

NO: Representatives Ambrosino, Harrington, Holloway, Neal, Petrilli, Plant - 6.

ABSENT: Representatives Jonkiert, Matushefske, Roy - 3.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 732 w/HA 1 was sent to the Senate for concurrence.

Representative Connor introduced and brought HR 228 before the House for consideration.

HR 228 - Extending Birthday Wishes to a Famous Delaware Legislator, Educator and Sports Figure: Joseph P. ("Jody") Ambrosino.

HR 228 was adopted by voice vote.

Representative W. Brady introduced and brought HR 229 before the House for consideration.

HR 229 - Congratulating Dwayne Henry, Outstanding Pitcher for the Middletown High School Cavaliers, Upon His Selection by the Texas Rangers in the Player Draft.

HR 229 was adopted by voice vote.

Representative Burris moved to recess to the call of the Chair at 6:48 p.m.

42nd LEGISLATIVE DAY Second Session

June 5, 1980

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

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SCR 84, SB 560 w/SA 2.

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

Judiciary & Constitution: HB 324 - 2F, 3M; HB 1029 - 5M; HB 978 - 5M; HB 1022 - 1F, 4M; HB 968 - 4M, 1 UF; HB 953 - 4M; SB 13 - 5M; SB 477 - 5M.

Health & Social Services: HS 1 for HB 900 - 4M.

Education: HB 343 - HA 1,2,3,4 - 1F, 3M; HB 966 - 1F, 3M; HB 1040 - 2F, 3M.

Public Safety: HB 1023 - 5M.

Labor & Commerce: HB 1025 - 4M.

The Reading Clerk read the following communications into the record at the request of Representative Plant:

June 5, 1980

Memorandum

Dear Colleagues of this Assembly:

I call on your support of the resolution I am about to introduce. With our busy schedules and the many problems to be solved for the citizens of Delaware, I can honestly say that it pains me to have to bring this matter to your attention. I feel insulted as a legislator that apparently some members of the Grant-in-Aid Committee no longer adhere to our long-established tradition of representatives' prerogative for organizations to be funded in our districts.

This is a dangerous precedent - for it means that as legislators we will now have open war in every legislative district in the State. Well, if this is the way the game will be played, I can stand the heat.

The most important factor in my mind regarding my opposition to funds for Northeast Area Partners is public accountability for funds. Every legislator here has a public duty to not only respond to questions posed by constituents, but to raise questions when he or she feels there are no programs or public accountability for expenditures of public funds on the part of any community organization. Funds are too scarce and the people's needs too great to allow a do-nothing organization to be funded when we don't have enough available funds for hard-working and effective community organizations.

I would not oppose the funding of NEAP if they could prove beyond a shadow of a doubt, after a State Auditor General audit, that funds were actually spent to benefit community persons. By their own public admission, funds allocated for an entire fiscal year were spent in four months, mainly on the salary of one person who received \$14,000 out of a \$25,000 allocation. Channel 12 TV took cameras to the location and it was closed on a normal work day.

The Senator from the District admits he knows nothing about NEAP. They have not adhered to 6508, Title 29 requiring an annual report. There was no reply for many months to my request for information - and then a collection of what were hastily assembled documents, prepared within a short time span, was made available (not to me). I think it is certain that NEAP could not stand scrutiny by an independent auditor.

By public admission, NEAP has held no Board meetings in months.

Since I have been accused of having some self-serving motive for my opposition to this funding, it is appropriate to mention that I have received many complaints from citizens in the northeast area of Wilmington about lack of services and about there being no one around to provide services. Utilities have been cut off for non-payment. Two Board members of Kingswood Community Center, one of the oldest and most respected organizations in the area, as well as other community organizations and community individuals, have written to me asking for an investigation of NEAP.

If we are going to allow organizations to circumvent the area's elected Representative - then we are asking for real problems.

Al O. Plant, Sr.,
Representative
2nd Representative
District

P.S.

I should like to point out the consistency of my positions on matters of this type. Since I have been critical of various other situations and have not hesitated to make my views known, it would be hypocritical for me to ignore something in my own district that needs correcting.

August 14, 1979

Mr. Raymond T. Evans, President
Northeast Area Partners, Inc.
2617 North Claymont Street
Wilmington, Delaware 19802
Dear Ray:

Approximately eight weeks ago, at an Affirmative Action meeting in the Northeast Area Partners Building, I did request that you consider calling a meeting of the Northeast Area Partners Board so that several issues pertaining to the Northeast Area Partners, Inc. and the community it is supposed to serve could be discussed. Since that time no such meeting has been called.

As State Representative for that area I do need to be privileged to receive certain information so that I can respond to the various questions that have been and continue to be posed to me by Mr. Charles H. Debnam and the Northeast State Service Center and members of Kingswood board.

Again, I do respectfully request that you call a Board meeting which will be open to the public so that those persons in the community who want to know what Northeast Area Partners is doing can have their questions answered directly by the Board. I do not believe the Board has any problems opening its books to the community for a financial check, or otherwise.

Your immediate co-operation will be appreciated.

Sincerely,
Al O. Plant, Sr.,
Representative
2nd Representative District
Chairman, Community Affairs
Committee

Copy:

Rev. Calvin Jones
Mr. Charles H. Debnam

Representative Plant introduced and brought HR 230 before the House for consideration.

HR 230 - Requesting a Copy of the Annual Report, a Copy of an Independent Audit, and Other Information From the Northeast Area Partners, Inc., a Recipient Under the Grants-in-Aid Law.

HR 230 was adopted by voice vote.

The Majority Leader moved to adjourn at 2:15 p.m., thereby ending the previous legislative day. The House reconvened at 2:16 p.m. A prayer was offered by Representative Hebner, Ninth District.

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

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Matushefske - 1.

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

The following prefiled legislation was introduced:

HB 1067 - SMITH, FALLON, MINNER, WEST; SENATORS COOK, MURPHY, BERNDT, KNOX, HUGHES, ARNOLD - NATURAL RESOURCES: An Act to Amend Chapter 17, Title 7 of the Delaware Code, Relating to Dogs Running at Large. (2/3 bill)

HB 1068 - HARRINGTON; SENATOR MURPHY - BANKING & INSURANCE: An Act to Amend Chapter 1 and Chapter 9, Title 5, Delaware Code Relating to Reserve Requirements.

HB 1069 - CONNOR, ROY, PETRILLI, FALLON, OBERLE, AMBROSINO, CATHCART, NEAL, VAN SCIVER - EDUCATION: 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.

HB 1070 - BURRIS, GORDY; SENATORS KNOX, ARNOLD, BERNDT, HOLLOWAY, MARTIN, KEARNS - HEALTH & SOCIAL SERVICES: An Act to Amend Part IX, Title 16 of the Delaware Code by Adding a New Chapter 94 Relating to the Handicapped by Establishing a State Advisory Council for the Coordination of Services to the Handicapped.

HB 1071 - MARONEY - REVENUE & FINANCE: An Act to Amend Chapter 13, Title 30, Delaware Code, Relating to Inheritance Tax on Alternate Valuation.

HB 1072 - FALLON - TRANSPORTATION: An Act to Amend Chapter 21, Title 21 of the Delaware Code Relating to Goose-Necked Semi-Trailers.

HB 1073 - MC KAY, MARONEY, GILLIGAN - ADMINISTRATIVE SERVICES & ENERGY: An Act to Amend Chapter 17, Title 24, Delaware Code, Relating to Physicians Licensed by the State of Delaware.

HB 1074 - HOLLOWAY - LABOR & COMMERCE: An Act to Amend Chapter 3, Title 4, Delaware Code, Relating to the Requirement That Beer and Wine Containers be Labeled as to Alcohol Content.

HB 1075 - HOLLOWAY; SENATOR HOLLOWAY - APPROPRIATIONS: An Act Making an Appropriation to the Department of Community Affairs and Economic Development for a Youth Work Program for Six Weeks Starting July 15, 1980.

HA 1 to HB 869 - T. BRADY: Placed with the bill. (Agenda)

HA 1 to HB 987 - ANDERSON, MAXWELL - NATURAL RESOURCES: Placed with the bill.

HA 1 to HB 1015 - MC BRIDE - ETHICS & HOUSE ADMINISTRATION: Placed with the bill.

HA 1 to HB 1056 - BURRIS - APPROPRIATIONS: Placed with the bill.

SB 542 - MURPHY; REPRESENTATIVE HARRINGTON - ETHICS & HOUSE ADMINISTRATION: An Act to Amend Chapter 9, Title 5, Delaware Code, Relating to the Farmers Bank Commission.

SB 560 w/SA 2 - ADAMS, BERNDT; REPRESENTATIVES MATUSHEFSKE, POWELL - PUBLIC SAFETY: An Act to Amend Chapter 83, Title 11 and Chapter 55, Title 29 of the Delaware Code Relating to State Police Pensions.

Representative McBride requested that HA 2 to SB 376 be stricken.

Representative McBride requested that the following letter be made a part of the record:

AN OPEN LETTER TO OUR LEGISLATORS:

P.A.S.S. (Pharmaceutical Assistance for Senior Survival) is a state-wide, non-partisan coalition working for Pharmaceutical Assistance for the Seniors of Delaware.

Up to this time we have and still do support SB 376 with its maintenance drug amendment. We understand that Representative Van Sciver has introduced a bill that is identical in content to SB 376 with its maintenance drug amendment which was presented by P.A.S.S.

It seems to us that we've made our point and now we know that you see the necessity of SB 376 - Pharmaceutical Assistance for Delaware Seniors. We now see all legislators trying to get on the band wagon. P.A.S.S. is not concerned with which legislators or political party will receive credit for this bill. All we are interested in is getting one good bill which is supported by both political parties.

P.A.S.S. has been working for 2 years for SB 376; at this time we want the House of Representatives and the Senate of the 130th General Assembly to listen to what we are saying. We want both political parties to unite and decide on one bill which will demonstrate to us that our legislators really care about the seniors of Delaware and that "credit" is not what you're looking for.

P.A.S.S. is willing to talk with both parties and come to an agreement on one pharmaceutical bill that contains the substance and amendment of SB 376.

SHOW US THAT THE LEGISLATURE IN DELAWARE CAN UNITE ON THIS IMPORTANT ISSUE - PHARMACEUTICAL ASSISTANCE WHICH IS LONG OVERDUE FOR THE SENIORS OF DELAWARE.

PLEASE...DON'T PLAY POLITICS WITH THE LIVES OF SENIORS!!

Representative McBride moved that SB 376 be taken out of committee. The motion was seconded by Representative Gilligan.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Maxwell, McBride, Minner, Morris, Plant, West - 19.

NO: Representatives T. Brady, Burris, Cathcart, Connor, Fallon, Free, Harrington, Hebner, Maroney, McKay, Neal, Oberle, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 19.

ABSENT: Representatives Ambrosino, Matushefske, Petrilli - 3.

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

Representative Van Sciver moved to suspend the rules which interfere with action on HB 1041. The motion was seconded by Representative Gilligan.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Cain, Clendaniel, Connor, Darling, Ferguson, Free, George, Gilligan, Gordy, Harrington, Holloway, Loughney, Maroney, Maxwell, McBride, Minner, Morris, Oberle, Plant, Van Sciver, West - 24.

NO: Representatives Burris, Cathcart, Fallon, Hebner, Jonkiert, McKay, Neal, Powell, Roy, Sincok, Smith, Vernon, Mr. Speaker Riddagh - 13.

ABSENT: Representatives Ambrosino, T. Brady, Matushefske, Petrilli - 4.

Therefore, having received a constitutional majority, the motion was adopted and the rules were suspended for action on HB 1041.

Representative Roy rose on a point of order. Mr. Speaker concurred.

Representative Burris moved to recess for caucus at 2:45 p.m.

The House reconvened at 4:15 p.m.

Representative Burris moved to place HB 1041 in the Health & Social Services Committee. The motion was seconded by Representative Smith.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, T. Brady, Burris, Cathcart, Connor, Fallon, Free, Harrington, Hebner, Jonkiert, Maroney, McKay, Neal, Oberle, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 21.

NO: Representatives Anderson, Bennett, W. Brady, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Holloway, Loughney, McBride, Minner, Morris, Plant, West - 16.

ABSENT: Representatives Cain, Matushefske, Maxwell, Petrilli - 4.

Therefore, having received a constitutional majority, the motion was adopted and HB 1041 was re-assigned to the Health & Social Services Committee.

Representative Roy brought SB 234, sponsored by Senator Cordrey, before the House for consideration.

SB 234 - An Act to Amend Chapter 27, Title 21 of the Delaware Code Relating to Suspension of Drivers Licenses for Lending Licenses.

The roll call on SB 234 was taken and revealed:

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

ABSENT: Representatives Cain, Matushefske, Maxwell, Petrilli - 4.

Therefore, having received a constitutional majority, SB 234 was returned to the Senate.

Representative Ferguson brought HB 923, co-sponsored by Senators Sharp & McCullough; Representatives W. Brady, Gilligan, Powell, Minner, Sincock, Van Sciver, George, Petrilli, Darling, Loughney, Riddagh, Gordy, West, Anderson, Connor, Clendaniel, Cathcart, Maxwell, Ambrosino, Oberle, Cain & Roy, before the House for consideration.

HB 923 - An Act to Provide That a Referendum be Held in the November 1980 General Election in Which the Qualified Voters of the State of Delaware Shall Decide Whether or Not They Prefer That Initiative and Referendum (or Either of Them) Shall be Included Within the Constitution of the State.

Representative Ferguson brought HA 1 to HB 923 before the House for consideration. HA 1 was adopted by voice vote.

Representative T. Brady requested and was granted the privilege of the floor for House Attorney Gerald Street.

Representative Loughney rose on a point of order. Mr. Speaker concurred.

Representative Ferguson moved to place HB 923 w/HA 1 on the Speaker's table. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Harrington moved to suspend the rules which interfere with introduction of and action on SB 542. The motion was properly seconded and adopted by voice vote.

Representative Harrington introduced and brought SB 542, co-sponsored by Senator Murphy, before the House for consideration.

SB 542 - An Act to Amend Chapter 9, Title 5, Delaware Code, Relating to the Farmers Bank Commission.

The roll call on SB 542 was taken and revealed:

YES: Representatives Anderson, T. Brady, W. Brady, Burris, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Maroney, McKay, Neal, Oberle, Petrilli, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 24.

NO: Representatives Ambrosino, Bennett, Clendaniel, Connor, Darling, Loughney, Maxwell, McBride, Minner, Morris - 10.

NOT VOTING: Representatives Cain, Holloway, Jonkiert, Plant - 4.

ABSENT: Representatives Cathcart, Matushefske, West - 3.

Therefore, having received a constitutional majority, SB 542 was returned to the Senate.

Representative Ferguson moved to lift HB 923 w/HA 1 from the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Ferguson brought HA 2 to HB 923 before the House for consideration. HA 2 was adopted by voice vote.

The roll call on HB 923 w/HA 1,2 was taken and revealed:

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

NO: Representatives Bennett, Burris, Free, Plant - 4.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HB 923 w/HA 1,2 was sent to the Senate for concurrence.

Representative Hebner brought HB 926, co-sponsored by Representatives Smith, Ambrosino, Loughney & Senator Hughes, before the House for consideration.

HB 926 - An Act to Help the Claymont Community Center Meet One-Time Relocation Expenses by Making an Appropriation Therefor. (3/4 bill)

The roll call on HB 926 was taken and revealed:

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority of at least three-fourths members of the House, HB 926 was sent to the Senate for concurrence.

Representative Jonkiert brought HB 627 before the House for consideration.

HB 627 - An Act to Amend Chapter 31, Title 6 of the Delaware Code to Increase the Fee Charged by the Prothonotary for Filing Certain Certificates.

Representative Roy rose on a point of order. Mr. Speaker concurred. The roll call on HB 627 was taken and revealed:

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

NO: Representatives Bennett, Minner, Morris - 3.

ABSENT: Representatives Matushefske, West - 2.

Therefore, having received a constitutional majority, HB 627 was sent to the Senate for concurrence.

Representative Petrilli brought HB 745 before the House for consideration.

HB 745 - An Act to Make a Supplemental Appropriation to the Department of Correction for the Purpose of Meeting Legal Fee Obligations Necessitated by a Court Decision.

The roll call on HB 745 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Petrilli, Plant, Powell, Sincock, Smith, Van Sciver, Mr. Speaker Riddagh - 34.

NO: Representatives Bennett, Clendaniel, Oberle, Roy, Vernon - 5.

ABSENT: Representatives Matushefske, West - 2.

Therefore, having received a constitutional majority, HB 745 was sent to the Senate for concurrence.

Representative George brought HB 847 - HA 1, co-sponsored by Senator Holloway, Representatives Gilligan, Sincock and Senator Cook, before the House for consideration.

HB 847 - An Act Making a Supplemental Appropriation to the Office of Economic Opportunity, Department of Community Affairs and Economic Development, for the Purpose of Providing Support to Emergency Food Pantries Through Contractual Services.

Representative Sincock requested that HA 1 to HB 847 be stricken.

The roll call on HB 847 was taken and revealed:

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HB 847 was sent to the Senate for concurrence.

Representative T. Brady brought HB 869 - HA 1, co-sponsored by Representatives Vernon, Gordy & Petrilli, before the House for consideration.

HB 869 - An Act to Amend Subchapter III, Title 10 of the Delaware Code Relating to the Civil Jurisdiction of the Court of Common Pleas. (2/3 bill)

Representative T. Brady brought HA 1 to HB 869 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 869 w/HA 1 was taken and revealed:

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

ABSENT: Representatives Holloway, Matushefske - 2.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 869 w/HA 1 was sent to the Senate for concurrence.

Representative T. Brady brought HB 870, co-sponsored by Representatives Vernon, Gordy & Petrilli, before the House for consideration.

HB 870 - An Act to Amend Chapter 93, Title 10 of the Delaware Code Relating to the Jurisdiction of the Justice of the Peace Court. (2/3 bill)

Representative Gordy brought HA 1 to HB 870 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 870 w/HA 1 was taken and revealed:

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 870 w/HA 1 was sent to the Senate for concurrence.

Representative Cain brought HB 934 - HA 1 before the House for consideration.

HB 934 - An Act to Amend Chapter 47, Part IV, Title 16 of the Delaware Code Relating to Certain Drugs Not Yet Distributed for the General Public.

Representative Cain brought HA 1 to HB 934 before the House for consideration. HA 1 was adopted by voice vote.

Mr. Speaker Riddagh declared a recess at 6:25 p.m. for the purpose of changing the recording tape.

The House reconvened at 6:28 p.m.

The Reading Clerk read the following communication into the record at the request of Representative T. Brady:

MEMORANDUM

May 16, 1980

TO: Nancy F. Olsen
FROM: Muriel Rusten
SUBJECT: HB 934 - DMSO

HB 934 adds a new section to the Controlled Substances Act which allows the manufacture, sale or delivery of DMSO in Delaware, and permits DMSO to be prescribed without penalty. However, the bill does not restrict its distribution to that of a prescription drug.

Our Pharmaceutical Control Officer, Martin Golden, has indicated that there could be some problems with this bill. First, DMSO is not a drug of abuse; therefore, he questions placing legislation which deals with this medication in the Controlled Substances Act.

DMSO does have potential adverse reactions. Patients receiving it should receive biochemical screening, particularly liver and renal function tests and complete blood counts, every six months. Its use in pregnancy is discouraged. Some side effects relating to the refractive index have also been noted. These facts indicate that medical supervision must be available when DMSO is used; therefore, it should be a prescription drug. HB 934 does not clarify this.

At this time DMSO is approved by the FDA for use in treating interstitial cystitis, but not arthritis. The FDA establishes procedures for the introduction of new drugs, or approval of new uses for existing drugs. We believe that following these procedures is the best way to assure the health and safety of the overall public.

HB 934 has a fiscal impact. Inspections would be necessary to assure proper manufacturing of the product. This would require another pharmacist in the Office of Narcotics and Dangerous Drugs, at a cost of approximately \$22,000. Laboratory analysis would cost an additional \$2000.

MR:sm

The roll call on HB 934 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, McBride, McKay, Minner, Morris, Plant, Powell, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Riddagh - 31.

NO: Representatives T. Brady, Free, Neal, Oberle, Van Sciver - 5.

NOT VOTING: Representative Petrilli - 1.

ABSENT: Representatives George, Gilligan, Matushefske, Maxwell - 4.

Therefore, having received a constitutional majority, HB 934 w/HA 1 was sent to the Senate for concurrence.

Representative Vernon brought SB 452, sponsored by Senator Cordrey, before the House for consideration.

SB 452 - An Act to Authorize and Approve the Transfer of Warwick School No. 225 and All Land and Attachments Thereto to the Nanticoke Indian Association and Heritage Committee for Use as a Museum.

Representative Smith requested and was granted the privilege of the floor for House Attorney Gerald Street.

The roll call on SB 452 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, Gordy, Harrington, Hebner, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Sincock, Smith, Van Seiver, Vernon, West, Mr. Speaker Riddagh - 35.

ABSENT: Representatives George, Gilligan, Holloway, Jonkiert, Matushefske, Roy - 6.

Therefore, having received a constitutional majority, SB 452 was returned to the Senate.

Representative Bennett introduced HB 1076 co-sponsored by Representatives Morris, Cain & Senator Murphy.

HB 1076 - An Act Making a Supplementary to Delaware Association for Blind Athletes. (3/4 bill)

Mr. Speaker assigned HB 1076 to the Administrative Services & Energy Committee.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 558, SB 586.

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

Transportation: SB 242 w/SA 1 - 1F, 3M; HB 1064 - 1F, 4M.

Natural Resources: HB 987 w/HA 1 - 1F, 3M; HB 475 - 3M; HB 899 - 4M.

Administrative Services & Energy: HB 1008 - 4M; HB 1037 - 4M; HB 1030 - 4M; HB 1031 - 4M; SB 417 - 4M; HB 1035 - 4M; HB 1034 - 4M; HB 818 - 3M.

Ethics & House Administration: HB 1013 - 4M; HB 629 - 4M, 1UF; HS 2 for HB 522 - 3M, 2UF; SB 546 - 5M; SB 478 - 2M, 1UF.

Environmental Control: HB 986 - 4M; HB 895 - 4M.

Mr. Speaker re-assigned HB 886, HB 888 to the Public Safety Committee.

Mr. Speaker re-assigned HB 1003 to the Revenue & Finance Committee.

Representative Burris moved to recess to the call of the Chair at 7:09 p.m.

43rd LEGISLATIVE DAY
Second Session
June 10, 1980

The Speaker called the House to order at 3:00 p.m.

The Majority Leader moved to adjourn at 3:02 p.m., thereby ending the previous legislative day. The House reconvened at 3:03 p.m. A prayer was offered by Representative Harrington, Thirty-First District.

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

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Matushefske - 1.

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

The following prefiled legislation was introduced:

HB 1077 - AMBROSINO - JUDICIARY & CONSTITUTION: An Act to Amend Chapter 68, Part I, Title 18 of the Delaware Code Relating to Medical Malpractice.

HB 1078 - AMBROSINO - JUDICIARY & CONSTITUTION: An Act to Amend Chapter 68, Part I, Title 18 of the Delaware Code Relating to Health Care Malpractice Insurance and Litigation; and Relating Specifically to Disciplinary Action.

HB 1079 - AMBROSINO - BANKING & INSURANCE: An Act to Amend Chapter 68, Part I, Title 18 of the Delaware Code Relating to Health Care Malpractice Insurance and Litigation; and Relating Specifically to the Rights and Privileges of Certain Persons.

HB 1080 - AMBROSINO - JUDICIARY & CONSTITUTION: An Act to Amend Title 10 and Title 18 of the Delaware Code Relating to Health Care Malpractice Action Limitations.

HB 1081 - AMBROSINO - BANKING & INSURANCE: An Act to Amend Chapter 68, Part I, Title 18 of the Delaware Code Relating to the Funding of the Temporary Joint Underwriting Association.

HB 1082 - AMBROSINO - BANKING & INSURANCE: An Act to Amend Chapter 68, Part I, Title 18 of the Delaware Code Relating to the Delaware Health Care Injury Insurance Study Commission.

HB 1083 - AMBROSINO - BANKING & INSURANCE: An Act to Amend Chapter 68, Part I, Title 18 of the Delaware Code Relating to Health Care Malpractice Insurance and Litigation; and Relating Specifically to the Selection of Malpractice Review Panel Members.

HB 1084 - AMBROSINO - HEALTH & SOCIAL SERVICES: An Act to Amend Chapter 68, Part I, Title 18 of the Delaware Code Relating to Informed Consent.

HB 1085 - SMITH, GEORGE - COMMUNITY AFFAIRS & ECONOMIC DEVELOPMENT: 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.

HB 1086 - SMITH, NEAL - REVENUE & FINANCE: An Act to Amend Chapter 1, Title 13 of the Delaware Code Relating to the Fee for Issuing Marriage Licenses.

HB 1087 - GORDY - AGING: An Act to Amend Chapter 79, Title 29 of the Delaware Code to Provide That the Governor Shall Appoint Senior Citizens to Certain Units.

HB 1088 - GORDY - ADMINISTRATIVE SERVICES & ENERGY: An Act to Amend Title 4 and Title 7, Delaware Code, Relating to the sale of Alcoholic Beverages in State Parks.

HB 1089 - ROY, POWELL, BENNETT - ETHICS & HOUSE ADMINISTRATION: An Act to Amend Section 3316, Chapter 33, Title 19 of the Delaware Code Relating to Seasonal Unemployment Compensation Benefits.

HB 1090 - T. BRADY, FERGUSON - JUDICIARY & CONSTITUTION: An Act to Amend Title 11, Section 1336 of the Delaware Code Relating to Wiretapping and Electronic Surveillance.

HB 1091 - T. BRADY, JONKIERT - REVENUE & FINANCE: An Act to Amend Chapter 7, Title 18 of the Delaware Code Relating to the Special Tax on Gross Premiums for Benefit of Police. (3/5 bill)

HB 1092 - SINCOCK, GORDY - BANKING & INSURANCE: An Act to Amend Chapter 1, Title 5, Delaware Code, Relating to Notification of Rate Changes.

HS 1 for HB 416 - OBERLE; SENATOR KEARNS - LABOR & COMMERCE: An Act to Amend Chapter 33, Title 19, Delaware Code, Relating to Unemployment Compensation.

HS 1 for HB 1002 - SINCOCK, GILLIGAN - ADMINISTRATIVE SERVICES & ENERGY: An Act to Amend Chapter 68, Title 16, Del. C. Relating to the Exemption of Persons From Liability When Rendering Emergency Care.

HA 1 to HB 492 - T. BRADY, W. BRADY - Placed with the bill. (Ready List)

HA 1 to HB 806 - CONNOR - Placed with the bill. (Ready List)

SB 558 - ZIMMERMAN, MARTIN; REPRESENTATIVE HARRINGTON - APPROPRIATIONS: An Act to Appropriate Funds for Repairs to the Education-Humanities Building on the Delaware State College Campus in Order to Prevent Further Interior Damage From Water Leaks While the College Attempts Through Legal Processes to Recover the Costs to Repair and Correct Deficiencies in the Construction of the Building Which Were the Result of Improper or Poor Design and to Repay Such Funds Authorized to the General Fund of the State When and if Recovered.

SB 586 - ZIMMERMAN; REPRESENTATIVE VERNON - NATURAL RESOURCES: An Act to Amend Section 7305 (b) of Chapter 73, Title 7, of the Delaware Code to Specify a Term of Office for the Delaware Natural Areas Advisory Council.

Representative Burris moved to recess for caucus at 3:10 p.m.

The House reconvened at 3:55 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 604.

June 10, 1980

LEGISLATIVE ADVISORY #41

FROM: Office of Counsel to the Governor

The Governor signed the following legislation on the dates indicated: 6/7/80 - SS 1 for SB 109 aab SA 2 & HA 1, 2. 6/9/80 - HB 601, HS 1 for HB 907 aab SA 1.

The Governor vetoed the following legislation on June 9, 1980: HB 458 aab HA 1.

June 9, 1980

To the House of Representatives
of the 130th General Assembly
of the State of Delaware

I am returning without my signature House Bill No. 458 as amended by House Amendment No. 1. That bill was received in my office on May 28, 1980 and is entitled:

"AN ACT TO AMEND CHAPTER 10, TITLE 22, DELAWARE CODE
RELATING TO EXEMPTIONS FROM MUNICIPAL TAXATION ON
REAL PROPERTY FOR PERSONS 65 YEARS OF AGE OR OVER.

I return the bill without my signature for the following reason:

Article VIII, Section 1 of the Delaware Constitution provides that county and municipal authorities are exclusively empowered to exempt from taxation property located within their respective jurisdictions, and it appears that the State government therefore has no authority to specify exemptions.

Respectfully submitted,
Pierre S. du Pont
Governor

Attachment
PSduP/brs

June 4, 1980

The Honorable Orlando J. George, Jr.
2707 Baynard Boulevard
Wilmington, Delaware 19802
Dear Lonnie:

Thank you for sending me a copy of House Concurrent Resolution 130, requesting the Department of Commerce to emphasize that the Port of Wilmington be included as one of the Ports of Philadelphia in the negotiations of a new maritime agreement with the Peoples Republic of China.

I have enclosed a copy of a letter sent to Phillip M. Klutznick, Secretary, Department of Commerce, in which I conveyed my support for the designation of Wilmington as part of the Ports of Philadelphia, rather than as a separate entity.

I share with you the concern that the Port of Wilmington, with its service, and efficiency, is often excluded in international trade agreements to the benefit of neighboring ports. I assure you that I will do everything in my power to make sure that this petition to open up Wilmington to the cargo fleets of China will receive the fullest attention and consideration, which it so rightly deserves.

If I may be of further assistance in this or any other matter, please do not hesitate to call.

With warm personal regards, I am,

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

JRB/jdf
Enclosure

May 16, 1980

Honorable Phillip M. Klutznick
Secretary, Department of Commerce
14th Street between Constitution Ave. and E. St.
Washington, D. C. 20230
Dear Mr. Secretary:

I am writing with respect to the upcoming maritime agreement talks between the United States and the Peoples Republic of China, and the request by the City of Wilmington, Delaware, to be included in the Delaware River ports that will be opened to the cargo fleets of China.

I strongly support the City of Wilmington's petition and urge that you specifically designate Wilmington as part of the "Ports of Philadelphia" in the upcoming maritime agreement with the Peoples Republic of China.

The Port of Wilmington is considered by many to be the cornerstone of economic development activities in the Delaware area. Boasting a modern, efficient, full service facility, the 250-acre port is able, with its 6 berths and 35-foot depth, to accommodate the largest ships that travel the Delaware River.

These vessels transport a wide variety of cargo such as motor vehicles, perishable goods, and raw materials, and this cargo in turn is handled by a highly productive and stable complement of port employees.

Strategically located amidst the northeast population center and situated in close proximity to major transportation arteries, Wilmington possesses a high level of efficiency and ability in handling, storing, and transferring goods to many parts of the country.

These qualities of excellent physical facilities, a stable and productive work force, and a strategic location, have enabled Wilmington to attain a reputation as one of the finest full service ports in the country.

Unfortunately, however, due to the contiguity to larger neighboring ports, Wilmington is often overlooked in major trades negotiations and agreements. I hope, that in the upcoming maritime talks with the Peoples Republic of China, that this will not be the case.

I strongly feel that this petition merits your full attention and consideration and is worthy of specific inclusion as part of the "Ports of Philadelphia" in the maritime agreement with the Peoples Republic of China.

I thank you for your cooperation in this matter. Please contact me if I may be of any assistance in this matter.

With warm personal regards, I remain,

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

Representative Hebner requested that the following statement be made a part of the record:

**STATEMENT MADE UNDER PERSONAL PRIVILEGE OF THE FLOOR IN
THE DELAWARE HOUSE OF REPRESENTATIVES 6/10/80**

Last Thursday in the heat of debate on Mr. Cain's DMSO bill, I made a statement that was factually incorrect, ill advised, and downright stupid. In doing so, I spoke as an individual with limited understanding of the FDA drug approval process.

I referred to a situation that developed while the Company I work for was seeking FDA approval for a breast cancer drug. After all necessary research data had been provided to the FDA and while we were waiting for that Agency's decision, many doctors contacted us for a supply of the drug so that they could treat women suffering from that dreadful condition. Not having ever been a part of the Pharmaceutical Division of my Company, and lacking personal knowledge of the specifics of how clinical trials are performed, I was not aware that the FDA

permits the medically necessary distribution of an investigational drug during the (FDA) review process, upon request of the drug-sponsoring company and individual physicians. My Company did provide the breast cancer drug as needed under these established FDA emergency procedures. In the heat of the moment to make my point, I referred to such activities as "phony clinical trials"; this was totally inaccurate. I simply meant to differentiate between extended clinical trials that provided required data to accompany our application and what I believed to be the means for compassionate distribution of the drug prior to its approval. I have no knowledge or information that my Company has violated any regulations or laws as I now understand them.

I am pleased to have learned now that there is an established mechanism provided by the FDA to meet these special needs, and I appreciate this opportunity to set the record straight.

Representative Charles L. Hebner

Representative Connor moved to suspend the rules which interfere with introduction of and action on HJR 38. The motion was seconded by Representative Hebner.

Representative Ferguson rose on a point of order. Mr. Speaker concurred.

The motion to suspend rules was adopted by voice vote.

Representative Connor introduced and brought HJR 38, co-sponsored by Representative Ambrosino, before the House for consideration.

HJR 38 - Requesting the Attorney General to Suspend Enforcement of the Charitable Gambling Guidelines Presently in Effect While the General Assembly Continues to Study the Subject.

Representative Connor moved to place HJR 38 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Smith rose on a point of order. Mr. Speaker concurred.

Representative Fallon introduced and brought HCR 144, co-sponsored by Representative W. Brady, before the House for consideration.

HCR 144 - Congratulating Seaford on Winning the Delaware High School Baseball Tournament.

HCR 144 was adopted by voice vote and sent to the Senate for concurrence.

Representative Cathcart brought HB 973, co-sponsored by Representatives Connor, Van Seiver, Oberle, Loughney, Petrilli, Ambrosino & Jonkiert, before the House for consideration.

HB 973 - An Act to Amend Chapter 42, Title 21, Delaware Code Relating to Reports of Accidents Involving Personal Injury or Property Damage. (2/3 bill)

The roll call on HB 973 was taken and revealed:

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

ABSENT: Representatives Ambrosino, Holloway, Matushefske, Plant - 4.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 973 was sent to the Senate for concurrence.

Representative McBride brought HS 1 for HB 394 - HA 1,2,3 before the House for consideration.

HB 394 - An Act to Amend Chapter 43, Part II, Title II of the Delaware Code Relating to Criminal Procedures; and Providing for Expungement Under Certain Circumstances.

Representative McBride brought HA 1 to HS 1 for HB 394 before the House for consideration. HA 1 was adopted by voice vote.

Representative McBride brought HA 2 to HS 1 for HB 394 before the House for consideration.

Representative McBride requested and was granted the privilege of the floor for Captain Thomas J. Roman, Delaware State Police.

HA 2 was adopted by voice vote.

Representative McBride brought HA 3 to HS 1 for HB 394 before the House for consideration. HA 3 was adopted by voice vote.

The Reading Clerk read the following communication into the record at the request of Representative McBride:

May 15, 1980

The Honorable Thomas E. Brady
Chairman, Judiciary and Constitution Committee
Legislative Hall
Dover, Delaware 19901

RE: House Substitution No. 1 for House Bill No. 394 with
House amendments No. 1 and No. 2

Dear Representative Brady:

I would like to take this opportunity to express my support for the above captioned bill.

Over the past years, we have experienced numerous difficulties with the present expungement statute, and it would appear that the proposed legislation would rectify the inadequacies of the present law.

Therefore, I urge that this bill be placed on the agenda for consideration.

I will have personnel available for testimony, either before the Committee or the House of Representatives.

Very truly yours,
Colonel Norman V. Cochran
Superintendent

NVC:TJR:lw

cc: The Honorable Joseph R. Petrilli
The Honorable Kevin W. Free
The Honorable Robert L. Maxwell
The Honorable J. Edward Morris
Richard McMahon, Esquire, State Prosecutor
Representative McBride requested and was granted the privilege of the floor for Captain Thomas J. Roman, Delaware State Police.

Representative Vernon requested and was granted the privilege of the floor for House Attorney Gerald Street.

Representative McBride brought HA 4 to HS 1 for HB 394 before the House for consideration.

Representative McBride moved to place HS 1 for HB 394 w/HA 1,2,3 - HA 4 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Burris moved to defer action on HB 990 to a day certain, Monday, June 23, 1980.

Representative Burris moved to defer action on HB 991 to a day certain, Monday, June 23, 1980.

Representative Powell brought HB 408 - HA 1 before the House for consideration.

HB 408 - An Act to Amend Chapter 7, Title 24 of the Delaware Code Relating to Chiropractic Examiners and the Practice of Chiropractic.

Representative Connor requested that HA 1 to HB 408 be stricken.

Representative Cain rose on a point of order. Mr. Speaker concurred.

Representative Powell moved to place HB 408 on the Speaker's table. The motion was seconded by Representative Roy and adopted by voice vote.

Representative Gilligan brought HB 532, co-sponsored by Senator Holloway, before the House for consideration.

HB 532 - 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.

Representative Burris rose on a point of order. Mr. Speaker concurred.

Representative Burris requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

The roll call on HB 532 was taken and revealed:

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

NO: Representative Roy - 1.

ABSENT: Representatives Matushefske, West - 2.

Therefore, having received a constitutional majority, HB 532 was sent to the Senate for concurrence.

Representative Powell moved to lift HB 408 from the Speaker's table. The motion was seconded by Representative Roy and adopted by voice vote.

The roll call on HB 408 was taken and revealed:

YES: Representatives Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Fallon, Free, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Loughney, Maroney, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 31.

NO: Representatives Bennett, Hebner - 2.

NOT VOTING: Representatives Ferguson, Maxwell, Morris - 3.

ABSENT: Representatives Ambrosino, Darling, Matushefske, Roy, West - 5.

Therefore, having received a constitutional majority, HB 408 was sent to the Senate for concurrence.

Representative Gilligan brought HB 533 before the House for consideration.

HB 533 - An Act to Amend Chapter 31, Title 24 of the Delaware Code Relating to the Payment of Fees to Members of the Board of Funeral Service Practitioners; Setting Renewal Fees; and Providing for the Expiration of Certificates.

Representative Jonkiert moved to place HB 533 on the Speaker's table. The motion was seconded by Representative Loughney and defeated by voice vote.

Representative Gilligan moved to place HB 533 on the Speaker's table. The motion was seconded by Representative Jonkiert and adopted by voice vote.

Representative Loughney brought HB 655 before the House for consideration.

HB 655 - An Act to Amend Chapter 5, Title 17 of the Delaware Code to Require Municipalities to Erect Certain Signs Along Access Roads.

Representative Loughney brought HA 1 to HB 655 before the House for consideration. HA 1 was defeated by voice vote.

Representative Loughney brought HA 2 to HB 655 before the House for consideration.

Representative Loughney moved to place HA 2 to HB 655 on the Speaker's table. The motion was seconded by Representative Holloway and defeated by voice vote.

HA 2 was defeated by voice vote.

The roll call on HB 655 was taken and revealed:

YES: Representatives Hebner, Jonkiert, Loughney, - 3.

NO: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Ferguson, Free, George, Gilligan, Gordy, Harrington, Holloway, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 35.

NOT VOTING: Representative Smith - 1.

ABSENT: Representatives Fallon, Matushefske - 2.

Therefore, not having received a constitutional majority, HB 655 was declared defeated.

Representative McBride moved to lift HS 1 for HB 394 w/HA 1,2,3 - HA 4. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative McBride brought HA 4 to HS 1 for HB 394 before the House for consideration. HA 4 was adopted by voice vote.

Representative McBride brought HA 5 to HS 1 for HB 394 before the House for consideration. HA 5 was adopted by voice vote.

The roll call on HS 1 for HB 394 w/HA 1,2,3,4,5 was taken and revealed:

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

NOT VOTING: Representatives Holloway, Roy - 2.

ABSENT: Representatives Fallon, Matushefske, Plant - 3.

Therefore, having received a constitutional majority, HS 1 for HB 394 w/HA 1,2,3,4,5 was sent to the Senate for concurrence.

Representative T. Brady brought HB 916 - HA 1 before the House for consideration.

HB 916 - An Act to Amend Section 5854 (d), Title 29, Delaware Code to Permit State Agencies to Enter Into Certain Professional Services Contracts Without Competitive Bidding.

Representative T. Brady brought HA 1 to HB 916 before the House for consideration. HA 1 was adopted by voice vote.

Representative T. Brady requested and was granted the privilege of the floor for Mr. William Manning, Legal Counsel to the Governor.

Representative T. Brady moved to place HB 916 w/HA 1 on the Speaker's table. The motion was seconded by Representative Harrington and adopted by voice vote.

Representative Burris introduced and brought SCR 86, co-sponsored by Senators Hughes, Adams, Cordrey, Zimmerman; Representatives Bennett, Ferguson, McKay & Petrilli, before the House for consideration.

SCR 86 - Congratulating Pete Oakley, Assistant Professional at the Rehoboth Beach Country Club, on Qualifying for the National Open Starting Thursday at the Baltusrol Golf Course in Northern New Jersey, and Wishing Him the Best of Luck.

SCR 86 was adopted by voice vote and returned to the Senate.

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

Corrections: HB 963 - 5M.

Labor & Commerce: HS 1 for HB 416 - 6M; HB 992 - 6M.

Banking & Insurance: SB 533 - 3M.

Mr. Speaker Riddagh appointed the following Representatives to an Ad Hoc Committee to study the priorities of bond bill issues: Representatives Sincok, George, Vernon & Minner.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HB 816 w/HA 2, SA 2; SCR 86.

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

44th LEGISLATIVE DAY
Second Session
June 11, 1980

The Speaker called the House to order at 2:14 p.m.

Representative Burris introduced and brought HCR 145, co-sponsored by Senator Adams, before the House for consideration.

HCR 145 - Congratulating Byron and Florence Gibson, of Milford, as They Observe Their Golden Wedding Anniversary Today, June 11, 1980.

HCR 145 was adopted by voice vote and sent to the Senate for concurrence.

The Majority Leader moved to adjourn at 2:20 p.m., thereby ending the previous legislative day. The House reconvened at 2:21 p.m. A prayer was offered by Representative Neal, Twenty-Fifth District.

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

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Free, Matushefske - 2.

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

The following prefiled legislation was introduced:

HB 1093 - FALLON - SCHOOL FINANCING: An Act to Amend Title 14, Delaware Code, Relating to School Attendants and Aids.

HB 1094 - FALLON - SCHOOL FINANCING: An Act to Amend Title 14, Delaware Code, Relating to the Salary Schedule for Attendants and Aides.

HB 1095 - HOLLOWAY; SENATOR HOLLOWAY - APPROPRIATIONS: An Act Making a Supplementary Appropriation to the Department of Community Affairs and Economic Development for the Purpose of Establishing a State Assisted Youth Work Program for Part of the Summer of 1980.

HB 1096 - CONNOR - ADMINISTRATIVE SERVICES & ENERGY: 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.

HB 1097 - FREE, CONNOR - JUDICIARY & CONSTITUTION: An Act Proposing an Amendment to Articles II, III, IV, VI, VIII, IX and Article XVI of the Constitution of the State of Delaware. (2/3 bill)

HB 1098 - HEBNER; SENATOR MC DOWELL; REPRESENTATIVES AMBROSINO, JONKIERT, SINCOCK, CATHCART; SENATORS HOLLOWAY, MARSHALL - JUDICIARY & CONSTITUTION: An Act to Amend Part IV, Title 10, of the Delaware Code Relating to Courts and Judicial Procedure; and Providing for a Dispute Resolution Act.

HB 1099 - BURRIS, GORDY, MAXWELL, WEST, FALLON, CLENDANIEL, HARRINGTON, RIDDAGH, BENNETT, MINNER, VERNON, MORRIS, DARLING; SENATORS ADAMS, CORDREY, LITTLETON, MURPHY - ETHICS & HOUSE ADMINISTRATION: An Act to Amend Subchapter II, Chapter I, Title 26 of the Delaware Code to Exclude From the Jurisdiction of the Public Service Commission Public Utilities Created Pursuant to the Rural Electrification Act of 1936 as Amended.

HB 1100 - AMBROSINO, T. BRADY - ADMINISTRATIVE SERVICES & ENERGY: An Act to Amend Chapter 17, Title 15 of the Delaware Code, Relating to Change of Party Designation.

HB 1101 - PETRILLI - PUBLIC SAFETY: An Act Making a Supplementary Appropriation to Delaware Association of Police. (3/4 bill)

HB 1102 - SMITH; SENATOR MARSHALL - COMMUNITY AFFAIRS & ECONOMIC DEVELOPMENT: An Act to Amend Title 13 and Title 27 of the Delaware Code Relating to Ordained Ministers.

HB 1103 - ROY, NEAL - ADMINISTRATIVE SERVICES & ENERGY: An Act to Promote Fair Competition in the Alcoholic Beverage Industry by Limiting the Power of the Alcoholic Beverage Control Commission to Adopt Anticompetitive Regulations, and by Repealing Certain Such Regulations.

HA 1 to HB 533 - GILLIGAN - Placed with the bill. (Laid on the Table)

HA 2 to HB 686 - RIDDAGH - Placed with the bill. (Ready List)

HA 1 to HS 1 for HB 900 - MARONEY - APPROPRIATIONS: Placed with the bill.

HA 1 to HB 992 - OBERLE - APPROPRIATIONS: Placed with the bill.

HA 2 to HB 992 - OBERLE - APPROPRIATIONS: Placed with the bill.

HA 3 to HB 992 - OBERLE - APPROPRIATIONS: Placed with the bill.

HA 4 to HB 992 - OBERLE - APPROPRIATIONS: Placed with the bill.

HA 5 to HB 992 - OBERLE - APPROPRIATIONS: Placed with the bill.

HA 6 to HB 992 - OBERLE - APPROPRIATIONS: Placed with the bill.

HA 7 to HB 992 - OBERLE - APPROPRIATIONS: Placed with the bill.

HA 1 to HB 1062 - VERNON - NATURAL RESOURCES: Placed with the bill.

HA 1 to HB 1086 - SMITH - REVENUE & FINANCE: Placed with the bill.

SB 604 - HOLLOWAY; REPRESENTATIVE SINCOCK; ALL SENATORS - ADMINISTRATIVE SERVICES & ENERGY: An Act Providing That the Name of the Delaware State Building Located at 9th and French Streets be Officially Named the Elbert N. Carvel Delaware State Building and Further Providing a Supplementary Appropriation Therefore.

The Reading Clerk read the following communication into the record:

June 10, 1980

To the House of Representatives
of the 130th General Assembly
of the State of Delaware

On May 29, 1980 I received House Bill No. 219, entitled:

"AN ACT TO AMEND CHAPTER 9, TITLE 4, DELAWARE CODE
RELATING
TO EMPLOYMENT OF PERSONS WHERE ALCOHOLIC LIQUOR IS
SERVED."

This bill would amend Title 4 Delaware Code 904 (g) and (i) to eliminate the requirement that Minors between the ages of 16 and 18 who are employed in restaurants licensed by the Delaware Alcoholic Beverage Control Commission to sell alcoholic liquor first obtain a permit from the Commission.

I am returning this bill without my signature for the following reasons:

1. First, I believe the requirement that young people obtain a permit, subscribed to by their parents, to work in an establishment where alcohol is served reflects the generally shared public concern that young people be shielded from and cautioned against ready access to alcohol. This public policy is reflected in Delaware's statutes which establish 20 years as the legal age for purchasing, receiving, and consuming alcoholic liquor in Delaware.

2. Second, the permit system serves to reinforce in the minds of minors, their parents, and employers the importance the State attaches to the exposure of minors to alcoholic liquor. Moreover, the permit form is a ready reminder to employee and employer alike of the limits to what a minor can lawfully do while employed in a licensed establishment.

3. Finally, I am cognizant that circumstances may arise for example, in high turnover resort areas when employers find it difficult to immediately replace help that leaves without notice. However, I believe this problem may be readily remedied by regulation of the Alcoholic Beverage Control Commission, with the need for eliminating the permit requirement altogether. I am writing to the Commission to request it to adopt a procedure whereby minors may work in licensed establishments under a temporary permit which is subject to revocation if a minor's parents decline to give their permission for such employment. I believe such a procedure will adequately serve the needs of restaurateurs, while providing some reinforcement for young people in situations where there is easy access to alcohol.

Respectfully submitted,
Pierre S. du Pont
Governor

PSDuP/brs
Attachment

Representative Burris moved to recess for committee meetings at 2:27 p.m.

The House reconvened at 3:53 p.m.

Representative Bennett introduced and brought HCR 146 before the House for consideration.

HCR 146 - Asking All Citizens of Delaware to Observe Flag Week With a Special Salute on Saturday, June 14, Flag Day.

HCR 146 was adopted by voice vote and sent to the Senate for concurrence.

Representative Petrilli introduced and brought HR 231 before the House for consideration.

HR 231 - Requesting the State Board of Education to Establish Regulations Governing Attendance of Students at Public School Kindergartens.

Representative Petrilli requested that HR 231 be stricken.

Representative Burris introduced and brought HR 232 before the House for consideration.

HR 232 - Amending House Rule 20 to Provide for a Deadline for Introduction of New Bills.

Representative Burris requested that HR 232 be stricken.

Representative Harrington brought HB 708 - HA 1 before the House for consideration.

HB 708 - An Act to Amend Chapter 41, Title 14 of the Delaware Code Relating to the Responsibilities of Certain Public School Employees.

Representative Harrington brought HA 1 to HB 708 before the House for consideration.

Representative Bennett rose on a point of order. Mr. Speaker concurred.

Representative Loughney rose on a point of order. Mr. Speaker concurred.

Representative Maxwell moved to waive the synopsis requirement on HA 1 to HB 708. The motion was seconded by Representative Ferguson and adopted by voice vote.

Representative Harrington moved to place HB 708 - HA 1 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative McKay brought HB 725, co-sponsored by Senator Holloway, before the House for consideration.

HB 725 - An Act to Amend Chapter 33 of Title 16 of the Delaware Code Relating to the Purity of Food and Drugs. (2/3 bill)

Representative McKay brought HA 1 to HB 725 before the House for consideration. HA 1 was adopted by voice vote.

Representative McBride requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

Representative McKay requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

Mr. Speaker Riddagh declared a recess for the purpose of changing the recording tape at 5:07 p.m.

The House reconvened at 5:10 p.m.

The roll call on HB 725 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, Cain, Cathcart, Connor, Fallon, George, Gilligan, Harrington, Hebner, Jonkier, Loughney, Maroney, McBride, McKay, Neal, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 26.

NO: Representatives W. Brady, Clendaniel, Darling, Ferguson, Gordy, Maxwell, Minner, Morris, West - 9.

ABSENT: Representatives Anderson, Burris, Free, Holloway, Matushefske, Plant - 6.

Therefore, not having received a constitutional majority of at least two-thirds members of the House, HB 725 w/HA 1 was declared defeated.

Representative Sincok moved to defer action on HB 773 - HA 1 to a day certain, Monday, June 23, 1980.

Representative T. Brady brought SB 95, sponsored by Senator Arnold, before the House for consideration.

SB 95 - An Act to Amend Chapter 4, Part I, Title II of the Delaware Code Relating to Defenses Against Criminal Liability; and Providing Protection to Persons Defending Real and Personal Property Against Felonies or Attempted Felonies.

Representative Roy requested and was granted the privilege of the floor for Senate Attorney G. Thomas Sandbach.

Mr. Speaker Riddagh appointed Representative Hebner as Acting Speaker.

The roll call on SB 95 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, George, Gilligan, Gordy, Harrington, Jonkiert, Loughney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Roy, Smith, Van Sciver, Vernon, West, Mr. Acting Speaker Hebner - 34.

ABSENT: Representatives Free, Holloway, Maroney, Matushefske, Plant, Riddagh, Sincock - 7.

Therefore, having received a constitutional majority, SB 95 was returned to the Senate.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SJR 48 w/SA 1, HCR 144, HCR 145, SB 574 w/SA 1, HCR 146.

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

Transportation: HB 943 - 5M, 1UF; HB 1072 - 5M.

Education: HB 1069 - 4F, 2M.

Health & Social Services: HB 704 - HA 1 - 2F, 2M; HB 897 - 5M; SB 184 w/SA 1, 2 - HA 1 - 4M.

Judiciary & Constitution: HB 1028 - 4M; SB 565 w/SA 1 - 4M.

Ethics & House Administration: HB 1089 - 5M.

Administrative Services & Energy: HB 739 - 1F, 3M; HB 1076 - 2F, 2M; SB 514 - 4M; SB 527 - 4M; SS1 for SB 416 w/SA 1,2,3 - 3M.

Corrections: SB 570 - 6M.

Appropriations: HB 1065 - 8M; HB 776 - 8M; HB 772 - 9M; HB 774 - 8M; SB 488 w/SA 1 - 9M; HB 970 - HA 1,2 - 2F, 5M; SB 400 - 1F, 8M; SB 537 - 1F, 8M; SB 558 - 8M; HS 2 for HB 522 - 4M, 2M; HB 1044 - 1F, 6M; HB 1058 - 6M; HB 723 - HA 1 - 1F, 6M; HB 771 - 9M; HB 987 - HA 1 - 1F, 7M; HB 775 - 9M; HB 1056 - HA 1 - 2F, 6M; HJR 36 - 1F, 8M; HB 1053 - 1F, 7M; HB 761 - 9M; SB 483 - 1F, 6M.

Public Safety: HB 1057 - 6F, HB 922 - 1F, 5M.

Revenue & Finance: SB 238 - 1F, 4M.

Representative Bennett moved to suspend the rules which interfere with action on HB 1076. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Bennett brought HB 1076, co-sponsored by Representatives Morris, Cain & Senator Murphy, before the House for consideration.

HB 1076 - An Act Making a Supplementary Appropriation to Delaware Association for Blind Athletes. (3/4 bill)

The roll call on HB 1076 was taken and revealed:

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

ABSENT: Representatives Free, Holloway, Jonkiert, Matushefske, Plant, Riddagh - 6.

Therefore, having received a constitutional majority of at least three-fourths members of the House, HB 1076 was sent to the Senate for concurrence.

Mr. Acting Speaker re-assigned SB 604 to the Appropriations Committee.

Representative Burris moved to recess to the call of the Chair at 6:13 p.m.

45th LEGISLATIVE DAY
Second Session
June 12, 1980

The Speaker called the House to order at 1:55 p.m.

The Majority Whip moved to adjourn at 1:57 p.m., thereby ending the previous legislative day. The House reconvened at 1:58 p.m. A prayer was offered by Representative William Brady, Twenty-Ninth District.

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

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Matushefske - 1.

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

The following prefiled legislation was introduced:

HB 1104 - OBERLE - EDUCATION: An Act to Amend §2905, Title 14 of the Delaware Code Relating to Transportation of Students of Nonprofit Schools.

HB 1105 - CATHCART - PUBLIC SAFETY: An Act to Amend Chapter 45, Title 21, Delaware Code Relating to Increased Fines for Overweight Vehicles and the Imposition of a New Fine Schedule for Second and Subsequent Offenses.

HB 1106 - NEAL - JUDICIARY & CONSTITUTION: An Act to Amend Title 6 of the Delaware Code Relating to the Protection of Trade Secrets.

HB 1107 - FALLON, CLENDANIEL, W. BRADY - AGRICULTURE: An Act to Amend Title 3 of the Delaware Code by Adding a Chapter 76 Thereto Relating to Registration of Livestock Dealers.

HB 1108 - MAXWELL, MC BRIDE - REVENUE & FINANCE: An Act to Amend Chapter 48, Title 29, Del. C. Relating to Lotteries by Providing That any Program of Pharmaceutical Assistance to the Aged be Funded From the Lottery Profits.

HB 1109 - PETRILLI, MC KAY - ADMINISTRATIVE SERVICES & ENERGY: 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.

HB 1110 - RIDDAGH, SINCOCK, BURRIS, HEBNER, MC KAY, GORDY, BENNETT, OBERLE, SMITH, HARRINGTON, MARONEY, VAN SCIVER, DARLING, MORRIS, FREE; SENATORS HOLLOWAY, HUGHES, SPENCE, ARNOLD - JUDICIARY & CONSTITUTION: An Act to Amend Chapter 90, Part VI, Title II of the Delaware Code Relating to Compensation for Innocent Victims of Crime.

HB 1111 - OBERLE, MAXWELL, CATHCART - LABOR & COMMERCE: An Act to Amend Chapters 9 and 11 of Title 19 of the Delaware Code Relating to Minimum Wage and Wage Payment Collection.

HB 1112 - BURRIS - REVENUE & FINANCE: An Act to Amend Chapter 1, Title 8, Delaware Code, Relating to the General Corporation Law. (2/3 bill)

HB 1113 - SMITH; SENATOR KNOX - REVENUE & FINANCE: An Act to Amend Chapter 60, Title 7 of the Delaware Code Relating to Water Well Permits and Licensing of Water Well Installers.

HA 5 to HB 182 - GILLIGAN - Placed with the bill. (Laid on the Table)

HA 1 to HA 3 to HB 182 - GILLIGAN - Placed with the bill. (Laid on the Table)

HA 2 to HB 806 - CONNOR - Placed with the bill. (Agenda)

HA 2 to HS 1 for HB 900 - VAN SCIVER - APPROPRIATIONS: Placed with the bill.

HA 1 to HB 917 - ROY - ADMINISTRATIVE SERVICES & ENERGY: Placed with the bill.

HA 1 to HB 980 - MARONEY - Placed with the bill. (Ready List)

HA 2 to HB 987 - FALLON - Placed with the bill. (Ready List)

HA 1 to HB 1044 - CONNOR - Placed with the bill. (Ready List)

HA 1 to SB 540 - BURRIS - Placed with the bill. (Ready List)

SB 574 w/SA 1 - HOLLOWAY, HUGHES; REPRESENTATIVES CLENDANIEL, VERNON - PUBLIC SAFETY: An Act to Amend Chapter 1, Title 20, Delaware Code, Relating to Certain Service Obligations of National Guard Personnel.

SJR 48 w/SA 1 - SHARP, HOLLOWAY, ZIMMERMAN, WEISS, BERNDT, CICIONE, COOK, HUGHES, SPENCE; REPRESENTATIVES FERGUSON, GORDY, HOLLOWAY, LOUGHNEY, HEBNER, POWELL, CONNOR - ADMINISTRATIVE SERVICES & ENERGY: Designating the Week of September 7, 1980, as Voter Registration Week, Requesting the News Media to Help Promote and Publicize the Week and Making an Appropriation to the Commissioner of Elections for Advertising Our Precious Right to Register and Vote.

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

Administrative Services & Energy: HB 930 - 3M; HB 917 - 3M.

Representative Fallon requested that HB 1093, 1094 & 834 be stricken.

Representative Connor introduced HB 1114.

HB 1114 - An Act to Amend Part III, Title 30 of the Delaware Code Relating to State Tax Assessment and Collection; and Utilizing the Uniform Division of Income for Tax Purposes Act as a Basis for Taxation Under Certain Circumstances.

Mr. Speaker assigned HB 1114 to the Revenue & Finance Committee.

Representative Hebner introduced three visiting Nigerian legislative staff members: Onwuka Okereke, Onugu Eye Onugu, and Vincent Sunday Aiyedun.

Representative Sincok requested that HB 823 be stricken.

Representative Burris moved to recess for caucus at 2:18 p.m.

The House reconvened at 3:10 p.m.

Mr. Speaker re-assigned HB 1109 to the Ethics & House Administration Committee.

Representative Vernon brought SB 386 w/SA 1,2, co-sponsored by Senator Cordrey, before the House for consideration.

SB 386 - An Act to Amend Chapter 212, Volume 25, Laws of Delaware, As Amended, Entitled "An Act to Incorporate the Town of Bethany Beach and Giving It Authority to Issue Bonds", to Authorize the Town of Bethany Beach to Tax Real Estate Transfers Within the Said Town. (2/3 bill)

The roll call on SB 386 w/SA 1,2 was taken and revealed:

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

ABSENT: Representatives Ambrosino, Holloway, Jonkiert, Matushefske - 4.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 386 w/SA 1,2 was returned to the Senate.

Representative Smith introduced and brought HR 233, co-sponsored by Representatives Minner, Anderson, Fallon & Maroney, before the House for consideration.

HR 233 - To the Fathers of the State on Father's Day, June 15, 1980.

HR 233 was adopted by voice vote.

Representative Harrington brought SB 430 w/SA 1, co-sponsored by Senators Murphy, Zimmerman, Hughes; Representatives Gordy, Minner & Powell, before the House for consideration.

SB 430 - An Act to Amend Chapter 66, Title 18 of the Delaware Code to Provide Line-of-Duty Death Benefits to Beneficiaries of Covered Persons Who Are Not Dependent Upon the Covered Person.

The roll call on SB 430 w/SA 1 was taken and revealed:

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

ABSENT: Representatives Ambrosino, Matushefske - 2.

Therefore, having received a constitutional majority, SB 430 w/SA 1 was returned to the Senate.

Representative Connor brought SB 461, sponsored by Senator Holloway & Representative Minner, before the House for consideration.

SB 461 - An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to Instructional Attendants and/or Aides for the Partially Sighted and Blind.

Representative Connor moved to place SB 461 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Petrilli brought SB 492, sponsored by Senators Sharp, Holloway, Hughes & Spence, before the House for consideration.

SB 492 - An Act to Amend Title 29 of the Delaware Code to Prohibit the Placement of Female Correctional Officers in Male Housing Units and to Prohibit Placement of Male Correctional Officers in Female Housing Units.

Representative Petrilli requested and was granted the privilege of the floor for John L. Sullivan, Commissioner of Corrections.

Representative Clendaniel moved to place SB 492 on the Speaker's table. The motion was seconded by Representative Anderson.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Cain, Clendaniel, Darling, Gordy, Loughney, Maxwell, Morris, West, Mr. Speaker Riddagh - 10.

NO: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cathcart, Connor, Fallon, Ferguson, Free, George, Gilligan, Harrington, Hebner, Jonkiert, Maroney, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon - 29.

NOT VOTING: Representative Holloway - 1.

ABSENT: Representative Matushefske - 1.

Therefore, not having received a constitutional majority, the motion was declared defeated and SB 492 remained before the House.

Representative Plant rose on a point of order. Mr. Speaker concurred.

The roll call on SB 492 was taken and revealed:

YES: Representatives Bennett, T. Brady, W. Brady, Cain, Cathcart, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Maroney, Maxwell, McBride, McKay, Morris, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 33.

NO: Representatives Ambrosino, Anderson, Clendaniel, Loughney, Minner, Neal - 6.

ABSENT: Representatives Burris, Matushefske - 2.

Therefore, having received a constitutional majority, SB 492 was returned to the Senate.

Representative Jonkiert requested that HB 856 be stricken.

Representative Sincok brought SB 556, sponsored by Senator Murphy, before the House for consideration.

SB 556 - An Act to Amend Chapter 68, Volume 62, Laws of Delaware Entitled: "An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1980; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions".

The roll call on SB 556 was taken and revealed:

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

ABSENT: Representatives Clendaniel, Holloway, Matushefske - 3.

Therefore, having received a constitutional majority, SB 556 was returned to the Senate.

Representative Connor brought SB 502, sponsored by Senators Cicione, Hughes, Littleton, Berndt; Representatives Gilligan, Jonkiert, Gordy, Minner, Ferguson, Sincok & Matushefske, before the House for consideration.

SB 502 - An Act to Amend Chapter 29, Title 14 of the Delaware Code to Regulate the Renewal of Contracts With School Bus Contractors.

Representative Connor rose on a point of order. Mr. Speaker concurred.

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

The roll call on SB 502 was taken and revealed:

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

NO: Representatives T. Brady, Hebner - 2.

NOT VOTING: Representative Smith - 1.

ABSENT: Representatives Bennett, Matushefske - 2.

Therefore, having received a constitutional majority, SB 502 was returned to the Senate.

Representative Harrington moved to lift HB 708 - HA 1 from the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Harrington requested that HA 1 to HB 708 be stricken.

Representative Harrington brought HA 2 to HB 708 before the House for consideration.

Representative Harrington rose on a point of order. Mr. Speaker concurred.

Representative McBride requested and was granted the privilege of the floor for House Attorney Gerald Street.

Representative T. Brady rose on a point of order. Mr. Speaker concurred.

Representative McBride requested and was granted the privilege of the floor for House Attorney Richard Cooch.

Representative Harrington moved to place HB 708 - HA 2 on the Speaker's table. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Connor brought HB 806 - HA 1,2 before the House for consideration.

HB 806 - 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.

Representative Connor requested that HA 1,2 be stricken.

Representative Connor brought HA 3 to HB 806 before the House for consideration. HA 3 was adopted by voice vote.

Representative Maxwell rose on a point of order. Mr. Speaker concurred.

Representative Connor moved to place HB 806 w/HA 3 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Bennett brought HS 1 for HB 519, co-sponsored by Representatives McKay & Petrilli, before the House for consideration.

HB 519 - An Act to Amend Chapter 29, Title 24 of the Delaware Code Relating to Real Estate Brokers and Salespersons and Real Estate Appraisers.

Representative Bennett requested and was granted the privilege of the floor for Penn Emerson, Secretary, Delaware Real Estate Commission.

Representative Loughney rose on a point of order. Mr. Speaker concurred.

The roll call on HS 1 for HB 519 was taken and revealed:

YES: Representatives Bennett, T. Brady, Burris, Cain, Cathcart, Fallon, Ferguson, Gilligan, Hebner, Holloway, Maroney, Minner, Neal, Oberle, Petrilli, Powell, Roy, Sincock, Smith - 19.

NO: Representatives Ambrosino, Anderson, W. Brady, Clendaniel, Connor, Darling, Free, George, Gordy, Jonkiert, Loughney, McBride, Morris, Van Sciver, West, Mr. Speaker Riddagh - 16.

NOT VOTING: Representatives Harrington, Vernon - 2.

ABSENT: Representatives Matushefske, Maxwell, McKay, Plant - 4.

Therefore, not having received a constitutional majority, HS 1 for HB 519 was declared defeated.

Representative Oberle requested that HB 1104 be stricken.

Representative Ferguson introduced and brought HR 234, co-sponsored by Representative Gordy, before the House for consideration.

HR 234 - Commending the Delaware Round Table for Its Plans to Improve the Commercial Climate in the State.

HR 234 was adopted by voice vote.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 613, HB 936, SB 532, SB 614, SB 569, SB 435, SB 588, SCR 87, HB 1076, SB 526 w/SA 2, SB 590, HB 445 w/HA 1, SA 1.

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

Public Safety: HB 977 - HA 1 - 1F, 5M; HB 701 - 4M, 1UF.

Appropriations: SB 604 - 6F, 3M.

Labor & Commerce: HB 111 - 4M.

Ethics & House Administration: HB 1099 - 1F, 4M.

Banking & Insurance: HB 996 - 3M.

Mr. Speaker re-assigned HB 1113 to the Environmental Control Committee.

Representative Burris moved to recess to the call of the Chair at 6:25 p.m.

46th LEGISLATIVE DAY
Second Session
June 17, 1980

The Speaker called the House to order at 2:25 p.m.
Representative Burris introduced and brought HR 235 before the House for consideration.

HR 235 - In Reference to Election of Officer.

HR 235 was adopted by voice vote.

The Majority Leader moved to adjourn at 2:30 p.m., thereby ending the previous legislative day. The House reconvened at 2:31 p.m. A prayer was offered by Tina Miles, Whatcoat Methodist Church, Dover, DE.

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

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Matushefske - 1.

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

The following prefiled legislation was introduced:

HB 1115 - T. BRADY, MINNER - FAMILY SERVICES: An Act to Amend Chapter 9 and 11, Title 13, Delaware Code Relating to Adoption and Termination of Parental Rights.

HB 1116 - NEAL, CAIN; SENATOR HALE - JUDICIARY & CONSTITUTION: An Act to Amend Chapter 45, Title 11 of the Delaware Code Relating to Appeal From Certain Convictions Before Aldermen and Mayors.

HB 1117 - CATHCART - PUBLIC SAFETY: An Act to Amend Chapter 3, Title 21 of the Delaware Code Relating to Exemption of Title Requirements.

HB 1118 - W. BRADY, HOLLOWAY; SENATORS ARNOLD, HOLLOWAY, SPENCE - EDUCATION: An Act to Authorize the Conveyance of the Properties Known as the Hodgson Vocational-Technical School, the Howard Career Center, the Howard High School and the Marshallton Elementary School to the New Castle County Vocational-Technical School District.

HB 1119 - GEORGE, PLANT, AMBROSINO, ANDERSON, T. BRADY, W. BRADY, CAIN, CATHCART, CLENDANIEL, DARLING, FERGUSON, FREE, GILLIGAN, HOLLOWAY, JONKIERT, MC BRIDE, MINNER, MORRIS, ROY, SINCOCK, SMITH, VAN SCIVER; SENATOR MC DOWELL - PUBLIC SAFETY: An Act to Amend Title 19, Delaware Code by Providing for the Regulation, Inspection and Issuance of Permits for Amusement Rides; Establishing a State Board Within the Department of Labor and Prescribing Its Powers and Duties; Providing for Insurance Requirements and Imposing Penalties Therefor.

HB 1120 - RIDDAGH; SENATORS COOK, SPENCE - COMMUNITY AFFAIRS & ECONOMIC DEVELOPMENT: An Act to Reincorporate the Town of Smyrna. (2/3 bill)

HB 1121 - BENNETT, W. BRADY, BURRIS, CLENDANIEL, DARLING, FALLON, GORDY, HARRINGTON, MINNER, MORRIS, RIDDAGH, VERNON, WEST; SENATORS ADAMS, COOK, CORDREY, LITTLETON, MURPHY, SPENCE - APPROPRIATIONS: An Act to Provide a Supplementary Appropriation to the State Board of Education to Increase the Division III Unit Allocation.

HB 1122 - VERNON; SENATORS KNOX, MURPHY - NATURAL RESOURCES: An Act to Amend §6617 of Title 7, Delaware Code, Chapter 66, "The Wetlands Act," to Provide for Enforcement by Civil Penalty and to Add a Lesser Criminal Penalty. (2/3 bill)

HJR 39 - FALLON, CAIN, JONKIERT, MINNER, MARONEY, CONNOR, W. BRADY, HEBNER, SINCOCK, VERNON, NEAL, ANDERSON, ROY, RIDDAGH, HARRINGTON, LOUGHNEY; SENATORS ARNOLD, HUGHES, CICIONE, KEARNS, MURPHY, MC CULLOUGH, HOLLOWAY, BERNDT, KNOX, SPENCE, MARSHALL, MC DOWELL - EDUCATION: Requiring the State Department of Public Instruction to Conduct a Feasibility Study of an Early Retirement Program for Administrative Personnel of the State Department of Public Instruction and Local School Districts.

HA 1 to HB 755 - T. BRADY - Placed with the bill. (Agenda)

HA 1 to HB 789 - GORDY - Placed with the bill. (Ready List)

HA 8 to HB 992 - OBERLE - APPROPRIATIONS: Placed with the bill.

HA 1 to HB 1099 - CLENDANIEL, BURRIS, GORDY, MAXWELL, WEST, FALLON, HARRINGTON, RIDDAGH, BENNETT, MINNER, VERNON, MORRIS, DARLING; SENATORS ADAMS, CORDREY, LITTLETON, MURPHY - Placed with the bill. (Ready List)

SB 435 - COOK - REVENUE & FINANCE: Amend Chapter 51, Title 29, Delaware Code to Provide That the State Shall Pay Annual Dues for Membership in the Blood Bank of Delaware for Officers, Employees and Retirees of the State of Delaware. (Fiscal Note)

SB 526 w/SA 2 - BERNDT, SHARP, HUGHES, WEISS, ARNOLD; REPRESENTATIVES MC BRIDE, MARONEY, SMITH - JUDICIARY & CONSTITUTION: An Act to Amend Chapter 17, Title 24, Delaware Code Relating to Determination of Death.

SB 532 - MC CULLOUGH; REPRESENTATIVE CONNOR - COMMUNITY AFFAIRS & ECONOMIC DEVELOPMENT: An Act to Amend Chapter 121, Volume 32, Laws of Delaware, As Amended by Chapter 181, Volume 36, Laws of Delaware, Entitled "An Act to Establish a Board of Water and Light Commissioners for the City of New Castle", Relating to the Salaries of the Commissioners. (2/3 bill)

SB 569 - MC CULLOUGH; REPRESENTATIVE CONNOR - COMMUNITY AFFAIRS & ECONOMIC DEVELOPMENT: An Act to Amend the Charter of the City of New Castle. (2/3 bill)

SB 588 - COOK; REPRESENTATIVE DARLING - COMMUNITY AFFAIRS & ECONOMIC DEVELOPMENT: An Act to Amend "An Act to Reincorporate the Town of Houston" Being Volume 61, Chapter 517, Laws of Delaware. (2/3 bill)

SB 590 - LITTLETON; REPRESENTATIVE FALLON - COMMUNITY AFFAIRS & ECONOMIC DEVELOPMENT: An Act to Amend An Act Being Chapter 42, Volume 53, Laws of Delaware, As Amended, Entitled "An Act Amending, Revising and Consolidating the Charter of the City of Seaford" to Permit the Issuing of Revenue Bonds. (2/3 bill)

SB 613 - MARTIN - ADMINISTRATIVE SERVICES & ENERGY: An Act Relating to the Preservation of Group Photographs of Members of the General Assembly.

SB 614 - CICIONE, MURPHY, ZIMMERMAN, BERNDT, ARNOLD; REPRESENTATIVES LOUGHNEY, MC BRIDE, MAXWELL, GILLIGAN, AMBROSINO - GRANT-IN-AID - An Act Making a Supplemental Grant-in-Aid Appropriation to Delaware Fire Companies. (3/4 bill)

Mr. Speaker re-assigned SB 526 to the Health & Social Services Committee.

Representative Oberle introduced HB 1123, co-sponsored by Representatives Petrilli, Neal, Roy, Cain, Harrington, Powell, Connor, Smith, Hebner, Van Sciver, Ferguson; Senators Arnold, Cicione.

HB 1123 - An Act to Amend Chapter 31, Title 14 of the Delaware Code Relating to Exceptional Children.

Mr. Speaker assigned HB 1123 to the Education Committee.

Representative Plant introduced and brought HR 236 before the House for consideration.

HR 236 - Directing the Attorney General's Office to Oppose Any Effort to Release John H. Bailey, of Wilmington, From Prison.

Representative Plant requested and was granted the privilege of the floor for Senate Attorney Jack Gibbons.

Representative Jonkiert rose on a point of order. Mr. Speaker concurred.

Representative Plant requested and was granted the privilege of the floor for House Attorney, Bruce Hudson.

Representative Plant requested that HR 236 be stricken.

Representative Bennett introduced and brought HR 237 before the House for consideration.

HR 237 - Requesting the Division of Health Planning and Resources Development Bureau of the Department of Health and Social Services to Study, Evaluate and Make Recommendations Regarding Outpatient Physical Therapy for the Elderly and Medicare Recipients in Kent County, Delaware.

HR 237 was adopted by voice vote.

Representative West introduced and brought HR 238 before the House for consideration.

HR 238 - Requesting William S. Young, 3rd, Director of the Office of Personnel, to Attending a Meeting of the House of Representatives to Answer Questions About Policies and Procedures of His Agency.

HR 238 was adopted by voice vote.

Representative Maxwell introduced and brought HCR 147, co-sponsored by Representatives McBride, Ferguson, W. Brady; Senators Martin & Cicione, before the House for consideration.

HCR 147 - Requesting the U.S. Corp of Engineers to Install Safety Lights on the Bridge Crossing C&D Canal at St. Georges, Delaware.

HCR 147 was adopted by voice vote.

Representative Gordy introduced and brought SCR 87, co-sponsored by Senator Martin & Representative Anderson, before the House for consideration.

SCR 87 - Urging the Department of Labor to Implement Regulations That Would Permit Employees Temporarily Laid-Off for Retooling and Model Changes to Apply for Unemployment Benefits by Mail.

Representative Maxwell rose on a point of order. Mr. Speaker concurred.

SCR 87 was adopted by voice vote and returned to the Senate.

Representative Burris moved to recess for caucus and committee meetings at 3:29 p.m.

The House reconvened at 3:52 p.m.

Representative Vernon brought HB 827 - HA 1, co-sponsored by Senator Cordrey, before the House for consideration.

HB 827 - An Act to Amend Chapter 1, Title 22, Delaware Code, Relating to Elections, Voter Qualifications and Certain Powers of Unincorporated Towns.

Representative Vernon brought HA 1 to HB 827 before the House for consideration. HA 1 was adopted by voice vote.

Representative Jonkiert brought HA 2 to HB 827 before the House for consideration. HA 2 was adopted by voice vote.

The roll call on HB 827 w/HA 1,2 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, George, Gordy, Harrington, Hebner, Maroney, McKay, Minner, Neal, Oberle, Petrilli, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 30.

NO: Representatives Cain, Gilligan, Jonkiert, Loughney, McBride - 5.

NOT VOTING: Representatives Free, Holloway, Maxwell, Morris, Plant - 5.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HB 827 w/HA 1,2 was sent to the Senate for concurrence.

Representative Ferguson requested that action on HB 713 be deferred to a day certain, Wednesday, June 18, 1980.

Representative Ambrosino brought HB 755 - HA 1 before the House for consideration.

HB 755 - 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.

Representative T. Brady brought HA 1 to HB 755 before the House for consideration.

Representative Ambrosino rose on a point of order. Mr. Speaker concurred.

HA 1 was adopted by voice vote.

Representative Ambrosino requested and was granted the privilege of the floor for David H. Erisman.

Representative Powell rose on a point of order. Mr. Speaker concurred.

Representative Ambrosino rose on a point of order. Mr. Speaker concurred.

Representative Loughney rose on a point of order. Mr. Speaker concurred.

Representative W. Brady rose on a point of order. Mr. Speaker concurred.

Five members rose for the purpose of closing the debate on HB 755.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, Burris, Cathcart, Connor, Fallon, Free, Harrington, Hebner, Jonkiert, Loughney, McKay, Morris, Neal, Oberle, Petrilli, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 25.

NO: Representatives Anderson, W. Brady, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Holloway, Maroney, Maxwell, McBride, Minner - 14.

ABSENT: Representatives Matushefske, Plant - 2.

Therefore, having received a constitutional majority, the motion was adopted.

The roll call on HB 755 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, Cain, Cathcart, Connor, Free, George, Hebner, Jonkiert, Loughney, Maroney, McKay, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Van Sciver - 21.

NO: Representatives W. Brady, Burris, Clendaniel, Darling, Fallon, Ferguson, Gilligan, Gordy, Harrington, Holloway, Maxwell, McBride, Minner, Morris, Neal, Vernon, West, Mr. Speaker Riddagh - 18.

ABSENT: Representatives Matushefske, Plant - 2.

Therefore, having received a constitutional majority, HB 755 w/HA 1 was sent to the Senate for concurrence.

Representative Burris moved to recess at 5:45 p.m.

The House reconvened at 7:25 p.m.

Representative W. Brady introduced HB 1124, co-sponsored by Representatives Burris, Minner, Clendaniel and Senator Adams.

HB 1124 - An Act to Authorize the Director of the Division of Historical and Cultural Affairs to Transfer to the Delaware Agricultural Museum Association Ownership of a Log Cabin and Contents Therein Owned by the State of Delaware.

Mr. Speaker assigned HB 1124 to the Agriculture Committee.

Representative Gordy brought HB 760 - HA 1, co-sponsored by Representatives Clendaniel & West, before the House for consideration.

HB 760 - An Act to Amend Subchapter I, Chapter 67, Title 25, Delaware Code, Relating to Leases of Tenant Houses Located on Poultry Farms.

Representative Clendaniel brought HA 1 to HB 760 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 760 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gordy, Harrington, Hebner, Holloway, Maroney, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 34.

ABSENT: Representatives Anderson, Cain, Gilligan, Jonkiert, Loughney, Matushefske, Maxwell - 7.

Therefore, having received a constitutional majority, HB 760 w/HA 1 was sent to the Senate for concurrence.

Representative Hebner brought HB 445 w/HA 1, SA 1 before the House for consideration.

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

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gordy, Harrington, Hebner, Holloway, Maroney, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 34.

ABSENT: Representatives Anderson, Cain, Gilligan, Jonkiert, Loughney, Matushefske, Maxwell - 7.

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

Representative Van Sciver brought HB 880 - HA 1 before the House for consideration.

HB 880 - An Act to Amend Chapter 31, Title 16 of the Delaware Code Relating to Fees and Certificates.

Representative Van Sciver brought HA 1 to HB 880 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 880 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gordy, Harrington, Hebner, Holloway, Maroney, Maxwell, McBride, Minner, Neal, Oberle, Petrilli, Plant, Powell, Sincock, Smith, Van Sciver, West, - 30.

NO: Representatives Bennett, McKay, Vernon, Mr. Speaker Riddagh - 4.

NOT VOTING: Representative Morris - 1.

ABSENT: Representatives Anderson, Gilligan, Jonkiert, Loughney, Matushefske, Roy - 6.

Therefore, having received a constitutional majority, HB 880 w/HA 1 was sent to the Senate for concurrence.

Representative West brought HB 767 before the House for consideration.

HB 767 - An Act Making a Supplemental Appropriation to the Department of Transportation for the Installation of a Traffic Control Device on Warrington Street in Dagsboro.

Representative Hebner rose on a point of order. Mr. Speaker concurred.

Representative West brought HA 1 to HB 767 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 767 w/HA 1 was taken and revealed:

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

ABSENT: Representatives Anderson, Loughney, Matushefske - 3.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 767 w/HA 1 was sent to the Senate for concurrence.

Representative Hebner rose on a point of order. Mr. Speaker concurred.

Representative Roy brought HB 913, co-sponsored by Representatives Oberle, Petrilli, Jonkiert and Senator Arnold, before the House for consideration.

HB 913 - An Act to Amend Subchapter V, Title 11 of the Delaware Code Relating to Sexual Exploitation of Children. (2/3 bill)

The roll call on HB 913 was taken and revealed:

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

ABSENT: Representatives Anderson, Loughney, Matushefske - 3.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 913 was sent to the Senate for concurrence.

Representative Gordy brought HB 809, co-sponsored by Senator Littleton, before the House for consideration.

HB 809 - An Act to Amend An Act Entitled "An Act To Reincorporate the Town of Laurel," Being Chapter 277, Volume 49, Laws of Delaware, As Amended, Relating to a Change in Vehicular and Passenger Traffic Regulations. (2/3 bill)

The roll call on HB 809 was taken and revealed:

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

ABSENT: Representatives Loughney, Matushefske - 2.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 809 was sent to the Senate for concurrence.

Representative Burris moved to lift HB 190 w/HA 1 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

HB 190 - An Act to Amend Title 4 and Title 10 of the Delaware Code Relating to Statutory Liabilities of Persons Who sell or Dispense Alcoholic Liquors. (2/3 bill)

Representative Burris brought HA 2 to HB 190 before the House for consideration. HA 2 was adopted by voice vote.

The roll call on HB 190 w/HA 1,2 was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Connor, Darling, Fallon, Ferguson, Free, George, Gordy, Harrington, Hebner, Holloway, Maroney, McKay, Minner, Morris, Neal, Oberle, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 31.

NO: Representatives Ambrosino, T. Brady, Clendaniel, Gilligan, Jonkiert, Maxwell, McBride - 7.

ABSENT: Representatives Loughney, Matushefske, Petrilli - 3.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 190 w/HA 1,2 was sent to the Senate for concurrence.

Representative Gordy brought HB 810, co-sponsored by Senator Littleton, before the House for consideration.

HB 810 - An Act to Amend Chapter 277, Volume 49, Laws of Delaware, As Amended, Also Known As "As Act to Reincorporate the Town of Laurel," to Increase the Amount When Competitive Bidding Shall Not be Required. (2/3 bill)

The roll call on HB 810 was taken and revealed:

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 810 was sent to the Senate for concurrence.

Representative T. Brady brought HB 941, co-sponsored by Representatives Morris, Free, Maroney, Maxwell, Petrilli, Sincok, Neal, Loughney & Jonkiert, before the House for consideration.

HB 941 - An Act to Amend Chapter 50, Subchapter XI, Scire Fascias on Mortgage, Title 10 of the Delaware Code Relating to Occasion for Suing Out Writs of Scire Fascias; Parties and Notice.

Representative T. Brady moved to place HB 941 on the Speaker's table. The motion was seconded by Representative Vernon and adopted by voice vote.

Representative Sincok brought SB 387 w/SA 1, sponsored by Senator Cook, before the House for consideration.

SB 387 - An Act to Amend Chapter 52, Title 29, of the Delaware Code to Increase the Payment of Subscription Charges for Health Care Insurance for State Employees and Their Dependents.

Representative George rose on a point of order. Mr. Speaker concurred.

Representative Hebner moved to place SB 387 w/SA 1 on the Speaker's table. The motion was seconded by Representative Roy.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Cathcart, Ferguson, Free, Gilligan, Hebner, Loughney, Maroney, Neal, Oberle, Powell, Roy, Smith, Van Seiver - 14.

NO: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Clendaniel, Darling, Fallon, George, Gordy, Harrington, Holloway, Jonkiert, Maxwell, McBride, McKay, Minner, Morris, Petrilli, Plant, Sincok, Vernon, West, Mr. Speaker Riddagh - 25.

ABSENT: Representatives Connor, Matushefske - 2.

Therefore, not having received a constitutional majority, the motion was declared defeated and SB 387 w/SA 1 remained before the House.

Representative Jonkiert rose on a point of order. Mr. Speaker concurred.

Representative Burris moved to recess for caucus at 8:50 p.m.

The House reconvened at 9:22 p.m.

Representative Sincok moved to place SB 387 w/SA 1 on the Speaker's table. The motion was properly seconded.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Burris, Cathcart, Connor, Fallon, Free, Gilligan, Harrington, Hebner, Loughney, Maroney, Neal, Oberle, Powell, Roy, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 19.

NO: Representatives Anderson, Bennett, T. Brady, W. Brady, Cain, Clendaniel, Darling, Ferguson, George, Gordy, Holloway, Jonkiert, Maxwell, McBride, McKay, Minner, Morris, Plant, Sincok, West - 20.

ABSENT: Representatives Matushefske, Petrilli - 2.

Therefore, not having received a constitutional majority, the motion was declared defeated and SB 387 w/SA 1 remained before the House.

The roll call on SB 387 w/SA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Oberle, Plant, Powell, Sincok, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 35.

NO: Representatives Hebner, Neal, Petrilli, Roy, Smith - 5.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 387 w/SA 1 was returned to the Senate.

Representative Maxwell introduced and brought HCR 148, co-sponsored by Representatives Cain, Anderson, Burris, Bennett & Morris, before the House for consideration.

HCR 148 - Congratulating Former Representative and Mrs. Robert L. Byrd on the Birth of Their First Child, a Daughter, on June 16, 1980.

HCR 148 was adopted by voice vote and sent to the Senate for concurrence.

Representative T. Brady brought SJR 9 w/SA 1, sponsored by Senators Martin, Berndt; Representatives Maxwell & Ambrosino, before the House for consideration.

SJR 9 - Directing the Michie Company of Charlottesville, Virginia, to Include Certain Organic Acts and Historical Documents of This State in the Next Cumulative Supplement and All Future Editions of the Delaware Code Annotated.

The roll call on SJR 9 w/SA 1 was taken and revealed:

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

ABSENT: Representatives Matushefske, Plant, Roy, Smith - 4.

Therefore, having received a constitutional majority, SJR 9 w/SA 1 was returned to the Senate.

Representative Free brought HB 848, co-sponsored by Representatives T. Brady, Van Sciver, Anderson, Minner, Plant & Roy, before the House for consideration.

HB 848 - An Act to Amend Chapter 30 of Title 31 and Chapter 46 of Title 6 of the Delaware Code Relating to the Prohibition of Discrimination Against the Handicapped in Housing, With Recourse to the State Human Relations Commission.

Representative Free requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

The roll call on HB 848 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Van Seiver, West, Mr. Speaker Riddagh - 34.

NO: Representatives Bennett, Hebner, Sincok, Vernon - 4.

NOT VOTING: Representative Smith - 1.

ABSENT: Representatives Matushefske, Roy - 2.

Therefore, having received a constitutional majority, HB 848 was sent to the Senate for concurrence.

Representative Oberle brought HB 895 - HA 1,2, co-sponsored by Representatives Hebner, Roy, Vernon, Cain and Senator Cicione, before the House for consideration.

HB 895 - An Act to Amend Chapter 41 of Title 21 of the Delaware Code Relating to Litter. (2/3 bill)

Representative Oberle brought HA 1 to HB 895 before the House for consideration. HA 1 was adopted by voice vote.

Representative Oberle brought HA 2 to HB 895 before the House for consideration. Representative Oberle requested that HA 2 be stricken.

Representative Oberle brought HA 3 to HB 895 before the House for consideration. HA 3 was adopted by voice vote.

The roll call on HB 895 w/HA 1,3 was taken and revealed:

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

ABSENT: Representatives Matushefske, Roy - 2.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 895 w/HA 1,3 was sent to the Senate for concurrence.

Representative Neal brought HB 953, co-sponsored by Senator Hale, before the House for consideration.

HB 953 - An Act to Amend Title 25, Chapter 55 of the Delaware Code to Provide for a Penalty for a Violation of Section 5511.

Representative Neal moved to place HB 953 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Neal brought HB 968 before the House for consideration.

HB 968 - An Act to Amend Chapter 15, Title 13, Delaware Code, Relating to the Manner in Which a Divorce Petition Shall be Filed.

Representative Neal brought HA 1 to HB 968 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 968 w/HA 1 was taken and revealed:

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

ABSENT: Representatives Matushefske, Roy - 2.

Therefore, having received a constitutional majority, HB 968 w/HA 1 was sent to the Senate for concurrence.

Representative Maroney moved that HB 980 be placed in the Appropriations Committee. Mr. Speaker re-assigned HB 980 to the Appropriations Committee.

Representative Powell brought HB 982, co-sponsored by Representatives Roy, Cain, McBride, Oberle, Petrilli; Senators Adams & Berndt, before the House for consideration.

HB 982 - An Act to Amend Chapter 51, Title 30, Delaware Code, Relating to the Motor Fuel Tax Law.

The roll call on HB 982 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 35.

NO: Representatives Clendaniel, Darling, Minner, Morris - 4.

ABSENT: Representatives Holloway, Matushefske - 2.

Therefore, having received a constitutional majority, HB 982 was sent to the Senate for concurrence.

Representative Maroney moved to suspend the agenda rules for the purpose of bringing HB 980 before the House. The motion was seconded by Representative Burris.

Representative Jonkiert rose on a point of order. Mr. Speaker concurred.

Representative Maroney moved to suspend all rules which interfere with action on HB 980. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Maroney brought HB 980, co-sponsored by Representatives Oberle, Harrington, Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Fallon, Ferguson, Free, George, Gilligan, Hebner, Holloway, Loughney, Matushefske, Maxwell, McBride, McKay, Minner, Neal, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Van Sciver, Vernon, West; Senators Arnold, Berndt, Cicione, Cook, Hale, Holloway, Hughes, Kearns, Knox, Littleton, Marshall, Martin, Spence & Weiss, before the House for consideration.

HB 980 - An Act to Amend Part III, Title 16 of the Delaware Code Relating to Health and Safety; and Providing for Cancer Registration. (2/3 bill)

Representative Maroney brought HA 1 to HB 980 before the House for consideration. HA 1 was adopted by voice vote.

Representative Maroney requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

The roll call on HB 980 w/HA 1 was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Maroney, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 33.

NO: Representatives Ambrosino, Darling - 2.

NOT VOTING: Representatives Loughney, Morris - 2.

ABSENT: Representatives Ferguson, Holloway, Matushefske, Roy -

4.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 980 w/HA 1 was sent to the Senate for concurrence.

Representative Oberle brought HB 986, co-sponsored by Representative Neal, before the House for consideration.

HB 986 - An Act to Amend Chapter 18, Title 16 Delaware Code Relating to Solid Waste: Management, Storage, Collection and Disposal.

Representative Oberle moved to place HB 986 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative West brought HB 816 w/HA 2, SA 2 before the House for consideration.

Representative West brought HA 4 to HB 816 before the House for consideration.

The roll call on HA 4 to HB 816 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Cain, Cathcart, Connor, Free, Jonkiert, Loughney, McKay, Plant, Roy, Van Sciver, West - 13.

NO: Representatives Bennett, T. Brady, W. Brady, Burris, Clendaniel, Darling, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Maroney, Maxwell, McBride, Minner, Morris, Neal, Oberle, Petrilli, Powell, Sincock, Smith, Vernon, Mr. Speaker Riddagh - 25.

ABSENT: Representatives Ferguson, Holloway, Matushefske - 3.

Therefore, not having received a constitutional majority, HA 4 to HB 816 was declared defeated.

Representative Vernon rose on a point of order. Mr. Speaker concurred.

Representative Vernon requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

Representative Loughney rose on a point of order. Mr. Speaker concurred.

Representative Plant rose on a point of order. Mr. Speaker concurred.

Representative West moved to place HB 816 w/HA 2, SA 2 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

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

Public Safety: HB 1101 - 5F, 1M; SB 560 w/SA 2 - 5M.

Transportation: HB 940 - 5M.

Ethics & House Administration: HB 985 - 1F, 4M.

Administrative Services & Energy: HB 1109 - 1F, 4M; HB 853 - 2M, 1UF; HB 889 - 2M, 1UF; HB 1052 - 3M; HB 1100 - 3M; SB 460 w/SA 1,2 - 3M.

Community Affairs & Economic Development: SB 559 w/SA 2, HA 1 - 1F, 6M; SB 590 - 6M; HB 1085 - 7M; HB 1102 - 6M.

Banking & Insurance: HB 855 - 3M; HB 1092 - 3M.

Environmental Control: HB 1045 - 4M; HB 1018 - 1F, 3M.

Revenue & Finance: HB 1113 - 4M; HB 972 - 4M; HB 671 - 1F, 3M; 1UF; HB 276 - 4M; HB 587 - 5M; HB 1112 - 4M; HB 306 - 5M.

Education: HB 981 - 4M, 2UF; HJR 39 - 5M.

Representative Burris moved to recess to the call of the Chair at 11:55 p.m.

47th LEGISLATIVE DAY

Second Session

June 18, 1980

The Speaker called the House to order at 1:58 p.m.

The Reading Clerk read the following communications into the record:

Please remove my name from HB 1122 relative to Title 7, §6617.

William M. Murphy, Jr.

In compliance with the provisions of Rule 20 (d) of the Temporary Rules of the House of Representatives, I, R. Sincok, do hereby request that my name be removed as Sponsor/Co-Sponsor of SB 518.

6/18/80

R. Sincok

The Senate wishes to inform the House that it has passed: SCR 88.
6/17/80

LEGISLATIVE ADVISORY #42

FROM: Office of Counsel to the Governor

The Governor signed the following legislation on the dates indicated: 6/12/80 - HB 621 aab HA 1 and SA 1. 6/17/80 - HB 820 aab SA 1, SB 542, SB 234.

The Governor vetoed the following legislation on the date indicated: 6/10/80 - HB 219.

The Majority Leader moved to adjourn at 2:05 p.m., thereby ending the previous legislative day. The House reconvened at 2:06 p.m. A prayer was offered by Representative Maxwell, Fourteenth District.

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

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Matushefske - 1.

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

The following prefiled legislation was introduced:

HB 1125 - SINCOCK - LABOR & COMMERCE: An Act to Repeal Chapter 247, Volume 60, Laws of Delaware, Relating to Compensation and Leave for State Employees With Work-Related Injuries.

HB 1126 - SINCOCK, CATHCART, JONKIERT, LOUGHNEY, POWELL, WEST; SENATORS BERNDT, CICIONE, MC DOWELL - JUDICIARY & CONSTITUTION: An Act to Amend Chapter 15, Title 13, of the Delaware Code Relating to the Purpose of the Chapter; to the Award of Alimony in Divorce and Annulment Actions; and the Determination of Marital and Separate Property.

HB 1127 - ROY - JUDICIARY & CONSTITUTION: An Act to Amend Chapter 37, Title 10, Delaware Code, Providing for the Survival of Actions and Causes of Action.

HB 1128 - VERNON; SENATOR CORDREY - AGING: An Act to Assist the Cape Henlopen Senior Center to Meet One-Time Relocation Expenses by Making an Appropriation Therefor. (3/4 bill)

HB 1129 - HOLLOWAY - CORRECTIONS: An Act to Amend Chapter 65, Subchapter V of Title 11 of the Delaware Code Relating to Special Problems Groups.

HB 1130 - ANDERSON; SENATOR HALE - TRANSPORTATION: Directing the Department of Transportation to Make That Portion of East Main Street, Newark, Delaware From the Intersection of Route 273 and Route 4 to Washington Street, a Two-Way Street.

HB 1131 - GILLIGAN, HEBNER - EDUCATION: An Act to Amend Chapter 13, Title 14 of the Delaware Code Relating to the Number of Secretaries Employed by a School District.

HB 1132 - T. BRADY, PETRILLI, GEORGE; SENATOR CICIONE - JUDICIARY & CONSTITUTION: An Act to Amend Chapter 17 and Chapter 56, Title 10, and Chapter 57 Delaware Code, Relating to the Municipal Court for the City of Wilmington.

HA 4 to HB 806 - CONNOR, W. BRADY - Placed with the bill. (Laid on the Table)

HA 1 to HB 930 - NEAL, ANDERSON - Placed with the bill. (Agenda)

HA 9 to HB 992 - BENNETT - APPROPRIATIONS: Placed with the bill.

HA 10 to HB 992 - BENNETT - APPROPRIATIONS: Placed with the bill.

HA 11 to HB 992 - BENNETT - APPROPRIATIONS: Placed with the bill.

HA 12 to HB 992 - BENNETT - APPROPRIATIONS: Placed with the bill.

HA 13 to HB 992 - BENNETT - APPROPRIATIONS: Placed with the bill.

HA 14 to HB 992 - BENNETT - APPROPRIATIONS: Placed with the bill.

HA 15 to HB 992 - BENNETT - APPROPRIATIONS: Placed with the bill.

HA 16 to HB 992 - BENNETT - APPROPRIATIONS: Placed with the bill.

HA 1 to HB 1041 - ANDERSON - HEALTH & SOCIAL SERVICES: Placed with the bill.

HA 2 to HB 1041 - ANDERSON - HEALTH & SOCIAL SERVICES: Placed with the bill.

HA 3 to HB 1041 - ANDERSON - HEALTH & SOCIAL SERVICES:
Placed with the bill.

HA 1 to HB 1053 - SINCOCK, MATUSHEFSKE; SENATOR HUGHES -
Placed with the bill. (Ready List)

HA 1 to SB 400 - SINCOCK - Placed with the bill. (Ready List)

HA 2 to SB 559 - FREE - Placed with the bill. (Ready List)

HA 1 to SB 614 - GEORGE; SENATOR CICIONE - GRANT-IN-AID:
Placed with the bill.

Representative Connor introduced and brought HCR 149, co-sponsored by Representatives Ambrosino, Cathcart, Fallon, Van Sciver, Jonkiert, before the House for consideration.

HCR 149 - Memorializing the Federal Energy Regulatory Commission to Thoroughly Examine the Steep Rate Increases Which Delmarva Power and Light Company Seeks to Impose on Certain Towns and Municipalities; and to Examine the Possible Unlawfulness of the Process of Charging Customers Increased Rates Prior to Rate Approval.

HCR 149 was adopted by voice vote and sent to the Senate for concurrence.

Representative McKay introduced and brought SCR 88, sponsored by Senator Hughes, before the House for consideration.

SCR 88 - Congratulating Edward J. Dugan on His Retirement After Contributing Twenty-Four Years of Faithful Service to the State of Delaware in His Career as an Executive of Blue Cross and Blue Shield of Delaware, Inc.

SCR 88 was adopted by voice vote and returned to the Senate.

Representative T. Brady introduced and brought HCR 150 before the House for consideration.

HCR 150 - Congratulating the Salvation Army for 100 Years of Good Works in the United States.

HCR 150 was adopted by voice vote and sent to the Senate for concurrence.

Representative Hebner brought HB 866, co-sponsored by Senator Hughes, before the House for consideration.

HB 866 - An Act to Amend Chapter 51, Section 5105 of Title 25, Delaware Code Relating to the Service of Notice Under the Landlord-Tenant Code.

The roll call on HB 866 was taken and revealed:

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

ABSENT: Representatives Ambrosino, Ferguson, Holloway, Matushefske, Minner - 5.

Therefore, having received a constitutional majority, HB 866 was sent to the Senate for concurrence.

Representative Sincock introduced and brought HB 1008, co-sponsored by Representatives McKay, Maroney, George, Gilligan, T. Brady, Cain, Powell, Plant, Jonkiert, Ambrosino, Holloway, W. Brady; Senators Holloway, Spence, Hughes, before the House for consideration.

HB 1008 - An Act to Authorize New Castle County to Sell Certain Land to the City of Wilmington Without Competitive Bidding.

The roll call on HB 1008 was taken and revealed:

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

ABSENT: Representatives Ambrosino, Anderson, Ferguson, Holloway, Matushefske - 5.

Therefore, having received a constitutional majority, HB 1008 was sent to the Senate for concurrence.

Representative Roy brought HB 1064, co-sponsored by Senator Martin, before the House for consideration.

HB 1064 - An Act to Amend Subchapter III, of Chapter I, Title 17, Delaware Code, Relating to the Authorization of the Department of Transportation to Allow Vending Machines and Other Items for the Driver's Rest and Relaxation in Safety Roadside Rest Areas on an Experimental Basis; and to Further Provide for a Special Fund Within the State Treasury to Which Such Profits Shall be Earmarked.

The roll call on HB 1064 was taken and revealed:

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

ABSENT: Representatives Ambrosino, Anderson, Cain, Ferguson, Holloway, Matushefske - 6.

Therefore, having received a constitutional majority, HB 1064 was sent to the Senate for concurrence.

Representative Cathcart requested that HB 901 be stricken.

Representative Connor brought HB 1040, co-sponsored by Representatives Ambrosino, Harrington, Petrilli; Senators Holloway & McDowell, before the House for consideration.

HB 1040 - An Act to Amend Delaware Code, Title 14 by Authorizing the Creation of a Community Schools Program and Authorizing Reassignment of Qualified State Grant in Aid Programs to That Community Schools Program.

Representative Connor moved to place HB 1040 on the Speaker's table. The motion was seconded by Representative Harrington and adopted by voice vote.

Representative T. Brady brought SB 167 w/SA 2, sponsored by Senator Cicione, before the House for consideration.

SB 167 - An Act to Amend Chapter 98, Part VII, Title 10 of the Delaware Code Relating to Justice of the Peace Courts; and Providing for Costs in Civil Proceedings Before Justices of the Peace.

The roll call on SB 167 w/SA 2 was taken and revealed:

YES: Representatives Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gordy, Harrington, Hebner, Jonkiert, Maroney, Maxwell, McKay, Minner, Morris, Petrilli, Plant, Powell, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 30.

NO: Representatives Gilligan, Loughney, McBride, Neal, Oberle, Roy - 6.

ABSENT: Representatives Ambrosino, Anderson, Burris, Holloway, Matushefske - 5.

Therefore, having received a constitutional majority, SB 167 w/SA 2 was returned to the Senate.

Representative Free brought SB 181 w/SA 1, sponsored by Senator Adams, before the House for consideration.

SB 181 - An Act to Amend Chapter 237, Volume 51, Laws of Delaware, As Amended, Relating to the Charter of the Town of Bridgeville Providing for Appointments or Elections of Commissioners to Fill Unexpired Terms of Commissioners Who Die in Office or Resign From Office. (2/3 bill)

The roll call on SB 181 w/SA 1 was taken and revealed:

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

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

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 181 w/SA 1 was returned to the Senate.

Representative Powell brought SB 296 w/SA 2,3, sponsored by Senator Cicione; Representatives Gilligan, Matushefske, Anderson, Minner, Neal & Roy, before the House for consideration.

SB 296 - An Act to Amend Subchapter II, Chapter 11, Title 30 of the Delaware Code Relating to an Income Tax Credit for Active Volunteer Firemen.

The roll call on SB 296 w/SA 2,3 was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maxwell, McBride, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 34.

NO: Representative McKay - 1.

ABSENT: Representatives Anderson, Burris, Holloway, Maroney, Matushefske, Smith - 6.

Mr. Speaker Riddagh declared a recess at 2:55 p.m. for the purpose of changing the recording tape.

The House reconvened at 2:57 p.m.

Representative Jonkiert rose on a point of order. Mr. Speaker concurred.

Because the recording tape had run out during the roll call on SB 296 w/SA 2,3 and the entire roll call had not been recorded, the roll call was taken a second time and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, George, Gilligan, Harrington, Hebner, Jonkiert, Loughney, Maroney, Maxwell, McBride, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 34.

NO: Representative McKay - 1.

ABSENT: Representatives Anderson, Burris, Free, Gordy, Holloway, Matushefske - 6.

Therefore, having received a constitutional majority, SB 296 w/SA 2,3 was returned to the Senate.

Representative Petrilli brought SB 491, sponsored by Senators Sharp, Cook, Holloway, Hughes & Spence, before the House for consideration.

SB 491 - An Act to Amend Title 11 of the Delaware Code to Create the Offense of Sexual Relations in a Detention Facility.

Representative Petrilli requested and was granted the privilege of the floor for Attorney Gerald Street.

The roll call on SB 491 was taken and revealed:

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

NO: Representative Plant - 1.

NOT VOTING: Representative Hebner - 1.

ABSENT: Representatives Holloway, Matushefske - 2.

Therefore, having received a constitutional majority, SB 491 was returned to the Senate.

Representative Harrington brought SB 506, co-sponsored by Senator Murphy, before the House for consideration.

SB 506 - An Act to Amend Sections 1706 and 1715, Chapter 17 of Title 18, Delaware Code, Relative to the Licensing of Limited Representatives.

The roll call on SB 506 was taken and revealed:

YES: Representatives Ambrosino, Bennett, W. Brady, Burris, Cain, Cathcart, Free, Gilligan, Gordy, Harrington, Hebner, Loughney, McKay, Minner, Morris, Neal, Plant, Powell, Sincok, Smith, Van Sciver, Mr. Speaker Riddagh - 22.

NO: Representatives Anderson, T. Brady, Clendaniel, Connor, Darling, Fallon, Ferguson, George, Jonkiert, Maroney, McBride, Petrilli, Vernon, West - 14.

NOT VOTING: Representatives Holloway, Maxwell, Oberle - 3.

ABSENT: Representatives Matushefske, Roy - 2.

Therefore, having received a constitutional majority, SB 506 was returned to the Senate.

Representative Burris moved to recess at 4:00 p.m.

The House Reconvened at 4:45 p.m.

Representative Sincok moved to suspend the necessary rules which interfere with introduction of and action on SJR 50. The motion was seconded by Representative Anderson and adopted by voice vote.

Representative Sincock introduced and brought SJR 50, sponsored by Senators Cordrey & Berndt, before the House for consideration.

SJR 50 - Revising the Official Estimate of General Fund Revenues for the Fiscal Year Ending June 30, 1980.

The roll call on SJR 50 was taken and revealed:

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

ABSENT: Representatives Holloway, Matushefske - 2.

Therefore, having received a constitutional majority, SJR 50 was returned to the Senate.

Representative Sincock moved to suspend the necessary rules which interfere with introduction of and action on SJR 51. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Sincock introduced and brought SJR 51, sponsored by Senators Cordrey & Berndt, before the House for consideration.

SJR 51 - Establishing the Official Estimate of General Fund Revenues for the Fiscal Year Ending June 30, 1981.

The roll call on SJR 51 was taken and revealed:

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SJR 51 was returned to the Senate.

Representative Sincock moved to suspend the necessary rules which interfere with introduction of and action on SB 639. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Sincock introduced and brought SB 639, sponsored by Senator Cordrey, before the House for consideration.

SB 639 - An Act to Provide a Supplementary Appropriation to the Department of Community Affairs and Economic Development, Division of Economic Development, to Provide Funds for the Operation of a Special Marketing Campaign for the NCR Plant in Millsboro, Delaware.

Representative Sincock requested and was granted the privilege of the floor for Senator Richard S. Cordrey.

The roll call on SB 639 was taken and revealed:

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

NOT VOTING: Representative Bennett - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 639 was returned to the Senate.

Representative Oberle moved to suspend the rules which interfere with action on HS 1 for HB 416. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Oberle brought HS 1 for HB 416, co-sponsored by Senator Kearns, before the House for consideration.

HB 416 - An Act to Amend Chapter 33, Title 19, Delaware Code, Relating to Unemployment Compensation.

Representative Cain rose on a point of order. Mr. Speaker concurred.

The roll call on HS 1 for HB 416 was taken and revealed:

YES: Representatives Ambrosino, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Darling, Fallon, Ferguson, Free, George, Gordy, Harrington, Hebner, Maroney, McBride, McKay, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 30.

NO: Representatives Anderson, Bennett, Clendaniel, Gilligan, Jonkiert, Loughney, Maxwell, Minner - 8.

NOT VOTING: Representative Holloway - 1.

ABSENT: Representatives Matushefske, West - 2.

Therefore, having received a constitutional majority, HS 1 for HB 416 was sent to the Senate for concurrence.

Representative McKay brought HB 897 before the House for consideration.

HB 897 - 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.

The roll call on HB 897 was taken and revealed:

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

ABSENT: Representatives Cathcart, Matushefske, Petrilli - 3.

Therefore, having received a constitutional majority, HB 897 was sent to the Senate for concurrence.

Representative Roy brought SB 313 w/SA 1, sponsored by Senator Hughes, before the House for consideration.

SB 313 - An Act to Amend Section 2118, Chapter 21, Title 21, of the Delaware Code Relating to the Requirement of Insurance for Unregistered Motor Vehicles.

Representative Roy requested and was granted the privilege of the floor for Senator Charles E. Hughes.

The roll call on SB 313 w/SA 1 was taken and revealed:

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

ABSENT: Representatives Fallon, Matushefske, Smith - 3.

Therefore, having received a constitutional majority, SB 313 w/SA 1 was returned to the Senate.

Representative Sincock introduced HJR 40, co-sponsored by Senator Cook; Representatives Ambrosino, Bennett, Gilligan, George, Maroney, McKay, Neal, Petrilli; Senators Berndt, Cicione, Hale, Holloway, Hughes, Kearns, Littleton, McDowell, Murphy.

HJR 40 - House Joint Resolution Directing That the Executive Branch, With the Cooperation and Assistance of the Judicial and Legislative Branches, Proceed Forthwith to Implement Programmatic Budgeting Procedures, Commencing With Fiscal Year 1982 and to Make Appropriate Changes in the Accounting Practices to Accomplish This Objective.

Mr. Speaker assigned HJR 40 to the Administrative Services & Energy Committee.

Representative Burris moved to recess for caucus at 5:45 p.m.

The House reconvened at 5:50 p.m.

Representative Roy moved to suspend the rules which interfere with introduction of and action on HB 1133. The motion was seconded by Representative Powell.

Representative Burris rose on a point of order. Mr. Speaker concurred.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, Burris, Cathcart, Connor, Free, Gilligan, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McKay, Neal, Oberle, Petrilli, Powell, Roy, Sincock, Smith, Van Sciver, Mr. Speaker Riddagh - 25.

NO: Representatives W. Brady, Cain, Clendaniel, Darling, Ferguson, George, Gordy, Minner, Morris, Vernon, West - 11.

ABSENT: Representatives Bennett, Fallon, Matushefske, McBride, Plant - 5.

Therefore, having received a constitutional majority, the motion was adopted and the rules were suspended.

Representative Roy introduced and brought HB 1133, co-sponsored by Representatives Oberle, Hebner, Loughney, Neal & Gilligan, before the House for consideration.

HB 1133 - An Act to Amend Chapter 52, Title 29, of the Delaware Code Relating to Health Care Insurance.

Representative Jonkiert requested and was granted the privilege of the floor for Controller General, Duane Olsen.

Representative Burris moved to recess to the call of the Chair at 6:15 p.m.

48th LEGISLATIVE DAY
Second Session
June 19, 1980

The Speaker called the House to order at 2:00 p.m.

Representative Burris moved to place HB 1133 on the Speaker's table. The motion was seconded by Representative Roy and adopted by voice vote.

Representative McBride requested that HA 1 to SB 376 be stricken.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 557 w/SA 1, SCR 90, SCR 91, HB 828 w/HA 1, HB 792, HB 847, HCR 150, HB 747 w/HA 2,4; HB 769 w/HA 2, SB 617, SB 621 w/SA 1, SB 573 w/SA 4,6; SB 552, SS 1 for SB 485, SB 566 w/SA 1, SB 603, SB 639, SCR 89, SJR 50, SJR 51, HB 804, HCR 147, HCR 148.

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

Agriculture: HB 1124 - 4F, 1M.

Education: SB 366 - 6M; HS 1 for HB 939 - 4F, 2M; HB 1118 - 1F, 4M.

Public Safety: HB 1117 - 2F, 4M; HB 1105 - 2F, 4M.

Judiciary & Constitution: HB 1090 - 4M, 1UF; SB 479 - 5M; SB 168 w/SA 1 - 6M; SB 166 - 5M; HB 1110 - 5M; HB 1106 - 4M, 1UF; HB 1066 - 5M; HB 1055 - 5M; HB 1036 - 5M; HB 1032 - 5M; HB 924 - 5M; HB 896 - 4M; 1UF.

Appropriations: SB 560 w/SA 2 - 8M.

Representative Jonkiert introduced and brought SCR 91, co-sponsored by Senator Marshall, before the House for consideration.

SCR 91 - Expressing Sorrow at the Death of Dr. Eugene J. Szatkowski, Sr. and Offering Condolences to the Members of His Family.

SCR 91 was adopted by voice vote and returned to the Senate.

Representative Harrington introduced and brought SCR 89, co-sponsored by Senators Zimmerman, Cook, Murphy; Representatives Darling, Minner, Morris, Riddagh & Bennett, before the House for consideration.

SCR 89 - Commemorating the Death of Samuel J. Fox of Leipsic and Offering Condolences to the Members of His Family.

SCR 89 was adopted by voice vote and returned to the Senate.

The Majority Leader moved to adjourn at 2:14 p.m., thereby ending the previous legislative day. The House reconvened at 2:15 p.m. A prayer was offered by Representative Fallon, Thirty-Ninth District.

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

The Chief Clerk called the roll.

Members Present: 41.

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

The following prefiled legislation was introduced:

HB 1134 - CONNOR - TRANSPORTATION: An Act to Provide a Supplementary Appropriation to the Department of Transportation for the Construction of a Railroad Warning signal at the Railroad Crossing on Buttonwood Avenue in the City of New Castle.

HB 1135 - CONNOR, PETRILLI, OBERLE, CATHCART - EDUCATION: An Act to Amend Delaware Code, Titles 14 and 19 by Making a Technical Change in the Law by Reassigning the Statutory Provision for Vocational Rehabilitation From Education Law to Labor Law.

HB 1136 - CONNOR, PETRILLI, AMBROSINO, VAN SCIVER - EDUCATION: An Act to Amend Delaware Code, Title 14 in Order to Correct a Law Relating to Summer Vocational Programs for Junior and Senior High School Pupils.

HB 1137 - CONNOR, AMBROSINO, ANDERSON, W. BRADY, CATHCART, FALLON, GILLIGAN, HARRINGTON, HOLLOWAY, JONKIERT, LOUGHNEY, MC BRIDE, MAXWELL, MINNER, NEAL, OBERLE, PETRILLI, PLANT, POWELL, ROY, VAN SCIVER - APPROPRIATIONS: An Act to Provide a Supplementary Appropriation to the State Board of Education to Increase the Division III Unit Allocation.

HB 1138 - FERGUSON, GORDY, BENNETT, ROY, AMBROSINO, MAXWELL, W. BRADY, MORRIS, DARLING, CAIN, PLANT, MC BRIDE, HOLLOWAY, CLENDANIEL, LOUGHNEY, WEST, JONKIERT, MINNER, OBERLE, CATHCART, POWELL, T. BRADY, CONNOR; SENATORS SHARP, COOK - LABOR & COMMERCE: An Act to Amend Chapter 23, Title 19, Del. C., Relating to Workmen's Compensation Insurance Carriers Financial Reports.

HB 1139 - VERNON, BURRIS; SENATOR MARSHALL - LABOR & COMMERCE: An Act to Amend Title 29, Delaware Code, Relating to Public Works Contracts.

HB 1140 - FREE - JUDICIARY & CONSTITUTION: An Act Proposing an Amendment to Article X of the Constitution of the State of Delaware Relating to Education; and Providing for a Voucher System. (2/3 bill)

HB 1141 - FERGUSON, GORDY, ROY, BENNETT, W. BRADY, MAXWELL, MORRIS, DARLING, CAIN, PLANT, MC BRIDE, CLENDANIEL, LOUGHNEY, WEST, MINNER, OBERLE, CATHCART, POWELL, T. BRADY, CONNOR, AMBROSINO; SENATORS SHARP, COOK - LABOR & COMMERCE: An Act to Amend Chapter 23, Title 19, Del. C., relating to Workmen's Compensation Premiums.

HA 1 to HB 556 - GORDY - Placed with the bill. (Agenda)

HA 1 to HB 990 - BURRIS - Placed with the bill. (Ready List)

HA 1 to HB 1070 - CAIN; SENATOR MARTIN - HEALTH & SOCIAL SERVICES: Placed with the bill.

HA 3 to SB 376 - MC BRIDE - HEALTH & SOCIAL SERVICES: Placed with the bill.

HA 2 to SB 540 - BURRIS - Placed with the bill. (Ready List)

HA 3 to SB 540 - BURRIS - Placed with the bill. (Ready List)

HA 4 to SB 540 - BURRIS - Placed with the bill. (Ready List)

SS 1 for SB 485 - HALE, WEISS, ADAMS, ARNOLD, BERNDT, CICIONE, COOK, CORDREY, HOLLOWAY, HUGHES, KEARNS, KNOX, LITTLETON, MARSHALL, MARTIN, MC CULLOUGH, MC DOWELL, MURPHY, SHARP, SPENCE, ZIMMERMAN; REPRESENTATIVES RIDDAGH, AMBROSINO, ANDERSON, BENNETT, T. BRADY, W. BRADY, BURRIS, CATHCART, CONNOR, FALLON, FREE, HEBNER, MARONEY, MC BRIDE, MC KAY, NEAL, OBERLE, PETRILLI, POWELL, ROY, VAN SCIVER, VERNON - ETHICS & HOUSE ADMINISTRATION: 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.

SB 552 - SHARP; REPRESENTATIVE PETRILLI - TRANSPORTATION: An Act to Amend Chapter 5, Title 17, of the Delaware Code Relating to the Dedication of Suburban Community Roads for State Maintenance. (2/3 bill)

SB 557 w/SA 1 - CORDREY - PUBLIC SAFETY: An Act to Amend Chapter 84, Title 11, Delaware Code, Relating to a Police Training Program.

SB 566 w/SA 1 - MC DOWELL, KEARNS, HOLLOWAY, MARSHALL, WEISS, KNOX, BERNDT; REPRESENTATIVES GILLIGAN, JONKIERT, AMBROSINO, CONNOR, T. BRADY - HEALTH & SOCIAL SERVICES: An Act to Amend Chapter 22, Title 16, Delaware Code Relating to the Uniform Alcoholism and Intoxication Treatment Act.

SB 573 w/SA 4,6 - CORDREY - HEALTH & SOCIAL SERVICES: An Act to Authorize Medical Examiners in Delaware to Provide to Eye Banks Corneas From Decedents Under Their Jurisdiction and to Provide Immunity From Certain Civil Action Arising Therefrom.

SB 603 - CICIONE; REPRESENTATIVES ROY, LOUGHNEY, JONKIERT, ANDERSON; SENATOR WEISS - LABOR & COMMERCE: An Act to Amend Chapter 69, Title 29, Del. C., by Providing for the Use of United States Produced Steel in State Contracts.

SB 617 - HOLLOWAY; REPRESENTATIVE HOLLOWAY - APPROPRIATIONS: An Act Making a Supplementary Appropriation to the Department of Community Affairs and Economic Development for the Purpose of Establishing a State Assisted Youth Work Program for Part of the Summer of 1980. (Fiscal Note)

SB 621 w/SA 1 - HOLLOWAY - GRANT-IN-AID: An Act to Amend Chapter 100, Title 29, of the Delaware Code Relating to the Freedom of Information Act.

Representative Vernon introduced and brought SCR 90, sponsored by Senator Holloway, before the House for consideration.

SCR 90 - Urging the Secretary of Natural Resources and Environmental Control and Bellevue Park Associates, Inc. to Establish an Annual Steeplechase Program at Bellevue Park.

The roll call on SCR 90 was taken and revealed:

YES: Representatives Connor, Darling, Free, Gordy, Matushefske, Morris, Oberle, Plant - 8.

NO: Representatives Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Fallon, George, Gilligan, Harrington, Hebner, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Neal, Petrilli, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 26.

NOT VOTING: Representatives Bennett, Minner - 2.

ABSENT: Representatives Ambrosino, Clendaniel, Ferguson, Holloway, West - 5.

Therefore, not having received a constitutional majority, SCR 90 was declared defeated.

Representative Gilligan brought HB 297 w/HA 1,SA 2 before the House for consideration.

The roll call on HB 297 w/HA 1,SA 2 was taken and revealed:

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

ABSENT: Representatives Ambrosino, Clendaniel, Ferguson, Holloway, Maxwell - 5.

Therefore, having received a constitutional majority, HB 297 w/HA 1,SA 2 was sent to the Governor.

Representative Powell brought HB 983, co-sponsored by Representatives Roy, Cain, McBride, Oberle, Petrilli; Senators Adams & Berndt, before the House for consideration.

HB 983 - An Act to Amend Chapter 52, Title 30, Delaware Code, Relating to the Motor Carrier Fuel Purchase Law.

The roll call on HB 983 was taken and revealed:

YES: Representatives T. Brady, Cain, Free, Hebner, Maroney, McBride, McKay, Petrilli, Powell, Roy, Sincock, Smith - 12.

NO: Representatives Ambrosino, Anderson, Bennett, W. Brady, Cathcart, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Loughney, Maxwell, Minner, Morris, Neal, Oberle, Plant, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 25.

NOT VOTING: Representative Burris - 1.

ABSENT: Representatives Clendaniel, Ferguson, Matushefske - 3.

Therefore, not having received a constitutional majority, HB 983 was declared defeated.

Representative Fallon brought HB 629 before the House for consideration.

HB 629 - An Act Making a Supplemental Appropriation to Leon R. Ellis, a Retired Teacher, for Accrued Sick Leave.

Representative Fallon brought HA 1 to HB 629 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 629 w/HA 1 was taken and revealed:

YES: Representatives Anderson, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gordy, Harrington, Holloway, Loughney, Maroney, Matushefske, Maxwell, Minner, Neal, Oberle, Roy, Sincock, Smith, Van Sciver - 25.

NO: Representatives Bennett, Hebner, Jonkiert, McBride, McKay, Morris, Petrilli, Powell, Vernon, West, Mr. Speaker Riddagh - 11.

NOT VOTING: Representatives Ambrosino, T. Brady, Gilligan - 3.

ABSENT: Representatives Ferguson, Plant - 2.

Therefore, having received a constitutional majority, HB 629 w/HA 1 was sent to the Senate for concurrence.

Representative Free moved to lift HB 911 w/HA 3,8 from the Speaker's table. The motion was seconded by Representative Roy and adopted by voice vote.

HB 911 - An Act Proposing an Amendment to the Constitution of the State of Delaware Relating to Gambling. (2/3 bill)

Representative Connor moved to recess at 3:45 p.m.

The House reconvened at 3:47 p.m.

Representative McKay rose on a point of order. Mr. Speaker concurred.

Representative Burris rose on a point of order. Mr. Speaker concurred.

Representative Matushefske rose on a point of order. Mr. Speaker concurred.

Representative Plant requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

Representative Sincock rose on a point of order. Mr. Speaker concurred.

Representative Loughney rose on a point of order. Mr. Speaker concurred.

Representative Plant rose on a point of order. Mr. Speaker concurred.

The roll call on HB 911 w/HA 3,8 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, Cathcart, Connor, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Mr. Speaker Riddagh - 28.

NO: Representatives Bennett, W. Brady, Burris, Cain, Clendaniel, Darling, McKay, Minner, Morris, Neal, Vernon, West - 12.

ABSENT: Representative Ferguson - 1.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 911 w/HA 3,8 was sent to the Senate for concurrence.

Representative Burris moved to recess for caucus at 4:15 p.m.

The House reconvened at 4:58 p.m.

Representative Oberle introduced HB 1142, co-sponsored by Representatives Ambrosino, Neal, Powell, Cathcart, Petrilli, Connor, Van Sciver, Gilligan, Cain; Senators Holloway, Sharp, Hughes & Cicione.

HB 1142 - An Act to Amend Title 14, Delaware Code, Relating to Gifted or Talented Unit Funding.

Mr. Speaker assigned HB 1142 to the Education Committee.

Representative Oberle introduced HB 1143.

HB 1143 - An Act to Amend Section 2905, Title 14 of the Delaware Code Relating to Transportation of students of Nonprofit Schools.

Mr. Speaker assigned HB 1143 to the Education Committee.

Representative Hebner introduced HB 1144, co-sponsored by Representative Loughney & Senator Hughes.

HB 1144 - An act Making a Supplementary Appropriation to the Naamans Kill Questors for the Maintenance of the Robinson House Museum. (3/4 bill)

Mr. Speaker assigned HB 1144 to the Administrative Services & Energy Committee.

Representative Oberle moved to suspend all rules which interfere with action on HB 992 - HA 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16. The motion was properly seconded.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Anderson, Cain, Cathcart, Connor, George, Gilligan, Gordy, Holloway, Loughney, Matushefske, Maxwell, McBride, Oberle, Powell, Roy, Van Sciver, West - 18.

NO: Representatives Bennett, T. Brady, W. Brady, Burris, Clendaniel, Darling, Fallon, Harrington, Hebner, Maroney, McKay, Minner, Morris, Neal, Petrilli, Sincok, Smith, Vernon, Mr. Speaker Riddagh - 19.

ABSENT: Representatives Ferguson, Free, Jonkiert, Plant - 4.

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

Representative Van Sciver introduced HB 1145, co-sponsored by Representatives Cathcart, Harrington, Plant, Jonkiert, Free, Connor; Senators Arnold, Holloway.

HB 1145 - 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.

Mr. Speaker assigned HB 1145 to the Administrative Services & Energy Committee.

Representative Hebner moved to suspend the necessary rules which interfere with action on SB 593 w/SA 1,2 SA 1 to SA 2,SA 3. The motion was properly seconded.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Loughney, Maxwell, McKay, Minner, Neal, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 29.

NO: Representatives T. Brady, W. Brady, Free, Holloway, Maroney, McBride, Morris, Plant, West - 9.

ABSENT: Representatives Ferguson, Jonkiert, Matushefske - 3.

Therefore, having received a constitutional majority, the motion was adopted and the rules were suspended.

Representative McBride rose on a point of order. Mr. Speaker concurred.

Representative Maxwell rose on a point of order. Mr. Speaker concurred.

Representative Hebner introduced and brought SB 593 w/SA 1,2,SA 1 to SA 2,SA 3, co-sponsored by Senator Arnold, Representative Maxwell, Senators Cicone, Hughes, McCullough, Sharp, Spence; Representatives Anderson, McBride, Petrilli; Senators Berndt, Hale, Knox, Martin, Weiss; Representatives Bennett, Cain, Cathcart, Gilligan, Loughney, Powell, Roy & Smith, before the House for consideration.

SB 593 - An Act to Amend Delaware Code, Title 14, As It Relates to the Organization, Governance and Financing of School Districts.

Representative Burris moved to recess for caucus at 5:30 p.m.

The House reconvened at 8:00 p.m.

Representative Hebner requested and was granted the privilege of the floor for Richard Morse & H. James Conaway, Jr. of the Joint Legislative Desegregation Committee.

Representative Burris moved to recess for caucus at 8:41 p.m.

The House reconvened at 9:06 p.m.

Representative Hebner moved to place SB 593 w/SA 1,2, SA 1 to SA 2, SA 3 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Roy brought HB 687, co-sponsored by Senator Sharp, before the House for consideration.

HB 687 - An Act Awarding Special Pension Benefits to Edward C. Sobolewski, a Former Employee of the University of Delaware, Appropriating Monies Into the Special Pension Fund Authorized by Volume 61, Chapter 455, Laws of Delaware, and Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by This Act as if the Award Were Pursuant to Chapter 55, Title 29, Delaware Code.

The roll call on HB 687 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Hebner, Holloway, Jonkiert, Maroney, Maxwell, McBride, Minner, Neal, Oberle, Plant, Roy, Sincok, Van Sciver, Vernon, West, - 29.

NO: Representatives Free, Harrington, Loughney, McKay, Morris, Petrilli, Powell, Smith, Mr. Speaker Riddagh - 9.

ABSENT: Representatives Bennett, Ferguson, Matushefske - 3.

Therefore, having received a constitutional majority, HB 687 was sent to the Senate for concurrence.

Representative Maxwell brought HB 704 - HA 1 before the House for consideration.

HB 704 - An Act to Amend Title 9 and Title 22 of the Delaware Code Relating to Zoning Requirements for Facilities for Developmentally Disabled Persons. (2/3 bill)

Representative Maxwell brought HA 1 to HB 704 before the House for consideration. HA 1 was adopted by voice vote.

Representative McKay requested that the following letter be read into the record:

June 12, 1980

The Honorable John P. McKay, Chairman
Health & Social Services Committee
State House of Representatives
Legislative Hall
Dover, DE 19901

RE: House Bill No. 704 and Amendment No. 1

Dear John:

I am in receipt of your letter dated June 5, 1980 in which you requested our review and comment on the above-referenced bill which is currently before your Committee.

This bill would permit residential facilities for ten (10) or fewer developmentally disabled persons in a single-family residential use zone.

If enacted, this legislation could have a tremendous impact on our community. For instance, how can we provide for the orderly development of our town, as we have done for quite some time through the administration and enforcement of our zoning ordinance, if the State continues to involve itself in the local zoning process?

Chapter 3, Title 22 of the Delaware Code empowers the Town to enact a zoning ordinance and establish appropriate districts and regulations in order to promote the health, safety, morale or general welfare of the community. Relatedly, we adopted a comprehensive zoning ordinance, divided the Town into districts and prepared regulations pertaining to these districts.

This zoning ordinance was designed to provide the following: to lessen congestion in the streets; to secure safety from fire; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks; and, other public requirements.

In the process of drafting and adopting this zoning ordinance, we took into account, among other things, the character of the districts and their peculiar suitability for particular uses. Through the years, we have amended this ordinance to adapt to changes in social or economic conditions.

In other words, shouldn't it be a "local" decision as to whether to amend our zoning ordinance to allow for residential facilities for developmentally disabled persons to be located in a single-family residential use zone? Moreover, since we can amend our Town zoning ordinance through local initiative to allow for this type of facility in our residential districts, why should we be forced to do so by the State government?

In the last few months, we have been forced to comply with State regulations pertaining to erosion and soil sedimentation and use of critical areas. In addition to these examples, there are a myriad of other State laws that affect our local zoning powers. In fact, this trend of State interference has reached a point where I am beginning to seriously question whether the Delaware General Assembly is interested in preserving the integrity of the local zoning rights and powers that were established under Title 22 of the Delaware Code for all local government jurisdictions in Delaware.

Quite frankly, I have not had adequate time in which to thoroughly review this proposed bill with the Council, Town Manager or Planning Commission. We received your letter on June 9, 1980 and it is impossible to get constructive comments in to you by June 13, 1980.

In addition, I believe that legislation such as this that might have an impact on all local governments should be reviewed by the Legislative Committee of the Delaware League of Local Governments so that all local governments can be afforded the opportunity to take an official position on this bill at the next regularly scheduled League meeting which should be in September, 1980.

Taking into consideration that neither our own Town officials or the Delaware League of Local Governments has had adequate time to review this bill and comment on it's potential impact on local governments, I would therefore urge you to hold over this bill in Committee until the General Assembly reconvenes. In the interim, we will review the bill and be prepared to present you with our position at that time.

Thank you for your consideration on this important matter.

Sincerely,
George E. Bryson
Mayor

GEB/ccm

Representative T. Brady requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

Mr. Speaker Riddagh declared a recess for the purpose of changing the recording tape at 9:55 p.m.

The House reconvened at 9:57 p.m.

The roll call on HB 704 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Connor, Fallon, Gilligan, Gordy, Harrington, Hebner, Loughney, Maroney, Matushefske, Maxwell, McKay, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Van Sciver - 26.

NO: Representatives T. Brady, Clendaniel, Darling, Free, George, Jonkiert, McBride, Smith, Vernon, West - 10.

NOT VOTING: Representatives Holloway, Minner, Morris, Mr. Speaker Riddagh - 4.

ABSENT: Representative Ferguson - 1.

Therefore, not having received a constitutional majority of at least two-thirds members of the House, HB 704 w/HA 1 was declared defeated.

Representative Neal brought HB 703 before the House for consideration.

HB 703 - An Act to Amend Chapter 3, Title 13, Delaware Code, Relating to Marriage Contracts.

Representative Jonkiert moved to recess.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Cain, Cathcart, Clendaniel, Darling, George, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Plant, West - 21.

Representatives Ambrosino, T. Brady, Burris, Fallon, Free, Harrington, Hebner, Maroney, Neal, Oberle, Petrilli, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 18.

ABSENT: Representatives Connor, Ferguson - 2.

Therefore, having received a constitutional majority, the motion was adopted and Mr. Speaker Riddagh declared a recess to the call of the Chair at 10:10 p.m.

49th LEGISLATIVE DAY
Second Session
June 23, 1980

The Speaker called the House to order at 12:32 p.m.

The roll call on HB 703 was taken and revealed:

YES: Representatives Bennett, T. Brady, W. Brady, Burris, Cathcart, Darling, Fallon, Ferguson, Free, Gordy, Harrington, Maroney, McKay, Morris, Neal, Petrilli, Roy, Smith, Van Sciver, Mr. Speaker Riddagh - 20.

NO: Representatives Anderson, Gilligan, Jonkiert, Loughney, Oberle, West - 6.

ABSENT: Representatives Ambrosino, Cain, Clendaniel, Connor, George, Hebner, Holloway, Matushefske, Maxwell, McBride, Minner, Plant, Powell, Sincok, Vernon - 15.

Therefore, not having received a constitutional majority, HB 703 was declared defeated.

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

Judiciary & Constitution: SB 526 w/SA 2 - 4M.

Health & Social Services: HB 1070 w/HA 1 - 5M; SB 566 w/SA 1 - 4M; SB 573 - 6M.

Administrative Services & Energy: HB 1073 - 2M; HS 1 for HB 1002 - 3M; HB 1026 - 3M; SB 244 - 3M.

Public Safety: SB 574 w/SA 1 - 5M.

Education: HB 1135 - 1F, 3M; HB 1136 - 1F, 3M.

Natural Resources: HB 1067 - 4M; HB 1122 - 4M; HB 1062 - HA 1 - 4M; SB 586 - 4M.

Community Affairs & Economic Development: SB 532 - 7M; SB 569 - 7M.

Aging: HB 1128 - 4M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 640, SB 637 w/SA 1, HB 605 w/HA 1,2; SB 593 w/SA 1, SA 2, SA 1 to SA 2, SA 3.
June 19, 1980

LEGISLATIVE ADVISORY #43

FROM: Office of Counsel to the Governor

The Governor signed the following legislation on the dates indicated: 6/19/80 - HB 804, HB 1076, SB 556, HB 792, SJR 50, SJR 51.

The Majority Leader moved to adjourn at 12:44 p.m., thereby ending the previous legislative day. The House reconvened at 12:45 p.m. A prayer was offered by Representative Smith, Tenth District.

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

The Chief Clerk called the roll.

Members Present: 41.

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

The following prefiled legislation was introduced:

HB 1146 - VERNON, SMITH - NATURAL RESOURCES: An Act to Amend Chapter 19, Title 23, Delaware Code, Relating to the Regulation and Supervision of Dams and Reservoirs by the Department of Natural Resources and Environmental Control; Providing for Emergency Action; and Providing for Enforcement of This Act.

HB 1147 - T. BRADY - JUDICIARY & CONSTITUTION: An Act to Amend Chapter 2, of Title 11, of the Delaware Code to Establish a Definition of What Shall Constitute an Ordinary Pocketknife.

HB 1148 - FALLON - REVENUE & FINANCE: An Act to Amend Subchapter IV of Chapter 5, Title 28, Delaware Code Relating to the Percentage of Contributions From Pari-Mutuel and Totalizator Pools to be Deposited in the Delaware Standardbred Development Fund.

HB 1149 - FALLON - APPROPRIATIONS: An Act to Make a Supplemental Appropriation to the Division of Historical and Cultural Affairs for the Replacement of the Pilottown Historical Marker.

HB 1150 - MINNER - FAMILY SERVICES: An Act to Amend Title 16, Delaware Code Relating to Deaf Persons and Partially Deaf Persons. (2/3 bill)

HB 1151 - HEBNER - PUBLIC SAFETY: An Act to Amend Title 21, Delaware Code, Relating to Mopeds.

HB 1152 - BENNETT, MC KAY, PETRILLI - BANKING & INSURANCE: An Act to Amend Chapter 29, Title 24 of the Delaware Code Relating to Real Estate Brokers and Salespersons and Real Estate Appraisers.

HA 1 to HB 452 - SMITH - Placed with the bill. (Agenda)

HA 2 to HB 930 - NEAL - Placed with the bill. (Agenda)

HA 1 to HB 1028 - T. BRADY - APPROPRIATIONS: Placed with the bill.

HA 2 to HB 1028 - T. BRADY - APPROPRIATIONS: Placed with the bill.

HA 1 to HB 1131 - GILLIGAN - EDUCATION: Placed with the bill.

SB 637 w/SA 1 - CORDREY; REPRESENTATIVE WEST - COMMUNITY AFFAIRS & ECONOMIC DEVELOPMENT: An Act to Reincorporate the Town of Frankford. (2/3 bill)

SB 640 - MC DOWELL, CICIONE; REPRESENTATIVES BENNETT, T. BRADY - JUDICIARY & CONSTITUTION: An Act to Amend Chapter 9 and Chapter 11, Title 13, Delaware Code, Relating to the Transfer of Jurisdiction Over Adoption and Termination of Parental Rights From the Superior Court to the Family Court and Providing a Supplemental Appropriation Therefor. (Fiscal Note)

Representative Ferguson requested that he be marked present for the previous legislative day, Thursday, June 19, 1980.

Representative Burris introduced and brought HR 239, co-sponsored by All Members of the House of Representatives, before the House for consideration.

HR 239 - Mourning the Death of Joel B. Vollmer, of Smyrna, Stepfather of Speaker of the House Robert W. Riddagh.

HR 239 was adopted by voice vote.

Representative Loughney introduced and brought HR 240 before the House for consideration.

HR 240 - Amending House Resolution No. 142, As Amended, and House Resolutions No. 163 and 201, Relating to the Temporary Rules of the House of Representatives of the 130th General Assembly of the State of Delaware, to Provide That Members of the House of Representatives Shall Dress With Dignity as Becomes Their Position as Statesmen.

Representative Burris moved to place HR 240 on the Speaker's table. The motion was seconded by Representative Roy and adopted by voice vote.

Representative Harrington moved to lift HB 708 - HA 2 from the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

HB 708 - An Act to Amend Chapter 41, Title 14 of the Delaware Code Relating to the Responsibilities of Certain Public School Employees.

Representative Harrington requested that HA 2 to HB 708 be stricken.

Representative Harrington brought HA 3 to HB 708 before the House for consideration. HA 3 was adopted by voice vote.

The roll call on HB 708 w/HA 3 was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 34.

NOT VOTING: Representative Plant - 1.

ABSENT: Representatives Ambrosino, Clendaniel, Connor, Holloway, Jonkiert, Matushefske - 6.

Therefore, having received a constitutional majority, HB 708 w/HA 3 was sent to the Senate for concurrence.

Representative Darling moved to restore HB 704 to the calendar. The motion was seconded by Representative McBride.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Darling, Fallon, Ferguson, Gilligan, Gordy, Harrington, Hebner, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Van Sciver, Mr. Speaker Riddagh - 30.

NO: Representatives George, Vernon, West - 3.

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

ABSENT: Representatives Ambrosino, Connor, Holloway, Jonkiert, Matushefske - 5.

Therefore, having received a constitutional majority, the motion was adopted and HB 704 was restored to the calendar.

Representative Anderson moved to restore HB 703 to the calendar. The motion was properly seconded.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Petrilli, Plant, Roy, Sincok, Smith, Van Sciver Mr. Speaker Riddagh - 28.

NO: Representatives Ferguson, Gilligan, Gordy, Jonkiert, Loughney, Oberle, Vernon, West - 8.

ABSENT: Representatives Ambrosino, Connor, Holloway, Matushefske, Powell - 5.

Therefore, having received a constitutional majority, the motion was adopted and HB 703 was restored to the calendar.

HB 703 - An Act to Amend Chapter 3, Title 13, Delaware Code, Relating to Marriage Contracts.

The roll call on HB 703 was taken and revealed:

YES: Representatives Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Darling, Fallon, Free, George, Gordy, Harrington, Hebner, Maroney, McBride, McKay, Minner, Morris, Neal, Petrilli, Powell, Roy, Sincok, Smith, Van Sciver, Mr. Speaker Riddagh - 26.

NO: Representatives Bennett, Clendaniel, Ferguson, Gilligan, Jonkiert, Loughney, Maxwell, Oberle, Vernon, West - 10.

NOT VOTING: Representative Plant - 1.

ABSENT: Representatives Ambrosino, Connor, Holloway, Matushefske - 4.

Therefore, having received a constitutional majority, HB 703 was sent to the Senate for concurrence.

Representative Burris brought HB 990 - HA 1 before the House for consideration.

HB 990 - An Act Making a Supplemental Appropriation to the State Employees Pension Trust Fund Pursuant to the Provision of Section 5544 (g), Chapter 55, Title 29, Delaware Code. (3/5 bill)

Representative Burris moved to place HB 990 - HA 1 on the Speaker's table. The motion was properly seconded by and adopted by voice vote.

Representative Burris brought HB 991 before the House for consideration.

HB 991 - An Act Making a Supplemental Appropriation to the State Treasurer for the Purpose of Providing Funds to Pay Social Security Contributions for Two Months as Required by the Change in Social Security Regulations Requiring Deposits on a Monthly Basis Rather Than on a Quarterly Basis. (3/5 bill)

Representative Burris moved to place HB 991 on the Speaker's table. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Sincock brought HB 773 - HA 1 before the House for consideration.

HB 773 - An Act Making a Supplemental Appropriation to the Delaware Energy Office for the Purpose of Providing Funds to State Agencies and the Department of Public Instruction to Make Capital Improvements to State Schools, Hospitals, and Other Public Buildings so as to Reduce Their Consumption of Energy. (3/5 bill)

Representative Sincock moved to place HB 773 - HA 1 on the Speaker's table. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Ferguson brought HB 713 before the House for consideration.

HB 713 - An Act to Amend Chapter 15, Part 1, Title 25 of the Delaware Code Relating to the Liability of Owners or Occupiers of Land for Injury to Guests or Trespassers.

The roll call on HB 713 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, George, Gilligan, Hebner, Loughney, McBride, McKay, Morris, Neal, Oberle, Powell, Roy, Smith, Van Sciver, West, Mr. Speaker Riddagh - 28.

NO: Representatives Free, Harrington, Jonkiert, Maroney, Minner, Petrilli, Sincock, Vernon - 8.

NOT VOTING: Representative Plant - 1.

ABSENT: Representatives Gordy, Holloway, Matushefske, Maxwell - 4.

Therefore, having received a constitutional majority, HB 713 was sent to the Senate for concurrence.

Representative Ferguson brought HB 452 - HA 1 before the House for consideration.

HB 452 - An Act to Amend Chapter 1, Title 17, Delaware Code, Relating to the Acquisition and Sale of Real Property by the Department of Highways and Transportation.

Representative Ferguson requested that HB 452 - HA 1 be stricken.

Representative Hebner introduced and brought HR 241, co-sponsored by Representatives T. Brady, Sincok & George, before the House for consideration.

HR 241 - Celebrating the Golden Wedding Anniversary of Our Energetic Sergeant-At-Arms, Morris Cohen, and His Patient Wife Sadie.

HR 241 was adopted by voice vote.

Representative Gordy brought HB 914, co-sponsored by Senators Littleton & Martin, before the House for consideration.

HB 914 - An Act to Appropriate the Sum of \$650 to the Division of Historical and Cultural Affairs of the State Department for the Installation of a Marker Honoring William Barkley Cooper, Governor of Delaware in 1821-1822.

The roll call on HB 914 was taken and revealed:

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

ABSENT: Representatives Cain, Matushefske, Roy - 3.

Therefore, having received a constitutional majority, HB 914 was sent to the Senate for concurrence.

Representative Burris brought HB 818, co-sponsored by Representatives Riddagh, Hebner, Gordy & Ferguson, before the House for consideration.

HB 818 - An Act to Amend Chapter 5, Title 29, Delaware Code, by Revising Certain Sections Relating to the Preservation of Public Records.

The roll call on HB 818 was taken and revealed:

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

NO: Representatives Ambrosino, Jonkiert, Oberle, Vernon - 4.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, HB 818 was sent to the Senate for concurrence.

Representative Connor brought HB 1005 before the House for consideration.

HB 1005 - An Act to Amend Section 1326, Title 14 of the Delaware Code Relating to Salaries for Substitute Teachers and Nurses.

Representative Connor moved to place HB 1005 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative W. Brady brought HB 1007, co-sponsored by Representatives Gordy, Maxwell, Ferguson, McBride, Darling & Anderson, before the House for consideration.

HB 1007 - An Act Making an Appropriation to the Department of Labor for Payments to Employees Who Worked Overtime Under a Federal Government Safety Program.

The roll call on HB 1007 was taken and revealed:

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

NO: Representatives Free, Jonkiert, McKay - 3.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HB 1007 was sent to the Senate for concurrence.

Representative Bennett brought HB 1023, co-sponsored by Representatives Darling, Morris, West, Gordy, Sincock, Powell, Vernon; Senators Cordrey & Adams, before the House for consideration.

HB 1023 - An Act to Amend Chapter 21, Title 21 of the Delaware Code Relating to Exempting Small Trailers from the Late-Registration Renewal Fee.

Representative Bennett brought HA 1 to HB 1023 before the House for consideration. HA 1 was adopted by voice vote.

Representative Bennett moved to waive the synopsis requirement on HA 1 to HB 1023. The motion was seconded by Representative Maxwell and adopted by voice vote.

Representative Loughney moved to waive the synopsis requirement on HB 1023. The motion was seconded by Representative Burris and adopted by voice vote.

The roll call on HB 1023 w/HA 1 was taken and revealed:

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

NO: Representatives Jonkiert, Loughney - 2.

NOT VOTING: Representative Smith - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HB 1023 w/HA 1 was sent to the Senate for concurrence.

Representative Roy brought HB 962 before the House for consideration.

HB 962 - An Act to Amend Chapter 89, Title 29 of the Delaware Code Relating to Department of Transportation and the Office of Administration.

The roll call on HB 962 was taken and revealed:

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

NO: Representative Morris - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HB 962 was sent to the Senate for concurrence.

Representative Gordy brought HB 930 - HA 1, co-sponsored by Representatives Ferguson, Cain, George, Maxwell, Minner, Burris, Hebner, Oberle, Petrilli, Powell, Roy & Sincock, before the House for consideration.

HB 930 - An Act to Amend Chapter 69, Title 29 of the Delaware Code by Adding Definitions of Governmental Unit, Public Works Contract, Public Funds, Public Building and Subcontractor, and by Adding Requirements for Advertising, Preparation and Submission of Bid Invitations and Awarding of Contracts and Listing of Subcontractors. (2/3 bill)

Representative Neal requested that HA 1 to HB 930 be stricken.

Representative Neal brought HA 2 to HB 930 before the House for consideration. HA 2 was adopted by voice vote.

The roll call on HB 930 w/HA 2 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 41.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 930 w/HA 2 was sent to the Senate for concurrence.

Representative Plant brought HB 556 - HA 1 before the House for consideration.

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

Representative Gordy brought HA 1 to HB 556 before the House for consideration. HA 1 was adopted by voice vote.

Representative Smith requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

Representative Cain rose on a point of order. Mr. Speaker concurred.

Representative Hebner rose on a point of order. Mr. Speaker concurred.

Representative Cain requested and was granted the privilege of the floor for House Attorney Richard Cooch.

The roll call on HB 556 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Cain, Cathcart, Connor, Darling, Ferguson, George, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Petrilli, Plant, Roy, Van Sciver, West, Mr. Speaker Riddagh - 28.

NO: Representatives T. Brady, Burris, Clendaniel, Fallon, Free, Harrington, Hebner, Neal, Powell, Sincock, Smith, Vernon - 12.

ABSENT: Representative Oberle - 1.

Therefore, having received a constitutional majority, HB 556 w/HA 1 was sent to the Senate for concurrence.

Representative Gilligan moved to lift HB 182 w/HA 2,3,HA 1 to HA 3,HA 4,5 from the Speaker's table. The motion was seconded by Representative Anderson and adopted by voice vote.

HB 182 - An Act to Amend Chapter 35, Title 24, Delaware Code, Relating to the Practice of Psychology.

Representative Gilligan requested that HA 5 be stricken.

Representative Gilligan brought HA 1 to HA 3 to HB 182 before the House for consideration. HA 1 to HA 3 was adopted by voice vote.

The roll call on HB 182 w/HA 2,3,HA 1 to HA 3,HA 4 was taken and revealed:

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HB 182 w/HA 2,3,HA 1 to HA 3,HA 4 was sent to the Senate for concurrence.

Representative Burris moved to recess for caucus at 3:05 p.m.

The House reconvened at 4:24 p.m.

Representative Connor moved to lift HB 806 w/HA 3 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

HB 806 - 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.

Representative Connor brought HA 4 to HB 806 before the House for consideration. HA 4 was adopted by voice vote.

Representative Jonkiert brought HA 5 to HB 806 before the House for consideration. HA 5 was defeated by voice vote.

The roll call on HB 806 w/HA 3,4 was taken and revealed:

YES: Representatives Ambrosino, Anderson, W. Brady, Cathcart, Connor, Free, Gilligan, Hebner, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McKay, Minner, Oberle, Petrilli, Plant, Roy, Smith, Van Sciver, Mr. Speaker Riddagh - 22.

NO: Representatives Bennett, T. Brady, Burris, Cain, Clendaniel, Darling, Fallon, George, Gordy, Harrington, McBride, Morris, Neal, Powell, Vernon, West - 16.

NOT VOTING: Representative Holloway - 1.

ABSENT: Representatives Ferguson, Sincok - 2.

Therefore, having received a constitutional majority, HB 806 w/HA 3,4 was sent to the Senate for concurrence.

Representative Free brought SB 559 w/SA 2 - HA 1,2, sponsored by Senators Cordrey, Adams, Arnold, Berndt, Cicione, Cook, Hale, Holloway, Hughes, Knox, Littleton, Marshall, Martin, McDowell, Murphy, Weiss, Zimmerman; Representatives Ambrosino, Anderson, Bennett, T. Brady, Cain, Cathcart, Clendaniel, Darling, Fallon, George, Gilligan,

Gordy, Harrington, Hebner, Holloway, Jonkiert, Maroney, Maxwell, McBride, McKay, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Van Seiver & Vernon, before the House for consideration.

SB 559 - An Act to Amend Chapter 70, Title 6 Delaware Code, Relating to Economic Development, by Repealing That Chapter and Enacting a New Chapter 70 Creating the Delaware Economic Development Authority; Authorizing Such Authority to Issue Bonds for Industrial, Commercial, Agricultural and Pollution Control Projects; Authorizing Such Authority to Pledge the Full Faith and Credit of the State to the Payment of Certain Bonds of such Authority; and Granting Certain Additional Powers to Such Authority. (3/4 bill)

Representative Smith requested that HA 1 to SB 559 be stricken.

Representative Free requested that HA 2 to SB 559 be stricken.

Representative Gilligan requested and was granted the privilege of the floor for Budget Director Nathan Hayward.

Representative Loughney rose on a point of order. Mr. Speaker concurred.

Representative T. Brady rose on a point of order. Mr. Speaker concurred.

The roll call on SB 559 w/SA 2 was taken and revealed:

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

NO: Representative Ferguson - 1.

ABSENT: Representatives Burris, Matushefske - 2.

Therefore, having received a constitutional majority of at least three-fourths members of the House, SB 559 w/SA 2 was returned to the Senate.

Representative Van Seiver brought HB 836 - HA 1, co-sponsored by Representatives Roy, Cathcart, McBride & Senator Arnold, before the House for consideration.

HB 836 - An Act to Amend Title 21 Relating to Licensing of Motorcycle and Motorbike Operators.

Representative Van Seiver brought HA 1 to HB 836 before the House for consideration. HA 1 was adopted by voice vote.

Representative Van Seiver moved to place HB 836 w/HA 1 on the Speaker's table. The motion was seconded by Representative Vernon and adopted by voice vote.

Representative Powell brought HB 904 before the House for consideration.

HB 904 - An Act Amending Title 24 of the Delaware Code Relating to Professional Engineers.

The roll call on HB 904 was taken and revealed:

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

ABSENT: Representative Burris - 1.

Therefore, having received a constitutional majority, HB 904 was sent to the Senate for concurrence.

Representative Sincok brought HB 965 - HA 1, co-sponsored by Representative Gordy; Senators Cook, Cordrey & Berndt, before the House for consideration.

HB 965 - An Act Making a Supplementary Appropriation to the State Board of Education for the Purpose of Adjusting the Gasoline Allowance in the Formula for Reimbursement to the School Bus Contractors and the School Districts for the Transportation of Public School Pupils During the Fiscal Year Ending June 30, 1980.

Representative Sincok brought HA 1 to HB 965 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 965 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Seiver, Vernon, West, Mr. Speaker Riddagh - 41.

Therefore, having received a constitutional majority, HB 965 w/HA 1 was sent to the Senate for concurrence.

Representative Sincok brought HB 1044 - HA 1, co-sponsored by Representative George, before the House for consideration.

HB 1044 - An Act to Authorize and Direct the Sale by the New Castle County School District of Certain Property Located in the City of Wilmington to the Division of Parks and Recreation of the Department of Natural Resources and Environmental Control, and to Make a Supplemental Appropriation for Certain Moving Expenses Incurred by the New Castle County Vocational Technical School District as a Result of Such Sale.

Representative Connor brought HA 1 to HB 1044 before the House for consideration. Representative Connor moved to place HA 1 on the Speaker's table. The motion was seconded by Representative T. Brady and adopted by voice vote.

The roll call on HB 1044 was taken and revealed:

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

NO: Representative Loughney - 1.

Therefore, having received a constitutional majority, HB 1044 was sent to the Senate for concurrence.

Representative Maxwell moved to defer action on HS 2 for HB 522 to a day certain, Tuesday, June 24, 1980.

Representative Roy brought HB 960, co-sponsored by Representative Smith, before the House for consideration.

HB 960 - An Act Making a Supplemental Appropriation to the Department of Transportation for the Installation of Flashing School Speed Limit Signs on Veale Road at the Entrance to St. Edmond's Academy.

The roll call on HB 960 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 41.

Therefore, having received a constitutional majority, HB 960 was sent to the Senate for concurrence.

Representative Petrilli brought HB 1022, co-sponsored by Representative Vernon, Senator Cicione, Representatives T. Brady, Anderson, Free, Maroney, Bennett, Roy, Oberle, Cathcart, Powell, Loughney, McBride, Jonkiert, Ambrosino, Sincock, Van Sciver, Smith, Ferguson, Maxwell, Burris, Gilligan, McKay, Connor; Senators Littleton, Arnold, Murphy, Hughes & Spence, before the House for consideration.

HB 1022 - An Act to Amend Chapter 16 of Title 24 of the Delaware Code by Providing for the Licensing of Massage Establishments, Adult Bookstores and Other Adult Entertainment Establishments.

The roll call on HB 1022 was taken and revealed:

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

ABSENT: Representatives Sincock, West - 2.

Therefore, having received a constitutional majority, HB 1022 was sent to the Senate for concurrence.

Representative Matushefske introduced and brought HR 242, co-sponsored by All Other Representatives, before the House for consideration.

HR 242 - Thanking the Staff of the University Hospital, London, Ontario, Canada, for a Successful Operation on Lois Matushefske, Wife of the Representative From the 17th District.

HR 242 was adopted by voice vote.

Representative Matushefske brought HB 518, co-sponsored by Senator Murphy, before the House for consideration.

HB 518 - An Act to Amend Chapter 19, Title 5, Delaware Code, Relating to Powers of Federally Chartered Institutions.

The roll call on HB 518 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Matushefske, McBride, Neal, Oberle, Petrilli, Plant, Powell, Roy, Smith, Van Sciver, Mr. Speaker Riddagh - 30.

NO: Representatives Maroney, Minner, Sincock, Vernon, West - 5.

NOT VOTING: Representatives Bennett, Cain, Maxwell, McKay, Morris - 5.

ABSENT: Representative George - 1.

Therefore, having received a constitutional majority, HB 518 was sent to the Senate for concurrence.

Representative Hebner moved to lift SB 593 w/SA 1,2,SA 1 to SA 2,SA 3. The motion was seconded by Representative Vernon and adopted by voice vote.

Representative Hebner requested and was granted the privilege of the floor for Richard Morse of the Joint Legislative Desegregation Committee.

Representative Cathcart requested that his name be removed as a sponsor of SB 593.

Representative Burris moved to recess at 6:45 p.m.

The House reconvened at 8:30 p.m.

Representative Hebner requested and was granted the privilege of the floor for H. James Conaway, Jr of the Joint Legislative Desegregation Committee.

Representative Cathcart rose on a point of order. Mr. Speaker concurred.

Five members rose for the purpose of closing debate on SB 593 w/SA 1,2,SA 1 to SA 2,SA 3.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Burris, Cain, Darling, Fallon, Ferguson, Free, George, Gordy, Harrington, Hebner, Matushefske, Minner, Morris, Neal, Petrilli, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 25.

NO: Representatives Ambrosino, T. Brady, Cathcart, Clendaniel, Connor, Gilligan, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Oberle, West - 15.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, the motion was adopted.

Representative Holloway rose on a point of order. Mr. Speaker concurred.

Representative Connor brought HA 1 to SB 593 before the House for consideration.

Representative Minner rose on a point of order. Mr. Speaker concurred.

Representative Hebner moved to place HA 1 to SB 593 on the Speaker's table. The motion was seconded by Representative Roy.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Burris, Cain, Clendaniel, Fallon, Free, George, Harrington, Hebner, Jonkiert, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 25,

NO: Representatives Ambrosino, T. Brady, Cathcart, Connor, Darling, Ferguson, Gilligan, Holloway, Loughney, Maroney, Matushefske, Maxwell, McBride, West - 14.

ABSENT: Representatives Gordy, Plant - 2.

Therefore, having received a constitutional majority, the motion was adopted and HA 1 to SB 593 was laid on the Speaker's table.

Representative Connor brought HA 2 to SB 593 before the House for consideration.

Representative Connor moved to recess. The motion was seconded by Representative Roy.

The roll call on the motion was taken and revealed:

YES: Representatives T. Brady, Burris, Cathcart, Connor, Darling, Free, Jonkiert, Matushefske, McBride, McKay, Plant, Sincock, Smith, West - 14.

NO: Representatives Ambrosino, Anderson, Bennett, W. Brady, Cain, Clendaniel, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Maroney, Maxwell, Minner, Morris, Neal, Oberle, Petrilli, Roy, Van Sciver, Vernon, Mr. Speaker Riddagh - 23.

NOT VOTING: Representatives Ferguson, Holloway, Loughney, Powell - 4.

Therefore, not having received a constitutional majority, the motion was declared defeated and the House remained in session.

Representative Burris moved to recess for caucus at 9:34 p.m.

The House reconvened at 9:48 p.m.

Representative Hebner requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

The roll call on SB 593 w/SA 1,2,SA 1 to SA 2,SA 3 was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Burris, Cain, Clendaniel, Darling, George, Gilligan, Gordy, Harrington, Hebner, Maxwell, Minner, Morris, Neal, Oberle, Petrilli, Powell, Roy, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 24.

NO: Representatives Ambrosino, T. Brady, Cathcart, Connor, Fallon, Ferguson, Holloway, Jonkiert, Loughney, Maroney, Matushefske, McBride, McKay, Plant, West - 15.

NOT VOTING: Representative Sincock - 1.

ABSENT: Representative Free - 1.

Therefore, having received a constitutional majority, SB 593 w/SA 1,2,SA 1 to SA 2,SA 3 was returned to the Senate.

Representative Sincock brought HB 950 w/SA 1 before the House for consideration.

Representative McBride brought HA 2 to HB 950 before the House for consideration.

Representative Burris moved to place HA 2 to HB 950 on the Speaker's table. The motion was seconded by Representative Sincock.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, T. Brady, Burris, Connor, Fallon, Free, Harrington, Hebner, Maroney, McKay, Neal, Oberle, Petrilli, Powell, Roy, Sincock, Smith, Vernon, Mr. Speaker Riddagh - 19.

NO: Representatives Anderson, W. Brady, Cain, Clendaniel, Darling, Ferguson, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Matushefske, Maxwell, McBride, Minner, Morris, Plant, West - 18.

ABSENT: Representatives Bennett, Cathcart, George, Van Sciver - 4.

Therefore, having received a constitutional majority, the motion was adopted and HA 2 to HB 950 was placed on the Speaker's table.

The roll call on HB 950 w/SA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Clendaniel, Connor, Darling, Free, George, Gilligan,

Gordy, Harrington, Hebner, Holloway, Jonkier, Loughney, Maroney, Matushefske, Maxwell, McKay, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 33.

NO: Representatives Cain, Cathcart, Fallon, Ferguson, McBride, Minner, Morris, West - 8.

Therefore, having received a constitutional majority, HB 950 w/SA 1 was sent to the Governor.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SCR 94, HB 951, HB 961, HB 698, HB 684, HB 810, HB 950 w/SA 1, HB 767 w/HA 1, SB 587, SB 642, SB 644, SB 564, HS 1 for HB 416, SB 632 w/SA 6, SCR 92, SB 607 w/SA 1, SB 211 w/SA 1, HB 760 w/HA 1.

I hereby appoint Representative Charles Hebner as Speaker Pro Tem in my absence on June 24, 1980.

Robert W. Riddagh
Speaker of the House

kwm

In compliance with the provisions of Rule 20 (d) of the Temporary Rules of the House of Representatives, I, Robert L. Maxwell, do hereby request that my name be removed as Sponsor/Co-Sponsor of SB 593.

6/23/80

Robert L.

Maxwell

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

Community Affairs & Economic Development: HB 1120 - 5M.

Health & Social Services: HB 1115 - 5M.

Transportation: HB 1134 - 6M; SB 552 - 6M.

Labor & Commerce: SB 603 - 4F, 1M.

Mr. Speaker Riddagh declared a recess for the purpose of changing the recording tape at 10:07 p.m.

The House reconvened at 10:09 p.m.

Representative Minner introduced and brought SCR 94, co-sponsored by Senator Zimmerman, before the House for consideration.

SCR 94 - Urging the Department of Natural Resources, the Administration, the Army Corps of Engineers, and Members of the Delaware Congressional Delegation to Cooperate in Efforts to Assure the Continued Maintenance Dredging of the Little River.

SCR 94 was adopted by voice vote and returned to the Senate.

Representative Burris moved to recess to the call of the Chair at 10:10 p.m.

50th LEGISLATIVE DAY

Second Session

June 24, 1980

The Acting Speaker called the House to order at 12:42 p.m.

Representative Holloway introduced and brought HR 243 before the House for consideration.

HR 243 - Requesting the Governor to Appoint an Ad Hoc Committee to Study and Recommend Proposals for Reorganizing the New Castle County School District.

HR 243 was adopted by voice vote.

Representative Neal introduced and brought HCR 151, co-sponsored by Senator Hale, before the House for consideration.

HCR 151 - Expressing the Appreciation of the 130th General Assembly for the Accomplishments of Kenneth C. Madden Ed. D. as He Retires After 13 Years as Superintendent of the Department of Public Instruction.

HCR 151 was adopted by voice vote and sent to the Senate for concurrence.

The Majority Leader moved to adjourn at 12:50 p.m., thereby ending the previous legislative day. The House reconvened at 12:51 p.m. A prayer was offered by Representative Maroney, Twelfth District.

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

The Chief Clerk called the roll.

Members Present: 41.

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

The following prefiled legislation was introduced:

HB 1153 - MAXWELL, MATUSHEFSKE, JONKIERT, PETRILLI; SENATOR COOK - CORRECTIONS: "An Act to Amend Title 11 and Title 29, Delaware Code, by Creating a Delaware Justice Information System Board of Managers; and Providing for an Appropriation Therefor." (3/5 bill)

HB 1154 - MINNER, VERNON - NATURAL RESOURCES: An Act to Amend Chapters 6 and 71, Title 29, Delaware Code, to Exempt Enforcement Vehicles of the Department of Natural Resources and Environmental Control From the Requirements of Identification as a State-Owned Vehicle.

HA 4 to SB 376 - MC BRIDE - HEALTH & SOCIAL SERVICES: Placed with the bill.

HA 1 to SB 590 - FALLON - Placed with the bill. (Agenda)

HA 1 to SB 640 - T. BRADY - JUDICIARY & CONSTITUTION: Placed with the bill.

SB 211 w/SA 1 - ADAMS - TRANSPORTATION: An Act to Amend Chapter 1, Title 17 of the Delaware Code Relating to Highways.

SB 564 - HALE, REPRESENTATIVE NEAL - COMMUNITY AFFAIRS & ECONOMIC DEVELOPMENT: An Act to Amend The City Charter for the City of Newark, Delaware. (2/3 bill)

SB 587 - MARTIN - ADMINISTRATIVE SERVICES & ENERGY: An Act to Amend Chapter 7, Title 4, Delaware Code, to Permit Delivery of Alcoholic Liquor on Holidays to Holders of Special Gathering Licenses.

SB 607 w/SA 1, - ZIMMERMAN, WEISS - REVENUE & FINANCE: An Act to Amend Chapter 83, Title 11, of the Delaware Code Relating to Withdrawal of Pension Contributions.

HA 1 to SA 1 to SB 607 - VAN SCIVER - REVENUE & FINANCE: Placed with the bill.

SB 632 w/SA 6 - ADAMS, COOK, CICIONE, LITTLETON; REPRESENTATIVES MAXWELL, GORDY, CLENDANIEL - REVENUE & FINANCE: An Act to Amend Chapter 51, Part IV, Title 30 of the Delaware Code Relating to the Motor Fuel Tax; and Exempting Gasohol Sales From Such Tax. (Fiscal Note)

SB 642 - CORDREY - COMMUNITY AFFAIRS & ECONOMIC DEVELOPMENT: An Act to Amend Chapter 212, Volume 25, Laws of Delaware, Entitled "An Act to Incorporate the Town of Bethany Beach and Giving It Authority to Issue Bonds" As Amended, and Relating to Residency of Commissioners, Time and Place of Annual Elections, Meetings of Commissioners, Authority of Commissioners, and Authority to Borrow Funds. (2/3 bill)

SB 644 - MARTIN - COMMUNITY AFFAIRS & ECONOMIC DEVELOPMENT: An Act to Amend Title 9, Delaware Code, to Require the New Castle County Department of Public Works to Inspect Retention Basins and Pumps at Least Once a Year, and to Enforce Maintenance of same. (2/3 bill)

Representative W. Brady requested that HB 143 be stricken.

Representative Sincock requested that HB 700 be stricken.

Representative Maxwell brought HS 2 for HB 522, co-sponsored by Representatives Sincock, McBride, Neal & Anderson, before the House for consideration.

HB 522 - An Act to Amend Title 29, Chapter 8 of the Delaware Code Relating to Composition and Reapportionment of the General Assembly.

Representative Gilligan requested and was granted the privilege of the floor for House Attorney Richard Cooch.

Representative Maxwell rose on a point of order. Mr. Acting Speaker concurred.

Representative Petrilli rose on a point of order. Mr. Acting Speaker concurred.

Representative Burris moved to place HS 2 for HB 522 on the Speaker's table. The motion was seconded by Representative Maxwell and adopted by voice vote.

Representative Burris brought HB 1112 before the House for consideration.

HB 1112 - An Act to Amend Chapter 1, Title 8, Delaware Code, Relating to the General Corporation Law. (2/3 bill)

The Reading Clerk read the following communication into the record at the request of Representative Burris:

June 16, 1980

The Honorable John M. Burris
State House of Representatives
Legislative Hall
Dover, DE 19901

Re: General Corporation Law of Delaware

Dear Representative Burris:

I write to let you know that I believe the proposed amendments to the General Corporation Law of the State of Delaware (which I understand have been introduced as House Bill No. 1112) are important to the State of Delaware. The amendments were drafted by the General Corporation Law Committee of the Delaware State Bar Association. As you may be aware, that committee is composed of 45 or 50 members of the Delaware Bar who are interested in seeing that our corporation law continues to be one of the most modern in the nation.

Of course, to achieve such an objective, we must amend the corporation law from time to time to ensure that Delaware's corporation law will continue to be attractive to large national corporations.

All of us who have worked on these amendments believe it is important that they be enacted this legislative year. I should like to take this opportunity to thank you for your efforts to date and to pass along our hope that you are successful in a bipartisan effort to enact these amendments. If our committee may be of any assistance, please do not hesitate to call on me or Charles Crompton.

Respectfully,
R. Franklin Balotti

RFB:pas

cc: Charles S. Crompton, Jr., Esquire

Representative Burris requested and was granted the privilege of the floor for R. Franklin Balotti of Richards, Layton & Finger.

The roll call on HB 1112 was taken and revealed:

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

ABSENT: Representatives Free, Jonkiert, Plant, Riddagh - 4.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 1112 was sent to the Senate for concurrence.

Representative Ambrosino introduced and brought HR 244, co-sponsored by Representatives Petrilli, Connor, Free & George, before the House for consideration.

HR 244 - Congratulating Italo-Americans United, the Delaware Federation of the Blind, and the Delaware Association of Blind Athletes for Their Work and Participation in the Popular and Successful Family Picnic Day.

HR 244 was adopted by voice vote.

Representative Gordy moved to lift the roll call on SB 230 from the Speaker's table. The motion was seconded by Representative Ambrosino and adopted by voice vote.

SB 230 - An Act Awarding Special Pension Benefits to Alice L. Banta, a Former State Employee With the Department of Public Instruction, and Further Appropriating Monies Into the Special Pension Fund Authorized by Volume 61, Chapter 455, Laws of Delaware, and Further Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by This Act, Any Provision of Chapter 55, Title 29, Delaware Code to the Contrary Notwithstanding.

The roll call on SB 230 was revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Holloway, Loughney, Matushefske, Maxwell, McBride, Minner, Morris, Neal, Oberle, Plant, West, Mr. Speaker Ferguson - 27.

NO: Representatives Hebner, Jonkiert - 2.

NOT VOTING: Representatives Burris, Free, Maroney, McKay, Petrilli, Powell, Roy, Sincock, Smith, Vernon - 10.

ABSENT: Representatives Kelly, Riddagh - 2.

Therefore, having received a constitutional majority, SB 230 was returned to the Senate.

Representative Smith brought HB 890, co-sponsored by Representative Neal, before the House for consideration.

HB 890 - An Act to Amend Chapter 1, Title 26 of the Delaware Code Relating to Solar Energy, and Rates Charged When There is Dual Generation of Electricity.

Representative Neal brought HA 1 to HB 890 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 890 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Sincok, Smith, Vernon, West, Acting Speaker Hebner - 33.

NO: Representative Morris - 1.

NOT VOTING: Representatives Powell, Roy - 2.

ABSENT: Representatives Burris, Free, Plant, Riddagh, Van Sciver - 5.

Therefore, having received a constitutional majority, HB 890 w/HA 1 was sent to the Senate for concurrence.

Representative W. Brady brought HB 1124, co-sponsored by Representatives Burris, Minner, Clendaniel & Senator Adams, before the House for consideration.

HB 1124 - An Act to Authorize the Director of the Division of Historical and Cultural Affairs to Transfer to the Delaware Agricultural Museum Association Ownership of a Log Cabin and Contents Therein Owned by the State of Delaware.

The roll call on HB 1124 was taken and revealed:

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

ABSENT: Representatives Ambrosino, Plant, Riddagh, Van Sciver - 4.

Therefore, having received a constitutional majority, HB 1124 was sent to the Senate for concurrence.

Representative Burris brought SB 366, co-sponsored by Senator Adams, before the House for consideration.

SB 366 - An Act to Transfer Land From the Milford School District to the Department of Health and Social Services.

The roll call on SB 366 was taken and revealed:

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

ABSENT: Representatives McBride, Riddagh, Van Sciver - 3.

Therefore, having received a constitutional majority, SB 366 was returned to the Senate.

Representative Roy introduced and brought SCR 93, co-sponsored by Senator Arnold, before the House for consideration.

SCR 93 - Congratulating Sheila Saints of John Dickinson High School Upon Being chosen Miss Delaware National Teenager.

SCR 93 was adopted by voice vote and returned to the Senate.

Representative Gilligan introduced and brought SCR 29, sponsored by Senator Cicione, before the House for consideration.

SCR 29 - Extending Congratulations to Daniel V. Taylor, Winner of the First Presidential Sports Award for Fitness Walking.

The Reading Clerk read the following communication into the record at the request of Representative Gilligan:

June 3, 1980

Mr. Dan Taylor
2211 Alister Drive
Faulkland Heights
Wilmington, DE 19808
Dear Dan:

On behalf of the Delaware Chapter of the March of Dimes Birth Defects Foundation, please know how grateful we are to you for your participation in the 1980 Walk-A-Thon.

I am pleased to report that through your efforts of raising \$2,200.00 in pledges to be applied to the prevention of birth defects, you are the #1 walker in the state of Delaware.

You can be proud of the fact that your continued fund raising abilities on behalf of the March of Dimes will help bring closer the day when all children will be born healthy.

Once again, many thanks for your interest and support of the March of Dimes and its fight against Birth Defects.

Best regards,
P. Michael Gahagan
Executive Director
Delaware Chapter

PMB/ck

SCR 29 was adopted by voice vote and returned to the Senate.

Representative T. Brady brought SB 477, sponsored by Senators Sharp & Weiss, before the House for consideration.

SB 477 - An Act Proposing an Amendment to the Constitution of the State of Delaware, Relating to the Term of the Office of Sheriff. (2/3 bill)

Representative T. Brady moved to place SB 477 on the Speaker's table. The motion was seconded by Representative Maroney and adopted by voice vote.

Representative Burris brought SB 478, sponsored by Senators Weiss & Sharp, before the House for consideration.

SB 478 - An Act to Amend Chapter 21, Title 10 of the Delaware Code Relating to the Office of Sheriff.

Representative Burris requested and was granted the privilege of the floor for Senator Daniel Weiss.

Representative Sincok requested and was granted the privilege of the floor for Senate Attorney Thomas Sandbach.

Representative McBride rose on a point of order. Mr. Speaker concurred.

The roll call on SB 478 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Fallon, Free, George, Gilligan, Gordy, Harrington, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Acting Speaker Hebner - 33.

NO: Representatives Darling, Ferguson, Minner, Morris, West - 5.

ABSENT: Representatives Holloway, Neal, Riddagh - 3.

Therefore, having received a constitutional majority, SB 478 was returned to the Senate.

Representative T. Brady moved to lift SB 477 from the Speaker's table. The motion was seconded by Representative Neal and adopted by voice vote.

SB 477 - An Act Proposing an Amendment to the Constitution of the State of Delaware, Relating to the Term of the Office of Sheriff. (2/3 bill)

Representative T. Brady requested and was granted the privilege of the floor for Senator Daniel Weiss.

The roll call on SB 477 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Fallon, Free, George, Gilligan, Gordy, Harrington, Loughney, Maroney, Maxwell, McBride, McKay, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Acting Speaker Hebner - 31.

NO: Representatives Bennett, Darling, Ferguson, Jonkiert, Matushefske, Minner, Morris, West - 8.

NOT VOTING: Representative Holloway - 1.

ABSENT: Representative Riddagh - 1.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 477 was returned to the Senate.

Representative Cathcart brought HB 922 before the House for consideration.

HB 922 - An Act to Amend Chapter 30, Title 30 of the Delaware Code Relating to Motor Vehicle Document Fees.

The roll call on HB 922 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, West, Acting Speaker Hebner - 37.

ABSENT: Representatives George, Matushefske, Neal, Riddagh - 4.

Therefore, having received a constitutional majority, HB 922 was sent to the Senate for concurrence.

Representative Vernon brought HB 1018, co-sponsored by Representative Minner; Senators Berndt & Zimmerman, before the House for consideration.

HB 1018 - An Act to Amend Title 7, Delaware Code, by Adding Chapter 63, Relating to the Regulation of Hazardous Waste; Providing for the Imposition of Duties on the Department of Natural Resources and Environmental Control; Prescribing Penalties and Further Providing for Enforcement of the Act.

Representative Minner brought HA 1 to HB 1018 before the House for consideration. HA 1 was adopted by voice vote.

Representative Vernon requested and was granted the privilege of the floor for Thomas Eichler of the Department of Environmental Control.

Representative Jonkiert rose on a point of order. Mr. Acting Speaker concurred.

Representative Vernon moved to place HB 1018 w/HA 1 on the Speaker's table. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Burris moved to recess at 4:15 p.m.

The House reconvened at 4:35 p.m.

The Reading Clerk read the following communication into the record at the request of Representative Smith:

June 23, 1980

Representative Gwynne P. Smith

Legislative Hall

Dover, Delaware 19901

Re: Senate Bill No. 559 (Delaware Economic Development Authority)

Dear Representative Smith:

You have asked whether Senate Bill No. 559 (The "Bill") now pending in the House of Representatives would authorize the Delaware Economic Development Authority to override the provisions of the Delaware Coastal Zone Act. In our opinion, the Bill does not grant the Authority such power.

The Bill creates the Authority as a financing body of the State authorized to issue bonds to assist enterprises that the Authority finds will either maintain or increase employment in the State, to assist in financing certain medical and nursing facilities. The powers granted the Authority are those thought to be appropriate in connection with the issuance of bonds. None of the enumerated powers includes the power to waive the provisions of the Coastal Zone Act or any other land use law of the State. None of the other provisions of the Bill provide for an explicit repeal or amendment of any of such laws.

We also feel that there is no implied power granted to the Authority to override the Coastal Zone Act. The argument in favor of drawing that implication might run as follows: one of the purposes of the Authority is to create jobs; the issuance of bonds to assist in financing a facility in the coastal zone that creates jobs is in furtherance of the purpose of the Authority; therefore, any law restricting the construction of a facility to be financed by the Authority can be waived by the Authority in order to accomplish its purpose.

The answer to that argument is that the Bill does not justify any means to reach the end of providing jobs. For instance, it does not permit the condemnation of property that is useful for industrial projects, it does not exempt property owned by an assisted person from taxation in order to lessen costs of projects possibly making some projects economically feasible and it does not exempt assisted persons from the effects of the income tax laws of the State. In order to come to the conclusion that these powers are impliedly granted to the Authority (and they are not explicitly granted) you would have to find at a minimum that the Bill would not be operative if one or more

of these powers were not implied. Even then, it would be very difficult, to say the least, to convince a court that anyone of these powers should be implied without a clear showing that the General Assembly intended to grant such powers to the Authority.

As participants in the drafting of the Bill, we can say that we know of no attempt to provide a grant of power or the implication of a grant of power to the Authority to supersede the Coastal Zone Act or any other law that governs the type of facility that can be financed by the Authority in the coastal zone. We would like to point out that the synopsis of the Bill, which will form part of the legislative history that may be used to interpret the Bill, if enacted, states that the Authority is given "...the necessary general powers to carry out its duties consistent with State law..." This statement suggests to us that the General Assembly contemplates that the Authority will be circumscribed by State law in the absence of a grant to the contrary. In view of the foregoing, we believe it highly unlikely that a court would find implied power in the Authority to override the Coastal Zone Act.

Since no provision of the Bill specifically or impliedly repeals or amends, or grants the power to repeal or amend the Coastal Zone Act, and therefore does not deal with the same subject matter as the Coastal Zone Act, the section of the Bill providing that any provision of the Bill will control any inconsistent provision of any other law has no effect on the operation of the Coastal Zone Act.

If you have any questions about this letter, we would be happy to discuss them with you.

Very truly yours,
Harvey Napner

Representative McBride rose on a point of order. Mr. Acting Speaker concurred.

Representative Ferguson brought HB 985 - HA 1 before the House for consideration.

HB 985 - An Act to Amend Title 4, Delaware Code, Relating to Delivery of Beer on Sundays.

Representative Ferguson brought HA 1 to HB 985 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 985 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, Burris, Cain, Cathcart, Connor, Darling, Ferguson, Free, George, Gordy, Harrington, Holloway, Loughney, Maroney, Matushefske, Maxwell, McBride, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Van Seiver, Vernon, Acting Speaker Hebner - 32.

NO: Representatives W. Brady, Clendaniel, Fallon, Gilligan, Jonkiert, McKay, Minner, West - 8.

NOT VOTING: Representative T. Brady - 1.

Therefore, having received a constitutional majority, HB 985 w/HA 1 was sent to the Senate for concurrence.

Representative Fallon brought HB 987 - HA 1,2, co-sponsored by Representatives Free, Neal, Smith, Powell, Connor, Roy, Maroney, Cathcart, Hebner, T. Brady, Van Seiver, W. Brady & Anderson, before the House for consideration.

HB 987 - An Act to Amend Chapter 94, Title 29 of the Delaware Code Relating to the Delaware Energy Office, to Provide Financial Incentives for the Development of Renewable Sources of Energy and Making a Supplemental Appropriation to the Delaware Energy Office for the Operation of Such a Program.

Representative Fallon moved to place HB 987 - HA 1,2 on the Speaker's table. The motion was seconded by Representative McBride and adopted by voice vote.

Representative Petrilli brought SB 570, sponsored by Senator Sharp, before the House for consideration.

SB 570 - An Act to Amend Chapter 65, Part IV, Title 11 of the Delaware Code Relating to Work by Inmates of Delaware Prisons.

Representative McBride requested and was granted the privilege of the floor for Frederick VanSant, Chief, Bureau of Adult Correction.

The roll call on SB 570 was taken and revealed:

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

NOT VOTING: Representative Plant - 1.

ABSENT: Representative Maxwell - 1.

Therefore, having received a constitutional majority, SB 570 was returned to the Senate.

Representative Ambrosino brought HB 652 before the House for consideration.

HB 652 - An Act to Amend Chapter 68, Part I, Title 18 of the Delaware Code Relating to Health Care Malpractice Insurance and Litigation; and Relating Specifically to Malpractice Review Panels.

Representative Bennett requested and was granted the privilege of the floor for House Attorney Richard Cooch.

Representative Bennett requested and was granted the privilege of the floor for James B. McClements, M.D.

The roll call on HB 652 was taken and revealed:

YES: Representatives Ambrosino, Cathcart, Connor, Jonkiert, Loughney, Neal, Oberle, Plant, Smith, Van Sciver, Acting Speaker Hebner - 11.

NO: Representatives Anderson, Bennett, W. Brady, Burris, Clendaniel, Darling, Fallon, Free, Gilligan, Gordy, Harrington, Maroney, Matushefske, McKay, Minner, Morris, Powell, Riddagh, Sincock, Vernon - 20.

NOT VOTING: Representatives Holloway, Maxwell - 2.

ABSENT: Representatives T. Brady, Cain, Ferguson, George, McBride, Petrilli, Roy, West - 8.

Therefore, not having received a constitutional majority, HB 652 was declared defeated.

Representative Jonkiert brought HB 699 before the House for consideration.

HB 699 - An Act to Amend Chapter 25, Title 24, Delaware Code, Relating to Renewal of Licenses to Pharmacists and Assistant Pharmacists.

The roll call on HB 699 was taken and revealed:

YES: Representatives Ambrosino, Anderson, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McKay, Minner, Morris, Neal, Plant, Powell, Sincock, Smith, Van Seiver, Vernon, West, Mr. Speaker Riddagh - 32.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representatives Bennett, T. Brady, Cain, Ferguson, George, McBride, Petrilli, Roy - 8.

Therefore, having received a constitutional majority, HB 699 was sent to the Senate for concurrence.

Representative Neal brought HB 1106 before the House for consideration.

HB 1106 - An Act to Amend Title 6 of the Delaware Code Relating to the Protection of Trade Secrets.

The roll call on HB 1106 was taken and revealed:

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

NO: Representative Ambrosino - 1.

ABSENT: Representative George - 1.

Therefore, having received a constitutional majority, HB 1106 was sent to the Senate for concurrence.

Representative T. Brady brought HB 1058, co-sponsored by Representative Cain & Senator Cicione, before the House for consideration.

HB 1058 - An Act Amending Chapter 45, Title 10 of the Delaware Code Providing for Reimbursement of Jurors' Parking Expenses.

The roll call on HB 1058 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Fallon, Ferguson, Free, Gilligan, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Sincock, Smith, Van Seiver, West, - 31.

NO: Representatives Clendaniel, Darling, Harrington, Morris, Roy, Vernon, Mr. Speaker Riddagh - 7.

NOT VOTING: Representative Bennett - 1.

ABSENT: Representatives George, Gordy - 2.

Therefore, having received a constitutional majority, HB 1058 was sent to the Senate for concurrence.

Representative Gilligan brought HB 343 - HA 1,2,3,4 before the House for consideration.

HB 343 - An Act to Amend Title 14, Delaware Code, by Creating a Professional Counselor Licensure.

Representative Gilligan moved to place HB 343 - HA 1,2,3,4 on the Speaker's table. The motion was seconded by Representative Sincock and adopted by voice vote.

Representative Hebner brought HB 1029, co-sponsored by Senator Hughes, before the House for consideration.

HB 1029 - An Act to Amend Subchapter II, Title 21 of the Delaware Code Relating to Interference With Traffic Control Devices. (2/3 bill)

The roll call on HB 1029 was taken and revealed:

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

NOT VOTING: Representative Plant - 1.

ABSENT: Representatives Gordy, Matushefske - 2.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 1029 was sent to the Senate for concurrence.

Representative Oberle brought HB 1111, co-sponsored by Representative Maxwell, before the House for consideration.

HB 1111 - An Act to Amend Chapters 9 and 11 of Title 19 of the Delaware Code Relating to Minimum Wage and Wage Payment Collection.

The roll call on HB 1111 was taken and revealed:

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

NO: Representative Neal - 1.

ABSENT: Representatives Gordy, Matushefske - 2.

Therefore, having received a constitutional majority, HB 1111 was sent to the Senate for concurrence.

Representative Vernon moved to lift HB 1018 w/HA 1 from the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

HB 1018 - An Act to Amend Title 7, Delaware Code, by Adding Chapter 63, Relating to the Regulation of Hazardous Waste; Providing for the Imposition of Duties on the Department of Natural Resources and Environmental Control; Prescribing Penalties and Further Providing for Enforcement of the Act.

Representative Neal brought HA 2 to HB 1018 before the House for consideration. HA 2 was adopted by voice vote.

The roll call on HB 1018 w/HA 1,2 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 41.

Therefore, having received a constitutional majority, HB 1018 w/HA 1,2 was sent to the Senate for concurrence.

Representative Vernon moved to suspend the rules which interfere with action on HB 1062. The motion was properly seconded and adopted by voice vote.

Representative Vernon introduced and brought HB 1062, co-sponsored by Representative Minner; Senators Berndt & Zimmerman, before the House for consideration.

HB 1062 - An Act to Amend Chapter 60, Title 7, Delaware Code to Authorize the Secretary of the Department of Natural Resources and Environmental Control to Develop and Carry Out a State Pretreatment Program for Publicly Owned Treatment Works and Industrial Users of Such Treatment Works in Accordance With Federal Laws and Regulations and to Appropriate Funds for Such Purpose.

Representative Vernon brought HA 1 to HB 1062 before the House for consideration. HA 1 was adopted by voice vote.

Representative Vernon requested and was granted the privilege of the floor for Thomas Eichler, Director, Division of Environmental Control.

The roll call on HB 1062 w/HA 1 was taken and revealed:

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

NO: Representative Connor - 1.

ABSENT: Representatives Cathcart, Matushefske, Van Sciver - 3.

Therefore, having received a constitutional majority, HB 1062 w/HA 1 was sent to the Senate for concurrence.

Representative Burris moved to recess for caucus and dinner at 6:26 p.m.

The House reconvened at 8:29 p.m.

Representative Smith introduced and brought HCR 152, co-sponsored by Senator Martin, before the House for consideration.

HCR 152 - Requesting the Members of the Delaware Congressional Delegation to Support Legislation Protecting the National Barrier Island System.

HCR 152 was adopted by voice vote and sent to the Senate for concurrence.

Representative Bennett moved to suspend the rules which interfere with introduction of and action on HB 1152. The motion was properly seconded.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Clendaniel, George, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 30.

NO: Representatives Clendaniel, George, Jonkiert, Loughney, Morris, West - 6.

NOT VOTING: Representative Plant - 1.

ABSENT: Representatives Cathcart, Connor, Harrington, Matushefske - 4.

Therefore, having received a constitutional majority, the motion was adopted and the rules were suspended.

Representative Bennett introduced and brought HB 1152, co-sponsored by Representatives McKay & Petrilli, before the House for consideration.

HB 1152 - An Act to Amend Chapter 29, Title 24 of the Delaware Code Relating to Real Estate Brokers and Salespersons and Real Estate Appraisers.

The roll call on HB 1152 was taken and revealed:

YES: Representatives Bennett, T. Brady, W. Brady, Burris, Cain, Fallon, Free, Gilligan, Hebner, Holloway, Maroney, McBride, McKay, Minner, Neal, Oberle, Petrilli, Powell, Roy, Sincock, Smith, Mr. Speaker Riddagh - 22.

NO: Representatives Ambrosino, Anderson, Clendaniel, Connor, Darling, Gordy, Jonkiert, Loughney, Maxwell, Morris, Plant, Van Sciver, West - 13.

NOT VOTING: Representatives George, Harrington, Vernon - 3.

ABSENT: Representatives Cathcart, Ferguson, Matushefske - 3.

Therefore, having received a constitutional majority, HB 1152 was sent to the Senate for concurrence.

Representative Neal moved to lift HB 953 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

HB 953 - An Act to Amend Title 25, Chapter 55 of the Delaware Code to Provide for a Penalty for a Violation of Section 5511. (2/3 bill)

Representative Neal brought HA 1 to HB 953 before the House for consideration. HA 1 was adopted by voice vote.

Representative Neal moved to place HB 953 w/HA 1 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Burris brought HB 1099 - HA 1, co-sponsored by Representatives Gordy, Maxwell, West, Fallon, Clendaniel, Harrington, Riddagh, Bennett, Minner, Vernon, Morris, Darling; Senators Adams, Cordrey, Littleton & Murphy, before the House for consideration.

HB 1099 - An Act to Amend Subchapter II, Chapter I, Title 26 of the Delaware Code to Exclude From the Jurisdiction of the Public Service Commission Public Utilities Created Pursuant to the Rural Electrification Act of 1936 as Amended.

Representative Clendaniel brought HA 1 to HB 1099 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 1099 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Maroney, Maxwell, McBride, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 36.

NO: Representatives Loughney, McKay - 2.

NOT VOTING: Representative T. Brady - 1.

ABSENT: Representatives Clendaniel, Matushefske - 2.

Therefore, having received a constitutional majority, HB 1099 w/HA 1 was sent to the Senate for concurrence.

Representative West brought HB 563 before the House for consideration.

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

Representative Burris rose on a point of order. Mr. Speaker concurred.

Representative West moved to place HB 563 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative West moved to lift HB 816 w/HA 2, SA 2 from the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

HB 816 - An Act to Amend Chapters 5, 7 and 13 of Title 7 of the Delaware Code Relating to Possession or Setting of Certain Traps and Penalties Therefore; and for the Creation of a Wildlife Theft Prevention Fund.

The roll call on HB 816 w/HA 2, SA 2 was taken and revealed:

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

NO: Representative Jonkiert - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 816 w/HA 2, SA 2 was sent to the Governor.

Representative Cathcart introduced HB 1155.

HB 1155 - An Act to Amend Chapter 9, Title 24, Delaware Code, Relating to Deadly Weapons.

Mr. Speaker assigned HB 1155 to the Judiciary & Constitution Committee.

Representative Smith brought HB 1085, co-sponsored by Representative George, before the House for consideration.

HB 1085 - 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 on HB 1085 was taken and revealed:

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

NO: Representatives Ambrosino, Clendaniel - 2.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HB 1085 was sent to the Senate for concurrence.

Representative George moved to suspend all rules which interfere with introduction of and action on SB 648. The motion was seconded by Representative Burris and adopted by voice vote.

Representative George introduced and brought SB 648, sponsored by Senators Cordrey & Berndt, before the House for consideration.

SB 648 - An Act to Transfer \$3,050,000 Into the State's Budget Reserve Account.

The roll call on SB 648 was taken and revealed:

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 648 was returned to the Senate.

Representative Holloway brought HB 701 before the House for consideration.

HB 701 - An Act to Amend Chapter 43, Part III, Title 21 of the Delaware Code Relating to the Equipment and Construction of Vehicles; and Providing for a Prohibition on the Use of Devices on Motor Vehicles to Detect the Presence of Radar Upon Highways.

Representative Holloway moved to place HB 701 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Neal moved to lift HB 953 w/HA 1 from the Speaker's table. The motion was seconded by Representative Smith and adopted by voice vote.

HB 953 - An Act to Amend Title 25, Chapter 55 of the Delaware Code to Provide for a Penalty for a Violation of Section 5511. (2/3 bill)

Representative Neal requested that HA 1 to HB 953 be stricken.

Representative Neal brought HA 2 to HB 953 before the House for consideration. HA 2 was adopted by voice vote.

Representative Ferguson rose on a point of order. Mr. Speaker concurred.

Representative T. Brady rose on a point of order. Mr. Speaker concurred.

Representative Neal requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

Representative Neal moved to waive House Rule 22. The motion was properly seconded and adopted by voice vote.

The roll call on HB 953 w/HA 2 was taken and revealed:

YES: Representatives Ambrosino, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Ferguson, Gordy, Holloway, McKay, Neal, Oberle, Powell, Smith, Van Sciver, Mr. Speaker Riddagh - 17.

NO: Representatives Bennett, Darling, Fallon, George, Gilligan, Hebner, Jonkiert, Maroney, Maxwell, McBride, Minner, Morris, Petrilli, Plant, Roy, Sincok, Vernon, West - 18.

NOT VOTING: Representatives Anderson, Clendaniel, Free, Harrington, Loughney - 5.

ABSENT: Representative Matushefske - 1.

Therefore, not having received a constitutional majority of at least two-thirds members of the House, HB 953 w/HA 2 was declared defeated.

Representative Riddagh brought HB 1120, co-sponsored by Senators Cook & Spence, before the House for consideration.

HB 1120 - An Act to Reincorporate the Town of Smyrna. (2/3 bill)

The roll call on HB 1120 was taken and revealed:

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

NO: Representatives Jonkiert, Loughney - 2.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 1120 was sent to the Senate for concurrence.

Representative Burris brought HJR 36 before the House for consideration.

HJR 36 - Appropriating \$48,000 to the Workmen's Compensation Commission for Expenses Incurred in Developing Its Final Report to the Governor and to the General Assembly.

The roll call on HJR 36 was taken and revealed:

YES: The roll call on HJR 36 was taken and revealed:

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

NO: Representatives Jonkiert, Loughney - 2.

ABSENT: Representatives Cathcart, Matushefske - 2.

Therefore, having received a constitutional majority, HJR 36 was sent to the Senate for concurrence.

Representative Sincock brought HB 1053 - HA 1, co-sponsored by Representative Matushefske & Senator Hughes, before the House for consideration.

HB 1053 - An Act Awarding Service-Connected Disability Payments Pursuant to Chapter 83, Title 11, of the Delaware Code, and Directing the Board of Pension Trustees to Grant Such Application for Service-Connected Disability.

Representative Sincock moved to place HB 1053 - HA 1 on the Speaker's table. The motion was adopted by voice vote.

Representative Free brought SB 590 - HA 1, sponsored by Senator Littleton & Representative Fallon, before the House for consideration.

SB 590 - An Act to Amend An Act Being Chapter 42, Volume 53, Laws of Delaware, As Amended, Entitled "An Act Amending, Revising and Consolidating the Charter of the City of Seaford" to Permit the Issuing of Revenue Bonds. (2/3 bill)

Representative Fallon brought HA 1 to SB 590 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on SB 590 w/HA 1 was taken and revealed:

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 590 w/HA 1 was returned to the Senate.

Representative Maroney moved to suspend the rules which interfere with introduction of and action on SB 660. The motion was properly seconded and adopted by voice vote.

Representative Maroney introduced and brought SB 660, sponsored by Senators Hughes, Knox & Sharp, before the House for consideration.

SB 660 - An Act to Amend Chapter 16, Title 24 of the Delaware Code Relating to Adult Bookstores.

The roll call on SB 660 was taken and revealed:

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 660 was returned to the Senate.

Representative Sincock moved to lift HB 1053 - HA 1 from the Speaker's table. The motion was seconded by Representative Ferguson and adopted by voice vote.

HB 1053 - An Act Awarding Service-Connected Disability Payments Pursuant to Chapter 83, Title 11, of the Delaware Code, and Directing the Board of Pension Trustees to Grant Such Application for Service-Connected Disability.

Representative Sincock brought HA 1 to HB 1053 before the House for consideration. HA 1 was adopted by voice vote.

Representative T. Brady rose on a point of order. Mr. Speaker concurred.

The roll call on HB 1053 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Gilligan, Gordy, Hebner, Holloway, Loughney, Maxwell, McBride, Minner, Morris, Oberle, Petrilli, Plant, Roy, Sincock, Smith, Van Sciver, Vernon, West, - 30.

NO: Representative Neal - 1.

NOT VOTING: Representatives Bennett, Free, Harrington, Jonkiert, Maroney, McKay, Powell, Mr. Speaker Riddagh - 8.

ABSENT: Representatives George, Matushefske - 2.

Therefore, having received a constitutional majority, HB 1053 w/HA 1 was sent to the Senate for concurrence.

Representative Cathcart moved to suspend the rules which interfere with action on SB 540 - HA 1,2,3,4. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Cathcart moved to defer action on SB 540 - HA 1,2,3,4 to a day certain, Thursday, June 26, 1980.

Representative Burris requested that HA 1 to SB 540 be stricken.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 489 w/SA 2,3; SB 633 w/SA 1; SB 471, SB 660, SJR 52, HB 1007, SB 650, SB 499, SB 627, SB 610, SB 561 w/SA 1, SB 615, SB 215 w/SA 1, SB 618, SB 645, SB 648, SB 612, HB 1044, HB 809, HB 827 w/HA 1, SCR 29, SCR 93, HCR 151.

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

Administrative Services & Energy: SB 613 - 3M; SB 462 - 3M; SJR 48 w/SA 1 - 3M; SB 563 - 3M; HB 765 - 3M; HB 1145 - 1F, 2M; HB 948 - 3M; HB 1017 - 3M.

Banking & Insurance: SB 516 - 3M; HB 1068 - 3M.

Community Affairs & Economic Development: SB 564 - 7M.

Judiciary & Constitution: HB 1132 - 4M; SB 640 - HA 1 - 4M; SB 219 - 1F, 3M.

Education: HB 1142 - 3F,2M,1 UF; HB 1131 - 1F, 4M.

Revenue & Finance: HB 1086 - 4M; SB 261 w/SA 1 - 4M.

Natural Resources: HB 1154 - 1F, 2M.

Representative Minner requested that HB 593 be stricken.

Representative McBride requested that HA 3 to SB 376 be stricken.

Representative Burris moved to recess to the call of the Chair at 10:55 p.m.

51st LEGISLATIVE DAY
Second Session
June 25, 1980

The Speaker called the House to order at 12:40 p.m.

Representative Maxwell moved to lift HS 2 for HB 522 from the Speaker's table. The motion was seconded by Representative Hebner and adopted by voice vote.

HB 522 - An Act to Amend Title 29, Chapter 8 of the Delaware Code Relating to Composition and Reapportionment of the General Assembly.

Representative Gordy requested and was granted the privilege of the floor for House Attorney Richard Cooch.

Representative Ferguson brought HA 1 to HS 2 for HB 522 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HS 2 for HB 522 w/HA 1 was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Loughney, Maroney, Maxwell, McBride, McKay, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 34.

NO: Representatives Clendaniel, Darling, Jonkiert, Minner, West - 5.

ABSENT: Representatives Ambrosino, Matushefske - 2.

Therefore, having received a constitutional majority, HS 2 for HB 522 w/HA 1 was sent to the Senate for concurrence.

Representative Free moved to lift HB 638 w/HA 1 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

HB 638 - An Act to Amend Chapter 43, Title 11 of the Delaware Code, Relating to Sentencing.

Representative Free brought HA 2 to HB 638 before the House for consideration. HA 2 was adopted by voice vote.

Representative Free requested and was granted the privilege of the floor for House Attorney Gerald Street.

Representative Loughney requested and was granted the privilege of the floor for House Attorney Richard Cooch.

The roll call on HB 638 w/HA 1,2 was taken and revealed:

YES: Representatives T. Brady, Free, Hebner, Maroney, - 4.

NO: Representatives Ambrosino, Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Loughney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Roy, Sincok, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 33.

NOT VOTING: Representative Smith - 1.

ABSENT: Representatives Ferguson, Matushefske, Plant - 3.

Therefore, not having received a constitutional majority, HB 638 w/HA 1,2 was declared defeated.

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

Public Safety: HB 1151 - 5M.

Administrative Services & Energy: SB 510 - 3F, 1M; HB 702 - 1F, 2M; SB 217 - 2F, 1M.

Banking & Insurance: HB 878 - 3M; HB 877 - 3M.

Appropriations: HB 1070 - HA 1,2 - 2F, 5M, 1UF.

Aging: HB 459 - 2F, 2M, 1UF.

School Financing: SB 581 - 2F, 1M.

Community Affairs & Economic Development: SB 588 - 7M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 626, SCR 96.

The Majority Leader moved to adjourn at 2:03 p.m., thereby ending the previous legislative day. The House reconvened at 2:04 p.m. A prayer was offered by Representative Free, Fourth District.

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

The Chief Clerk called the roll.

Members Present: 41.

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

The following prefiled legislation was introduced:

HB 1156 - ANDERSON; SENATOR HOLLOWAY - PUBLIC SAFETY: An Act to Make a Supplementary Appropriation to the Department of Public Safety for the Purpose of Developing a Program of Crime Prevention for the Elderly. (3/5 bill)

HB 1157 - VAN SCIVER - EDUCATION: An Act to Amend Delaware Code, Title 14 in Order to Provide for a Limited Program in Driver Education for Motorcycle Drivers and Providing a Supplemental Appropriation to the State Board of Education.

HS 1 for HB 482 - DARLING - JUDICIARY & CONSTITUTION: An Act to Amend Chapter 23, Title 10 of the Delaware Code to Provide Parity in Salaries for the Chief Deputy Prothonotary of Each County.

HA 2 to HB 527 - GORDY - APPROPRIATIONS: Placed with the bill.

HA 1 to HB 1026 - OBERLE - Placed with the bill. (Ready List)

HA 2 to HB 1070 - GORDY - APPROPRIATIONS: Placed with the bill.

HA 1 to HB 1071 - MARONEY - REVENUE & FINANCE: Placed with the bill.

HA 1 to SB 526 - MC BRIDE - Placed with the bill. (Agenda)

SB 215 w/SA 1 - HOLLOWAY - HEALTH & SOCIAL SERVICES: An Act to Amend Title 31, Delaware Code, Relating to the Establishment of a Protective Services Unit Within the Department of Health and Social Services and Further Providing a Supplementary Appropriation Therefor. (Fiscal Note)

SB 471 - SHARP - ADMINISTRATIVE SERVICES & ENERGY: An Act to Amend Chapter 55, Title 29, Del. C., Relating to the State Employees' Pension Plan by Providing for a Reduced Service Pension After Twenty-Five Years of Credited Service Regardless of Age. (Fiscal Note)

SB 489 w/SA 2,3 - WEISS, HALE - ETHICS & HOUSE ADMINISTRATION: An Act to Amend Title 29, Delaware Code, to Require Financial Disclosure for State Officials and Employees.

SB 499 - MC DOWELL - ADMINISTRATIVE SERVICES & ENERGY: 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.

SB 561 w/SA 1 - ARNOLD, SHARP, MURPHY - JUDICIARY & CONSTITUTION: An Act Proposing an Amendment to Article XV of the Constitution of the State of Delaware Relating to the Award of Contracts. (2/3 bill)

SB 610 - SHARP - PUBLIC SAFETY: An Act to Amend Title 6, Section 2902, of the Delaware Code Pertaining to the Advertisement of Retail Motor Fuel Prices.

SB 612 - COOK, BERNDT; REPRESENTATIVES GORDY, SINCOCK - ADMINISTRATIVE SERVICES & ENERGY: An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to the Establishment of a Delaware County and Municipal Pension Plan.

SB 615 - MC DOWELL, BERNDT, WEISS; REPRESENTATIVES T. BRADY, GEORGE, SINCOCK - ETHICS & HOUSE ADMINISTRATION: An Act to Amend Chapter 21, Part III, Title 29 of the Delaware Code Relating to the Annual Salary of the Governor. (Fiscal Note)

SB 618 - ADAMS, BERNDT; REPRESENTATIVE POWELL - CORRECTIONS: An Act to Amend Chapter 663, Volume 60, Laws of Delaware, As Amended by Chapter 106, Volume 62 Relating to Pension Benefits of Corrections Officers.

SB 627 - MURPHY - REVENUE & FINANCE: An Act to Amend Chapter 40, Title 31, Delaware Code, by Increasing the Amount of Bonds and Notes the Delaware State Housing Authority can Issue.

SB 633 w/SA 1 - COOK, CORDREY, HALE, BERNDT; REPRESENTATIVES GORDY, SINCOCK - APPROPRIATIONS: An Act to Amend Chapter 55, Title 29, Delaware Code, to Provide Post-Retirement Increases to Pensioners Who Retired Prior to 1980 and Providing a Supplemental Appropriation Therefor. (Fiscal Note)

SB 645 - CICIONE, CORDREY; REPRESENTATIVES GORDY, BURRIS - JUDICIARY & CONSTITUTION: An Act to Amend Chapter 41, Title 21, Delaware Code to Permit Mail-In Fines for Violations on the Delaware Memorial Bridge.

SB 650 - HALE, BERNDT, CICIONE, COOK, HOLLOWAY, KEARNS, KNOX, LITTLETON, MC DOWELL, MARSHALL, MURPHY, SHARP, SPENCE, WEISS; REPRESENTATIVES AMBROSINO, ANDERSON, BENNETT, MARONEY, MATUSHEFSKE, MINNER, MORRIS, ROY, SMITH - EDUCATION: An Act to Amend Delaware Code, Title 14 by Providing for a Delaware Public School Enrollees' Immunization Program and Exemptions.

SJR 52 - HOLLOWAY; REPRESENTATIVE CONNOR - EDUCATION: A Resolution Creating a Council on Community Education. Representative Minner introduced and brought HR 245, co-sponsored by Representative Fallon, before the House for consideration.

HR 245 - Commending the American Legion Auxiliary, Department of Delaware, and the Participants in the 1980 Girls State for Renewing This Unique Educational Experience.

HR 245 was adopted by voice vote.

Representative Oberle introduced and brought HCR 153, co-sponsored by Representative Neal & Senator Martin, before the House for consideration.

HCR 153 - Urging the Department of Natural Resources and Environmental Control, Solid Waste Division, to Require a Ground Water Monitoring system, Plans for Closure and Specifications for Water Tank.

HCR 153 was adopted by voice vote and sent to the Senate for concurrence.

Representative Darling introduced and brought HR 246, co-sponsored by Representatives Minner, Harrington, Morris & Maxwell, before the House for consideration.

HR 246 - Requesting All Law-Enforcement Agencies of the State of Delaware and the Political Subdivisions to Cooperate in the Enforcement of Chapter 16, Title 16 of the Delaware Code Providing for the Control of Litter.

HR 246 was adopted by voice vote.

Representative Smith introduced and brought HCR 154, co-sponsored by Senator Adams, before the House for consideration.

HCR 154 - Expressing the Concern of the Delaware General Assembly Regarding the Provisions of the National Energy Mobilization Board Bill Which Preempt State Authority Over Its Lands Uses.

HCR 154 was adopted by voice vote and sent to the Senate for concurrence.

Representative Hebner introduced and brought SCR 92, sponsored by Senator Cordrey, before the House for consideration.

SCR 92 - Requesting the Research Analyst of Legislative Council to Review the Method and Source of Funding and the Amount of Appropriations by the State of Maryland to Local Law Enforcement Agencies.

SCR 92 was adopted by voice vote and returned to the Senate.

Representative West introduced and brought HR 247, co-sponsored by Representative Plant, before the House for consideration.

HR 247 - Requesting the Secretary of the Department of Public Safety to Create an Award to be Made Annually to the state Police Officer Who Stops the Largest Number of Drivers for Speeding.

Representative Hebner moved to place HR 247 on the Speaker's table. The motion was seconded by Representative Harrington.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, T. Brady, W. Brady, Cain, Cathcart, Connor, Fallon, Ferguson, Free, George, Harrington, Hebner, Holloway, Maroney, Maxwell, McKay, Minner, Neal, Oberle, Petrilli, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 27.

NO: Representatives Clendaniel, Darling, Gilligan, Gordy, Jonkiert, Loughney, McBride, Morris, Plant, West - 10.

ABSENT: Representatives Ambrosino, Bennett, Burris, Matushefske - 4.

Therefore, having received a constitutional majority, the motion was adopted and HR 247 was laid on the Speaker's table.

Representative Darling brought HB 924, co-sponsored by Representatives Ferguson, W. Brady, Maxwell, Minner, Gilligan, Harrington, Morris & Loughney, before the House for consideration.

HB 924 - An Act to Amend Chapter 16, Title 16 of the Delaware Code Relating to Litter Control and to Provide for Payment by Mail for Violations of the Law. (2/3 bill)

Representative Darling brought HA 1 to HB 924 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 924 w/HA 1 was taken and revealed:

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 924 w/HA 1 was sent to the Senate for concurrence.

Representative Burris moved to recess for caucus at 3:02 p.m.

The House reconvened at 4:23 p.m.

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

Health & Social Services: SB 215 w/SA 1 - 5M.

Appropriations: SB 617 - 7M.

Representative Connor moved to suspend the rules which interfere with introduction of and action on HJR 41. The motion was seconded by Representative Harrington and adopted by voice vote.

Representative Connor requested that HJR 38 be stricken.

Representative Connor introduced and brought HJR 41, co-sponsored by Representatives Ambrosino, Cathcart, Free, Maroney, Powell, Roy, Van Sciver, George, Gilligan, Jonkiert, Loughney, Maxwell, McBride & Senator Cicione, before the House for consideration.

HJR 41 - Requesting the Attorney General to Suspend Enforcement of the Charitable Gambling Guidelines Presently in Effect While the General Assembly Continues to Study the Subject.

The roll call on HJR 41 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Cathcart, Connor, Fallon, Ferguson, Free, George, Gilligan, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, Neal, Oberle, Powell, Roy, Sincock, Smith, Van Sciver - 25.

NO: Representatives Bennett, W. Brady, Burris, Clendaniel, Darling, McKay, Minner, Morris, Vernon, West, Mr. Speaker Riddagh - 11.

NOT VOTING: Representative Petrilli - 1.

ABSENT: Representatives T. Brady, Cain, Gordy, Plant - 4.

Therefore, having received a constitutional majority, HJR 41 was sent to the Senate for concurrence.

Representative Gordy brought HB 789 - HA 1, co-sponsored by Representatives Maroney, George, McBride & Maroney, before the House for consideration.

HB 789 - An Act to Amend Chapter 31, Title 14 of the Delaware Code, to Lower the Minimum Age of a Handicapped Person Requiring Special Educational Services to Three and Making an Appropriation Therefor.

Representative Gordy brought HA 1 to HB 789 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 789 w/HA 1 was taken and revealed:

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

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, HB 789 w/HA 1 was sent to the Senate for concurrence.

Representative Matushefske moved to suspend the rules which interfere with action on HB 516. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Matushefske brought HB 516, co-sponsored by Senator Murphy, before the House for consideration.

HB 516 - An Act to Amend Chapter 88, Title 29 of the Delaware Code Relating to State Bank Commissioner's Office.

The roll call on HB 516 was taken and revealed:

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

NOT VOTING: Representative Cain - 1.

ABSENT: Representatives Ferguson, Plant, Sincock, West - 4.

Therefore, having received a constitutional majority, HB 516 was sent to the Senate for concurrence.

Representative T. Brady brought HB 1115, co-sponsored by Representative Minner, before the House for consideration.

HB 1115 - An Act to Amend Chapter 9 and 11, Title 13, Delaware Code Relating to Adoption and Termination of Parental Rights.

The roll call on HB 1115 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, McKay, Minner, Morris, Powell, Smith, Van Sciver, West, - 33.

NO: Representatives Neal, Oberle, Roy, Vernon, Mr. Speaker Riddagh - 5.

ABSENT: Representatives Petrilli, Plant, Sincock - 3.

Therefore, having received a constitutional majority, HB 1115 was sent to the Senate for concurrence.

Representative Cain moved to suspend the rules which interfere with action on HB 981. The motion was properly seconded and adopted by voice vote.

Representative Cain brought HB 981, co-sponsored by Representatives George, T. Brady; Senators McDowell & Marshall, before the House for consideration.

HB 981 - An Act to Amend Delaware Code, Title 14 by Clarifying the Authority of the State Board of Education to Make Rules and Regulations Concerning Interscholastic Athletics and Prohibiting the Approval of any Regulation That Would Prohibit Competition Between Public and Nonpublic Schools.

Representative Cain brought HA 1 to HB 981 before the House for consideration. Representative Cain requested that HA 1 to HB 981 be stricken.

The roll call on HB 981 was taken and revealed:

YES: Representatives T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Darling, Ferguson, Free, George, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Maroney, Matushefske, Maxwell, McBride, Morris, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 30.

NO: Representatives Ambrosino, Bennett, Burris, Connor, Fallon, Harrington, Hebner, McKay, Minner, Neal - 10.

ABSENT: Representative Anderson - 1.

Therefore, having received a constitutional majority, HB 981 was sent to the Senate for concurrence.

Representative Ambrosino brought HB 714 before the House for consideration.

HB 714 - An Act to Amend Chapter 68, Part I, Title 18 of the Delaware Code Relating to Health Care Malpractice Insurance

and Litigation; and Relating Specifically to the Temporary Joint Underwriting Association.

Representative Ambrosino moved to place HB 714 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative W. Brady brought HB 1118, co-sponsored by Representative Holloway; Senators Arnold, Holloway & Spence, before the House for consideration.

HB 1118 - An Act to Authorize the Conveyance of the Properties Known as the Hodgson Vocational-Technical School, the Howard Career Center, the Howard High School and the Marshallton Elementary School to the New Castle County Vocational-Technical School District.

The roll call on HB 1118 was taken and revealed:

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

NOT VOTING: Representative Gilligan - 1.

ABSENT: Representatives Ambrosino, Cain, Jonkiert - 3.

Therefore, having received a constitutional majority, HB 1118 was sent to the Senate for concurrence.

Representative Connor brought HB 1006, co-sponsored by Representatives Free, Ambrosino, McKay, Van Sciver, Neal, Sincok & Senator McDowell, before the House for consideration.

HB 1006 - An Act to Amend Title 14 of the Delaware Code Rescinding Statutory Authority for a Non-Operational Commission and Providing for the Statutory Creation of Its Successor Agency, the Delaware Post-Secondary Education Commission.

Representative Connor requested and was granted the privilege of the floor for John F. Corrozi of the Postsecondary Education Commission.

The roll call on HB 1006 was taken and revealed:

YES: Representatives Ambrosino, T. Brady, Burris, Cathcart, Connor, Free, Loughney, Maroney, Matushefske, Van Sciver - 10.

NO: Representatives Anderson, Bennett, W. Brady, Clendaniel, Darling, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, West, Mr. Speaker Riddagh - 26.

NOT VOTING: Representative Smith - 1.

ABSENT: Representatives Cain, Ferguson, Maxwell, Vernon - 4.

Therefore, not having received a constitutional majority, HB 1006 was declared defeated.

Representative Roy moved to suspend the rules which interfere with action on HB 1089. The motion was properly seconded and adopted by voice vote.

Representative Roy brought HB 1089, co-sponsored by Representatives Powell & Bennett, before the House for consideration.

HB 1089 - An Act to Amend Section 3316, Chapter 33, Title 19 of the Delaware Code Relating to Seasonal Unemployment Compensation Benefits.

Representative Roy moved to place HB 1089 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Burris moved to recess at 5:35 p.m.

The House reconvened at 5:40 p.m.

Representative Van Sciver moved to suspend the rules which interfere with action on HB 1041 - HA 1. The motion was seconded by Representative Anderson and adopted by voice vote.

Representative Van Sciver brought HB 1041 - HA 1, co-sponsored by Representatives Free, Cathcart, Connor & Ambrosino, before the House for consideration.

HB 1041 - An Act to Amend Chapter 5, Title 31 of the Delaware Code Relating to Welfare and Providing for Pharmaceutical Assistance for the Aged Through a Maintenance Drug Program.

Representative Anderson brought HA 1 to HB 1041 before the House for consideration. HA 1 was adopted by voice vote.

Representative Anderson brought HA 2 to HB 1041 before the House for consideration.

Representative Anderson requested that HA 2 be stricken.

Representative Anderson brought HA 3 to HB 1041 before the House for consideration.

Representative Anderson requested that HA 3 be stricken.

Representative Van Sciver brought HA 4 to HB 1041 before the House for consideration. HA 4 was adopted by voice vote.

Representative Anderson moved to waive the fiscal note on HB 1041. The motion was seconded by Representative Harrington and adopted by voice vote.

Representative McBride brought HA 5 to HB 1041 before the House for consideration. Representative T. Brady moved to place HA 5 to HB 1041 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative McBride brought HA 6 to HB 1041 before the House for consideration. HA 6 was adopted by voice vote.

Representative Hebner rose on a point of order. Mr. Speaker concurred.

Representative Gilligan moved to place HB 1041 w/HA 1,4,6 on the Speaker's table. The motion was seconded by Representative Jonkiert.

The roll call on the motion was taken and revealed:

YES: Representatives Cain, Darling, Ferguson, George, Gilligan, Holloway, Jonkiert, Matushefske, Plant, West - 10.

NO: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Fallon, Free, Harrington, Hebner, Loughney, Maroney, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 28.

ABSENT: Representatives Bennett, Gordy, Maxwell - 3.

Therefore, not having received a constitutional majority, the motion was declared defeated and HB 1041 w/HA 1,4,6 remained before the House.

Representative Van Sciver rose on a point of order. Mr. Speaker concurred.

Representative Ferguson moved to place HB 1041 w/HA 1,4,6 on the Speaker's table. The motion was seconded by Representative Burris.

The roll call on the motion was taken and revealed:

YES: Representatives Cain, Connor, Darling, George, Jonkiert, McBride, Morris, Van Sciver, West - 9,

NO: Representatives Ambrosino, Anderson, W. Brady, Burris, Cathcart, Clendaniel, Fallon, Ferguson, Free, Gilligan, Gordy, Harrington, Hebner, Holloway, Loughney, Maroney, Matushefske, Maxwell, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Vernon, Mr. Speaker Riddagh - 30.

ABSENT: Representatives Bennett, T. Brady - 2.

Therefore, not having received a constitutional majority, the motion was declared defeated and HB 1041 w/HA 1,4,6 remained before the House.

Representative Burris moved to recess to the call of the Chair at 6:20 p.m.

52nd LEGISLATIVE DAY

Second Session

June 26, 1980

The Speaker called the House to order at 1:08 p.m.

Representative Anderson brought HA 1 to HA 1 to HB 1041 before the House for consideration.

Representative Connor rose on a point of order. Mr. Speaker concurred.

Representative Loughney rose on a point of order. Mr. Speaker concurred.

Representative Petrilli requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

Representative Burris moved to place HA 1 to HA 1 to HB 1041 on the Speaker's table. The motion was seconded by Representative Ambrosino and adopted by voice vote.

Representative Van Sciver brought HA 7 to HB 1041 before the House for consideration.

The roll call on HA 7 to HB 1041 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Oberle, Plant, Powell, Smith, Van Sciver, Vernon, West - 34.

NO: Representatives Burris, Neal, Petrilli, Roy, Sincock, Mr. Speaker Riddagh - 6.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HA 7 to HB 1041 was adopted.

Representative Burris moved to waive the fiscal note on HB 1041. The motion was properly seconded.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Maroney, Maxwell, Minner, Morris, Oberle, Plant, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 30.

NO: Representatives Jonkiert, Loughney, McBride, McKay, Neal, Petrilli, Powell, Roy, Sincoc - 9.

NOT VOTING: Representative Ferguson - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, the motion was adopted and the fiscal note was waived.

Mr. Speaker Riddagh declared a recess at 1:40 p.m. for the purpose of changing the recording tape.

The House reconvened at 1:45 p.m.

Representative Van Sciver rose on a point of order. Mr. Speaker concurred.

Representative Jonkiert rose on a point of order. Mr. Speaker concurred.

Representative McBride rose on a point of order. Mr. Speaker concurred.

Representative T. Brady rose on a point of order. Mr. Speaker concurred.

The roll call on HB 1041 w/HA 1,4,6,7 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, Minner, Morris, Oberle, Plant, Powell, Van Sciver, West - 29.

NO: Representatives Burris, Darling, Hebner, McKay, Neal, Petrilli, Roy, Sincoc, Smith, Vernon, Mr. Speaker Riddagh - 11.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HB 1041 w/HA 1,4,6,7 was sent to the Senate for concurrence.

Representative Loughney moved to restore SCR 90 to the calendar.

Representative Burris moved to recess at 2:30 p.m.

The House reconvened at 2:40 p.m.

Representative Loughney withdrew the motion to restore SCR 90.

Representative Cain introduced and brought HR 248 before the House for consideration.

HR 248 - A Resolution Amending the Temporary Rules of the House Relating to Roll Call Votes.

Representative Jonkiert moved to place HR 248 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

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

Natural Resources: SB 101 w/SA 1 - 1F, 2M; SB 469 w/SA 3 - 3M.

Judiciary & Constitution: HB 1098 - 2M, 2U; SB 561 w/SA 1 - 5M; SB 645 - 5M; HB 1155 - 5M; HB 928 - 2M, 1UF.

Representative Holloway rose on a point of order. Mr. Speaker concurred.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HS 1 for HB 376 w/HA 1, HB 732 w/HA 1, HB 457 w/HA 1, HB 930 w/HA 2, HB 182 w/HA 2,3,4, HA 1 to HA 3; HB 627, SB 666, HB 934 w/HA 1, SCR 95, HB 965 w/HA 1, HCR 152, HJR 36.

June 24, 1980

The Honorable Robert W. Riddagh
Speaker of the House
Legislative Hall
Dover, DE 19901
Mr. Speaker:

As we near the end of the 130th General Assembly, it will also bring down the curtain for me as an active member of this august body.

At this time I would like to thank you, the members of both political parties and the members of our staff for the gracious manner and consideration you have shown me during my tenure in office.

If nothing else, you have given me memories, good and bad, that I shall always cherish.

At the conclusion of this session, and as we go our separate ways, I wish you all good health and good luck. Again, may I say thank you.

Sincerely,
Ed Morris

June 25, 1980

LEGISLATIVE ADVISORY #44

FROM: Office of Counsel to the Governor

The Governor signed the following legislation on the dates indicated: 6/19/80 - SB 95; 6/23/80 - HB 936; 6/25/80 - SB 559 aab SA 2, SB 660; SB 452.

The Following is a Constitutional Amendment on its first leg, and did not require the Governor's signature: SB 477.

The Majority Leader moved to adjourn at 2:54 p.m., thereby ending the previous legislative day. The House reconvened at 2:55 p.m. A prayer was offered by Sherman G. Stevenson, Lay Leader of Trinity United Methodist Church, Frederica, Delaware.

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

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Matushefske - 1.

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

The following prefiled legislation was introduced:

HB 1158 - BURRIS, FALLON, POWELL - ETHICS & HOUSE ADMINISTRATION: An Act to Amend Chapter 13, Title 14 of the Delaware Code With Reference to Professional Sabbatical Leave.

HB 1159 - GILLIGAN, ANDERSON - REVENUE & FINANCE: An Act to Amend Chapter 11, Title 30 of the Delaware Code to Provide a Tax Credit in the Personal Income Tax.

HB 1160 - MINNER, CONNOR - EDUCATION: An Act to Amend Chapter 17, Title 14, of the Delaware Code Relating to the Funding of the Number of Units in School Districts and Making a Supplementary Appropriation Therefore.

HA 2 to HB 489 - CONNOR - APPROPRIATIONS: Placed with the bill.

HA 1 to HA 1 to HB 1041 - ANDERSON - Placed with the bill. (Before the House)

HA 1 to HB 1066 - T. BRADY - Placed with the bill. (Ready List)

HA 3 to HB 1070 - BURRIS - Placed with the bill. (Special Agenda)

SB 626 - MURPHY, HOLLOWAY, MC DOWELL, MC CULLOUGH, ARNOLD, COOK, WEISS, CICIONE, MARSHALL, BERNDT, ADAMS SHARP, HUGHES, MARTIN, KEARNS, LITTLETON, KNOX. REPRESENTATIVES HARRINGTON, T. BRADY, W. BRADY, HOLLOWAY, GEORGE, CATHCART, NEAL, CLENDANIEL, FERGUSON, HEBNER, CAIN, FALLON, ROY, VAN SCIVER, GEORGE, MC BRIDE, OBERLE, BENNETT, JONKIERT, MATUSHEFSKE, PLANT, LOUGHNEY, VERNON, GILLIGAN, AMBROSINO, WEST, ANDERSON, CONNOR, MAXWELL, PETRILLI - APPROPRIATIONS: An Act Making a Supplementary Appropriation to Provide for Supplemental Payments to the Firemen's Pension Fund of the Wilmington Bureau of Fire and the Volunteer Fire Companies of This State in Accordance With the Requirements of 18 Delaware Code, Section 705. (3/4 bill) (F/N)

SB 666 - CORDREY - ADMINISTRATIVE SERVICES & ENERGY: An Act to Amend Title 25 Relating to the Recording of Deeds.

Representative Holloway introduced and brought HR 249 before the House for consideration.

HR 249 - Commending Adult Corrections Chief, Fred VanSant on His Recent Policy of Not Accepting Mental Patients in Delaware Correctional Institutions.

HR 249 was adopted by voice vote.

Representative McKay introduced and brought HR 250 before the House for consideration.

HR 250 - Requesting the Secretary of the Department of Health and Social Services to Establish a Task Force to Study the Need for a Hospice Program for Delaware.

HR 250 was adopted by voice vote.

Representative Neal introduced and brought HR 251, co-sponsored by Representatives Smith, Powell, Bennett, Anderson, Van Sciver & Vernon, before the House for consideration.

HR 251 - Providing for the Appointment of a Select Energy Study Committee to Develop Legislative and Executive Recommendations for State Energy Policies.

HR 251 was adopted by voice vote.

Representative Cathcart brought SB 540 - HA 2,3,4, co-sponsored by Senators Cicione, McDowell; Representatives Connor, Fallon, Free, Neal, Powell & Oberle, before the House for consideration.

SB 540 - An Act to Amend Chapter 25, Title 6 of the Delaware Code Relating to the Delaware Franchise Security Law; and Providing for the Curtailment of Certain Practices in the Sale of Petroleum Products.

Representative Burris brought HA 2 to SB 540 before the House for consideration.

Representative Burris requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

Representative Cathcart requested and was granted the privilege of the floor for Stephen Goldberg of the Dealers Association.

Representative Clendaniel rose on a point of order. Mr. Speaker concurred.

Representative Burris requested and was granted the privilege of the floor for Stephen Goldberg of the Dealers Association.

Representative Loughney rose on a point of order. Mr. Speaker concurred.

Representative Cathcart rose on a point of order. Mr. Speaker concurred.

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

The House reconvened at 4:58 p.m.

Representative Free requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

The roll call on HA 2 to SB 540 was taken and revealed:

YES: Representatives Bennett, W. Brady, Burris, Free, Harrington, Hebner, Morris, Smith, Vernon, Mr. Speaker Riddagh - 10.

NO: Representatives Ambrosino, Anderson, T. Brady, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, George, Gilligan, Gordy, Jonkiert, McBride, McKay, Neal, Oberle, Petrilli, Powell, Sincok, Van Seiver - 21.

NOT VOTING: Representatives Holloway, Loughney, Maxwell, Minner, Plant, Roy, West - 7.

ABSENT: Representatives Cain, Maroney, Matushefske - 3.

Therefore, not having received a constitutional majority, HA 2 to SB 540 was declared defeated.

Representative Burris brought HA 3,4 to SB 540 before the House for consideration.

Representative Burris requested that HA 3, 4 be stricken.

Representative Ambrosino rose on a point of order. Mr. Speaker concurred.

Representative Burris withdrew the motion to strike HA 3 to SB 540.

Representative Ambrosino requested and was granted the privilege of the floor for Stephen Goldberg of the Dealers Association.

Representative Jonkiert rose on a point of order. Mr. Speaker concurred.

Representative Burris requested and was granted the privilege of the floor for Don R. Taylor, Exxon Company.

Representative Burris rose on a point of order. Mr. Speaker concurred.

The roll call on HA 3 to SB 540 was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Clendaniel, Darling, Free, George, Harrington, Hebner, Maroney, McKay, Minner, Morris, Neal, Petrilli, Smith, Vernon, Mr. Speaker Riddagh - 20.

NO: Representatives Cathcart, Connor, Fallon, Ferguson, Gilligan, Gordy, Jonkiert, Maxwell, McBride, Van Seiver - 10.

NOT VOTING: Representatives Ambrosino, Loughney, Oberle, Powell, Roy, Sincok - 6.

ABSENT: Representatives Cain, Holloway, Matushefske, Plant, West - 5.

Therefore, not having received a constitutional majority, HA 3 to SB 540 was declared defeated.

Representative Burris requested that HA 4 to SB 540 be stricken.

Representative Cathcart requested and was granted the privilege of the floor for Thomas Anderson, Executive Director, Delaware & Pennsylvania Service Station Dealers Association.

The roll call on SB 540 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Cathcart, Clendaniel, Connor, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 32.

NO: Representatives Bennett, Burris, Darling, Fallon, Morris - 5.

NOT VOTING: Representative Free - 1.

ABSENT: Representatives Cain, Matushefske, Neal - 3.

Therefore, having received a constitutional majority, SB 540 was returned to the Senate.

Representative Harrington brought SB 533 w/SA 1, co-sponsored by Senator Murphy, before the House for consideration.

SB 533 - An Act to Amend Chapters 11 and 29, Title 18, Delaware Code Relating to the Interest Rate Used for Calculating Minimum Reserves and Nonforfeiture Benefits for Life Insurance Policies and Annuity Contracts, and for Variable Contracts.

Representative Harrington requested and was granted the privilege of the floor for Mr. Bernard Dempsey of Continental American Life Insurance Company.

Representative McBride rose on a point of order. Mr. Speaker concurred.

Representative Gilligan moved to place SB 533 w/SA 1 on the Speaker's table. The motion was seconded by Representative Jonkiert.

The roll call on the motion was taken and revealed:

YES: Representatives Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Holloway, Jonkiert, McBride, Minner, Morris, Plant, West - 14.

NO: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cathcart, Connor, Fallon, Free, Harrington, Hebner, Loughney, Maroney, McKay, Neal, Oberle, Petrilli, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 24.

ABSENT: Representatives Anderson, Matushefske, Maxwell - 3.

Therefore, not having received a constitutional majority, the motion was declared defeated and SB 533 w/SA 1 remained before the House.

Representative Burris moved to recess at 6:12 p.m.

The House reconvened at 7:45 p.m.

Representative Harrington requested and was granted the privilege of the floor for Mr. Bernard Dempsey of Continental American Life Insurance Company.

The roll call on SB 533 w/SA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 35.

ABSENT: Representatives Bennett, T. Brady, Holloway, Matushefske, Roy, West - 6.

Therefore, having received a constitutional majority, SB 533 w/SA 1 was returned to the Senate.

Representative Fallon brought SB 490, sponsored by Senator Adams, before the House for consideration.

SB 490 - An Act to Amend Title 3, Delaware Code Relating to Agriculture and Forestal Operations Not Being Considered Nuisances.

The roll call on SB 490 was taken and revealed:

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

ABSENT: Representatives Holloway, Matushefske, Minner, West - 4.

Therefore, having received a constitutional majority, SB 490 was returned to the Senate.

Representative Free brought SB 532, sponsored by Senator McCullough & Representative Connor, before the House for consideration.

SB 532 - An Act to Amend Chapter 121, Volume 32, Laws of Delaware, As Amended by Chapter 181, Volume 36, Laws of Delaware, Entitled "An Act to Establish a Board of Water and Light Commissioners for the City of New Castle", Relating to the salaries of the Commissioners. (2/3 bill)

Representative Burris moved to place SB 532 on the Speaker's table. The motion was seconded by Representative Holloway and adopted by voice vote.

Representative Neal brought SB 460 w/SA 1,2, sponsored by Senator Holloway, before the House for consideration.

SB 460 - An Act to Amend Chapter 3, Title 24, Delaware Code, Regulating the Practice of Architecture.

The roll call on SB 460 w/SA 1,2 was taken and revealed:

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

NO: Representative Roy - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 460 w/SA 1,2 was returned to the Senate.

Representative Sincock brought SB 483, sponsored by Senators Cicione, McDowell & Marshall, before the House for consideration.

SB 483 - An Act to Provide a Supplementary Appropriation to the State Board of Education for the Transportation Reimbursement of Pupils Attending Nonpublic and Nonprofit Schools.

Representative Sincock brought HA 1 to SB 483 before the House for consideration.

Representative Sincock moved to place SB 483 - HA 1 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Sincock brought SB 537, sponsored by Senator Cicione & Representative Maxwell, before the House for consideration.

SB 537 - An Act to Provide a Supplementary Appropriation to the Division of Economic Development of the Department of Community Affairs and Economic Development, for the Purchase of Delaware State Flags.

Representative Sincock moved to place SB 537 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Sincock brought SB 558, sponsored by Senator Zimmerman & Representative Harrington, before the House for consideration.

SB 558 - An Act to Appropriate Funds for Repairs to the Education-Humanities Building on the Delaware State College Campus in Order to Prevent Further Interior Damage From Water Leaks While the College Attempts Through Legal Processes to Recover the Costs to Repair and Correct Deficiencies in the Construction of the Building Which Were the Result of Improper or Poor Design and to Repay Such Funds Authorized to the General Fund of the State When and If Recovered.

Representative Sincock moved to place SB 558 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Smith brought SB 526 w/SA 2 - HA 1, sponsored by Senators Berndt, Sharp, Hughes, Weiss, Arnold; Representatives McBride & Maroney, before the House for consideration.

SB 526 - An Act to Amend Chapter 17, Title 24, Delaware Code Relating to Determination of Death.

Representative McBride brought HA 1 to SB 526 before the House for consideration.

The roll call on HA 1 to SB 526 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Ferguson, Free, George, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Maxwell, McBride, Minner, Morris, Oberle, Plant, Roy, Van Sciver, West, Mr. Speaker Riddagh - 28.

NO: Representatives Fallon, Harrington, Hebner, Maroney, McKay, Neal, Petrilli, Powell, Sincock, Smith, Vernon - 11.

ABSENT: Representatives Burris, Matushefske - 2.

Therefore, having received a constitutional majority, HA 1 to SB 526 was adopted.

Representative Darling rose on a point of order. Mr. Speaker concurred.

Representative Smith requested and was granted the privilege of the floor for Senator Robert J. Berndt.

Representative Cain rose on a point of order. Mr. Speaker concurred.

Representative McBride brought HA 2 to SB 526 before the House for consideration. HA 2 was adopted by voice vote.

Representative Smith requested and was granted the privilege of the floor for Senator Robert J. Berndt.

Representative McBride rose on a point of order. Mr. Speaker concurred.

Representative Smith rose on a point of order. Mr. Speaker concurred.

Representative Jonkiert rose on a point of order. Mr. Speaker concurred.

Representative Smith rose on a point of order. Mr. Speaker concurred.

Representative Smith rose on a point of order. Mr. Speaker concurred.

Representative Smith moved to place SB 526 w/SA 2, HA 1,2 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative T. Brady brought SB 479, sponsored by Senator Arnold, before the House for consideration.

SB 479 - An Act to Amend Subchapter IV, Chapter 47, Title 16, of the Delaware Code, Relating to Delivery of Narcotic Controlled Substances.

The roll call on SB 479 was taken and revealed:

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

ABSENT: Representatives Matushefske, Petrilli, West - 3.

Therefore, having received a constitutional majority, SB 479 was returned to the Senate.

Representative McBride requested that his name be removed as a sponsor of SB 526.

Representative Sincock brought SB 400 - HA 1, sponsored by Senator Martin, before the House for consideration.

SB 400 - 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.

Representative Sincock brought HA 1 to SB 400 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on SB 400 w/HA 1 was taken and revealed:

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 400 w/HA 1 was returned to the Senate.

Representative Neal brought SB 462, sponsored by Senator Cordrey, before the House for consideration.

SB 462 - An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to Accumulation of Annual Leave.

The roll call on SB 462 was taken and revealed:

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

Van Sciver, Vernon, West, Mr. Speaker Riddagh - 40.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 462 was returned to the Senate.

Representative Sincock moved to lift SB 483 - HA 1 from the Speaker's table. The motion was seconded by Representative Hebner and adopted by voice vote.

SB 483 - An Act to Provide a Supplementary Appropriation to the State Board of Education for the Transportation Reimbursement of Pupils Attending Nonpublic and Nonprofit Schools.

Representative Sincock brought HA 1 to SB 483 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on SB 483 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Ferguson, Free, George, Gilligan, Hebner, Holloway, Jonkiert, Loughney, Maroney, McBride, Morris, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Van Sciver, Mr. Speaker Riddagh - 29.

NO: Representatives Fallon, Harrington, McKay, Minner, Neal, Smith, Vernon, West - 8.

ABSENT: Representatives Burris, Gordy, Matushefske, Maxwell - 4.
Therefore, having received a constitutional majority, SB 483 w/HA 1 was returned to the Senate.

Representative Sincock moved to lift SB 537 from the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

SB 537 - An Act to Provide a Supplementary Appropriation to the Division of Economic Development of the Department of Community Affairs and Economic Development, for the Purchase of Delaware State Flags.

Representative Sincock brought HA 1 to SB 537 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on SB 537 w/HA 1 was taken and revealed:

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

ABSENT: Representatives Matushefske, Smith - 2.

Therefore, having received a constitutional majority, SB 537 w/HA 1 was returned to the Senate.

Representative Sincock moved to lift SB 558 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

SB 558 - An Act to Appropriate Funds for Repairs to the Education-Humanities Building on the Delaware State College Campus in Order to Prevent Further Interior Damage From Water Leaks While the College Attempts Through Legal Processes to Recover the Costs to Repair and Correct Deficiencies in the Construction of the Building Which Were the Result of Improper or Poor Design and to Repay Such Funds Authorized to the General Fund of the State When and If Recovered.

Representative Sincock brought HA 1 to SB 558 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on SB 558 w/HA 1 was taken and revealed:

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 558 w/HA 1 was returned to the Senate.

Representative Free moved to lift SB 532 from the Speaker's table. The motion was seconded by Representative Hebner and adopted by voice vote.

SB 532 - An Act to Amend Chapter 121, Volume 32, Laws of Delaware, As Amended by Chapter 181, Volume 36, Laws of Delaware, Entitled "An Act to Establish a Board of Water and Light Commissioners for the City of New Castle", Relating to the Salaries of the Commissioners. (2/3 bill)

Representative Ferguson moved to place SB 532 on the Speaker's table. The motion was properly seconded.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Holloway, Maxwell, McBride, Minner, Morris, Plant, West - 17.

NO: Representatives Ambrosino, T. Brady, Burris, Cathcart, Connor, Fallon, Free, Harrington, Hebner, Maroney, McKay, Neal, Oberle, Petrilli, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 21.

ABSENT: Representatives Jonkiert, Loughney, Matushefske - 3.

Therefore, not having received a constitutional majority, the motion was defeated and SB 532 remained before the House.

The roll call on SB 532 was taken and revealed:

YES: Representatives Ambrosino, T. Brady, Burris, Cathcart, Connor, Fallon, Free, Harrington, Hebner, Loughney, Maroney, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 22.

NO: Representatives Clendaniel, Darling, Ferguson, Jonkiert, McBride, McKay, Minner, West - 8.

NOT VOTING: Representatives Anderson, Bennett, W. Brady, Cain, Gilligan, Gordy, Holloway, Maxwell, Morris - 9.

ABSENT: Representatives George, Matushefske - 2.

Therefore, not having received a constitutional majority of at least two-thirds members of the House, SB 532 was declared defeated.

Representative Roy brought SB 552, sponsored by Senator Sharp & Representative Petrilli, before the House for consideration.

SB 552 - An Act to Amend Chapter 5, Title 17, of the Delaware Code Relating to the Dedication of Suburban Community Roads for State Maintenance. (2/3 bill)

The roll call on SB 552 was taken and revealed:

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 552 was returned to the Senate.

Representative Roy brought SB 256 w/SA 1, sponsored by Senator Martin & Representative Minner, before the House for consideration.

SB 256 - An Act to Amend Title 21, Delaware Code, Relating to Size and Weight of Vehicles and Loads Clarifying the Granting of Special Permits in the Hauling Permit Section of the Department of Transportation. (2/3 bill)

The roll call on SB 256 w/SA 1 was taken and revealed:

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

NO: Representatives Gilligan, Maxwell - 2.

NOT VOTING: Representative Bennett - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 256 w/SA 1 was returned to the Senate.

Representative Roy brought SB 242 w/SA 1, sponsored by Senators Martin, Berndt, Hughes; Representatives Kelly, Sincok & Powell, before the House for consideration.

SB 242 - An Act to Amend Chapter 7, Title 17, Delaware Code Relating to Railroad Crossings Over Highways.

Representative Roy requested and was granted the privilege of the floor for John Davis of the Highway Department.

The roll call on SB 242 w/SA 1 was taken and revealed:

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

ABSENT: Representatives Matushefske, Vernon - 2.

Therefore, having received a constitutional majority, SB 242 w/SA 1 was returned to the Senate.

Representative Neal brought SB 244, sponsored by Senator Martin, before the House for consideration.

SB 244 - An Act to Amend Chapter 14, Title 24 of the Delaware Code Providing for an Exemption From Electrical Inspection to the Department of Transportation.

The roll call on SB 244 was taken and revealed:

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

NOT VOTING: Representatives Ambrosino, Free, Maxwell - 3.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 244 was returned to the Senate.

Representative Ferguson moved to restore SB 532. The motion was seconded by Representative Burris.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, Gordy, Harrington, Hebner, Holloway, Maroney, Maxwell, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 32.

NO: Representatives George, Gilligan, Jonkiert, Loughney, McBride, West - 6.

ABSENT: Representatives Cathcart, Matushefske, McKay - 3.

Therefore, having received a constitutional majority, the motion was adopted and SB 532 was restored.

SB 532 - An Act to Amend Chapter 121, Volume 32, Laws of Delaware, As Amended by Chapter 181, Volume 36, Laws of Delaware, Entitled "An Act to Establish a Board of Water and Light Commissioners for the City of New Castle", Relating to the Salaries of the Commissioners. (2/3 bill)

Representative Ferguson moved to place SB 532 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Burris moved to recess at 10:17 p.m.

The House reconvened at 10:28 p.m.

Mr. Speaker re-assigned HB 1153 to the Judiciary & Constitution Committee.

Mr. Speaker re-assigned SB 626 to the Banking & Insurance Committee.

Representative Powell moved to suspend the rules which interfere with action on SB 560 w/SA 2. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Powell brought SB 560 w/SA 2, sponsored by Senators Adams, Berndt; Representatives Matushefske & Powell, before the House for consideration.

SB 560 - An Act to Amend Chapter 83, title 11 and Chapter 55, Title 29 of the Delaware Code Relating to State Police Pensions.

Representative Ferguson brought HA 1 to SB 560 before the House for consideration.

Representative Powell requested and was granted the privilege of the floor for Mr. James N. Kamel, Technical Advisor for the Delaware State Police.

Representative Loughney rose on a point of order. Mr. Speaker concurred.

Representative Holloway rose on a point of order. Mr. Speaker concurred.

Representative Burris moved to recess to the call of the Chair at 11:23 p.m.

53rd LEGISLATIVE DAY
Second Session
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The Speaker called the House to order at 2:00 p.m.

Representative Burris requested and was granted the privilege of the floor for James N. Kamel, Technical Advisor to the Delaware State Police.

Representative Loughney moved to suspend the rules which interfere with action on SB 560. The motion was ruled out of order.

Representative Cathcart rose on a point of order. Mr. Speaker concurred.

Representative Loughney withdrew the motion.

Representative Cathcart requested and was granted the privilege of the floor for Thomas J. Shannon, Delaware Troopers F.O.P. Lodge #6 and Norman V. Cochran, Superintendent, Delaware State Police.

The roll call on HA 1 to SB 560 was taken and revealed:

YES: Representatives Anderson, W. Brady, Cain, Cathcart, Connor, Ferguson, Gilligan, Gordy, Holloway, Loughney, Maxwell, McBride, Morris, Oberle, Petrilli, Plant, Sincok - 17.

NO: Representatives Ambrosino, Bennett, T. Brady, Burris, Clendaniel, Darling, Fallon, Free, George, Harrington, Hebner, Jonkiert, Maroney, McKay, Neal, Powell, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 20.

NOT VOTING: Representative West - 1.

ABSENT: Representatives Matushefske, Minner, Roy - 3.

Therefore, not having received a constitutional majority, HA 1 to SB 560 was declared defeated.

Representative Cathcart brought HA 2 to SB 560 before the House for consideration.

Representative Burris moved to place HA 2 on the Speaker's table. The motion was seconded by Representative Harrington.

The roll call on the motion was taken and revealed:

YES: Representatives Burris, Clendaniel, Darling, Fallon, Harrington, Hebner, McKay, Morris, Neal, Smith, Vernon, Mr. Speaker Riddagh - 12.

NO: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Cain, Cathcart, Connor, Ferguson, Free, George, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, Minner, Oberle, Petrilli, Plant, Powell, Sincok, Van Sciver, West - 26.

ABSENT: Representatives Bennett, Matushefske, Roy - 3.

Therefore, not having received a constitutional majority, the motion was declared defeated and HA 2 to SB 560 remained before the House.

Representative T. Brady requested and was granted the privilege of the floor for James N. Kamel, Technical Advisor to the Delaware State Police.

The roll call on HA 2 to SB 560 was taken and revealed:

YES: Representatives Ambrosino, Anderson, W. Brady, Cain, Cathcart, Connor, Ferguson, Gilligan, Holloway, Jonkiert, Loughney, Maxwell, McBride, Oberle, Petrilli, Plant, Sincock, Van Sciver - 18.

NO: Representatives Bennett, T. Brady, Burris, Clendaniel, Darling, Fallon, Free, Gordy, Harrington, Hebner, Maroney, McKay, Minner, Morris, Neal, Powell, Roy, Smith, Vernon, West, Mr. Speaker Riddagh - 21.

ABSENT: Representatives George, Matushefske - 2.

Therefore, not having received a constitutional majority, HA 2 to SB 560 was declared defeated.

Representative Cathcart brought HA 3 to SB 560 before the House for consideration.

The roll call on HA 3 to SB 560 was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Loughney, Maroney, Maxwell, McBride, Minner, Morris, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Mr. Speaker Riddagh - 33.

NO: Representatives Ambrosino, Clendaniel, Jonkiert, Neal, Vernon, West - 6.

NOT VOTING: Representative McKay - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HA 3 to SB 560 was adopted.

Representative Cathcart brought HA 4 to SB 560 before the House for consideration.

Representative Cathcart requested and was granted the privilege of the floor for Thomas J. Shannon, Delaware Troopers F.O.P. Lodge #6.

Representative Vernon requested and was granted the privilege of the floor for James N. Kamel, Technical Advisor to the Delaware State Police.

The roll call on HA 4 to SB 560 was taken and revealed:

YES: Representatives Anderson, Cain, Cathcart, Connor, Ferguson, Gilligan, Holloway, Loughney, Maxwell, McBride, Oberle, Plant - 12.

NO: Representatives T. Brady, W. Brady, Burris, Clendaniel, Darling, Fallon, Free, George, Gordy, Harrington, Hebner, Maroney, McKay, Minner, Morris, Neal, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 24.

NOT VOTING: Representative Bennett - 1.

ABSENT: Representatives Ambrosino, Jonkiert, Matushefske, Petrilli - 4.

Therefore, not having received a constitutional majority, HA 4 to SB 560 was declared defeated.

Representative Cathcart brought HA 5 to SB 560 before the House for consideration.

Representative Cathcart requested and was granted the privilege of the floor for Thomas J. Shannon, Delaware Troopers F.O.P. Lodge #6.

Representative Powell requested and was granted the privilege of the floor for James N. Kamel, Technical Advisor to the Delaware State Police.

The roll call on HA 5 to SB 560 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Cain, Cathcart, Connor, Ferguson, Gilligan, Holloway, Loughney, McBride, Oberle, Petrilli, Plant, Van Sciver - 14.

NO: Representatives Bennett, T. Brady, Burris, Clendaniel, Darling, Fallon, George, Gordy, Harrington, Hebner, Jonkiert, Maroney, McKay, Minner, Morris, Neal, Powell, Roy, Sincok, Smith, Vernon, Mr. Speaker Riddagh - 22.

NOT VOTING: Representative Maxwell - 1.

ABSENT: Representatives W. Brady, Free, Matushefske, West - 4.

Therefore, not having received a constitutional majority, HA 5 to SB 560 was declared defeated.

The roll call on SB 560 w/SA 2,HA 3 was taken and revealed:

YES: Representatives Bennett, T. Brady, Burris, Clendaniel, Darling, Fallon, Free, George, Gordy, Harrington, Hebner, Jonkiert, Maroney, McKay, Minner, Neal, Powell, Sincok, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 23.

NO: Representatives Ambrosino, Anderson, W. Brady, Cain, Cathcart, Connor, Ferguson, Gilligan, Holloway, Loughney, Maxwell, McBride, Morris, Oberle, Petrilli, Plant, Roy - 17.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 560 w/SA 2,HA 3 was returned to the Senate.

Representative Hebner introduced and brought HCR 155, co-sponsored by All Representatives; Senator Cordrey and All Senators, before the House for consideration.

HCR 155 - Expressing Farewell and Bon Voyage to Onugu, Onwuka and Vincent, Our Nigerian Visitors Over the Past Two Weeks.

HCR 155 was adopted by voice vote and sent to the Senate for concurrence.

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

Administrative Services & Energy: HJR 40 - 1F, 2M; HB 1103 - 1F, 2M.

Banking & Insurance: SB 626 - 2F, 1M.

Revenue & Finance: SB 607 w/SA 1 - 4M; HB 1071 - HA 1 - 4M; SB 435 - 2M, 2UF.

Public Safety: HB 1012 - 5M.

Aging: HB 1087 - 4M.

Judiciary & Constitution: HB 1126 - 2M, 3UF.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SCR 98, HB 485, HB 837 w/HA 1, HB 880 w/HA 1, SB 665, SB 654, HB 1053 w/HA 1, HB 718, HB 1118, HB 818, HB 980 w/HA 1, HB 629 w/HA 1, HB 313, HB 379 w/HA 1, SCR 97, HB 1023 w/HA 1.

The Senate wishes to inform the House that it has defeated: HB 538 w/SA 1, HB 341.

In compliance with the provisions of Rule 20 (d) of the Temporary Rules of the House of Representatives, I, Dave McBride, do hereby request that my name be removed as Sponsor/Co-Sponsor of SB 526.

6/26/80

David McBride

Representative Fallon requested that HB 1148 be stricken.

Representative Vernon introduced HB 1168, co-sponsored by Representative Ferguson; Senators Hughes & Cordrey.

HB 1168 - An Act Awarding Service-Connected Disability Payments Pursuant to Chapter 83, Title 11 of the Delaware Code, and Directing the Board of Pension Trustees to Grant Such Application for Service-Connected Disability.

Mr. Speaker assigned HB 1168 to the Administrative Services & Energy Committee.

The Majority Leader moved to adjourn at 4:33 p.m., thereby ending the previous legislative day. The House reconvened at 4:34 p.m. A prayer was offered by Representative Van Sciver, Sixteenth District.

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

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Matushefske - 1.

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

The following prefiled legislation was introduced:

HB 1161 - FALLON, GORDY; SENATORS LITTLETON, ADAMS - PUBLIC SAFETY: An Act to Amend Chapter 1, Title 2 of the Delaware Code Relating to the Woodland Ferry.

HB 1162 - T. BRADY, PETRILLI - JUDICIARY & CONSTITUTION: An Act to Amend Chapter 12, of Title 11, of the Delaware Code to Expand the Definition of Contraband as Said Definition Relates to the Crime of Promoting Prison Contraband. (2/3 bill)

HB 1163 - T. BRADY - JUDICIARY & CONSTITUTION: An Act Proposing a Change to Article IV, Section 2 of the Delaware Constitution.

HA 1 to HB 1163 - T. BRADY - JUDICIARY & CONSTITUTION: Placed with the bill.

HB 1164 - DARLING - REVENUE & FINANCE: An Act to Amend Chapter 85, Title 10 of the Delaware Code Relating to Fees Charged by the Prothonotary.

HB 1165 - VAN SCIVER, FREE, MC BRIDE, CATHCART, CONNOR, ANDERSON, AMBROSINO - APPROPRIATIONS: An Act to Make a Supplemental Appropriation to the Division of the Aging, Department of Health and Social Services to Implement Drug Prescription Assistance to Senior Citizens.

HB 1166 - CATHCART - PUBLIC SAFETY: An Act to Amend Chapter 45, Title 21 of the Delaware Code Relating to Size and Weight of Vehicles.

HB 1167 - T. BRADY; SENATOR CICIONE - JUDICIARY & CONSTITUTION: An Act to Amend Title 11, Section 785, Delaware Code, Relating to Violations of Court Orders Set Forth in Custody and Visitation of Children Matters; Penalties.

HA 17 to HB 992 - OBERLE - APPROPRIATIONS: Placed with the bill.

HA 1 to SB 215 - VAN SCIVER - APPROPRIATIONS: Placed with the bill.

HA 1 to SS 1 for SB 485 - FERGUSON - ETHICS & HOUSE ADMINISTRATION: Placed with the bill.

HA 1 to SB 489 - FERGUSON, GORDY - ETHICS & HOUSE ADMINISTRATION: Placed with the bill.

SB 654 - LITTLETON, ADAMS, WEISS; REPRESENTATIVE GORDY - ETHICS & HOUSE ADMINISTRATION: An Act to Authorize Disposition of the Ross Point No. 215 School Property in Sussex County.

SB 665 - MURPHY, SHARP, BERNDT, WEISS; REPRESENTATIVES SINCOCK, BURRIS, BENNETT - APPROPRIATIONS: An Act Making a Supplementary Appropriation to the State Insurance Commissioner's Office for the Purpose of Having a Study Conducted of Income and Expenses of Insurance Companies Writing Workmen's Compensation and Employees' Liability Insurance in This State.

Representative Burris moved to recess for caucus 4:40 p.m.

The House reconvened at 7:15 p.m.

Representative Jonkiert moved that attaches be paid overtime beginning at 6:00 p.m. rather than 7:00 p.m. The motion was seconded by Representative Gilligan and adopted by voice vote.

Representative Burris introduced and brought SCR 95, sponsored by Senator Holloway, before the House for consideration.

SCR 95 - In Memory of Helen Keller Whose Courage in Overcoming the Twin Afflictions of Deafness and Blindness Made Her One of the Great Americans of This Century.

SCR 95 was adopted by voice vote and returned to the Senate.

Representative Burris introduced and brought SCR 96, sponsored by Senator Martin; Representatives Anderson & Cain, before the House for consideration.

SCR 96 - Urging the Delaware Congressional Delegation to Seek a Re-Evaluation by Congress of Imports and Exports of Automobiles to Assure the American Auto Industry of Fair Treatment in World Trade.

SCR 96 was adopted by voice vote and returned to the Senate.

Representative Burris introduced and brought SCR 98, sponsored by Senator Holloway and Representative Loughney, before the House for consideration.

SCR 98 - Urging the Secretary of Natural Resources and Environmental Control and Bellevue Park Associates to Establish an Annual Steeplechase Program at Bellevue Park.

Representative Smith moved to place SCR 98 on the Speaker's table. The motion was properly seconded.

The roll call on the motion was taken and revealed:

YES: Representatives Cathcart, George, Maroney, Smith - 4.

NO: Representatives Bennett, T. Brady, W. Brady, Clendaniel, Darling, Fallon, Ferguson, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, McBride, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 28.

ABSENT: Representatives Ambrosino, Anderson, Burris, Cain, Connor, Free, Matushefske, Maxwell, McKay - 9.

Therefore, not having received a constitutional majority, the motion was declared defeated and SCR 98 remained before the House.

Representative Loughney moved to place SCR 98 on the Speaker's table. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Clendaniel introduced and brought HCR 156, co-sponsored by Senator Cook, before the House for consideration.

HCR 156 - Congratulating Mr. and Mrs. Thurman G. Adams, Sr., of Bridgeville, Who Will Celebrate Their 64th Wedding Anniversary Tomorrow, June 28, 1980.

HCR 156 was adopted by voice vote and sent to the Senate for concurrence.

Representative Jonkiert introduced and brought HR 252, co-sponsored by Representative Loughney, before the House for consideration.

HR 252 - Authorizing and Directing the Chief Clerk of the House of Representatives to Purchase and/or Lease and Install Electronic Voting Systems in the House Chamber and Further Providing a Supplemental Appropriation Therefor.

Representative Burris moved to place HR 252 on the Speaker's table. The motion was properly seconded.

The roll call on the motion was taken and revealed:

YES: Representatives T. Brady, Burris, Fallon, Hebner, Maroney, Petrilli, Powell, Roy, Smith, Van Sciver, Mr. Speaker Riddagh - 11.

NO: Representatives Anderson, Bennett, W. Brady, Cain, Clendaniel, Darling, Ferguson, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Loughney, McBride, Morris, Neal, Oberle, West - 18.

NOT VOTING: Representative Maxwell - 1.

ABSENT: Representatives Ambrosino, Cathcart, Connor, Free, George, Matushefske, McKay, Minner, Plant, Sincock, Vernon - 11.

Therefore, not having received a constitutional majority, the motion was declared defeated and HR 252 remained before the House.

Representative Jonkiert moved to waive the fiscal note requirement. The motion was seconded by Representative Anderson and defeated by voice vote.

Mr. Speaker assigned HR 252 to the Appropriations Committee.

Representative Oberle introduced and brought HR 253 before the House for consideration.

HR 253 - Requesting the Governor to Establish a Commission to Study the Existing Regulations Relating to Energy Consumption and Energy Conservation.

HR 253 was adopted by voice vote.

Representative Oberle introduced HB 1169, co-sponsored by Representatives Cathcart, Maxwell; Senators Cicione & Kearns.

HB 1169 - An Act to Amend Chapter 13, Title 19 and Chapter 40, Title 14 of the Delaware Code Relating to the Right of Public Employees to Organize.

Mr. Speaker assigned HB 1169 to the Labor & Commerce Committee.

Representative West deferred action on HB 475 to a day certain, Wednesday, July 2, 1980.

Representative West moved to lift HB 563 from the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

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

Representative West brought HA 1 to HB 563 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 563 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cathcart, Clendaniel, Darling, Ferguson, Free, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maxwell, McKay, Minner, Morris, Neal, Oberle, Plant, Powell, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 29.

NO: Representatives Burris, Cain, Connor, Fallon, George, Maroney, McBride, Roy, Sincok, Smith - 10.

ABSENT: Representatives Matushefske, Petrilli - 2.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 563 w/HA 1 was sent to the Senate for concurrence.

Representative Gilligan brought HB 875, co-sponsored by Representative Maxwell, before the House for consideration.

HB 875 - An Act to Amend Chapters 17 and 13 of Title 14 of the Delaware Code Relating to the Funding of Educational Services for Persons Who Are Deaf-Blind.

The roll call on HB 875 was taken and revealed:

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

ABSENT: Representatives Ambrosino, Fallon, Free, Matushefske - 4.

Therefore, having received a constitutional majority, HB 875 was sent to the Senate for concurrence.

Representative Neal brought HS 1 for HB 939, co-sponsored by Representatives Ambrosino, Anderson, Bennett, T. Brady, Gilligan, Oberle, Powell, Petrilli, Cain, Burris, Free, Connor, Maxwell, Fallon, Van Sciver, W. Brady, Ferguson; Senators Berndt, Martin, Cook, Kearns, McDowell, Weiss, Cicione, Holloway & Littleton, before the House for consideration.

HB 939 - An Act to Amend Delaware Code, Title 14, As It Relates to the Funding of Educational Services for Persons Who Are Autistic.

Representative Maxwell moved to waive the fiscal note for HS 1 for HB 939. The motion was seconded by Representative Anderson and adopted by voice vote.

Representative Neal moved to suspend the rules which interfere with action on HS 1 for HB 939. The motion was seconded by Representative Anderson and adopted by voice vote.

The roll call on HS 1 for HB 939 was taken and revealed:

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

ABSENT: Representatives Ambrosino, Free, Gordy, Matushefske - 4.

Therefore, having received a constitutional majority, HS 1 for HB 939 was sent to the Senate for concurrence.

Representative McKay brought HB 778 - HA 1 before the House for consideration.

HB 778 - An Act to Amend Chapter 51, Title 16, of the Delaware Code Relating to the Discharge of Patients by the Delaware State Hospital.

Representative McKay brought HA 1 to HB 778 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 778 w/HA 1 was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Van Sciver, Vernon, Mr. Speaker Riddagh - 35.

ABSENT: Representatives Ambrosino, T. Brady, George, Matushefske, Smith, West - 6.

Therefore, having received a constitutional majority, HB 778 w/HA 1 was sent to the Senate for concurrence.

Representative Vernon brought HB 1128, co-sponsored by Senator Cordrey, before the House for consideration.

HB 1128 - An Act to Assist the Cape Henlopen Senior Center Meet One-Time Relocation Expenses by Making an Appropriation Therefor. (3/4 bill)

Representative Harrington rose on a point of order. Mr. Speaker concurred.

The roll call on HB 1128 was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Fallon, Free, Gilligan, Harrington, Hebner, Holloway, Loughney, Maroney, Maxwell, McBride, Morris, Neal, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 29.

NO: Representatives W. Brady, Darling, George, Jonkiert, Minner, Plant, West - 7.

NOT VOTING: Representatives Ferguson, Gordy - 2.

ABSENT: Representatives Ambrosino, Matushefske, McKay - 3.

Therefore, not having received a constitutional majority of at least three-fourths members of the House, HB 1128 was declared defeated.

Representative Hebner brought HB 977 - HA 1, co-sponsored by Representative Minner, before the House for consideration.

HB 977 - This Is An Act to Provide a Supplementary Appropriation to the Department of Public Safety for the Purpose of Reimbursing Volunteer Fire Companies for Extraordinary Expenses. (3/4 bill)

Representative Hebner brought HA 1 to HB 977 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 977 w/HA 1 was taken and revealed:

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

ABSENT: Representatives Ambrosino, Anderson, Matushefske, Plant - 4.

Therefore, having received a constitutional majority of at least three-fourths members of the House, HB 977 w/HA 1 was sent to the Senate for concurrence.

Representative Burris moved to lift HB 990 - HA 1 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

HB 990 - An Act Making a Supplemental Appropriation to the State Employees Pension Trust Fund Pursuant to the Provision of Section 5544 (g), Chapter 55, Title 29, Delaware Code. (3/5 bill)

Representative Burris moved to place HB 990 - HA 1 on the Speaker's table. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Powell brought SB 261 w/SA 1, sponsored by Senator Hughes, before the House for consideration.

SB 261 - An Act to Amend Title 8, Section 391, Delaware Code Regarding Taxes and Fees Payable to the Secretary of State for Certain Nonprofit Corporations.

The roll call on SB 261 w/SA 1 was taken and revealed:

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

ABSENT: Representatives Ambrosino, Anderson, Gordy, Matushefske, Plant - 5.

Therefore, having received a constitutional majority, SB 261 was returned to the Senate.

Representative Burris moved to recess for caucus at 8:45 p.m.

The House reconvened at 9:33 p.m.

Representative Connor moved to lift HB 1005 from the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

HB 1005 - An Act to Amend Section 1326, Title 14 of the Delaware Code Relating to Salaries for Substitute Teachers and Nurses.

The roll call on HB 1005 was taken and revealed:

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

NO: Representative McBride - 1.

ABSENT: Representatives Ambrosino, Matushefske, McKay, Sincok - 4.

Therefore, having received a constitutional majority, HB 1005 was sent to the Senate for concurrence.

Representative Burris moved to lift HB 990 - HA 1 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

HB 990 - An Act Making a Supplemental Appropriation to the State Employees Pension Trust Fund Pursuant to the Provision of Section 5544 (g), Chapter 55, Title 29, Delaware Code. (3/5 bill)

Representative Burris brought HA 1 to HB 990 before the House for consideration. HA 1 was adopted by voice vote.

Representative Burris brought HA 2 to HB 990 before the House for consideration. HA 2 was adopted by voice vote.

The roll call on HB 990 w/HA 1,2 was taken and revealed:

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

ABSENT: Representatives Ambrosino, Matushefske - 2.

Therefore, having received a constitutional majority of at least three-fifths members of the House, HB 990 w/HA 1,2 was sent to the Senate for concurrence.

Representative T. Brady moved to suspend the rules which interfere with action on HB 1066. The motion was properly seconded and adopted by voice vote.

Representative T. Brady brought HB 1066, co-sponsored by Senator Cicione; Representatives Gordy, Sincock, McKay, Morris, Cain, Bennett, Jonkiert & Senator Berndt, before the House for consideration.

HB 1066 - An Act to Amend Chapter 56, Title 29, Delaware Code, Relating to the State Judiciary Pension Plan.

Representative T. Brady brought HA 1 to HB 1066 before the House for consideration. HA 1 was adopted by voice vote.

Representative Jonkiert requested and was granted the privilege of the floor for James N. Kamel, Technical Advisor to the Delaware State Police.

Representative Loughney requested and was granted the privilege of the floor for James N. Kamel, Technical Advisor to the Delaware State Police.

The roll call on HB 1066 w/HA 1 was taken and revealed:

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

NO: Representatives Jonkiert, Roy - 2.

NOT VOTING: Representative Ferguson - 1.

ABSENT: Representatives Ambrosino, Matushefske - 2.

Therefore, having received a constitutional majority, HB 1066 w/HA 1 was sent to the Senate for concurrence.

Representative Burris moved to suspend the rules which interfere with action on Special Agenda I. The motion was seconded by Representative Gordy and adopted by voice vote.

Representative Fallon brought HB 1025, co-sponsored by Senator Adams, before the House for consideration.

HB 1025 - An Act to Amend Chapter 23, Subchapter I, Title 19 of the Delaware Code Relating to Workmen's Compensation, and Excluding Real Estate and Insurance Agents and Solicitors From Its Provisions.

The roll call on HB 1025 was taken and revealed:

YES: Representatives Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Harrington, Hebner, Maroney, McBride, McKay, Minner,

Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 31.

NO: Representatives Anderson, Ferguson, Gordy, Jonkiert, Loughney, Maxwell, West - 7.

NOT VOTING: Representative Holloway - 1.

ABSENT: Representatives Ambrosino, Matushefske - 2.

Therefore, having received a constitutional majority, HB 1025 was sent to the Senate for concurrence.

Representative Sincok brought HB 885, co-sponsored by Representative George & Senator Cook, before the House for consideration.

HB 885 - An Act to Provide for a Supplemental Appropriation to the Department of Health & Social Services, Division of Social Services, for the Purpose of Child Foster Care.

Representative Sincok moved to place HB 885 on the Speaker's table. The motion was seconded by Representative McBride and adopted by voice vote.

Representative Oberle brought HB 1026 - HA 1, co-sponsored by Representatives Roy, Van Sciver, Cathcart; Senators McDowell & Cicione, before the House for consideration.

HB 1026 - An Act to Amend Chapter 1, Title 25, of the Delaware Code Relating to the Funding of Activities of the Office of the Public Advocate in Public Utility and Cable Television System Rate Relief Proceedings.

Representative Oberle moved that HB 1026 - HA 1 be re-assigned to the Administrative Services & Energy Committee.

Mr. Speaker re-assigned HB 1026 - HA 1 to the Administrative Services & Energy Committee.

Representative Hebner brought HB 1151 before the House for consideration.

HB 1151 - An Act to Amend Title 21, Delaware Code, Relating to Mopeds.

The roll call on HB 1151 was taken and revealed:

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

ABSENT: Representatives Ambrosino, Holloway, Matushefske - 3.

Therefore, having received a constitutional majority, HB 1151 was sent to the Senate for concurrence.

Representative Bennett brought HB 598 - HA 1, co-sponsored by Representatives W. Brady, Cain, Connor, Darling, Fallon, Gilligan; Senators McCullough, Cook, Zimmerman, before the House for consideration.

HB 598 - An Act to Amend Chapter 17, Title 14 of the Delaware Code, to Provide a Three-Year Pilot Program in Elementary School Guidance and to Make an Appropriation Therefor.

Representative Bennett brought HA 1 to HB 598 before the House for consideration. HA 1 was adopted by voice vote.

Representative Bennett moved to waive the fiscal note on HB 598. The motion was seconded by Representative Maxwell and adopted by voice vote.

The roll call on HB 598 w/HA 1 was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Fallon, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Loughney, Maroney, Maxwell, McBride, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, - 27.

NO: Representatives Darling, Free, Jonkiert, McKay, Minner, Morris, Neal, Vernon, West, Mr. Speaker Riddagh - 10.

NOT VOTING: Representative Ferguson - 1.

ABSENT: Representatives Ambrosino, Burris, Matushefske - 3.

Therefore, having received a constitutional majority, HB 598 w/HA 1 was sent to the Senate for concurrence.

Representative Bennett brought HB 493 w/HA 1 before the House for consideration.

HB 493 - An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to Employment Formula and Salary Schedules for Certain Professional Personnel Employed by the School District.

Representative Bennett requested that HA 1 to HB 493 be stricken.

Representative Bennett brought HA 2 to HB 493 before the House for consideration. HA 2 was adopted by voice vote.

The roll call on HB 493 w/HA 2 was taken and revealed:

YES: Representatives Anderson, Bennett, Burris, Cain, Cathcart, Connor, Fallon, Gilligan, Harrington, Loughney, Maroney, Maxwell, McBride, Minner, Neal, Oberle, Petrilli, Powell, Roy, Sincok, Van Sciver, West - 22.

NO: Representatives T. Brady, W. Brady, Clendaniel, Darling, Ferguson, Free, George, Gordy, Hebner, Jonkiert, McKay, Morris, Vernon, Mr. Speaker Riddagh - 14.

NOT VOTING: Representatives Holloway, Plant - 2.

ABSENT: Representatives Ambrosino, Matushefske, Smith - 3.

Therefore, having received a constitutional majority, HB 493 w/HA 2 was sent to the Senate for concurrence.

Representative Sincok moved to lift HB 885 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

HB 885 - An Act to Provide for a Supplemental Appropriation to the Department of Health & Social Services, Division of Social Services, for the Purpose of Child Foster Care.

Representative Sincok brought HA 1 to HB 885 before the House for consideration. HA 1 was adopted by voice vote.

Representative Sincok moved to waive the fiscal note on HB 885. The motion was seconded by Representative Maxwell and adopted by voice vote.

The roll call on HB 885 w/HA 1 was taken and revealed:

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

ABSENT: Representatives Ambrosino, Matushefske - 2.

Therefore, having received a constitutional majority, HB 885 w/HA 1 was sent to the Senate for concurrence.

Representative Maxwell brought HB 580 - HA 1, co-sponsored by Representative Gilligan; Senators Sharp & Hughes, before the House for consideration.

HB 580 - An Act to Amend Chapter 13 of Title 24, Delaware Code, Relating to Private Detectives. (2/3 bill)

Representative Maxwell brought HA 1 to HB 580 before the House for consideration. HA 1 was adopted by voice vote.

Representative T. Brady brought HA 2 to HB 580 before the House for consideration. HA 2 was adopted by voice vote.

Representative Loughney brought HA 3 to HB 580 before the House for consideration. HA 3 was adopted by voice vote.

The roll call on HB 580 w/HA 1,2,3 was taken and revealed:

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

NO: Representative Roy - 1.

NOT VOTING: Representative Bennett - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority of at least two-thirds House members, HB 580 w/HA 1,2,3 was sent to the Senate for concurrence.

Representative Petrilli brought HB 1109, co-sponsored by Representative McKay, before the House for consideration.

HB 1109 - 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.

The roll call on HB 1109 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McKay, Neal, Petrilli, Plant, Powell, Roy, Sincock, Smith, West, Mr. Speaker Riddagh - 30.

NO: Representatives W. Brady, Ferguson, McBride, Minner, Morris, Oberle, Vernon - 7.

NOT VOTING: Representatives George, Van Sciver - 2.

ABSENT: Representatives Gilligan, Matushefske - 2.

Therefore, having received a constitutional majority, HB 1109 was sent to the Senate for concurrence.

Representative Jonkiert moved to restore HB 580 w/HA 1,2,3 to the calendar. The motion was seconded by Representative Cathcart.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, Minner, Morris, Neal, Oberle, Petrilli, Plant, Roy, Sincock, Smith, Van Sciver, West, Mr. Speaker Riddagh - 34.

NOT VOTING: Representative Bennett - 1.

ABSENT: Representatives Ferguson, Gilligan, Matushefske, McKay, Powell, Vernon - 6.

Therefore, having received a constitutional majority, the motion was adopted and HB 580 w/HA 1,2,3 was retored.

Representative Jonkiert moved to place HB 580 w/HA 1,2,2 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Burris moved to suspend the rules which interfere with action on Special Agenda II. The motion was properly seconded and adopted by voice vote.

Representative Sincok brought HB 1092, co-sponsored by Representative Gordy, before the House for consideration.

HB 1092 - An Act to Amend Chapter 2, Title 5, Delaware Code Relating to Notification of Rate Changes.

Representative Sincok brought HA 1 to HB 1092 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 1092 w/HA 1 was taken and revealed:

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

NOT VOTING: Representative Cain - 1.

ABSENT: Representatives Ferguson, Matushefske, Maxwell, West - 4.

Therefore, having received a constitutional majority, HB 1092 w/HA 1 was sent to the Senate for concurrence.

Representative Sincok brought HJR 40, co-sponsored by Senator Cook; Representatives Ambrosino, Bennett, Gilligan, George, Maroney, McKay, Neal, Petrilli; Senators Berndt, Cicione, Hale, Holloway, Hughes, Kearns, Littleton, McDowell, Murphy, before the House for consideration.

HJR 40 - House Joint Resolution Directing That the Executive Branch, With the Cooperation and Assistance of the Judicial and Legislative Branches, Proceed Forthwith to Implement Programmatic Budgeting Procedures, Commencing With Fiscal Year 1982 and to Make Appropriate Changes in the Accounting Practices to Accomplish This Objective.

The roll call on HJR 40 was taken and revealed:

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

ABSENT: Representatives Darling, Ferguson, Matushefske, West - 4.

Therefore, having received a constitutional majority, HJR 40 was sent to the Senate for concurrence.

Representative McKay brought SB 573 w/SA 4,6, sponsored by Senator Cordrey, before the House for consideration.

SB 573 - An Act to Authorize Medical Examiners in Delaware to Provide to Eye Banks Corneas From Decedents Under Their Jurisdiction and to Provide Immunity From Certain Civil Action Arising Therefrom.

Representative McKay requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

Representative McKay moved to place SB 573 w/SA 4,6 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Maroney brought HB 1071 - HA 1 before the House for consideration.

HB 1071 - An Act to Amend Chapter 13, Title 30, Delaware Code, Relating to Inheritance Tax on Alternate Valuation.

Representative Maroney brought HA 1 to HB 1071 before the House for consideration. HA 1 was adopted by voice vote.

Representative Maxwell requested and was granted the privilege of the floor for Secretary of Finance, Weston Nellius.

The roll call on HB 1071 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Jonkiert, Loughney, Maroney, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Van Sciver, Vernon, West, Acting Speaker Hebner - 34.

NO: Representatives Maxwell, McBride, Morris - 3.

NOT VOTING: Representative Holloway - 1.

ABSENT: Representatives Connor, Matushefske, Smith - 3.

Therefore, having received a constitutional majority, HB 1071 w/HA 1 was sent to the Senate for concurrence.

Representative Gilligan brought HB 1131 - HA 1, co-sponsored by Representative Hebner, before the House for consideration.

HB 1131 - An Act to Amend Chapter 13, Title 14 of the Delaware Code Relating to the Number of Secretaries Employed by a School District.

Representative Gilligan brought HA 1 to HB 1131 before the House for consideration. HA 1 was adopted by voice vote.

Acting Speaker Hebner declared a recess for the purpose of changing the recording tape at 11:50 p.m.

The House reconvened at 11:53 p.m.

The roll call on HB 1131 w/HA 1 was taken and revealed:

YES: Representatives Anderson, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Fallon, Ferguson, Free, George, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Maxwell, McBride, Minner, Oberle, Plant, Powell, Roy, Van Sciver, West, Acting Speaker Hebner - 26.

NO: Representatives Ambrosino, Bennett, Burris, Darling, Harrington, Maroney, McKay, Morris, Neal, Riddagh, Sincok, Smith, Vernon - 13.

ABSENT: Representatives Matushefske, Petrilli - 2.

Therefore, having received a constitutional majority, HB 1131 w/HA 1 was sent to the Senate for concurrence.

Representative Oberle brought HB 1142, co-sponsored by Representatives Ambrosino, Neal, Powell, Cathcart, Petrilli, Connor, Van Sciver, Gilligan, Cain; Senators Holloway, Sharp, Hughes, Cicione, before the House for consideration.

HB 1142 - An Act to Amend Title 14, Delaware Code, Relating to Gifted or Talented Unit Funding.

Representative Oberle brought HA 1 to HB 1142 before the House for consideration. HA 1 was adopted by voice vote.

Representative Oberle requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

Representative Bennett requested and was granted the privilege of the floor for Controller General Duane Olsen.

The roll call on HB 1142 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Cain, Cathcart, Connor, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincok, Smith, Van Sciver, Vernon, West, Acting Speaker Hebner - 33.

NO: Representatives Burris, Clendaniel, Darling, Minner, Morris - 5.

NOT VOTING: Representatives Bennett, McKay - 2.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HB 1142 w/HA 1 was sent to the Senate for concurrence.

Representative Oberle brought SB 603, sponsored by Senator Cicione; Representatives Roy, Loughney, Jonkiert, Anderson & Senator Weiss, before the House for consideration.

SB 603 - An Act to Amend Chapter 69, Title 29, Del. C. by Providing for the Use of United States Produced Steel in State Contracts.

The roll call on SB 603 was taken and revealed:

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

NO: Representative West - 1.

NOT VOTING: Representative Burris - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 603 was returned to the Senate.

Representative McKay brought HB 1073, co-sponsored by Representatives Maroney & Gilligan, before the House for consideration.

HB 1073 - An Act to Amend Chapter 17, Title 24, Delaware Code, Relating to Physicians Licensed by the State of Delaware.

The roll call on HB 1073 was taken and revealed:

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HB 1073 was sent to the Senate for concurrence.

Representative Cathcart brought SB 574 w/SA 1, sponsored by Senators Holloway, Hughes; Representatives Clendaniel & Vernon, before the House for consideration.

SB 574 - An Act to Amend Chapter 1, Title 20, Delaware Code, Relating to Certain Service Obligations of National Guard Personnel.

Representative Vernon requested and was granted the privilege of the floor for Lt. Col. Adams.

Representative Burris moved to place SB 574 w/SA 1 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Burris moved to suspend the rules which interfere with action on Special Agenda III. The motion was properly seconded and adopted by voice vote.

Representative Harrington brought SB 516, sponsored by Senator Cordrey, before the House for consideration.

SB 516 - An Act to Amend Chapter 1, Title 5, Delaware Code, Relating to Fees for Examination and Supervisory Assessment.

The roll call on SB 516 was taken and revealed:

YES: Representatives Burris, Clendaniel, Fallon, Ferguson, Free, George, Gordy, Harrington, Maroney, McBride, McKay, Minner, Neal, Petrilli, Powell, Riddagh, Sincock, Smith, Van Sciver, Vernon, West, Acting Speaker Hebner - 22.

NO: Representatives Ambrosino, Anderson, Bennett, Cathcart, Connor, Darling, Gilligan, Jonkiert, Loughney, Morris, Oberle, Roy - 12.

NOT VOTING: Representatives T. Brady, W. Brady, Holloway, Plant - 4.

ABSENT: Representatives Cain, Matushefske, Maxwell - 3.

Therefore, having received a constitutional majority, SB 516 was returned to the Senate.

Representative T. Brady brought SB 535, sponsored by Senator Marshall & Representative Jonkiert, before the House for consideration.

SB 535 - An Act to Amend Title 11, Delaware Code, to Provide That Terms of Imprisonment Imposed for Felonies Include Hard Labor.

Representative T. Brady moved to place SB 535 on the Speaker's table. The motion was seconded by Representative Jonkiert and adopted by voice vote.

Representative Connor moved to lift SB 461 from the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

SB 461 - An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to Instructional Attendants and/or Aides for the Partially Sighted and Blind.

The roll call on SB 461 was taken and revealed:

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

ABSENT: Representatives Holloway, Matushefske, Sincock - 3.

Therefore, having received a constitutional majority, SB 461 was returned to the Senate.

Representative Cathcart brought SB 610, sponsored by Senator Sharp, before the House for consideration.

SB 610 - An Act to Amend Title 6, Section 2902 of the Delaware Code Pertaining to the Advertisement of Retail Motor Fuel Prices.

Representative Neal moved to place SB 610 on the Speaker's table. The motion was seconded by Representative McBride and adopted by voice vote.

the House for consideration.

Representative Harrington brought SB 407 w/SA 2, sponsored by Senator Murphy, before the House for consideration.

SB 407 - An Act to Amend Chapter 39, Title 18, of the Delaware Code Relating to Casualty Insurance Contracts for Motor Vehicles.

The roll call on SB 407 w/SA 2 was taken and revealed:

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

ABSENT: Representatives Holloway, Matushefske - 2.

Therefore, having received a constitutional majority, SB 407 w/SA 2 was returned to the Senate.

Representative Neal brought SB 613, sponsored by Senator Martin, before the House for consideration.

SB 613 - An Act Relating to the Preservation of Group Photographs of Members of the General Assembly.

The roll call on SB 613 was taken and revealed:

YES: Representatives Anderson, W. Brady, Burris, Cathcart, Clendaniel, Darling, Ferguson, Free, Gilligan, Gordy, Harrington, Maroney, Maxwell, McKay, Neal, Powell, Riddagh, Roy, Sincock, Smith, Acting Speaker Hebner - 21.

NO: Representatives Ambrosino, Bennett, T. Brady, Cain, Connor, Fallon, George, Jonkiert, Loughney, McBride, Minner, Morris, Oberle, Petrilli, Van Seiver, West - 16.

ABSENT: Representatives Holloway, Matushefske, Plant, Vernon - 4.

Therefore, having received a constitutional majority, SB 613 was returned to the Senate.

Representative Free brought SB 569, sponsored by Senator McCullough & Representative Connor, before the House for consideration.

SB 569 - An Act to Amend the Charter of the City of New Castle. (2/3 bill)

Mr. Speaker re-assigned SB 569 to the Community Affairs & Economic Development Committee.

Representative T. Brady brought SB 565 w/SA 1, sponsored by Senator Kearns, before the House for consideration.

SB 565 - An Act to Amend Title 25, of the Delaware Code Relating to "Self-Service Storage Facilities" to Provide a Lien on All Personal Property Stored at Such Facilities in Favor of the Owners Thereof; and to Provide a Procedure for the Enforcement of Such Lien.

The roll call on SB 565 w/SA 1 was taken and revealed:

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

NO: Representative Ambrosino - 1.

ABSENT: Representatives Holloway, Matushefske - 2.

Therefore, having received a constitutional majority, SB 565 w/SA 1 was returned to the Senate.

Representative Neal brought SB 581, sponsored by Senators Adams, Hale; Representatives Burris, Clendaniel & Minner, before the House for consideration.

SB 581 - An Act to Amend Section 1056, Title 14 of the Delaware Code Relating to the Disposition of Fees for the Use of School Property, Facilities and Equipment Not in Use for Educational Purposes.

The roll call on SB 581 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Jonkiert, Loughney, Maroney, Maxwell, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Riddagh, Roy, Sincock, Smith, Van Seiver, Vernon, Acting Speaker Hebner - 37.

NO: Representative McBride - 1.

ABSENT: Representatives Holloway, Matushefske, West - 3.

Therefore, having received a constitutional majority, SB 581 was returned to the Senate.

Representative T. Brady brought SB 640 - HA 1, sponsored by Senators McDowell & Cicione; Representatives Bennett & T. Brady, before the House for consideration.

SB 640 - An Act to Amend Chapter 9 and Chapter 11, Title 13, Delaware Code, Relating to the Transfer of Jurisdiction Over Adoption and Termination of Parental Rights from the Superior Court to the Family Court and Providing a Supplemental Appropriation Therefor.

Representative T. Brady brought HA 1 to SB 640 before the House for consideration. HA 1 was adopted by voice vote.

Representative Sincock moved to place SB 640 w/HA 1 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Burris brought SB 327, sponsored by Senators Hale, Berndt, Cicione, Cook, Holloway, Kearns, Knox, Littleton, McDowell, Marshall, Murphy, Sharp, Spence, Weiss; Representatives Ambrosino, Anderson, Bennett, Maroney, Matushefske, Minner, Morris, Roy & Smith, before the House for consideration.

SB 327 - An Act Awarding Special Pension Benefits to Jeannette V. G. Legates and Appropriating Monies Into the Special Pension Fund Authorized by Volume 61, Chapter 455, Laws of Delaware.

The roll call on SB 327 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Loughney, Maroney, Maxwell, McBride, Minner, Morris, Neal, Oberle, Plant, Riddagh, Roy, Sincock, Smith, Van Seiver, Vernon, West, - 33.

NO: Representatives Jonkiert, McKay, Petrilli - 3.

NOT VOTING: Representatives Powell, Acting Speaker Hebner - 2.

ABSENT: Representatives T. Brady, Holloway, Matushefske - 3.

Therefore, having received a constitutional majority, SB 327 was returned to the Senate.

Representative Connor brought SB 650, sponsored by Senators Hale, Berndt, Cicione, Cook, Holloway, Kearns, Knox, Littleton, McDowell, Marshall, Murphy, Sharp, Spence, Weiss; Representatives Ambrosino, Anderson, Bennett, Maroney, Matushefske, Minner, Morris, Roy, Smith, before the House for consideration.

SB 650 - An Act to Amend Delaware Code, Title 14 by Providing for a Delaware Public School Enrollees' Immunization Program and Exemptions.

The roll call on SB 650 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Darling, Fallon, Ferguson, Free, George, Gordy, Harrington, Hebner, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 33.

NO: Representatives Connor, Gilligan, Jonkiert, Loughney, Oberle, West - 6.

ABSENT: Representatives Holloway, Matushefske - 2.

Therefore, having received a constitutional majority, SB 650 was returned to the Senate.

Representative Roy brought SB 211 w/SA 1, sponsored by Senator Adams, before the House for consideration.

SB 211 - An Act to Amend Chapter 1, Title 17 of the Delaware Code Relating to Highways.

Representative Roy brought HA 1 to SB 211 before the House for consideration.

The roll call on HA 1 to SB 211 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, Cain, Cathcart, Connor, Free, George, Gilligan, Hebner, Holloway, Jonkiert, Loughney, Maroney, McBride, McKay, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver - 25.

NO: Representatives Bennett, W. Brady, Burris, Clendaniel, Darling, Fallon, Ferguson, Gordy, Harrington, Minner, Morris, Vernon, West, Mr. Speaker Riddagh - 14.

NOT VOTING: Representative Maxwell - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HA 1 to SB 211 was adopted.

Representative Vernon brought HA 2 to SB 211 before the House for consideration.

Representative Petrilli moved to place HA 2 to SB 211 on the Speaker's table. The motion was seconded by Representative Ambrosino and adopted by voice vote.

Representative Hebner moved to place SB 211 w/SA 1, HA 1 on the Speaker's table. The motion was properly seconded.

The roll call on the motion was taken and revealed:

YES: Representatives Bennett, W. Brady, Burris, Cain, Clendaniel, Darling, Fallon, Ferguson, George, Gordy, Harrington, Maxwell, Minner, Morris, Smith, Vernon, West, Mr. Speaker Riddagh - 18.

NO: Representatives Ambrosino, Anderson, Cathcart, Connor, Free, Gilligan, Hebner, Jonkiert, Loughney, Maroney, McBride, McKay, Neal, Oberle, Petrilli, Powell, Roy, Sincok, Van Sciver - 19.

ABSENT: Representatives T. Brady, Holloway, Matushefske, Plant -

4.

Therefore, not having received a constitutional majority, the motion was declared defeated and SB 211 w/SA 1, HA 1 remained before the House.

The roll call on SB 211 w/SA 1, HA 1 was taken and revealed:

YES: Representatives Bennett, Burris, Clendaniel, Darling, Fallon, Ferguson, Gordy, Harrington, Maxwell, Minner, Morris, Vernon, West, Mr. Speaker Riddagh - 14.

NO: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Cain, Cathcart, Connor, Free, George, Gilligan, Jonkiert, Loughney, Maroney, McBride, McKay, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver - 24.

NOT VOTING: Representative Holloway - 1.

ABSENT: Representatives Hebner, Matushefske - 2.

Therefore, not having received a constitutional majority, SB 211 w/SA 1, HA 1 was declared defeated.

Representative Powell moved to suspend the rules which interfere with introduction of and action on SB 627. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Powell brought SB 627, sponsored by Senator Murphy, before the House for consideration.

SB 627 - An Act to Amend Chapter 40, Title 31, Delaware Code, by Increasing the Amount of Bonds and Notes the Delaware State Housing Authority Can Issue.

The roll call on SB 627 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maxwell, McBride, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 34.

NO: Representatives Fallon, Ferguson, Maroney, Minner, West - 5.

NOT VOTING: Representative McKay - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 627 was returned to the Senate.

Representative Powell moved to suspend the rules which interfere with action on SB 607 w/SA 1. The motion was properly seconded and adopted by voice vote.

Representative Powell brought SB 607 w/SA 1, sponsored by Senators Zimmerman & Weiss, before the House for consideration.

SB 607 - An Act to Amend Chapter 83, Title 11, of the Delaware Code Relating to Withdrawal of Pension Contributions.

Representative Van Sciver brought HA 1 to SB 607 before the House for consideration.

Representative Van Sciver requested and was granted the privilege of the floor for House Attorney Gerald Street.

Representative Van Sciver requested that HA 1 to SB 607 be stricken.

The roll call on SB 607 w/SA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling,

Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 40.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 607 w/SA 1 was returned to the Senate.

Representative Fallon moved to suspend the rules which interfere with action on HJR 39. The motion was seconded by Representative Hebner.

Representative Fallon withdrew the motion.

Representative Burris moved to recess to the call of the Chair at 2:15 a.m.

54th LEGISLATIVE DAY
Second Session
June 30, 1980

The Speaker called the House to order at 12:48 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 329 w/SA 1, SB 328 w/SA 1, SJR 53, HB 481, HB 1029, HB 881, HB 895 w/HA 1,3; HB 946, HB 1124, HB 687, HCR 156, HB 509, HB 985 w/HA 1, HB 534 w/HA 1,2; HB 839, HB 713, HB 848, HS 1 for HB 394 w/HA 1,2,3,4,5; HB 1008, HB 791 w/HA 1, SB 646, HB 849 w/HA 1,2; HB 1120, HB 914, HCR 155.

The Senate wishes to inform the House that it has defeated: HB 8.

June 30, 1980

The Honorable Robert W. Riddagh
Speaker of the House
Legislative Hall
Dover, Delaware 19901
Mr. Speaker:

Since this is the last day that we shall be in session and I am not seeking re-election, I want to express my appreciation to my colleagues for all their help over the past four years.

A very special thank you to all the staff here in Legislative Hall. They have been most helpful and always willing to go that extra mile.

It has been an honor to serve the people of my 29th Representative District, but a greater honor to have served all the people of Delaware. This is what I have tried to do to the best of my ability.

I have accomplished several things that I promised the tax payers of my district when I ran for office; but in most cases I had help from many of you in this chamber.

You have not seen the last of me I hope, since my plans are to spend some time with my successor during the beginning of the 131st General Assembly.

Thanks again for everything. The best of health and luck and above all, balance the budget.

Yours very truly,

William H. Brady, II
State Representative

WHB/cgh

June 27, 1980

LEGISLATIVE ADVISORY #45

FROM: Office of Counsel to the Governor

The Governor signed the following legislation on the date indicated:
June 26, 1980 - SB 478, HJR 36.

The following is a constitutional amendment on its 2nd leg and did not require the Governor's signature: HB 379 aab HA 1.

The Governor signed the following legislation on the date indicated:
June 27, 1980: HB 445 aab HA 1 & SA 1; HB 747 aab HA 2 & 4; HB 769 aab HA 2; HB 950 aab SA 1; SB 167 aab SA 2; SB 181 aab SA 1; SB 313 aab SA 1; SB 386 aab SA 1 & 2; SB 491, SB 492, SB 506, SJR 9 aab SA 1, HB 965 aab HA 1; SB 366, HS 1 for HB 416, HB 809, HB 810, HB 827 aab HA 1 & 2; HB 961, SB 648, SB 502.

The Governor vetoed the following legislation on the date indicated: June 27, 1980: SB 430 aab SA 1.

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

Public Safety: HB 1161 - 6M.

Representative Darling introduced and brought HCR 157 before the House for consideration.

HCR 157 - A Resolution Urging the Division of Historical and Cultural Affairs to cooperate With the Prospective Purchasers of the Historic Matthew Lowber House in Magnolia, With Respect to Its Restoration.

HCR 157 was adopted by voice vote and sent to the Senate for concurrence.

Representative Roy introduced and brought SCR 97, co-sponsored by Senator Arnold, before the House for consideration.

SCR 97 - Condemning the Practice of Using Law Enforcement Techniques for the Purpose of Raising Revenue.

SCR 97 was adopted by voice vote and returned to the Senate.

Representative Neal introduced and brought HCR 158, co-sponsored by Senator Cordrey, before the House for consideration.

HCR 158 - Creating a Select Committee on Small Business to Develop Legislative Recommendations for State Policies to Encourage Small Business Development.

HCR 158 was adopted by voice vote and sent to the Senate for concurrence.

Representative Harrington introduced and brought HR 254, co-sponsored by Representative Riddagh, before the House for consideration.

HR 254 - Commending the Men and Women of the Dover Air Force Base for Their Outstanding Performances in Providing Worldwide Airlift.

HR 254 was adopted by voice vote.

Representative W. Brady introduced and brought HR 255 before the House for consideration.

HR 255 - Congratulating Dwayne Henry, Middletown High School, Upon His Selection as Number One Delaware Athlete of the Year.

HR 255 was adopted by voice vote.

The Reading Clerk read the following communication into the record at the request of Representative Plant:

June 30, 1980

The statement made by other State lawmakers and black leaders that Wilmington blacks are suffering because of a rift among the Holloways and Plant has no truth, and demonstrates these people are uninformed and out of touch.

The facts are, blacks are suffering in Wilmington and other parts of Delaware because of institutional racism and Tomism, the lack of voter registration and voter education and the failure to come out on election day, and further by not participating in community and civic functions. It is impossible for three lawmakers, black or white, to stop certain things from happening, especially if other legislators and community leaders are doing their jobs from a fair and nondiscriminatory standpoint.

I commend State Representative Orlando George for his positive position in Sunday's News-Journal dated June 29, title "Three Black Lawmakers Lay No Claim to Unity", written by Charles S. Farrell, staff reporter. I don't believe some folks understand the burden the three black lawmakers have on their shoulders. Black and white citizens from all over this State call on us for help in various categories. Why should this be, when other legislators are charged with the responsibility, as we are, of representing all citizens in their districts? It would appear this would be a good area for the News-Journal to probe and write about.

Furthermore, I resent being referred to as a black leader - until whites are referred to as white leaders. To distinguish me as a black leader, in my opinion and in the opinion of others, is a sophisticated way of differentiating black leaders from whites, and it appears to have racial overtones. I believe it would be very appropriate to refer to me and others as black leaders when and if President Carter, Reagan, and Kennedy are referred to as white leaders.

I was somewhat surprised that some legislators in this House and in the Delaware Senate would even comment about an alleged rift among the three black lawmakers. I would think they would have taken inventory of themselves and other white lawmakers and maybe they would have been convinced that we too have the right to our own thinking and disagreements, the same as other Delaware lawmakers.

It is not uncommon to see constant disagreements among legislators in both the House and Senate. I don't understand why it is so newsworthy that the three blacks would not always be of one mind.

What needs to take place among those legislators who are so informed concerning the three black lawmakers and those prominent blacks who refuse to be identified, is for them to come forth and deal with the unfair judiciary system - 91 judges and no blacks; welfare 13 to 20 years behind today's cost of living standards; unemployment rate the second highest in the nation here in Delaware; affirmative action in Delaware a national disgrace. If they concentrated on solving these problems they would not have time to keep check on the three black lawmakers.

In the future, I would hope certain legislators would speak on those things that they have the facts on - or otherwise mind their own business.

Al O. Plant, Sr.,
Representative
2nd Representative District

Representative West introduced and brought HR 256 before the House for consideration.

HR 256 - Requesting the Speaker of the House to Appoint a Special Committee to Investigate the Continuing Increases Sought by the Delmarva Power Company.

HR 256 was adopted by voice vote.

Representative George moved to suspend the rules which interfere with introduction of and action on HB 1174. The motion was properly seconded and adopted by voice vote.

Representative George introduced and brought HB 1174, co-sponsored by Representative Roy; Senators Arnold & Sharp; Representatives Anderson, T. Brady, Cain, Ferguson, Hebner, McBride, McKay, Oberle, Petrilli, Plant, Powell & Smith, before the House for consideration.

HB 1174 - An Act to Amend Title 14, Delaware Code, by Adding a New Chapter Thereto, Creating an Educational Finance Overview Committee.

Representative George requested and was granted the privilege of the floor for Attorneys William Manning & Richard Cooch.

Representative Burris moved that the debate on HB 1174 be cut off. The motion was seconded by Representative Roy.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Darling, Fallon, Ferguson, George, Gordy, Harrington, Hebner, Maroney, Minner, Morris, Oberle, Petrilli, Powell, Roy, Smith, Vernon, West, Mr. Speaker Riddagh - 24.

NO: Representatives Ambrosino, Clendaniel, Free, Gilligan, Jonkiert, Loughney, Maxwell, McBride, Neal, Van Sciver - 10.

NOT VOTING: Representative McKay - 1.

ABSENT: Representatives Cathcart, Connor, Holloway, Matushefske, Plant, Sincok - 6.

Therefore, having received a constitutional majority, the motion was adopted and the debate on HB 1174 was cut off.

Representative Jonkiert requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

The roll call on HB 1174 was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Clendaniel, Darling, Fallon, Ferguson, Free, George, Gordy, Harrington, Maroney, McKay, Minner, Morris, Petrilli, Powell, Roy, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 26.

NO: Representatives Ambrosino, Cathcart, Connor, Gilligan, Jonkiert, Loughney, Maxwell, McBride, Neal, Oberle, Plant - 11.

NOT VOTING: Representative Hebner - 1.

ABSENT: Representatives Holloway, Matushefske, Sincok - 3.

Therefore, having received a constitutional majority, HB 1174 was sent to the Senate for concurrence.

The Reading Clerk read the following communication into the record:

223 McKee Road
Dover, DE 19901

June 30, 1980
The Honorable Robert W. Riddagh
Speaker of the House
Legislative Hall
Dover, DE 19901
Dear Mr. Riddagh:

I would like to thank you and all the members of the House for their kind expressions of sympathy during the loss of my Mother.

Your thoughtfulness helped to lighten my load and I will always be grateful.

Sincerely,
Emily G. Morris
EGM

The Majority Leader moved to adjourn at 2:27 p.m., thereby ending the previous legislative day. The House reconvened at 2:28 p.m. A prayer was offered by Representative Neal, Twenty-Fifth District.

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

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Matushefske - 1.

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

The following prefiled legislation was introduced:

HB 1170 - CONNOR - EDUCATION: An Act to Amend Chapter 34, Part I, Title 14 of the Delaware Code Relating to the Enactment of a Higher Education Financial Assistance Act; and Providing for an Appropriation Therefor.

HB 1171 - T. BRADY, PETRILLI, GEORGE; SENATOR CICIONE - JUDICIARY & CONSTITUTION: An Act to Amend Chapter 17, Title 10, Chapter 56, Title 29, and Chapter 57, Title 11, Delaware Code, Relating to the Municipal Court for the City of Wilmington and Making a Supplemental Appropriation to the Administrative Office of the Courts.

HB 1172 - T. BRADY - JUDICIARY & CONSTITUTION: An Act to Amend Chapter 14, Title 11 of the Delaware Code Relating to Deadly Weapons by Providing for an Affirmative Defense.

HB 1173 - T. BRADY - JUDICIARY & CONSTITUTION: An Act Proposing an Amendment to Article IV, Section 29 of the constitution of the State of Delaware Relating to Justices of the Peace. (2/3 bill)

HA 4 to HB 580 - JONKIERT, LOUGHNEY - Placed with the bill. (Laid on the Table)

HA 2 to HB 994 - T. BRADY - APPROPRIATIONS: Placed with the bill.

HA 1 to SB 101 - VERNON - Placed with the bill. (Ready List)

SB 329 w/SA 1 - HOLLOWAY, BERNDT - HEALTH & SOCIAL SERVICES: An Act to Amend Title 9 and Title 22 of the Delaware Code Relating to Zoning Requirements for Facilities for Developmentally Disabled Persons. (2/3 bill)

SB 646 - COOK, MURPHY, ZIMMERMAN, SPENCE - APPROPRIATIONS: An Act Making a Supplementary Appropriation to the Delaware Standardbred Development Fund.

SJR 53 - MURPHY, HUGHES; REPRESENTATIVE POWELL - HEALTH & SOCIAL SERVICES: Establishing a Committee to Investigate and Study the Practices and Procedures of the State Board of Chiropractic Examiners.

Representative Burris brought HB 1070 - HA 1,2,3 co-sponsored by Representative Gordy; Senators Knox, Arnold, Berndt, Holloway, Martin & Kearns, before the House for consideration.

HB 1070 - An Act to Amend Part IX, Title 16 of the Delaware Code by Adding a New Chapter 94 Relating to the Handicapped by Establishing a State Advisory Council for the Coordination of Services to the Handicapped.

Representative Cain brought HA 1 to HB 1070 before the House for consideration. Representative Burris moved to place HA 1 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Gordy brought HA 2 to HB 1070 before the House for consideration. HA 2 was adopted by voice vote.

Representative Burris brought HA 3 to HB 1070 before the House for consideration. Representative Burris requested that HA 3 be stricken.

The roll call on HB 1070 w/HA 2 was taken and revealed:

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HB 1070 w/HA 2 was sent to the Senate for concurrence.

Representative Burris moved to suspend the rules which interfere with action on Special Agenda V. The motion was properly seconded and adopted by voice vote.

Representative Neal brought SB 514, sponsored by Senator Cordrey, before the House for consideration.

SB 514 - An Act to Amend An Act, Being Chapter 457, Volume 60, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Millsboro" to Amend the Qualifications for Voters at the Annual Municipal Election, to Provide for the Appointment of a Town Clerk, to Delete the Provision for a Town Manager, to Eliminate the Requirement That the President of Council be Elected by Ballot, to Provide for a Treasurer of the Town, and to Permit a Collection Charge to be Imposed on Delinquent Accounts. (2/3 bill)

The roll call on SB 514 was taken and revealed:

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

ABSENT: Representatives T. Brady, Cain, Matushefske - 3.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 514 was returned to the Senate.

Representative Free brought SB 588, sponsored by Senator Cook, before the House for consideration.

SB 588 - An Act to Amend "An Act to Reincorporate the Town of Houston" Being Volume 61, Chapter 517, Laws of Delaware. (2/3 bill)

The roll call on SB 588 was taken and revealed:

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

ABSENT: Representatives George, Gordy, Hebner, Matushefske, Plant - 5.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 588 was returned to the Senate.

Representative Vernon brought HB 765, co-sponsored by Senator Cordrey, before the House for consideration.

HB 765 - An Act to Amend Chapter 302, Volume 49, Laws of Delaware, Being "An Act to Incorporate the Town of Fenwick Island, Delaware" Relating to Elections and Certain Enumerated Powers of the Town. (2/3 bill)

The roll call on HB 765 was taken and revealed:

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

ABSENT: Representatives Hebner, Matushefske - 2.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 765 was sent to the Senate for concurrence.

Representative Neal brought SB 527, sponsored by Senator Cordrey, before the House for consideration.

SB 527 - An Act to Amend Chapter 161, Volume 43, Laws of Delaware, Entitled "An Act to Re-Incorporate the Town of Dagsboro", As Amended, to Revise the Qualifications for Voters in Municipal Elections and to Permit Absentee Voting in Such Elections. (2/3 bill)

The roll call on SB 527 was taken and revealed:

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

ABSENT: Representatives Hebner, Loughney, Matushefske - 3.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 527 was returned to the Senate.

Representative Free brought SB 637 w/SA 1, sponsored by Senator Cordrey & Representative West, before the House for consideration.

SB 637 - An Act to Reincorporate the Town of Frankford. (2/3 bill)

The roll call on SB 637 w/SA 1 was taken and revealed:

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 637 w/SA 1 was returned to the Senate.

Representative Neal brought SB 563, sponsored by Senator Cordrey & Representative Vernon, before the House for consideration.

SB 563 - An Act to Authorize the Town of Bethany Beach to Issue bonds to the Farmers Home Administration, U.S. Department of Agriculture, for Improvements and Additions to the Town Water Supply and Distribution System.

The roll call on SB 563 was taken and revealed:

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

ABSENT: Representatives Matushefske, Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 563 was returned to the Senate.

Representative Free brought SB 564, sponsored by Senator Hale & Representative Neal, before the House for consideration.

SB 564 - An Act to Amend the City Charter for the City of Newark, Delaware. (2/3 bill)

The roll call on SB 564 was taken and revealed:

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

NO: Representatives Free, Jonkiert, McBride - 3.

ABSENT: Representatives Matushefske, Maxwell - 2.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 564 was returned to the Senate.

Representative Vernon moved to suspend the rules which interfere with introduction of and action on SB 666. The motion was properly seconded and adopted by voice vote.

Representative Vernon introduced and brought SB 666, sponsored by Senator Cordrey, before the House for consideration.

SB 666 - An Act to Amend Title 25 Relating to the Recording of Deeds.

The roll call on SB 666 was taken and revealed:

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

NO: Representatives Jonkiert, McBride - 2.

ABSENT: Representatives Ambrosino, Matushefske - 2.

Therefore, having received a constitutional majority, SB 666 was returned to the Senate.

Representative Vernon moved to suspend the rules which interfere with action on SB 642. The motion was properly seconded and adopted by voice vote.

Representative Vernon brought SB 642, sponsored by Senator Cordrey, before the House for consideration.

SB 642 - An Act to Amend Chapter 212, Volume 25, Laws of Delaware, Entitled "An Act to Incorporate the Town of Bethany Beach and Giving It Authority to Issue Bonds" As Amended, and Relating to Residency of Commissioners, Time and Place of Annual Elections, Meetings of Commissioners, Authority of Commissioners, and Authority to Borrow Funds. (2/3 bill)

The roll call on SB 642 was taken and revealed:

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

ABSENT: Representatives Matushefske, Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 642 was returned to the Senate.

Representative Maxwell moved to lift HB 580 w/HA 1,2,3 - HA 4 from the Speaker's table. The motion was seconded by Representative McBride and adopted by voice vote.

HB 580 - An Act to Amend Chapter 13 of Title 24, Delaware Code, Relating to Private Detectives. (2/3 bill)

Representative Jonkiert brought HA 4 to HB 580 before the House for consideration. HA 4 was adopted by voice vote.

The roll call on HB 580 w/HA 1,2,3,4 was taken and revealed:

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

NO: Representative Neal - 1.

NOT VOTING: Representative Bennett - 1.

ABSENT: Representatives Matushefske, Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 580 w/HA 1,2,3,4 was sent to the Senate for concurrence.

Representative Harrington moved to suspend the rules which interfere with action on SB 626. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Harrington brought SB 626, co-sponsored by Senators Murphy, Holloway, McDowell, McCullough, Arnold, Cook, Weiss, Cicione, Marshall, Berndt, Adams, Sharp, Hughes, Martin, Kearns, Littleton, Knox; Representatives T. Brady, W. Brady, Holloway, George, Cathcart, Neal, Clendaniel, Ferguson, Hebner, Cain, Fallon, Roy, Van Sciver, McBride, Oberle, Bennett, Jonkiert, Matushefske, Plant, Loughney, Vernon, Gilligan, Ambrosino, West, Anderson, Connor, Maxwell & Petrilli, before the House for consideration.

SB 626 - An Act Making a Supplementary Appropriation to Provide for Supplemental Payments to the Firemen's Pension Fund of the Wilmington Bureau of Fire and the Volunteer Fire Companies of This State in Accordance With the Requirements of 18 Delaware Code, Section 705. (3/4 bill)

Representative Harrington requested and was granted the privilege of the floor for Pat McCann.

Representative Jonkiert rose on a point of order. Mr. Speaker concurred.

The roll call on SB 626 was taken and revealed:

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority of at least three-fourths members of the House, SB 626 was returned to the Senate.

Representative McKay moved to lift SB 573 w/SA 4,6 from the Speaker's table. The motion was seconded by Representative McBride and adopted by voice vote.

SB 573 - An Act to Authorize Medical Examiners in Delaware to Provide to Eye Banks Corneas From Decedents Under Their Jurisdiction and to Provide Immunity From Certain Civil Action Arising Therefrom.

Representative Minner brought HA 1 to SB 573 before the House for consideration. HA 1 was adopted by voice vote.

Representative McKay requested and was granted the privilege of the floor for Senator Richard S. Cordrey.

The roll call on SB 573 w/SA 4,6,HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McKay, Minner, Morris, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Vernon, West, Mr. Speaker Riddagh - 34.

NO: Representatives W. Brady, Free, McBride, Van Sciver - 4.

ABSENT: Representatives Matushefske, Neal, Plant - 3.

Therefore, having received a constitutional majority, SB 573 w/SA 4,6,HA 1 was returned to the Senate.

Representative Roy brought HB 962 w/SA 1 before the House for consideration.

HB 962 - An Act to Amend Chapter 89, Title 29 of the Delaware Code Relating to the Department of Transportation and the Office of Administration.

The roll call on HB 962 w/SA 1 was taken and revealed:

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

NO: Representative Morris - 1.

ABSENT: Representatives Matushefske, Neal - 2.

Therefore, having received a constitutional majority, HB 962 w/SA 1 was sent to the Governor.

Representative Smith brought HB 1102, co-sponsored by Senator Marshall, before the House for consideration.

HB 1102 - An Act to Amend Title 13 and Title 27 of the Delaware Code Relating to Ordained Ministers.

The roll call on HB 1102 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Fallon, Ferguson, Free, George, Gilligan, Gordy, Hebner, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McKay, Minner, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 34.

NO: Representatives Bennett, Darling, Harrington, Morris - 4.

ABSENT: Representatives Matushefske, McBride, Neal - 3.

Therefore, having received a constitutional majority, HB 1102 was sent to the Senate for concurrence.

Representative Sincok brought HS 1 for HB 1002, co-sponsored by Representative Gilligan, before the House for consideration.

HB 1002 - An Act to Amend Chapter 68, Title 16, Delaware Code, Relating to the Exemption of Persons From Liability When Rendering Emergency Care.

The roll call on HS 1 for HB 1002 was taken and revealed:

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

ABSENT: Representatives Matushefske, Smith, Vernon - 3.

Therefore, having received a constitutional majority, HS 1 for HB 1002 was sent to the Senate for concurrence.

Representative Fallon brought HJR 39, co-sponsored by Representatives Cain, Jonkiert, Minner, Maroney, Connor, W. Brady, Hebner, Sincok, Vernon, Neal, Anderson, Roy, Riddagh, Harrington, Loughney; Senators Arnold, Hughes, Cicione, Kearns, Murphy, McCullough, Holloway, Berndt, Knox, Spence, Marshall & McDowell, before the House for consideration.

HJR 39 - Requiring the State Department of Public Instruction to Conduct a Feasibility Study of an Early Retirement Program for Administrative Personnel of the State Department of Public Instruction and Local School Districts.

The roll call on HJR 39 was taken and revealed:

YES: Representatives Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Fallon, Free, George, Gilligan, Harrington, Hebner, Jonkiert, Loughney, Maroney, Maxwell, McKay, Minner, Neal, Oberle, Petrilli, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 28.

NO: Representatives Ambrosino, Bennett, Connor, Darling, Gordy, McBride, Morris, Plant - 8.

NOT VOTING: Representative Holloway - 1.

ABSENT: Representatives Ferguson, Matushefske, Powell, West - 4.

Therefore, having received a constitutional majority, HJR 39 was sent to the Senate for concurrence.

Representative Harrington brought HB 1068, co-sponsored by Senator Murphy, before the House for consideration.

HB 1068 - An Act to Amend Chapter 1 and Chapter 9, Title 5, Delaware Code Relating to Reserve Requirements.

The roll call on HB 1068 was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, McKay, Minner, Morris, Neal, Petrilli, Plant, Powell, Roy, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 34.

NO: Representatives Ambrosino, McBride, Oberle - 3.

NOT VOTING: Representative Cain - 1.

ABSENT: Representatives Matushefske, Maxwell, Sincok - 3.

Therefore, having received a constitutional majority, HB 1068 was sent to the Senate for concurrence.

Representative Burris moved to recess at 4:35 p.m.

The House reconvened at 4:42 p.m.

Representative T. Brady moved to lift SB 640 w/HA 1 from the Speaker's table. The motion was seconded by Representative Harrington and adopted by voice vote.

SB 640 - An Act to Amend Chapter 9 and Chapter 11, Title 13, Delaware Code, Relating to the Transfer of Jurisdiction Over Adoption and Termination of Parental Rights from the Superior Court to the Family Court and Providing a Supplemental Appropriation Therefor.

Representative Sincok brought HA 2 to SB 640 before the House for consideration. HA 2 was adopted by voice vote.

The roll call on SB 640 w/HA 1,2 was taken and revealed:

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

Neal, Oberle, Plant, Powell, Sincok, Smith, Vernon, West, Mr. Speaker Riddagh - 34.

NO: Representatives Ambrosino, McBride, Petrilli, Roy, Van Sciver - 5.

ABSENT: Representatives Burris, Matushefske - 2.

Therefore, having received a constitutional majority, SB 640 w/HA 1,2 was returned to the Senate.

Representative T. Brady brought HB 1090, co-sponsored by Representative Ferguson, before the House for consideration.

HB 1090 - An Act to Amend Title 11, Section 1336 of the Delaware Code Relating to Wiretapping and Electronic Surveillance.

The roll call on HB 1090 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 33.

NO: Representatives Maxwell, McBride, Morris, West - 4.

NOT VOTING: Representative Clendaniel - 1.

ABSENT: Representatives Burris, Holloway, Matushefske - 3.

Therefore, having received a constitutional majority, HB 1090 was sent to the Senate for concurrence.

Representative Neal brought HB 723 - HA 1, co-sponsored by Representatives Free, Ambrosino, McBride, Bennett; Senators Weiss & Hale, before the House for consideration.

HB 723 - An Act to Appropriate \$85,000 to the Department of Health and Social Services, Division of Mental Health, Bureau of Alcohol and Drug Abuse, to Provide for Research, Counseling and Other Services to Treat Compulsive Gambling as a Social Problem.

Representative Neal brought HA 1 to HB 723 before the House for consideration.

Representative Neal moved to place HB 723 - HA 1 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Connor brought HB 1135, co-sponsored by Representatives Petrilli, Oberle & Cathcart, before the House for consideration.

HB 1135 - An Act to Amend Delaware Code, Titles 14 and 19 by Making a Technical Change in the Law by Reassigning the Statutory Provision for Vocational Rehabilitation From Education Law to Labor Law.

The roll call on HB 1135 was taken and revealed:

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

ABSENT: Representatives Ambrosino, Matushefske, Petrilli, Smith - 4.

Therefore, having received a constitutional majority, HB 1135 was sent to the Senate for concurrence.

Representative Burris moved to suspend the rules which interfere with action on Special Agenda IV. The motion was properly seconded and adopted by voice vote.

Representative T. Brady brought SB 328 w/SA 1, sponsored by Senators McDowell & Kearns, before the House for consideration.

SB 328 - An Act Making a Supplementary Appropriation to the Family Court of the State of Delaware for the Purpose of Correcting Omissions in Chapter 12, Volume 62, Laws of Delaware.

The roll call on SB 328 w/SA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, - 34.

NO: Representatives Bennett, Clendaniel, Jonkiert, West, Mr. Speaker Riddagh - 5.

NOT VOTING: Representative Holloway - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 328 w/SA 1 was returned to the Senate.

Representative Fallon brought HB 1072 before the House for consideration.

HB 1072 - An Act to Amend Chapter 21, Title 21 of the Delaware Code Relating to Goose-Necked Semi-Trailers.

The roll call on HB 1072 was taken and revealed:

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

NO: Representative Morris - 1.

ABSENT: Representatives Darling, Matushefske - 2.

Therefore, having received a constitutional majority, HB 1072 was sent to the Senate for concurrence.

Representative Smith brought HB 1086 - HA 1, co-sponsored by Representative Neal, before the House for consideration.

HB 1086 - An Act to Amend Chapter 1, Title 13 of the Delaware Code Relating to the Fee for Issuing Marriage Licenses.

Representative Smith brought HA 1 to HB 1086 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 1086 w/HA 1 was taken and revealed:

YES: Representatives Anderson, T. Brady, Burris, Darling, Fallon, Harrington, Hebner, Holloway, Maroney, McKay, Neal, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 19.

NO: Representatives Ambrosino, Bennett, W. Brady, Cain, Clendaniel, Connor, Ferguson, Free, George, Gilligan, Gordy, Jonkiert, Loughney, Maxwell, McBride, Minner, Morris, Oberle, Petrilli, Plant - 20.

ABSENT: Representatives Cathcart, Matushefske - 2.

Therefore, not having received a constitutional majority, HB 1086 w/HA 1 was declared defeated.

Representative Burris brought SB 489 w/SA 2,3 - HA 1, sponsored by Senators Weiss & Hale, before the House for consideration.

SB 489 - An Act to Amend Title 29, Delaware Code, to Require Financial Disclosure for State Officials and Employees.

Representative Burris moved to place SB 489 w/SA 2,3 - HA 1 on the Speaker's table. The motion was seconded by Representative Bennett and adopted by voice vote.

Representative Neal moved to lift HB 723 - HA 1 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

HB 723 - An Act to Appropriate \$85,000 to the Department of Health and Social Services, Division of Mental Health, Bureau of Alcohol and Drug Abuse, to Provide for Research, Counseling and Other Services to Treat Compulsive Gambling as a Social Problem.

Representative Neal brought HA 1 to HA 1 to HB 723 before the House for consideration. HA 1 to HA 1 was adopted by voice vote.

Representative Neal requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

Representative Neal rose on a point of order. Mr. Speaker concurred.

Representative Jonkiert moved that HB 723 with all amendments be assigned to Committee. The motion was seconded by Representative Darling.

The roll call on the motion was taken and revealed:

YES: Representatives Darling, Jonkiert, Minner, Morris - 4.

NO: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Fallon, Ferguson, Free, Gilligan, Gordy, Harrington, Hebner, Loughney, Maroney, Maxwell, McBride, McKay, Neal, Oberle, Petrilli, Powell, Sincok, Smith, Van Seiver, Vernon, West, Mr. Speaker Riddagh - 31.

NOT VOTING: Representative Roy - 1.

ABSENT: Representatives Connor, George, Holloway, Matushefske, Plant - 5.

Therefore, not having received a constitutional majority, the motion was declared defeated and HB 723 w/HA 1 to HA 1 remained before the House.

HA 1 was adopted by voice vote.

The Reading Clerk read the following communication into the record at the request of Representative Sincok:

MEMORANDUM

June 11, 1980

TO: The Honorable Members of the Appropriations Committee,
House of Representatives

FROM: Patricia C. Schramm

I understand that you recently received a letter signed by A. L. Gibson, Statewide Coordinator for the State Troubled Employees Program, concerning HB 723 and the Problem Gambling Counseling Center.

This was an unauthorized letter. It was not approved, or even seen by, Mr. Gibson's supervisor, William B. Merrill, Chief of the Bureau of Alcoholism and Drug Abuse; Sheldon Schweidel, Director of the Division of Mental Health; or myself. It does not accurately represent the Department's view.

We recognize that compulsive gambling can be a serious problem which requires treatment and counseling, but the Department has not endorsed the Problem Gambling Counseling Center or any other agency which might provide services in this area.

I regret any misunderstandings which might have been caused by Mr. Gibson's letter.

sm

The roll call on HB 723 w/HA 1, HA 1 to HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Connor, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Loughney, Maroney, Maxwell, McBride, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, - 31.

NO: Representatives Bennett, Darling, Jonkiert, McKay, Minner, Morris, West, Mr. Speaker Riddagh - 8.

ABSENT: Representatives Burris, Matushefske - 2.

Therefore, having received a constitutional majority, HB 723 w/HA 1, HA 1 to HA 1 was sent to the Senate for concurrence.

Representative Roy brought HB 665 w/SA 1 before the House for consideration.

The roll call on HB 665 w/SA 1 was taken and revealed:

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

ABSENT: Representatives W. Brady, Gilligan, Matushefske - 3.

Therefore, having received a constitutional majority, HB 665 w/SA 1 was sent to the Governor.

Representative T. Brady brought SB 561 w/SA 1, sponsored by Senators Arnold & Sharp, before the House for consideration.

SB 561 - An Act Proposing an Amendment to Article XV of the State of Delaware Relating to the Award of Contracts. (2/3 bill)

The roll call on SB 561 w/SA 1 was taken and revealed:

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

NOT VOTING: Representative Maxwell - 1.

ABSENT: Representatives Ferguson, Matushefske - 2.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 561 w/SA 1 was returned to the Senate.

Representative T. Brady brought SB 571, sponsored by senators Berndt, Kearns, Knox & McDowell, before the House for consideration.

SB 571 - An Act Proposing an Amendment to the Constitution of the State of Delaware Relating to the Criminal Jurisdiction of Inferior Courts and Justices of the Peace. (2/3 bill)

The roll call on SB 571 was taken and revealed:

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

NO: Representatives Clendaniel, West - 2.

ABSENT: Representatives Connor, Matushefske, Maxwell - 3.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 571 was returned to the Senate.

Representative Burris brought SS 1 for SB 485 - HA 1, co-sponsored by Senators Hale, Weiss, Adams, Arnold, Berndt, Cicione, Cook, Cordrey, Littleton, Marshall, Martin, McCullough, McDowell, Murphy, Sharp, Spence, Zimmerman; Representatives Riddagh, Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cathcart, Connor, Fallon, Free, Hebner, Maroney, McBride, McKay, Neal, Oberle, Petrilli, Powell, Roy, Van Sciver, & Vernon, before the House for consideration.

SB 485 - An Act to Amend Title 29, Delaware Code, to Require Financial Disclosure for State Officials and Employees.

Representative Burris moved to place SS 1 for SB 485 - HA 1 on the Speaker's table. The motion was seconded by Representative McKay and adopted by voice vote.

Representative Neal brought SS 1 for SB 416 w/SA 1,2,3, sponsored by Senator Holloway, before the House for consideration.

SB 416 - 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 Examination and Registration of Sanitarians, to Establish a Schedule of Fees for Sanitarian Registration, and to Authorize Expenditure of Fees Collected by Said Board. (2/3 bill)

The roll call on SS 1 for SB 416 w/SA 1,2,3 was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Burris, Cathcart, Connor, Darling, Fallon, George, Gilligan, Holloway, Jonkiert, Maroney, McKay, Minner, Morris, Neal, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 22.

NO: Representatives Ambrosino, T. Brady, Clendaniel, Ferguson, Free, Gordy, Harrington, Hebner, Loughney, Maxwell, McBride, Oberle, Petrilli, Roy, West - 15.

ABSENT: Representatives Cain, Matushefske, Plant, Powell - 4.

Therefore, not having received a constitutional majority of at least two-thirds members of the House, SS 1 for SB 416 w/SA 1,2,3 was declared defeated.

Representative W. Brady moved to restore HB 1128. The motion was seconded by Representative Hebner.

The roll call on the motion was taken and revealed:

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

ABSENT: Representatives Anderson, Matushefske, Minner, Plant - 4.

Therefore, having received a constitutional majority, the motion was adopted and HB 1128 was restored.

HB 1128 - An Act to Assist the Cape Henlopen Senior Center to Meet One-Time Relocation Expenses by Making an Appropriation Therefor. (3/4 bill)

The roll call on HB 1128 was taken and revealed:

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

ABSENT: Representatives Matushefske, Plant - 2.

Therefore, having received a constitutional majority, HB 1128 was sent to the Senate for concurrence.

Representative Ambrosino moved to suspend the rules which interfere with action on HCR 159. The motion was seconded by Representative Anderson and defeated by voice vote.

Representative Burris moved to recess at 6:37 p.m.

The House reconvened at 8:05 p.m.

Representative Maroney introduced and brought HR 257, co-sponsored by Representative T. Brady, before the House for consideration.

HR 257 - Urging Agencies, Departments and Branches of the Government of the State of Delaware to Investigate the Problem of Runaway Children and Possible Solutions to Such Problems.

HR 257 was adopted by voice vote.

Representative T. Brady introduced and brought HR 258 before the House for consideration.

HR 258 - Congratulating Mrs. Annie Diamond, of Wilmington, Upon Reaching Her 100th Birthday, June 29, 1980.

HR 258 was adopted by voice vote.

Representative Neal introduced and brought HR 259, co-sponsored by Representatives Anderson, Petrilli & Oberle, before the House for consideration.

HR 259 - Commending the City of Newark for Sponsoring Delaware's First Safety Town and Recommending That Other Delaware Communities Inaugurate Similar Programs to Introduce Safety Awareness to Preschool Children.

HR 259 was adopted by voice vote.

Representative Darling introduced and brought HR 260, co-sponsored by All Members of the Minority Party, before the House for consideration.

HR 260 - Thanking Representative J. Edward Morris, of Camden, for His Service to the House of Representatives as He Retires After His Fourth Term.

HR 260 was adopted by voice vote.

Representative T. Brady brought SB 13, sponsored by Senator Cordrey, before the House for consideration.

SB 13 - An Act Concurring in a Proposed Amendment to Article X of the Constitution to Provide for a Vote of the Eligible Voters of a School District When It is Proposed to Divert Property Taxes Raised for One Purpose to Another Purpose. (2/3 bill)

The roll call on SB 13 was taken and revealed:

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

ABSENT: Representatives Anderson, George, Jonkiert, Loughney, Matushefske - 5.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 13 was returned to the Senate.

Representative Sincok brought SB 187, sponsored by Senator Cordrey, before the House for consideration.

SB 187 - An Act Making a Supplemental Appropriation to the Department of Natural Resources and Environmental Control, Division of Soil and Water Conservation, for the Purpose of Dredging Wilson Creek.

Representative Sincok brought HA 1 to SB 187 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on SB 187 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, Gilligan, Gordy, Harrington, Hebner, Holloway, Maroney, Maxwell, McBride, McKay, Minner, Morris, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 33.

NO: Representatives Neal, Smith - 2.

ABSENT: Representatives Anderson, Ferguson, George, Jonkiert, Loughney, Matushefske - 6.

Therefore, having received a constitutional majority, SB 187 w/HA 1 was returned to the Senate.

Representative Sincok brought SB 617, sponsored by Senator Holloway, Representative Holloway; Senators Knox, Marshall, Cicione, Berndt, Martin, Weiss; Representatives West, Maxwell, Powell, McBride; Senators Kearns & Murphy, before the House for consideration.

SB 617 - An Act Making a Supplementary Appropriation to the Department of Community Affairs and Economic Development for the Purpose of Establishing a State Assisted Youth Work Program for Part of the Summer of 1980.

Representative Burris moved to recess for caucus at 8:45 p.m.

The House reconvened at 11:17 p.m.

The roll call on SB 617 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Cain, Cathcart, Clendaniel, Darling, Fallon, Ferguson,

Free, George, Gilligan, Gordy, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 37.

NO: Representative McKay - 1.

ABSENT: Representatives Burris, Connor, Matushefske - 3.

Therefore, having received a constitutional majority, SB 617 was returned to the Senate.

Representative Gordy introduced and brought HR 261, co-sponsored by Representatives Clendaniel, Ferguson & Burris, before the House for consideration.

HR 261 - Congratulating Former Representative Nutter D. Marvel, of Georgetown, on His 78th Birthday Today, June 30, 1980.

HR 261 was adopted by voice vote.

Representative Gordy moved to suspend the rules which interfere with action on SB 614 - HA 1. The motion was seconded by Representative Bennett.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, George, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Maxwell, McBride, Minner, Morris, Oberle, Plant, Van Sciver, West - 24.

NO: Representatives Ambrosino, T. Brady, Burris, Free, Harrington, Hebner, Maroney, McKay, Neal, Petrilli, Powell, Roy, Sincock, Smith, Vernon, Mr. Speaker Riddagh - 16.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, the motion was adopted and the rules were suspended.

SB 614 - An Act Making a Supplemental Grant-in-Aid Appropriation to Delaware Fire Companies. (3/4 bill)

Representative Gordy rose on a point of order. Mr. Speaker concurred.

Representative Burris moved to place SB 614 - HA 1 on the Speaker's table. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Burris moved to recess at 11:30 p.m.

The House reconvened at 11:40 p.m.

Representative Burris withdrew the motion to place SB 614 - HA 1 on the Speaker's table.

Representative George brought HA 1 to SB 614 before the House for consideration. HA 1 was defeated by voice vote.

Representative Hebner rose on a point of order. Mr. Speaker concurred.

Representative Jonkiert moved to restore HA 1 to SB 614. The motion was seconded by Representative Gilligan.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Maxwell, McBride, Minner, Morris, Plant, West - 19.

NO: Representatives Ambrosino, T. Brady, Burris, Connor, Fallon, Harrington, Hebner, Maroney, McKay, Neal, Oberle, Petrilli, Powell, Roy, Sincock, Smith, Van Sciver, Vernon - 18.

ABSENT: Representatives Cathcart, Free, Matushefske - 3.

Therefore, having received a constitutional majority, the motion was adopted and HA 1 to SB 614 was restored.

Representative Gilligan rose on a point of order. Mr. Speaker concurred.

Representative T. Brady rose on a point of order. Mr. Speaker concurred.

Representative Minner rose on a point of order. Mr. Speaker concurred.

Representative Burris moved to recess at 11:55 p.m.

1st LEGISLATIVE DAY
Special Session
July 1, 1980

The Speaker called the House to order at 12:10 a.m.

The Reading Clerk read the following communication into the record:

TO: MEMBERS OF THE SENATE AND HOUSE OF
REPRESENTATIVES OF THE 130TH GENERAL ASSEMBLY
FROM: PRESIDENT OF THE SENATE, JAMES D. McGINNIS
SPEAKER OF THE HOUSE, ROBERT RIDDAGH
SUBJECT: DECLARATION OF SPECIAL SESSION
DATE: MONDAY, JUNE 30TH, 1980, 12 MIDNIGHT
PURSUANT TO THE AUTHORITY VESTED IN THE PRESIDING
OFFICERS OF BOTH HOUSES UNDER ARTICLE II, SECTION 4, OF THE
DELAWARE CONSTITUTION OF 1897, AS AMENDED, WE HEREBY
DECLARE THAT THE 130TH GENERAL ASSEMBLY IS NOW IN
SPECIAL SESSION.

JAMES D. McGINNIS
PRESIDENT OF THE

SENATE

ROBERT W. RIDDAGH
SPEAKER OF THE HOUSE

The Majority Leader moved to adjourn at 12:12 a.m., thereby ending the previous legislative day. The House reconvened at 12:13 a.m. A prayer was offered by Representative Morris, Thirty-Fourth District.

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

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Matushefske - 1.

Representative Jonkiert rose on a point of order. Mr. Speaker concurred.

HA 1 to SB 614 was adopted by voice vote.

The roll call on SB 614 w/HA 1 was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Maxwell, McBride, Minner, Morris, Plant, Roy, Van Sciver, West - 25.

NO: Representatives Ambrosino, T. Brady, Burris, Harrington, Maroney, McKay, Neal, Oberle, Petrilli, Powell, Riddagh, Sincok, Smith, Vernon, Acting Speaker Hebner - 15.

ABSENT: Representative Matushefske - 1.

Therefore, not having received a constitutional majority of at least three-fourths members of the House, SB 614 w/HA 1 was declared defeated.

Representative Loughney rose on a point of order. Mr. Speaker concurred.

Representative Connor rose on a point of order. Mr. Speaker concurred.

Representative Burris moved to suspend the rules which interfere with action on Special Agenda VII of June 30, 1980. The motion was properly seconded and adopted by voice vote.

Representative Cathcart brought SB 235 w/SA 1, sponsored by Senator Cordrey, before the House for consideration.

SB 235 - An Act to Amend Title 21 of the Delaware Code Relating to the Definition of Proof of Financial Responsibility.

The roll call on SB 235 w/SA 1 was taken and revealed:

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

ABSENT: Representatives Burris, Harrington, Matushefske - 3.

Therefore, having received a constitutional majority, SB 235 w/SA 1 was returned to the Senate.

Representative Cathcart brought SB 236, sponsored by Senator Cordrey, before the House for consideration.

SB 236 - An Act to Amend Chapter 21, Title 21 of the Delaware Code Relating to Taxicabs. (2/3 bill)

The roll call on SB 236 was taken and revealed:

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

ABSENT: Representatives Bennett, Burris, Matushefske - 3.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 236 was returned to the Senate.

Representative Roy brought SB 237, sponsored by Senator Cordrey, before the House for consideration.

SB 237 - An Act to Amend Chapter 21, Title 21 of the Delaware Code Relating to Reissuance of License Plates.

Representative Roy moved to place SB 237 on the Speaker's table. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Cathcart brought SB 238, sponsored by Senator Cordrey, before the House for consideration.

SB 238 - An Act to Amend Chapter 30, Title 30 of the Delaware Code Relating to Credit Given on Vehicle Document Fees.

The roll call on SB 238 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, Gordy, Harrington, Holloway, Jonkiert, Loughney, Maroney, McBride, McKay, Minner, Neal, Oberle, Petrilli, Powell, Riddagh, Roy, Sincok, Smith, Van Sciver, Vernon, West, Acting Speaker Hebner - 33.

NO: Representatives Cain, George, Gilligan, Maxwell, Morris - 5.

NOT VOTING: Representatives Bennett, Plant - 2.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 238 was returned to the Senate.

Representative Harrington brought SB 508 w/SA 1, sponsored by Senator Murphy, before the House for consideration.

SB 508 - 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.

Representative Harrington moved to place SB 508 w/SA 1 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Fallon brought HB 1161, co-sponsored by Representative Gordy; Senators Littleton & Adams, before the House for consideration.

HB 1161 - An Act to Amend Chapter 1, Title 2 of the Delaware Code Relating to the Woodland Ferry.

The roll call on HB 1161 was taken and revealed:

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

NO: Representative Maxwell - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HB 1161 was sent to the Senate for concurrence.

Representative Maxwell moved to suspend the rules which interfere with introduction of and action on SB 329 w/SA 1. The motion was properly seconded and adopted by voice vote.

Representative Maxwell introduced and brought SB 329 w/SA 1, sponsored by Senators Holloway & Berndt, before the House for consideration.

SB 329 - An Act to Amend Title 9 and Title 22 of the Delaware Code Relating to Zoning Requirements for Facilities for Developmentally Disabled Persons. (2/3 bill)

The roll call on SB 329 w/SA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Connor, Fallon, Ferguson, Gilligan, Harrington, Hebner, Holloway, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Neal, Oberle, Plant, Powell, Roy, Sincock, Smith, Van Sciver - 28.

NO: Representatives T. Brady, Clendaniel, Darling, Free, George, Gordy, Jonkiert, Morris, Vernon, West, Mr. Speaker Riddagh - 11.

ABSENT: Representatives Matushefske, Petrilli - 2.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 329 w/SA 1 was returned to the Senate.

Representative Hebner brought HB 1098, co-sponsored by Senator McDowell; Representatives Ambrosino, Jonkiert, Sincok, Cathcart; Senators Holloway & Marshall, before the House for consideration.

HB 1098 - An Act to Amend Part IV, Title 10, of the Delaware Code Relating to Courts and Judicial Procedure; and Providing for a Dispute Resolution Act.

The roll call on HB 1098 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, Burris, Cathcart, Connor, Free, Gordy, Hebner, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Seiver, Mr. Speaker Riddagh - 24.

NO: Representatives Bennett, W. Brady, Cain, Clendaniel, Darling, Fallon, George, Harrington, Minner, Morris, Neal, Vernon, West - 13.

NOT VOTING: Representatives Ferguson, Gilligan, Holloway - 3.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HB 1098 was sent to the Senate for concurrence.

Representative Gordy brought SB 654, co-sponsored by Senator Littleton, before the House for consideration.

SB 654 - An Act to Authorize Disposition of the Ross Point No. 215 School Property in Sussex County.

Representative Smith brought HA 1 to SB 654 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on SB 654 w/HA 1 was taken and revealed:

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

NO: Representative Jonkiert - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 654 w/HA 1 was returned to the Senate.

Representative Maroney brought SB 566 w/SA 1, sponsored by Senators McDowell, Kearns, Holloway, Marshall, Weiss, Knox, Berndt; Representatives Gilligan, Jonkiert, Ambrosino, Connor & T. Brady, before the House for consideration.

SB 566 - An Act to Amend Chapter 22, Title 16, Delaware Code Relating to the Uniform Alcoholism and Intoxication Treatment Act.

Representative Maroney moved to place SB 566 w/SA 1 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative T. Brady brought HB 1171, co-sponsored by Representatives Petrilli, George & Senator Cicone, before the House for consideration.

HB 1171 - An Act to Amend Chapter 17, Title 10, Chapter 56, Title 29, and Chapter 57, Title 11, Delaware Code, Relating to the Municipal Court for the City of Wilmington and Making a Supplemental Appropriation to the Administrative Office of the Courts.

The roll call on HB 1171 was taken and revealed:

YES: Representatives T. Brady, Burris, Cain, Clendaniel, Fallon, Free, George, Gordy, Holloway, Jonkiert, Maroney, McKay, Minner, Petrilli, Plant, Smith - 16.

NO: Representatives Ambrosino, Bennett, W. Brady, Cathcart, Connor, Darling, Gilligan, Harrington, Hebner, Loughney, Maxwell, McBride, Morris, Neal, Oberle, Powell, Roy, Van Sciver, Vernon, Mr. Speaker Riddagh - 20.

NOT VOTING: Representatives Ferguson, Sincok - 2.

ABSENT: Representatives Anderson, Matushefske, West - 3.

Therefore, not having received a constitutional majority, HB 1171 was declared defeated.

Representative Gilligan introduced and brought HR 262, co-sponsored by All Members of the Minority Party, before the House for consideration.

HR 262 - Thanking Representative Robert L. Maxwell for His Service to the House of Representatives as He Retires After His Third Term.

HR 262 was adopted by voice vote.

Representative Burris moved to suspend the rules which interfere with action on Special Agenda IV. The motion was properly seconded and adopted by voice vote.

Representative Vernon brought HB 1139, co-sponsored by Representative Burris & Senator Marshall, before the House for consideration.

HB 1139 - An Act to Amend Title 29, Delaware Code, Relating to Public Works Contracts.

The roll call on HB 1139 was taken and revealed:

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

ABSENT: Representatives Cain, Matushefske - 2.

Therefore, having received a constitutional majority, HB 1139 was sent to the Senate for concurrence.

Representative Van Sciver brought HB 1145, co-sponsored by Representatives Cathcart, Harrington, Plant, Jonkiert, Free, Connor; Senators Arnold & Holloway, before the House for consideration.

HB 1145 - 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.

The Reading Clerk read the following communication into the record at the request of Representative Van Sciver:

June 27, 1980

The Honorable Donald J. Van Sciver
House of Representatives
Legislative Hall
Dover, Delaware 19901
Dear Don:

I am writing to express my support on behalf of New Castle County government of House Bill No. 1145. During your term, you have been responsive to the needs of senior citizens in our community,

and this legislation will provide necessary assistance for cutting their fuel costs.

As you may be aware, New Castle County government has, in recent months, initiated an energy program to encourage conservation on the part of both the public and private sector. I am personally committed to this program, and I wholeheartedly support your efforts to encourage our citizens to conserve energy.

Please feel free to contact me if I can be of any assistance to you.

Sincerely,
Mary D. Jornlin
County Executive

MDJ/jlc

cc: Christopher J. Warner

Kenneth J. Finlayson

The roll call on HB 1145 was taken and revealed:

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

NO: Representative Bennett - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HB 1145 was sent to the Senate for concurrence.

Representative Sincok brought SB 665, co-sponsored by Senators Murphy, Sharp, Berndt, Weiss; Representatives Burris & Bennett, before the House for consideration.

SB 665 - An Act Making a Supplementary Appropriation to the State Insurance Commissioner's Office for the Purpose of Having a Study Conducted of Income and Expenses of Insurance Companies Writing Workmen's Compensation and Employees' Liability Insurance in This State.

The roll call on SB 665 was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, Burris, Cain, Cathcart, Connor, Fallon, Ferguson, Free, George, Gilligan, Harrington, Hebner, Holloway, Loughney, Maroney, Maxwell, McKay, Minner, Neal, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Vernon, Mr. Speaker Riddagh - 29.

NO: Representatives Anderson, W. Brady, Clendaniel, Darling, Gordy, Jonkiert, McBride, Morris, Plant, West - 10.

ABSENT: Representatives Matushefske, Van Sciver - 2.

Therefore, having received a constitutional majority, SB 665 was returned to the Senate.

Representative Neal brought SJR 48 w/SA 1, sponsored by Senators Sharp, Holloway, Zimmerman, Weiss, Berndt, Cicione, Cook, Hughes, Spence; Representatives Ferguson, Gordy, Holloway, Loughney, Hebner, Powell, Connor & Senator Murphy, before the House for consideration.

SJR 48 - Designating the Week of September 7, 1980, as Voter Registration Week, Requesting the News Media to Help Promote and Publicize the Week and Making an Appropriation to the Commissioner of Elections for Advertizing Our Precious Right to Register and Vote.

Representative Burris moved to place SJR 48 w/SA 1 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Burris moved to suspend the rules which interfere with action on Special Agenda VI of June 30, 1980. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Powell brought SB 471, sponsored by Senator Sharp, before the House for consideration.

SB 471 - An Act to Amend Chapter 55, Title 29, Del. C., Relating to the State Employees' Pension Plan by Providing for a Reduced Service Pension After Twenty-Five Years of Credited Service Regardless of Age.

The roll call on SB 471 was taken and revealed:

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

NOT VOTING: Representatives George, Gilligan - 2.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 471 was returned to the Senate.

Representative Smith brought SB 469 w/SA 3, sponsored by Senators McDowell, Martin, Marshall, Knox, Arnold; Representatives Ambrosino, Anderson, W. Brady, Cain, Petrilli & Plant, before the House for consideration.

SB 469 - An Act to Amend 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.

Representative Smith brought HA 1 to SB 469 before the House for consideration.

Representative Smith requested and was granted the privilege of the floor for Senator Harris B. McDowell, III.

Representative Hebner rose on a point of order. Mr. Speaker concurred.

Representative Maxwell rose on a point of order. Mr. Speaker concurred.

Representative Smith moved to place SB 469 w/SA 3 - HA 1 on the Speaker's table. The motion was properly seconded.

The roll call on the motion was taken and revealed:

NO: Representatives Anderson, Bennett, W. Brady, Cain, Clendaniel, Connor, Darling, Fallon, Ferguson, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Plant, Sincok, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 30.

ABSENT: Representatives Ambrosino, T. Brady, Burris, Cathcart, Free, George, Holloway, Matushefske, Petrilli, Powell, Roy - 11.

Therefore, not having received a constitutional majority, the motion was declared defeated and SB 469 w/SA 3 - HA 1 remained before the House.

Representative Smith requested and was granted the privilege of the floor for Christopher Warner, Director, Delaware Energy Office.

Representative Smith moved to place HA 1 to SB 469 on the Speaker's table. The motion was properly seconded.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, Bennett, W. Brady, Clendaniel, George, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Maxwell, McBride, Minner, Morris, Plant, West - 16.

NO: Representatives Ambrosino, T. Brady, Burris, Cathcart, Darling, Fallon, Harrington, Hebner, Maroney, McKay, Neal, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 20.

ABSENT: Representatives Cain, Connor, Ferguson, Free, Matushefske - 5.

Therefore, not having received a constitutional majority, the motion was declared defeated and HA 1 to SB 469 remained before the House.

The roll call on HA 1 to SB 469 was taken and revealed:

YES: Representatives T. Brady, Burris, Cathcart, Fallon, Harrington, Hebner, Maroney, McKay, Neal, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 18.

NO: Representatives Ambrosino, Anderson, Bennett, W. Brady, Clendaniel, Darling, George, Gilligan, Gordy, Jonkiert, Loughney, Maxwell, McBride, Minner, Morris, Plant, West - 17.

ABSENT: Representatives Cain, Connor, Ferguson, Free, Holloway, Matushefske - 6.

Therefore, not having received a constitutional majority, HA 1 to SB 469 was declared defeated.

The roll call on SB 469 w/SA 3 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Cain, Clendaniel, Connor, Darling, Ferguson, Free, George, Gilligan, Gordy, Holloway, Jonkiert, Loughney, Maxwell, McBride, Minner, Oberle, Petrilli, Plant, Van Sciver - 23.

NO: Representatives T. Brady, Burris, Fallon, Harrington, Maroney, McKay, Morris, Neal, Powell, Sincok, Vernon, West, Mr. Speaker Riddagh - 13.

NOT VOTING: Representatives Hebner, Roy, Smith - 3.

ABSENT: Representatives Cathcart, Matushefske - 2.

Therefore, having received a constitutional majority, SB 469 w/SA 3 was returned to the Senate.

Representative Sincok moved to suspend the rules which interfere with introduction of and action on SB 677. The motion was properly seconded and adopted by voice vote.

Representative Sincok introduced and brought SB 677, co-sponsored by Senators Cook, Kearns, Berndt, Littleton; Representatives Vernon, George & Minner, before the House for consideration.

SB 677 - An Act of the State of Delaware Authorizing the Issuance of Obligations to Finance Costs of Various Projects, Appropriating the Proceeds to Such Uses by Various Agencies of the State and by the State Board of Education, Appropriating Amounts in the Bond Reversion Account and the Capital Investment Fund to Finance Costs of Various Projects, Increasing the Amount of Such Obligations That May be Authorized

by a Reduction in the Amount of State Guaranteed Bonds That May be Authorized by the Delaware Economic Development Authority or Its Successor Authority, Making Provisions for the Issuance of Obligations and the Application of Such Proceeds by Amending Chapters 74 and 91, Title 29, Delaware Code as Amended, Making Provision for the Establishment of a Renewable Resources Program From the Proceeds of Certain Obligations by Amending Chapter 94, Title 29, Delaware Code, and Specifying Certain Procedures, Conditions and Limitations for the Expenditure of the Proceeds of Such Obligations. (3/4 bill)

The roll call on SB 677 was taken and revealed:

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority of at least three-fourths members of the House, SB 677 was returned to the Senate.

Representative Burris moved to recess for caucus at 3:09 a.m.

The House reconvened at 5:23 a.m.

Representative Sincok moved to suspend the rules which interfere with introduction of and action on HB 1176. The motion was properly seconded and adopted by voice vote.

Representative Sincok introduced and brought HB 1176, co-sponsored by Representative George, before the House for consideration.

HB 1176 - An Act to Provide for a Supplemental Appropriation to the Department of Health and Social Services, Division of Social Services for the Purpose of an Emergency Concerning Medicaid Funds for State Institutions. (3/5 bill)

The roll call on HB 1176 was taken and revealed:

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

NO: Representative Jonkiert - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority of at least three-fifths members of the House, HB 1176 was sent to the Senate for concurrence.

Representative Sincok moved to suspend the rules which interfere with introduction of and action on HB 1175. The motion was seconded by Representative Hebner and adopted by voice vote.

Representative Sincok introduced and brought HB 1175, co-sponsored by Representatives Ambrosino, Burris, Connor & Petrilli, before the House for consideration.

HB 1175 - 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.

Representative Sincock brought HA 1 to HB 1175 before the House for consideration.

The roll call on HA 1 to HB 1175 was taken and revealed:

YES: Representatives Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Connor, Fallon, Free, George, Harrington, Hebner, Maroney, McBride, McKay, Minner, Neal, Powell, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 23.

NO: Representatives Ambrosino, Cain, Clendaniel, Darling, Ferguson, Gilligan, Gordy, Jonkiert, Loughney, Maxwell, Morris, Petrilli, Roy, West - 14.

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

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, HA 1 to HB 1175 was adopted.

Representative Bennett brought HA 2 to HB 1175 before the House for consideration. Representative Bennett requested that HA 2 to HB 1175 be stricken.

The roll call on HB 1175 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Neal, Oberle, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 31.

NO: Representatives Jonkiert, Morris, Roy - 3.

NOT VOTING: Representatives Clendaniel, Holloway, Petrilli, Plant, Powell - 5.

ABSENT: Representatives Matushefske, West - 2.

Therefore, having received a constitutional majority, HB 1175 w/HA 1 was sent to the Senate for concurrence.

Mr. Speaker Riddagh declared a recess for the purpose of changing the recording tape at 5:43 a.m.

The House reconvened at 5:45 a.m.

Representative McKay moved to suspend the rules which interfere with introduction of and action on HB 1177. The motion was properly seconded and adopted by voice vote.

Representative McKay introduced and brought HB 1177, co-sponsored by Senator Cicione, before the House for consideration.

HB 1177 - An Act to Make a Supplementary Appropriation for Certain Grants-in-Aid. (3/4 bill)

Representative George requested and was granted the privilege of the floor for Secretary of Finance Weston E. Nellius.

Representative Clendaniel brought HA 1 to HB 1177 before the House for consideration. Representative Burris moved to place HA 1 on the Speaker's table. The motion was properly seconded.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, Burris, Cathcart, Connor, Fallon, Free, Gilligan, Harrington, Hebner, Holloway, Maroney, Maxwell, McKay, Neal, Oberle, Plant, Powell, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 24.

NO: Representatives Anderson, W. Brady, Cain, Clendaniel, Darling, Ferguson, George, Gordy, Jonkiert, Loughney, McBride, Minner, Morris, Petrilli, Roy, West - 16.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, the motion was adopted and HA 1 to HB 1177 was placed on the Speaker's table.

Representative Jonkiert moved to place HB 1177 on the Speaker's table. The motion was seconded by Representative West.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, W. Brady, Cain, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Jonkiert, Loughney, Maxwell, McBride, Minner, Morris, Powell, Roy, West - 18.

NO: Representatives Ambrosino, Bennett, T. Brady, Burris, Cathcart, Connor, Fallon, Free, Harrington, Hebner, Holloway, Maroney, McKay, Neal, Oberle, Plant, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 21.

ABSENT: Representatives Matushefske, Petrilli - 2.

Therefore, not having received a constitutional majority, the motion was declared defeated and HB 1177 remained before the House.

Representative Jonkiert moved to adjourn.

The roll call on the motion was taken and revealed:

YES: George, Gordy, Jonkiert, Loughney - 4.

NO: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, Gilligan, Harrington, Hebner, Holloway, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 36.

ABSENT: Representative Matushefske - 1.

Therefore, not having received a constitutional majority, the motion was declared defeated and the House remained in session.

Representative Gordy moved to recess. The motion was seconded by Representative Ferguson.

Representative Gordy rose on a point of order. Mr. Speaker concurred.

Mr. Speaker Riddagh declared a recess at 6:13 a.m.

The House reconvened at 6:45 a.m.

Representative McKay moved to place HB 1177 on the Speaker's table. The motion was seconded by Representative Burris and adopted by voice vote.

Representative Sincock moved to suspend the rules which interfere with introduction of and action on SJR 54. The motion was properly seconded and adopted by voice vote.

Representative Sincock introduced and brought SJR 54, sponsored by Senators Cordrey and Berndt, before the House for consideration.

SJR 54 - Establishing the Official Estimate of Unencumbered Funds for the Fiscal Year Ending June 30, 1981.

The roll call on SJR 54 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, McBride, McKay, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 33.

NO: Representatives Cain, Ferguson, Maxwell, Minner, Morris, West - 6.

ABSENT: Representatives Holloway, Matushefske - 2.

Therefore, having received a constitutional majority, SJR 54 was returned to the Senate.

Representative McKay moved to lift HB 1177 from the Speaker's table. The motion was seconded by Representative Sincok and adopted by voice vote.

The roll call on HB 1177 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, Burris, Cathcart, Connor, Fallon, Free, Gilligan, Harrington, Hebner, Loughney, Maroney, McBride, McKay, Neal, Oberle, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 22.

NO: Representatives Bennett, W. Brady, Cain, Clendaniel, Darling, George, Gordy, Jonkiert, Maxwell, Minner, Morris, Petrilli, Powell, Roy, West - 15.

NOT VOTING: Representative Ferguson - 1.

ABSENT: Representatives Holloway, Matushefske, Plant - 3.

Therefore, not having received a constitutional majority of at least three-fourths members of the House, HB 1177 was declared defeated.

Representative Sincok moved to suspend the rules which interfere with introduction of and action on SB 604. The motion was properly seconded and adopted by voice vote.

Representative Sincok introduced and brought SB 604, co-sponsored by Senator Holloway, before the House for consideration.

SB 604 - An Act Providing That the Name of the Delaware State Building Located at 9th and French Streets be Officially Named the Elbert N. Carvel Delaware State Building and Further Providing a Supplementary Appropriation Therefore.

The roll call on SB 604 was taken and revealed:

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

ABSENT: Representatives Cathcart, Free, Loughney, Matushefske - 4.

Therefore, having received a constitutional majority, SB 604 was returned to the Senate.

Representative Connor moved to lift SB 532 from the Speaker's table. The motion was seconded by Representative Hebner and adopted by voice vote.

SB 532 - An Act to Amend Chapter 121, Volume 32, Laws of Delaware, As Amended by Chapter 181, Volume 36, Laws of Delaware, Entitled "An Act to Establish a Board of Water and Light Commissioners for the City of New Castle", Relating to the Salaries of the Commissioners. (2/3 bill)

The roll call on SB 532 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Clendaniel, Connor, Fallon, Ferguson, Free, Gilligan, Harrington, Hebner, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 32.

NO: Representatives Bennett, Cathcart, Darling, George, Gordy, McBride, West - 7.

NOT VOTING: Representative Morris - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority of at least two-thirds members of the House, SB 532 was returned to the Senate.

Representative Vernon moved to suspend the rules which interfere with action on HB 1168. The motion was properly seconded and adopted by voice vote.

Representative Vernon brought HB 1168, co-sponsored by Representative Ferguson; Senators Hughes & Cordrey, before the House for consideration.

HB 1168 - An Act Awarding Service-Connected Disability Payments Pursuant to Chapter 83, Title 11, of the Delaware Code, and Directing the Board of Pension Trustees to Grant Such Application for Service-Connected Disability.

Representative Vernon brought HA 1 to HB 1168 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 1168 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, George, Gilligan, Gordy, Harrington, Holloway, Loughney, Maxwell, McBride, Minner, Neal, Oberle, Petrilli, Plant, Roy, Sincock, Smith, Van Sciver, Vernon, West, - 32.

NO: Representatives Jonkiert, Maroney, McKay, Mr. Speaker Riddagh - 4.

NOT VOTING: Representatives Hebner, Morris, Powell - 3.

ABSENT: Representatives Free, Matushefske - 2.

Therefore, having received a constitutional majority, HB 1168 w/HA 1 was sent to the Senate for concurrence.

Representative Vernon brought HB 1018 w/HA 1,2 & SA 1 before the House for consideration.

HB 1018 - An Act to Amend Title 7, Delaware Code, by Adding Chapter 63, Relating to the Regulation of Hazardous Waste; Providing for the Imposition of Duties on the Department of Natural Resources and Environmental Control; Prescribing Penalties and Further Providing for Enforcement of the Act.

The roll call on HB 1018 w/HA 1,2 & SA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner,

Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 39.

ABSENT: Representatives Cain, Matushefske - 2.

Therefore, having received a constitutional majority, HB 1018 w/HA 1,2;SA 1 was sent to the Governor.

Representative Vernon brought HB 1062 w/HA 1,SA 1 before the House for consideration.

HB 1062 - An Act to Amend Chapter 60, Title 7, Delaware Code to Authorize the Secretary of the Department of Natural Resources and Environmental Control to Develop and Carry Out a State Pretreatment Program for Publicly Owned Treatment Works and Industrial Users of Such Treatment Works in Accordance With Federal Laws and Regulations, and to Appropriate Funds for Such Purpose.

The roll call on HB 1062 w/HA 1,SA 1 was taken and revealed:

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

NO: Representatives Cain, Connor - 2.

NOT VOTING: Representative Petrilli - 1.

ABSENT: Representatives Matushefske, Van Sciver, West - 3.

Therefore, having received a constitutional majority, HB 1062 w/HA 1,SA 1 was sent to the Governor.

Representative Harrington moved to suspend the rules which interfere with action on SB 513. The motion was properly seconded.

The roll call on the motion was taken and revealed:

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

NOT VOTING: Representative Maxwell - 1.

ABSENT: Representatives Darling, Matushefske - 2.

Therefore, having received a constitutional majority, the motion was adopted and the rules were suspended.

Representative Harrington brought SB 513 w/SA 1, co-sponsored by Senator Murphy, before the House for consideration.

SB 513 - An Act to Amend Chapter 42, Title 18, Delaware Code Relating to the Identification of the Principal Place of Business When Recovering Claims From an Insurer.

The roll call on SB 513 w/SA 1 was taken and revealed:

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

NO: Representative McBride - 1.

ABSENT: Representatives Ferguson, Matushefske, Petrilli - 3.

Therefore, having received a constitutional majority, SB 513 w/SA 1 was returned to the Senate.

Representative Burris moved to lift SS 1 for SB 485 - HA 1 from the Speaker's table. The motion was seconded by Representative Hebner.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, Gilligan, Harrington, Hebner, Holloway, Maroney, Maxwell, McBride, McKay, Minner, Morris, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 34.

NO: Representatives Gordy, Jonkiert, West - 3.

ABSENT: Representatives Anderson, George, Loughney, Matushefske - 4.

Therefore, having received a constitutional majority, the motion was adopted and SS 1 for SB 485 - HA 1 was lifted from the Speaker's table.

SB 485 - An Act Amending Title 29, Delaware Code, Acknowledging the Rights and Defining the Limitation of Legislative Office, Establishing a Code of Legislative Conduct, and Establishing a Joint Committee on Legislative Conduct in the General Assembly.

Representative Ferguson brought HA 1 to SS 1 for SB 485 before the House for consideration.

Representative Gilligan requested and was granted the privilege of the floor for Senator Everette Hale.

Representative Burris requested and was granted the privilege of the floor for Senate Attorney G. Thomas Sandbach.

Representative Burris rose on a point of order. Mr. Speaker concurred.

Representative Jonkiert rose on a point of order. Mr. Speaker concurred.

Representative Burris moved to place SS 1 for SB 485 - HA 1 on the Speaker's table. Representative Burris withdrew the motion.

Representative Ferguson requested and was granted the privilege of the floor for House Attorney Richard Cooch.

The roll call on HA 1 to SS 1 for SB 485 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Cain, Cathcart, Clendaniel, Darling, Ferguson, George, Gordy, Harrington, Hebner, Holloway, Loughney, Morris, Oberle, Plant, Powell, Roy, Sincok, Smith, Vernon - 23.

NO: Representatives T. Brady, Burris, Connor, Fallon, Gilligan, Jonkiert, Maroney, Maxwell, McBride, McKay, Minner, Neal, Petrilli, Van Sciver, West, Mr. Speaker Riddagh - 16.

ABSENT: Representatives Free, Matushefske - 2.

Therefore, having received a constitutional majority, HA 1 to SS 1 for SB 485 was adopted.

Representative Burris requested and was granted the privilege of the floor for Senator Everette Hale and Senate Attorney G. Thomas Sandbach.

Representative Ferguson rose on a point of order. Mr. Speaker concurred.

Representative Jonkiert moved to place SS 1 for SB 485 w/HA 1 on the Speaker's table. The motion was seconded by Representative George.

The roll call on the motion was taken and revealed:

YES: Representatives Darling, Ferguson, George, Hebner, Morris, Roy - 6.

NO: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Fallon, Gilligan, Gordy, Harrington, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Sincok, Smith, Van Sciver, West, Mr. Speaker Riddagh - 30.

ABSENT: Representatives Clendaniel, Free, Holloway, Matushefske, Vernon - 5.

Therefore, not having received a constitutional majority, the motion was declared defeated and SS 1 for SB 485 w/HA 1 remained before the House.

Five members stood for the purpose of cutting off the debate on SS 1 for SB 485 w/HA 1.

The roll call on the motion was taken and revealed:

YES: Representatives Anderson, T. Brady, W. Brady, Burris, Connor, Fallon, Hebner, Maroney, McKay, Minner, Neal, Van Sciver, Mr. Speaker Riddagh - 13.

NO: Representatives Ambrosino, Bennett, Cain, Cathcart, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Harrington, Jonkiert, Loughney, Maxwell, McBride, Morris, Oberle, Petrilli, Plant, Powell, Roy, Sincok, Smith, West - 24.

ABSENT: Representatives Free, Holloway, Matushefske, Vernon - 4.

Therefore, not having received a constitutional majority, the motion was declared defeated and SS 1 for SB 485 w/HA 1 remained before the House.

Representative Loughney requested and was granted the privilege of the floor for House Attorney Richard Cooch.

Representative Plant rose on a point of order. Mr. Speaker concurred.

Representative Darling moved to place SS 1 for SB 485 w/HA 1 on the Speaker's table. The motion was seconded by Representative Anderson.

The roll call on the motion was taken and revealed:

YES: Representatives Bennett, Clendaniel, Darling, Ferguson, George, Gordy, Hebner, Loughney, Minner, Morris, Plant - 11.

NO: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Fallon, Gilligan, Harrington, Jonkiert, Maroney, Maxwell, McBride, McKay, Neal, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Van Sciver, West, Mr. Speaker Riddagh - 26.

ABSENT: Representatives Free, Holloway, Matushefske, Vernon - 4.

Therefore, not having received a constitutional majority, the motion was declared defeated and SS 1 for SB 485 w/HA 1 remained before the House.

The roll call on SS 1 for SB 485 w/HA 1 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, T. Brady, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Holloway, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Powell, Roy, Sincok, Smith, Van Sciver, Mr. Speaker Riddagh - 35.

NO: Representatives Hebner, Morris, Plant, Vernon, West - 5.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SS 1 for SB 485 w/HA 1 was returned to the Senate.

Representative Cain introduced and brought HR 263, co-sponsored by All Members of the Minority Party, before the House for consideration.

HR 263 - Thanking Representative William H. Brady II, of Middletown, for His Service As a Member of the General Assembly as He Retires After His Second Term.

HR 263 was adopted by voice vote.

Representative Roy moved to lift HB 1089 from the Speaker's table. The motion was seconded by Representative Powell and adopted by voice vote.

HB 1089 - An Act to Amend Section 3316, Chapter 33, Title 19 of the Delaware Code Relating to Seasonal Unemployment Compensation Benefits.

Representative Roy brought HA 1 to HB 1089 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 1089 w/HA 1 was taken and revealed:

YES: Representatives Bennett, T. Brady, Burris, Fallon, Harrington, Hebner, Maroney, McKay, Neal, Powell, Roy, Sincok, Smith, Vernon, Mr. Speaker Riddagh - 15.

NO: Representatives Ambrosino, Anderson, W. Brady, Cain, Cathcart, Clendaniel, Connor, Darling, Ferguson, Free, George, Gilligan, Gordy, Jonkiert, Loughney, Maxwell, McBride, Minner, Morris, Oberle, Petrilli, Plant, Van Sciver - 23.

NOT VOTING: Representative Holloway - 1.

ABSENT: Representatives Matushefske, West - 2.

Therefore, not having received a constitutional majority, HB 1089 w/HA 1 was declared defeated.

Representative Burris moved to suspend the rules which interfere with introduction of and action on SB 645. The motion was properly seconded and adopted by voice vote.

Representative Burris brought SB 645, co-sponsored by Senators Cicione, Cordrey & Representative Gordy, before the House for consideration.

SB 645 - An Act to Amend Chapter 41, Title 21, Delaware Code to Permit Mail-In Fines for Violations on the Delaware Memorial Bridge.

The roll call on SB 645 was taken and revealed:

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

NO: Representative McBride - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 645 was returned to the Senate.

Representative Sincock brought HB 1175 w/HA 1,SA 1,2 before the House for consideration.

HB 1175 - 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.

The roll call on HB 1175 w/HA 1,SA 1,2 was taken and revealed:

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

ABSENT: Representatives Holloway, Matushefske, Petrilli - 3.

Therefore, having received a constitutional majority, HB 1175 w/HA 1,SA 1,2 was sent to the Governor.

Representative Ambrosino moved to suspend the rules which interfere with introduction of and action on SB 663 w/SA 2. The motion was properly seconded and adopted by voice vote.

Representative Ambrosino introduced and brought SB 663 w/SA 2, sponsored by Senator Holloway, before the House for consideration.

SB 663 - An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees Pension Plan.

Representative Powell rose on a point of order. Mr. Speaker concurred.

Representative Ambrosino requested and was granted the privilege of the floor for Pension Administrator Donald McArdle.

The roll call on SB 663 w/SA 2 was taken and revealed:

YES: Representatives Ambrosino, George, Hebner, Holloway, Plant, Smith, Vernon - 7.

NO: Representatives Anderson, Bennett, T. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Free, Gilligan, Gordy, Harrington, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Minner, Neal, Oberle, Petrilli, Powell, Roy, Sincock, Van Sciver, West, Mr. Speaker Riddagh - 30.

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

ABSENT: Representatives Ferguson, Matushefske - 2.

Therefore, not having received a constitutional majority, SB 663 w/SA 2 was declared defeated.

Representative Ambrosino moved to suspend the rules which interfere with introduction of and action on HJR 42. The motion was properly seconded and adopted by voice vote.

Representative Ambrosino introduced and brought HJR 42, co-sponsored by Representatives Connor, Van Sciver, Jonkiert, Holloway, Plant; Senators McDowell & Cicione, before the House for consideration.

HJR 42 - 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 Providing an Appropriation Therefor.

Representative Roy requested and was granted the privilege of the floor for Controller General Duane Olsen.

Representative Ambrosino requested and was granted the privilege of the floor for House Attorney Bruce Hudson.

The roll call on HJR 42 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Cathcart, Clendaniel, Connor, Free, Gilligan, Hebner, Holloway, Jonkiert, Loughney, Maxwell, Oberle, Plant, Smith, Van Sciver - 16.

NO: Representatives Bennett, T. Brady, W. Brady, Burris, Cain, Darling, Fallon, Ferguson, George, Gordy, Harrington, Maroney, McKay, Minner, Morris, Neal, Petrilli, Powell, Roy, Sincock, Vernon, West, Mr. Speaker Riddagh - 23.

ABSENT: Representatives Matushfske, McBride - 2.

Therefore, not having received a constitutional majority, HJR 42 was declared defeated.

Representative Powell moved to suspend the rules which interfere with introduction of and action on SB 675. The motion was properly seconded and adopted by voice vote.

Representative Powell introduced and brought SB 675, co-sponsored by Senator Cook, before the House for consideration.

SB 675 - An Act to Amend Chapter 6, Title 24, Delaware Code Relating to Cosmetologists.

The roll call on SB 675 was taken and revealed:

YES: Representatives Ambrosino, Anderson, Bennett, W. Brady, Burris, Cain, Cathcart, Clendaniel, Connor, Darling, Fallon, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, McBride, McKay, Minner, Neal, Oberle, Petrilli, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 33.

NOT VOTING: Representatives T. Brady, George, Maxwell, Morris - 4.

ABSENT: Representatives Ferguson, Free, Holloway, Matushfske - 4.

Therefore, having received a constitutional majority, SB 675 was returned to the Senate.

Representative Powell moved to suspend the rules which interfere with introduction of and action on SJR 53. The motion was properly seconded and adopted by voice vote.

Representative Powell introduced and brought SJR 53, co-sponsored by Senators Murphy & Hughes, before the House for consideration.

SJR 53 - Establishing a Committee to Investigate and Study the Practices and Procedures of the State Board of Chiropractic Examiners.

Representative Powell moved to place SJR 53 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Powell introduced and brought HR 264, co-sponsored by Representative Cathcart, before the House for consideration.

HR 264 - Urging Municipal and County Governments With Police Forces to Consider Patterning Their Police Pension Systems After the Recommendations of the State police Pension Reform Committee.

HR 264 was adopted by voice vote.

Representative Connor moved to suspend the rules which interfere with introduction of and action on HB 1178. The motion was properly seconded and adopted by voice vote.

Representative Connor introduced and brought HB 1178, co-sponsored by Representative Petrilli, before the House for consideration.

HB 1178 - An Act to Appropriate \$1,800,000 to the New Castle County School District as Compensation for the H. Fletcher Brown School.

Representative Minner moved to place HB 1178 on the Speaker's table. The motion was seconded by Representative Bennett.

Representative T. Brady rose on a point of order. Mr. Speaker concurred.

The roll call on the motion was taken and revealed:

YES: Representatives Bennett, W. Brady, Clendaniel, Darling, George, Gordy, Minner, Morris, Plant, West - 10.

NO: Representatives Ambrosino, Anderson, T. Brady, Cain, Cathcart, Connor, Fallon, Ferguson, Free, Gilligan, Harrington, Hebner, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Neal, Oberle, Petrilli, Powell, Roy, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 27.

NOT VOTING: Representative Burris - 1.

ABSENT: Representatives Holloway, Matushefske, Sincock - 3.

Therefore, not having received a constitutional majority, the motion was declared defeated and HB 1178 remained before the House.

Representative Loughney requested and was granted the privilege of the floor for Secretary of Finance Weston E. Nellius.

Representative Vernon requested and was granted the privilege of the floor for Director of the Office of Management, Budget and Planning Nathan Hayward.

Representative Burris moved to place HB 1178 on the Speaker's table.

Representative T. Brady moved to place the motion to table HB 1178 on the Speaker's table.

Representative Burris moved to recess at 10:15 a.m.

The House reconvened at 10:28 a.m.

Five members rose for the purpose of cutting off the debate on HB 1178.

The roll call on the motion was taken and revealed:

YES: Representatives Ambrosino, T. Brady, Burris, Connor, Fallon, Free, Harrington, Hebner, Jonkiert, Maroney, McKay, Neal, Oberle, Petrilli, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 21.

NO: Representatives Anderson, Bennett, W. Brady, Cain, Cathcart, Clendaniel, Darling, Ferguson, George, Gilligan, Gordy, Holloway, Loughney, Maxwell, McBride, Minner, Morris, Plant, West - 19.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, the motion was adopted.

Representative Minner rose on a point of order. Mr. Speaker concurred.

The roll call on HB 1178 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, Cathcart, Connor, Free, Gilligan, Holloway, Jonkiert, Loughney, Maxwell, Neal, Oberle, Petrilli, Plant, Powell, Roy, Smith, Van Sciver - 19.

NO: Representatives Bennett, W. Brady, Burris, Cain, Clendaniel, Darling, Fallon, Ferguson, George, Gordy, Harrington, Hebner, Maroney, McBride, McKay, Minner, Morris, Vernon, West, Mr. Speaker Riddagh - 20.

ABSENT: Representatives Matushefske, Sincock - 2.

Therefore, not having received a constitutional majority, HB 1178 was declared defeated.

Representative McKay moved to suspend the rules which interfere with introduction of and action on SB 680. The motion was properly seconded and adopted by voice vote.

Representative McKay introduced and brought SB 680, co-sponsored by Senator Cicione, before the House for consideration.

SB 680 - An Act to Make a Supplementary Appropriation for Certain Grants-in-Aid. (3/4 bill)

The roll call on SB 680 was taken and revealed:

YES: Representatives Ambrosino, Anderson, T. Brady, W. Brady, Burris, Cain, Cathcart, Connor, Darling, Fallon, Ferguson, Free, George, Gilligan, Gordy, Harrington, Hebner, Jonkiert, Loughney, Maroney, Maxwell, McBride, McKay, Morris, Oberle, Plant, Sincock, Smith, Van Sciver, Vernon, West, Mr. Speaker Riddagh - 32.

NO: Representatives Bennett, Clendaniel, Petrilli - 3.

NOT VOTING: Representatives Holloway, Minner, Neal, Powell, Roy - 5.

ABSENT: Representatives Matushefske - 1.

Therefore, having received a constitutional majority of at least three-fourths members of the House, SB 680 was returned to the Senate.

Representative Burris introduced and brought HR 265 before the House for consideration.

HR 265 - Thanking Representative William H. Vernon, of Rehoboth Beach, for His Service to the General Assembly as He Retires After Two Terms.

HR 265 was adopted by voice vote.

Representative Free moved to suspend the rules which interfere with action on SB 510. The motion was properly seconded and adopted by voice vote.

Representative Free brought SB 510, sponsored by Senator Cordrey, before the House for consideration.

SB 510 - An Act to Amend Chapter 51, Title 29, Delaware Code, Relating to Reimbursing State Employees.

The roll call on SB 510 was taken and revealed:

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

Petrilli, Plant, Powell, Roy, Sincock, Smith, Van Sciver, Vernon, Mr. Speaker Riddagh - 34.

NO: Representatives Bennett, Maxwell, McBride, Neal, Oberle - 5.

ABSENT: Representatives Matushefske, West - 2.

Therefore, having received a constitutional majority, SB 510 was returned to the Senate.

Representative T. Brady moved to suspend the rules which interfere with action on SB 612. The motion was properly seconded and adopted by voice vote.

Representative T. Brady brought SB 612, sponsored by Senators Cook, Berndt; Representatives Gordy & Sincock, before the House for consideration.

SB 612 - An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to the Establishment of a Delaware County and Municipal Pension Plan.

The roll call on SB 612 was taken and revealed:

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

NO: Representative West - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 612 was returned to the Senate.

Representative Burris moved to suspend the rules which interfere with action on SB 618. The motion was properly seconded and adopted by voice vote.

Representative Burris brought SB 618, sponsored by Senators Adams, Berndt & Representative Powell, before the House for consideration.

SB 618 - An Act to Amend Chapter 663, Volume 60, Laws of Delaware, as Amended by Chapter 106, Volume 62 Relating to Pension Benefits of Corrections Officers.

The roll call on SB 618 was taken and revealed:

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

NO: Representative West - 1.

ABSENT: Representative Matushefske - 1.

Therefore, having received a constitutional majority, SB 618 was returned to the Senate.

Representative Clendaniel introduced and brought HR 266, co-sponsored by All Members of the Minority Party, before the House for consideration.

HR 266 - Commending William J. Gordy, the Minority Leader of the House of Representatives During the Second Session of the 130th General Assembly, for His Exceptional Performance, and Wishing Him Best of Luck as He Competes for a New Career.

HR 266 was adopted by voice vote.

Representative Burris introduced and brought HR 267, co-sponsored by Representatives Riddagh, Hebner, Gordy & Ferguson, before the House for consideration.

HR 267 - Commending the Elected Members and All of the Staff of the House of Representatives of the Second Session of the 130th General Assembly of Delaware for Their Fine Service.

HR 267 was adopted by voice vote.

Representative Burris introduced and brought HR 268, co-sponsored by Representative Gordy, before the House for consideration.

HR 268 - Commending Representative Robert W. Riddagh for His Outstanding Performance as Speaker of the House During the Second Session of the 130th General Assembly of Delaware.

HR 268 was adopted by voice vote.

Representative Burris moved to adjourn at 11:17 a.m.

LEGISLATIVE ADVISORIES AND VETO MESSAGES RECEIVED
AFTER JULY 1, 1980

July 8, 1980

To the House of Representatives
of the 130th General Assembly
of the State of Delaware

I am returning without my signature House Bill No. 934 as amended by House Amendment No. 1, entitled:

"AN ACT TO AMEND CHAPTER 47, PART IV, TITLE 16 OF THE
DELAWARE CODE RELATING TO CERTAIN DRUGS NOT YET
DISTRIBUTED FOR THE GENERAL PUBLIC."

This bill would permit the manufacture, delivery, sale and possession of dimethyl sulfoxide (DMSO) within the State of Delaware. Although DMSO may prove to be a beneficial drug, that is not yet sufficiently established as evidenced by the fact that only two other states in the United States permit the sale and use and the fact that it has not been approved by the Food and Drug Administration.

More importantly, this bill fails to require that the drug be dispensed only by prescription from a licensed physician. Thus, despite the fact that the drug has not been well tested and universally recognized, this bill would allow it to be sold over the counter without a prescription.

Until such time as this drug has been more thoroughly tested, I do not believe that it should be sold without a prescription. Therefore, I am returning House Bill No. 934 as amended by House Amendment No. 1 without my signature.

Respectfully submitted,
Pierre S. du Pont
Governor

PSdP/jpb

July 9, 1980

To the House of Representatives
of the 130th General Assembly
of the State of Delaware

I am returning without my signature House Bill No. 1053, as amended by House Amendment No. 1 entitled:

"AN ACT AWARDED SERVICE-CONNECTED DISABILITY
PAYMENTS PURSUANT TO CHAPTER 83, TITLE 11 OF THE
DELAWARE CODE, AND DIRECTING THE BOARD OF PENSION
TRUSTEES TO GRANT SUCH APPLICATION FOR SERVICE-
CONNECTED DISABILITY."

This bill seeks to award a special disability pension to Daniel Bramble despite the fact that the State Board of Pension Trustees has denied his application for the same after hearing all the evidence in support thereof. After hearing that evidence, however, the Pension Board did award Mr. Bramble a medical pension. Thus, Captain Bramble is receiving as a pension 50% of a Delaware State Police Staff Captain's salary plus periodic cost of living adjustments. This legislation would increase that pension to 75% of salary, plus periodic cost of living increases.

Captain Bramble was an exemplary police officer who faithfully served the State of Delaware for many years. He can properly be proud of the respect and distinction which he has earned. He is receiving the full pension to which he is entitled under the law and his case has been fully and carefully reviewed by the Pension Board. In light of the fact that the Pension Board is charged with the duty of hearing evidence and applying a uniform policy to all pension applicants, I do not believe that we should attempt to overrule the Board. This is especially true since the Board feels strongly that our intervention undermines its authority, creates special exceptions in derogation of their efforts to establish uniform qualifying standards and encourages numerous additional requests for other special exceptions.

Although I would like to help Captain Bramble, I believe that he has been fairly treated by the Pension Board of Trustees. Its decision should be controlling unless overturned by appeal to the appropriate court. Therefore, I am returning House Bill No. 1053 as amended by House Amendment No. 1 without my signature.

Respectfully submitted,
Pierre S. du Pont
Governor

PSdP/jpb

July 9, 1980

To the House of Representatives
of the 130th General Assembly
of the State of Delaware

I am returning without my signature House Bill No. 485 entitled:
"AN ACT AWARDED SPECIAL PENSION BENEFITS TO
HELEN M. BUNTING, A FORMER EMPLOYEE OF THE
STANTON SCHOOL DISTRICT: APPROPRIATING MONIES
INTO THE STATE EMPLOYEES' RETIREMENT FUND AND
DIRECTING THE BOARD OF PENSION TRUSTEES TO
ADMINISTER PAYMENT OF THE PENSION PROVIDED
BY THIS ACT IS IF THE AWARD WERE PURSUANT TO
CHAPTER 55, TITLE 29
OF THE DELAWARE CODE."

This bill grants a special pension to Helen Bunting despite the fact that the State pension law denies her a pension due to the short length of her State service. I have opposed special pension bills absent a showing of long valuable State service, deprivation of a pension due to a quirk in the pension laws or their application, and great hardship as a result of the deprivation. Such circumstances have not been shown to exist in the case at hand and I am, therefore, returning House Bill No. 485 without my signature.

Respectfully submitted,
Pierre S. du Pont
Governor

PSdP/jpb

July 10, 1980

LEGISLATIVE ADVISORY #48

FROM: Office of Counsel to the Governor

The Governor signed the following legislation on the dates indicated: 7/8/80 - HB 182 aab HA 1, 2, HA 1 to HA 3 and HA 4; HB 313; HS 1 for HB 376 aab HA 1; HS 1 for HB 394 aab HA 1, 2, 3, 4 and 5; HB 457 aab HA 1; HB 509; HB 627; HB 629 aab HA 1; HB 713; HB 718; HB 732 aab HA 1; HB 791 aab HA 1; HB 816 aab HA 2 and SA 2; HB 818; HB 837 aab HA 1; HB 839; HB 848; HB 849 aab HA 1 & 2; HB 880 aab HA 1; HB 914; HB 980 aab HA 1; HB 1007; HB 1008; HB 1023 aab HA 1; HB 1118; HB 1120; HB 1174; SJR 54; SB 242 aab SA 1; SB 244; SB 256 aab SA 1; SB 460 aab SA 1 & 2; SB 462; SB 479; SB 490; SB 533 aab SA 1; SB 552; SB 570; SB 593 aab SA 1 & 2 and SA 1 to SA 2 and SA 3; 7/9/80 - SB 540.

The Governor vetoed the following legislation on the dates indicated: 7/8/80 - HB 934 aab HA 1; 7/9/80 - HB 485, HB 1053 aab HA 1, SB 400 aab HA 1, SB 558 aab HA 1.

July 11, 1980

To the House of Representatives
of the 130th General Assembly
of the State of Delaware

I am returning without my signature House Bill No. 190 as amended by House Amendments Nos. 1 and 2 entitled:

"AN ACT TO AMEND TITLE 4 and 10 OF THE DELAWARE
CODE RELATING TO STATUTORY LIABILITIES OF PERSONS
WHO SELL OR DISPENSE ALCOHOL LIQUORS.

This bill would permit any bartender or liquor store to sell liquor to an obviously intoxicated person and be completely protected from liability for subsequent injuries to unfortunate third parties. Under this bill, this would be true even if the seller knew the intoxicated buyer intended to operate a motor vehicle after buying the liquor, knew the intoxicated buyer was incapable of driving and the drunken driver then had an accident which injures someone who had no control over the drunk's consumption of alcohol. In light of the ever increasing number of highway injuries and deaths being related to drunken driving and the increasing expense of enforcement efforts (paid for by tax dollars) which are necessary to combat the problem, this bill is a step in the wrong direction since it would act to encourage rather than discourage the serving of liquor to intoxicated persons.

In addition, it limits the remedies of an injured third person who had nothing to do with the consumption of the liquor which contributed to the innocent person's injuries. Therefore, I am returning House Bill No. 190 as amended by House Amendments Nos. 1 and 2 without my signature, leaving the common law of the State of Delaware in tact.

Respectfully submitted,
Pierre S. du Pont
Governor

PSduP/jpb

To the House of Representatives
of the 130th General Assembly
of the State of Delaware

I am returning without my signature House Bill No. 329 entitled:

"AN ACT TO AMEND, CHAPTER 31, TITLE 19 OF THE
DELAWARE CODE, RELATING TO EMPLOYMENT RECORDS."

This bill would require the Department of Labor to produce "any and all records or other information" gathered by or belonging to the Department if subpoenaed in conjunction with any court proceeding. In addition, the bill removes the Department's ability to contest the demand for information. The existing procedure permits the subpoenaing of information from the Department but allows the Department to contest overly broad or unnecessary requests. I am advised that such contests have on occasion been necessary because some of the Department's records, gathered with an assurance of confidentiality, could be used by competitors of those giving information. I believe that it is important to preserve the Department's ability to gather complete and accurate information and for the Department to have an opportunity to be heard before that information is released to litigants. Therefore, I am returning House Bill No. 329 without my signature.

Respectfully submitted,
Pierre S. du Pont
Governor

PSduP/jpb

To the House of Representatives
of the 130th General Assembly
of the State of Delaware

I am returning without my signature House Bill No. 481 entitled:

"AN ACT TO AMEND CHAPTER 1, TITLE 14 OF THE
DELAWARE CODE RELATING TO COURSES OF
INSTRUCTION IN THE ITALIAN AND POLISH LANGUAGES IN
THE PUBLIC SCHOOLS."

This bill mandates that every school district in the State of Delaware offer courses of instruction in the Italian and Polish languages. Determinations to specific curriculum offerings have traditionally been left to local school districts, so that the curriculum can reflect the wants and needs of the local communities. In addition to the departure from this standard practice, this bill fails to make an appropriation for the teaching of such languages, thereby requiring that this program be paid for solely by local district funding. For these reasons, I am returning House Bill No. 481 without my signature.

Respectfully submitted,
Pierre S. du Pont
Governor

PSduP/jpb

July 11, 1980

To the House of Representatives
of the 130th General Assembly
of the State of Delaware

On July 2, 1980 I received House Bill No. 598 as amended by House Amendment No. 1, which is entitled:

"AN ACT TO AMEND CHAPTER 17, TITLE 14 OF THE DELAWARE CODE TO PROVIDE A THREE-YEAR PILOT PROGRAM IN ELEMENTARY SCHOOL GUIDANCE AND TO MAKE AN APPROPRIATION THEREFORE."

This bill establishes units for funding for guidance counselors with supporting clerical personnel, at the elementary school level. To this end, the bill appropriates \$69,000 to fund the first of a three-year pilot program.

In accordance with my pledge to provide Delawareans with a balanced budget, and in light of the limited funds available, I have determined that other educational programs should receive priority. For this reason, I am returning House Bill No. 598 as amended by House Amendment No. 1 without my signature.

Respectfully submitted
Pierre S. du Pont, IV
Governor

PSduP/brs

July 11, 1980

To the House of Representatives
of the 130th General Assembly
of the State of Delaware

I am returning without my signature House Bill No. 687 entitled:

"AN ACT AWARDED SPECIAL PENSION BENEFITS TO EDWARD C. SOBOLEWSKI, A FORMER EMPLOYEE OF THE UNIVERSITY OF DELAWARE. APPROPRIATING MONIES INTO THE SPECIAL PENSION FUND AUTHORIZED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE."

This bill would grant a special disability pension to a former employee of the University of Delaware who, due to the short period of time he worked for the State, did not qualify for a disability pension under the state pension law in effect at the time he became unable to work. As I have noted in veto messages of similar special pension legislation, the Board of Pension Trustees feels strongly that bills such as these, seeking to circumvent the pension laws, tend to reduce the authority of the Pension Board, abrogate the uniform standards which the law establishes and encourage applications for "special" exceptions.

Additionally, as I mentioned when I vetoed this "special" pension last year, there still has been no showing in the bill as to why Mr. Sobolewski was determined to be ineligible or as to any exceptional circumstances which may exist. Though I am sympathetic to Mr. Sobolewski's problems, he simply did not legally qualify for a pension when he stopped working. Accordingly, I am returning House Bill No. 687 without my signature.

Respectfully submitted,
Pierre S. du Pont, IV
Governor

PSduP/brs

July 11, 1980

To the House of Representatives
of the 130th General Assembly
of the State of Delaware

I am returning without my signature House Bill No. 806 as amended by House Amendments No. 3 and 4 entitled:

"AN ACT TO AMEND CHAPTER 29, TITLE 6, OF THE
DELAWARE CODE RELATING TO RETAIL SALES OF MOTOR
FUEL; PROVIDING FOR PRICE SIGNS WHICH ARE EASILY
OBSERVABLE BY PASSING MOTORISTS."

Federal law already requires retail service station dealers to post the maximum ceiling price permitted by federal regulations for their product in a permanent place on each pump. Thus, this legislation duplicates existing federal law.

In addition, by specifying the required size and placement of retail price signs on each gas pump, this legislation would only serve to confuse consumers who would face a bewildering array of State-required price signs, and federal-required price and octane rating signs, all immediately adjacent to each other on each pump on the multi-pump islands of a service station.

Finally, this legislation increases the regulatory burden on small businesses just at the time when these independent business people are overwhelmed by a mountain of existing red tape and bureaucratic inter-meddling by government.

For this reason, neither the interest of Delaware consumers nor the interests of Delaware small businesses would be served by this bill.

Respectfully submitted,
Pierre S. du Pont
Governor

PSduP/cwb

July 11, 1980

To the House of Representatives
of the 130th General Assembly
of the State of Delaware

I am returning without my signature House Bill No. 885 as amended by House Amendment No. 1, which I received on July 2, 1980, and which is entitled:

"AN ACT TO PROVIDE FOR A SUPPLEMENTAL
APPROPRIATION TO THE DEPARTMENT OF HEALTH AND
SOCIAL SERVICES, DIVISION OF SOCIAL SERVICES FOR THE
PURPOSE OF CHILD FOSTER CARE."

The ultimate recipient of the appropriation made by this bill is the Children's Bureau of Delaware, which provides certain child foster care services to the Division of Social Services of the Department of Health and Social Services.

There is substantial state and federal funding from other sources currently provided to the Children's Bureau which can be applied to these services. In light of this availability of alternative funding, I am returning House Bill No. 885 as amended by House Amendment No. 1 without my signature.

Respectfully submitted,
Pierre S. du Pont, IV
Governor

PSduP/brs

To the Members of the House of
Representatives of the 130th
General Assembly of the State
of Delaware

On July 2, 1980 I received House Substitute 1 for House Bill 939,
entitled:

"AN ACT TO AMEND DELAWARE CODE, TITLE 14, AS IT
RELATES TO THE FUNDING OF EDUCATIONAL SERVICES
FOR PERSONS WHO ARE AUTISTIC."

I am returning this bill without my signature.

My reasons for this veto are as follows. First, I am advised by the
Department of Public Instruction that it is likely that the bill, if
enacted, would require spending in excess of amounts currently allocated
for such a program within the Budget Act. Second, the program outlined
in the bill provides, in the view of the Department of Public Instruction,
insufficient flexibility in terms of staffing.

Notwithstanding my veto of this measure, I am hopeful that the
proponents of this measure and the Department of Public Instruction will
soon settle on a mutually acceptable way of expanding the current
delivery of services to persons who are autistic.

Respectfully submitted,
Pierre S. du Pont
Governor

PSduP/wmb

July 11, 1980

To the House of Representatives
of the 130th General Assembly
of the State of Delaware

I am returning without my signature House Bill 1025 entitled:

"AN ACT TO AMEND CHAPTER 23, SUBCHAPTER I, TITLE 19
OF THE DELAWARE CODE RELATING TO WORKMEN'S
COMPENSATION, AND EXCLUDING REAL ESTATE AND
INSURANCE AGENTS AND SOLICITORS FROM ITS
PROVISIONS."

This bill would preclude all real estate and insurance agents paid by
commission from the protection of the Workmen's Compensation statute
which means that, unlike all other working people, if they are injured on
the job they would not receive any monetary benefits. It seems unfair to
remove this protection from such a large class of people. Therefore, I
am returning House Bill 1025 without my signature.

Respectfully submitted,
Pierre S. du Pont
Governor

PSduP/jeb

To the Members of the House of
Representatives of the 130th
General Assembly of the State
of Delaware

On July 2, 1980 I received House Bill 1041 as amended by House
Amendments 1, 4, 6 and 7 entitled:

"AN ACT TO AMEND CHAPTER 5, PART I, TITLE 31 OF THE
DELAWARE CODE RELATING TO WELFARE AND
PROVIDING FOR PHARMACEUTICAL ASSISTANCE FOR THE
AGED THROUGH A MAINTENANCE DRUG PROGRAM."

I am returning that bill without my signature.

Throughout the controversy that surrounded this and similar bills during the recent legislative session, I maintained that I would be favorably disposed towards a bill that met two conditions: First, the imposition of sound management tools; and second, that funding for the program be placed within an Omnibus Amendment to the Budget Act that met with overall budgetary and constitutional constraints. The Legislature, however, passed this bill without making any appropriation in the Omnibus Amendment or separately. As I previously stated, I believe the practice of enacting programs without necessary funding to be fiscally unwise. For that reason I have vetoed the bill.

Respectfully submitted,
Pierre S. du Pont
Governor

PSduP/wmb

July 11, 1980

To the House of Representatives
of the 130th General Assembly
of the State of Delaware

I am returning without my signature House Bill No. 1111 entitled:

"AN ACT TO AMEND CHAPTERS 9 AND 11 OF TITLE 19 OF
THE DELAWARE CODE RELATING TO MINIMUM WAGE AND
WAGE PAYMENT."

I am advised that the intent of this bill was to enable the Department of Labor to investigate the violation of minimum wage law requirements. Unfortunately, the bill amended the wrong section of the Delaware Code. Thus, this bill does not solve the problem, but merely adds confusing verbiage to the existing statute. In light of the foregoing, the bill's sponsor has requested that I veto this bill.

Therefore, I am returning House Bill No. 1111 without my signature.

Respectfully submitted,
Pierre S. du Pont, IV
Governor

PSduP/jps

July 11, 1980

To the House of Representatives
of the 130th General Assembly
of the State of Delaware

I am returning without my signature House Bill No. 1131 as amended by House Amendment No. 1, which I received on July 2, 1980. It is entitled:

"AN ACT TO AMEND CHAPTER 13, TITLE 14, OF THE
DELAWARE CODE RELATING TO THE NUMBER OF
SECRETARIES EMPLOYED BY A SCHOOL DISTRICT."

House Bill No. 1131 as amended by House Amendment No. 1 authorizes the appointment of additional secretaries in the state's public schools. The Office of the Controller General estimates the cost of these additional secretaries to be \$838,530 per year.

House Bill No. 1131 as amended by House Amendment No. 1 is one of four bills which passed the General Assembly without containing appropriation of funds to pay for them. It is irresponsible and fiscally unsound to authorize new programs without funding them, and for this reason I am returning each of these bills without my signature.

Respectfully submitted,
Pierre S. du Pont, IV
Governor

PSduP/brs

July 11, 1980

To the House of Representatives
of the 130th General Assembly
of the State of Delaware

I am returning without my signature House Bill No. 1098 entitled:
"AN ACT TO AMEND PART IV, TITLE 10 OF THE DELAWARE
CODE RELATING TO COURTS AND JUDICIAL PROCEDURE
AND PROVIDING FOR A DISPUTE RESOLUTION ACT."

House Bill No 1098 was erroneously delivered to my office, it appearing that the bill failed to pass both Houses of the General Assembly. I am, therefore, returning it without my signature.

Respectfully submitted,
Pierre S. du Pont, IV
Governor

PSduP/brs

July 11, 1980

To the House of Representatives
of the 130th General Assembly
of the State of Delaware

I have today signed HB 1175 with House Amendment 1 and Senate Amendments 1 and 2 with certain line item vetoes. Those lines vetoed, while in some cases providing funds for desirable programs, were deleted because, in the aggregate, it was necessary to reduce the total level of appropriations \$1.8 million in order to meet a balanced budget for FY 1981. I will be pleased to work with the next session of the General Assembly to see how best to fund some programs now vetoed in Fiscal Year 1982.

Respectfully submitted,
Pierre S. du Pont
Governor

PSduP/nhb
July 14, 1980

LEGISLATIVE ADVISORY #49

FROM: Office of Counsel to the Governor

The Governor signed the following legislation on the dates indicated: 7/4/80 - SB 296 aab SA 2 & 3. 7/10/80 - SB 236, SB 238, SB 261 aab SA 1; SB 328 aab SA 1, SB 514, SB 516, SB 527, SB 560 aab SA 2 & HA 3; SB 563, SB 564, SB 565 aab SA 1, SB 581, SB 588, SB 590 aab HA 1; SB 604, SB 613, SB 626, SB 642, HB 534 aab HA 1 & 2; HB 665 aab SA 1; HB 881, HB 895 aab HA 1 & 3; HB 904, HB 946, HB 960, HB 962 aab SA 1; HB 982, HB 985 aab HA 1; HB 990 aab HA 1 & 2; HB 1029, HB 1064, HB 1124, HB 301, HB 924 aab HA 1; HB 1072.

7/11/80 - SB 235 aab SA 1; SB 329 aab SA 1; SB 407 aab SA 2; SB 471, SB 510, SB 513 aab SA 1; SB 532, SB 573 aab SA 4, 6 & HA 1; SB 607 aab SA 1; SB 612, SB 617, SB 618, SB 637 aab SA 1; SB 640 aab HA 1 & 2; SB 645, SB 650, SB 654 aab HA 1; SB 675, SB 677, SB 680, HB 708 aab HA 3; HB 765, HB 789 aab HA 1; HB 1018 aab HA 1 & 2 & SA 1; HB 1022, HB 1062 aab HA 1 & SA 1; HB 1066 aab HA 1; HB 1070 aab HA 2; HB 1073, HB 1092 aab HA 1; HB 1099 aab HA 1; HB 1115, HB 1128, HB 1142 aab HA 1; HB 1175 aab HA 1 & SA 1 & 2; HB 1176, HJR 40.

The following legislation became law without the Governor's signature: HB 926.

The Governor vetoed the following legislation on the date indicated: 7/11/80 - HB 190 aab HA 1 & 2; HB 329, HB 481, HB 598 aab HA 1; HB 687, HB 806 aab HA 3 & 4; HB 885 aab HA 1; HS 1 for HB 939; HB 1025, HB 1041 aab HA 1, 4, 6, & 7; HB 1098, HB 1111, HB 1131 aab HA 1; SB 187 aab HA 1; SB 327, SB 461, SB 469 aab SA 3; SB 603, SB 663 aab SA 2; SB 665, SB 666.

The Senate wishes to inform the House that it has passed: SB 661, HB 1174, HB 1062 w/HA 1, SA 1; HB 1018 w/HA 1, 2, SA 1; HB 329, HB 1064, HB 962 w/HA 1, HCR 157, HCR 158, HB 1111, HB 982, HB 904, HB 665 w/SA 1; HB 190 w/HA 1,2; HB 806 w/HA 3, 4; HB 990 w/HA 1,2; SB 672, SB 673, HB 960, HB 1115, HB 1128, HB 926, HB 301, HB 924 w/HA 1; SB 663 w/SA 2; HB 1025, HB 1072, HB 1022, SB 677, SB 314 w/SA 1; SB 675, SB 631 w/SA 1; HB 1098, HB 1175 w/HA 1, SA 1,2; HB 789 w/HA 1; HB 1176, SB 679, HS 1 for HB 939; HB 1041 w/HA 1, 4, 6 & 7; HB 598 w/HA 1; HB 1066 w/HA 1; HJR 40, SB 680, HB 1092 w/HA 1; HB 708 w/HA 3; HB 1073, HB 1142 w/HA 1; HB 765, HB 1099 w/HA 1; HB 1070 w/HA 2; HB 885 w/HA 1; HB 1131 w/HA 1; SJR 54, HB 869 w/HA 1, SA 1.

The Senate wishes to inform the House that it has defeated: HB 1152, HB 703.

The Senate wishes to inform the House that it has overridden: SB 430, Returning together with original veto message.

In compliance with the provisions of Rule 20 (d) of the Temporary Rules of the House of Representatives, I, Al O. Plant, do hereby request that my name be removed as Sponsor/Co-Sponsor of HB 1174.
6/30/80 Al O. Plant, Sr.

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HB 603 - An Act Approving the Sale of a Parcel of Land Owned by the Laurel School District to Maurice L. and Nancy B. Cannon. p. 15, 27, 154, 156.

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HB 722 w/HA 1 - An Act Directing the State Board of Education to Inventory and Distribute Certain Textbooks. p. 76, 124, 158, 216, 226.

HB 723 w/HA 1; HA 1 to HA 1 - An Act to Appropriate \$85,000 to the Department of Health and Social Services, Division of Mental Health, Bureau of Alcohol and Drug Abuse, to Provide for Research, Counseling, and Other Services to Treat Compulsive Gambling as a Social Problem. p. 76, 121, 227, 291, 414, 416, 417.

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HB 749 - An Act to Amend Chapter 64, Title 7, of the Delaware Code, to Require the Delaware Solid Waste Authority to Make Appraisals of Homes or Farms Within a Mile of Any Future Landfill Site for the Purpose of Paying the Owners the Difference Between the Appraised Value and the Sale Value. p. 78.

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HB 864 - An Act to Abolish the Municipal Court of the City of Wilmington; to Transfer Its Jurisdiction Over All Cases to the Court of Common Pleas. p. 149.

HB 865 - An Act to Abolish the Court of Common Pleas to Transfer Its Jurisdiction Over All Cases to the Superior Court; and to Abolish the Office of Clerk of the Court of Common Pleas. p. 149.

HB 866 - An Act to Amend Chapter 51, Section 5105 of Title 25, Delaware Code Relating to the Service of Notice Under the Landlord-Tenant Code. p. 149, 244, 312.

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HB 874 - An Act to Amend Title 29, Delaware Code, to Provide for the Legalization of Lotteries by Charitable, Religious, Fraternal, or Volunteer Organizations and to Provide for Appropriations to the Attorney General and State Lottery Commission to Implement Such Lotteries. p. 154.

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HB 881 - An Act to Amend Chapter 29 of Title 25 of the Delaware Code by Adding a New Section Thereto and Amending Existing Sections to Provide for the Establishment of a Lien for Taxes and Other Government Charges and Setting Forth Their Respective Priorities. p. 159, 208, 241, 402.

HB 882 - An Act to Amend Chapter 80, Title 15 of the Delaware Code to Prohibit Contributions From Lobbyists to Candidates in General, Primary or Special Elections. p. 159.

HB 883 - An Act to Amend Subchapter III, Chapter 86, Part VIII, Title 29 of the Delaware Code Relating to the Office of the Public Advocate. p. 159.

HB 884 - 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 the Separation of Employee Compensation Under the Uniform Pay Plan From Pay Increases Granted for Other Reasons. p. 159.

HB 885 w/HA 1 - An Act to Provide for a Supplemental Appropriation to the Department of Health & Social Services, Division of Social Services, for the Purpose of Child Foster Care. p. 159, 212, 391, 392.

HB 886 - An Act to Amend Title 21 Relating to the Issue of Conditional Driver Licenses for Drivers Who Were Suspended for Not Having Liability Insurance. p. 159, 277.

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HB 893 - An Act to Amend Title 26 of the Delaware Code Relating to Certain Energy-Producing Equipment; and Prohibiting Utilities From Competing With Private Businesses Which Merchandise Alternate Energy-Producing Equipment by Which Electricity is Derived From Solar Energy, Wind Power or From Other Alternate Energy-Producing Fuels. p. 162, 208.

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HB 897 - 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. p. 166, 291, 317.

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HB 903 - An Act to Amend Title 16 and Title 30 of the Delaware Code Relating to Health and Safety; and Providing for a Cancer Control and Research Act. p. 167, 182.

HB 904 - An Act Amending Title 24 of the Delaware Code Relating to Professional Engineers. p. 167, 254, 336, 337.

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HB 971 - An Act to Allow George MacArthur Platz, a Non-Resident, to Marry Maryann Elizabeth Dudley, a Non-Resident. p. 209, 224, 236, 238, 246.

HB 972 - An Act to Amend Chapter 118, Volume 33, Laws of Delaware, As Amended by Chapter 505, Volume 57, Laws of Delaware, Entitled "An Act Providing for a Firemen's Pension Fund for Members of the Bureau of Fire of the Department of Public Safety of the City of Wilmington" to Provide for an Increase in Pension Benefits for Disabled Retired Firemen and the Widows and Dependents of Disabled Retired Firemen. p. 209, 310.

HB 973 - An Act to Amend Chapter 42, Title 21, Delaware Code Relating to Reports of Accidents Involving Personal Injury or Property Damage. p. 209, 230, 282, 283.

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HB 1027 - An Act to Amend Chapter 93, Title 10 of the Delaware Code Relating to Jurisdiction of the Justices of the Peace. p. 239.

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HB 1040 - An Act to Amend Delaware Code, Title 14 by Authorizing the Creation of a Community Schools Program and Authorizing Reassignment of Qualified State Grant in Aid Programs to That Community Schools Program. p. 248, 267, 313.

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HB 1044 - An Act to Authorize and Direct the Sale by the New Castle County School District of Certain Property Located in the City of Wilmington to the Division of Parks and Recreation of the Department of Natural Resources and Environmental Control, and to Make a Supplemental Appropriation for Certain Moving Expenses Incurred by the New Castle County Vocational Technical School District as a Result of Such Sale. p. 249, 291, 293, 337, 359.

HB 1045 - An Act to Amend Chapter 1, Title 26, Delaware Code, and Chapter 60, Title 7, Delaware Code, Relating to Jurisdiction Over Water Companies. p. 249, 310.

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HB 1047 - 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. p. 249, 254, 258, 259, 260, 261.

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HB 1053 w/HA 1 - An Act Awarding Service-Connected Disability Payments Pursuant to Chapter 83, Title 11, of the Delaware Code, and Directing the Board of Pension Trustees to Grant Such Application for Service-Connected Disability. p. 254, 291, 312, 357, 358, 383.

HB 1054 - Providing for a Pay Increase of 9.5 Percent for the Fiscal Year Starting July 1, 1980, for All State Employees Not Included in Section 11 of House Bill No. 950, the Budget Appropriation Bill; and Providing an Appropriation Therefor. p. 255.

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HB 1057 - An Act to Amend Chapter 7, Title 21, Delaware Code Relating to the Authority and Duties of Delaware State Police Size and Weight Enforcement Technicians. p. 255, 291.

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HB 1059 - An Act to Amend Chapter 13, Section 1322, Title 14, of the Delaware Code Relating to the Salaries of School Lunch Employees; and Further Providing a Supplementary Appropriation Therefor. p. 255.

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HB 1061 - An Act to Amend Chapter 48, Part II, Title 25 of the Delaware Code Relating to the Registration of Federal Tax Liens; and Providing for a Uniform Federal Tax Lien Registration Act. p. 262.

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HB 1063 - An Act to Amend Chapter 27, Part III, Title 30 of the Delaware Code Relating to Manufacturers' License Requirements and Taxes; and Providing for an Excise Tax on the Processing of Crude Petroleum. p. 263.

HB 1064 - An Act to Amend Subchapter III, of Chapter I, Title 17, Delaware Code, Relating to the Authorization of the Department of Transportation to Allow Vending Machines and Other Items for the Driver's Rest and Relaxation in Safety Roadside Rest Areas on an Experimental Basis; and to Further Provide for a Special Fund Within the State Treasury to Which Such Profits Shall be Earmarked. p. 263, 277, 313.

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HB 1069 - 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. p. 270, 291.

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HB 1071 w/HA 1 - An Act to Amend Chapter 13, Title 30, Delaware Code, Relating to Inheritance Tax on Alternate Valuation. p. 270, 361, 383, 395.

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HR 210 - Commending Miss Delores Tatman and the Black Dupont Company Employees Association for Sponsoring Their Ninth Annual Career Conference on Saturday, May 10, 1980. p. 220.

HR 211 - Urging the New Castle County School District to Reconsider the Transfer of Building Principals for the School Year 1980 to 1981. p. 233.

HR 212 - Congratulating the Dover Central Middle School Stage Band for the Program Played Today, May 27, 1980, Before the House of Representatives. p. 239.

HR 213 - Requesting the Speaker of the House to Designate Certain Areas in the Chamber of the House of Representatives for Non-Smokers. p. 240.

HR 214 - Expressing a Speedy Recovery to Mrs. Linda Duffy, a New Castle County School Bus Driver Who was Injured by a Thrown Bottle and Further Requesting the New Castle County School Board to Consider Some Type of Remuneration for Injury Incurred by Mrs. Linda Duffy While Unemployed. p. 243.

HR 215 - Commending the Federal Department of Energy for Probing Gasoline Prices, Finding That 29 Delaware Service Stations had Been Overcharging, Assessing Fines Totaling \$8,130, and Making the Information Public. p. 243, 244.

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HR 217 - Congratulating Harry Levin Upon His Selection as New Castle County's Small Business Person of the Year. p. 251.

HR 218 - Expressing the Sorrow of the House of Representatives at the Death of John O. Hopkins, Jr., Wilmington Businessman and Republican Leader. p. 251.

HR 219 - Expressing a Speedy Recovery to Mrs. Linda Duffy, a New Castle County School Bus Driver Who Was Injured by a Soda Bottle Thrown by a Group of Recalcitrant Students. p. 251.

HR 220 - Congratulating Curtis Comack, Son of Petie Rittenhouse, One of Our Attaches, Upon His Graduation From the University of Delaware. p. 253.

HR 221 - Urging the Public Service Commission to Reconsider Its Decision of Permitting Delmarva Power and Light Company to Charge Eighteen Percent Finance Charge on Late Utility Bills Commencing in July. p. 253.

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HR 223 - Commending Avon Products Inc. for Planning to Expand Its Newark Distribution Plant With an Addition of 150 New Jobs. p. 262.

HR 224 - Congratulating the Graduates of the Margaret S. Sterck School for the Hearing Impaired. p. 262.

HR 225 - Congratulating Janice M. Traynor, Chief of Real Estate for Wilmington, Upon Her Selection as Young Career Woman of the Year. p. 264.

HR 226 - Mourning the Death of W. Roy Willits, of Wilmington, a Former Member and Majority Leader of the House of Representatives. p. 264.

HR 227 - Marking the Arrival of the 100,000th Special Visitor From Cuba. p. 264.

HR 228 - Extending Birthday Wishes to a Famous Delaware Legislator, Educator and Sports Figure: Joseph P. ("Jody") Ambrosino. p. 267.

HR 229 - Congratulating Dwayne Henry, Outstanding Pitcher for the Middletown High School Cavaliers, Upon His Selection by the Texas Rangers in the Player Draft. p. 267.

HR 230 - Requesting a Copy of the Annual Report, a Copy of an Independent Audit, and Other Information From the Northeast Area Partners, Inc., a Recipient Under the Grants-in-Aid Law. p. 269.

HR 231 - Requesting the State Board of Education to Establish Regulations Governing Attendance of Students at Public School Kindergartens. p. 289.

HR 232 - Amending House Rule 20 to Provide for a Deadline for Introduction of New Bills. p. 289.

HR 233 - To the Fathers of the State on Father's Day, June 15, 1980. p. 294.

HR 234 - Commending the Delaware Round Table for Its Plans to Improve the Commercial Climate in the State. p. 297.

HR 235 - In Reference to Election of Officer. p. 298.

HR 236 - Directing the Attorney General's Office to Oppose Any Effort to Release John H. Bailey, of Wilmington, From Prison. p. 300.

HR 237 - Requesting the Division of Health Planning and Resources Development Bureau of the Department of Health and Social Services to Study, Evaluate and Make Recommendations Regarding Outpatient Physical Therapy for the Elderly and Medicare Recipients in Kent County, Delaware. p. 300.

HR 238 - Requesting William S. Young, 3rd, Director of the Office of Personnel, to Attending a Meeting of the House of Representatives to Answer Questions About Policies and Procedures of His Agency. p. 300.

HR 239 - Mourning the Death of Joel B. Vollmer, of Smyrna, Stepfather of Speaker of the House Robert W. Riddagh. p. 329.

HR 240 - Amending House Resolution No. 142, As Amended, and House Resolutions No. 163 and 201, Relating to the Temporary Rules of the House of Representatives of the 130th General Assembly of the State of Delaware, to Provide That Members of the House of Representatives Shall Dress With Dignity as Becomes Their Position as Statesmen. p. 329.

HR 241 - Celebrating the Golden Wedding Anniversary of Our Energetic Sergeant-At-Arms, Morris Cohen, and His Patient Wife Sadie. p. 332.

HR 242 - Thanking the Staff of the University Hospital, London, Ontario, Canada, for a Successful Operation on Lois Matushefske, Wife of the Representative From the 17th District. p. 338.

HR 243 - Requesting the Governor to Appoint an Ad Hoc Committee to Study and Recommend Proposals for Reorganizing the New Castle County School District. p. 341, 342.

HR 244 - Congratulating Italo-Americans United, the Delaware Federation of the Blind, and the Delaware Association of Blind Athletes for Their Work and Participation in the Popular and Successful Family Picnic Day. p. 344.

HR 245 - Commending the American Legion Auxiliary, Department of Delaware, and the Participants in the 1980 Girls State for Renewing This Unique Educational Experience. p. 362.

HR 246 - Requesting All Law-Enforcement Agencies of the State of Delaware and the Political Subdivisions to Cooperate in the Enforcement of Chapter 16, Title 16 of the Delaware Code Providing for the Control of Litter. p. 362.

HR 247 - Requesting the Secretary of the Department of Public Safety to Create an Award to be Made Annually to the state Police Officer Who Stops the Largest Number of Drivers for Speeding. p. 363.

HR 248 - A Resolution Amending the Temporary Rules of the House Relating to Roll Call Votes. p. 369.

HR 249 - Commending Adult Corrections Chief, Fred VanSant on His Recent Policy of Not Accepting Mental Patients in Delaware Correctional Institutions. p. 371.

HR 250 - Requesting the Secretary of the Department of Health and Social Services to Establish a Task Force to Study the Need for a Hospice Program for Delaware. p. 371.

HR 251 - Providing for the Appointment of a Select Energy Study Committee to Develop Legislative and Executive Recommendations for State Energy Policies. p. 371.

HR 252 - Authorizing and Directing the Chief Clerk of the House of Representatives to Purchase and/or Lease and Install Electronic Voting Systems in the House Chamber and Further Providing a Supplemental Appropriation Therefor. p. 386.

HR 253 - Requesting the Governor to Establish a Commission to Study the Existing Regulations Relating to Energy Consumption and Energy Conservation. p. 386.

HR 254 - Commending the Men and Women of the Dover Air Force Base for Their Outstanding Performances in Providing Worldwide Airlift. p. 403.

HR 255 - Congratulating Dwayne Henry, Middletown High School, Upon His Selection as Number One Delaware Athlete of the Year. p. 403.

HR 256 - Requesting the Speaker of the House to Appoint a Special Committee to Investigate the Continuing Increases Sought by the Delmarva Power Company. p. 405.

HR 257 - Urging Agencies, Departments and Branches of the Government of the State of Delaware to Investigate the Problem of Runaway Children and Possible Solutions to Such Problems. p. 419.

HR 258 - Congratulating Mrs. Annie Diamond, of Wilmington, Upon Reaching Her 100th Birthday, June 29, 1980. p. 419.

HR 259 - Commending the City of Newark for Sponsoring Delaware's First Safety Town and Recommending That Other Delaware Communities Inaugurate Similar Programs to Introduce Safety Awareness to Preschool Children. p. 419.

HR 260 - Thanking Representative J. Edward Morris, of Camden, for His Service to the House of Representatives as He Retires After His Fourth Term. p. 419, 420.

HR 261 - Congratulating Former Representative Nutter D. Marvel, of Georgetown, on His 78th Birthday Today, June 30, 1980. p. 421.

HR 262 - Thanking Representative Robert L. Maxwell for His Service to the House of Representatives as He Retires After His Third Term. p. 426.

HR 263 - Thanking Representative William H. Brady II, of Middletown, for His Service As a Member of the General Assembly as He Retires After His Second Term. p. 438.

HR 264 - Urging Municipal and County Governments With Police Forces to Consider Patterning Their Police Pension Systems After the Recommendations of the State Police Pension Reform Committee. p. 440, 441.

HR 265 - Thanking Representative William H. Vernon, of Rehoboth Beach, for His Service to the General Assembly as He Retires After Two Terms. p. 442.

HR 266 - Commending William J. Gordy, the Minority Leader of the House of Representatives During the Second Session of the 130th General Assembly, for His Exceptional Performance, and Wishing Him Best of Luck as He Competes for a New Career. p. 443.

HR 267 - Commending the Elected Members and All of the Staff of the House of Representatives of the Second Session of the 130th General Assembly of Delaware for Their Fine Service. p. 444.

HR 268 - Commending Representative Robert W. Riddagh for His Outstanding Performance as Speaker of the House During the Second Session of the 130th General Assembly of Delaware. p. 444.

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HCR 26 - Urging the Superintendent and the School Board of the New Castle County School District to Promptly Review and Act Upon All the Administrative Recommendations for Expulsion. p. 124.

HCR 80 - Requesting That All Agencies of the State, the Counties, and the Municipal Subdivisions Prohibit the Use of Air Conditioning on Motor Vehicles Within Their Jurisdiction Starting July 1, 1979. p. 170.

HCR 81 - Commending the American Legion Auxiliary, Department of Delaware, and the Participants in the 1979 Girls State for Continuing This Enriching Educational Experience. p. 2.

HCR 82 - Requesting the Delaware Congressional Delegation to Support Legislation Deregulating the Trucking Industry. p. 2.

HCR 85 - Requesting the Governor to Confer With the Secretary or Acting Secretary of the Department of Agriculture to End Complaints of a Lack of Communication and Cooperation Between the Delaware Weather Modification Association Steering Committee and the Department. p. 2.

HCR 86 - Commending the Cape Henlopen Field Hockey Team for Winning the State Championship. p. 9, 16.

HCR 87 - Congratulating the 1979 University of Delaware Football Team, Its Coach, Harold (Tubby) Raymond, and the University's Athletic Department on Winning the Division II Championship of the National Collegiate Athletic Association. p. 6, 7.

HCR 88 - Commending the Cape Henlopen High School Cross Country Team for Winning the Division II Championship. p. 10, 16.

HCR 89 - Joining in the Congratulations to Joe Ben Hudson, of Mission, Sussex County, as He Observes His 106th Birthday on January 26, 1980. p. 17, 23.

HCR 90 - Congratulating Regina Ciritella, a Student at St. Elizabeth's High School, on Winning the 1979-80 "Voice of Democracy" Contest Sponsored by the Veterans of Foreign Wars. p. 17, 19, 23, 92.

HCR 91 - Welcoming Howard E. Vander Clute, Jr., National Commander-in-Chief of the Veterans of Foreign Wars, to Delaware and to the Regular Session of the 130th General Assembly. p. 19, 20, 23, 92.

HCR 92 - Commending the Division of Highways, Department of Transportation, for the Completion of Phase I of "Operation Overhaul." p. 20, 21, 30.

HCR 93 - Expressing the Sympathy of the Members of the 130th General Assembly to Former Representative Lewis B. Harrington Whose Mother, Emma Minner, Aged 91, Died on January 15, 1980. p. 24, 25, 30.

HCR 94 - Requesting the Governor to Designate February 12 through February 22 as National Defense Week. p. 27, 30.

HCR 95 - Mourning the Death of Major General D. Preston Lee, Former Adjutant General of the Delaware National Guard. p. 30, 37.

HCR 96 - In Support of President Jimmy Carter's Objection to United States Participation in the Olympic Games at Moscow This Summer Unless Russia Moves Her Troops from Afghanistan Within a Month. p. 30, 37.

HCR 97 - Providing That a Joint Session of the Senate and the House of Representatives be Convened to Hear the Presentation of the Governor's Annual Budget Message. p. 46, 59.

HCR 98 - Expressing Our Hope for the Quick and Complete Recovery of Our Colleague, Representative Ruth Ann Minner, From an Operation. p. 61, 66.

HCR 99 - The People of Delaware Say, Thank You, Canada! p. 73.

HCR 100 - Requesting the Division of Aging, the Department of Health and Social Services, the Department of Elections and the Legislative Council of Delaware Jointly to Make All Needed Preparations for the Holding of a Silver-Haired Legislature in Legislative Hall During That Month in Which the Silver-Haired Legislature is to be Convened. p. 81, 82.

HCR 101 - Establishing an Employment Compensation Committee to Explore the Problems and Make Recommendations to Legislature if Necessary. p. 84.

HCR 102 - Requesting the State Department of Public Instruction to Establish a Committee to Review the Instructional Program and Related Problems in the New Castle County School District. p. 85, 129.

HCR 103 - Requesting the New Castle County Board of Education, Before Adopting Any Plan for School Closings, to Hold at Least One Public Meeting in Each of the Four Attendance Areas and to Make Replies to Questions Propounded Herein. p. 102.

HCR 104 - Mourning the Death of Samuel P. Maroney, a Wilmington Teacher and Principal for 40 Years, on March 11, 1980, at the Age of 81. p. 102, 110.

HCR 105 - Congratulating the Indian River High School Basketball Team on Winning the State Championship for the First Time. p. 105, 110.

HCR 106 - Congratulating the Delaware Council of Farm Organizations for Their Tenth Annual Agricultural Industry Dinner Culminating Delaware Agricultural Week. p. 106, 110.

HCR 107 - Congratulating Esther S. Frear, of Dover, Upon Her Selection as Delaware's Mother of the Year. p. 106, 110.

HCRC 108 - Expressing Congratulations to the Milford Buccaneers Wrestling Team and Their Coaches on Their Recent Winning of the State Championship. p. 106, 110.

HCRC 109 - Congratulating Padua Academy Upon Winning the Girls' State Basketball Championship. p. 113, 117.

HCRC 110 - Expressing the Sympathy of the Members of the 130th General Assembly to the Family of Dr. Joseph A. Vansant, Who Died on March 15, 1980. p. 113, 117.

HCRC 111 - Requesting the Congress of the United States to Authorize No Cutbacks in Federal Aid to States, Counties and Municipalities Until a Significant Reduction is Made in Foreign Aid. p. 118, 124.

HCRC 112 - Requesting the New Castle County Board of Education to Reassign School Administrative Personnel to the School Buildings in the Attendance Areas and to Dispose of the Surplus Administration Buildings to the Financial Advantage of the State. p. 122, 123.

HCRC 113 - Commending the Libraries of the State of Delaware for the Excellent Service Provided to Delaware Citizens and to Encourage These Libraries Through Legislative Support to Extend the Services and Cooperate Among Themselves. p. 125, 126, 130.

HCRC 114 - Congratulating Dave Cook of Indian River Upon His Selection as State High School Basketball Coach of the Year. p. 126, 130.

HCRC 115 - Congratulating Victor F. Battaglia, President of the Delaware Bar Association, Upon His Selection as the 1980 Winner of the Good Government Award Presented by the Committee of 39. p. 126, 130.

HCRC 116 - Expressing Deep Appreciation for the Easter Lillies Given Annually by the Vocational Student Organizations of Delaware During This Holy Week. p. 129, 137.

HCRC 117 - Commending Professional Secretaries for Their Contribution to Our Society and Designating the Week of April 20-26 as National Secretaries Week and Wednesday, April 23, as Secretaries Day. p. 136, 137, 154.

HCRC 118 - Designating April 17, 1980 as "Free Enterprise Day" in Delaware. p. 137, 154.

HCRC 119 - Expressing the Sorrow of the Members of the 130th General Assembly of Delaware at the Death of Zelda K. Herrmann, Wife of Chief Justice Daniel L. Herrmann. p. 156, 158.

HCRC 120 - Mourning the Death of Mary Babiarz, Mother of Former Mayor John E. Babiarz of Wilmington. p. 156, 158.

HCRC 121 - Commending the Milford High School Marching Bucs for Their Outstanding Performance at the Southern National Music Festival in Orlando, Florida, on April 11 and 12, 1980. p. 159, 161.

HCRC 122 - Expressing Our Admiration for William Thomas Watson, of Laurel, Who Observed the Centenary of His Birth on April 23, 1980. p. 163, 165.

HCRC 123 - Commending Delaware V.I.C.A. for the Service It Renders in Providing Valuable Skill Training, Civic Responsibility, and Social Growth for Vocational Students; and Congratulating the Student Winners of the 1980 V.I.C.A. Competitions in Vocational Skill and Leadership. p. 163, 165.

HCRC 124 - Recognizing the Mushroom Industry of the State of Delaware. p. 163, 165.

HCR 125 - Commending the Work of the Girls Clubs of Delaware and Marking the Week of May 11-17, 1980, as Girls Clubs Week. p. 168, 171.

HCR 126 - Congratulating Sister Germaine Catlin, D.C. Upon Her Golden Jubilee. p. 187, 193.

HCR 127 - Commemorating the 189th Anniversary of the Polish Constitution of May 3, 1791. p. 187, 193.

HCR 128 - Urging the C.M.I. of Genoa, Italy, to Award the Fabrication of a Multi-Purpose Crane Being Purchased by the Port of Wilmington to a Delaware Firm. p. 190, 193.

HCR 129 - Wishing Helen Baynard, the Cheerful Chef of the Legislative Hall Haute Cuisine, a Happy Birthday and sending Her a Get-Well-Quick Message at the Same Time. p. 202, 212.

HCR 130 - Requesting the Department of Commerce of the United States to Emphasize That the Port of Wilmington be Included as One of the "Ports of Philadelphia" in a Maritime Agreement Under Consideration With the People's Republic of China. p. 203, 212.

HCR 131 - Memorializing President Jimmy Carter and the 96th Congress of the United States to Show Consistency in Human Rights and Compassion to Persons Who Desire to Enter This Country to Escape Inhumane and Repressive Regimes of the World. p. 204, 227.

HCR 132 - Wishing the Caesar Rodney High School Bands the Best of Luck at the International Music Festival Competition at Toronto, Canada, May 17-20, 1980. p. 205, 207.

HCR 133 - Extending Appreciation to Mr. Bruce Laird, Delaware Teacher of the Year for 1980, and to Local Teachers of the Year. p. 210, 212.

HCR 134 - Extending Congratulations to Anne Christine Liesl Zumsteg, Age 17, on Becoming Miss Delaware Teen on Saturday, May 10, 1980. p. 213, 217.

HCR 135 - Congratulating Charlotte Shedd Upon Her Selection as Americanism Medal Winner of the National Society, Daughters of the American Revolution. p. 218, 224.

HCR 136 - Commending the Wilmington Medical Center for Its Efforts Toward Increasing Health Care in New Castle County by Plan Omega. p. 219, 224.

HCR 137 - Directing Agencies of the State Not to Send Annual Reports to Members of the General Assembly Unless so Requested. p. 224, 230.

HCR 138 - Requesting Notice to Parents When Curricular Offerings in Sex Education are Made in Certain Grades of the Public Schools. p. 232, 238.

HCR 139 - Requesting the Delaware Congressional Delegation to Support Senate Resolution No. 432 Which Objects to Any Taxing of Social Security Payments. p. 232, 238.

HCR 140 - Providing for the Selection of a Committee to Study the Need for and Feasibility of Legislation Establishing an Elective Judicial System. p. 242, 243, 248.

HCR 141 - A Resolution Urging the Department of Labor to Implement Regulations That Would Permit Employees Temporarily Laid-Off for Retooling and Model Changes to Apply for Unemployment Benefits by Mail. p. 253.

HCR 142 - Urging the Department of Labor to Implement Regulations That Would Permit Employees Temporarily Laid-Off for Retooling and Model Changes to Apply for Unemployment Benefits by Mail. p. 261, 262.

HCR 143 - Condemning the Cuban Immigrants Who Have Rioted at Fort Chaffee, Arkansas, and Renewing the Request Contained in House Concurrent Resolution No. 131. p. 264.

HCR 144 - Congratulating Seaford on Winning the Delaware High School Baseball Tournament. p. 282, 291.

HCR 145 - Congratulating Byron and Florence Gibson, of Milford, as They Observe Their Golden Wedding Anniversary Today, June 11, 1980. p. 287, 291.

HCR 146 - Asking All Citiznes of Delaware to Observe Flag Week With a Special Salute on Saturday, June 14, Flag Day. p. 289, 291.

HCR 147 - Requesting the U.S. Corp of Engineers to Install Safety Lights on the Bridge Crossing C&D Canal at St. Georges, Delaware. p. 300, 319.

HCR 148 - Congratulating Former Representative and Mrs. Robert L. Byrd on the Birth of Their First Child, a Daughter, on June 16, 1980. p. 306, 319.

HCR 149 - Memorializing the Federal Energy Regulatory Commission to Thoroughly Examine the Steep Rate Increases Which Delmarva Power and Light Company Seeks to Impose on Certain Towns and Municipalities; and to Examine the Possible Unlawfulness of the Process of Charging Customers Increased Rates Prior to Rate Approval. p. 312.

HCR 150 - Congratulating the Salvation Army for 100 Years of Good Works in the United States. p. 312, 319.

HCR 151 - Expressing the Appreciation of the 130th General Assembly for the Accomplishments of Kenneth C. Madden Ed. D. as He Retires After 13 Years as Superintendent of the Department of Public Instruction. p. 342, 359.

HCR 152 - Requesting the Members of the Delaware Congressional Delegation to Support Legislation Protecting the National Barrier Island System. p. 343, 369.

HCR 153 - Urging the Department of Natural Resources and Environmental Control, Solid Waste Division, to Require a Ground Water Monitoring system, Plans for Closure and Specifications for Water Tank. p. 362.

HCR 154 - Expressing the Concern of the Delaware General Assembly Regarding the Provisions of the National Energy Mobilization Board Bill Which Preempt State Authority Over Its Lands Uses. p. 362.

HCR 155 - Expressing Farewell and Bon Voyage to Onugu, Onwuka and Vincent, Our Nigerian Visitors Over the Past Two Weeks. p. 383, 402.

HCR 156 - Congratulating Mr. and Mrs. Thurman G. Adams, Sr., of Bridgeville, Who Will Celebrate Their 64th Wedding Anniversary Tomorrow, June 28, 1980. p. 385, 386, 402.

HCR 157 - A Resolution Urging the Division of Historical and Cultural Affairs to cooperate With the Prospective Purchasers of the Historic Matthew Lowber House in Magnolia, With Respect to Its Restoration. p. 403.

HCR 158 - Creating a Select Committee on Small Business to Develop Legislative Recommendations for State Policies to Encourage Small Business Development. p. 403.

HCR 159 - 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 Providing an Appropriation Therefor. p. 419.

HOUSE JOINT RESOLUTIONS

HJR 9 - Requiring a One-Time Reduction in Personal Income Tax for Calendar Year 1979. p. 50.

HJR 16 - Encouraging Residents of Delaware to Throw Their Empty Bottles and Cans on Maryland or Pennsylvania Roads and Roadsides Until Such Time as Those States Enact Legislation Supporting Delaware's Anti-Litter Law. p. 29.

HJR 23 - Strongly Requesting and Urging the Commissioner of the Delaware River and Bay Authority to Hold at Least One Public Hearing in Delaware and One Public Hearing in New Jersey for Raising Tolls on the Delaware Memorial Bridge and/or the Cape May-Lewes Ferry. p. 118.

HJR 25 - Amending House Joint Resolution No. 1 in Reference to the Election of Officers. p. 3, 5, 92.

HJR 26 - Mourning the Death of Representative Daniel F. Kelly of the 16th Representative District on September 14, 1979. p. 6, 7, 92.

HJR 27 - Asking Citizens of Delaware to Observe 1980 as Year of the Coast. p. 9, 79, 92.

HJR 28 - Expressing the Condolences of the House of Representatives, With the Senate Concurring Therein, to the Family of the Late Margaret Hastings. p. 13, 14, 16, 92.

HJR 29 w/HA 1 - Providing for a Moratorium on Any Installation or Preparations for the Installation of Petroleum Products Pipelines. p. 26, 27, 35, 36, 37.

HJR 30 - Requiring State Board of Education Approval for the Extension of Any Administrator's Term of Employment When More Than One Year Remains on the Original Term. p. 29.

HJR 31 - Requesting the Secretary of Health and Social Services to Cease Immediately Payments Being Made to an Iranian College Student in New Castle County. p. 84, 91.

HJR 32 - Commending the Libraries of the State of Delaware for the Excellent Service Provided to Delaware Citizens and to Encourage These Libraries Through Legislative Support to Extend the Services and Cooperate Among Themselves. p. 123, 125.

HJR 33 w/HA 4 - Directing State-Supported Institutions of Higher Education Not to Admit Iranian Nationals as Students of Such Institutions, Until the American Hostages Have Been Released. p. 143, 158, 189, 191, 192, 193.

HJR 34 - Designating Monday, May 26, 1980, as Memorial Day and Declaring It a Legal Holiday in the State of Delaware for the Year 1980. p. 186, 187, 193, 207.

HJR 35 - Memorializing and Urging President Carter to Postpone the Next Phase of the Oil De-Control Program. p. 175, 188.

HJR 36 - Appropriating \$48,000 to the Workmen's Compensation Commission for Expenses Incurred in Developing Its Final Report to the Governor and to the General Assembly. p. 213, 291, 357, 369, 403.

HJR 37 - Establishing a Legislative Committee to Assess Present Motor Vehicle Inspection Facilities and Procedures, and to Study the Feasibility of Implementing Vehicle Inspection Techniques Not Presently Utilized in Delaware. p. 226.

HJR 38 - Requesting the Attorney General to Suspend Enforcement of the Charitable Gambling Guidelines Presently in Effect While the General Assembly Continues to Study the Subject. p. 282.