - 1.

Therefore, the Amendment was declared adopted.

The roll call vote on SB 91 w SA 2, 4, 5 was then taken and revealed:

YES: Senators Connor, Marshall, Martin, McDowell, Murphy, Sharp - 6.

NO: Senators Adams, Arnold, Bair, Berndt, Citro, Cook, Cordrey, Holloway, Knox, Littleton, McBride, Neal, Vaughn - 13.

NOT VOTING: Senators Hughes and Zimmerman - 2.

Therefore, the Bill was declared defeated.

SB 314 was lifted from the table for consideration on motion of Senator McBride.

During discussion of the Bill and the Amendments offered to it, the privilege of the floor was extended to Tom Sandbach and Harry Terry (Senate Attorneys).

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