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STATE OF DELAWARE



JOURNAL

OF THE

STATE SENATE

AT A SESSION OF THE

128TH GENERAL ASSEMBLY

1975



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President Pro Tempore
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**Assistant Secretary
of the Senate**
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District

1. Michael N. Castle 17 Ivy Rd., Rockford Village, Wilmington
2. Herman M. Holloway, Sr. 2008 Washington St, Wilmington
3. George F. Schlor 114 N. Franklin St., Wilmington
4. Robert J. Berndt 312 Beverly Place, Wilmington
5. Charles E. Hughes 1406 Lincoln Ave., Wilmington
6. Dean C. Steele 128 Rockingham Dr., Wilmington
7. Andrew G. Knox 107 Quintynnes Ave., Wilmington
8. Margaret R. Manning 605 Greenbank Rd., Wilmington
9. Thomas B. Sharp 2226 E. Huntington Dr., Wilmington
10. Everett Hale 109 Meriden Dr., Newark
11. Anthony J. Cicione, Sr. 701 Colonial Ave., Elsmere, Wilmington
12. Calvin R. McCullough 605 Central Ave., New Castle
13. Francis J. Kearns 23 Edinburgh Dr., New Castle
14. Roger A. Martin 13 Pinedale Rd., Newark
15. J. Donald Isaacs R.D. 2, Townsend

KENT COUNTY

16. Nancy W. Cook Kenton
17. Jacob W. Zimmerman South Little Creek Rd., Dover
18. William M. Murphy, Jr. 1437 Nathaniel Mitchell Rd., Dover

SUSSEX COUNTY

19. Thurman Adams, Jr. Box 367, Bridgeville
20. Richard S. Cordrey River Dr., Millsboro
21. David H. Elliott Rt. 1, Box 154, Laurel

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1975

**128TH GENERAL ASSEMBLY
1ST LEGISLATIVE DAY
DOVER, DELAWARE
JANUARY 14, 1975**

Pursuant to Section 4, Article 2, of the Constitution of the State of Delaware, the Senate met at Legislative Hall in Dover, Delaware, at 1:34 p.m., Lieutenant Governor Eugene D. Bookhammer presiding.

A Prayer was offered by the Chaplain, Rev. Robert L. Harris:

"Almighty God, our Heavenly Father, we acknowledge Your Presence here with us this afternoon. You have been our Help in ages past, and You are our Hope for the years to come. We praise You, O God, for constantly being with us. We thank You that Your divine guidance and direction are always available to us. Lead each of us, our Father, in whatever occupation we fulfill. Lead us that we might accomplish Your will and Your purpose, through Jesus Christ we pray. Amen."

Pledge of Allegiance to the Flag.

The Chair appointed Stanley R. Habiger as Temporary Secretary of the Senate; Charles Staats as Temporary Bill Clerk and Doris M. Carello as Temporary Reading Clerk.

The Secretary read the roll call of the 11 holdover Senators:

PRESENT: Senators Castle, Cicone, Cook, Cordrey, Elliott, Hale, Isaacs, Kearns, Manning, McCullough and Steele — 11.

Having been certified by reading of the Certificates of Election by the Superior Courts of the three Counties, the following were sworn into office by Lieutenant Governor Bookhammer as Senate Members: from New Castle County - Herman M. Holloway, George F. Schlör, Robert J. Berndt, Charles E. Hughes, Andrew G. Knox, Thomas B. Sharp and Roger A. Martin; from Kent County - Jacob W. Zimmerman and William M. Murphy, Jr.; from Sussex County - Thurman Adams, Jr.

**ILLUSTRATION OF
CERTIFICATE OF ELECTIONS**

* * * * *

**THE STATE OF DELAWARE
NEW CASTLE COUNTY, SS.**

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the

year of our Lord nineteen Hundred and Seventy-four for New Castle County, according to the Constitution and Laws of the State of Delaware, HERMAN M. HOLLOWAY, was duly elected Senator for Senatorial District Number Two in said County in the General Assembly: which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Albert J. Stifftel and Andrew D. Christie the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 8th day of November, A.D. 1974.

* * * * *

Senator Cordrey introduced **SR 1** and moved that it be adopted.

SR 1 — "In reference to the roll of Members of the Senate".

The roll call vote on adoption of the Resolution was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 21.

Therefore, the Resolution was adopted.

The Secretary then took the roll call of the permanent membership of the 128th General Assembly:

PRESENT: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Isaacs, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 21.

The Chair then declared the 128th General Assembly to be in session.

Senator Cordrey introduced **SR 2** and moved that it be adopted.

SR 2 — "In reference to election of President Pro Tempore."

The roll call vote on the Resolution was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Manning,

Martin, Murphy, Schlör, Sharp, Steele, Zimmerman — 18.

NOT VOTING: Senators Isaacs and Knox — 2.

ABSENT: Senator McCullough — 1.

Therefore, the Resolution was adopted.

The Chair administered the Oath of Office to Senator Isaacs as President Pro Tempore.

Senator Cordrey introduced **SR 3** and moved that it be adopted.

SR 3 — "In reference to election of officers."

The roll call vote on the Resolution was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Isaacs — 20.

NOT VOTING: Senator Zimmerman — 1.

Therefore, the Resolution was adopted by the Senate and, pursuant thereto, the oath of Office was administered to Stanley R. Habiger as Secretary of the Senate.

Senator Isaacs introduced **SR 4** and moved that it be adopted.

SR 4 — "In reference to Temporary Rules of the Delaware State Senate."

The roll call vote on the Resolution was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 21.

Therefore, the Resolution was adopted.

Senator Cordrey (co-sponsor Senator Isaacs) introduced **SJR 1**.

SJR 1 — "In reference to election of Officers."

On motion of Senator Isaacs, the necessary rules were suspended for the purpose of considering the Resolution, the roll call vote was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 21.

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

Senator Cordrey introduced **SR 5** and moved that it be

adopted.

SR 5 — “Appointing a Committee to notify the Governor that the Senate is organized.”

The roll call vote on the Resolution was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 21.

Therefore, the Resolution was adopted by the Senate and, pursuant thereto, the Chair appointed Senators Holloway and Manning as a Committee to inform the Governor that the Senate is ready for business.

Senator Cordrey introduced **SR 6** and moved that it be adopted.

SR 6 — “Appointing a Committee to notify the House of Representatives that the Senate is organized.”

The roll call vote was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Hughes, Kearns, Knox, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman — 18.

ABSENT: Senators Holloway, Manning and Isaacs — 3.

Therefore, the Resolution was adopted and pursuant thereto, the Chair appointed Senators Martin and Berndt to inform the House that the Senate was ready for business.

Senator Cordrey introduced **SR 7** and moved that it be adopted.

SR 7 — “Authorizing the Legislative Council to furnish postage for the First Session of the 128th General Assembly.”

The roll call vote was taken and announced to be:

YES: Senator Adams, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Knox, Manning, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 19.

ABSENT: Senators Berndt and Martin — 2.

Therefore, the Resolution was adopted.

Senator Isaacs introduced **SR 8** and moved that it be adopted.

SR 8 — “In reference to election of Officers.”

The roll call vote on the Resolution was taken and announced to be:

YES: Senators Adams, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Knox, Manning,

McCullough, Murphy, Schlor, Sharp, Steele, Zimmerman, Isaacs — 19.

ABSENT: Senators Berndt and Martin — 2.

Therefore, the Resolution was adopted.

At the request of Senator Isaacs, the membership of the various Committees was read in:

ADMINISTRATIVE SERVICES — Nancy Cook, Chairman; Thurman Adams, Jr., Roger A. Martin, William Murphy, Jr., Michael N. Castle, Everette Hale.

AGRICULTURE - Richard Cordrey, Chairman; Thurman Adams, Jr., Anthony Cicione, Jacob Zimmerman, David Elliott, Andrew Knox.

BANKING, INSURANCE AND ELECTIONS - William Murphy, Jr., Chairman; Francis Kearns, Calvin McCullough, Jacob Zimmerman, Robert J. Berndt, Michael Castle.

COMMUNITY AFFAIRS - George Schlor, Chairman; Herman Holloway, J. Donald Isaacs, Roger Martin, David Elliott, Margaret Manning.

EDUCATION - Calvin McCullough, Chairman; Nancy Cook, Herman Holloway, Jacob Zimmerman, Everette Hale, Dean Steele.

ENERGY - Roger Martin, Chairman; Thurman Adams, Jr., Francis Kearns, Thomas Sharp, Robert Berndt, Andrew Knox.

EXECUTIVE - J. Donald Isaacs, Chairman; Thurman Adams, Jr., Richard Cordrey, Calvin McCullough, Charles Hughes, Dean Steele, Michael Castle.

FEDERAL AND STATE RELATIONS - William Murphy, Jr., Chairman; Nancy Cook, Herman Holloway, Everette Hale, Charles Hughes.

FINANCE - Anthony Cicione, Chairman; Nancey Cook, Herman Holloway, J. Donald Isaacs, Robert Berndt, Michael Castle.

HEALTH AND SOCIAL SERVICES - Herman Holloway, Chairman; Francis Kearns, George Schlor, Thomas Sharp, David Elliott, Andrew Knox.

HIGHWAYS AND TRANSPORTATION - Jacob Zimmerman, Chairman; Nancy Cook, Richard Cordrey, Roger Martin, Michael Castle, Charles Hughes.

JUDICIARY - Francis Kearns, Chairman; Anthony Cicione, Jacob Zimmerman, Margaret Manning, Dean Steele.

LABOR AND INDUSTRIAL RELATIONS - Thomas Sharp, Chairman; Anthony Cicione, Roger Martin, Calvin

McCullough, David Elliott, Everette Hale.

NATURAL RESOURCES AND ENVIRONMENTAL CONTROL - J. Donald Isaacs, Chairman; Richard Cordrey, William Murphy, Jr., George Schlor, Robert Berndt, Charles Hughes.

PUBLIC SAFETY - Thurman Adams, Jr., Chairman; William Murphy, Thomas Sharp, Everette Hale, Margaret Manning.

REVENUE AND TAXATION - Richard Cordrey, Chairman; Herman Holloway, Calvin McCullough, George Schlor, Margaret Manning, Dean Steele.

At the request of Senator Isaacs, the following Memorandum was read in:

MEMORANDUM

TO: Senate of the 128th General Assembly
FROM: Senator J. Donald Isaacs, President Pro Tempore
DATE: January 14, 1975
SUBJECT: Legislative Council Appointment

Pursuant to §1101 (1) of Chapter 11, Title 29, Delaware Code, regarding composition of Legislative Council, I hereby appoint Senator William Murphy, Jr., of Dover, Delaware, as a member of Legislative Council.

At the request of Senator Isaacs, the following Memorandum was read in:

MEMORANDUM

TO: Senate of the 128th General Assembly
FROM: Senator J. Donald Isaacs, President Pro Tempore
DATE: January 14, 1975
SUBJECT: Emergency Interim Legislative Appointments.

Please be advised that under the provisions of Chapter 17, Title 29, Delaware Code, each member of the Senate must appoint not less than three (3) nor more than seven (7) emergency interim successors to assume his duties in case of an emergency, or an attack from a foreign power.

If they have not been selected within a certain time frame, the authority to make such appointment is delegated to the President Pro Tempore of the Senate and the Minority Leader of the Senate.

Senator Isaacs introduced **SR 9** and moved that it be adopted.

SR 9 — "EXPRESSING THE APPRECIATION AND

COMMENDATION OF THE MEMBERS OF THE SENATE OF THE 128TH GENERAL ASSEMBLY FOR THE SPLENDID COOPERATION AND ASSISTANCE PROVIDED BY MCDONALD T. COKER, ASSISTANT DIRECTOR OF THE LEGISLATIVE COUNCIL, AND HIS STAFF IN PREPARING FOR THE START OF THE NEW GENERAL ASSEMBLY.

WHEREAS, the result of the election of 1974 changes were made in the membership of the Senate of the 128th General Assembly; and

WHEREAS, preparation for the start of the 128th General Assembly included a complete exchange of offices and furniture and other elements involved in the operation of the 128th General Assembly, and

WHEREAS, the planning and execution of these changes were under the direction of the leadership of the 128th General Assembly, and

WHEREAS, to carry out these changes it was essential to place great responsibility in the hands of McDonald T. Coker, Assistant Director of the Legislative Council; and

WHEREAS, the said McDonald T. Coker, ably assisted by the staff of the Legislative Council, has carried out the plans of the Senate leadership with great care and skill; and

WHEREAS, the members of the Senate of the 128th General Assembly believe that accomplishments of such excellence should be noted in the records of the General Assembly and

WHEREAS, the members of the Senate believe that Mr. Coker and the staff of the Legislative Council should be publicly commended for their contribution to the orderly transition from the 127th to the 128th General Assembly.

NOW, THEREFORE:

BE IT RESOLVED that the members of the Senate of the 128th General Assembly do by this resolution express their appreciation and most sincere commendation to McDonald T. Coker, Assistant Director of the Legislative Council, for his untiring efforts to assist the leadership of the Senate in preparing for the start of the 128th General Assembly.

BE IT FURTHER RESOLVED that this commendation and appreciation be extended also to the members of the staff of the Legislative Council who so ably assisted Mr. Coker.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Mr. Coker; that a copy be transmitted

to the Legislative Council for posting in a prominent place that visitors to the Legislative Council offices may note that the Senate formally expressed its appreciation for the accomplishments involved in the transition; and that this resolution be spread upon the Journal of the Senate.

* * * * *

The roll call vote on the Resolution was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Steele, Zimmerman, Isaacs — 20.

ABSENT: Senator Elliott — 1.

Therefore, the Resolution was adopted.

Senator Isaacs (with all the Senators as co-sponsors) introduced **SCR 1** and moved that it be adopted.

SCR 1 — "Expressing the sincere good wishes of the members of the 128th General Assembly to Harry C. McSherry, of Dover, Dean of Delaware's active journalists, on having reached and passed his 81st Birthday and having continued into the 61st year of his successful career."

The roll call vote on the Resolution was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Steele, Zimmerman, Isaacs — 20.

ABSENT: Senator Elliott — 1.

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

The Secretary of the Senate read a message from the House informing the Senate that the House was ready for business.

At 2:55 p.m. on motion of Senator Isaacs, the Senate recessed for a short period.

The Senate reconvened at 3:42 p.m.

Senator Cordrey moved that the necessary rules be suspended for the purpose of the introduction and consideration of **HB 1**.

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

YES: Senators Adams, Cicone, Cook, Cordrey, Holloway, Kearns, Martin, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 12.

NO: Senators Berndt, Castle, Hale, Hughes and Steele - 5.

NOT VOTING: Senator McCullough — 1.

ABSENT: Senators Elliott, Knox and Manning — 3.

Therefore, the motion prevailed and **HB 1** was declared to be before the Senate for consideration.

HB 1 — “An Act to amend Chapter 63, Part VI, Title 29 of the Delaware Code, relating to the Budget Appropriation Bill; and providing a date for submission of a proposed budget to the General Assembly.”

On motion of Senator Cordrey, the roll call vote on the Bill was taken and announced to be:

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Martin, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 12.

NO: Senators Castle, Hale, Hughes, Steele — 4.

NOT VOTING: Senators Berndt and McCullough — 2.

ABSENT: Senators Elliott, Knox and Manning — 3.

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

On motion of Senator Cordrey, the necessary rules were suspended for the purpose of the introduction and consideration of **HJR 1**.

HJR 1 — “In reference to election of Officers.”

The roll call vote on the Resolution was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Martin, McCullough, Schlör, Sharp, Steele, Zimmerman, Isaacs — 17.

ABSENT: Senators Elliott, Knox, Manning and Murphy — 4.

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

Senator Isaacs (Representative Cain, Co-sponsor) introduced **SJR 2**.

SJR 2 — “In reference to extending the reporting date of the Committee to study methods of increasing the tourist potential of Fort Delaware and Pea Patch Island and to study the possibility of restoration of the lock facilities of the Old Chesapeake and Delaware Canal.”

On motion of Senator Isaacs, the necessary rules were suspended for the purpose of considering the Resolution, the roll call vote taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook,

Cordrey, Hale, Holloway, Hughes, Kearns, Martin, McCullough, Schlor, Sharp, Steele, Zimmerman, Isaacs — 17.

ABSENT: Senators Elliott, Knox, Manning and Murphy —

4.

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

At 3:57p.m. on motion of Senator Isaacs, the Senate adjourned until 1:30 p.m. January 15, 1975.

2ND LEGISLATIVE DAY

The Senate convened at 1:50 p.m. January 15, 1975, Lt. Governor Bookhammer presiding.

A Prayer was offered by the Chaplain, Rev. Robert L. Harris.

Pledge of Allegiance to the Flag.

Call of the roll, showed the following attendance:

PRESENT: Senators Berndt, Castle, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Steele, Zimmerman, Isaacs — 19.

ABSENT: Senators Adams and Elliott — 2.

The minutes were approved as read.

The Secretary announced that a message from the House informed him that the House had adopted **SCR 1** and **SJR 1**.

Senators Cordrey and Isaacs introduced **SB 1**.

SB 1 — "An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures in the nature of Capital Investments and to issue Bonds and Notes therefor and appropriating the monies to various Agencies of the State."

On motion of Senator Cordrey, the Bill was laid on the table.

Senator Cicione (co-sponsor Senator Sharp and honorary co-sponsors Representatives Arnold and Gilligan) introduced **SB 2**.

SB 2 — "An Act to provide a supplementary appropriation to the Stanton School District to be expended on behalf of trainable retarded children at the Meadowood School." Assigned to Finance Committee.

Senator Zimmerman introduced **SB 3**.

SB 3 — "An Act directing the Board of Pension Trustees to re-evaluate pension benefits for Lawrence Thompson, a former

Bee Inspector with the Department of Agriculture." Assigned to Finance Committee.

Senator Isaacs (co-sponsor Senator Kearns) introduced **SB 4**.

SB 4 — "An Act to amend Subchapter 11 of Chapter 81, Title 9, Delaware Code, relating to annual application for tax exemption for the elderly." Assigned to Community Affairs Committee.

Senator Isaacs introduced **SB 5**.

SB 5 — "An Act concurring in a proposed Amendment to Article VIII of the Constitution of the State of Delaware, relating to the uniformity of Taxes; assessment and taxation of land devoted to agriculture and forest use; collection under General Laws; exemption for Public Welfare purposes." Assigned to Revenue and Taxation Committee.

Senators Hughes and Holloway (with all the Senators as co-sponsors) introduced **SCR 2** and moved that it be adopted.

SCR 2 — "Congratulating the Athletic Department of the University of Delaware, the Blue Hens Outstanding Football Team of 1974, and Football Coach Harold "Tubby" Raymond for the highly successful season."

The roll call on the Resolution was taken and announced to be:

YES: Senators Berndt, Castle, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 19.

ABSENT: Senators Adams and Elliott — 2.

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

Senators Zimmerman and Holloway introduced **SR 10** and moved that it be adopted.

SR 10 — "Commemorating the Birth Date of the late Rev. Martin Luther King, Jr."

The roll call vote on the Resolution was taken and announced to be:

YES: Senators Berndt, Castle, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 17.

ABSENT: Senators Adams, Elliott, McCullough and Steele — 4.

Therefore, the Resolution was adopted and, pursuant to the

Resolution, a minute of silence was observed by the Senate in honor of Rev. King.

The Chair introduced **HCR 1** but before being acted upon and, on motion of Senator Isaacs, was returned to the House because the second page was missing from the Original Resolution.

Senator Isaacs introduced **SB 6**.

SB 6 — "An Act to amend Chapter 90, Title II, Delaware Code, relating to the exemption of certain misdemeanors under the provisions of the Compensation for Innocent Victims of Crime Act." Assigned to Judiciary Committee.

Senator Isaacs (co-sponsors Senators Cicione, Cook, Kearns, Murphy and Sharp) introduced **SB 7**.

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

Senator Isaacs introduced **SB 8**.

SB 8 — "An Act to amend Chapter 83, Title 9, Delaware Code, by providing the annual renewal of application for farm land reassessment shall no longer be required unless the land usage has changed." Assigned to Community Affairs Committee.

Senator Isaacs (co-sponsors Senators Cicione and Sharp) introduced **SB 9**.

SB 9 — "An Act making a supplementary appropriation to the Department of Finance for payments of claims relating to "Veterans' Military Pay Act No. 111". Assigned to Finance Committee.

Senator Isaacs introduced **SB 10**.

SB 10 — "An Act to amend Chapter 90, Title 11, Delaware Code, relating to compensation of persons injured by certain criminal acts." Assigned to Judiciary Committee.

Senator Cicione introduced **SB 11**.

SB 11 — "An Act to amend Chapter 50, Part IV, Title 15 of the Delaware Code relating to elections and voting machine requirements." Assigned to Banking, Insurance and Elections Committee.

Senator Cicione introduced **SB 12**.

SB 12 — "An Act to provide a supplementary appropriation to the Department of Highways and Transportation, to be expended for street signs." Assigned to Finance Committee.

Senator Cicione (co-sponsor Senator Kearns) introduced **SB 13**.

SB 13 — “An Act to amend Chapter 13 and Chapter 45, Title 15 of the Delaware Code requiring registration and polling places for each Election District.” Assigned to Banking, Insurance and Elections Committee.

Senator Cicione introduced **SB 14**.

SB 14 — “An Act to amend Chapter 65, Part IV, Title 11 of the Delaware Code relating to prisons and prisoners; and repealing the authority of the Division of Adult Corrections to grant furloughs to prisoners.” Assigned to Judiciary Committee.

Senator Cicione (co-sponsors Senators Isaacs and Kearns) introduced **SB 15**.

SB 15 — “An Act to amend Chapter 41, Part IV, Title 15 of the Delaware Code relating to General Elections; and providing for publication of the location of Polling Places in each Election District.” Assigned to Banking, Insurance and Elections Committee.

Senator Cicione introduced **SB 16**.

SB 16 — “An Act to amend Chapter 80, Part VI, Title 15 of the Delaware Code relating to limits on campaign contributions and expenditures and the disclosing of contributions and expenditures.” Assigned to Banking, Insurance and Elections Committee.

Senator Schlor introduced **SB 17**.

SB 17 — “An Act concurring in a proposed Amendment to Article 11, Section 15, of the 1897 Constitution of the State of Delaware, relating to the compensation, expenses and allowances of members of the General Assembly.” Assigned to Executive Committee.

Senator Isaacs and Martin introduced **SB 18**.

SB 18 — “An Act to amend Subchapter 1 of Chapter 1, Title 26, Delaware Code, relating to disqualifications for serving as a member of the Public Service Commission.” Assigned to Administrative Committee.

At 2:27 p.m. on motion of Senator Cordrey, the Senate recessed for half an hour.

The Senate reconvened at 3:55 p.m., Lt. Governor Bookhammer presiding.

The Chair reintroduced **HCR 1** which had been sent back to the House for a missing page.

HCR 1 — “Accepting the offer made of resource persons for

Legal Research, made by the Delaware Law School.”

A roll call vote was taken on adoption of the Resolution and announced to be:

YES: Senators Berndt, Castle, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 18.

NO: Senator McCullough — 1.

ABSENT: Senators Adams and Elliott — 2.

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

At the request of Senator Isaacs, the following Memorandum was read into the record:

TO: Members of the Senate of
128th General Assembly
FROM: Senator J. Donald Isaacs, President Pro Tem
DATE: January 15, 1975
SUBJECT: Senate Committee Assignment

Pursuant to the authority vested in me as President Pro Tempore of the 128th General Assembly of the State of Delaware, I hereby appoint Senator David H. Elliott to replace Senator Robert J. Berndt on the Senate Finance Committee.

Senator Holloway introduced **SB 19**:

SB 19 — “An Act to amend Title 29, Section 5109 of the Delaware Code, relating to open meetings by fixing the responsibility for disseminating notice of meetings of State Boards and Commissions.” Assigned to Judiciary Committee.

The Chair introduced **HCR 2**:

HCR 2 — “Hailing the superlative achievements of University of Maryland Defensive End, Randy White, recipient of numerous All-American Honors and recognition as the outstanding interior lineman in United States Collegiate ranks.”

All of the Senators were added as Honorary co-sponsors of the Resolution and, on motion of Senator Manning, the roll call vote for adoption of the Resolution was taken:

YES: Senators Berndt, Castle, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 19.

ABSENT: Senators Adams and Elliott — 2.

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

Senator Berndt introduced **SB 20**:

SB 20 — “An Act to amend Chapter 51, Title 25 of the Delaware Code, relating to landlords of rental units and mobile spaces used for dwellings.” Assigned to Judiciary Committee.

Senator Isaacs introduced **SB 21**:

SB 21 — “An Act to amend Section 209, Chapter 397, Volume 59, Laws of Delaware forbidding utilities to cut off service during serious illness.” Assigned to Executive Committee.

Senator Kearns introduced **SB 22**:

SB 22 — “An Act to amend Chapter 11, Chapter 17 and Chapter 20, Title 15 of the Delaware Code relating to Voter Registration by providing for registration by mail.” Assigned to Banking, Insurance and Elections Committee.

Senator Zimmerman introduced **SB 23**:

SB 23 — “An Act relating to a Survivor’s Pension for Mrs. Richard C. Beckett, wife of Richard C. Beckett, a former State Sanitary Engineer with the Old Delaware State Board of Health.” Assigned to Finance Committee.

Senator Cordrey introduced **SB 24**:

SB 24 — “An Act to amend Title 14, Delaware Code, requiring teachers to read or recite the First Amendment of the Constitution of the United States and to provide time for students to voluntarily participate in moral, philosophical or religious activity in the Public Schools of Delaware.” Assigned to Education Committee.

Senator Cicione (co-sponsor Senator Kearns) introduced **SB 25**:

SB 25 — “An Act proposing an Amendment to Article IV of the Constitution of the State of Delaware; and providing for certain additional Judges and Chancellors.” Assigned to Judiciary Committee.

Senator Kearns (co-sponsor Senator Cicione) introduced **SB 26**:

SB 26 — “An Act to amend Chapter 9, Part 1, Title 10 of the Delaware Code relating to the Civil Jurisdiction of Family Court.” Assigned to Judiciary Committee.

Senator Zimmerman introduced **SJR 3**:

SJR 3 — “Directing all Departments, Agencies and Commissions of this State to include the State and Local Boards of Education to prohibit all non-essential out of State travel by State employees.” Assigned to Executive Committee.

Senator Cordrey introduced **SB 27**:

SB 27 — “An Act to amend Chapter 7, Title 14 of the

Delaware Code, relating to authority of teachers and administrators in the Public Schools to administer corporal punishment." Assigned to Education Committee.

Senator Cicione (co-sponsors Senators Holloway and Schlor; honorary co-sponsors Representatives Byrd, Johnson and Plant) introduced **SB 28**:

SB 28 — "An Act to amend Chapter 51, Part V, Title 29 of the Delaware Code relating to Public Officers and Employees; and providing for the employment by Cabinet Department Secretaries of Certain persons 65 years of age or older." Assigned to Executive Committee.

Senator Isaacs introduced **SB 29**:

SB 29 — "An Act to amend Title 6, Delaware Code, relating to the establishment of a Home Improvement Finance Act." Assigned to Judiciary Committee.

At 4:23 on motion of Senator Isaacs, the Senate recessed for a short period.

The Senate reconvened at 4:25 p.m.

The Secretary announced that a message from the House informed the Senate that it had adopted **SCR 2** and **SJR 2**.

On motion of Senator Cicione, the necessary rules were suspended for the introduction and consideration of **HB 17**:

HB 17 — "An Act to amend Chapter 33, Part III, Title 19, Delaware Code, relating to unemployment compensation and providing for "Triggering On" and "Off" of emergency employment benefits to exhaustees during the current Economic Crisis."

At the request of Senator Sharp, the privilege of the floor was granted to Frank P. Vavala, Department of Labor, to speak on the Bill.

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

YES: Senators Berndt, Castle, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Steele, Zimmerman, Isaacs — 19.

ABSENT: Senators Adams and Elliott — 2.

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

Senator Zimmerman introduced **SB 30**:

SB 30 — "An Act to amend Subchapter 1, Chapter 7, Title 7, Delaware Code, relating to the frightening or harassing of migratory birds; and providing a penalty therefor." Assigned

to Natural Resources and Environmental Control Committee.

At 4:59 p.m. on motion of Senator Isaacs, the Senate recessed until 1:30 p.m. January 16, 1975.

The Senate reconvened at 1:57 p.m. January 16, 1975, Lt. Governor Bookhammer presiding.

Senator Murphy (co-sponsor Senator Cook) introduced **SB 31:**

SB 31 — "An Act to amend Title 18, Delaware Code, providing for Health Insurance, Group Health Insurance, Blanket Health Insurance, and Health Service Corporations to be subject to the provisions of Chapter 25, Title 18, Delaware Code, regarding rates and rating organizations." Assigned to Banking, Insurance and Elections Committee.

Senator Murphy introduced **SB 32:**

SB 32 — "An Act to amend Chapter 65, Title 18, Delaware Code, to authorize the State Insurance Office to give technical assistance to Delaware Volunteer Fire Departments." Assigned to Banking, Insurance and Elections Committee.

Senator Cicione introduced **SB 33:**

SB 33 — "An Act to amend Chapters 25, Part II, Title 6 of the Delaware Code relating to prohibited trade practices; prohibiting the increasing of certain prices, and providing penalties." Assigned to Labor and Industrial Relations Committee.

Senator Isaacs introduced **SB 34:**

SB 34 — "An Act to amend Chapter 88, Title 29, Delaware Code, relating to the powers, duties and functions of the Advisory Councils to the Department of Administrative Services." Assigned to Executive Committee.

Senator Isaacs introduced **SB 35:**

SB 35 — "An Act to amend Chapter 85, Title 29, Delaware Code, relating to the powers, duties, and functions of the Advisory Councils to the Department of Labor." Assigned to Executive Committee.

Senator Cicione (co-sponsor Senator Kearns) introduced **SB 36:**

SB 36 — "An Act to amend Chapter 5, Part I, Title 10 of the Delaware Code relating to the addition of two Associate Judges to the Superior Court; and providing a supplementary appropriation therefor." Assigned to Judiciary Committee.

Senator Cicione (co-sponsor Senator Kearns) introduced **SB 37:**

SB 37 — "An Act to amend Chapter 5, Title 1 of the

Delaware Code relating to Legal Holidays, and establishing the Friday after Thanksgiving Day as a Legal Holiday."

The Bill was assigned to the Judiciary Committee; however, Senator Cicone moved that it be placed in the Labor and Industrial Relations Committee instead.

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

YES: Senators Cicone, Cook, Cordrey, Holloway, Kearns, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 12.

NO: Senators Castle, Hale, Hughes, Knox, Manning, Steele — 6.

NOT VOTING: Senator Berndt — 1.

ABSENT: Senators Adams and Elliott — 2.

Therefore, the motion prevailed and **SB 37** was reassigned to Labor and Industrial Relations Committee.

Senator Cicone (co-sponsor Senator Kearns) introduced **SB 38**:

SB 38 — "An Act to amend Chapter 9, Part I, Title 10 of the Delaware Code relating to the addition of two Associate Judges to the Family Court; and providing a supplementary appropriation therefor." Assigned to Judiciary Committee.

Senator Murphy (co-sponsor Senator Kearns) introduced **SB 39**:

SB 39 — "An Act to amend Title 16, Delaware Code, by striking out Chapter 10A and inserting in its place a new Chapter 10A providing for the licensing and regulation of rates of charge of hospitals."

The Bill was assigned to Health and Social Services Committee; however, Senator Murphy moved that it be assigned to Banking, Insurance and Elections Committee.

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

YES: Senators Cicone, Cook, Cordrey, Holloway, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 13.

NO: Senators Castle, Hale, Hughes, Knox and Steele — 5.

NOT VOTING: Senator Berndt — 1.

ABSENT: Senators Adams and Elliott — 2.

Therefore, the motion prevailed and the Bill was reassigned to Banking, Insurance and Elections Committee.

Senator Murphy introduced **SB 40**:

SB 40 — "An Act to amend Chapter 66, Title 18, Delaware

Code, relating to Line of Duty 'Death Benefits'." Assigned to Banking, Insurance and Elections Committee.

Senator Cicone introduced **SB 41**:

SB 41 — "An Act to amend Chapter 3, Part I, Title 10 of the Delaware Code relating to the addition of a Vice-Chancellor to the Court of Chancery; and providing a supplementary appropriation therefor." Assigned to Finance Committee.

Senator Kearns (co-sponsor Senator Holloway) introduced **SB 42**:

SB 42 — "An Act to amend Part VI, Title 10 of the Delaware Code relating to fees and costs; and providing for the recoupment of defense costs." Assigned to Judiciary Committee.

Senator Zimmerman (co-sponsors Senators Isaacs, Manning and Martin) introduced **SB 43**:

SB 43 — "An Act to amend Chapter 381 as amended by Chapter 523, Volume 59, Laws of Delaware, being the 1975 Budget Appropriation Act and the Omnibus Amendment thereto relating to non-essential out-of-state travel by constitutionally elected officers of this State." Assigned to Administrative Services Committee.

Senator Isaacs introduced **SB 44**:

SB 44 — "An Act to amend Chapter 82, Title 29, Delaware Code, relating to the powers, duties and functions of the Advisory Councils to the Department of Public Safety." Assigned to Executive Committee.

Senator Isaacs introduced **SB 45**:

SB 45 — "An Act to grant approval to the Department of Natural Resources and Environmental Control to purchase a tract of land within Lums Pond State Park, Pencader Hundred, New Castle County, Kirkwood, Delaware." Assigned to Finance Committee.

Senator Holloway introduced **SR 11** and moved that it be adopted.

SR 11 — "Extending the life of the Small Business Opportunities Committee created by Senate Resolution No. 220 of the 127th General Assembly."

The roll call vote on the Resolution was taken and announced to be:

YES: Senators Berndt, Castle, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 17.

NO: Senator Steele — 1.

ABSENT: Senators Adams, Cicione and Elliott — 3.

Therefore, the Resolution was adopted.

Senator Holloway introduced **SCR 3** and moved that it be adopted.

SCR 3 — "Commending the Wilmington Kiwanis Club for its annual recognition of an outstanding member of the Wilmington Bureau of Police."

The roll call vote on the Resolution was taken and announced to be:

YES: Senators Berndt, Castle, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Steele, Zimmerman, Isaacs — 19.

ABSENT: Senators Adams and Elliott — 2.

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

Senator Isaacs introduced **SB 46**:

SB 46 — "An Act to amend Chapter 81, Title 29, Delaware Code, relating to the powers, duties and functions of the Advisory Councils to the Department of Agriculture." Assigned to Executive Committee.

Senator Cicione introduced **SB 47**:

SB 47 — "An Act to amend Chapter 25, Chapter 46 and Chapter 51, Title 29 of the Delaware Code relating to Public Officers and Employees; and providing for Legal Defense under certain circumstances." Assigned to Judiciary Committee.

Senator Cicione introduced **SB 48**:

SB 48 — "An Act to amend Chapter 19, Part I, Title 14 of the Delaware Code relating to the calculation of maximum School Tax rates after a County-wide reassessment of real estate; and providing for a Referendum." Assigned to Revenue and Taxation Committee.

Senator Isaacs, Chairman of the Natural Resources and Environmental Control Committee, reported back to the Senate: **SB 30** — 6 Merits.

The following message from the Governor was read:

**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

January 9, 1975

To the Senate of the 128th General
Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Harry S. Thomas, 1001 Walnut Street, Wilmington, Delaware, to be a member of the Department of Elections for New Castle County, to fill the unexpired term ending October 6, 1975, of Hayward Roach, deceased.

Howard J. Rudge, 3201 Tanya Drive, Wilmington, Delaware, to be a member of the Department of Elections for New Castle County, to fill the unexpired term ending October 6, 1975, of Joseph S. Yucht, resigned.

Your consideration of these nominations will be appreciated.

* * * * *

The communication was signed by Sherman W. Tribbitt, Governor.

The nominations were assigned to Executive Committee.

At the request of Senator Castle, the following memorandum was read into the record:

**SENATE
STATE OF DELAWARE**

January 15, 1975

TO: MEMBERS OF THE
128TH GENERAL ASSEMBLY
FROM: SENATOR MICHAEL N. CASTLE,
MINORITY LEADER

Pursuant to the authority vested in me as Minority Leader of the Senate of the 128th General Assembly of the State of Delaware, I hereby appoint Senator David H. Elliott to the Legislative Council.

(Signed) Michael N. Castle

* * * * *

At 2:30 p.m. on motion of Senator Isaacs, the Senate adjourned to immediately convene for the 3rd Legislative Day.

3RD LEGISLATIVE DAY

The Senate convened at 2:30 p.m. January 16, 1975, Lt. Governor Bookhammer presiding.

A Prayer was offered by the Chaplain, Rev. Robert L. Harris.

Pledge of Allegiance to the Flag.

By roll call, the following Senators were present:

PRESENT: Senators Berndt, Castle, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 19.

ABSENT: Senators Adams and Elliott — 2.

The Journal was approved as read.

On motion of Senator Cicione **SB 25** was stricken.

Senator Castle introduced **SR 12** and moved that it be adopted.

SR 12 — "In reference to the election of officers."

Before the roll call vote on the Resolution was announced, Senator Castle moved that it be tabled.

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

YES: Senators Berndt, Castle, Hale, Hughes, Knox, Manning, Steele — 7.

NO: Senators Cicione, Cook, Cordrey, Holloway, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 12.

ABSENT: Senators Adams and Elliott — 2.

Therefore, the motion failed and the roll call vote on adoption of **SR 12** was announced to be:

YES: Senators Berndt, Castle, Hale, Hughes, Knox, Manning, Steele — 7.

NO: Senators Cicione, Cook, Cordrey, Kearns, Murphy, Sharp, Zimmerman, Isaacs — 8.

NOT VOTING: Senators Holloway, Martin, McCullough, Schlör — 4.

ABSENT: Senators Adams and Castle — 2.

Therefore, the Resolution was declared lost.

On motion of Senator Cordrey, **SB 1** was lifted from the table for consideration.

The privilege of the floor was extended to the following persons to speak on the Bill: John L. Sullivan, Department of Health and Social Services; Louis D. Atwood, Delaware National Guard; Secretary of Natural Resources and Environmental Control, John C. Bryson.

At 3:53 p.m. on motion of Senator Cordrey, the Senate recessed for forty-five minutes.

The Senate reconvened at 4:53, President Pro Tempore Isaacs, presiding.

Discussion of **SB 1** was resumed and the privilege of the floor was extended to the following: Jack Wallace, Department of Highways and Transportation; Thomas Spink, Department of Highways and Transportation; Secretary Clifford E. Hall, Department of Highways and Transportation.

At 5:37 p.m. on motion of Senator Cordrey, the Senate recessed until Tuesday January 21, 1975.

The Senate reconvened at 2:03 p.m., January 21, 1975, Lt. Governor Bookhammer presiding.

Discussion of **SB 1** was continued and the privilege of the floor was extended to Secretary Hall and Mr. Haber of the Department of Highways and Transportation to answer questions on the Bill.

Final consideration of the Bill was then deferred.

At 2:57 p.m. on motion of Senator Isaacs, the Senate adjourned to immediately convene for the 4th Legislative Day.

4TH LEGISLATIVE DAY

The Senate was called to order at 2:57 p.m. January 21, 1975, Lt. Governor Bookhammer presiding.

A Prayer was offered by the Chaplain, Rev. Robert L. Sauls.

Pledge of Allegiance to the Flag.

By roll call, 21 Senators were present.

The Journal was approved as read.

Legislative Advisory No. 1 from William C. Bradley, Jr., Counsel to the Governor, informed the Senate that the Governor had approved the following legislation on January 15, 1975: **HB 1; HJR 1; SCR 1; SJR 1.**

* * * * *

Legislative Advisory No. 2 from William C. Bradley, Jr., Counsel to the Governor, informed the Senate that the Governor had approved the following legislation on January 16, 1975: **HCR 1; HCR 2; SCR 2; SJR 2.**

* * * * *

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

Senator Holloway introduced **SR 13:**

SR 13 — "Expressing the hope that there will be a quick resolution of the difficulties between the management and the staff of the News-Journal Newspapers in Wilmington."

On motion of Senator Holloway, the Resolution was

immediately stricken.

Senators Cordrey and Isaacs introduced **SR 14**:

SR 14 — "In reference to the Election of Officers."

The roll call vote on the Resolution was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 19.

ABSENT: Senators Cicione and Kearns — 2.

Therefore, the Resolution was adopted.

Senator Murphy (co-sponsors Senators Kearns and Zimmerman) introduced **SCR 4** and moved that it be adopted.

SCR 4 — "Authorizing the establishment of a Committee to draft new legislation relating to Campaign Financial Disclosure, and providing a supplemental appropriation therefor."

Before the roll call vote on the Resolution was announced, Senator Murphy moved that it be tabled.

On the motion to table the roll call, the roll call vote was taken and announced to be:

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Martin, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 12.

NO: Senators Berndt, Castle, Elliott, Hale, Hughes, Knox, Manning, McCullough, Steele — 9.

Therefore, the motion prevailed and the roll call vote on **SCR 4** was tabled.

At 2:30 p.m. on motion of Senator Cordrey, the Senate recessed for 45 minutes.

The Senate reconvened at 5:14 p.m.

Senator Murphy introduced **SB 49**:

SB 49 — "An Act to amend Title 18 of the Delaware Code relating to Line-of-duty death benefits to certain Public Employees, including Volunteer Firemen." Assigned to Banking, Insurance and Elections Committee.

On motion of Senator Cordrey, **SB 1** was lifted for further consideration.

Senator McCullough introduced **SA 1**, **SA 2** and **SA 3** to the Bill. Laid on the Table on motion of Senator Cordrey.

Senator Zimmerman introduced **SA 4** to the Bill. Laid on the table on motion of Senator Zimmerman.

Senator Cook introduced **SA 5** to the Bill. Laid on the table

on motion of Senator Cordrey.

Senator Schlör introduced **SA 6** to the Bill. Laid on the table on motion of Senator Schlör.

Senator Zimmerman introduced **SA 6** to the Bill. Laid on the table on motion of Senator Cordrey.

Senator Cicione introduced **SA 8** and **SA 9** to the Bill. Both Amendments were laid on the table on motion of Senator Cordrey.

Senator Holloway introduced **SA 10** to the Bill. On motion of Senator Holloway, the Amendment was laid on the table.

Senator Elliott introduced **SA 11** to the Bill.

On motion of Senator Cordrey, the Amendment was laid on the table.

At the request of Senator Cordrey, the privilege of the floor was extended to Secretary of Natural Resources and Environmental Control to speak on the Bill.

On motion of Senator Cordrey, the roll call vote on the Bill was taken, but before being announced was tabled on his motion.

On motion of Senator Zimmerman, the necessary rules were suspended for the introduction and consideration of **HJR 4**:

HJR 4 — "Wishing Mrs. Charles L. (Jessica) Terry, Jr., a speedy and full recovery from injuries sustained in a recent automobile accident."

All of the Senators were added to the Resolution as honorary co-sponsors and the roll call vote was taken:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 20.

ABSENT: Senator Hale — 1.

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

On motion of Senator Murphy, the roll call on **SCR 4** was lifted from the table and announced to be:

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Martin, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 12.

NO: Senators Berndt, Castle, Elliott, Hale, Hughes, Knox, Manning, McCullough, Steele — 9.

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

Senator Martin (co-sponsors Senators Cicone, Elliott, Hughes, Isaacs, Kearns, Knox, Manning, Murphy, Steele) introduced **SR 15** and moved that it be adopted.

SR 15 — "In reference to medical care delivery in the State of Delaware."

The roll call vote was taken and announced to be:

YES: Senators Cicone, Cook, Elliott, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Sharp, Steele, Isaacs — 13.

NO: Senators Berndt and Schlor — 2.

NOT VOTING: Senators Adams, Castle, Cordrey, Holloway and Zimmerman — 5.

ABSENT: Senator Hale — 1.

Therefore, the Resolution was adopted.

At 5:54 p.m. on motion of Senator Isaacs, the Senate recessed until January 22, 1975.

The Senate reconvened at 2:10 p.m. January 22, 1975, Lt. Governor Bookhammer presiding.

The following Bills were introduced:

SB 50 — "An Act proposing an Amendment to the Constitution of the State of Delaware." Introduced by Senator Manning. Assigned to Executive Committee.

SB 51 — "An Act to amend Chapter 80, Title 29, Delaware Code, relating to the powers, duties and functions of the Advisory Councils to the Department of Natural Resources and Environmental Control." Introduced by Senator Isaacs. Assigned to Executive Committee.

SB 52 — "An Act to amend Part II and Part IV, Title 11 of the Delaware Code relating to Criminal Procedure; and providing for the expungement or nullification of criminal records under certain circumstances." Introduced by Senator Kearns. Assigned to Judiciary Committee.

SB 53 — "An Act to amend Subchapter 1, Chapter 5, Title 13 of the Delaware Code relating to Domestic Relations; and providing for an extension of Child Support Payments until the completion of the child's education." Introduced by Senators Berndt, Holloway and Kearns. Assigned to Judiciary Committee.

SB 54 — "An Act to amend Chapter 87, Title 29, Delaware Code, relating to the powers, duties and functions of the Advisory Councils to the Department of State." Introduced by Senator Isaacs. Assigned to Executive Committee.

SB 55 — "An Act to amend Chapter 5, Title 1, Delaware

Code, relating to Legal Holidays and establishing Martin Luther King's Birthday as a Legal Holiday." Introduced by Senators Zimmerman and Holloway; Representatives Johnson, Plant and Rispoli. Assigned to Judiciary Committee.

SB 56 — "An Act proposing an Amendment to Article 4, Sections 2, 3 and 12 of the Constitution of the State of Delaware by increasing the Supreme Court to five Justices and providing for a quorum of the Supreme Court." Introduced by Senators Cook and Isaacs. Assigned to Judiciary Committee.

SB 57 — "An Act to amend Chapter 10, Part I, Title 14 of the Delaware Code relating to the reorganization of present School Districts." Introduced by Senator Schlör. Assigned to Education Committee.

SB 58 — "An Act to amend Subchapter III of Title 26, Delaware Code, relating to a credit for elderly on certain Public Utility Rates." Introduced by Senator Schlör. Assigned to Administrative Services Committee.

SB 59 — "An Act to amend Chapters 27 and 41, Title 21, Delaware Code, relating to the Department of Public Safety to require persons convicted of operating motor vehicles while under the influence of intoxicating liquors to complete a course of instruction, and further providing for the issuance of temporary occupational licenses under certain circumstances." Introduced by Senator Zimmerman. Assigned to Public Safety Committee.

SB 60 — "An Act to amend Chapter 25, Title 18, Delaware Code, relating to Assigned Risk Plans for automobile insurance and to add thereto a New Chapter 26 establishing a Joint Underwriting Association for automobile insurance." Introduced by Senator Murphy. Assigned to Banking, Insurance and Elections Committee.

SB 61 — "An Act to amend Section 1301(a) (3) of Chapter 13, Title 19, Delaware Code, by requiring Municipal Corporation, Municipalities, Cities and Towns located within the State, and any Agency thereof, to come within the provisions of said Chapter." Introduced by Senators Zimmerman and Sharp; Representatives Matushefske and Miller. Assigned to Community Affairs Committee.

SB 62 — "An Act to amend the corporate Charter of the Town of Bethel, as amended; providing for a minimum voting age of eighteen years; requiring valuation and assessment of property within the Town; and removing Tax Exemption status from farmland within the Town boundaries."

Introduced by Senator Elliott. Assigned to Community Affairs Committee.

SB 63 — “An Act to permit the Delmar School District to transfer certain funds from its Local Debt Service Account to its Local Current Expense Account.” Introduced by Senator Elliott. Assigned to Education Committee.

SB 64 — “An Act to amend Chapter 86, Title 29, Delaware Code, relating to the powers, duties and functions of the Advisory Councils to the Department of Community Affairs and Economic Development.” Introduced by Senator Isaacs. Assigned to Executive Committee.

SB 65 — “An Act to amend Subchapter VII of Chapter 5, Title 11, Delaware Code, relating to the banning of smoking on certain Public Conveyances.” Introduced by Senator Kearns. Assigned to Judiciary Committee.

SB 66 — “An Act to amend Chapter 33, Title 19, Delaware Code, relating to Unemployment Compensation.” Introduced by Senator Martin. Assigned to Labor and Industrial Relations Committee.

SB 67 — “An Act to amend Chapter 27, Title 14, Delaware Code, relating to mentally or physically handicapped children.” Introduced by Senator Holloway. Assigned to Education Committee.

SB 68 — “An Act to amend Chapter 31, Title 14, Delaware Code, relating to Special Classes and Facilities for certain Children.” Introduced by Senator Holloway. Assigned to Education Committee.

SB 69 — “An Act to amend Subchapter 1 of Chapter 13, Title 9, Delaware Code, relating to the Board of Assessment Review.” Introduced by Senator Kearns. Assigned to Community Affairs Committee.

SB 70 — “An Act to amend Section 209, Chapter 397, Volume 59, Laws of Delaware forbidding utilities to cut off service during serious illness.” Introduced by Senator Isaacs. Assigned to Administrative Services Committee.

SB 71 — “An Act to amend Chapter 11, Part II, Title 9 of the Delaware Code authorizing the County Council of New Castle County to vest the powers of a Slum Clearance and Redevelopment Authority and of a Housing Authority in County Departments and to authorize County Directors to execute necessary instruments.” Introduced by Senator Kearns. Assigned to Community Affairs Committee.

SB 72 — “An Act to permit the Board of Education of the

Woodbridge School District to transfer certain funds from its Local Debt Service Funds Account to its Local Current Operating Funds Account." Introduced by Senator Adams and Representative Clendaniel. Assigned to Finance Committee.

SB 73 — "An Act to amend Chapter 7, Title 19, Delaware Code, relating to discrimination in employment by transferring enforcement from the Department of Labor to the Human Relations Commission and providing a supplemental appropriation to the Office of Human Relations in the Department of Community Affairs and Economic Development." Introduced by Senator Holloway. Assigned to Labor and Industrial Relations Committee.

SB 74 — "An Act to amend Part II, Title 6 of the Delaware Code relating to Commerce and Trade; and providing certain regulations for Restaurants and other Public Eating Places." Introduced by Senator Cicione. Assigned to Labor and Industrial Relations Committee.

SB 75 — "An Act to amend Chapter 79, Title 29, Delaware Code, relating to the powers, duties and functions of the Advisory Councils to the Department of Health and Social Services." Introduced by Senator Isaacs. Assigned to Executive Committee.

SB 76 — "An Act to amend Chapter 7, Chapter 9 and Chapter 33, Title 29 of the Delaware Code relating to the General Assembly; and providing to each House thereof jurisdiction over the records, papers and other documents of such House and its Committees." Introduced by Senator Isaacs. Assigned to Executive Committee.

SB 77 — "An Act to amend Chapter 11 of Title 29, Delaware Code, relating to the Director of Research for Legislative Council." Introduced by Senator Isaacs. Assigned to Executive Committee.

SB 78 — "An Act to amend Chapter 41, Title 29, Delaware Code, by providing for Economic Impact Statements for certain proposed legislation." Introduced by Senator Sharp. Assigned to Finance Committee.

SB 79 — "An Act to provide a supplemental appropriation to the Department of Public Safety to correct the pay of an employer of the Capitol Security Office resulting from an administrative error." Introduced by Senator Zimmerman. Assigned to Finance Committee.

Senator Cicione introduced **SA 1** to **SB 41**. Placed with the Bill.

Senator Cicione introduced **SA 1** to **SB 38**. Placed with the Bill.

Senator Cicione introduced **SA 1** to **SB 36**. Placed with the Bill.

Senator Isaacs, Chairman of the Executive Committee, reported back to the Senate: Governor's nomination for appointment of Harry S. Thomas — 4 Favorable, 3 Merits; Howard Rudge — 4 Favorable, 3 Merits.

Senator Schlör, Chairman of Community Affairs Committee, reported back to the Senate: **SB 4** — 2 Favorable, 3 Merits; **SB 8** — 5 Merits.

Senator Isaacs, Chairman of the Executive Committee, reported back to the Senate: **SB 17** — 4 Merits, 2 Unfavorable.

Senator Sharp, Chairman of the Labor and Industrial Relations Committee, reported back to the Senate: **SB 33** — 3 Favorable, 1 Merits.

Senator Holloway introduced **SR 16** and moved that it be adopted:

SR 16 — "Commending four Wilmington Fire Fighters for saving two lives during a blaze December 9, 1974."

The roll call vote on the Resolution was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Elliott, Hale, Holloway, Hughes, Kearns, Knox, Manning, McCullough, Schlör, Sharp, Steele, Zimmerman, Isaacs — 18.

ABSENT: Senators Cordrey, Martin and Murphy — 3.

Therefore, the Resolution was adopted.

Senator Cook (with all the Senators as co-sponsors) introduced **SCR 5** and moved that it be adopted:

SCR 5 — "Extending a message of congratulations and thanks to Mrs. Elizabeth D. Pratt of Kenton, Delaware, retiring from the State of Delaware Motor Vehicle Division after twenty-three years of dedicated services."

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

At the request of Senator Zimmerman, the following Senators were added as co-sponsors of **SB 59**: Holloway, Isaacs, Kearns, Martin and Murphy.

SCR 6 was introduced by Senators Cicione, Kearns and Sharp; Representatives Gilligan, Kelly and Maxwell:

SCR 6 — "Expressing the concern of the General Assembly over the report by the Unique Hazards Committee of

the Department of Public Instruction, relating to construction projects to eliminate hazards and reduce busing; and directing that the present moratorium be extended for one year."

On motion of Senator Cicione, the Resolution was tabled.

At 3:03 p.m. on motion of Senator Isaacs, the Senate adjourned to convene immediately for the 5th Legislative Day.

5TH LEGISLATIVE DAY

The Senate convened at 3:03 p.m. January 22, 1975, Lt. Governor Bookhammer presiding.

A Prayer was offered by the Chaplain, Rev. Robert L. Sauls.
Pledge of Allegiance to the Flag.

By roll call, 21 Senators were present.

The minutes were approved as read.

On the motion Senator Elliott, the following two communications were read into the record:

CITY OF SEAFORD

January 17, 1975

Honorable David H. Elliott
Laurel, Delaware 19956

Dear Senator Elliott:

Attached is a copy of a Resolution adopted at the City of Seaford's Mayor & Council Meeting of January 14, 1975.

The Mayor & Council urge you to support through the influence of your Office, an amendment to Title 18, Section 708A. This amendment would increase the special tax on gross insurance premiums sold in the State of Delaware from $\frac{1}{4}$ of one percent to two percent.

As you know, this money would go to Police Personnel throughout the State of Delaware to supplement Pension Plans in the various departments.

If approved this additional financial help would relieve the burden of our ever increasing Police Budgets.

Any help you can provide in the passage of this amendment will be appreciated. Very truly yours,

CITY OF SEAFORD

(Signed) Woodrow W. Crosby
City Manager

* * * * *

CITY OF SEAFORD RESOLUTION

WHEREAS, the General Assembly of the State of Delaware has established a method of supplementing funding pensions of the police agencies of this State, and

WHEREAS, it is desirable that the Police Pension Program of this State become actuarially sound to relieve the burden on the annual operating budgets of the various levels of government, and

WHEREAS, sound Pension Programs for Police Agencies are necessary to attract and retain qualified and quality police personnel,

NOW, THEREFORE, it is resolved;

1. That the Mayor and Council of the City of Seaford support an amendment to Title 18, Section 708(a) of the Delaware Code Annotated increasing the special tax on gross insurance premiums sold in the State of Delaware from $\frac{1}{4}$ of one percent to 2 percent.

2. That copies of this Resolution be forwarded to the office of the Governor, the President of the Senate and the Speaker of the House of the State of Delaware.

Adopted this 14th day of January, 1975.

(Signed) Woodrow W. Crosby
City Manager

* * * * *

THE DELAWARE STATE GRANGE

January 14, 1975

Senator David H. Elliott
Laurel, Delaware

Dear Senator Elliott:

The Delaware State Grange, by resolution at its 100th annual session in December, unanimously adopted the enclosed Resolution.

Would you please read the Resolution and consider fully its implications.

Thank you.

Sincerely,
(Signed) Ralph J. O'Day
Master, Delaware State Grange

* * * * *

DEVELOPMENT IN DELAWARE

WHEREAS, there now exists by executive order a "Delaware Tomorrow Commission" whose charged responsibility is to recommend a state-wide growth policy and to establish a direction for Delaware's growth; and

WHEREAS, the membership of the Delaware State Grange is dedicated to make every effort necessary to maintain the quality of life now enjoyed in Delaware made possible by our only natural resources, our beaches, our streams, woodland, our fertile soils, and open spaces; and

WHEREAS, land once committed to uses other than agriculture cannot be retrieved; and

WHEREAS, our State and neighboring States have presently more land areas committed to non-agricultural uses than will be needed in the foreseeable future; and

WHEREAS, every day new land is being committed to industrial and residential uses while our center cities decay and are being abandoned and their outskirts remain only partially developed; and

WHEREAS, Delaware Tomorrow will far better serve it's inhabitants and all humanity if we today keep our farmland and open spaces intact and future generations will be grateful for our efforts; therefore, be it

RESOLVED, that the Delaware State Grange recommends and strongly supports the rebuilding and modernization of our present cities and our present transportation corridors and that any future industrial and residential expansion be confined to the perimeter of our present cities and developed areas; and, be it further

RESOLVED, that no tax money shall be used to entice industry to our State, nor should any tax or special concession be made to any enterprise, but rather any persons or company desiring to locate in our State will be expected to pay their own way as well as their share of taxes; and, be it further

RESOLVED, that a copy of this Resolution shall be delivered to Governor Sherman W. Tribbitt, the members of the Delaware Tomorrow Commission and the members of the State Legislature.

At the request of Senator Isaacs, the following communication from the Governor was read into the record:

**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

January 22, 1975

Democratic Senate Caucus
Senate Chambers
Dover, Delaware

Dear Senators Isaacs, Adams, Cicione, Cook, Cordrey, Holloway, Kearns, McCullough, Martin, Murphy, Schlor, Sharp and Zimmerman:

I want to take this opportunity to sincerely thank you for your support yesterday.

Senate Bill No. 1 showed a solid Democrat effort to help the economic situation in Delaware and to try to salvage federal funding with State matching funds.

I think this was truly a tremendous boost for my administration, with the full understanding that a great many projects that you are personally concerned about in your districts did not have the benefit of this bill.

Sincerely,
(Signed) Sherman W. Tribbitt
Governor

* * * * *

Senators Kearns, Chairman of the Judiciary Committee, reported back to the Senate: **SB 19 — 4 Merits.**

Senators Murphy, Holloway, Isaacs, Kearns and Zimmerman introduced **SCR 7** and moved that it be adopted.

SCR 7 — "Memorializing and urging the Delaware Congressional Delegation to formulate and support positive programs to meet the current economic and energy crises facing the people of Delaware and the nation."

The roll call vote on the Resolution was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Holloway, Kearns, Knox, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 17.

NO: Senator Steele — 1.

NOT VOTING: Senators Hale, Hughes and Manning — 3.
Therefore, the Resolution was adopted by the Senate and

ordered to the House for concurrence.

Senator Isaacs introduced **SCR 8** and moved that it be adopted.

SCR 8 — "Providing that a Joint Session of the House of Representatives and the Senate convened to hear the Governor's Annual State of the State Address."

The roll call vote on the Resolution revealed that 21 Senators voted YES; therefore, the Resolution was adopted by the Senate and ordered to the House for concurrence.

At 3:21 p.m. on motion of Senator Cordrey, the Senate recessed for an hour.

The Senate reconvened at 5:03 p.m.

The Chair introduced **HB 22**:

HB 22 — "An Act to amend Chapter 65, Part IV, Title 11, Delaware Code, relating to the retirement of certain persons within the Division of Adult Correction by delaying the effective date of such amended Sections." Assigned to Judiciary Committee.

Senator Isaacs introduced **SJR 4**:

SJR 4 — "Relating to the repair of December, 1974, storm damage to private beaches." Assigned to Natural Resources and Environmental Control Committee and the following Senators were added as co-sponsors: Senators Adams, Cook and Murphy.

Senators Kearns, Holloway and Manning (honorary co-sponsor Representative Johnson) introduced **SJR 5**:

SJR 5 — "Memorializing the Delaware Congressional Delegation that the Delaware General Assembly is strongly opposed to the proposed changes in the Federal Food Stamp Plan which will severely affect the poorest among us."

On motion of Senator Kearns, the Resolution was immediately stricken.

Senator Berndt introduced **SA 1** to **SCR 6**. Placed with the Resolution.

The Secretary announced that a message from the House informed the Senate that it had adopted **SCR 5** and **SCR 8**.

The Chair introduced **HB 12**:

HB 12 — "An Act to amend Chapter 17, Part 1, Title 7 of the Delaware Code, relating to dog licenses and Veterinarian's Certificate of Rabies Immunization." Assigned to Agriculture Committee.

Senator Castle introduced **SR 17**:

SR 17 — "In reference to the State Lottery."

Senator Isaacs moved that the Resolution be stricken.

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

YES: Senators Adams, Cicione, Cook, Cordrey, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 12.

NO: Senators Berndt, Castle, Elliott, Hale, Hughes, Knox, Manning, Steele — 8.

ABSENT: Senator Holloway — 1.

Therefore the motion carried and **SR 17** was stricken.

On motion of Senator Cicione, **SCR 6** was lifted from the table for consideration.

Senator Berndt moved that **SA 1** to the Resolution which had been placed with the Resolution be adopted.

The roll call vote on the Amendment was taken and announced to be:

YES: Senators Adams, Berndt, Cicione, Cook, Hughes, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Isaacs — 12.

NO: Senators Cordrey, Hale, Knox, Zimmerman — 4.

NOT VOTING: Senators Castle, Elliott, Manning, Steele — 4.

ABSENT: Senator Holloway — 1.

Therefore the Amendment was adopted.

Senator Cicione introduced **SA 2** to the Resolution and moved that it be adopted.

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hughes, Kearns, Martin, McCullough, Murphy, Schlör, Sharp — 13.

NO: Senators Castle, Hale, Knox, Steele — 4.

NOT VOTING: Senators Manning, Zimmerman, Isaacs — 3.

ABSENT: Senator Holloway — 1.

Therefore, the Amendment was adopted.

On motion of Senator Cicione, **SCR 6 w SA 1, 2** was then laid on the table.

Senator Cicione introduced **SB 80**:

SB 80 — "An Act to amend Chapter 43, Part II, Title 11 of the Delaware Code, relating to the Board of Parole and the conduct of hearings on applications for parole." Assigned to Judiciary Committee.

Senators Hale and Holloway introduced **SB 81**:

SB 81 — "An Act to amend Chapter 17, Title 24, Delaware Code, relating to Medicine, Surgery and Osteopathy; and providing for a Delaware Medical Practices Act." Assigned to Administrative Services Committee.

Senator Kearns introduced **SCR 9**:

SCR 9 — "Informing the Delaware Congressional Delegation that the 128th General Assembly of the State of Delaware opposes President Ford's decision to increase the price of imported crude oil as much as \$3 per barrel."

On motion of Senator Kearns, the Resolution was laid on the table.

Senator Kearns and Holloway and Representative Johnson introduced **SCR 10**:

SCR 10 — "Informing the Delaware Congressional Delegation that the Delaware General Assembly is strongly opposed to the proposed changes in the Federal Food Stamp Plan, which will severely affect the poorest among us."

On motion of Senator Kearns, the Resolution was laid on the table.

Senator Cicione (co-sponsor Representative Jonkiert) introduced **SCR 11**:

SCR 11 — "Requesting the Governor to create a Committee to study the feasibility of establishing a State Veterans' Cemetery."

On motion of Senator Cicione, the Resolution was laid on the table.

At 5:54 p.m. on motion of Senator Isaacs, the Senate adjourned until January 23, 1975.

6TH LEGISLATIVE DAY

The Senate convened at 1:50 p.m. January 23, 1975, Lt. Governor Bookhammer presiding.

A Prayer was offered by the Chaplain, Rev. Robert L. Sauls.

Pledge of Allegiance to the Flag.

By roll call, 21 Senators were present.

The Journal was approved as read.

The following letter was read and included in the record at the request of Senator Manning:

January 22, 1975

Senator J. Donald Isaacs
Chairman, Executive Committee

Dear Senator Isaacs:

Because of the vast interest in Constitutional reform although Senate Bill No. 1 did not pass last session, please consider holding public hearings on Senate Bill No. 50 so that we can get on with the business of revising our Constitution.

Sincerely yours,
(Signed) Margaret R. Manning

* * * * *

On motion of Senator Isaacs, the Governor's nomination for appointment of Harry S. Thomas was taken up for consideration, the roll call taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Martin, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 17.

ABSENT: Senators Elliott, Hale, Manning and McCullough — 4.

Therefore, the appointment was confirmed by the Senate.

On motion of Senator Isaacs, the Governor's nomination for appointment of Howard J. Rudge was taken up for consideration, the roll call vote taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 19.

ABSENT: Senators Elliott and Hale — 2.

Therefore, the appointment was confirmed.

The following Bills were introduced:

SB 82 — "An Act to amend Subchapter 1 of Chapter 17, Title 7, Delaware Code, relating to exemption of licenses for seeing eye dogs." Introduced by Senators Elliott and Schlör.

Assigned to Natural Resources and Environmental Control Committee.

SB 83 — “An Act to amend Title 24 of the Delaware Code, relating to professions and occupations; and providing for the regulation and registration of Landscape Architects.” Introduced by Senators Hughes and Martin. Assigned to Administrative Services Committee.

SB 84 — “An Act to amend Chapter 3, Part I, Title 30 of the Delaware Code, relating to the Tax Appeal Board.” Introduced by Senators Berndt and Holloway. Assigned to Executive Committee.

SB 85 — “An Act to amend Subchapter 1 of Chapter 7, Title 7, Delaware Code, relating to the minimum barrel length for primitive weapons.” Introduced by Senator Elliott (honorary co-sponsors Representatives Ferguson and Temple). Assigned to Natural Resources and Environmental Control Committee.

SB 86 — “An Act to amend Chapter 225, Volume 59, Laws of Delaware, as amended, by extending its expiration date.” Introduced by Senators Adams and Berndt. Assigned to Executive Committee.

SB 87 — “An Act to amend Chapter 53, Part III, Title 11 of the Delaware Code, relating to criminal procedure within the Court of Common Pleas.” Introduced by Senator Kearns. Assigned to Judiciary Committee.

The Chair introduced the following House legislation:

HB 40 — “An Act to amend Chapter 43, Title 11, Delaware Code, relating to conduct of hearings on applications for parole.” Assigned to Judiciary Committee.

HB 6 — “An Act to amend Chapter 43, Part II, Title 11 of the Delaware Code, relating to the pre-sentence investigation after conviction for rape.” Assigned to Judiciary Committee.

HB 7 — “An Act to amend Chapter 35, Part II, Title 11 of the Delaware Code, relating to the admissibility of certain evidence in rape cases.” Assigned to Judiciary Committee.

HB 50 — “An Act making a supplementary appropriation to the Legislative Council of Delaware.”

On motion of Senator Isaacs, the necessary rules were suspended for the purpose of considering the Bill, the roll call taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 19.

NO: Senator Steele — 1.

ABSENT: Senator Hale — 1.

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

The Chair introduced **HCR 4**:

HCR 4 — “Expressing thanks to those persons who were instrumental in having the Telecast of the Delaware-Central Michigan National Small College Championship Football Game made available on Channel 6, Philadelphia.”

On motion of Senator Adams, the roll call vote on adoption of the Resolution was taken and announced to be:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Holloway, Hughes, Kearns, Knox, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 19.

ABSENT: Senators Hale and Manning — 2.

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

Senator Kearns introduced **SB 88**:

SB 88 — “An Act to amend Title 10 and Title 13 of the Delaware Code, relating to divorce and annulment; and changing the jurisdiction for uncontested divorces from the Superior Court to the Court of Common Pleas.” Assigned to Judiciary Committee.

Senator Elliott with all the Senators as co-sponsors and Representative Temple as honorary co-sponsor, introduced **SJR 7**:

SJR 7 — “Congratulating Wright W. Robinson, Seaford community leader and founder of the Seaford Weekly Newspaper, ‘THE LEADER’ for being named recipient of the 1975 Josiah Marvel Award.”

On motion of Senator Elliott, the necessary rules were suspended for the purpose of considering the Resolution, the roll call vote taken and announced:

YES: All 21 Senators.

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

Senator Sharp introduced **SA 3** to **SCR 6**. Placed with the Bill.

Senator Zimmerman introduced **SA 1** to **SB 79**. Placed with the Bill.

On motion of Senator Kearns, **SCR 9** was lifted for consideration and the names of Senators Elliott and Isaacs

were added as co-sponsors.

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

YES: Senators Adams, Cicione, Cook, Cordrey, Elliott, Holloway, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 14.

NO: Senators Knox, Manning and Steele — 3.

NOT VOTING: Senators Berndt, Castle, Hale and Hughes — 4.

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

On motion of Senator Kearns, **SCR 10** was lifted for consideration and the names of Senators Berndt, Holloway, Manning and Representative Johnson were added as co-sponsors.

The roll call vote on the Resolution was revealed to be:

YES: Senators Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 18.

NO: Senators Adams and Steele — 2.

NOT VOTING: Senator Hale — 1.

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

On motion of Senator Cicione, **SCR 11** was lifted for consideration, the roll call vote taken and announced:

YES: 21 Senators.

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

On motion of Senator Zimmerman, **SB 30** was taken up for consideration and read by title only, the roll call taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Knox, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 19.

NO: Senator Steele — 1.

ABSENT: Senator Manning — 1.

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

On motion of Senator Schlör, **SB 17** was laid on the table.

On motion of Senator Isaacs, **SB 4** was taken up for consideration, read by title only, the roll call vote taken and

announced:

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Elliott, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Steele, Zimmerman, Isaacs — 20.

ABSENT: Senator Hale — 1.

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

On motion of Senator Isaacs, **SB 8** was taken up for consideration, read by title only, the roll call taken and announced:

YES: 21 Senators.

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

At 3:50 p.m. on motion of Senator Cordrey, the Senate recessed until 4:30 p.m.

The Senate reconvened at 4:58 p.m.

On motion of Senator Holloway, **SB 19** was taken up for consideration and read by title only.

Senator Kearns introduced **SA 1** to the Bill and moved that it be adopted.

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

YES: Senators Berndt, Elliott, Holloway, Kearns, Knox, Martin — 6.

NO: Senators Cicone, Cook, Cordrey, Hughes, Sharp — 5.

NOT VOTING: Senators Castle, Manning, McCullough, Murphy, Schlor, Steele, Isaacs — 7.

ABSENT: Senators Adams, Hale and Zimmerman — 3.

Therefore, the Amendment was declared lost.

On motion of Senator Holloway, the roll call vote on **SB 19** was then taken and announced:

YES: Senators Castle, Cicone, Cook, Cordrey, Elliott, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Isaacs — 16.

NO: Senators Hale and Steele — 2.

NOT VOTING: Senator Berndt — 1.

ABSENT: Senators Adams and Zimmerman — 2.

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

On motion of Senator Cicone, **SCR 6 w SA 1, 2** was lifted for consideration.

Senator Sharp introduced **SA 3** to the Resolution and

moved that it be adopted.

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

YES: Senators Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 19.

NO: Senator Steele — 1.

ABSENT: Senator Adams — 1.

Therefore, the Amendment was adopted.

On motion of Senator Cicione, the roll call vote on **SCR 6 w SA 1, 2, 3** was then taken and announced:

YES: Senators Berndt, Cicione, Cook, Cordrey, Elliott, Holloway, Hughes, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 16.

NO: Senators Castle, Hale, Knox, Steele — 4.

ABSENT: Senator Adams — 1.

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

The following Committee reports were read:

From Administrative Services Committee: **SB 81** — 5 Merits; **SB 70** — 4 Favorable, 1 Merits.

From Community Affairs Committee: **SB 61** — 1 Favorable, 5 Merits.

From Judiciary Committee: **SB 80** — 5 Merits.

From Finance Committee: **SB 3** — 6 Merits; **SB 9** — 6 Merits; **SB 23** — 6 Merits.

From Banking, Insurance and Elections Committee: **SB 22** — 1 Favorable, 3 Merits, 1 Unfavorable.

From Education Committee: **SB 24** — 4 Merits; **SB 27** — 4 Merits.

From Executive Committee: **SB 28** — 4 Merits.

From Finance Committee: **SB 72** — 6 Merits.

From Executive Committee: **SB 86** — 2 Favorable, 4 Merits.

From Judiciary Committee: **SB 29** — 4 Merits; **SB 6** — 4 Merits.

From Agriculture Committee: **HB 12** — 2 Favorable, 3 Merits, 1 Unfavorable.

Senator Hale introduced **SA 13** to **SB 1**. Placed with the Bill.

The following Bills were introduced:

SB 89 — "An Act to amend Chapter 6, Title 17, Delaware

Code, authorizing the Department of Highways and Transportation of the State of Delaware to construct, maintain, repair, improve and operate an Express Toll Highway from a point in the vicinity of U.S. Route 13 below the City of Dover near Woodside to a connection with the existing Delaware Turnpike, including a spur to U.S. Route 301 to the Maryland State Line, to maintain, repair, improve and operate the existing Delaware Turnpike, to issue Turnpike Revenue Bonds of the Department, payable solely from tolls and other revenues, for the purpose of paying, with other available funds, the cost of said Express Toll Highway and improvements to the existing Delaware Turnpike and for the purpose of refunding Turnpike Revenue Bonds issued for the existing Delaware Turnpike, to collect tolls for the use of the Delaware Turnpikes and to pledge such tolls and other revenues to the payment of the Turnpike Revenue Bonds and the State Bonds herein authorized; authorizing the Department to issue Turnpike Revenue Refunding Bonds; authorizing the State of Delaware to borrow money for the purpose of paying a part of the cost of said Express Toll Highway and to issue Bonds and Notes therefor in an amount not exceeding \$100,000,000 upon the full faith and credit of the State of Delaware; appropriating, subject to reimbursement from Bond proceeds, \$1,500,000 for preliminary expenses; and repealing Sections 601 through 623, Chapter 6, Title 17, Delaware Code, upon provision being made for the retirement of Turnpike Revenue Bonds issued for the existing Delaware Turnpike." Introduced by Senator Hughes. Assigned to Highways and Transportation Committee.

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

SB 91 — "An Act to amend Subchapter 1, Chapter 1, Title 26, Delaware Code, relating to the constitution of a quorum in Rate Case decisions." Introduced by Senator Elliott (honorary co-sponsor Representative Gilligan). Assigned to Administrative Services Committee.

SB 92 — "An Act to amend Chapter 55 of Title 30, Delaware Code, relating to the Public Utility Tax appearing on the customer's bill as a separate item." Introduced by Senator Elliott (honorary co-sponsor Representative Temple). Assigned

to Revenue and Taxation Committee.

SB 93 — "An Act to amend Chapter 7, Title 14, Delaware Code, relating to the prohibition of corporal punishment in certain cases." Introduced by Senators Elliott and Martin. Assigned to Education Committee.

SB 94 — "An Act authorizing the purchase and placement of two Historic Markers in honor of former Governor Nathaniel Mitchell; and providing a supplementary appropriation therefor." Introduced by Senators Elliott and Martin. Assigned to Finance Committee.

SB 95 — "An Act to amend Chapter 9, Title 7 of the Delaware Code, relating to menhaden fishing." Introduced by Senators Elliott, Cordrey and Isaacs. Assigned to Natural Resources and Environmental Control Committee.

SB 96 — "An Act to amend Subchapter 1 of Chapter 21, Delaware Code, relating to registration of foreign vehicles by non-residents." Introduced by Senator Elliott. Assigned to Public Safety Committee.

SJR 8 — "Requesting all Agencies and Departments of the Executive Branch of the State Government to submit legislative proposals before May 1, 1975." Introduced by Senator Isaacs. Assigned to Executive Committee.

Senator Isaacs and Cordrey introduced **SR 18** and moved that it be adopted:

SR 18 — "To debit Senate Travel Account for Legislators' mileage of the present session of the 128th General Assembly."

The roll call vote on the Resolution revealed 19 Senators voting YES with 2 Senators (Adams and Kearns) ABSENT.

Therefore, the Resolution was adopted.

Senators Isaacs and Cordrey introduced **SR 19** and moved that it be adopted:

SR 19 — "Authorizing payments for services rendered by the Staff of the Senate for the 128th General Assembly."

The roll call vote on the Resolution revealed 19 Senators voting YES with 2 Senators (Adams and Kearns) ABSENT.

Therefore, the Resolution was adopted.

At 5:35 p.m. on motion of Senator Isaacs, the Senate recessed until 1:00 p.m. January 28, 1975.

The Senate reconvened at 1:04 p.m., President Pro Tempore Isaacs presiding.

On motion of Senator Cordrey, the Senate adjourned to immediately convene for the 7th Day.

7TH LEGISLATIVE DAY

The Senate convened at 1:05 p.m. January 28, 1975, President Pro Tempore Isaacs presiding.

A Prayer was offered by the Chaplain, Rev. Alvin J. Willink.

Pledge of Allegiance to the Flag.

By roll call, 21 Senators were present.

The minutes of the previous day were approved as read.

The Senate recessed at 1:10 p.m. for a short period and was reconvened at 1:17 p.m. by Lt. Governor Bookhammer.

The Sergeant-at-Arms announced the Speaker and Members of the House. They were admitted and seated. The President invited Speaker Jonkiert and President Pro Tempore Isaacs to a seat on the rostrum.

JOINT SESSION

Senator Cordrey moved that the Senate and House convene in Joint Session. Motion prevailed.

Senator Cordrey moved that the President of the Senate preside over the Joint Session. Motion prevailed.

Senator Cordrey moved that the Secretary of the Senate and Chief Clerk of the House act as Secretaries of the Joint Session. Motion prevailed.

The President appointed Senators Knox and McCullough and Representatives Seibel and Temple as a Committee to escort the Governor to the Senate Chamber.

The Sergeant-at-Arms admitted the Governor and the duly appointed Committee to the Senate Chamber. The President invited the Governor to the rostrum and introduced him to the Joint Session. The Governor addressed the members of the General Assembly as follows:

This afternoon, I stand here to gauge the state of our State. We face over the next 18 months what some economists consider the most trying period since the 1930's.

Last year, I said that "The spectre of the energy crisis - which has already cost Delaware thousands of jobs and threatens thousands more - could influence the economic picture more than ever before imagined."

That influence is stronger today. Unemployment is up. Soaring inflation has eroded our income and purchasing power. The end of our troubles is not in sight, but we must not be paralyzed by the magnitude of our problems.

1975 must be a rebuilding year - rebuilding our economy - and rebuilding the confidence of our people in government.

Looking back over 1974, I am pleased that despite the hardships and the difficulties of the year, progress was made in many areas of State government.

We increased our support for recipients of aid to families with dependent children from 53% of the 1968 standards to 80% of that standard, raising the average monthly payment per family from \$108 to \$163 - the first significant increase in that category of public assistance support since 1963.

My legislation was passed permitting the formation of the Delaware Authority for Specialized Transportation (DAST) serving the elderly, the infirm, the poor, and others - to provide access to vital services, such as Medical Care and Nutrition Programs.

Now recognized nationally, this Program is considered to be the landmark Specialized Transportation Program.

Recently, Governor Mandel asked us if the Authority could extend its activities to Maryland's Eastern Shore. Maryland is prepared to underwrite the costs of that extended service.

Together, we made available over \$1 million to the Delaware State Hospital to bring it up to the proper fire and life safety standards and it was reaccredited.

My Administration developed a plan to relocate the geriatric patients from the Biggs Building. The last of these patients should be relocated by this June 30th, and the scandalous conditions and the inadequate care that these persons were receiving will finally pass into history.

In another area - a total of 83 Migrant Labor Camps were inspected; of those 59 were licensed, and housed 3,400 migrants. Many Marginal Camps closed.

Recognizing the needs of the elderly - we elevated the Bureau of Aging to Division status, and expanded four Programs for the elderly Statewide - Nutrition, Transportation, Information and Referral, and Employment Service for older Delawareans.

We abolished the Division of Drug Abuse Control and created instead the Office of Drug Control Coordinator, within the existing Division of Mental Health to better coordinate related Programs and increase efficiency.

The Division of Housing completed 23 new townhouses and started rehabilitation work on some houses in Wilmington, and began construction on the 100 unit Carvel Garden Project in Laurel. Also, the Capital Green Complex in Dover was acquired and, in time, will be rehabilitated.

We provided supplemental income to 141 lower income senior citizens who serve as Foster Grandparents.

We created the Division of Services for Children and Youth within the Department of Health and Social Services and named Judie Drexler to head it. This cost-free change will better coordinate our services to children and youth.

Recognizing the increasing importance of Mass Transportation in a society short of energy, we increased our support to DART, the Delaware Authority for Regional Transit, in 1974 by purchasing 20 additional used buses, in addition to our planned Capital Program.

Similarly, to provide alternate modes of transportation, legislation creating "Bicycle Paths" became Law in 1974. I had proposed it in my "Quality of Life" message to a Joint Session of the 127th General Assembly in April of 1973. Representative Sandra Worthen guided those Bills through the Legislature, and funding for them is included in the pending Emergency Bond Bill.

During 1974, the Department of Highways and Transportation awarded construction contracts of more than \$26 million. More will be awarded during the next 24 months providing my Capital Improvement Programs are supported by this General Assembly.

In the environmental area, I am pleased that the Governors of Virginia, Maryland, and New Jersey have joined me in creating the Middle Atlantic Governors Resources Advisory Council, to develop a regional position on the Baltimore Canyon Atlantic Outer Continental Shelf Development.

By working together, policies will be developed to better suit the needs of the States along the Baltimore Canyon, without delaying the national goal of energy independence.

During 1974, our Natural Resources Department received the largest Federal Grant for solid waste recovery in the United States - amounting to over \$9 million to construct a reclamation plant in our State.

While most State's Sewer Construction Grants were cut - Delaware's Sewer Construction Grant Program grew.

After years of study, construction began at the Lums Pond State Park, with over \$1.7 million in improvements this past year and more to come.

Despite the fact that 1974 was a poor year for the economy, dramatic steps were taken to dispel Delaware's alleged anti-industry image.

Our November advertising section in FORTUNE Magazine has drawn a number of inquiries from firms. Secretary John Daniello has been responding vigorously to those inquiries.

The Fantus Study on "Target Industries" was completed and its report submitted. Secretary Daniello is charged with the responsibility to turn that report into an active Recruitment Program to bring new, compatible industry to our State.

In 1973 and 1974, the Division of Economic Development assisted ten Companies to build new or expand existing plants in Delaware by selling \$10 million worth of General Obligation Bonds; as a byproduct 825 new jobs were created.

Meanwhile - the Delaware Tomorrow Commission is working hard to produce a mid-term plan for development for our State.

I have received the Port of Wilmington Study. Now, we must turn it into a Program which will result in the revitalization of our Port, to benefit the economy of the entire State.

1974 began with massive layoffs - and ended with massive layoffs. But our Department of Labor, under Secretary Tom Schranck and his Staff, responded heroically to the problem.

During the last 12 months, they dispensed over 395,000 Unemployment Compensation Checks to 32,000 Delaware citizens, amounting to over \$10 million in Unemployment Compensation Benefits.

I want to take a moment for a special tribute to the excellent work done by each employee in the State Department of Labor, by the Division Directors who have worked so tirelessly during the past year, and by Secretary Schranck.

I know these employees have burned the midnight oil to afford our citizens the most immediate and personal care possible during these difficult economic times. I know patience can wear thin - both for the citizen who has to put up with seemingly endless Federal Forms, and to the employee who is under great pressure to serve so many.

But I thank the employees, the Division Directors and the Labor Secretary for their tireless efforts on behalf of our people.

And really - that's what government is about.

Another area of direct citizen service is the "Food Stamp Program", which has been much abused. We have read and been told that our Program was sluggish - that for a while, applications were backlogged.

However, a critical point that has been neglected in News coverage of this Program is that Delaware was the only State to have gone from "Zero" to 35,000 Food Stamp recipients in 9 months. Previously, Delaware had a Food Commodities Program, and we had to make the transition from one Plan to another, in short order.

The Plan had to be initiated, applicants screened, eligibles enrolled, "no-shows" contended with, and ineligibles weeded out.

Absolutely no other State matched the magnitude of increase Delaware had in the past months.

Food Stamp Program Administrator Jean Hewlett and the Division of Social Services - under Director Dr. Lazar - enrolled those 35,000 individuals in good time, considering the hardships they faced.

Food Stamp recipients are not just the traditionally "poor", but include many who are layed-off, as well as the underemployed and their families. Food Stamps have become the largest "People Program" in our history. Because of the current economic crisis, the Program may grow from 35,000 to 50,000. Recently, I wrote President Ford to protest his attempts to raise the cost of these Stamps.

Steps should be taken to reduce the snarl of Federal Red Tape which needlessly lengthens the applications and certification processes.

It is ridiculous for the Federal Government to require applicants to fill out an hour-long six-page form.

The Federal Government can streamline this procedure to make this tedious process less time-consuming.

Senator Biden expressed to me his concern about this Red Tape, and I trust Senator Roth and Congressman du Pont share our concern. Now, its time for the Congressional Delegation to move on this problem. It's a Federal problem needing Federal attention.

It is important, also, to note Dr. Lazar's assessment that our Food Stamp Program is far better run and with a far lower error rate than those in our neighboring States of Pennsylvania, New Jersey and Maryland. Officials in some States have expressed amazement that our Program got moving so quickly, and I credit former Secretary White, Secretary McGinnes, Dr. Lazar and Mrs. Hewlett for that.

To keep down the cost of State Government, we have continued the job freeze, continued restrictions on travel and -

with the cooperation of our State employees - conserved energy.

For the State Police, we were able to increase salaries by \$1,500 a year, which still leaves their salaries below other Police Agencies in our State.

In protecting and serving the citizens of Delaware, our State Police have completed another successful year. Due to their surveillance on the highways, the work of the Governor's Highway Safety Office, the reduced maximum speed limit, and some decrease in traffic flow, traffic accidents decreased.

There were 15% fewer traffic fatalities in 1974 than in 1973. The reduced maximum speed limit undoubtedly led to further energy conservation so a multiple benefit resulted.

These are some of our achievements in 1974. There were many others. But there were also disappointments.

We failed to get legislation passed to regulate lightering in the Bay.

We failed to get Residential and Commercial Development in the Coastal Zone regulated. The Occupational Safety and Health Act was not adopted, thereby depriving State coffers of dollars which now are filling the Federal Treasury.

Neither the Revised Constitution passed, nor the Amendment to the Constitution to increase the Supreme Court from 3 to 5 Justices.

Failure of the latter Amendment has already created a problem which prevents me from getting an answer from the High Court relating to the important Farmers Bank Question.

The much supported Public Service Commission reforms, passed last year, did solve the problem of adequate financing for the P.S.C. But in other areas, the new Laws were found to be wanting and so I have proposed additional reform.

But the great disappointment of 1974 is the failure of the President and Congress to propose Programs - to cure the major problems that America faces today: Inflation, Recession, Unemployment, Energy.

These four problems are in the forefront of our thoughts today - and also in the forefront of our considerations for FY 76.

And nearly every action in State Government is affected by the impact of these critical problems - Inflation, Recession, Unemployment, and Energy.

Let's look at each.

First, Inflation -

During 1974, the Consumer Price Index increased by 12.2% - the highest annual increase since World War II.

As consumers and taxpayers, you know of the devastating effect inflation had on our economy and on the State's Budget.

Listen to this example. In Dover the Capital Complex from July through December 1973 consumed 5,565,000 KWH, which cost the State \$142,000.

From July through December of 1974, we consumed 4,796,000 KWH at a cost of \$231,000. We actually reduced our KWH consumption by 769,000 KWH - but the Bill increased by \$90,000.

Inflation in action overrode our conservation efforts, and the cost of Government escalated.

The Budget Director informs me that even with our remarkable conservation efforts, due to soaring electric rates, we will need about \$200,000 more than budgeted in the remainder of this year, to light State buildings in the Dover area alone. And increasing energy costs, statewide, will require us to cover a Budget deficiency approaching \$3 million - again just for this Fiscal Year.

My words of a year ago seem all too accurate - the spectre of the energy crisis did influence the economic picture more than we imagined.

But beyond budgets the deficits is the human side of the inflation problem.

Let me explain.

Considering our State facilities, our Hospitals, Geriatric Residences and so on - the State feeds, clothes, and protects about 3,000 individuals.

Everyone knows how the costs of caring for their families have exploded in the past year. So too, is it with this "Family" of 3,000 which Delawareans care for.

Just listen to a few facts.

Since I last came before the Legislature 12 months ago, food prices of staples have jumped. Bread is up 59% - macaroni is up 64% - mayonnaise is up an incredible 125%. In all, perishables are up about 35% overall, not counting sugar's 337% rise. Non-perishables are up 12%.

These price increases are over and above what we budgeted for last summer - and will have to be recognized in the FY 76 Budget, and also will have to be recognized during the remaining months of the FY 75 Budget.

Now about Recession -

In February, 1974, I testified before Senator Muskie in Washington and predicted that our nation was headed for a

recession. I told him that my future Budgetary Plans anticipated recessionary conditions. This is why our State is not in as critical a financial situation as our sister States of New York, New Jersey and Connecticut.

The President, and his Bureaucracy, refused to acknowledge until after last November's elections, that we were, indeed, in a recession. And that's a major reason that the nation's economy has slipped as badly as it has.

No one wanted to recognize the disease - so the patient was deprived of adequate care.

During 1974, the Gross National Product in real dollars decreased 2.2% and it will continue declining for at least the next two quarters. Economists are uncertain whether an upturn might begin in the third or fourth quarter of 1975.

The rapid decline in the economy has spurred our Council of Economic Advisors to reduce our FY 75 revenue estimate by \$6.1 million from the figure in **HJR 44**, passed by the 127th General Assembly in June 1974, and this independent group of top economists in Delaware could deem it necessary to further reduce that estimate.

The third problem we must attack is Unemployment - the handmaiden of recession.

During the past 12 months, the National Unemployment Rate increased from 4.5% to 7.1%.

Here in Delaware, our December rate shows 7.3% unemployment, or about one out of 13 in the Delaware Work Force. High unemployment will, of course, affect the demand for human services.

Secretary Schranck says this situation probably will worsen.

Recognizing this, I believe we will have to review very carefully the decision made by the former Administration in 1971 to bar employables within the age range of 18 to 55 from qualifying for General Assistance.

Turning to the fourth - and most complex problem - the Energy Crisis - it has been with us since the October, 1973, Middle East War.

The Federal Government delayed and delayed proposing a Comprehensive National Energy Policy.

In recent days, President Ford proposed a Plan to deal with our inter-related problems of Energy and Economy.

I support his intent. But I believe his Program would only guarantee a new round of soaring inflation, and devastate our

already distressed economy.

My objections are not centered on needed personal income tax cuts. Surely, we need to put more money into the hands of consumers, to encourage consumer spending to halt the economic slide.

But, this will not happen if the President's Energy Conservation Programs are adopted.

Price rationing is not the answer.

I told President Ford last Thursday that the cost to Delawareans, direct and indirect, of his Energy Program in its first year would be \$75 million. Our citizens cannot bear a burden of that magnitude.

But despite the presentation I and nine other Governors made to the President, he refused to postpone implementing the first step of his long-delayed Program.

We, the Governors of the Northeast, now look to our Congressional Delegations to stop this Federal folly.

I told President Ford last Thursday that I believed that we must restrain energy consumption in this country - now.

And I suggested that the logical route would be to ration gasoline - a non-inflationary step.

It is incumbent upon the President and the Governors of the 50 States to develop meaningful Energy Programs.

Naturally, we turn to the President and Congress for Gas Rationing - either by coupon or by allocation. But there are Programs that can be proposed by Governors to make Energy Conservation economically desirable.

My proposals, announced last Fall, will give partial Tax relief to Energy Conserving consumers.

The first proposal is a deduction from Gross Income, for Delaware Personal Income Tax purposes, of 25% of the purchase and installation cost of storm windows or insulation. This deduction will apply to both home owners and renters.

Second is a tax credit for corporations participating in a payroll withholding program for purchasing Mass Transit Commutation tickets. This provides a means for business to support in a meaningful fashion, our Mass Transit operations. The use of Mass Transit for commuter or other purposes, reduced gasoline demand.

The third proposal will give a personal income tax credit for carpoolers as a reward to energy-conservation-minded citizens.

In addition, I propose a measure which if promptly adopted

will support the rebate system now used by automobile manufacturers. This is designed to encourage the purchase of smaller vehicles such as the Vega, Pinto, Valiant, Duster, Pacer, and Gremlin. I want the Document Fee for vehicles to be made progressive. As the rated average miles-per-gallon based on U.S. Environmental Protection Agency figures decreases, the fee will increase.

The fees for the two classes of vehicles are as follows:

Class I Vehicles - under 19 miles per gallon and over - Fee of 50¢ per \$100

Class II Vehicles - under 19 miles per gallon - Fee of \$4.00 per \$100

The new Fee structure will realize a net increase in Document Fee receipts which will be necessary to offset the loss of revenue from the other energy conservation proposals already outlined.

Purchasers of energy-conserving vehicles will be rewarded, since the Document Fee on energy conserving vehicles will have been reduced by 75%. On the other hand, consumers who decide to purchase vehicles which consume excessive amounts of gasoline will pay for the extravagance of excessive energy consumption in an energy-starved society.

Further, the funds generated by the consumers who decide to buy gas-guzzling vehicles will underwrite the Tax credits and tax deductions for energy conservers.

Finally, our Chrysler Plant here in Delaware was refitted last year and if opened now could build "Class One" vehicles by the thousands. We must help stimulate the demand for small, energy-saving cars to get that Chrysler Plant open and producing.

Hopefully, our General Motors Plant will soon be converted to producing energy-conserving vehicles also.

Major forces are acting upon our economy - Inflation, Recession, Unemployment, Energy Costs - and it with gravity that I turn to the proposed Budget for 1976, our Bicentennial Year.

Agency requests for Fiscal Year 1976 totaled \$453 million - obviously, an impossible number. At the conclusion of the hearings conducted by Budget Director Don Dryden, a process was started to reduce those requests to the absolute minimum.

Requests were sliced by \$41.3 million, leaving \$411.7 million - which is the total of the Budget I submit today - exclusive of Routine Grants-in-Aid.

In a year that has seen the cost of living increase by 12.2%, the Budget I present represents a tight-fisted increase of 7.8% over the Budget for Fiscal Year 75.

The FY 75 Budget totaled \$383 million - and, of that \$99 million represented appropriations for Debt Service, Social Security payments, Blue Cross, and Pension Costs.

Those mandated fixed expenses have increased to \$112 million, therefore, taking the current year's \$383 million Budget, and adding the mandatory fixed expense increase alone - the Budget is increased to \$396 million.

An additional \$4 million was added to cover the increasing energy and food bill of the State. This brings our Budget to \$400 million.

An additional \$3.5 million was added for salary increases for State Employees. This brings the total to \$403.5 million.

Other minor cost increases, across the whole Budget, amounted to \$2.2 million, bringing our total to \$405.7 million.

New and expanded Programs contained in the proposed Budget for FY 76 amount to only \$6 million. These Programs are designed to help our citizens successfully deal with today's four important problems - Inflation, Recession, Unemployment and Energy.

The first and largest item included is an addition of \$3 million to the AFDC Appropriation. This increase will allow us to take the next step in our effort to upgrade our level of support needed by the children who are dependent upon the State. I propose to increase our level of support from 80% of the 1968 standard as adopted in June 1974 to 85% of that standard.

Also included in the \$3 million increase in the AFDC Appropriation are funds for the anticipated increase in the AFDC rolls next year.

With Higher Education costs increasing as a result of inflation and recognizing that many families will find it more difficult to support their children's education expenses, I have increased the line item in the University of Delaware Budget for Aid to Needy Students by \$385,000.

I also included the funds necessary so that students attending other institutions will be able to participate in a new State-Federal Scholarship Program.

Recognizing the demand for increased Mass Transit as a result of the energy crisis, I have included an additional \$655,000 in my Budget for DART and DAST. This \$655,000 increase over the current year's appropriation will permit us to

continue upgrading our Mass Transit System to provide an energy-short society with a viable alternative to the private automobile.

I am also asking our Congressional Delegation to enact legislation which will permit greater use of Federal Highway Trust Funds for Mass Transit purposes. Without huge Federal subsidies in the form of direct Grants to States and local Governments, local efforts to make Mass Transit a viable alternative to the private automobile will never be truly adequate. Statues cannot do the job alone.

In a related area, I indicated in last year's State of the State message that there was not sufficient evidence to support the need for a North-South Toll Road in Delaware. With possible gas rationing or even increased gasoline prices, it is my opinion that a \$350 million expenditure to construct this Toll Road would be ill-advised. Traffic on the Kennedy Turnpike has not, and well may not, increase in the next few years. Although Route 13 is congested on weekends during the summer months, information at this point does not lead me to support a North-South Toll Road at this time, and at no time will I support an independent authority for this purpose.

Other minor Programs are scattered throughout the Budget.

For example, by increasing the appropriation for the Nutrition Program in the Division of Aging by \$13,500, it is hoped that the State of Delaware will be able to receive an additional \$201,000 Federal Dollars from Title VII of the Older Americans Act. This would then bring the total dollars in the Program for Fiscal 1976 to some \$755,000, and enable us to better serve our elderly.

We expect to have three new Service Centers open during Fiscal 1976. I propose an additional 22 new employees to operate the Pyle Center, the Hudson Center, and the Collins Center.

I have also proposed the people and the funds necessary to operate the new library at Delaware State College.

I propose to increase the hourly stipends of Foster Grandparents to comply with the minimum wage. This new commitment of \$109,000 is made to one of our most dynamic Programs.

I have also proposed two new Labor Inspectors to handle complaints relating to Equal Employment Opportunity, and I have authorized nine new employees to enable the Family

Court to improve the quality of its service to our citizens.

These are the highlights of the new and expanded Programs included in the Bare Bones Budget submitted today.

I want to assure you that it was extremely difficult to decide which Programs to include and which ones to exclude from the Budget being submitted today. With many needs and few dollars, it goes without saying that many valuable and useful Programs were not funded. But I hope that you will agree with me that the ultimate questions was: "How does it help us with our four major problems - Recession, Inflation, Unemployment and Energy?"

Before turning to my new Legislative Programs, I must discuss a critical Program already before the General Assembly. That is, the Emergency Bond Bill. It would continue the State funds necessary to progress on many important projects.

Of particular importance to me is \$163,000 contained in the Bill to equip six new cottages at the Hospital for the Mentally Retarded.

It is inhumane to delay appropriating these funds preventing a rapid move of the children into these modern cottages.

But I am informing the General Assembly today that if the Emergency Bond Bill is not passed by February 1st, the Secretary of Highways, Clifford Hall, will, on that date, notify 87 employees that they will be terminated in 30 days.

Without General Assembly action, Secretary Hall advises me that by April 30th, 300 people will have received 30-day notices of separation.

If, due to the inaction of the General Assembly, it is necessary to eliminate the first 87 employees on the 28th of February and remainder during March and April, it will be imperative, according to Merit Rules, to pay them their accrued sick leave and vacation upon separation.

The Secretary advises me that there are no funds appropriated to cover this one-time expense which carries a whopping price tag of a half-million dollars. Therefore, if the Bond Bill is not enacted and this problem resolved, I will submit to the General Assembly a Supplemental Appropriation for \$500,000 to cover separation costs. Prompt action by the General Assembly will eliminate this problem, failure to act, will bring serious economic consequences.

As soon as legislative action is completed on my

Emergency Bond Bill, I will present my FY 76 Capital Improvement Program, in it are many important Programs. Some, like the funds for the Laurel Mobile Home Park, are carried over from the FY 75 Capital Improvement Program which was stalled in the House of Representatives of the 127th General Assembly.

Let me outline for you my Legislative Program. A number of priorities carry over from the last Legislative Session.

I will submit legislation to fulfill my Public Service Commission proposals, including creating the post of Public Advocate in the Division of the Public Service Commission.

I will submit new legislation aimed at curing PSC conflict of interest problems and require the PSC to review increases in the fuel adjustment charges.

I will submit legislation to increase Maximum Unemployment Benefits and increase the Unemployment Compensation Tax.

I will submit Supplemental Appropriation to let the Division of Public Health immediately establish an extended care unit for chronically ill adults at Emily P. Bissell Hospital.

I will submit legislation to create a separate Department of Corrections. As I stated in my campaign, I believe separation of Corrections from the sprawling Health and Social Services Department will result in two, better functioning Administrative Units.

I will submit supplemental appropriation for the Division of Adult Corrections to relieve severe over-crowding at the Delaware Correctional Center by operating a Pre-trial Detention Center.

I will designate the Delaware Agency to Reduce Crime as the official Planning Agency to develop legislation to provide suitable services to juveniles who are dependent, neglected, abused, runaway or truant. Such legislation should be compatible with the Federal Juvenile Justice and Delinquency Act of 1974.

I will submit legislation to transfer job discrimination investigations to the Human Relations Commission.

I will submit legislation to make the Industrial Accident Board a full-time rather than a part-time body. This will help eliminate backlog of cases pending before the Board.

I will submit legislation to create the Delaware Housing

Rehabilitation Fund to speed rehabilitation of sub-standard housing.

The Division of Housing will administer a Program to insure rehabilitation loans made to low and moderate income families, including elderly persons, by Delaware's lending institutions. This Program will guarantee payment to qualified lending institutions of losses incurred by non-payment of principle, interest, or other sums.

In order to support our efforts to erase Delaware's anti-industry image, I will introduce legislation to expand General Authorization Bonding Authority from the current ceiling of \$20 million to \$50 million. This will be a key factor in the implementation of the Fantus Industrial Development Program.

I will also introduce legislation to improve and broaden our Industrial Development Bonding Program to permit the bonding of non-manufacturing facilities. This Program should provide support to the Downtown Wilmington Redevelopment Program, so that desperately needed jobs will be created.

Let me add right here that Delaware must find a top-notch man or woman to become the new Director of Economic Development. It has already become obvious that a stumbling block to attracting quality talent is the salary line item of the Director, and I will be requesting that the General Assembly consider increasing the salary maximum for this position.

I will resubmit to the General Assembly the Constitutional Proposal, in a somewhat revised form, that will eliminate much of the controversy which emerged during the last session.

I will resubmit legislation to regulate commercial and residential development in our Coastal Zone.

I will resubmit legislation to regulate lightering of petroleum products in the Delaware Bay.

I will resubmit the Occupational Safety and Health Act.

Turning to educational matters, let me state that last September after a series of meetings, members of the Legislative Leadership of the 127th General Assembly and I indicated that we would support an 8% salary increase for teachers effective January 1, 1975. Also, at that time, we said we would work to support such measures as necessary to finance that salary increase. Measures are necessary, and I will support them and I will support the 8% increase for teachers. I trust the Legislative Leaders, and the entire 128th General

Assembly as a whole, will judiciously consider these matters when they come before you.

Two other matters relating to education also require comment. By Executive Order, I have created a Task Force to study, and report by April 1 of this year, on a Program to reduce the Unit Size in our Elementary Schools. While we await with interest the report of this Task Force, we also find that there is an interrelated concern.

With the decline in the national birth rate, it is obvious that the student population in our schools will be decreasing sharply in coming years. While there are educational advantages in small class sizes, we must use all of our facilities in the most efficient manner possible in this energy-short time. Consolidation of facilities may be necessary to free the funds now channeled to electricity, heating, custodial services, and other non-instruction related expenses and put them to better use in important educational areas.

Another pressing education matter is the Evans v. Buchanan Case. I recently formed a Committee on the School Decision. Since signing that Executive Order, I have been advised that it is likely there will soon be a decision in the Evans Case. It is my understanding that the decision could prove to be a weighty financial burden to the State. You can be assured this is a matter that I will give my concerted attention.

There has been some discussion in recent months about the input and impact on State Government of Commissions, Task Forces, and Advisory Councils.

Let me say this. Since I stood before the General Assembly 12 months ago, I have named between 500 and 600 individuals to various State-associated posts, whether they are Councils, Commissions or Task Forces.

Most of these groups were created years ago, with the hopes that they would make Government more responsive, and that the people who served on the various groups would be creative, energetic and determined to have a positive effect on Government.

But there are drawbacks too.

The Councils seem to multiply like untended rabbits.

A great deal of the Governor's time is spent in deciding who should serve where, and who is not doing anything on what Commission or Council.

And I wonder if the need is for more of these groups, more responsive groups, smaller groups, fewer groups, or no groups at all.

Or should there be one, highly respected Advisory Council which is like a "Super Council" and could follow events in State Government well enough to advise 10 different Cabinet Secretaries on various aspects of their Departments?

Although it may sound like the "Ultimate" Committee, I think that our best step is to form a Task Force to look into Commissions, Task Forces and Councils.

Let's see, now that we've lived with the Cabinet form of Government for four years, how Advisory Councils served Government.

I am proposing that a "Task Force on Commissions, Committees, Boards and Task Forces" be created by Executive Order in the near future to weed through the interlocking membership, assess productivity, and glean input from Cabinet Secretaries, Division Directors and the public as to whether these groups serve a viable function or whether the citizenry could be better served with an alternative plan.

This would be a good time to touch briefly on the tremendous asset to this State of contacts by one Governor with others in his region.

In the past year, as the 50 Governors have tackled the Energy Crisis, Inflation, then Recession and Unemployment, we have often felt as if we've run up against a stone wall when talking with the folks in Washington.

But by exchanging ideas, we Governors have found satisfaction. Consider the inter-state problems like Governor Shapp's meeting with me last week on Brandywine and Liberty Bell Race Tracks, yesterday's meetings with Governor Mandel of Maryland concerning Railroads on the Peninsula and meetings with the Governors and their representatives on projects like the Middle Atlantic Governors' Resources Advisory Council.

Acting as a group, we hope to impress our views on the Federal Government as to the needs and requirements of the States. And we are deeply concerned that last Thursday's meeting with the Governors of 10 States not be characteristic of President Ford's responsiveness to the needs of the Chief Executives of the 50 States for the remainder of his administration.

Up to this point, I have discussed with you the nature of our

economy, the Budget, the new proposals, and now it is time to discuss the financing of these matters.

There is no question that financing a Budget begins with objective bipartisan credible revenue estimates. In order to obtain estimates of this quality, I created the Governor's Economic Advisory Council last July.

The Council - with membership including Legislators of both political parties - has held monthly open meetings, and has been trying diligently to restore credibility to Revenue Estimating.

A computer model, developed by the University of Delaware as a tool in revenue estimating, was funded jointly by the Executive Department and the 127th General Assembly. We anticipate the so-called "Econometric Model" will become a valuable asset in the near future.

Finance Secretary Jack Malarkey has initiated a program requesting confidential projections from our major corporations regarding their corporate income tax payments, and we've received excellent cooperation from these taxpayers. This procedure has been utilized by the Federal Government for over a decade and is currently in use by 25 states.

I feel the Council estimates are very credible, especially in view of the constantly changing economic conditions, and in fact, I am making full use of their most current estimates for this message.

The current revenue estimate of the Economic Advisory Council for this year is \$371.9 million or \$6.1 million less than the \$378.0 million established by H.J.R. 44 negotiated last June. Additional supplementals of at least \$8.3 million will be required before June 30 due to increases in mandated costs or as a result of the impact of inflation on our operations. Facing a probable deficit for the current fiscal year and understanding that the difficulties faced by our citizens in these tense economic times. I have resolved to fund that deficit for this year and for next year without further increasing the burden on our already hard-pressed individual taxpayer.

I propose the following actions:

1. Legislation prior to April 1, 1975, to have all employers withholding Delaware Income Taxes report and pay these withholdings on a monthly basis - realized gain for Fiscal 75 will be \$1.5 million.

2. Change the method of reporting and paying business

taxes from a quarterly to a monthly basis. - Realized gain for Fiscal 75 will be \$1.0 million.

3. Change of due date for Telephone and Telegraph Tax from July 1 to June 15 - realized gain for Fiscal 75 will be \$.75 million.

Representative Billingsley, this will also resolve the argument as to which Fiscal Year this particular Revenue item should fall.

All of the above actions are specifically designed to impose no additional tax strain on our citizens, who already are overburdened during these harsh economic times. They merely are an improvement in the cash flow touching only on business.

I further propose that a Refinery Tax of 3 mills per gallon be enacted effective April 1, 1975, which will realize \$.85 million for FY 75.

The cash flow measures and the Refinery Tax should enable us to finish FY 75 at, or near, the zero cash balance point - providing the recent estimate of the Economic Advisory Council does not have to be further reduced.

Turning to FY 76, I propose that we change the payment of Corporate Income Taxes to more clearly follow the Federal Collection method. This again is a cash flow adjustment - not an increased tax - and will realize approximately \$6.0 million in FY 76.

I further propose the following:

1. Elimination of the Oil Depletion Allowance for Corporate Income Tax purposes will realize an estimated \$3.5 million, and implement a promise I made during the 1972 campaign.

2. Imposition of a State Excise Tax on undistributed profits of Tax-exempt Foundations will realize an estimated \$.5 million.

3. Increase of the Tax on diesel fuel by one cent per gallon to that tax at the same level as the Gasoline Tax will realize an estimated \$.16 million.

4. Increase the cost of truck decals from \$1.00 to \$4.00 will realize an estimated \$.5 million. This will raise us from the lowest rate in our area.

5. Finally, with the enactment of the above, I earnestly request repeal of the Public Utility Tax on residential electricity which will decrease our FY 76 Revenue by an estimated \$3.0 million.

Again, let me stress that I have developed these proposals with the clear intent of shielding our individual taxpayers from greater economic stress.

By more fairly redistributing the tax burden and by enacting these proposals, the State will finish FY 76 at the break-even point or with an extremely modest surplus. I must stress that in view of the uncertain economic conditions with which we are contending, our revenue picture could change from day to day. I may find it necessary to again this year request the privilege of appearing on this podium should our revenues further weaken.

If that does happen and it is necessary for me to come before you again, I want to make it crystal clear to all of you today that at that time I will outline the steps necessary to bring our Budget for next year into balance.

Short of the actual layoff of General Fund Employees, I will take every action necessary to achieve that goal.

Solutions will be found internally. Revenue measures other than those proposed today and other than those to be submitted separately to finance the teachers pay raise will be proposed.

Finally, I believe that we will know to what degree stern measures will be necessary after the Council of Economic Advisors submits to me its April report on the state of our revenues.

If they prove to be necessary, we will be prepared.

I have endeavored this afternoon to outline my view of the State of the State, address the subject of the Budget for next year, the modest, and indeed consumer-protective, tax measures needed to balance it, the proposed tax relief for our citizens, proposed new programs and thus, to the best of my ability, present what I hope you will take to be a fair and reasoned view of the State of the State as it is today.

I would like to close this afternoon by returning to one of the problems which I have touched on several times today - and that problem is Unemployment. Unemployment gnaws at the vitals of society. We must do our very best to provide employment for our less fortunate citizens who find themselves unemployed. Therefore, this afternoon, I want to propose the establishment of the Delaware State Emergency Employment Fund of some \$3 million in State Funds to create approximately 400 jobs, and, thereby, stimulate our economy during this period of high unemployment.

This Program will permit us to augment existing Federal Funds allocated to Delaware under various Federal Programs to create emergency jobs. The Federal support is important, but it is not enough.

The Program I propose to be effective July 1 will work in the following fashion. Allocation of half of the Fund, or \$1.5 million to be released when the State's unemployment rate hits 8%. The funds would be used to finance jobs for para-professionals, sub-professionals, and other jobs designed to meet the needs of State Agencies, including schools, serving the people of Delaware. If and when the State's unemployment rate reaches 10%, the second \$1.5 million would automatically be released for the same purpose and used in the same fashion. Funds would be used equitably throughout the State so that unemployed in every area could be helped.

I hope that the General Assembly, in its wisdom will support this Program as well as the other Programs that I have proposed today. And I want the people of our State to be assured that I, as Governor, am deeply concerned about the problems we face today and about our need to meet these problems head on, propose solutions, and take steps necessary to implement them.

* * * * *

The previously named Committee escorted the Governor from the Chamber.

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

The Secretary of the Senate and Chief Clerk of the House compared their Journals, found them to agree, and so notified the President.

On motion of Senator Cordrey, the two Houses separated to reconvene in their respective Chambers.

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The Senate reconvened at 3:54 p.m.

The Secretary announced that a message from the House indicated that it had adopted **SJR 7**.

Senator Cook introduced to the Senate the four winners of the Voice of Democracy contest and requested the privilege of the floor for Liam Padoraig Corbalis, the first prize winner, to address the Senate.

Senator Cordrey moved that the roll call on **SB 1** be lifted.

The roll call on the motion was taken and announced:

YES: Senators Adams, Cicone, Cook, Cordrey, Holloway, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 13.

NOT VOTING: Senators Berndt, Castle, Elliott, Hale, Hughes, Knox, Manning, Steele — 8.

Therefore, the motion prevailed.

Senator Hale moved that the roll call on the Bill be rescinded.

Senator Cordrey moved that Senator Hale's motion be tabled.

The roll call vote on Senator Cordrey's motion was taken and announced to be:

YES: Senators Adams, Cicone, Cook, Cordrey, Holloway, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 13.

NO: Senators Berndt, Castle, Elliott, Hale, Hughes, Knox, Manning, Steele — 8.

Therefore, the motion prevailed and Senator Hale's motion was tabled.

On further motion of Senator Cordrey, the roll call vote on **SB 1** was again tabled.

On the motion of Senator Adams, the necessary rules were suspended for the purpose of considering **SB 86**.

The roll call vote on the Bill was taken and revealed that 21 Senators voted YES; therefore, the Bill passed the Senate and was ordered to the House for concurrence.

On motion of Senator Zimmerman, **SB 3** was taken up for consideration, read by title only, the roll call taken and announced:

YES: Senators Adams, Berndt, Cicone, Cook, Holloway, Hughes, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 15.

NO: Senators Cordrey, Elliott, Hale and Steele — 4.

NOT VOTING: Senator Castle — 1.

ABSENT: Senator Knox — 1.

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

On motion of Senator Zimmerman, **SB 23** was taken up for consideration and read by title only. The roll call vote was taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 19.

NO: Senator Steele — 1.

ABSENT: Senator Elliott — 1.

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

The following Committee Reports were read:

From the Natural Resources and Environmental Control Committee: **SJR 4** — 5 Merits; **SB 82** — 2 Favorable, 3 Merits.

From the Judiciary Committee: **HB 22** — 4 Merits.

From the Community Affairs Committee: **SB 69** — 4 Merits; **SB 71** — 4 Merits.

From the Executive Committee: **SB 77** — 4 Merits; **SB 21** — 6 Merits; **SJR 8** — 6 Merits; **SJR 3** — 6 Merits; **SB 76** — 6 Merits.

The following Bills were introduced:

SB 97— “An Act to amend Title 29, Section 5109, of the Delaware Code, relating to open meetings by fixing the responsibility for disseminating notice of meetings of State Boards and Commissions.” Introduced by Senator Holloway. Assigned to Executive Committee.

SB 98 — “An Act to amend Chapter 21, Part II, Title 21 of the Delaware Code relating to the registration of vehicles; and providing for special registration plates in certain instances.” Introduced by Senator Cicione; Representatives Byrd, Gilligan and Maxwell. Assigned to Public Safety Committee.

SB 99 — “An Act to amend Subchapter 1, Chapter 41, Part III, Title 21, of the Delaware Code relating to obedience to and effect of traffic laws and rules of the road.” Introduced by Senator Berndt. Assigned to Public Safety Committee.

SB 100 — “An Act to amend Chapter 9, Part I, Title 10 of the Delaware Code relating to the addition of one Associate Judge to the Family Court; and providing a supplementary appropriation therefor.” Introduced by Senators Murphy and Cicione. Assigned to Judiciary Committee.

SB 101 — “An Act to amend Titles 14 and 29, Delaware Code, relating to the establishment of a Division of School Transportation and a Council on School Transportation within the Department of Public Safety; defining its organization,

powers, and functions and providing for the transfer of materials and equipment to said Division from the State Board of Education." Introduced by Senators Isaacs and Cicione. Assigned to Executive Committee.

SB 102 — "An Act to amend Title 16, Part I, Delaware Code, by creating a new Chapter to be designated as Chapter 2, to provide assistance to children with long-term birth defects who are not covered under existing programs and providing a supplemental appropriation to implement the provisions of this Act." Introduced by Senator Murphy. Assigned to Finance Committee.

SB 103 — "An Act to amend Chapter 5, Title 9, Delaware Code, relating to the definition of Suburban Communities." Introduced by Senators Elliott and Murphy. Assigned to Community Affairs Committee.

SB 104 — "An Act making an appropriation to the Division of Historical and Cultural Affairs to be used as matching funds to assist in the renovation or restoration of the Grand Opera House to provide Delaware with a center for the performing arts in connection with the Bicentennial Celebration and the rebuilding of the City of Wilmington, Delaware." Introduced by Senators Holloway and Schlor. Assigned to Finance Committee.

HB 11 — "An Act to amend an Act entitled: "An Act to reincorporate the Town of Delmar," relating to ordinances and the power to borrow money." Assigned to Community Affairs Committee.

SB 105 — "An Act to amend Chapter 75, Title 16, of the Delaware Code by adding a new section requiring the installation of fire-detecting devices." Introduced by Senator Holloway. Assigned to Public Safety Committee.

SA 1 to SB 8 was introduced by Senator Isaacs and placed with the Bill.

SA 1 to SB 70 was introduced by Senator Isaacs and was immediately stricken on his motion.

SA 1 to SB 28 introduced by Senator Cicione and placed with the Bill.

SA 14 to SB 1 introduced by Senator Zimmerman and placed with the Bill.

SR 20 was introduced by Senator Isaacs and laid on the table.

SR 20 — "Requesting the House of Representatives to return Senate Bill No. 8 to the Senate of the 128th General Assembly."

At 5:16 p.m. on the motion of Senator Isaacs, the Senate adjourned until January 29, 1975.

8TH LEGISLATIVE DAY

The Senate convened at 1:49 p.m. January 29, 1975, President Pro Tempore Isaacs presiding.

A Prayer was offered by the Chaplain, Rev. Alvin J. Willink.

Pledge of Allegiance to the Flag.

By roll call, 21 Senators were present.

The minutes were approved as read.

The Secretary announced that a message from the House indicated that it had adopted **SCR 9, SCR 10**.

The Chairman of the Judiciary Committee reported back to the Senate: **SB 100** — 1 Favorable, 2 Merits.

SR 20 which had been tabled, was taken up for consideration. Senators Adams, Cook, Elliott, Holloway, Kearns, Murphy, Sharp and Zimmerman were added as co-sponsors of the Resolution, the roll call vote taken and announced:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Knox, Manning, Martin, Murphy, Sharp, Steele, Zimmerman, Isaacs — 17.

NOT VOTING: Senator Schlör — 1.

ABSENT: Senators Castle, Hughes and McCullough — 3.

Therefore, the Resolution was adopted.

Senators Cordrey, Adams, Cook, Elliott, Holloway, Kearns, Murphy, Sharp and Zimmerman introduced **SCR 12** and moved that it be adopted.

SCR 12 — "Congratulating United States Senator Joseph R. Biden, Jr. on his appointment to the Foreign Relations Committee of the United States Senate."

The roll call vote was taken and announced:

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Knox, Manning, Martin, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 18.

ABSENT: Senators Castle, Hughes and McCullough — 3.

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

Senators Elliott and Adams (honorary co-sponsor Representative Temple) introduced **SCR 13** and moved that it be adopted.

SCR 13 — "Expressing vehement disapproval with the recent decision of the U. S. Coast Guard regarding the construction of a low level bridge across the Nanticoke River at Sharptown, Maryland, and further requesting assistance from the Attorney General or his designee to investigate all possible alternatives, including legal action against the State of Maryland."

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

YES: Senators Adams, Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Knox, Manning, Martin, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 18.

ABSENT: Senators Castle, Hughes and McCullough — 3.

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

Senator Holloway introduced **SCR 14** and moved that it be adopted:

SCR 14 — "Condemning the practice of hiring illegal aliens at a time when thousands of Delawareans are out of work, and requesting the Delaware Congressional Delegation to support Federal Legislation banning the practice."

The roll call vote on the Resolution revealed:

YES: Senators Adams, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 19.

NOT VOTING: Senator Berndt — 1.

ABSENT: Senator Castle — 1.

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

Senator Cordrey moved that the roll call on **SB 1** be lifted.

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

YES: Senators Adams, Cicione, Cook, Cordrey, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 12.

NO: Senators Hughes and Knox — 2.

NOT VOTING: Senators Berndt, Elliott, Hale and Steele — 4.

ABSENT: Senators Castle, Holloway, Manning — 3.

Therefore, the motion prevailed.

Senator Hale moved that the roll call on **SB 1** be stricken before being announced.

Senator Cordrey then moved that Senator Hale's motion be tabled.

The roll call vote on Senator Cordrey's motion was taken and announced to be:

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 13.

NO: Senators Berndt, Castle, Knox, Manning, Steele — 5.

NOT VOTING: Senators Elliott, Hale and Hughes — 3.

Therefore, the motion prevailed and Senator Hale's motion was tabled.

On further motion of Senator Cordrey, however, the roll call on **SB 1** was again tabled before being announced.

Senators Elliott and Murphy introduced **SCR 15** and moved that it be adopted.

SJR 15 — "Relating to Committee to oversee State Employee Benefits."

The roll call vote on the Resolution revealed:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Hughes, Kearns, Knox, Manning, Martin, Murphy, Sharp, Zimmerman, Isaacs — 17.

NO: Senators McCullough and Steele — 2.

NOT VOTING: Senator Holloway — 1.

ABSENT: Senator Schlör — 1.

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

SJR 9 was introduced by Senator Cicione and assigned to Labor Committee.

SJR 9 — "Directing Departments of the State which employ disabled persons to grant Administrative Leave under certain conditions without loss of regular sick and annual leave benefits."

SJR 10 was introduced by Senator Isaacs and assigned to Executive Committee.

SJR 10 — "Urging Governor Sherman W. Tribbitt to enlist the support of the State of Delaware in the Federal Court action challenging the Oil Import Tariff imposed by President Gerald Ford and pledging the cooperation of the Delaware General Assembly to the Governor."

SA 1 to SB 77 was introduced by Senator Isaacs. Placed with the Bill.

The Chair introduced **HJR 5**:

HJR 5 — "Congratulating Liam Corbalis of Archmere Academy on winning the Delaware Voice of Democracy Broadcast scriptwriting contest, and wishing him well in the coming National Competition." Assigned to Executive Committee.

The Chair introduced **HCR 6**:

HCR 6 — "Expressing the respect and felicitations of the 128th General Assembly to Mrs. Mary Louise Hynes, of Wilmington, on the occasion of her 100th Birthday on January 23, 1975."

On motion of Senator Castle, the roll call vote on the Resolution was taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Knox, Martin, McCullough, Schlor, Sharp, Steele, Zimmerman, Isaacs — 19.

ABSENT: Senators Manning and Murphy — 2.

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

On motion of Senator Adams, **SB 72** was taken up for consideration and read by title only.

Before, the roll call vote on the Bill was announced, it was tabled on motion of Senator Adams.

On motion of Senator Hale, **SB 81** was taken up for consideration and read by title only.

The privilege of the floor was extended to Dr. Cannon to speak on the Bill.

On further motion of Senator Hale, final consideration of the Bill was deferred.

At 3:10 p.m. on motion of Senator Cordrey, the Senate recessed for one hour.

The Senate reconvened at 5:49 p.m.

SB 81 which had been deferred was again taken up for consideration.

SA 1 to the Bill was introduced by Senator Murphy and placed with the Bill.

On motion of Senator Murphy, final consideration of the Bill was again deferred.

The following Committee reports were read:

From the Finance Committee: **SB 104** — 5 Merits.

From the Judiciary Committee: **HB 40** — 2 Merits, 1 Unfavorable; **SB 65** — 2 Favorable, 3 Merits; **SB 26** — 1

Favorable, 4 Merits; **SB 42** — 5 Merits.

On motion of Senator Cicione, **SB 9** was taken up for consideration and read by title only.

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

YES: Senators Adams, Berndt, Cicione, Cook, Elliott, Hale, Holloway, Kearns, Knox, Manning, Martin, Murphy, Schlör, Sharp, Steele, Zimmerman — 16.

ABSENT: Senators Castle, Cordrey, Hughes, McCullough, Isaacs — 5.

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

On motion of Senator Cicione, **SB 80** was taken up for consideration and read by title only.

The roll call vote on the Bill was taken but tabled on motion of Senator Cicione before being announced.

On motion of Senator Adams, the roll call vote on **SB 72** was lifted and announced:

YES: Senators Adams, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 15.

NO: Senator Steele — 1.

NOT VOTING: Senators Berndt, Castle, Hughes and Knox — 4.

ABSENT: Senator Manning — 1.

Therefore, the Bill was declared lost since passage required a $\frac{3}{4}$ vote of the Senate.

At 6:15 p.m. on motion of Senator Cordrey, the Senate recessed for purpose of caucus.

The Senate reconvened at 7:25 p.m.

On motion of Senator Schlör, the necessary rules were suspended for the purpose of considering **SB 104**.

Senator Schlör introduced **SA 1** to the Bill and moved that it be adopted.

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Isaacs — 19.

NO: Senator Steele — 1.

ABSENT: Senator Zimmerman — 1.

Therefore, the Amendment was adopted.

On motion of Senator Schlör, the roll call vote was then taken on **SB 104 w SA 1** and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Isaacs — 18.

NO: Senator Steele — 1.

NOT VOTING: Senator Sharp — 1.

ABSENT: Senator Zimmerman — 1.

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

At 7:32 p.m. on motion of Senator Isaacs, the Senate recessed until 9:00 p.m. for dinner.

The Senate reconvened at 10:49 p.m., President Pro Tempore Isaacs presiding.

Senator Manning moved that the Senate adjourn until January 30.

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

YES: Senators Berndt, Castle, Elliott, Hale, Hughes, Knox, Manning, Steele — 8.

NO: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 12.

ABSENT: Senator Martin — 1.

Therefore, the motion was defeated.

On motion of Senator Berndt, and without objection, **SB 72** was restored to the Calendar.

At 11:00 p.m. the Senate recessed for a short period on motion of Senator Cordrey.

The Senate reconvened at 11:12 p.m.

On motion of Senator Cordrey, **HB 12** was taken up for consideration and read by title only.

The privilege of the floor was extended to Dr. Tierkel, Delaware Division of Public Health, to speak on the Bill.

On motion of Senator Cordrey, the roll call vote on the Bill was taken but before being announced he moved that it be tabled.

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

YES: Senators Adams, Cicione, Cook, Cordrey, Elliott, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 13.

NO: Senators Berndt, Castle, Hale, Hughes, Knox, Manning, Steele — 7.

NOT VOTING: Senator Holloway — 1.

Therefore, the motion prevailed and the roll call on **HB 12**

was tabled.

The Chair introduced the following House Bills:

HB 97 — “An Act to amend Chapter 27, Title 30, Delaware Code, relating to tax on Petroleum Refineries.”

HB 98 — “An Act to amend Chapter 13, Title 14, Delaware Code, relating to salaries and working conditions of School Employees and providing appropriations therefor.”

HB 99 — “An Act to amend Sections 1305, 1306, 1307, 1308, 1309, 1310, 1321, 1322, 1324 and 1326 of Chapter 13, Title 14, Delaware Code, by providing for an eight percent (8%) salary increase effective January 1, 1975 and providing a supplementary appropriation therefor.”

Senator Cordrey moved that the necessary rules be suspended for the purpose of considering the three Bills.

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

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Martin, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 12.

NO: Senators Castle, Elliott, Hale, Hughes, Knox, Manning, Steele — 7.

NOT VOTING: Senators Berndt and McCullough — 2.

Therefore, the motion prevailed and the Bills were declared to be before the Senate for consideration.

On motion of Senator Cordrey, the roll call vote on **HB 97** was taken and announced to be:

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman — 12.

NO: Senators Castle, Elliott, Hale, Hughes, Knox, Manning, Steele — 7.

NOT VOTING: Senators Berndt and Isaacs — 2.

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

On motion of Senator Cordrey, **HB 98** was taken up for consideration and the roll call vote taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 20.

NO: Senator Steele — 1.

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

On motion of Senator Cordrey, **HB 99** was taken up for consideration. The names of the following Senators were

added as co-sponsors of the Bill: Senators Manning, Elliott, Hughes, Sharp and Murphy.

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

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 20.

NO: Senator Steele — 1.

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

At 12:57 a.m. January 30, 1975, on motion of Senator Cordrey the Senate adjourned until 1:30 p.m. January 30, 1975.

9TH LEGISLATIVE DAY

The Senate convened at 2:11 p.m. January 30, 1975, President Pro Tempore Isaacs presiding.

A Prayer was offered by the Chaplain, Rev. Alvin J. Willink.

Pledge of Allegiance to the Flag.

By roll call, there were 21 Senators present.

The Journal was approved as read.

The Secretary announced that a message from the House informed the Senate that it had adopted **SCR 11** and **SR 20**.

SA 1 to **SA 13** to **SB 1** was introduced by Senator Hale and placed with the Bill.

SCR 17 sponsored by Senator Elliott and Representative Temple was introduced and laid on the table in the absence of Senator Elliott.

SCR 17 — "Urging that every encouragement be given to the Southern Railway System in its efforts to acquire all but seventy-four miles of trackage of the bankrupt Penn Central Railroad on the Delmarva Peninsula."

SS 1 for **SB 85** sponsored by Senator Elliott; Representatives Ferguson and Temple was introduced and assigned to Natural Resources and Environmental Control Committee.

The following Bills were introduced and assigned:

SB 106 — "An Act to amend Subchapter I, Chapter 9, Title 28 of the Delaware Code relating to the administration and processing of General Liability Insurance Policies and Certificates required of Automobile Race Operators." Sponsor: Senator Elliott. Assigned to Banking, Insurance and Elections Committee.

SB 107 — “An Act to amend Part II, Title 29 of the Delaware Code relating to the General Assembly; and providing for the registration of lobbyists.” Sponsors: Senators Cicone and Holloway. Assigned to Executive Committee.

SB 108 — “An Act to amend Title 14, Delaware Code, by establishing the Board of Trustees of the Delaware Institute of Veterinary Medical Education.” Sponsors: Senators Kearns, Castle, Elliott, Isaacs. Assigned to Agriculture Committee.

SB 109 — “An Act to amend Title 29, Section 5109 of the Delaware Code relating to open meetings of Boards and Commissions and Councils of the State of Delaware or its Subdivisions.” Sponsor: Senator Holloway. Assigned to Administrative Services Committee.

SB 110 — “An Act to amend Chapter 19, Part I, Title 10 of the Delaware Code relating to the powers and duties of Courts and Judges; and providing for occasional messages to the General Assembly on the State of the Judiciary.” Sponsors: Senators Berndt and Kearns. Assigned to Judiciary Committee.

Senator Isaacs, with all the Senators as co-sponsors, introduced **SR 21** and moved that it be adopted.

SR 21 — “Congratulating our good friend and colleague, the Honorable Herman M. Holloway, Sr., the State Senator from the Second Senatorial District, on the occasion of his 53rd Birthday which will arrive on February 4, 1975.”

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

YES: Senators Adams, Berndt, Cicone, Cook, Cordrey, Elliott, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Steele, Isaacs — 16.

NOT VOTING: Senator Holloway — 1.

ABSENT: Senators Castle, Hale, Hughes and Zimmerman — 4.

Therefore, the Resolution was adopted.

The following Bills were introduced and assigned to Committee:

SB 111 — “An Act to amend Chapter 3, Title 4 of the Delaware Code relating to compensation of the Delaware Alcoholic Control Commission.” Sponsor: Senator Cicone. Assigned to Administrative Services.

SB 112 — “An Act making a supplementary appropriation to the State Personnel Commission to carry out the provisions of Chapter 575, Volume 59 Laws of Delaware effectual regulation of the conduct of officers and employees of the State

of Delaware." Sponsor: Senator Zimmerman. Assigned to Administrative Services.

SB 113 — "An Act to amend Chapter 17, Title 14, Delaware Code, relating to Reserve Appropriation; Adjustments." Sponsor: Senator Zimmerman. Assigned to Finance Committee.

SB 114 — "An Act to amend Chapter 23 of Title 19, Delaware Code, relating to the maximum amount of compensation for partial disability and certain permanent injuries." Sponsor: Senator Isaacs. Assigned to Finance Committee.

SB 115 — "An Act to amend Chapter 5 of Title 4, Delaware Code, relating to the grounds for refusal of license." Sponsor: Senator Isaacs. Assigned to Public Safety Committee.

SB 116 — "An Act making a supplementary appropriation to the Department of Highways and Transportation for the purpose of paying the automobile repair cost incurred by a Charles T. Baen as a result of an accident at the intersection of Routes 896 and 71 located in New Castle County, Delaware." Sponsor: Senator Isaacs. Assigned to Highways and Transportation Committee.

SB 117 — "An Act to amend Chapter 86, Title 9 of the Delaware Code relating to the penalty for late payment of New Castle County Taxes." Sponsor: Senator Kearns. Assigned to Community Affairs Committee.

SB 118 — "An Act to amend Chapter 19, Title 14 of the Delaware Code relating to the penalty for late payment of School Taxes." Sponsor: Senator Kearns. Assigned to Community Affairs Committee.

SJR 11 — "Authorizing the Governor to designate the Secretary of State to negotiate the purchase of "Bellevue", the estate of the late William du Pont, Jr., immediately on passage by the 128th General Assembly of the necessary appropriation therefor." Sponsors: Senators Hughes, Steele, Berndt, McCullough, Holloway.

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

HB 13 — "An Act to amend Chapter 91, Title 9, Delaware Code, relating to uniform mileage payments." Sponsor: Representative Darling. Assigned to Finance Committee.

HB 41 — "An Act to amend Title 14, Section 1918, Delaware Code, by increasing the penalties to be paid for delinquent School Taxes in New Castle County." Sponsor:

Representative Gilligan. Assigned to Community Affairs Committee.

HB 48 — “An Act to amend Chapter 55, Part V, Title 29 of the Delaware Code relating to the State Employees’ Pension Plan; and providing legislative control over administrative expenditures from such Fund.” Sponsors: Representatives Gilligan, Maxwell, Kelly and Bryd. Assigned to Revenue and Taxation Committee.

HB 76 — “An Act to provide a pension for Martin J. Finerty, a former State Employee.” Sponsor: Representative Boulden.

On motion of Senator McCullough, the Bill was placed on the Table.

HCR 7 — “Extending hearty congratulations to the St. Mark’s High School Spartans for winning the Delaware State High School Spartans for winning the Delaware State High School Football Championship for the second consecutive Season.” Sponsor: Representatives Gilligan, Jonkiert, Ambrosino, Connor; Senators Sharp, Cicione, Hughes, Castle.

On motion of Senator Cicione, the Resolution was tabled.

HCR 8 — “EXPRESSING VEHEMENT DISAPPROVAL WITH THE RECENT DECISION OF THE U. S. COAST GUARD REGARDING THE CONSTRUCTION OF A LOW LEVEL BRIDGE ACROSS THE NANTICOKE RIVER AT SHARPTOWN, MARYLAND, AND FURTHER REQUESTING ASSISTANCE FROM THE ATTORNEY GENERAL OR HIS DESIGNEE TO INVESTIGATE ALL POSSIBLE ALTERNATIVES, INCLUDING LEGAL ACTION AGAINST THE STATE OF MARYLAND.

WHEREAS, the State of Delaware has recently learned that the U.S. Coast Guard has issued a permit for the State of Maryland to construct a bridge across the Nanticoke River at Sharptown, Maryland, with a vertical clearance of forty feet above mean high water; and

WHEREAS, Delaware residents living in the vicinity of the Nanticoke River are of the opinion that if the State of Maryland constructs the bridge at the proposed height of forty feet much of the river traffic presently using the river, particularly in the Seaford area, will be shut completely off; and

WHEREAS, the construction of such bridge will cause economic deprivation to areas in Delaware which presently utilize the river and thus will deter growth in all Delaware communities which presently utilize the river; and

WHEREAS, the Nanticoke River is the only access in lower Delaware to the Chesapeake Bay from Delaware and is the only river in Sussex County navigable to commercial vessels and to pleasure crafts owned by Seaford area residents who are eagerly planning to utilize the facilities of a recently completed commercial marina upstream from Seaford which can accommodate vessels requiring more than forty feet vertical clearance; and

WHEREAS, the Seaford-Blades Chamber of Commerce, the Seaford City Council, and the Division of Economic Development, among others have gone on record as opposing construction of any bridge spanning the Nanticoke River in Maryland that would fail to meet with intercoastal waterway standards that specify a minimum clearance height of 65 feet above mean high water of a bridge crossing a river considered to be intercoastal waterway; and

WHEREAS, the members of the 127th General Assembly passed and the Governor signed Senate Concurrent Resolution No. 10 in March, 1973, voicing opposition to the construction of such bridge, which subsequently ended up in U.S. District Court whereby the Court granted an injunction delaying the construction of the bridge; and

WHEREAS, the members of the 128th General Assembly of the State of Delaware are likewise in opposition to the construction of the bridge at Sharptown, Maryland.

NOW, THEREFORE:

BE IT RESOLVED by the Senate of the 128th General Assembly of the State of Delaware, the House of Representatives concurring therein, that the 128th General Assembly go on record as strongly opposing plans by the State of Maryland to build such bridge over the Nanticoke River at Sharptown, Maryland.

BE IT FURTHER RESOLVED the members of the 128th General Assembly hereby request the Attorney General of the State of Delaware or his designee to investigate, as soon as possible, possible alternatives to delay and even stop the State of Maryland from proceeding to construct such bridge across the Nanticoke River at Sharptown, Maryland, to include legal action against the State of Maryland if he deems it so necessary.

BE IT FURTHER RESOLVED that the Governor and the Attorney General, in accordance, with the provisions of §2507, Title 29, Delaware Code, may employ special counsel to

represent the State in this matter, if in their judgement they deem it necessary.

BE IT FURTHER RESOLVED that the text of this Resolution be spread upon the Journals of the Delaware Senate and House of Representatives, and copies of this Resolution be forwarded to the Governor of the State of Delaware, members of the Delaware Congressional Delegation, the Attorney General and members of the Sussex County Council."

* * * * *

On motion of Senator Cordrey, the roll call vote on the Resolution was taken and announced:

YES: Senators Adams, Berndt, Cicone, Cook, Cordrey, Elliott, Holloway, Hughes, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 18.

NOT VOTING: Senators Castle, Hale, Knox — 3.

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

On motion of Senator Cicone, **HCR 7** was lifted from the table and the roll call vote taken for its adoption.

21 Senators voting YES and the Resolution was declared adopted by the Senate and returned to the House.

On motion of Senator Hale, **SB 81** was lifted for consideration.

The privilege of the floor was extended to Dr. Corde Hart, M.D., Division of Mental Health, to speak on the Bill.

On motion of Senator Murphy, **SA 1** to the Bill was considered for adoption, the roll call taken and announced:

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Elliott, Hughes, Kearns, Martin, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 15.

NO: Senators Hale, Holloway, McCullough, Steele — 4.

NOT VOTING: Senator Manning — 1.

ABSENT: Senator Knox — 1.

Therefore, the Amendment was adopted.

On motion of Senator Hale, the roll call vote on **SB 81 w SA 1** was taken and announced:

YES: Senators Adams, Berndt, Castle, Cicone, Cook, Cordrey, Elliott, Hale, Holloway, Hughes, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 20.

ABSENT: Senator Knox — 1.

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

On motion of Senator Cordrey, **SB 24** was taken up for consideration and the following names added as co-sponsors: Senators Isaacs, Murphy, Elliott, Hughes, Cook, Adams, Sharp, Berndt, Cicione, Kearns.

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Holloway, Hughes, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 19.

ABSENT: Senators Hale and Knox — 2.

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

At 3:05 p.m. on motion of Senator Cordrey, the Senate recessed for 45 minutes.

The Senate reconvened at 5:36 p.m. Lt. Governor Bookhammer presiding.

On motion of Senator Cordrey, **SB 27** was taken up for consideration, the roll call taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Martin, McCullough, Schlör, Sharp, Steele, Isaacs — 16.

ABSENT: Senators Cook, Elliott, Manning, Murphy, Zimmerman — 5.

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

SCR 16 sponsored by Senator Hughes and all the Senators was introduced and read in its entirety:

SCR 16 — "EXTENDING THE CONGRATULATIONS AND FELICITATIONS OF THE 128TH GENERAL ASSEMBLY TO THE HONORABLE EUGENE D. BOOKHAMMER, LIEUTENANT GOVERNOR OF DELAWARE, AND HIS LOVELY WIFE, KATHERINE (KITTY) BOOKHAMMER, ON THEIR WEDDING ANNIVERSARY."

On motion of Senator Hughes, the roll call vote on the Resolution was taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Isaacs — 19.

ABSENT: Senators Elliott and Zimmerman — 2.

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

HB 22 was taken up for consideration on motion of Senator Kearns.

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 19.

NO: Senator Steele — 1.

ABSENT: Senator Elliott — 1.

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

SB 69 was taken up for consideration on motion of Senator Kearns and the privilege of the floor was extended to Willam Hart, representing New Castle County to speak on the Bill.

The following two communications were read into the record on motion of Senator Kearns:

RESOLUTION NO. 75-17

RESOLUTION URGING THE 128TH GENERAL ASSEMBLY TO APPROVE CERTAIN AMENDMENTS TO THE DELAWARE STATE CODE

RESOLVED: New Castle County urges the 128th General Assembly to adopt the following amendments to the Delaware State Code, copies of which are attached hereto:

AN ACT TO AMEND CHAPTER 86, TITLE 9 OF THE DELAWARE CODE RELATING TO THE PENALTY FOR LATE PAYMENT OF NEW CASTLE COUNTY TAXES

AN ACT TO AMEND CHAPTER 19, SUBCHAPTER I, TITLE 14 OF THE DELAWARE CODE RELATING TO THE PENALTY FOR LATE PAYMENT OF SCHOOL TAXES

AN ACT TO AMEND CHAPTER 13, SUBCHAPTER I, TITLE 9 OF THE DELAWARE CODE RELATING TO THE BOARD OF ASSESSMENT REVIEW

BE IT FURTHER RESOLVED: That copies of this Resolution shall be sent to each member of the 128th General Assembly.

Adopted by County Council of New Castle County on 1-21-75.

(Signed) Henry R. Folsom, Jr.
President of County Council of New Castle
County

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NEW CASTLE COUNTY

January 17, 1975

Members of the General Assembly
 Legislative Hall
 Dover, Delaware

MEMBERS OF THE GENERAL ASSEMBLY:

As has been the case in the past, the New Castle County Government, both Legislative and Executive, have compiled a list of amendments to the Delaware Code which we feel would assist us in the conduct of our governmental affairs.

Four such amendments have been approved by resolution of the County Council. These four also have my support. I would hope that as a member of the 128th General Assembly that these proposals would be approached positively by you.

The four already approved relate to:

a. Penalties to be increased for late County property tax payments.

b. Penalties to be increased on late school property tax payments.

c. Increased membership on the Board of Assessment Review.

d. Transfer of Slum Clearance and Housing Authority functions to the New Castle County Government departments.

In the very near future, you will be receiving an additional resolution from the County Council with approximately fifteen proposed legislative changes.

Thank you for your consideration and I look forward to working with you during the next two years.

Very truly yours,
 (Signed) Melvin A. Slawik
 County Executive

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On motion of Senator Kearns, the roll call vote on the Bill was tabled.

At 6:24 p.m. on motion of Senator Cordrey, the Senate recessed and reconvened at 9:14 p.m., Lt. Governor Bookhammer presiding.

On motion of Senator Cordrey, the roll call vote on **SB 1** was lifted from the table and rescinded.

SA 15 to SB 1 was introduced by Senator Cordrey and considered for adoption.

At 9:53 p.m. on motion of Senator Cordrey, the Senate recessed and was called back at 10:34 p.m., Lt. Governor Bookhammer presiding.

On motion of Senator Cordrey, SA 15 to SB 1 was laid on the table.

The following communications from the Governor were read and assigned to Executive Committee.

**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

January 30, 1975

To the Senate of the 128th General
Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Mrs. Leah W. Betts, 113 Magnolia Street, Milton, Delaware, to be a member of the Violent Crimes Compensation Board, for a three-year term from date of confirmation. (New)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

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**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

January 30, 1975

To the Senate of the 128th General
Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Hugh R. Sharp, Jr., Gibraltar, Wilmington, Delaware, to be a member of the Board of Trustees, University of Delaware, for a six-year term from January 15, 1975, to expire January 15, 1981. (Reappointment).

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

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**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

January 30, 1975

To the Senate of the 128th General
Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Mrs. Kathryn T. Derrickson, 306 Harrington Avenue, Harrington, Delaware, to be a member of the Council on Highways, to fill the unexpired term ending August 9, 1976, succeeding Eugene G. Auen, resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

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**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

January 30, 1975

To the Senate of the 128th General
Assembly of the State of Delaware:

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate, the following, elected by the Board of Trustees to be a member of that Board:

Hudson E. Gruwell, Little Creek & Leipsic Roads, Dover, Delaware, to be a member of the Board of Trustees, University of Delaware, for a six-year term from December 14, 1974, to expire December 14, 1980, succeeding Harold W. Horsey.

The above name is not a gubernatorial appointment.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

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**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

January 30, 1975

To the Senate of the 128th General
Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

John W. Sievers, 595 Lake Drive, West, Smyrna, Delaware, to be a member of the State Coastal Zone Industrial Control Board, for a five-year term from July 28, 1974, to expire July 28, 1979. (Reappointment)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

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**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

January 30, 1975

To the Senate of the 128th General
Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Benjamin Orkin, 16 Nelson Street, Milford, Delaware, to be a member of the Bingo Control Commission, for a five-year term from September 1, 1974 to expire September 1, 1979. (Reappointment)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

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**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

January 30, 1975

To the Senate of the 128th General
Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Mrs. Louise T. Brothers, 95 East Park Place, Newark, Delaware, to be a Justice of the Peace for New Castle County, for a four-year term from date of confirmation. (Reappointment)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

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**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

January 30, 1975

To the Senate of the 128th General
Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Clifford B. Hearn, Jr., Esq., 700 West 20th Street, Wilmington, Delaware, to be a member of the Violent Crimes Compensation Board, for a two-year term from date of confirmation. (New)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

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**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

January 30, 1975

To the Senate of the 128th General
Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Charles L. Simms, 1210 Evergreen Road, Wilmington, Delaware, to be a member of the Delaware Technical and Community College, Board of Trustees, for a three-year term from April 21, 1974 to expire April 21, 1977. (Reappointment).

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

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**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

January 30, 1975

To the Senate of the 128th General
Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Stephen L. Manista, 300 Taylor Road, Wilmington, Delaware, to be a member of the Violent Crimes Compensation Board, for a three-year term from date of confirmation. (New)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

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**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

January 30, 1975

To the Senate of the 128th General
Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Emory R. West, Sr., 510 Chestnut Street, Milton, Delaware, to be a Justice of the Peace in and for Sussex County, for a four-year term effective September 29, 1974 to expire September 29, 1978. (Reappointment)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

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**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

January 30, 1975

To the Senate of the 128th General
Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent

and confirmation of the Senate, the following:

Joshua M. Twilley, R.D. 6, - Box 474, Dover, Delaware, to be a member of the Public Service Commission, to fill the unexpired term ending September 1, 1979, of Benjamin Hughes, Jr., resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

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**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

January 30, 1975

To the Senate of the 128th General
Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

John T. Gallagher, Jr., 616 Whitby Drive, Wilmington, Delaware, to be a member of the Delaware Code Revisors, for a term expiring with the termination of the 129th General Assembly. (Reappointment)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

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**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

January 30, 1975

To the Senate of the 128th General
Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Robert H. George, P.O. Box 436, Dover, Delaware, to be a member of the Violent Crimes Compensation Board, for a one-year term from date of confirmation. (New)

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

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**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

January 30, 1975

To the Senate of the 128th General
Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

William L. Jones, 111 North Race Street, Georgetown, Delaware, to be a Justice of the Peace for Sussex County, for a four-year term from date of confirmation, succeeding Eldridge J. Horsey, resigned.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

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**STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

January 30, 1975

To the Senate of the 128th General
Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate, the following:

Kent S. Price, 71 Sussex Drive, Lewes, Delaware, to be a member of the Atlantic States Marine Fisheries Commission, for a term of three years, from date of confirmation, to succeed Franklin C. Daiber, Ph. D.

Your consideration of this nomination will be appreciated.

Respectfully submitted,
(Signed) Sherman W. Tribbitt
Governor

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SB 100 was taken up for consideration on motion of Senator Murphy and read by title only. The roll call vote was

taken and announced:

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 13.

NO: Senator Steele — 1.

ABSENT: Senators Berndt, Castle, Elliott, Hale, Hughes, Knox, Manning — 7.

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

SB 116 was reported back to the Senate by the Chairman of the Highways and Transportation Committee: 2 Favorable, 2 Merits.

The following Bills were introduced:

SB 119 — "An Act authorizing a supplemental appropriation to the Division of Public Health for the purpose of establishing an Extended Care Unit for the care and treatment of chronically ill adults." Sponsor: Senator Cicione. Assigned to Finance Committee.

SB 120 — "An Act authorizing a supplemental appropriation to the Division of Adult Corrections to relieve severe overcrowding in the correctional facilities." Sponsor: Senator Cicione. Assigned to Finance Committee.

SCR 18 — "Appointing Directors on the part of the State for the Farmers Bank of the State of Delaware for the Branch at Wilmington, Delaware." Sponsor: Senator Isaacs.

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

SB 8 which had previously passed the Senate and was returned to the Senate from the House pursuant to **SR 20** was taken up for reconsideration on motion of Senator Isaacs.

On motion of Senator Isaacs, the roll call vote on the Bill was rescinded.

Senator Isaacs introduced **SA 1** to the Bill and moved that it be adopted.

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

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Isaacs — 13.

ABSENT: Senators Berndt, Castle, Elliott, Hale, Hughes, Knox, Manning, Zimmerman — 8.

Therefore, the Amendment was adopted.

On motion of Senator Isaacs, the roll call vote on **SB 8** w

SA 1 was then taken and announced:

YES: Senators Adams, Cicone, Cook, Cordrey, Holloway, Kearns, Martin, McCullough, Schlör, Sharp, Zimmerman, Isaacs — 12.

NOT VOTING: Senator Steele — 1.

ABSENT: Senators Berndt, Castle, Elliott, Hale, Hughes, Knox, Manning, Murphy — 8.

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

The Senate recessed at 11:24 p.m. and reconvened at 11:50 p.m.

SB 71 was taken up for consideration, read by title only and then laid on the table on motion of Senator Kearns.

SB 1 was again taken up for consideration on motion of Senator Isaacs.

The roll call vote on **SA 15** to the Bill which had been tabled, was taken and announced to be:

YES: Senators Adams, Cicone, Cook, Cordrey, Holloway, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Isaacs — 12.

NOT VOTING: Senators Berndt, Castle, Hale, Hughes, Knox, Manning, Steele — 7.

ABSENT: Senators Elliott and Zimmerman — 2.

Therefore, the Amendment was adopted.

The Senate recessed at 12:13 a.m. January 31, 1975 and reconvened at 1:57 a.m., Lt. Governor Bookhammer presiding.

SB 1 w SA 15 was again taken up for consideration and on motion of Senator Castle, the following proposed Amendment which had never been introduced was made part of the record:

"AMEND Senate Bill No. 1 by adding an additional \$5,050,000 to the total on page 3, line 13.

FURTHER AMEND Senate Bill No. 1 by adding to subsection 7(a) a new sub-heading to read as follows:

"Intersectional Improvements - \$60,000."

FURTHER AMEND Senate Bill No. 1 by adding to Subsection 7(a) a new sub-heading to read as follows:

"Suburban Drainage Program - \$50,000."

FURTHER AMEND Senate Bill No. 1 by adding to Subsection 7(b) a new sub-heading to read as follows:

"Land Acquisition - \$4,000,000."

FURTHER AMEND Senate Bill No. 1 by adding to Section 7 a new subsection to read as follows:

Department of Public Instruction

	<u>Total Cost</u>	<u>Local Share</u>	<u>State Share</u>
Alexis I. du Pont Middle School Renovations	1,925,000	896,000	1,029,000
Appoquinimink Middletown High School Renovations	2,416,000	966,000	1,450,000

FURTHER AMEND Senate Bill No. 1 by adding after Section 1 as it appears on page 1 thereof, a new Section 2 reading as follows:

"Section 2. There is appropriated to the State Board of Education for school construction purposes in the School Districts hereinafter set forth in Section 9 of this Act the sum of \$1,862,000 constituting the sum total of local shares of school construction programs herein authorized for the financing of which such School Districts have not issued local school bonds."

FURTHER AMEND Senate Bill No. 1 by adding after Section 8 as it appears on page 4 thereof, a new Section 9 reading as follows:

"Section 9. (a) The sum of \$1,862,000 appropriated by Section 2 of this Act may be used for the costs of the purposes for which such local shares were authorized in the respective amounts allocated to each School District as follows:

NAME OF SCHOOL DISTRICT	AMOUNT
(1) Alexis I. du Pont Middle School Renovations	\$896,000
(2) Appoquinimink Middletown High Sch. Renovations	966,000

(b) The said sum of \$1,862,000 or so much as may be necessary for carrying out the purposes of Section 2 of this Act shall be borrowed by the issuance of bonds and bond anticipation notes upon the full faith and credit of the State of Delaware. Such bonds and notes shall be issued in accordance with the provisions of Chapter 74, Title 29, Delaware Code and Chapter 75, Title 29, Delaware Code where applicable but shall not be within any debt or other limitation of the State within the meaning of Subchapter 11, Chapter 74, Title 29, Delaware Code.

(c) Any funds borrowed pursuant to Section 2 of this Act and remaining unexpended after the completion of the programs authorized by this Act and any funds borrowed for a school district pursuant to this Act and remaining unexpended because a project authorized by this Act is not timely undertaken shall be deposited in a special account for that school district and appropriated against their future capital improvement bond requirements. Any funds that shall accrue to any school district in the State from the Treasury of the United States for building purposes shall be deposited in the State Treasury and shall be allocated by the State Board of Education to the School District for which the funds are appropriated. The said funds shall be in addition to any other local share and/or State share."

FURTHER AMEND Senate Bill No. 1 by renumbering all the sections and recomputing all appropriate totals and subtotals.

SYNOPSIS

\$450,000 of the monies in the first paragraph of this amendment are for improvements to West Chestnut Hill Road. \$1,000,000 of the monies in the first paragraph of this amendment are for the improvement of Moores Lane. \$600,000 of the monies in the first paragraph of this amendment are for the replacement of Sussex County Bridges 251, 322, 367, 368, and 670; and also repairs to Sixth Street in the Town of Laurel across the Rosskutum Branch. \$2,500,000 in the first paragraph of this amendment are for the improvement of Porter Road. \$500,000 in the first paragraph of this amendment are for improvements to the road through Townsend. The \$60,000 added by paragraph 3 of this act are for the improvement of the intersection at Limestone Road and Arundel Drive. The \$50,000 allocated by the 5th paragraph of this Amendment are to correct drainage problems in Edgemoor Gardens. The \$4,000,000 allocated by paragraph 6 of this amendment are for the acquisition of Bellevue Estate.

Thomas D. Runnels

* * * * *

Senator Manning moved that the roll call vote on SA 15 to SB 1 be rescinded.

The roll call vote on the motion to rescind was taken and

announced:

YES: Senators Berndt, Castle, Hale, Hughes, Knox, Manning, Steele — 7.

NO: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Martin, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 12.

ABSENT: Senators Elliott and McCullough — 2.

Therefore, the motion was defeated.

On motion of Senator Cordrey, the roll call vote on **SB 1 w SA 15** was taken but was tabled before being announced on motion of Senator Cordrey.

SCR 19 sponsored by Senators Zimmerman and Isaacs was read:

SCR 19 — “Appointing Directors on the part of the State for the Farmers Bank of the State of Delaware.”

On motion of Senator Zimmerman, the roll call vote on the Resolution was taken and announced:

YES: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 13.

NO: Senators Berndt, Castle, Knox, Manning, Steele — 5.

NOT VOTING: Senator Hale — 1.

ABSENT: Senators Elliott and Hughes — 2.

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

SB 72 which had been defeated for passage and restored to the Calendar was again taken up for consideration on motion of Senator Adams.

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Hale, Holloway, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 19.

ABSENT: Senators Elliott and Hughes — 2.

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

The Chair introduced **HB 96 w HA 1** — “An Act to amend Chapter 5, Title 28, Delaware Code, relating to racing dates and the State Tax and Licensee’s Commissions on pari-mutual and totalizator pools at Harness Racing Tracks.” Sponsor: Representative Matushefske.

Senator Isaacs moved that the necessary rules be suspended for the purpose of considering the Bill.

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

YES: Senators Adams, Cicione, Cook, Cordrey, Hale, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 18.

NOT VOTING: Senators Berndt and Castle — 2.

ABSENT: Senator Elliott — 1.

Therefore, the motion carried and the Bill was declared to be before the Senate for consideration.

On motion of Senator Isaacs, the roll call vote on the Bill was then taken and announced:

YES: Senators Berndt, Castle, Cicione, Cook, Holloway, Hughes, Kearns, Knox, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 17.

NO: Senator Cordrey — 1.

NOT VOTING: Senators Adams and Hale — 2.

ABSENT: Senator Elliott — 1.

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

On motion of Senator Cordrey, the roll call vote on **HB 12** was lifted but again tabled on his motion before being announced.

At 3:04 a.m. on motion of Senator Cordrey, the Senate recessed to the call of the President Pro Tempore.

The Senate was called to order at 2:20 p.m. February 5, 1975, Lt. Governor Bookhammer presiding.

On motion of Senator Cordrey, the roll call vote on **SB 1 w SA 15** was lifted.

Senator Cordrey then moved that the roll call vote on **SB 1 w SA 15** be rescinded.

The roll call vote on his motion was taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Manning, Martin, Murphy, Schlör, Steele, Isaacs — 16.

NO: Senators McCullough, Sharp and Zimmerman — 3.

ABSENT: Senators Hughes and Knox — 2.

Therefore, the motion prevailed and the roll call vote on the Bill was rescinded.

Senator Cordrey moved that the roll call vote on **SA 15 to SB 1** be rescinded.

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

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Manning, Martin, Murphy, Schlör, Steele, Isaacs — 16.

NO: Senators McCullough, Sharp and Zimmerman — 3.

ABSENT: Senators Hughes and Knox — 2.

Therefore, the motion prevailed and the roll call vote on **SA 15** to **SB 1** was rescinded.

On motion of Senator Cordrey, the roll call vote on **SB 1** was taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Manning, Martin, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 18.

NO: Senator McCullough — 1.

ABSENT: Senators Hughes and Knox — 2.

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

The Chairman of the Executive Committee reported back to the Senate the following Governor's nominations for appointment: Kathryn T. Derrickson — 3 Favorable, 1 Merits; Robert H. George — 3 Favorable, 2 Merits; Joshua M. Twilley — 3 Favorable, 2 Merits; Emory R. West, Sr. — 3 Favorable, 2 Merits; Leah W. Betts — 3 Favorable, 2 Merits; Hudson E. Gruwell — 5 Favorable; John W. Sievers — 3 Favorable, 2 Merits; Hugh R. Sharp, Jr. — 5 Favorable; Stephen L. Manista — 3 Favorable, 2 Merits; Benjamin Orkin — 3 Favorable, 2 Merits; Louise T. Brothers — 5 Favorable; Clifford B. Hearn, Jr. — 4 Favorable, 1 Merits; John T. Gallagher, Jr. — 4 Favorable, 1 Merits; William L. Jones — 3 Favorable, 2 Merits; Kent S. Price — 3 Favorable, 2 Merits; Charles L. Simms — 3 Favorable, 1 Merits.

At 2:40 p.m. on motion of Senator Isaacs the Senate adjourned to immediately convene for the 10th Legislative Day.

10TH LEGISLATIVE DAY

The Senate convened at 2:40 p.m. February 5, 1975, Lt. Governor Bookhammer presiding.

A Prayer was offered by the Chaplain, Rev. Alvin J. Willink.

Pledge of Allegiance to the Flag.

Call of the roll showed the following attendance:

PRESENT: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 19.

ABSENT: Senators Hughes and Knox — 2.

The Journal was approved as read.

Legislative Advisories received from the Counsel to the Governor, William C. Bradley, Jr., informed the Senate that the Governor had approved the following legislation:

On January 20, 1975: **SCR 3.**

On January 21, 1975: **HB 17.**

On January 22, 1975: **HJR 4.**

On January 24, 1975: **SCR 5; SCR 8.**

On February 4, 1975: **HB 50; HCR 4; SJR 7.**

On February 4, 1975: **HB 96 w HA 1.**

On February 5, 1975: **SB 86; HB 22; SCR 11.**

On February 6, 1975: **SCR 9; SCR 10; SCR 12; SCR 14; HCR 6; HCR 7; HCR 8.**

On February 10, 1975, the Governor **VETOED: HB 97; HB 98; HB 99.**

On February 14, 1975, the Governor **APPROVED: SB 1; SCR 16; SCR 19; SCR 20; HCR 10.**

On February 15, 1975, the Governor **APPROVED: SB 104 w SA 1.**

* * * * *

The Secretary announced that a message from the House informed the Senate that it had adopted: **SCR 12; SCR 14; SCR 15; SCR 16; SCR 19** and passed **SB 86; SB 104 w SA 1.**

* * * * *

On motion of Senator Cordrey, the Senate recessed at 2:55 p.m. and reconvened at 3:07 p.m.

Senator Zimmerman moved that the roll call vote on **HB 12** be lifted.

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

YES: Senators Adams, Cook, Cordrey, Holloway, Kearns, Martin, Schlör, Sharp, Zimmerman — 9.

NO: Senators Berndt, Castle, Hale, Manning, Murphy, Isaacs — 6.

NOT VOTING: Senators Cicione, Elliott, McCullough — 3.

ABSENT: Senators Hughes, Knox and Steele — 3.

Therefore, the motion was defeated and the roll call on the Bill remained tabled.

SR 22 sponsored by Senators Holloway, Cicione and Sharp was introduced:

SR 22 — "Requesting the Delaware Congressional Delegation to work against and vote against legislation introduced in the United States Senate to break strikes by denying Food Stamps to certain families."

Senator Elliott moved that the Resolution be laid on the table.

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

YES: Senators Berndt, Castle, Elliott, Hale, Manning — 5.

NO: Senators Adams, Cicione, Cook, Cordrey, Holloway, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Isaacs — 12.

ABSENT: Senators Hughes, Knox, Steele and Zimmerman — 4.

Therefore, the motion was defeated.

On motion of Senator Holloway, the roll call vote on the Resolution was taken and announced:

YES: Senators Cicione, Cook, Holloway, Kearns, Martin, Schlör, Sharp, Isaacs — 8.

NO: Senators Adams, Berndt, Castle, Cordrey — 4.

NOT VOTING: Senators Elliott, Manning, McCullough and Zimmerman — 4.

ABSENT: Senators Hale, Hughes, Knox, Murphy, Steele — 5.

Therefore, the Resolution was lost.

SCR 20 sponsored by Senators Cook, Murphy and Zimmerman was introduced:

SCR 20 — "In reference to appointing Directors on the part of the State for the Farmers Bank of the State of Delaware for the Branch at Dover, Delaware."

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

YES: Senators Adams, Cicione, Cook, Cordrey, Elliott, Holloway, Kearns, Manning, Martin, McCullough, Murphy,

Schlor, Sharp, Zimmerman, Isaacs — 15.

NO: Senators Castle and Hale — 2.

NOT VOTING: Senator Berndt — 1.

ABSENT: Senators Hughes, Knox and Steele — 3.

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

SCR 21 sponsored by Senators Holloway, Sharp, Isaacs, Kearns, Martin, Cook, Murphy, Elliott and Manning was introduced:

SCR 21 — “Requesting the Secretary of the Delaware Department of Labor to have the unemployment checks mailed to recipients.”

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

YES: Senators Berndt, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Isaacs — 15.

NO: Senator Adams — 1.

NOT VOTING: Senators Castle and Zimmerman — 2.

ABSENT: Senators Hughes, Knox and Steele — 3.

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

On motion of Senator Isaacs, the Governor’s nomination for appointment of Emory R. West, Sr. was taken up for consideration, the roll call taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 16.

ABSENT: Senators Hale, Holloway, Hughes, Knox and Steele — 5. Therefore, the appointment was confirmed.

On motion of Senator Isaacs, the Governor’s nomination for appointment of Leah W. Betts was taken up for consideration, the roll call vote taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Kearns, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman, Isaacs — 15.

ABSENT: Senators Hale, Holloway, Hughes, Knox, Manning, Steele — 6.

Therefore, the appointment was confirmed.

On motion of Senator Isaacs, the Governor’s nomination for appointment of William L. Jones was taken up for consideration, the roll call vote taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook,

Cordrey, Elliott, Holloway, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 17.

ABSENT: Senators Hale, Hughes, Knox, Steele — 4.

Therefore, the appointment was confirmed.

On motion of Senator Isaacs, the Governor's nomination for appointment of John W. Sievers was taken up for consideration, the roll call vote taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Holloway, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 17.

ABSENT: Senators Hale, Hughes, Knox and Steele — 4.

Therefore, the appointment was confirmed.

On motion of Senator Isaacs, the Governor's nomination for appointment of Stephen L. Manista was taken up for consideration, the roll call vote taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Manning, McCullough, Murphy, Schlor, Zimmerman, Isaacs — 16.

NO: Senator Sharp — 1.

NOT VOTING: Senator Martin — 1.

ABSENT: Senators Hughes, Knox and Steele — 3.

Therefore, the appointment was confirmed.

On motion of Senator Isaacs, the Governor's nomination for appointment of John T. Gallagher, Jr. was taken up for consideration, the roll call vote taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 18.

ABSENT: Senators Hughes, Knox and Steele — 3.

Therefore, the appointment was confirmed.

On motion of Senator Isaacs, the Governor's nomination for appointment of Benjamin Orkin was taken up for consideration, the roll call vote taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 18.

ABSENT: Senators Hughes, Knox and Steele — 3.

Therefore, the appointment was confirmed.

On motion of Senator Isaacs, the Governor's nomination

for appointment of Clifford B. Hearn, Jr. was taken up for consideration, the roll call vote taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 18.

ABSENT: Senators Hughes, Knox and Steele — 3.

Therefore, the appointment was confirmed.

On motion of Senator Isaacs, the Governor's nomination for appointment of Charles L. Simms was taken up for consideration, the roll call vote taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 18.

ABSENT: Senators Hughes, Knox and Steele — 3.

Therefore, the appointment was confirmed.

On motion of Senator Isaacs, the Governor's nomination for appointment of Kathryn T. Derrickson was taken up for consideration, the roll call vote taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 18.

ABSENT: Senators Hughes, Knox and Steele — 3.

Therefore, the appointment was confirmed.

On motion of Senator Isaacs, the Governor's nomination for appointment of Hugh R. Sharp, Jr., was taken up for consideration, the roll call vote taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 18.

ABSENT: Senators Hughes, Knox and Steele — 3.

Therefore, the appointment was confirmed.

On motion of Senator Isaacs, the Governor's nomination for appointment of Hudson E. Gruwell was taken up for consideration, the roll call vote taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Hale, Holloway, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 17.

ABSENT: Senators Elliott, Hughes, Knox and Steele — 4.

Therefore, the appointment was confirmed.

On motion of Senator Isaacs, the Governor's nomination for appointment of Joshua M. Twilley was taken up for consideration, the roll call vote taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 18.

ABSENT: Senators Hughes, Knox and Steele — 3.

Therefore, the appointment was confirmed.

On motion of Senator Isaacs, the Governor's nomination for appointment of Robert H. George was taken up for consideration, the roll call vote taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 18.

ABSENT: Senators Hughes, Knox and Steele — 3.

Therefore, the appointment was confirmed.

On motion of Senator Isaacs, the Governor's nomination for appointment of Kent S. Price was taken up for consideration, the roll call vote taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Manning, Martin, McCullough, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 18.

ABSENT: Senators Hughes, Knox and Steele — 3.

Therefore, the appointment was confirmed.

On motion of Senator Isaacs, the Governor's nomination for appointment of Louise T. Brothers was taken up for consideration, the roll call vote taken and announced:

YES: Senators Adams, Berndt, Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Manning, Martin, Murphy, Schlor, Sharp, Zimmerman, Isaacs — 16.

NO: Senator McCullough — 1.

ABSENT: Senators Hughes, Kearns, Knox and Steele — 4.

Therefore, the appointment was confirmed.

On motion of Senator Isaacs, the following two communications were made part of the record:

SENATE STATE OF DELAWARE

TO: Senate Members of the 128th General Assembly
FROM: Senator J. Donald Isaacs, President Pro Tempore

DATE: February 5, 1975
 SUBJECT: Delaware Commission on Interstate
 Cooperation

Pursuant to the authority vested in me as President Pro Tempore I hereby appoint the following Senators to be members of the Delaware Commission on Interstate Cooperation: 1. Senator Thurman Adams, Jr., Senator Calvin R. McCullough, Senator Margaret R. Manning.

* * * * *

SENATE STATE OF DELAWARE

TO: Senate members of the 128th General Assembly
 FROM: Senator J. Donald Isaacs, President Pro Tempore
 DATE: February 5, 1975
 SUBJECT: Senate Concurrent Resolution No. 11

In accordance with Senate Concurrent Resolution No. 11, I hereby appoint Senator Anthony J. Cicione and Senator Robert J. Berndt to serve on the committee to study the feasibility of establishing a State Veterans' Cemetery.

* * * * *

At 4:40 p.m. on motion of Senator Cordrey the Senate recessed and reconvened at 7:05 p.m.

On motion of Senator Cordrey, the Senate immediately recessed for dinner and reconvened at 11:37 p.m., Lt. Governor Bookhammer presiding.

SB 121 sponsored by Senator Holloway was introduced and assigned to Finance Committee:

SB 121 — "An Act authorizing the Department of Health and Social Services to transfer between all lines and Divisions."

SB 122 sponsored by Senator Murphy was introduced and assigned to Natural Resources Committee:

SB 122 — "An Act to amend Chapter 17 of Title 7, Delaware Code, relating to immunization of dogs for rabies."

SB 123 sponsored by Senators Isaacs, Cordrey, Kearns, Manning and Berndt was introduced and assigned to Finance Committee:

SB 123 — "An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and expenditures in the nature of Capital Investments and to issue Bonds and Notes therefor and appropriating the monies to various Agencies of the State and to borrow money to be used

for the share of school construction programs and to issue Bonds and Notes therefor and appropriating the monies to the State Board of Education on behalf of Local School Districts.”

SB 124 sponsored by Senators Cicione and Holloway was introduced and assigned to Finance Committee.

SB 124 — “An Act authorizing the State of Delaware to borrow money and to issue Bonds and Notes therefor; and appropriating the funds thus obtained to the Department of Administrative Services for use by the Division of Purchasing.”

SB 125 sponsored by Senators Hale, Manning, Zimmerman, Murphy, Martin, Cook, Sharp, Kearns, Elliott and Holloway was introduced and assigned to Finance Committee.

SB 125 — “An Act authorizing the State of Delaware to borrow money to be used for Capital Improvements and Expenditures in the nature of Capital Investments and to issue Bonds and Notes therefor and appropriating the monies to the State Board of Education and to borrow money to be used for the local share of School Construction Programs and to issue Bonds and Notes therefor and appropriating the monies to the State Board of Education on behalf of Local School Districts.”

SB 126 sponsored by Senator Isaacs was introduced and assigned to Administrative Committee:

SB 126 — “An Act to amend Subchapter 1 of Chapter 1, Title 26, Delaware Code, relating to discontinuance of gas, water, or electric service by Public Utilities.”

SA 1 to SB 88 was introduced by Senator Kearns and placed with the Bill.

SA 1 to SB 101 was introduced by Senator Cicione and placed with the Bill.

SA 1 to SB 123 was introduced by Senator Cook and placed with the Bill.

HB 122 sponsored by Representative George was introduced and assigned to Finance Committee:

HB 122 — “An Act to provide a supplemental appropriation to the Division of Maintenance and Communications, Department of Administrative Services, for operational costs through June 30, 1975.”

SB 127 sponsored by Senator McCullough was introduced and assigned to Judiciary Committee.

SB 127 — “An Act to amend Chapter 41, Part II, Title 11, Delaware Code relating to default in payment of fines.”

SR 23 sponsored by Senators Isaacs and Cordrey was introduced:

SR 23 — "To debit Senate Travel Account for legislators' mileage of the present session of the 128th General Assembly."

The roll call vote on the Resolution was taken and revealed 16 Senators voting YES with 5 Senators (Adams, Castle, Elliott, Hughes and Knox) ABSENT.

Therefore, the Resolution was adopted.

SR 24 sponsored by Senators Isaacs and Cordrey was introduced:

SR 24 — "Authorizing payments for services rendered by the Staff of the Senate for the 128th General Assembly."

The Resolution was adopted with 16 Senators voting YES and 5 Senators (Adams, Castle, Elliott, Hughes and Knox) being ABSENT.

SR 25 sponsored by Senators Elliott, Cook and Murphy was introduced and laid on the table at the request of Senator Elliott:

SR 25 — "Urging that every encouragement be given to the Southern Railway System in its efforts to acquire all but seventy-four miles of trackage of the bankrupt Penn Central Railroad on the Delmarva Peninsula."

At 12:02 a.m. February 6, 1975, the Senate recessed on motion of Senator Cordrey to the call of the President Pro Tempore.

The Senate reconvened at 2:04 p.m. February 11, 1975, Lt. Governor Bookhammer presiding.

On motion of Senator Isaacs, the Senate immediately adjourned to convene for the 11th Day.

11TH LEGISLATIVE DAY

The Senate convened at 2:05 p.m. February 11, 1975, Lt. Governor Bookhammer presiding.

A Prayer was offered by Senator Elliott.

Pledge of Allegiance to the Flag.

By roll call the following Senators were present:

PRESENT: Senators Castle, Cicione, Cook, Cordrey, Elliott, Hale, Holloway, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 17.

ABSENT: Senators Adams, Berndt, Hughes and Knox — 4.

The Journal was approved as read.

The Chair introduced **HCR 10**:

HCR 10 — "Providing that a Joint Session of the Senate and House of Representatives be convened for the purpose of hearing the Governor and representatives of the Governor's Economic Advisory Council on the State's financial condition for 1975-76."

On motion of Senator Cordrey, the roll call vote for adoption of the Resolution was taken and announced:

YES: Senators Cicione, Cordrey, Elliott, Holloway, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Steele, Zimmerman, Isaacs — 14.

NOT VOTING: Senators Castle and Hale — 2.

ABSENT: Senators Adams, Berndt, Cook, Hughes and Knox — 5.

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

On motion of Senator Isaacs, the following letter was made part of the record:

STATE LOTTERY OFFICE

1679 S. du Pont Highway

Dover, Delaware 19901

MEMORANDUM

TO: Senator J. Donald Isaacs, President Pro Tempore
FROM: Eugene G. Auen, Director,
 State Lottery Office
DATE: February 5, 1975
SUBJECT: Reply to correspondence
 from Senator Castle

Just a quick note to thank you for your recent action on my behalf on the Senate floor.

I thought you might be interested in my reply to Senator Castle, which is enclosed.

Best regards and thanks again.

* * * * *

STATE LOTTERY OFFICE

1679 S. duPont Highway

Dover, Delaware

February 3, 1975

The Honorable Michael N. Castle
 Minority Leader of the Senate
 Dover, Delaware
 Dear Senator Castle:

This correspondence is in reply to your letter of January 21,

1975, in which you requested certain information concerning the operation of the Delaware State Lottery Office.

In addition to providing answers to your specific questions, I am available, at your convenience, to discuss personally any and all aspects of the operation of this office.

QUESTION 1. What firms made proposals to the Governor's Lottery Advisory Committee for advertising and promotion?

ANSWER: Proposals were made by nine firms, namely: 1. deMartin-Marona-Cranstoun and Downes, Wilmington; 2. Communications Consultants, Inc., Wilmington, in conjunction with Robert Landan Associates, Inc.; 3. Thomas, Richards, and Harris, Inc., Wilmington; 4. Keller/Rose, Inc., Wilmington, in conjunction with Gray and Rogers, Philadelphia; 5. Aloysius, Butler and Clark, Wilmington and Dover; 6. Gauge Corporation, Wilmington; 7. The Idea Factory, Inc., Wilmington; 8. Shipley Associates, Inc., Wilmington; 9. United Advertising Corp., Wilmington.

QUESTION 2: If Thomas, Richards, and Harris made a proposal what was its form? If not, why was it not required?

ANSWER: Thomas, Richards, and Harris made not only a formal verbal proposal and presentation to the Lottery, but provided a formal written proposal as well. I might add, all other firms did the same to varying degrees.

QUESTION 3. Is Thomas, Richards, and Harris the only firm in Delaware that is judged to have the capability to handle the advertising and promotion activities for the State Lottery program?

ANSWER: Although Thomas, Richards and Harris were considered the most capable, as indicated by their selection, all the firms making presentations seemed capable to varying degrees. Particular consideration was given to the proposals of deMartin-Marone-Cranstoun and Downes; Aloysius, Butler and Clark; and Shipley Associates, Inc. in our selection process.

These presentations and interviews were conducted in the State Lottery Office with the following in attendance to varying degrees, depending on their time available: three members of the Governor's Lottery Advisory Commission, namely; Mr. Bruce Quayle, Director of Public Relations for Columbia Gas System, Mrs. Elizabeth C. Dix, Director of Public Relations for Delaware State College and Mr. Norman Borish, Vice President for Marketing of Leon Weiner and Associates; also Louis Wilson of Analytics (our Consulting

Firm), and Dennis Hodges of the Analytics' staff; Mr. Lewis Jordan, our Lotter Deputy Director for Administration, who is also serving as my Assistant in the implementation stages, and myself.

QUESTION 4. What are the special qualifications of Thomas, Richards and Harris that make it preferable?

ANSWER: Thomas, Richards and Harris were selected on the basis of these presentations and also past performance capabilities. We feel this was an excellent selection, based not only on their experience and background, but also due to their eagerness as shown by their investigation of the Lottery system as a whole and study of successful, and in some cases unsuccessful, promotional ideas and campaigns used by other experienced Lottery States.

This interest was indicated by their immediate contact with me after Senate confirmation of my appointment as Director, at which time their background studies and preparation began. Only one other firm, deMartin-Marone-Cranstoun and Downes exhibited similar early interest, and presentations by many of the other firms evidenced their late interest in the Lottery operation.

QUESTION 5. What criteria, if any, were established by the commission to determine the selection of an appropriate agency to handle the advertising and promotion?

ANSWER: This is partially answered by the answer to Question 4. The firm selected should be experienced in ALL facets of advertising and public relations, to include art work, media knowledge and contacts, etc. Also, considered important were eagerness and desire, as much Lottery type background knowledge as could be made available, and proven past performance.

QUESTION 6. Did Thomas, Richards, and Harris receive any advance information on the promotion campaign that was not available to all prospective contractors? If so, what was the nature of the information? From whom did it come, and, when was it imparted?

ANSWER: Absolutely not. As indicated before in this correspondence, they exhibited an early interest and I assume studied the Analytics' Lottery Study Report, which was readily available to any prospective ad firm. Only one other firm showed the same initiative. I was truly amazed that any and all firms desiring the Lottery business did not endeavor to get all information readily available at the early outset of the Lottery

implementation stages.

QUESTION 7. Has the Governor, or anyone on his staff, to your knowledge, ever suggested that Thomas, Richards, and Harris be rewarded in any way for its past contributions or activities in behalf of the Governor's campaign or other party activity?

ANSWER: An absolute and very sincere NO.

QUESTION 8. Did the Governor, anyone on his staff, or you influence in any way the decision on the selection of an agency?

ANSWER: Absolutely not. The first knowledge the Governor or his staff had (with the exception of knowledge that we were interviewing ad firms) was when we recommended the selection of Thomas, Richards and Harris as our firm for advertising and promotion.

QUESTION 9. Was the Lottery Advisory Committee's recommendation a unanimous decision?

ANSWER: A qualified yes. Dix and Quayle were not available when final deliberations were being made. Before decisions were finalized, I contacted both by telephone and they indicated their agreement with the selection of Thomas, Richards and Harris.

QUESTION 10. Could Messrs. Quayle and Borish have been prejudiced in their decision as a result of their being a client of the agency selected, through their respective employers?

ANSWER: I can not answer for Mr. Quayle and Mr. Borish, but I do not feel this relationship had any bearing whatsoever in their considerations. If anything, it could have had an adverse affect if their known performance of Thomas, Richards and Harris had been anything but of the highest quality. I might add, Mr. Quayle and Mr. Borish are very reputable and dedicated gentlemen with the best interests of the State always in mind.

QUESTION 11. Has the Lottery Commission established any general plan for its advertising and promotion activities?

ANSWER: Very definitely. These plans are being finalized and will be thoroughly gone over with the Governor's Lottery Advisory Commission in a specially called meeting on February 4th before being put into operation.

QUESTION 12. What is the nature of the contract insofar as the type and extent of professional services to be provided?

ANSWER: There is no written contract with Thomas, Richards and Harris. If we are dissatisfied with their services, we can terminate said services at our pleasure. They will handle our

promotional and advertising activities with our approval required on any and all expenditures of funds. We will pay them for services provided directly for the Lottery Office with the bulk of their income being derived from placement fees from the media used and this will depend on the extent of our use of said media for promotional purposes.

QUESTION 13. What provisions are made for renewal or continuation of the promotion campaign?

ANSWER: Obviously we will have a continuing promotion campaign that will require almost daily re-evaluation as to results produced and those required, and of necessity will be flexible as needed to get the desired results. As indicated before, we are bound in no way for renewal or continuation with Thomas, Richards, and Harris.

QUESTION 14. What is the estimated annual amount of the lottery billing from the selected agency? First year? Subsequent years?

ANSWER: As indicated earlier, we will be billed by the agency for services they provide directly for us and this will depend on the amount and degree of services we require from them. This of necessity is flexible and no exact dollar figure can be furnished.

QUESTION 15. Is it correct that the new billing from the Lottery activities would triple the current billing of the agency (Thomas, Richards, and Harris)?

ANSWER: I am not sure I understand this question, but will answer to the best of my ability. I have no idea as to what the current "Billing" is and consequently have absolutely no idea if the Lottery activity would triple the "billing" of Thomas, Richards, and Harris. The only comment I could make is that although they naturally will make a profit from Lottery business, the figures that have been indicated in some newspapers are so completely absurd they do not deserve comment.

Senator Castle, I do object strongly to your comment that the State Lottery has recently been tainted by rumors of scandal. The only scandal relating to the Lottery is that dreamed up by some irresponsible reporter whose reports obviously indicate a complete lack of knowledge of the facts.

I also feel your recent attempt to call me on the floor was inappropriate. It would seem to me that if you had questions, you should have given me the courtesy to answer them personally and then call me to the floor if you were not satisfied. By the way, I would have been most happy to have appeared on

the floor if I had not been on my way to South Carolina at the time.

Every attempt has been made in this correspondence to answer your questions honestly and sincerely. If you still feel further clarifications are required, I will be glad to provide same.

Rest assured the State Lottery Office is being operated in such a manner as to realize our ultimate goal of producing the maximum amount of revenue for the State of Delaware and relieving the citizens of our State of other types of taxation. I think this idea should be shared by everyone in our State and any reflection on the integrity of the Lottery can only hamper that objective.

I am available at ANYTIME to discuss with you the contents of this correspondence or ANY other questions you may have concerning the Delaware State Lottery Office and the operation thereof.

Respectfully submitted,
Eugene G. Auen
Director
State Lottery Office

* * * * *

At 2:22 p.m. on motion of Senator Isaacs, the Senate recessed for the purpose of meeting with the House in Joint Session.

JOINT SESSION

Representative Ferguson moved that the Senate and House convene in Joint Session. Motion prevailed.

Representative Ferguson moved that the President of the Senate preside over the Joint Session. Motion prevailed.

Representative Ferguson moved that the Secretary of the Senate and Chief Clerk of the House act as Secretaries of the Joint Session. Motion prevailed.

The Speaker appointed the following Committee to escort the Governor to the House Chamber: Representatives Boulden and Riddagh, Senators Elliott and Schlör.

The Sergeant-at-Arms admitted the Governor and the duly appointed Committee to the Senate Chamber. The Speaker invited the Governor to the rostrum and introduced him to the Joint Session. The Governor addressed the members of the General Assembly as follows:

Mr. Speaker

Mr. President

Mr. President Pro Tempore

Ladies & Gentlemen of the 128th General Assembly

Members of the Cabinet

Other Distinguished Guests, Delawareans All:

Our State's financial integrity is being shattered by divisiveness. . .and, for the well-being of our citizens, it must **not** continue.

Today you members of the Legislature have gathered in Joint Session to consider and debate Revenue Estimates for FY 75.

Let us **work** together.

Let us determine **not** who is right, but which figures are most logical. And then use them as a base to establish our position with respect to our needs for additional revenue.

Let us not determine **who** can gain most political benefit from continued bickering over revenues, but who can benefit from our sound financial assessments.

I suggest that all our citizens will benefit from an understanding of the amount of revenue our current tax base will yield.

As I told my Press Conference yesterday morning, three revenue estimates currently are being debated for FY 75.

One is the estimate of the non-partisan Council of Economic Advisors which is made up of individuals from the private sector, the Executive Branch of government, and the Legislative Branch of government.

The second estimate is that of the Republican Minority.

The third is the total stated in House Joint Resolution 44, passed by the 127th General Assembly, which was a compromise figure.

As you will recall, since Democrats and Republicans differed on estimates by about \$14 million dollars, we split the difference and compromised last June on an **arbitrary** figure, just so we could pass the Budget Bill for this Fiscal Year.

So now we find ourselves - and I do mean **all of us** - not just the Legislature and not just the Governor - we find ourselves in the position of **not** being able to proceed with the business of rapidly fulfilling our pledge to the teachers and custodians for pay raises, because of the sharply-differing views on revenue for this year.

Basically, the wheels of government have ground to a halt over this basic question: "Does the revenue exist to support

increased State expenditures, or must we provide additional revenues?"

This is one critical time when government **cannot** proceed without agreement.

We all know what has been appropriated.

We know that the minimum total for supplemental appropriations has jumped to \$11.9 million.

According to Treasurer Mary Jornlin, total revenue refunds for FY 75 will exceed the amount appropriated for that purpose by \$3 million.

We know that Debt Service will exceed appropriations for that purpose by \$2.4 million. Further, Debt Service holds first claim on General Fund dollars and is a Constitutionally-required expenditure.

We know that soaring energy costs will require an additional appropriation of \$4.6 million to supplement existing appropriations in the FY 75 Budget for energy.

And we know that additional funds are required for such items as the Judicial pay raise, which was passed but unfunded by the 127th General Assembly; and for "DART" to keep Mass Transportation running in this time of energy conservation; and other supplemental requests total \$1 million so far.

I want to impress on the members of this Body that there is sound reasoning behind the numbers I cited yesterday at the Press Conference.

In the area of reversions, we hope to match last year's reversion rate of 2% of appropriations.

So you can see that the expenditure side of the ledger is reasonably clear.

The other side - and the highly controversial side - concerns revenues.

Let me state at the outset that it is the purpose of the Economic Advisory Council to estimate revenue - **not** to consider what the means in terms of a deficit.

I, as Governor, support the Council's estimate.

And let me stress that I had absolutely **nothing** to do with the determination of their figures. That is **their** estimate, which they arrived at independently, and I support it.

I have invited the Council to this Joint Session today. I hope their presentation will help you understand how their estimates were determined.

I hope you members of the Legislature will take advantage of this opportunity to question the Council members, and

discuss the Council's estimate, and compare notes on what you think revenue will be, and what they think it will be, and that you will compare the Council's estimates with **other** estimates. Further, that you will probe all estimates. You must seek to understand the basis for all estimates.

Only then can you determine which are sound and which are political.

The entire aim of this Joint Session is to arrive at an agreement of revenues.

What we need, what the citizens of our State need, is agreement by the Legislative and by the Executive branches of government on revenues for this year.

Is that too much for our citizens to ask of us? - That we concur on a Revenue Estimate, and then proceed, accordingly, based on that framework?

I do **not** think it is too great a request of us.

The longer we postpone agreement now, the more expensive it becomes to the taxpayers of our State.

Let me suggest this to you members of the General Assembly.

I know that this political fighting over Revenue Estimates could go on, and go on, for the next five months. And, I know that Revenue Estimating can be considered fair game for political hay.

But let me suggest that with our nation's economic picture - and Delaware cannot escape being affected by the national picture - with the national economy the way it is, we cannot foresee a sudden upturn in the economy by next month, or by next summer. It may be longer than that.

And so, precisely because of this difficult economic situation, I ask you to work together.

No doubt there will be strong differences of opinions on how estimates were arrived at which estimate is best, why this estimate is logical, or that one isn't.

But we must - in this Special Session - determine **one** estimate that we agree on, so that we can proceed to meet our obligations.

There can be no question that all sixty-two Legislators are concerned with the future of our State, and the well-being of our State's citizens.

The difference comes in how we go about planning for the future of the State and how we view current problems.

I ask your help. I ask for your ideas. I ask for your

cooperation, so we can reach agreement and proceed for the sake of all our citizens.

* * * * *

The previously named Committee escorted the Governor from the Chamber.

Representative Ferguson moved that the Secretary of the Senate and the Chief Clerk of the House compare their respective Journals.

The Secretary of the Senate and the Chief Clerk of the House compared their Journals, found them to agree, and so notified the President.

Representative Ferguson moved the two Houses now separate to re-convene in their respective Chambers. Motion prevailed.

* * * * *

The Senate reconvened at 5:18 p.m. and immediately recessed, on motion of Senator Cordrey, to the call of the President Pro Tempore.

The Senate reconvened at 1:52 p.m. March 18, 1975, President Pro Tempore Isaacs presiding.

Senators Adams, Berndt, Hughes and Knox were marked PRESENT.

The following Committee reports were read:

From Revenue and Taxation Committee: **SB 5** — 4 Merits.

From Finance Committee: **SB 124** — 1 Favorable, 5 Merits.

From Labor Committee: **SB 66** — 3 Favorable, 2 Merits.

SR 26 was introduced by Senator Manning and immediately stricken on her motion.

SR 26 — "Relative to the observance of Secretaries Week."

SJR 12 was also stricken on motion of Senator Manning.

The following legislation was introduced and assigned:

SJR 13 — "Urging the Department of Police for New Castle County to reinstate its former practice of patrolling the Parks located within New Castle County." Sponsor: Senator Cicione. Assigned to Public Safety Committee.

SB 128 — "An Act to authorize the transfer of Warwick School No. 225 Building to the American Legion Pot Nets Post No. 25." Sponsor: Senator Cordrey. Assigned to Administrative Services Committee.

SB 129 — "An Act to amend Title 6, Title 16, Title 24 and Title 29 of the Delaware Code relating to Microwave Ovens; and providing for certain warnings." Sponsor: Senator Cicione.

Assigned to Health and Social Services Committee.

SB 130 — “An Act to amend Chapter 5, Part I, Title 11 of the Delaware Code concerning theft and other related offenses; and providing penalties for the theft of gasoline.” Sponsor: Senator Cicione. Assigned to Judiciary Committee.

SB 131 — “An Act to amend Chapter 33, Part III, Title 19 of the Delaware Code relating to unemployment compensation; and providing unemployment compensation benefits to persons unable to work during a strike, under certain circumstances.” Sponsor: Senator Cicione. Assigned to Labor Committee.

SB 132 — “An Act to amend Chapter 43, Part II, Title 11 of the Delaware Code relating to the pre-sentence investigation after conviction for rape.” Sponsor: Senator Zimmerman. Assigned to Health and Social Services Committee.

SB 133 — “An Act to amend Chapter 35, Part II, Title 11 of the Delaware Code relating to the admissibility of certain evidence in rape cases.” Sponsor: Senator Zimmerman. Assigned to Health and Social Services Committee.

SB 134 — “An Act to amend Chapter 84, Title 29 of the Delaware Code relating to the coverage of a full-time employee of the Delaware State Employees Credit Union.” Sponsor: Senator Zimmerman. Assigned to Labor Committee.

SB 135 — “An Act to amend Section 4011, Chapter 40, Title 14, Delaware Code, by withdrawing venure for any affected employee who violates subsections (a) and/or (c) of said Section 4011.” Sponsor: Senator McCullough. Assigned to Education Committee.

SB 136 — “An Act to amend Title 14, Subchapter III, Section 1420 of the Delaware Code by providing an additional reason for termination of a teacher’s services during the school year.” Sponsor: Senator McCullough. Assigned to Education Committee.

SB 137 — “An Act to amend Chapter 10, Part I, Title 14 of the Delaware Code relating to teacher contracts.” Sponsor: Senator McCullough. Assigned to Education Committee.

SB 138 — “An Act to amend Title 14, Chapter 40, Delaware Code, by providing penalties for employees of the Public School System who strike while in the performance of official duty.” Sponsor: Senator McCullough. Assigned to Education Committee.

SB 139 — “An Act to amend Title 14, Chapter 14, Subchapter II, Delaware Code, relating to reasons for

termination of contract, by adding strike action to the list of reasons." Sponsor: Senator McCullough. Assigned to Education Committee.

SB 140 — "An Act to amend an Act being Chapter 143, Volume 57, Laws of Delaware, entitled "An Act to incorporate the Town of South Bethany." Sponsor: Senator Cordrey. Assigned to Administrative Services Committee.

SB 141 — "An Act authorizing the Department of Health and Social Services to transfer between all lines and Divisions." Sponsors: Senators Isaacs, Cordrey and Kearns. Assigned to Finance Committee.

SB 142 — "An Act to amend Rule 18 of Title 4, Delaware Code, relating to Clubs and Multiple Activity Clubs." Sponsors: Senator Isaacs and Senator Murphy. Assigned to Community Affairs Committee.

SB 143 — "An Act to amend Chapter 6 of Title 1, Delaware Code, relating to the official establishment of Delaware Day." Sponsor: Senator Elliott. Assigned to Natural Resources and Environmental Control Committee.

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

SB 145 — "An Act to amend Subchapter III, Chapter 3, Title 9 of the Delaware Code, relating to award of contracts for Public Work or goods." Sponsor: Senator Martin. Assigned to Community Affairs Committee.

SB 146 — "An Act to amend Chapter 3 of Title 22, Delaware Code, relating to limitations on zoning powers exercised by any incorporated municipality." Sponsor: Senator Martin. Assigned to Community Affairs Committee.

SB 147 — "An Act to amend Section 1154, Title 30, Delaware Code, to require monthly deposit of Income Taxes withheld by employers where the amount exceeds \$10.00." Sponsors: Senators Isaacs, Cordrey and Kearns. Assigned to Revenue and Taxation Committee.

SB 148 — "An Act to amend Chapter 44, Title 21, Delaware Code, relating to the notice of removal of abandoned vehicles and the cost for storage of same." Sponsor: Senator Holloway. Assigned to Public Safety Committee.

SB 149 — "An Act to adopt the Delaware Code, revised 1974, as the Law of the State of Delaware." Sponsor: Senator Isaacs. Assigned to Executive Committee.

SB 150 — "An Act to provide for the omission of Senate Bill No. 149, Delaware Code of 1974, from the printed Session Laws of the 128th General Assembly." Sponsor: Senator Isaacs. Assigned to Executive Committee.

SB 151 — "An Act to amend Chapter 92, Title 10, Delaware Code, relating to salaries of Justices of the Peace." Sponsor: Senator Isaacs. Assigned to Finance Committee.

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

SB 153 — "An Act making a supplementary appropriation to the Department of Natural Resources and Environmental Control, Division of Soil and Water Conservation, for the purpose of completing Tax Ditch projects already in some phase of development." Sponsors: Senators Cook and Adams. Assigned to Agriculture Committee.

SB 154 — "An Act making a supplementary appropriation to the Department of Natural Resources and Environmental Control, Division of Fish and Wildlife, for the purpose of creating eight (8) new positions." Sponsors: Senators Isaacs, Cordrey and Manning. Assigned to Finance Committee.

SB 155 — "An Act to amend Chapter 19, Title 30, Delaware Code, relating to the Corporation Income Tax." Sponsors: Senators Isaacs, Cordrey and Kearns. Assigned to Revenue and Taxation Committee.

SA 2 to SB 123 was introduced by Senator Adams and placed with the Bill.

SR 27, sponsored by Senator Holloway and all the Senators was introduced and considered for adoption:

SR 27 — "CONGRATULATING WILLIAM JULIUS (JUDY) JOHNSON OF MARSHALLTON, DELAWARE, FOR HAVING BEEN VOTED INTO BASEBALL'S HALL OF FAME LOCATED AT COOPERSTOWN, NEW YORK.

WHEREAS, members of the Senate of the 128th General Assembly are elated to learn that William Julius (Judy) Johnson has been elected to Baseball's Hall of Fame located at Cooperstown, New York, the first Delawarean ever to be chosen to the Hall of Fame; and

WHEREAS, Judy Johnson started playing baseball in 1918 when he began playing on Saturdays for the Chester Giants at \$5.00 a game and subsequently became a charter member of the Negro Eastern League in 1922 which was really

the start of his baseball career; and

WHEREAS, during Judy's baseball career, he was an excellent fielder and a consistent batter with outstanding speed as a base runner; and

WHEREAS, in 1969, Jet magazine honored him as the greatest third baseman ever to play in Negro baseball; and

WHEREAS, Judy Johnson at age 74, has achieved his life long ambition which he narrowly missed in 1973, when James (Cool Papa) Bill was voted into the Hall of Fame; and

WHEREAS, Judy Johnson, a modest, soft-spoken man, never once in his long baseball career expressed resentment or bitterness about his exclusion from the major leagues, but simply remarked "I was born too soon"; and

WHEREAS, Members of the Senate of the 128th General Assembly wish to congratulate Judy Johnson for such an excellent career in baseball, plus the honor of having been the first Delawarean ever to be elected to baseball's Hall of Fame.

NOW, THEREFORE:

BE IT RESOLVED by the members of the Senate of the 128th General Assembly of the State of Delaware that congratulations are hereby extended to William Julius (Judy) Johnson for the highest honor one can receive from a career in baseball, namely election to Baseball's Hall of Fame at Cooperstown, New York.

BE IT FURTHER RESOLVED that the members of the Senate of the 128th General Assembly express their highest gratitude for the honor you not only brought to yourself and family, but the honor you also bestowed upon Delaware by having been the first Delawarean ever elected to Baseball's Hall of Fame.

BE IT FURTHER RESOLVED that this Resolution be made a part of the Senate Journal and that a copy be forwarded to the residence of William Julius (Judy) Johnson, Marshallton, Delaware, and that a copy also be forwarded to the Baseball Hall of Fame located at Cooperstown, New York.

* * * * *

The Resolution was unanimously adopted by roll call vote.
The following legislation was introduced:

SB 156 — "An Act to amend Chapter 41, Title 30, Delaware Code, to change the date of payment of the Telephone and Telegraph Excise Tax." Sponsors: Senators Isaacs, Cordrey and Kearns. Assigned to Revenue and Taxation Committee.

SB 157 — "An Act to amend Chapter 13, Title 14, Delaware

Code relating to salaries and working conditions of school employees and providing appropriations therefor." Sponsor: Senator Isaacs. Assigned to Finance Committee.

SR 28, sponsored by Senator Cordrey and all the Senators was introduced and considered for adoption.

SR 28 — "Praising the Cape Henlopen High School Basketball Team and its Coaches for winning the ninth Annual Delaware High School Basketball Tournament Championship."

The Resolution was unanimously adopted by roll call vote.

SCR 22, sponsored by Senator Cordrey and all the Senators was introduced and considered for adoption:

SCR 22 — "EXPRESSING THE REGRETS OF THE MEMBERS OF THE 128TH GENERAL ASSEMBLY AT THE DEATH OF HARVEY H. LAWSON, OF MILLSBORO, A FORMER MEMBER OF THE SENATE AND OF THE HOUSE.

WHEREAS, the members of the 128th General Assembly of the State of Delaware have learned with deep sorrow and regret of the death of Harvey H. Lawson, of Millsboro; and

WHEREAS, Harvey H. Lawson, a former member of each House of the Delaware General Assembly had started his legislative career in 1935 as a reading clerk in the House of Representatives; and

WHEREAS, Harvey H. Lawson was elected three times to the House of Representatives, 1942, 1948 and 1950, serving as Speaker of the House in the 1949 and 1951 sessions; and

WHEREAS, Harvey H. Lawson was elected to the Senate in 1944, serving in the 1945 and 1947 sessions; and

WHEREAS, throughout his adult life Harvey H. Lawson had been active in political affairs, serving for many years as a member of the Sussex County Republican Committee and as a member of the Republican State Committee; and

WHEREAS, Harvey H. Lawson was outspoken in behalf of those causes in which he saw some public good; and

WHEREAS, in conference and in public Harvey H. Lawson was shrewd and never at loss for ideas and words; and

WHEREAS, among his colleagues in the General Assemblies in which he served, Harvey H. Lawson was highly respected for his knowledge and use of parliamentary procedures; and

WHEREAS, through hard work and steady application Harvey H. Lawson had earned for himself an extraordinary

reputation as a legislator; and

WHEREAS, in his private life Harvey H. Lawson had been for many years a fisherman and small farmer; and

WHEREAS, the departure from this life of a former colleague of the caliber and competence of Harvey H. Lawson brings sorrow and deep thought to each one of us.

NOW, THEREFORE:

BE IT RESOLVED that the Senate of the 128th General Assembly of the State of Delaware, the House of Representatives concurring therein, does, by this Concurrent Resolution express the high respect in which it held Harvey H. Lawson and the deep sorrow which his death has inspired.

BE IT FURTHER RESOLVED that a copy of this Concurrent Resolution be forwarded to Mrs. Blanche Lawson, widow of our late colleague, and that a copy be spread upon the Journals of the Senate and the House of Representatives."

The Resolution was adopted by unanimous vote of the Senate and sent to the House for concurrence.

SJR 14 sponsored by Senator Holloway was introduced and assigned to Executive Committee:

SJR 14 — "Requesting Governor Sherman W. Tribbitt to require the resignations of members of Advisory Councils who miss three consecutive meetings of their Councils for reason other than health."

SB 158 sponsored by Senator Martin was introduced and assigned to Highways and Transportation Committee:

SB 158 — "An Act to amend Title 17, Chapter 13, Delaware Code, relating to the vacating of Public Roads and Bridges."

At 2:36 p.m. on motion of Senator Cordrey, the Senate recessed for a half hour.

The Senate reconvened at 4:25 p.m. and on motion of Senator Cordrey immediately adjourned to begin the 12th Legislative Day.

12TH LEGISLATIVE DAY

The Senate convened at 4:25 p.m., March 18, 1975, President Pro Tempore Isaacs presiding.

A Prayer was offered by Senator Holloway.

Pledge of Allegiance to the Flag.

By roll call, 21 Senators were PRESENT.

The Journal of the previous day's proceedings was approved as read.

The Secretary announced that a message from the House

informed the Senate that it had passed: **SCR 12; SCR 14; SCR 15; SCR 16; SCR 19; SB 86; SB 104 w SA 1; SCR 20; SB 1.**

The following Bills were reported back to the Senate from the Finance Committee: **SB 102 — 6 Merits; HB 13 — 6 Merits.**

The Chair introduced **HCR 9**, sponsored by Representative Arnold and Senator Manning:

HCR 9 — “Congratulating Anthony Anderson of Thomas McKean High School, upon being named to the 1974 National High School All-American Football Team.”

On motion of Senator Manning, the roll call vote for adoption of the Resolution was taken and revealed 18 Senators voting YES with 3 Senators (Cicione, Holloway and Schlör) ABSENT. Therefore, the Resolution was adopted by the Senate and returned to the House.

On motion of Senator McCullough, **HB 76** was lifted from the table for consideration, the roll call taken on the Bill and announced:

YES: Senators Adams, Cicione, Cook, Holloway, Hughes, Isaacs, Kearns, Manning, Martin, McCullough, Murphy, Schlör, Sharp, Zimmerman — 14.

NO: Senators Elliott and Steele — 2.

NOT VOTING: Senators Berndt, Castle, Hale and Knox — 4.

ABSENT: Senator Cordrey — 1.

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

At 4:41 p.m. Lt. Governor Bookhammer presiding.

SJR 15, sponsored by Senators Manning and Cook with all the Senators and the Lt. Governor as co-sponsors was introduced and on motion of Senator Manning, the rules were suspended for the purpose of considering the Resolution:

SJR 15 — “Commending the Secretarial Profession and proclaiming Secretaries Week and Day during April.”

The Resolution was adopted with 19 Senators voting YES and 2 Senators (Cicione and Cordrey) being ABSENT. The Resolution was sent to the House for concurrence.

SR 29, sponsored by Senator Holloway was introduced and on motion of Senator Holloway considered for adoption:

SR 29 — “Commending Wilmington Radio Station WILM for the Fund-raising Campaign for victims of leukemia.”

The Resolution was adopted with 19 Senators voting YES and 2 Senators (Cicione and Cordrey) being ABSENT.

SR 30, sponsored by Senator Holloway was introduced and laid on the table on motion of Senator Holloway:

SR 30 — "Commending President Gerald R. Ford for appointing a black, William T. Coleman, of Philadelphia, as Secretary of the Department of Transportation."

SR 31, sponsored by Senator Cicione, was introduced and in the absence of Senator Cicione and on motion of Senator Isaacs, laid on the table:

SR 31 — "Commending the News-Journal Company, of Wilmington, for publishing without charge classified advertisements for those seeking jobs in this difficult time."

The following legislation was introduced:

SJR 16 — "Providing for the establishment of a Committee to study the feasibility and ramification of slot machines for Delaware." Sponsor: Senator Holloway. Assigned to Executive Committee.

SB 159 — "An Act to amend Chapter 31 of Title 24, Delaware Code, relating to extension of time for application to renew license for the practice of Funeral Service." Sponsor: Senator Zimmerman. Assigned to Administrative Committee.

SB 160 — "An Act authorizing the Treasurer of the State of Delaware to advance from the General Fund of the State of Delaware to the State Department of Public Instruction amounts not to exceed \$550,000 in total to expedite the replacement of the heating system at the Wilmington Manor Elementary School in the New Castle-Gunning Bedford School District." Sponsor: Senator Kearns. Assigned to Finance Committee.

SB 161 — "An Act to amend Subchapter 11, Chapter 87, Title 9 of the Delaware Code, relating to redemption by owner from a Tax Sale." Sponsor: Senator Martin. Assigned to Judiciary Committee.

SB 162 — "An Act making a supplementary appropriation to Geriatric Services of Delaware, Inc." Sponsor: Senator Holloway. Assigned to Finance Committee.

SA 1 to SB 157 was introduced by Senator Isaacs and placed with the Bill.

The following Bills were reported back to the Senate from the Finance Committee: **SB 120** — 1 Favorable, 4 Merits; **SB 119** — 1 Favorable, 4 Merits; **SB 121** — 2 Merits, 2 Unfavorable.

On motion of Senator Kearns **SB 71** was lifted from the table for consideration and the following Senators were added as co-sponsors: Hughes, Castle, Schlor, Martin and Sharp.

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Hale, Hughes, Kearns, Knox, Manning, Martin, Murphy, Schlor, Sharp — 14.

NO: Senator Steele — 1.

NOT VOTING: Senators Elliott, Holloway and Isaacs — 3.

ABSENT: Senators Cicione, McCullough and Zimmerman — 3.

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

SB 6 was stricken from the calendar on motion of Senator Isaacs.

SB 29 was laid on the table on motion of Senator Isaacs.

SCR 23, sponsored by Senator Isaacs with the Lt. Governor and all the other Senators as co-sponsors was introduced and considered for adoption:

SCR 23 — "EXPRESSING PROFOUND SORROW UPON LEARNING OF THE DEATH OF DR. GEORGE M. WORRILOW, CHARACTERIZED AS ONE OF DELAWARE'S MOST RESPECTED AND AFFABLE CITIZENS.

WHEREAS, members of the 128th General Assembly of the State of Delaware have learned with a great deal of shock and with a profound sense of loss that Dr. George M. Worrilow died on February 27, 1975, of an apparent heart attack at the General Division, at age 70; and

WHEREAS, Dr. George M. Worrilow, who was known among State officials, particularly legislators, as plain George and who served in numerous posts at the University of Delaware for forty odd years in a dedicated and faithful manner and was probably one of Delaware's foremost leaders in elevating Delaware's largest industries, namely, agribusiness; and

WHEREAS, Dr. George M. Worrilow never once refused to offer his astute advice and feelings about University policy or the School of Agriculture when called upon by legislators and other State officials; and

WHEREAS, there has never been a more affable and friendly person to frequent Legislative Hall in behalf of the University of Delaware; and

WHEREAS, Dr. Worrilow was not only prominently known and well liked by former legislators and fellow Delawareans, but he was nationally known by virtue of the fact that he served on all the major agricultural committees of the National Association of State Universities and land-grant colleges, to include the National Research Advisory Committee to the U.S. Secretary of Agriculture from 1959 to 1961; and

WHEREAS, Dr. Worrilow's friendliness and his acute sense of humor as well as his feeling of gratitude and compassion won him the hearts and minds of many legislators and State officials when he was liaison between the University and the General Assembly; and

WHEREAS, Dr. Worrilow's pervasive sense of humor and astute advice, both of which seemed to permeate Legislative Hall when he was present will be sadly missed.

NOW, THEREFORE:

BE IT RESOLVED by the members of the 128th General Assembly of the State of Delaware, the Governor concurring therein, that an expression of sympathy is hereby extended to Dr. George Worrilow's wife, Lucie, and his daughter, Stephanie, during these days of bereavement.

BE IT FURTHER RESOLVED that a copy of this Resolution be made a part of the Senate and House Journals and that copies be forwarded to Mrs. George Worrilow at 225 Cheltenham Road, Oaklands, Newark, Delaware, and to his daughter, Stephanie W. Dann, also of Oaklands, Newark, Delaware."

* * * * *

The Resolution was adopted by the Senate with 19 Senators voting YES and 2 Senators (Cicione and McCullough) being ABSENT. The Resolution was ordered to the House for concurrence.

SB 163, sponsored by Senator Isaacs, was introduced and assigned to Judiciary Committee:

SB 163 — "An Act to amend Chapter 3, Title 9, Delaware Code, relating to use of Mobile Homes on Farms."

SB 128 was reported back to the Senate from the Administrative Services Committee — 6 Merits.

The following Bills were reported back to the Senate from the Health and Social Services Committee: **SB 129** — 4 Merits, 1 Unfavorable; **SB 132** — 5 Merits; **SB 133** — 5 Merits.

The following communication was read into the record:

**SENATE
LEGISLATIVE HALL
DOVER, DELAWARE**

February 27, 1975

TO: SENATE MEMBERS OF THE
128th GENERAL ASSEMBLY
FROM: SENATOR J. DONALD ISAACS
PRESIDENT PRO TEMPORE
SUBJECT: SENATE CONCURRENT RESOLUTION NO.
15

In accordance with the Senate Concurrent Resolution No. 15, I have today appointed Senators William Murphy and David H. Elliott to serve on the committee to oversee State Employee Benefits.

* * * * *

SR 32, sponsored by Senator Isaacs, was introduced and on his motion considered for adoption:

SR 32 — “Commending Senators Herman M. Holloway and David H. Elliott, Chairman and Co-chairman for such an inspirational Legislative Prayer Luncheon held at the Gold Key Restaurant on March 5th, 1975.”

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

YES: Senators Adams, Berndt, Castle, Cook, Cordrey, Hale, Hughes, Isaacs, Kearns, Knox, Manning, Martin, Murphy, Schlor, Sharp — 15.

NOT VOTING: Senators Elliott, Holloway, Steele and Zimmerman — 4.

ABSENT: Senators Cicione and McCullough — 2.

Therefore, the Resolution was adopted.

SB 164, sponsored by Senators Isaacs and Sharp was introduced and assigned to Labor and Industrial Relations Committee:

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

SCR 18 was stricken on motion of Senator Isaacs.

At the request of Senator Holloway, the following 2 communications were made part of the record: